

**Gastonia Planning Commission
December 6, 2018**

Chairperson Pamela Goode declared a quorum and the Gastonia Planning Commission meeting opened at 5:32 pm on Thursday, December 6, 2018, in the Council Chambers at City Hall.

Present: Commissioners Rodney Armstrong, Jerry Fleeman, Mark Epstein, Kristie Ferguson, Pamela Goode, Bob Cinq-Mars, Bob Biggerstaff and Jim Stewart

Absent: None

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

Item 1a: Role Call / Sound Check

Item 1b: Calls/Contacts to Planning Commission Members

Commissioner Epstein stated he received two contacts. Remaining Commissioners stated there were no contacts.

Item 1c: Approval of November 8, 2018 Meeting Minutes

Commissioner Cinq-Mars made the motion to approve the November 8, 2018 minutes as written and Commissioner Fleeman seconded the motion. The motion was unanimously approved (8-0).

Chairperson Goode explained the rules of procedure and time limitations.

Item 2: Public Hearing – JP Development Group LLC (File # 9135)

Subject hearing involves a request to rezone approximately 19.17 acres from RS-12 (Residential District, minimum 12,000 sq. ft. lots) to RS-8 CD (Residential Conditional District, minimum 8,000 sq. ft. lots). The subject property is located on the northwest corner at the intersection of Winterlake Drive and Elam Street. The property is owned by Jerry M. Gunter Trust & Windley Family Trust.

Chairperson Goode opened the public hearing and recognized Jana McMakin, AICP, Senior Planner for the purpose of staff presentation.

Commissioner Epstein addressed Chairperson Goode to recuse himself because the northern edge of this rezoning is across from his home. Commissioner Epstein stated he was advised it was not necessary to recuse, but will after an abundance of caution. He recognized his vote will be in the affirmative of whatever motion is made to approve or deny. Chairperson Goode recused Commissioner Epstein from the meeting.

Ms. McMakin thanked the Commissioners for being present this evening. Ms. McMakin stated the site description and background of the subject property and she displayed the rezoning map and site plan. The applicant submitted a request to rezone to RS-8 CD (Residential Conditional District, minimum 8,000 sq. ft. lots) for a single-family detached subdivision with maximum 51 lots located at the intersection of Winterlake Drive and Elam Street. The subject property for this zoning request is comprised of 9 tax parcels totaling approximately 19.17 acres. The applicant has submitted a site plan, various models offered as part of the subdivision, and architectural standards. The applicant held a neighborhood meeting. Ms. McMakin displayed the site plan. The lots that are showing direct access to Elam Street and Winterlake Drive are at least 10,000 sq. ft. The property has natural features, pond and streams, that would be part of the open space area maintained by a future Homeowner Association (HOA). The site plan shows one entrance on Elam Street for a total of 51 lots or less and one access point is required. RS-8 includes the same 30 ft. front and 30 ft. rear setback as RS-12 lots. The side setbacks in RS-8 are 8 ft. rather than 12 ft. A total of 9 elevations or model homes are shown that could be used mixed of 1 and 2 story homes. Ms. McMakin briefly displayed each model. The conditional district also includes additional conditions submitted by the applicant that will be used during building permit review and briefly explained zoning condition 2. Ms. McMakin displayed the zoning map and briefly explained adjoining properties and land use trend, public facilities and necessary improvements. The Future Land Use Map in the 2025 Comprehensive Plan indicates residential for the subject property and surrounding properties. The applicant has shown the lots will meet RS-8 standards

Gastonia Planning Commission
December 6, 2018

and exceeds minimum lot size for several lots. The conditional district includes the conditions and additional elevations and models that have been submitted with the request. Staff recommends that the request be approved as presented.

Commissioner Fleeman inquired about the history of this property. Mr. Thompson replied prior to the adoption of the current Unified Development Ordinance (UDO), a zoning approval request was approved for smaller lots by the Planning Commission but never developed. When the UDO was adopted the zoning map was readopted. During the process decisions were made in various locations across the City to make zoning changes that are deemed appropriate. As a result, this property was changed back to RS-12 when it never developed.

