

Gastonia Planning Commission June 8, 2023 Meeting Minutes

The Gastonia Planning Commission meeting opened at 5:30 p.m. on Thursday, June 8, 2023 in the Council Chambers at City Hall, 181 S. South Street of Gastonia, NC.

Present: Chair Kristie Ferguson and Commissioners Jim Stewart, Carl Harris, Anthony Gallant, David Wilson, Glenn Silverman, Rodney Armstrong

Absent: Commissioner Chad Ghorley

Staff Members Present: Charles Graham, Jason Thompson, Quentin McPhatter, Jason Pauling, Shelley DeHart, Jalen Nash, Keith Lineberger, and Tucker Johnson

Item 1a: Role Call / Sound Check

Chair Kristie Ferguson declared a quorum.

Item 1b: Calls/Contacts to Planning Commission Members

Commissioners were not contacted.

Item 1c: Approval of April 6, 2023 Meeting Minutes

Commissioner Stewart made a motion to adopt the April 6, 2023 minutes as presented and Commissioner Harris seconded the motion. The motion unanimously passed (7-0).

Chair Ferguson explained the rules of procedure and time limitations.

Item 2: Public Hearing – Dallas Bessemer City Highway Townhomes (File #202200615)

Subject hearing involves a rezoning request for approximately 32.45 acres from Gaston County TMU (Transitional Mixed Use) and RLD (Residential Low Density) to City of Gastonia PD-RRDD (Planned Development – Revised Residential Development District). The subject property is located on Dallas Bessemer City Highway, north of the Gastonia Technology Park. The property is owned by Charles E. Pasour and Kenneth and Pamela Avery.

Chair Ferguson opened the public hearing and recognized Jason Pauling, Assistant Planning Director, for the purpose of staff presentation.

The zoning map and aerial image of the site were displayed. Mr. Pauling stated the request includes a total of six tax parcels, which are mostly zoned Transitional Mixed Use in Gaston County. He noted the property is adjacent to Dallas Park, a Gaston County Park facility, and Gastonia Technology Park. Mr. Pauling stated the property across Dallas-Bessemer City Highway is zoned Residential (R-1) and includes single-family homes. He stated the Gastonia Technology Park is within the City of Gastonia limits and zoned I-2 to the west. To the north and east, including the Dallas Park and Gaston College, the majority of the property is zoned TMU, with Commercial C-1 zoning at the intersection of Dallas-Cherryville Highway, some of which is within the Town of Dallas' jurisdiction.

A future land use map was displayed. Mr. Pauling stated the Future Land Use Plan indicates Industrial for the future of this property, which is consistent with the industrial park, but not necessarily a compatible land use in an area with residential across the street, a public park, and a college campus, and therefore a residential use with proper connectivity and design features could work in this area.

A site plan is displayed. Mr. Pauling stated the applicant is planning to develop 191 single-family attached (townhome) units utilizing the Revised Residential Development District Standards. He stated this proposal yields a density of approximately 5.86 dwelling units per acre and will require a completed Traffic Impact Analysis (TIA). Mr. Pauling stated a scoping meeting has already taken place with the City and State.

Areas of common open space were presented. Mr. Pauling stated the applicant is planning to consider a sidewalk connection to the Park and new sidewalk along the Dallas-Bessemer City Road frontage. He stated there are several pockets of open space throughout, but he will let the applicant further describe this in their presentation. Conceptual elevations were presented. Mr. Pauling stated the proposal is a rear-loaded, planned townhouse community and will feature a mix of masonry and siding materials. The proposed conditions were presented. Mr. Pauling briefly described the conditions but specified condition 5, on the proposed park connection, and condition 6, regarding stormwater coordination.

The staff's recommendation was presented, along with the statement of consistency and reasonableness. Mr. Pauling stated staff is recommending approval of this request and that he is available for questions.

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Chair Ferguson asked the Commission if there were any questions for staff. Commissioner Wilson asked if anyone has signed up to speak against this item. Chair Ferguson responded “No”.

