

Gastonia Planning Commission April 7, 2022 Meeting Minutes

The Gastonia Planning Commission meeting opened at 5:30 p.m. on Thursday, April 7, 2022 in the Council Chambers at City Hall, 181 S. South Street of Gastonia, NC.

Present: Commissioners Rodney Armstrong, Jim Stewart, Anthony Gallant, Chad Ghorley, Bob Cinq-Mars, Kristie Ferguson, and David Wilson, and Carl Harris

Absent:

Staff Members Present: Charles Graham, Jason Thompson, Tucker Johnson, Jana McMakin, and Chrystal Howard

Item 1a: Role Call / Sound Check

Item 1b: Calls/Contacts to Planning Commission Members

The following commissioners were contacted: Chairwoman Ferguson (3), Commissioner Cinq-Mars (2), and Commissioner Stewart (1). Remaining commissioners were not contacted.

Chairwoman Ferguson declared a quorum.

Item 1c: Approval of March 3, 2022 Meeting Minutes

Commissioner Stewart made the motion to adopt the March 3, 2022 minutes as presented and Commissioner Cinq-Mars seconded the motion. The motion unanimously passed (7-0).

Chairwoman Ferguson explained the rules of procedure and time limitations.

Commissioner Harris arrived at 5:42 p.m.

Item 2: Public Hearing – Riverwood Parkway, LLC (File #202200008)

Subject hearing involves a request to rezone approximately 0.7836 acres from C-1 CD (Neighborhood Commercial Conditional District) to C-2 CD (Highway Commercial Conditional District). The subject property is located to the east of Riverwood Parkway. The property is owned by Riverwood Parkway, LLC.

Chairwoman Ferguson opened the public hearing and recognized Jana McMakin, Senior Planner, for the purpose of staff presentation. Ms. McMakin displayed the rezoning map, provided background and site description, as well as, description of the site, adjoining properties and zoning. Johnson Development Associates submitted the request to rezone from C-1 CD to C-2 CD in order to construct a maximum 120,000 square foot indoor climate controlled storage building. Ms. McMakin displayed a site plan and rendering showing the proposed layout including building, access points, parking, BMP location, tree save area, existing plantation pipe line, and an example of the building exterior and signage. Staff proposed seven conditions and emphasis was made on final architectural elevations of all buildings, no outdoor storage permitted, and that rental truck or trailer uses were not permitted. The Future Land Use Map in the 2025 Comprehensive Plan indicates commercial use for the subject property. The existing approved conditions from 2008 were included in the staff report. A required community meeting was held, the applicant held a follow-up meeting, and changes were made as a result of the meeting.

Commissioner Cinq-Mars requested clarification on “all fall under the same conditional zoning approval” located on agenda page 2-2 under Description of Adjoining Properties and Zoning. Ms. McMakin replied that the OLC CD was under the same conditional approval plan. Commissioner Cinq-Mars inquired about the height of the building and Ms. McMakin replied that the Unified Development Ordinance (UDO) requirement was a maximum building height of forty-five feet. She displayed the maximum building height of forty-five feet on the site plan.

Chairwoman Ferguson recognized Land Use Consultant at Moore and Van Allen, Bridget Grant, 100 N. Tryon Street of Charlotte, NC and President of the Self-Storage Division and Industrial Division for Johnson Development Associates, Rob Rain, who is working for the applicant, 1038 Glenwood Circle of Spartanburg, SC. Ms. Grant stated they are assisting Johnson Development Associates with support from Orsborn Engineering Group. Mr. Rains provided a brief overview on Johnson Development Company and Self-Storage Division. Ms. Grant stated the site’s location and noted that a revised plan was made after a community meeting. She remarked on their commitment to landscape behind the sidewalk in addition to traditional treescape, a maximum of 120,000 square foot indoor storage, no outdoor storage, increased level of proposed tree save, and a four-foot sidewalk and eight-foot planting strip. She displayed a proposed rendering illustrating the proposed building, landscaping behind the sidewalk, limited surface parking, no signage at the top of the building, and increased level of glass. Ms. Grant displayed a proposed rendering of a view from Riverwood Parkway and maintaining existing trees. She displayed and talked about site trip generation based on a permitted