Commissioner Stewart inquired about improvements to be made to the pond and green area. Ms. McMakin stated to her understanding the pond would not be utilized for any type of stormwater. If the applicant meets a certain threshold, intermittent and perennial streams would be determined by wetland scientists and this process and buffers would be worked with division water quality, and the pond itself army core of engineers. The condition of the pond and status and integrity of the dam would be part of the review process, as well as, making sure to delineate where the buffers are for the streams. Commissioner Stewart was concerned about cleaning up that area. Mr. Thompson stated the applicant's intent is to stay under the dwelling unit density threshold; therefore, the pond would not be adjusted in any way to make it a stormwater detention pond.

No further questions were asked by the Commissioners.

Chairperson Goode recognized Mr. Jim Windham, 401 E. Franklin Boulevard of Gastonia, NC. Mr. Windham is appearing on behalf of J&P Development Group LLC. J&P Development Group LLC has been developing for several years in Charlotte area and some development in Belmont and Mount Holly. They are pleased to present this project as their first project in Gastonia. Mr. Windham provided background on J&P Development Group LLC. Mr. Windham stated this property would enhance the neighborhood being 19.17 acres. He commented on the prior rezoning. He explained the property has some difficult developmental problems, such as a pond, earth dam, and streams. These restrict development but are also considered amenities for the neighborhood and surrounding neighborhood. The pond will have a 4 ft. sidewalk along it and it will need cleaned up. Street development is along Winterlake Drive and Elam Street. Mr. Windham briefly talked about the neighbor meeting and the good participation from surrounding owners. He commented that residents in the Shannon area thought they should have received notification. Following the neighborhood meeting, the lots were reconfigured. After hearing traffic concerns, the entrance to the subdivision was moved from Winterlake Drive to Elam Street closer to Union Road. Three lots to the north of the earth dam were eliminated. Mr. Windham commented that the dam needs maintenance and the proposed development would provide that the HOA would take care of this amenity of the pond in the neighborhood. He explained growth, large plants, and erosion will need addressed with the current property owners and developer. Mr. Windham stated that the amenity of the pond will be enhanced by the sidewalk, cleanup and maintenance, and street improvement. Mr. Windham stated the proposed development plan is for 51 various sized lots with a minimum 8,000 sq. ft. lots. Mr. Windham requested Mr. Vince Keene to be recognized to speak on density and dam issues. No questions were asked by the Commission.

Chairperson Goode recognized Mr. Vince Keene, 5004 Billybrook Court of Monroe, NC. Mr. Keene is an engineer with Yarbrough-Williams & Houle Inc and briefly provided his background with the company. Mr. Keene visited the site and from a stormwater standpoint the property has streams that need to be preserved. One crossing will take place and they will stay in the thresholds of any nationwide permit with the army core and state minimizing the impact to the stream. All regulations would be met in regards to stormwater. The intent is to develop this project under 24 percent impervious areas and briefly explained. The pond will be a beautiful amenity and the dam is substantial and wide for the pond. Testing will be done in regards to the internal integrity of the dam. A small 8 inch pipe runs to the bottom of the dam and appears to be clogged. An open spillway is dictating the surface elevation of the pond away from Winterlake Drive and briefly explained the erosion of the spillway that needs to be addressed. Regarding improvement to the pond, Mr. Keene explained having an outlet structure that would control the flow coming out and over the dam.

Commissioner Cinq-Mars inquired about the depth of the dam. Mr. Keene stated he did not know and guessed about 5 ft. to 8 ft. deep because of natural filling that may have occurred over the

Gastonia Planning Commission
December 6, 2018

years. Breeching the dam and removing the pond was considered; however, they prefer the dam and pond as an amenity.

No further questions were asked by the Commissioners.

Chairperson Goode recognized Mr. Tom Pearson, 4301 Fairview Oaks Drive of Charlotte, NC. Mr. Pearson briefly provided his background as a residential land developer and shared the pride he has about his work. Mr. Pearson asked if anyone had questions.

Commissioner Stewart stated the pond and green area would be a great amenity for the existing housing development and the entire area. Commissioner Stewart commented on the 14 ft. elevation drop from the front of the lots and the rear houses have a basement walkout. He suggested researching different elevations for the back of the homes on this property because of the important view of the lake and sidewalk (he referenced the rear elevation provided by the applicant). Mr. Pearson stated he appreciated his suggestion and they will take a look at this. He commented that he has always tried to minimize the number of basement lots in a development. Brief discussion ensued on these homes.