With no further questions for staff, Chair Ferguson recognized Kyle DiPretoro at 1314 Mockingbird Lane, Charlotte, NC 28209. The site plan was presented. Mr. DiPretoro stated the townhomes are all two stories between 1500, 1600, and 1700 square feet with two car garages where possible. Mr. DiPretoro stated they have about 100 guest spaces for overflow parking. He stated there is a centralized courtyard so when you drive in, you're not looking through anybody's front door, but instead, you'll be looking at a centralized green space with a covered sunshade, or a covered dining area for people to gather. Mr. DiPretoro stated at the corners of some of these lots, some of these larger areas will be designated for dog parks, playgrounds, seating areas, hardscape seating areas, and other large and small amenity spaces. Mr. DiPretoro stated also the park will be their greatest amenity and they will work with City and County staff to make connections. He stated that the park may be federally funded, so there is some challenge on what they're allowed to do, but they plan to make a connection. Mr. DiPretoro pointed out the stormwater features and the stormwater management facilities on the site plan. He stated the proposed stormwater locations may change some in size and shape, but they have considered how they will maintain storm water on site and how they let the storm water ultimately release into the creeks. Mr. DiPretoro pointed out the tree save area in the bottom left area of the site plan, and stated he felt it was an appropriate location to screen the site from the corporate park. Mr. DiPretoro stated they were trying to be mindful of how to transition from the park, to residential, and over to the corporate park. Mr. DiPretoro stated the rear entry townhomes will have a blend of exterior materials including brick masonry, stone, fiber cement siding, window trim details, etc. He stated the walking trails, centralized green spaces, access points, and remaining green spaces will be professionally maintained and taken care of by the HOA. Mr. DiPretoro stated they will work with Duke Energy, to provide the required street lighting per the requirements listed in the ordinance. Mr. DiPretoro stated they have a covered kiosk area for mail, that may need to change locations based on USPS and what they allow them to do. Mr. DiPretoro stated they have already released the TIA (Traffic Impact Analysis) and the traffic counts have been collected. He stated if they can get the approval here, they would release the traffic engineer to finish out the traffic analysis and take that analysis and work with the City to get the improvements. Mr. DiPretoro stated to install those improvements, he would imagine at least, a left and right-hand turn lane to continue the flow of traffic. He stated there are two proposed entrances.

With that being the end of Mr. DiPretoro's presentation, Chair Ferguson opened the floor for any questions. Commissioner Wilson asked Mr. DiPretoro what the proposed bedroom count was for the townhomes. Mr. DiPretoro responded the typical is three bedrooms, with two and a half bathrooms. He stated they do have a builder picked out, but they're not 100% sure.

Commissioner Wilson asked Mr. DiPretoro if the townhomes were going to be built to rent or built to sell. Mr. DiPretoro responded they have a for-sale builder on this. Commissioner Wilson also asked Mr. DiPretoro how the HOA will be maintained. Mr. DiPretoro discussed situations he has encountered working with HOAs on their sites.

Commissioner Harris asked Mr. DiPretoro if they were using any vinyl in the materials, and what's the price point for the townhomes. Mr. DiPretoro responded no vinyl, and that they would do the market rate. Commissioner Harris asked staff for clarification on the term dwelling units per acre. Mr. Pauling explained and stated the site is 5.8 dwelling units per acre.

Commissioner Harris asked Mr. DiPretoro if the townhomes were to have two garages per unit. Mr. DiPretoro stated he does not know the final plan of the builder, but typically, they would always have a two-car garage and wouldn't have a personnel door on that backside. Commissioner Harris also asked Mr. DiPretoro if wetlands were going around the site. Mr. DiPretoro responded “Yes”, there is a buffer around the wetlands and they are well outside of that buffer, staying away from the residential area.

Chair Ferguson asked the board if there were any additional questions.

