

Gastonia Planning Commission
March 8, 2018

Vice-Chairperson Bob Cinq-Mars declared a quorum and the Gastonia Planning Commission meeting opened at 5:30 pm on Thursday, March 8, 2018, in the Council Chambers at City Hall.

Present: Commissioners Jerry Fleeman, Kristie Ferguson, Bob Cinq-Mars, Jim Stewart, and Bob Biggerstaff

Absent: Commissioners Rodney Armstrong, Mark Epstein, and Pamela Goode

Staff Members Present: Charles Graham, Assistant City Attorney; Jason Thompson, AICP, Planning Director; Jana McMakin, AICP, Senior Planner; Rusty Bost, Director of Development Services; Tucker Johnson, PE, Assistant City Engineer; and Chrystal Howard, Secretary

Item 1a: Role Call / Sound Check

Item 1b: Calls/Contacts to Planning Commission Members

Commissioners stated there were no contacts.

Item 1c: Approval of February 8, 2018 Minutes

Commissioner Stewart made a motion to approve the February minutes as written and Commissioner Biggerstaff seconded the motion. The motion was approved unanimously.

Item 2: Public Hearing – Amending the Unified Development Ordinance (File # 8947)

Subject hearing involves a request to amend Section 7.6.1 FH Flood Hazard Overlay District of the Unified Development Ordinance.

Commissioner Cinq-Mars opened the public hearing and recognized Tucker Johnson, PE, Assistant City Engineer for the purpose of staff presentation.

Mr. Johnson stated that this is a request for modification to the City's Flood ordinance. The ordinance currently written requires that a special exception be granted for any fill or development in the 100 year floodplain. The approval of a Special Exception involves a staff review and recommendation and then processed through a public hearing. Mr. Johnson explained the formal process for hearings. Mr. Johnson stated that the modification to the Unified Development Ordinance (UDO) would convert the requirement of a Special Exception to place fill in the floodplain to a permit issued by the Floodplain Administrator. All of the criteria needed to grant the Special Exception (the "Five Findings of Fact" including the "no-rise" provision) would remain in the UDO as requirements for the permit. In cases where a permit is denied, applicants will have the right to appeal the Floodplain Administrator's decision to the Board of Adjustment. Staff, a consultant, and the North Carolina Department of Public Safety were unable to find other cities and towns with similar Council approval requirements.

Commissioner Cinq-Mars and Mr. Johnson discussed engineering's role regarding reviewing a presented model.

Commissioner Cinq-Mars asked how the public would be made aware of a construction project so any grievances could be heard. Mr. Johnson answered that a posting could occur on the city website and/or mail notifications to adjacent property owners.

Commissioner Fleeman stated that he thinks city staff would like to change the process similar to a technical review committee decision and stated his agreement to this request.

Commissioner Cinq-Mars commented that the appeal process will go to City Council and the remaining Commissioners corrected this statement with Board of Adjustment.

Further discussion ensued.

Commissioner Stewart made the motion to close the public hearing and made a recommendation to amend Section 7.6.1 FH Flood Hazard Overlay District of the Unified Development Ordinance as presented and Commissioner Fleeman seconded the motion.

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Commissioner Cinq-mars commented that as long as there are provisions for appeals he does not have a problem with this request.

The motion was approved unanimously.

Item 3: Other Business

Public Hearing – Gary E McCord (File # 8924) - Subject hearing involves a request to rezone approximately 4.56 acres from C-2 CD (Highway Commercial Conditional District) and RS-8 (Residential District, Minimum 8,000 sq. ft. lots) to C-2 CD (Highway Commercial Conditional District). The property is located at the intersection of S. New Hope Road and Pineview Lane. The property is owned by Ashbrook Station Ltd. At the February 8, 2018 Gastonia Planning Commission, Commissioner Fleeman made the motion to approve the request as presented and Commissioner Stewart seconded the motion. The motion was approved unanimously. This item was appealed and will be presented to the Gastonia City Council at the March 20, 2018 meeting.

The UNC School of Government will have a Regional Board Workshop for Planning and Development Regulation to provide additional training on Tuesday, May 1, 2018 in Charlotte NC. The topic is on legislative zoning decisions such as rezoning and zoning ordinance amendments. Staff will email additional information. Commissioners Ferguson and Cinq-Mars stated that they are interested in attending.

Public Hearing – Amending the Unified Development Ordinance (UDO) (File # 8925) - Subject hearing involves a request to amend Section 8.1.11 Planned Residential Development (PRD) and Section 9.18 Sidewalks/Greenstrips of the Unified Development Ordinance to require sidewalk only on one side of the street of residential subdivisions and in Planned Residential Developments permit double front load garages on lots a minimum of 50 ft. in width. At the February 8, 2018 Gastonia Planning Commission, Commissioner Epstein made the recommendation to deny requiring a sidewalk on only one side of all subdivision streets city-wide as presented without further discussion and information and Commissioner Cinq-Mars seconded. The recommendation to deny was approved 7-1 (Stewart opposed). This item was withdrawn and will not move forward to City Council. The applicants are interested in working with staff within the existing ordinance.

At the previous Gastonia Planning Commission meeting, Mr. Thompson stated it has been a goal of the City of Gastonia to conduct a comprehensive review and assessment of all residential development standards for some time. To achieve that goal the City has contracted with a private consultant, Metrocology. Mr. Thompson provided a possible schedule of what will be presented to the Planning Commission. April 5th – Overview presentation by city staff members focusing on existing growth, as well as, continuing growth in the southeastern of the City of Gastonia and how it fits in with the overall context of residential growth and development city-wide. May 3rd – Consultant will be present to discuss statistics about residential development nationwide and forecasting for Gastonia residential growth and development. This would be the first kick-off discussion with the consultant present. June 7th – Another opportunity for Gastonia Planning Commission to hold a discussion on the topic. Potential July meeting, hold a special meeting, or move to August meeting – Anticipate ability to roll out any proposed changes. Mr. Thompson reminded the Commissioners that this is not a firm but an adjustable schedule. Commissioner Ferguson and Cinq-Mars thanked Mr. Thompson for the update and schedule. Discussion ensued.

There being no further business, Commissioner Cinq-Mars entertained a motion to adjourn the meeting. Commissioner Stewart made the motion to adjourn the meeting and Commissioner Fleeman seconded the motion. The motion was approved unanimously. Commissioner Cinq-Mars adjourned the meeting at 6:04 p.m.

Respectfully submitted,

Chrystal Howard, Secretary

Pam Goode, Chairperson