Commissioner Cinq-Mars suggested a viewpoint of having the road along the pond front and have the front of the houses looking over the lake reconstructing the roadway behind it. These lots would become premium lots. Mr. Pearson commented that one-sided streets would be twice as expensive. He stated he appreciated his suggestion and they will try to make sure that they do not have basements facing out over the lake.

No questions and no further suggestions were made by Commissioners.

Chairperson Goode recognized Mr. Darrell Creasman and Ms. Jennifer Creasman, 2242 Winterlake Drive of Gastonia, NC. Ms. Creasman signed the sheet for this request because this property will eventually be developed. She commented that she is not against development per se, but she is against many issues. She shared her concerns on items discussed at their community meeting. Street traffic problem was discussed, and the diagram displayed showed this traffic change. It was a concern to her about all of the various size houses on a small amount of property. She was informed that the homes would be brick or stone and no vinyl, and the examples displayed appears to have vinyl or some type of siding. The houses on Winterlake Drive facing her house and others were to be removed and all but one house has been removed. Regarding the road improvement, she requested the developer to state that the existing properties will not be affected, including the widening of the road. Her last concern was about the elevation and the filtration needed for the pond. With regard to road improvement along Winterlake Drive, Mr. Thompson clarified that the ordinance requirements for improvements like curb and gutter, sidewalk, and street trees only relate to the side of the property that is the developers side. As a result, the ordinance would not require any improvements or adjustments on the other side of the street. Mr. Creasman did not have concerns to add.

Commissioner Cinq-Mars asked where the water runs in front of their house. Ms. Creasman stated the water runs into ditches with runoff pipes under driveways on her side of the street. The water runs downhill to the north toward the Shannon development.

Mr. Thompson informed the Commissioners staff is present to help with concerns related to stormwater.

Chairperson Goode recognized Mr. Gary Hough, 2282 Winterlake Drive of Gastonia, NC. Mr. Hough is opposed to the request. He owns the house on the corner of Winterlake Drive and Elam Street and the lot next to it. His concern was the confusion on the vinyl issue. He is not opposed to a good development. Mr. Hough would like to keep his property value up. He is opposed to the rezoning from RS-12 to RS-8. He stated the correspondents he received from JP Development all have had one point of error in it. He referred the Commissioners to the design plan. Until this meeting he was confused about the rezoning request from RS-12 to RS-8, because he received a letter stated lot sizes were increasing while they were asking to rezone to RS-8. Mr. Hough pointed out the houses to be moved and one remaining. He strongly encouraged the Commissioners to be diligent, cautious, and pay attention to the details. Mr. Hough explained the runoff from the side and front of his house to the culvert. He applauded the developers on the new drawings. He was concerned that the entrance road will go across a current drain, and the house on the extreme corner

Gastonia Planning Commission
December 6, 2018

of Elam Street and Winterlake Drive will cover a large culvert. He continued that traffic will be an issue on Elam Street and briefly explained. Regarding stormwater, 24 percent impervious area on 19.2 acres would be roughly 25,000 cu. ft. per hour or 187,000 gallons per hour. He does not know where this water will go. No questions were asked by the Commissioners.

Chairperson Goode recognized Mr. Tucker Johnson, Assistant City Engineer for clarification. Mr. Johnson stated street improvements are required along the frontage. The ditch will be filled in and there will be curb and gutter drainage. To his knowledge, street improvements would also occur along Winterlake Drive with curb and gutter and the street would be widened on the development side. The properties on the other side of the street would not be affected by any widening. Streets would need to be brought up to minimum city standards on developer side of street, widening to a minimum of 2 ft. from current center line, curb and gutter, ditches filled, drainage and catch basin installed as required.

Commissioner Cinq-Mars asked how many homes were in Shannon development. Exact count was not readily available, but Mr. Thompson answered that he thought it was 50 or less.