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land use and their proposed land use. Example shown was of a general office building and retail having a total of 1,189 trips and the mini-warehouse generating 181 resulting in over 1,000 trips per day less than current zoning. Ms. Grant then displayed a plan comparison and talked about setbacks, planting strip, increased landscaping, trips per day (traffic), signage limitations, parking, tree save, and maximum building height. She provided benefits and considerations, such as more open space, less traffic impact, opportunity for higher property tax revenue, complimentary use to nearby residential and multi-family product, no direct access units fronting Riverwood parkway, glass/windows similar to office architecture, conditional zoning providing certainty on use, architecture and overall building quality, and no signage at the top of the building. Ms. Grant provided a scale comparison of a two-story Fidelity Bank and the proposed three-story self-storage displaying a ten-foot difference.

Commissioner Harris inquired about the upkeep of the buildings and Mr. Rain replied that a third party manager will be hired to manage the facility and report maintenance and upkeep. Brief discussion ensued on the life cycle analysis on the building of more than fifty years.

Chairwoman Ferguson recognized Bob Ridgeway, 1299 Indigo Run Lane of Gastonia, NC. Mr. Ridgeway provided an analogy of a vacant lot across the street from his property and shared the type of development the community wants at this location which is key for him. He shared his work background in the public sector and in urban planning. Mr. Ridgeway mentioned uses allowed in the C-1 zoning district. He was concerned about traffic and stated it needed to be looked at, because traffic was dangerous turning off of Riverwood Parkway onto Neal Hawkins Road with the addition of the 7-Eleven store. He noted more development will increase the danger. He was concerned about public services. Mr. Ridgeway noted that this facility had minimal need of services, minimal impact on traffic, and would pay a commercial tax rate. Mr. Ridgeway stated this facility would have a positive effect upon the community than what could go into this location. He requested the Planning Commission to approve the request as presented.

Chairwoman Ferguson transitioned to those in opposition. She reiterated time limitation, read through the names in opposition, and allowed each speaker to decide if they want to speak or donate their time to another speaker.

Chairwoman Ferguson recognized Steve Skeen, 3117 Glacier Court of Gastonia, NC. Mr. Skeen stated he was leery of scare tactics trying to convince residences to accept the storage facility by referring to uses allowed in this location. He was concerned about the building looming over trees and the neighborhoods. Mr. Skeen asked the Commission if this was something they would want in the entrance to where they live, and then asked to give the same consideration and understanding they would want.

Chairwoman Ferguson recognized Candy Thomas, 3075 Drayton Hall Way of Gastonia, NC. Ms. Thomas commented on C-1 CD as neighborhood commercial conditional district and C-2 CD as highway commercial conditional district zoning, and noted the area was not highway commercial. She was concerned about building a 120,000 square foot, three-story building, 0.78-acre space without tree save area, retention pond, and a utility right-a-way on a two plus acre parcel. Ms. Thomas was concerned that the existing tree save area will not be able to provide screening and the building will be a massive intrusion at the road. She compared the storage unit across from Publix and noted the proposed building will be 31,000 square feet larger. She noted that five public storage facilities were within a three-mile radius, the scale comparison was of a one-story building, Fidelity Bank, with a pitch roof and the proposed three-story self-storage with a flat roof, and buildings on Union Road corridor have a greater setback than the proposed. She asked for the building to be one or two stories, because there were no other three-story buildings in the area, and to deny the request as the proposed use was not reasonable and in the public interest.

Chairwoman Ferguson recognized Jenna Jourdet, 3208 River Ridge Drive of Gastonia, NC. Ms. Jourdet commented that a Trader Joes or Starbucks would be better. She asked the Commission to stand firm with the plan and vision for Gastonia where multiple retail and commercial businesses can employ, house, and feed local Gastonia residents instead of tax revenue from nonlocal property owners. She was concerned about the size of the building and commented on it being audacious and a focal point to their community.