With there being no further questions, Chair Ferguson asked for the wishes of the board. Commissioner Stewart moved to recommend the approval with the statement of consistency and reasonableness. Commissioner Harris and Silverman seconded the motion. The motion was unanimously passed (7-0).

Item 3: Public Hearing – Crowders Creek Commons Townhomes (File #202300052)

Subject hearing involves a request to rezone approximately 16.31 acres from C-3 (General Business), I-2 (General Industrial), and I-2 CUP to PD-RRDD (Planned Development – Revised Residential Development District). The subject property is located on West Franklin Boulevard, adjacent to Patterson Circle and is owned by Dean Putnam and Martha Smith.

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Chair Ferguson opened the public hearing and recognized Jason Pauling, Assistant Planning Director, for the purpose of staff presentation. An aerial image of the site was displayed. Mr. Pauling stated the request is to rezone a total of nine parcels along West Franklin Avenue from C-3, I-2 & I-2 CUP to PD-RRDD. He stated this project is directly adjacent to the larger Crowder's Creek proposed development that the Planning Commission and Council approved this past September, which was a TND (Traditional Neighborhood Development) request including a mix of single-family, multi-family, and commercial along Franklin Blvd. Mr. Pauling stated the site is currently being used as an auto service and salvage yard. He stated there is a small creek that borders the property to the east, there is a mix of commercial and industrial uses across Franklin and larger vacant and single-family properties to the east and south.

The zoning map was displayed. Mr. Pauling stated the site is zoned a mix of commercial and industrial and the request, is to rezone to a Planned District to utilize the Revised Residential Development District (RRDD) standards of sections 8.1.11 and 8.1.17 recently adopted. He stated RS-8 and RS-12 zoning is present to the east, C-3 zoning along Franklin, and the TND to the west.

The Future Land Use Plan is presented. Mr. Pauling stated the future land use plan includes a mix of residential, commercial, and industrial for the subject property, mostly following current zoning boundaries, not in anticipation of redevelopment of this property.

The site plan is presented. Mr. Pauling stated the applicant(s) are requesting to develop a residential community featuring a maximum of 140 units, with the site plan showing a series of single-family attached, townhome buildings. He stated the final plan could also include a mix of single-family detached. Mr. Pauling stated there will be three primary access points to the development and three main new residential streets with alley-loaded units from the rear following the RRDD code. Mr. Pauling stated the total density will be approximately 8.6 dwelling units per acre. Mr. Pauling stated the development will have sidewalks and street trees throughout all main roads, as well as bicycle connectivity back to the main Crowder's Creek development to connect to the multi-use sidewalk and greenway system that the development will provide. He stated the open space and tree save will be reserved in the most natural areas of the property along the creek and borders.

The proposed architecture is presented. Mr. Pauling stated the majority of the units will front on one of the main public streets and include a variety of masonry products, and decorative siding materials. Mr. Pauling presented the staff's proposed conditions and read them briefly. He stated staff supports this request and presented statements of consistency and reasonableness.

With there being no questions for staff, Chair Ferguson stated there is an applicant here to speak, and noted there is no one signed up to speak against this item. Chair Ferguson recognized John Carmichael at 101 North Tryon St Charlotte, North Carolina, and Daniel Robertson at 2820 Sullen Ave Charlotte, North Carolina. Mr. Carmichael stated the site is just over 16 acres. Mr. Carmichael presented an aerial image of the site and discussed the property's current use and the uses of the surrounding parcels. Mr. Carmichael stated, on behalf of his client, the applicant is requesting that the site be rezoned to the PD-RRDD zoning district to accommodate a residential community that would contain a maximum of 140 dwelling units. He stated they could all be single-family attached townhome units, or single-family detached units, which of course would reduce the density or a combination thereof.

