

**MINUTES**  
**PLANNING BOARD MEETING**  
**February 25, 2019**  
**5:30 P.M.**  
**905 WEST AVENUE**

**MEMBERS PRESENT:**

Lucy McCarl, Jeff Church, Leah Hamilton, Mac Martin, Richard Hedrick, Kaye Reynolds, Tim Scobie, Larry Smith

**MEMBERS ABSENT:** James Bradshaw, Sharon Bryant

**STAFF PRESENT:**

Jenny Wheelock, Hannah Williams, Lauren McKinney

**MINUTES:**

Board Member Church moved approval of the meeting minutes of January 28, 2019 as written. Board Member Hamilton seconded the motion, which was voted upon and passed by unanimous vote.

**NEW BUSINESS:**

- 1. CUP #1-19 Lower Creek Drive Multi-Family**  
**Applicant: MC Morgan & Associates, Inc**  
**Owner: Silvio Martinat**  
**Location: 316 Lower Creek Dr.**  
**CUP#1-19 The applicant is requesting a Conditional Use Permit for a 68-unit apartment complex in the R-9 and B-2 zoning districts.**

*Recommended Action: Staff recommends approval, subject to the conditions in the staff report, and call for public hearing at the March 19, 2019 City Council meeting.*

Chairperson McCarl explained to the public in attendance the process of giving their testimony to the Board and the authority of the Planning Board and the Planning Department.

Planning Director, Jenny Wheelock gave an overview of the 68 unit multi-family development using a PowerPoint presentation and site maps which included the level of density, appearance of the site, and traffic and school impacts. Ms. Wheelock stated that the city has requested DOT do a study on congestion mitigation for US 321 and Highway 18. Staff is recommending the approval of the Conditional Use Permit with conditions in the staff report.

Mark Morgan, applicant and President of MC Morgan and Associates, Inc stated he has been in this business for 25 years with apartments being the main objective. Mr. Morgan stated he feels this community is in need of 1, 2, and 3 bedroom apartments. He explained about the two entrances to the site and the 50 ft. easement to the second entrance from Wilkesboro Boulevard.

Chairperson McCarl asked if this apartment complex will have a 24 hour site manager. Mr. Morgan replied an on-site manager will be available from 8:00am-5:00pm.

Board Member Leah Hamilton asked if this project was low income or market rate housing. Mr. Morgan replied he would take all funding available.

Reva Pennell, property owner of 220 Eastwood Park Drive SE stated she recently purchased property on Lower Creek Drive and is concerned about the traffic being dangerous backing out of the driveway.

Neena Tysinger, property owner of 311A Lower Creek Drive NE stated her concerned with the entrance of the site being directly across from her driveway and the resulting in heavy traffic.

Teresa Edmisten, property owner of 319 Lower Creek Drive NE stated she is concerned about the property values, heavy traffic, and feels this would be doubling the number of households on the street.

Jessie Price, property owner of 305 Lower Creek Drive NW stated her concerns about not having a manager present at night, the use of the clubhouse, and the added traffic.

Mark Morgan replied to Ms. Price's concern stating the clubhouse will only be open from 8:00am-5:00pm and the manager will only have the key.

Lida Martinat, representing her husband Syvio Martinat, the property owner of this project at 316 Lower Creek Drive NE, spoke of her need to sell this property due to her husband's healthcare. She believes this will not impact the traffic and this property needs to be sold. She also spoke of how her husband has does many things for others in this community and giving back and stated this property has been zoned for apartments for years.

Mac Martin asked the developer what his standards are for keeping the property up. Mark Morgan, the developer stated they take a portion of the rent and of the return to owner and place it in a reserve. They will also have a replacement and change program in place.

Chairperson Lucy McCarl closed the public session.

Board Member Scobie proposed a request for the City to amend the staff report and evaluate the Lower Creek Drive entrance to maximize safety. Board Member Hedrick seconded the motion, which was voted upon and passed unanimously.

**Board Member Scobie made a motion approving the Conditional Use Permit with the staff recommendations as submitted and amended by the previous motion, and call for a Public Hearing for City Council to consider the request on March 19, 2019. Board Member Smith seconded the motion, which was voted upon and passed unanimously.**

## **CONTINUED BUSINESS:**

### **1. Proposed Zoning Map Amendments: B-4 Properties**

**Applicant:** City of Lenoir

**Owner:** Multiple

**Location:** Multiple

**R# 1-19:** Staff is proposing a series of re-zonings to assign compatible zoning classifications to properties currently designated as B-4 on the Lenoir Zoning Map. These changes are related to ZOA#1-19, which proposes to eliminate the B-4 zoning district.

*Recommended Action: Approval based on the submitted consistency statement, and call for a Public Hearing for City Council to consider the request on March 19, 2019.*

A discussion occurred on the changes and recommendations for the B-4 properties from last meeting and all Board members agreed they were pleased with the amendments.

Guttorm Toverud, property owner at 108 Beall Street NW spoke and asked the difference between zoning B4 and B6. Planning Director, Jenny Wheelock explained to Mr. Toverud both are lower intensity businesses uses and explained what is and isn't allowed.

Rick Pierce representing Fairfield Chair stated they have no plans on selling the parking lot. They may repave but will go by the City landscaping requirements.

**Board Member Hamilton made a motion approving the proposed elimination of the B-4 zoning district and related re-zoning of approximately 35 parcels as shown on provided maps, and call for a Public Hearing for City Council to consider the request on March 19, 2019. Board Member Church seconded the motion, which was voted upon and passed unanimously.**

## 2. District and Use Standards Overhaul Ordinance

**Applicant:** City of Lenoir

**Owner:** N/A

**Location:** Citywide

**ZOA#1-19:** An ordinance to streamline and update uses and zoning district regulations.

*Recommended Action:* Approval and call for a Public Hearing for City Council to consider the request on March 19, 2019.

This item was presented by Planning Director, Jenny Wheelock using maps to show 17 projects and a density analysis to illustrate the changes in the ordinance. Using local examples, Ms. Wheelock illustrated the types of projects that could be built in each district, whether “by right” or as a conditional use.

Realtor Rita Abee represented owners for 221 Wilson Street. Ms. Abee stated this ordinance will give owners of B-6 more options.

Jenny Wheelock stated the Planning Department staff would look into creating a path for compliance for this property at a later date.

**Board Member Church made a motion to approve the District and Use Standards Overhaul Ordinance, and call for a Public Hearing for City Council to consider the request on March 19, 2019. Board Member Scobie seconded the motion, which was voted upon and passed unanimously.**

### **OTHER BUSINESS:**

Historic Preservation Commission

Jenny Wheelock, Planning Director went over the rules of procedure and design review guidelines with the Board. Ms. Wheelock stated these need to be adopted before the Board can review cases.

**Board Member Reynolds made a motion to adopt the rules of procedure and design review guidelines. Board Member Hamilton seconded the motion, which was voted upon and passed unanimously.**

Board Member Richard Hedrick proposed the City Council look into changing the speed limit from 35 mph to 25 mph from Lower Creek Elementary School to Wilkesboro Boulevard.

Board Member Hedrick made a motion to City Council to evaluate to change the speed limit on Wilkesboro Boulevard to Lower Creek Elementary School from 35

mph to 25 mph. Board Member Martin seconded the motion, which was voted upon and passed unanimously.

**ADJOURNMENT:**

Having no other matters to bring before the Board, Chairperson McCarl adjourned the meeting at 8:00 p.m.

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**Lucy McCarl**  
**Chairperson**

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