Chairperson Goode recognized Mr. Rusty Bost, City Engineer for clarification. Mr. Bost clarified curb and gutter is a storm drainage system and the whole purpose is to carry water. The existing system would be tied into catch basins and unground pipe. Mr. Bost began explaining the difference between runoff and detention stating everything has stormwater runoff and there is nothing anyone can do about that. The city ordinance requires a stormwater detention to be constructed for a development that has more than 24 percent built upon or higher than 2 units per acre. The goal is to have water trickle out of ponds at a rate similar to prior to the development. With the current proposal it is runoff and it does not require stormwater detention. The runoff would go through the pond which will remain private and not a regulatory detention basin. It will be regulated by the Department of Environmental Quality. He continued that this is viewed as an amenity. Brief discussion occurred on underground pipe possibilities.

Chairperson Goode recognized Ms. Mary Campbell, 1011 Robin Lane of Gastonia, NC. Ms. Campbell is opposed to the request. She thanked the Commissioners for this opportunity. Her concerns includes a lot of what has already been discussed, plus she had a concern about the removal of the trees and requested a tree buffer. Ms. Campbell thanked Commissioner Stewart for pointing out neighbors looking at back side of homes. She continued that she had a concern about the increase in noise and pollution after all the trees are removed or thinned out. She was unsure what the developer means by thinned out. The trees help with the noise from Union Road. She requested the Commissioners to look at this issue. Losing the trees means the loss of animal habitat. Ms. Campbell was also concerned about water runoff. She appreciated increasing the beauty around the lake and commented that the lake was important to the people and animals. She asked for honesty from the developers.

Commissioner Cinq-Mars asked Ms. Campbell how long she lived in Shannon and she answered that she has been living in Shannon for 17 years. Commissioner Cinq-Mars asked when the properties along Winterlake Drive outside of Shannon were built and she replied after Shannon development.

No further questions were asked by the Commissioners.

Chairperson Goode recognized Ms. Katrina Keogh, 2060 Shannon Drive of Gastonia, NC. Ms. Keogh is opposed to the request. She thanked the Commissioners for taking the time to listen to the people who live in Shannon development as this development will affect them too. Ms. Keogh stated she had a grave concern that the number of homes in Shannon was unknown. She commented that it is difficult now to turn either direction onto Union Road. She is concerned for traffic coming from Elam Street, along with the concern of one way in and out. Ms. Keogh briefly explained the prior rezoning proposed brick attached patio homes. She requested the Commissioners to address the Letter of Intent between Eastwood Homes and developer with a commitment from Eastwood Homes. She was informed that the property will close in February and they had not received a Letter of Intent from Eastwood Homes stating they will be building in this development. Ms. Keogh briefly shared the benefit of a buffer. Lastly, she was disappointed that the Shannon area was not notified.

Gastonia Planning Commission
December 6, 2018

Chairperson Goode asked Mr. Thompson to address notification letter concerns. Mr. Thompson clarified that public hearings and proper notification were bound by the ordinance and state statute with regards to how this takes place. Every case, with no exceptions, is required to do the following; advertise in a local newspaper, post a sign or signs on the subject property, and every property within 100 ft. of the subject property. These steps are done in every case including this case as required by ordinance and state statute.

Chairperson Goode recognized Mr. Nikki Helms, 1001 Robin Lane of Gastonia, NC. Mr. Helms is opposed to the request and lives in the Shannon subdivision. Mr. Helms commented and had a concern that approximately 90 percent of the Shannon subdivision was eliminated in regards to the 100 ft. notification requirement. Chairperson Goode summarized the notification process and Mr. Thompson confirmed. Mr. Helms commented that if the developer knew about this, it would have been nice information to have received. His concern was adding more traffic to Elam Street in addition to the Shannon subdivision residents who also exit the Winterlake Drive and Elam Street. He was concerned about the developer's request decreasing from 12,000 sq. ft. lots to 8,000 sq. ft. lots and how this could enhance the neighborhood. Mr. Helms inquired about the minimum sq. ft. and Mr. Thompson answered that the RS-8 district minimum sq. ft. is 8,000 and this does not mean that cannot configure larger lots. He continued that the developer proposed some lots that are larger than the minimum. Mr. Helms inquired about the home sizes and Mr. Thompson stated there is no size sq. ft. restriction or requirement as part of zoning for single family residences. Mr. Helms was concerned about the property values and traffic accessibility in his neighborhood. No questions were asked by the Commissioners.