Mr. Carmichael presented the site plan. Mr. Carmichael stated the site would be accessed from West Franklin Boulevard, Public Street A, and Public Street B, which would connect to the Crowder's Creek development to the west. Mr. Carmichael stated there would be a third public street, labeled Public Street C in the site plan. Mr. Carmichael stated all of the units would be rear loaded and all of them would face a public street, except for the four units shown in the site plan that face open space. He stated there'll be sidewalks and street trees on both sides of each street. Mr. Carmichael stated there will be a multi-use path on Street B that would provide bicycle and pedestrian connectivity to Crowder's Creek, which then provides connectivity to the Greenway to be located in Crowder's Creek, as well as a connection to Linwood Park. He stated there is a creek to the east, containing mostly common open space, and the tree save area would be located along the eastern portion of the site. Mr. Carmichael stated there are some open space areas in the interior portions of the site as well.

Mr. Robertson stated as of now, the product is envisioned to be rear-loaded townhomes, but it could also be single-family detached homes. He stated they are committed to not doing predominantly vinyl facades and they envision that the price would probably start in the upper three hundreds, but they can't commit to the price until analyzing the market. Mr. Robertson stated one of the conditions agreed to is that the construction materials should consist of predominantly brick, stone, or other masonry products, and any combination or variation of fiber cement siding. He stated the builder has not been finalized yet.

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Commissioner Harris asked the applicants, on vehicular access A, what the applicants envision that width to be. The applicants deferred to staff. Mr. Pauling responded it will most likely be a 50-foot right of way, with sidewalks on both sides, but staff will have to review that at the preliminary plat stage.

Commissioner Harris asked staff if the applicant is required to place sidewalks along Franklin Boulevard. The applicants deferred to staff due to Franklin Boulevard being a public right-of-way. Mr. Thompson, Planning Director responded the standard answer in the code is yes, you have to put sidewalks along public streets, but with that being US Highway and NCDOT jurisdiction, they may not allow for sidewalks to be on a divided highway, but it's too early to say.

Commissioner Silverman asked the applicants what's the missing parcel on the upper northeast corner. Mr. Robertson responded that is an auto repair shop that elected to not be part of this. Commissioner Silverman asked the applicants if there were any environmental concerns with there being a car lot in that location. Mr. Robertson responded they did both phase one and phase two environmental testing, and it came back clean. Commissioner Wilson asked the applicants when the development is going to start breaking ground. Mr. Robertson responded it could very easily be a five to ten-year build-out.

With there being no further questions, Chair Ferguson asked for the wishes of the Board.

Commissioner Silverman moved to approve the request as presented with the statement of consistency and reasonableness. Commissioners Stewart and Harris seconded the motion. The motion was approved unanimously (7-0).

Item 4: Public Hearing – Armstrong Park Road (File #202300122)

Subject hearing involves a request to amend the C-2 CD (Highway Commercial – Conditional District) zoning district (File 7321) for approximately 3.49 acres. The subject property is located at the intersection of W. Hudson Boulevard and Armstrong Park Road and is owned by Gaston County Family YMCA.

Chair Ferguson opened the public hearing and recognized Jason Pauling, Assistant Planning Director, for the purpose of staff presentation. Mr. Pauling stated the proposed site is a three-and-a-half acre property at the northwest corner of Armstrong Park Road and East Hudson Blvd. An aerial image of the property was displayed. Mr. Pauling stated the property is currently vacant and sits just south of Ballantyne Apartments. He stated to the east, across Hudson, there is a Gaston County school facility, a small City park, and a mix of residential uses.

A zoning map was displayed. Mr. Pauling stated the existing property is zoned C-2 CD and this request is an amendment. He stated the original request was for a mix of retail and office uses, and the allowance of a drive-through facility. Mr. Pauling stated property to the east, across Armstrong Park Road, is zoned RS-8 and some RMF (Residential Multi-family). He stated RMF also exists to the north and RS-12 to the south.