Chairwoman Ferguson recognized Amy Summey, 1275 Fenwick Hall Court of Gastonia, NC. Ms. Summey commented that she resided in the neighborhood and had plans to remain. She stated she had letters from neighbors who were in opposition of the request. Ms. Summey commented on the difference between a C-1 and C-2 zoning district. She was concerned about the building size and commented on it being massive, tree scape unable to block the view, building being visible from any location, the facility was not complementary to the neighborhood, and current traffic on Neal Hawkins Road was terrible. Ms. Summey was concerned about having another storage facility in the area and landscaping would not be maintained. She noted that not everyone was notified about the follow-up

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community meeting and there was a discrepancy on the building height as 52 feet was explained at the first meeting. Ms. Summey encouraged uses to allow walkability and she did not want a self-storage building looming over their neighborhood.

Chairwoman Ferguson recognized Taylor Gunn, 1543 Plantation Trail of Gastonia, NC. Mr. Gunn provided his background in Gastonia. He shared that the Riverwood Parkway was a path home for HOA and non-HOA communities, businesses, rental homes, single-family city and county residents. Mr. Gunn was concerned about the type of growth in the neighborhood, and having several storage facilities already in the neighborhood. He preferred the current C-1 CD district with office spaces.

Chairwoman Ferguson recognized Bryan Allf, 2084 Village Ridge Drive of Gastonia, NC. Mr. Allf wants the City to try and be a veteran community to Charlotte and compared Cary to Raleigh. He stressed on livability as important and encouraged businesses that can provide walkability. Mr. Allf stated the proposed building was a nice building but it did not belong in the neighborhood.

Commissioner Cinq-Mars asked if there were sidewalks between the entrance to Martha Rivers Parkway and Neal Hawkins Road. Google Maps was displayed and it was determined that sidewalks existed amongst developed properties. Commissioner Gallant asked why they chose three stories versus two stories. Mr. Rain replied that a three story helped maintain more buffer and trees while still getting an economically viable product with the number of units needed, as well as, it did not take up as much parking. Chairwoman Ferguson requested confirmation on building height requirements and Ms. McMakin replied that she stated forty-five feet was the maximum height. Commissioner Harris inquired about underground detention and the consideration of a two-story. Mr. Rain replied that the footprint and paved area would need to be expanded, less treescape, and it would be expensive. Commissioner Harris inquired about rain gardens and Mr. Rain replied that a rain garden adds a new and different element making it less viable.

Commissioner Gallant made a motion to close the public hearing and Commissioner Stewart seconded the motion. The motion was approved 8-0. Discussion ensued on trees and landscaping over the pipeline along the edge of the property, as well as, the number of parking spaces. Brief discussion ensued on each parcel as unique when it involves concerns with traffic impact. Chairwoman Ferguson commented on appropriate land use to be considered by the Commission.

Chairwoman Ferguson made a motion to approve the rezoning as submitted with the statement of consistency and reasonableness and Commissioner Ghorley seconded the motion. Commissioner Stewart commented on the difficulty to accept change, and he did not consider uses that can be on a parcel as a scare tactic. The motion passed 5-3 (Armstrong, Cinq-Mars, and Gallant). This item was automatically appealed and is scheduled to be heard in a public hearing by City Council on Tuesday, May 17th.

Item 3: Public Hearing – RSS GSMS2015-GC28-NC SG LLC (File #202200150)

Subject hearing involves a request to rezone approximately 7.06 acres from C-1 (Neighborhood Commercial District) to C-2 CD (Highway Commercial Conditional District). The subject property is located at 1955 Davis Park Road. The property is owned by RSS GSMS2015-GC28-NC SG LLC.

Chairwoman Ferguson opened the public hearing and recognized Jana McMakin, Senior Planner, for the purpose of staff presentation. Ms. McMakin displayed the rezoning map and stated this was the former BI-LO shopping center off Davis Park Road. The applicant, Aces, LLC, submitted the request to rezone to C-2 CD in order for Little Caesars to be able to add an order/pick up window to the side of the building. A restaurant with drive-through will require an increased buffer as a supplemental requirement. A neighborhood meeting was held by the applicant and no one attended. The site plan was displayed showing the proposed layout and stacking area. The Future Land Use Map in the 2025 Comprehensive Plan indicates commercial use as suitable for the subject property and staff recommended approval of the request.