Chairperson Goode recognized Ms. Diane Wray, 2234 Winterlake Drive of Gastonia, NC. Ms. Wray is opposed to the request and lives across from the pond. Her concerns are the following; how wildlife will be affected by changes to the pond area, the pond area's appearance, size of homes and little green area, and being able to look at the back of homes. She stated it was unclear how wide the natural area would be at the pond. She asked if the trees would be cleared and how much of what is currently there would remain. Ms. Wray stated runoff comes from her driveway underneath the road and fills up. The runoff from the recent storm was tremendous from Elam Street between Hoffman Street and Malotte Lane. She asked if the drainage would be able to handle more runoff from the construction. No questions were asked by the Commissioners.

Chairperson Goode recognized Mr. Howard Shope, 2402 Malotte Lane of Gastonia, NC. Mr. Shope is opposed to the request and has lived at his residence since 1996. Mr. Shope was originally for the development. After attending meetings and knowing what is being proposed at the public hearing, this has him concerned. The homes proposed and drawings were encouraging and felt the home values would be maintained or enhanced. He realized these homes were a proposal and could be changed. He was encouraged by the reduction of homes to 51 units. He asked if the rezoning request is approved to a minimum 8,000 sq. ft lots, what is to stop them from going smaller with the lots and adding additional lots. He also asked if more than 51 homes could be added. Mr. Thompson answered that this would require an additional rezoning as a new process and briefly explained, and then answered that no more than 51 homes could be added. He asked if the sidewalks were on the development side and Mr. Thompson replied that he was correct. His next concern was traffic and congestion. He commented the traffic congestion in and out of Elam Street was very dangerous, mailboxes have been hit, and pedestrians almost hit. He stated sidewalks were an improvement and would enhance the curb and gutter. He inquired about speed humps to slow the traffic. He was for the entrance on Elam Street and briefly explained. He inquired about proposed studies. He had a concern about the wildlife and gave a specific example of an owl that lived on the subject property. He requested clarification of the price point on the record and whether the developer can use vinyl.

Commissioner Ferguson asked if residents exit on Tryon Place and Malcolm Street. Mr. Shope replied that residents on the south end do use them. Most of the flow naturally migrates to Elam Street including the Shannon neighborhood and Winterlake development.

Commissioner Cinq-Mars asked what the name of the area Mr. Shope lived in and Mr. Shope replied Robinson Heights.

Mr. Thompson clarified the concern of vinyl siding. The current request as proposed and as the conditions are structured there is no specific prohibition of the use of vinyl siding as a siding material. Through conditional zoning, if the applicant agrees to such a condition, a zoning

Gastonia Planning Commission
December 6, 2018

condition could be written to restrict vinyl. Mr. Shope encouraged this as a proposed condition. Mr. Thompson informed him this cannot be imposed and the applicant would have to agree to the condition. Mr. Thompson continued in terms of zoning price cannot be restricted, cannot get into that conversation, and the price range would not become zoning law. Mr. Thompson deferred the matter on Eastwood homes being contractually obligated to the applicant and development team if they want to answer that question. He clarified zoning cannot require one particular builder over another. From a zoning perspective the drawing included in the agenda packet are a set of architectural renderings, and lot configuration, lot size, lot density, whole lot numbers, open space configuration, and road connectivity would be set in stone. The developer is irrelevant. Brief discussion ensued and examples of previous approvals were mentioned. Mr. Shope asked if Mr. Pearson can state on record and voluntarily agree not to use vinyl. Brief discussion ensued on whether or not vinyl could be used. Mr. Thompson reiterated that as the conditions are currently written there is no specific prohibition of the use of vinyl siding as a siding material. There are vinyl products that mimic different styles of siding and gave Board & Batten, Shake, and siding as an example. Mr. Thompson reiterated through conditional zoning, if the applicant agrees to such a condition, a zoning condition could be written to restrict vinyl. No questions were asked by the Commissioners.