The Future Land Use Plan was presented. Mr. Pauling stated the future land use plan suggests residential for the subject property, which was also the designation before the previous rezoning. Mr. Pauling stated that based on this location and the property constraints with access issues, staff feels the proposed use is a better fit for the site if designed properly with low impact on the existing traffic patterns and surrounding land uses. The elevations and site plan were presented. Mr. Pauling stated the applicant is requesting this amendment to develop a three-story, 115,000-square-foot climate-controlled storage facility. He stated the development will also include a multi-use path along Armstrong Park Road, and sidewalk along Hudson to tie back into the existing sidewalk network.

The staff's proposed conditions were presented. Mr. Pauling stated staff is recommending approval of this request with the conditions presented. The statements of consistency and reasonableness were presented.

Commissioner Harris asked Mr. Pauling if the number of parking spaces presented was reasonable for this site. Mr. Pauling responded he may let the applicants address that, but with self-storage, there are really no hours, meaning there are not a whole lot of customer-driven needs for parking. Mr. Thompson stated, from previous conversations with similar developers, the average number of trips generated by these facilities is around 4 trips, and not a lot of people come and go through these facilities initially.

With there being no further questions for staff, Chair Ferguson recognized Chris Baker 145 Eclipse Way Mooresville, North Carolina. Mr. Baker stated he represents Legacy Point Properties. He stated they are the owner, the developer, and the builder of the property. Mr. Baker gave a summary of Legacy Point Properties. Mr. Baker stated there are maybe five to six trips generated a day. Mr. Baker stated

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the cut-in shown on the site plan is a two-story indoor climate-controlled loading area, which adds a little more parking. He stated as far as public utilities go, sewer capacity is not a big thing for development with four trips a day. Mr. Baker stated the project has a very high tax base, as an \$8 million project compared to other alternatives. Mr. Baker stated they have spoken with the DOT and they're in agreement in principle with their plans. Mr. Baker stated their sites are secure and well-lit for the community. He stated the total time from start to opening is nine months, with a 6-month build time. Mr. Baker stated they do have a letter in support of the development from the only adjoining neighbor.

Commissioner Silverman asked the applicants if the requested amendment was to have a larger facility and remove any prior proposals. Mr. Baker responded "Yes". Commissioner Silverman asked the applicants if the architectural front will resemble other Life Storage facilities. Mr. Baker responded the renderings are what they intended to build and Life Storage is our third-party operator. He stated they partner with them, but they don't develop properties. Mr. Baker stated they submitted their designs to Life Storage, and what is being presented is what they agreed on.

Commissioner Harris asked Mr. Baker if the proposal is a tilt-up structure. Mr. Baker responded "No", this is steel framing. Mr. Thompson stated the Unified Development Ordinance has baseline architectural and material standards for all non-residential buildings, with some exceptions in industrial zoning, but there will be more review on the elevations required to make sure the applicant is complying with our code.

Commissioner Harris asked if the parking was calculated based on the requirements listed in the Unified Development Ordinance. Mr. Thompson responded "Yes". Discussion ensued over parking requirements.

With there being no further questions for Mr. Baker, Chair Ferguson recognized Sharon Padgett at 816 Springs Road, Dallas, North Carolina. Ms. Padgett gave a quick summary of Gaston County YMCA's acquisition of the property and thanked the Commissioners for their time.

Chair Ferguson stated there is no one else signed up to speak and asked for the wishes of the board. Commissioner Stewart moved to approve the request as presented with the statement of consistency and reasonableness. Commissioner Gallant seconded the motion. With there being no further discussion, the motion was passed unanimously (7-0).

Items 5-7 Opened Simultaneously

Item 5: Public Hearing – Unified Development Ordinance Amendment (File #202300141)

Subject hearing involves a request to amend Chapter 10 Off-Street Parking and Loading to the Unified Development Ordinance to 1) revise the parking maximums within certain zones and building types, 2) allow the Administrator to evaluate and approve increases within particular zones, 3) establish Electric Vehicle Charging Station regulations for certain uses, 4) modify section numbers and cross-references within this chapter and the UDO, and 5) clarify, adjust, and/or remove criteria associated with parking standards.