Commissioner Wilson requested confirmation that the parcel would be rezoned to C-2 CD and Ms. McMakin confirmed that the whole parcel would be rezoned to C-2 CD. Brief discussion ensued on restaurants with drive-through and the zoning districts stipulating zoning requirements. Commissioner Cinq-Mars requested discussing the use, restaurants with drive-through, at a later time. Discussion ensued on uses, such as shopping centers, that are allowed in C-2 as well as supplemental regulations. Chairwoman Ferguson noted that this parcel was subject to conditions.

Chairwoman Ferguson recognized Ben Crew with Balzer and Associates, Inc., 1208 Corporate Circle of Roanoke, VA. Mr. Crew stated that he was representing the owner and applicant, Aces, LLC. He talked about Little Caesars along with quick serve restaurants were almost required to have a drive-through based on the past twenty-four months. They held a community meeting but no one attended. Mr. Crew stated the drive-through will provide viability for the Little Caesars restaurant and provide

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orderly traffic. He stated they were amenable to the four proposed conditions provided in the staff report.

Commissioner Stewart made a motion to close the public hearing and approve the rezoning with the statement of consistency and reasonableness and Commissioner Gallant seconded the motion. The motion unanimously approved (8-0).

Item 4: Public Hearing – David Hill Hunter (File #202200155)

Subject hearing involves a request to rezone approximately 13.29 acres from RS-12 (Single-family Residential District, minimum 12,000 sq. ft. lots) and RMF CD (Multi-family Residential Conditional District) to PD RRDD (Planned Development-Revised Residential Development District). The subject property is located to the east of Archie Whitesides Road and the end of Crowders Woods Drive. The property is owned by David Hill Hunter.

Chairwoman Ferguson opened the public hearing and recognized Jana McMakin, Senior Planner, for the purpose of staff presentation. Ms. McMakin displayed the rezoning map and provided site description and background. She noted the subject property was located directly adjacent to the Crowders View subdivision, access points located from Crowders View Drive and Crowders Woods Drive, and the parcel was zoned RS-8 and also RMF CD (5105). The applicant, Kent Olson with Development Solutions Group, LLC., submitted the application to rezone for townhomes. Ms. McMakin displayed and briefly explained the approved site plan correlating to RMF CD 5105. She displayed the proposed site plan and explained that townhomes were alley loaded, a request has been made to allow certain townhomes as front load due to topography, no amenities proposed, and a Traffic Impact Analysis (TIA) was not required. She referred the Commission to the thirteen proposed conditions. Ms. McMakin displayed the proposed elevation and noted a proposed condition dealing with architectural and elevations standards. The Future Land Use Map in the 2025 Comprehensive Plan indicates residential for the subject property and staff recommended approval of the request.

Detention ponds were identified on the site plan. Meeting was interrupted by Mr. Hart who requested to speak. Discussion ensued on permitting Mr. Hart to speak as he had not signed up to speak. Commissioner Stewart made a motion to change the rule to allow a late signup and Commissioner Cinq-Mars seconded the motion. The motion was unanimously approved (8-0).

Commissioner Gallant asked if there was a community meeting and Ms. McMakin stated a meeting was held and the neighborhood meeting summary was included in the agenda packet.

Chairwoman Ferguson recognized Kent Olson with Development Solutions Group, LLC, 11121 Carmel Commons Boulevard of Charlotte, NC. Mr. Olson stated they want to continue their focus on revitalizing West Gastonia. He explained that their proposed site plan embraces the PD RRDD ordinance, but not the previously approved site plan. A request was made to have a few units' front loaded because of topography. Mr. Olson shared hardiboard will be used, the investment is approximately thirty-five million in the area, the plan is to continue to revitalize West Gastonia, and the project will be a great addition to the area. A community meeting was held and one concern was existing runoff through a neighbor's property. Their plan is to have detention ponds that may help with the runoff that the neighbor is experiencing.

Brief discussion ensued on price point, square foot range of units, products based on market, and the plan is to match colors shown on the renderings but this may change based on builder selected, and colors consistent with Crowder's Mountain area. Commissioner Cinq-Mars commended Mr. Olson on developing this land with probable topography challenges. Commissioner Harris inquired about trim material and Mr. Olson replied that the trim will be harditrim and the only vinyl used will be the windows and soffit.