Chairperson Goode recognized Mr. Greg Hamm, 2226 Winterlake Drive of Gastonia, NC. Mr. Hamm is opposed to the request. Mr. Hamm requested information from the applicant about the appearance of the subdivision compared to other subdivisions, restrictions on the homes, minimum sq. ft. on the homes, outbuildings, market target, price and sell range target, and clarification on changing from RS-12 to RS-8 and ending with fewer lots. Commissioner Cinq-Mars replied the property was not platted and from one of the drawings, it only had eight plats to it. Mr. Hamm continued that the pond and lake has kudzu and from Elam Street to the pond has an underground culvert. His concern was that the developer will completely clear the area on the property then cut, fill, and finish. He continued that it is uncertain that the homeowner's association will upkeep the dam and it is uncertain who will keep the place clean. Mr. Hamm requested information about who would be liable for any damages or injuries at the property around the lake. He stated stormwater goes in the lake. He briefly mentioned the wildlife and environmental concerns and the color of the pond in the summer. Mr. Hamm finished with complementing Mr. Windley. No questions were asked by the Commissioners.

Chairperson Goode announced a total of five minutes will be allowed to both proponents and opponents for rebuttal and allowed time for the public to determine speakers.

Mr. Windham stated this plan would protect both the new and existing neighborhoods. He commented the plan provides good amenities. He appreciated the concerns heard and he expressed his care for wildlife. Mr. Windham tried to clarify any misunderstanding of the original zoning prior to the UDO to the current rezoning request. He recognized, appreciated, and respected all the good comments about needed amenities for this project. He finished by stating they want to make this development to enhance everyone's life and protecting the existing developments.

Chairperson Goode inquired about a traffic study. Mr. Windham replied he was advised that a traffic study was not necessary. He stated they listened at the neighborhood meeting and changed the traffic away from Winterlake Drive. He noted that any development will increase traffic.

Commissioner Ferguson inquired if any property owner outside the 51 property owners who will be responsible for paying HOA dues. Mr. Windham replied that only the property owners in the development would be responsible and required to pay HOA dues. Commissioner Cinq-Mars asked what forces property owners to pay an HOA and Mr. Windham answered the restrictive covenants requires it. Mr. Thompson suggested adding an additional condition if it is a major concern of the Commission with the agreement of the applicant that an HOA will be established and will be held responsible for maintenance of the common open space area. Mr. Windham stated this would not be a problem and it has been their intent to have the HOA. If this is part of the conditions, it is acceptable.

Brief discussion ensued on lots possible as RS-12 instead of RS-8 and developing with either zoning district.

Commissioner Stewart suggested considering adding conditions for the following concerns, vinyl siding, area on the back of the three story homes with an extreme grade drop, and reduce the

Gastonia Planning Commission
December 6, 2018

number of trees cut. He suggested making lot 51 something like a wildlife park area. Mr. Thompson stated hypothetically these can be addressed in some way through zoning conditions and provided past conversations held in development proposals ending with zoning conditions written.

No questions were asked by the Commissioners.

Mr. Shope stated confusion remains on some of the conditions and requested a detailed list of the conditions. To accommodate this request, the zoning conditions were displayed for the public and Commissioners. Chairperson Goode commented that the agenda which includes these conditions is available on the City of Gastonia website and Mr. Thompson explained navigating to the Planning Commission page that contains the agendas. Mr. Shope continued requesting vinyl not to be used. Mr. Shope asked the Commission to strongly consider voting against the rezoning because RS-12 is more conforming to the neighborhood and existing properties. The restricting of the tree removal or making a natural area was a great recommendation and noted a lot of the neighbors feel strongly about it for noise abatement, foliage and overall pleasantness of the area. He asked the Commissioners to strongly consider this. Lastly, Mr. Shope asked Mr. Pearson to voluntarily enter into the record to make a commitment not to use vinyl as described in the neighborhood meeting. No questions were asked by Commissioners.

Commissioner Ferguson requested a condition that there will be a HOA and the HOA will maintain the dam and pond.

Chairperson Goode stated her concern of what will remain of the pond after cleanup and requested a reduction of the trees. Mr. Thompson commented that it may be helpful to ask the development team what they vision as their approach to the development of the land and provided ideas to some of the concerns.

Chairperson Goode recognized Mr. Windham to answer further questions by the Commissioners. Mr. Windham requested time to talk to the developer for approximately 30 seconds for guidance.

Chairperson Goode declared a 5 minute recess. The meeting recessed at 7:44 p.m. and reconvened at 7:54 p.m.