Item 6: Public Hearing – Unified Development Ordinance Amendment (File #202300147)

Subject hearing involves a request to amend Section 12.3 Prohibited Signs and Section 12.14 Sign Flexibility Options to the Unified Development Ordinance to allow roof signs as a sign-type flexibility option in the UMU zoning district.

Item 7: Public Hearing – Unified Development Ordinance Amendment (File #202300181)

Subject hearing involves a request to amend Section 7.6.2 HD Historic District Overlay to the Unified Development Ordinance to revise the Civil Penalty guidelines regarding Certificates of Appropriateness from the Historic District Commission.

Chair Ferguson opened Item 5, Item 6, and Item 7, and recognized Jason Thompson, Planning Director for the staff's presentation.

Mr. Thompson stated the parking section of the Unified Development Ordinance was amended around 2 years ago, and some things didn't make it in originally. He stated one of those things includes requirements for electric vehicle charging stations for certain land uses. Mr. Thompson stated the

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parking amendment will be adding some flexibility in certain situations of the code that uses the term Administrator.

Mr. Thompson stated the second text amendment is one dealing with signs. He stated that staff is in the process rewriting of our sign chapter, but before that is completed, certain sections need to be amended to deal with the developer's innovative ideas, particularly ideas of roof signs. Mr. Thompson stated this amendment will add some flexibility to allow for roof signs.

Mr. Thompson stated the last text amendment is about the Historic Districts, where staff has had an issue with folks doing work without a Certificate of Appropriateness approval. He stated this amendment is proposed to add a little bit more enforcement when it comes to these situations because it keeps happening. Mr. Thompson stated that Kim Wallis, Senior Planner, has worked a lot on this with Mr. Graham, Assistant City Attorney, in rewriting this section.

Commissioner Gallant asked Mr. Thompson if the Historic District Standards regulate property owners cutting down their trees. Mr. Graham responded "Yes", there's a specific set of guidelines, in addition to the new tree ordinance that addresses property owners cutting down trees. Mr. Graham stated with any external change within the Historic District, property owners are supposed to apply for a Certificate of Appropriateness. Mr. Graham discussed situations frequently seen in the Local Historic Districts and how this amendment may help prevent those situations.

Commissioner Harris asked Mr. Graham about the process of the Certificate of Appropriateness. Mr. Graham and Mr. Thompson responded by explaining the different tiers of COA approval, and some examples of what's seen in the City of Gastonia's Historic Districts. Discussion ensued over the Historic District's Design Standards. Commissioner Wilson asked staff what the penalty was for violations. Mr. Graham responded "\$250".

Commissioner Silverman asked staff what is considered a significant change requiring a COA. Mr. Graham responded anything beyond ordinary maintenance requires a COA. Commissioner Silverman asked Mr. Graham for clarification on what is considered ordinary maintenance. Discussion ensued over the Historic District's Design Standards.

Commissioner Wilson asked Staff if property owners, before purchasing Historic District homes, are made aware that they reside in a Local Historic District. Chair Ferguson discussed the ongoing efforts in realty to make that disclosure a requirement.

With there being no further discussion, Chair Ferguson asked Mr. Graham for procedural guidance for a motion for the three text amendments. Discussion ensued on how to make the motion.

Commissioner Gallant moved to approve Items 5, 6, and 7 with the statement of consistency and reasonableness. Commissioner Harris seconded the motion. The motion was unanimously approved (7-0).

Item 8: Other Business

Mr. Thompson updated the Commissioners on City Council votes about Planning Commission absences. Chair Ferguson discussed attendance at the future Planning Commission meetings and requested the Board to notify the Planning Staff well in advance.

Item 9: Adjournment

With there being no further discussion, Commissioner Stewart moved to close the meeting. Commissioner Harris seconded the motion. The motion was unanimously passed (7-0). The meeting adjourned at 6:49 PM.

Respectfully submitted,

Jalen Nash, Planning Technician

Kristie Ferguson, Chairwoman