Due to the amount of confusion, major questions asked regarding economics on the development, and inquired calculations, Commissioner Fleeman made the motion to continue the public hearing until January 3, 2019 to allow further research, allow the public to contact staff for questions and answers, and for concerns to be addressed and Commissioner Cinq-Mars seconded the motion.

Chairperson Goode recognized Mr. Windham. Mr. Windham discussed a continuation with the developer during recess and they are in agreement as this allows them to have a reasoned approach on what they can do to address concerns.

Mr. Thompson encouraged the public to contact him directly with questions or to receive any information. The motion was unanimously approved 8-0.

Item 3: Other Business

Update on Council Votes: Gastonia City Council will hear the following items on December 18th:
Public Hearing – Tulip Drive Properties, LLC (File # 9130)

Subject hearing involves a request to rezone a portion of 1.86 acres from RS-8 (Residential District, minimum 8,000 sq. ft. lots) to I-2 (General Industrial District). The subject property is located on the southeast corner of the intersection of Tulip Drive and Rankin Lake Drive. The property is owned by Jack M. Kimbro.

Public Hearing – City of Gastonia (File # 9131)

Subject hearing involves a request to rezone approximately 3.62 acres from RS-12 (Residential District, minimum 12,000 sq. ft. lots) to I-2 (General Industrial District). The subject property is generally located on the western side of N. Broad St. and north of Boxwood Lane. The property is owned by the City of Gastonia.

No representative is needed for Tuesday, December 18, 2018 City Council Meeting.

Gastonia Planning Commission
December 6, 2018

Mr. Thompson commented there is no towing in the City Hall parking lot after hours.

Mr. Thompson commented that Ms. Kristy Crisp, Director of Economic Development will come to a future meeting and provide an update on the FUSE project.

Mr. Bost briefed the Commission on the existing traffic impact analysis (TIA) policy and ordinance as being minimal and being reliant on NCDOT's policy which is for the State of North Carolina. Staff is working with the Transportation Committee on developing a TIA ordinance housed in the UDO. The ordinance will direct to a policy document that is administered by staff. Growth created the urgency for the need to develop this policy. Discussion ensued on consideration of a traffic light, activated on need, in the area effected by the additional 51 lots discussed as the earlier agenda item. Mr. Bost stated this area would not have enough traffic to warrant a signal on Union Road, a state road; therefore, NCDOT would not allow it.

Brief discussion ensued on stormwater. Chairperson thanked Mr. Johnson, Mr. Cloninger, and Mr. Bost for being present to answer questions.

Discussion ensued on the authority of the Planning Commission and how to address this to the public.

Commissioner Armstrong commented that stormwater and roads may be used as an excuse to shut a project down when the concern may be about the look and home values. He inquired if somewhere at the beginning of the meeting the authorization of this governing body can be reviewed, such as what it can and cannot control. Commissioner Fleeman suggested providing a handout for anyone signed up to speak. Mr. Bost commented that one of the goals of the TIA policy is to remove the traffic discussion from a land use discussion similar to how the structure of the flood study is an engineering decision and not a land use decision. Attorney Graham provided suggestions on hearing the evidence, commenting and not engaging in conversations on non-land use matters, and expressing a decision on a vote or during discussion. Several Commissioners thanked Attorney Graham for his suggestions and explanations. Commissioner Armstrong commented the public does not understand what the Planning Commission can or cannot do. Mr. Thompson encouraged the Commissioners to contact him and ask questions on any upcoming agenda item and factual information being presented can be discussed.

The Planning Commission received a copy of the draft Single Family Residential Zoning Revisions. Mr. Thompson mentioned discussions have taken place regarding a potential scope expansion. This will be presented to City Council at their Strategic Planning Session in January of 2019 and it will depend on a budgetary decision to commit funding to the budget. Commissioner Biggerstaff asked if the Single Family Residential Zoning revision was finished and Mr. Thompson clarified that this was not finished and still needs feedback from the Commission as well as stakeholder groups.

The City of Gastonia Employee BBQ is scheduled on Friday, December 14, 2018 and a letter will be mailed from the City of Gastonia.

There being no further business, Chairperson Goode adjourned the meeting at 8:17 p.m.

Respectfully submitted,

Chrystal Howard, Secretary

Pam Goode, Chairperson