Chairwoman Ferguson recognized Eric Hart, 3683 Hope Marian Street of Gastonia, NC. Mr. Hart stated his house is the second house. His concern was the increase of traffic, traffic speeding, and traffic using the neighborhood as a pass through. Mr. Thompson commented that a consultant rewrote a new set of traffic calming standards and this project did not trip the threshold of a TIA. Brief discussion ensued on a TIA study.

Commissioner Stewart made a motion to close the public hearing and approve the request with the statement of consistency and reasonableness and Commissioner Ghorley seconded the motion. Commissioner Gallant appreciated taking additional time explaining how TIAs are triggered. The motion was unanimously passed (8-0).

Chairwoman Ferguson recessed the meeting at 7:22 p.m. and reconvened at 7:28 p.m.

Item 5: Public Hearing – Bessemer Road LTD (File #202200160)

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Subject hearing involves a request to rezone approximately 3.58 acres from C-3 (General Commercial District) to I-2 (General Industrial District). The subject property is located to the south of Raeford Court. The property is owned by Bessemer Road LTD.

Chairwoman Ferguson opened the public hearing and recognized Jana McMakin, Senior Planner, for the purpose of staff presentation. Ms. McMakin displayed the rezoning map and identified a portion of the subject property zoned C-3. The applicant submitted a request to rezone the C-3 zone portion to I-2 to have the same zoning district to accommodate future development of buildings and parking. The Future Land Use Map in the 2025 Comprehensive Plan indicated commercial for the subject property. Ms. McMakin provided a brief description of adjoining properties and noted a community meeting was not required as this was a general rezoning. Staff recommended approval.

Commissioner Wilson asked if the property could be used as residential, as well as, industrial if the entire parcel was zoned I-2 and Ms. McMakin replied that industrial does not permit any residential.

Chairwoman Ferguson recognized Bryan Wilson, 2560 Milton Avenue of Gastonia, NC. Mr. Wilson's property was identified as #13 on the rezoning map. Mr. Wilson was concerned about future industrial lighting and loud noise, Milton Avenue turning into the entrance in the industrial park, the buffer between his property and I-85 being removed and hearing traffic on I-85 day and night.

After hearing Mr. Wilson speak, Chairwoman Ferguson confirmed with Mr. Wilson that he had signed in the wrong spot on the sign-up sheet, he was not the applicant, and he was opposed to the rezoning request.

Mr. Thompson explained the procedure to notify property owners within one hundred feet of the subject property, the parcel as a whole and the subject property's portion to be rezoned if approved, the ordinance's buffer and lighting requirements, and enforcement of violations.

Chairwoman Ferguson recognized Ed Pitula with CA Ventures, 130 E. Randolph of Chicago, IL. Mr. Pitula introduced himself and explained their company's background. He stated they do not have tenants for the property and they build speculatively. They are wanting flexibility for industrial and warehousing. Brief discussion ensued on the type of building's used, upfit being provided by their company unless there is a corporate requirement, and street flexibility to the property.

Commissioner Ghorley made a motion to close the public hearing and approve the request with the statement of consistency and reasonableness and Commissioner Stewart seconded the motion. The motion unanimously passed (8-0).

Item 6: Public Hearing – Unified Development Ordinance Amendments (File #202200239)

Subject hearing involves a request to amend *Section 12.11 Signs Permitted In Overlay and Specialty Districts of Chapter 12 Signs and Chapter 10 Off-Street Parking and Loading* to the Unified Development Ordinance to make clarifications. This item will be heard by City Council at the April 19, 2022 meeting at 6:00 PM.

Chairwoman Ferguson opened the public hearing and recognized Jason Thompson, Planning Director, for the purpose of staff presentation. Mr. Thompson stated these amendments are clarifications and refinements to the code. Language refinements were made to off-street parking requirements, such as entrance orientation, off-street parking locations in certain zoning districts, bicycle parking locations, parking lot landscaping, and sign dimensions in the airport zoning district. Commissioner Cinq-Mars inquired about the scooters in downtown and Mr. Thompson replied that the amendment is regarding off-street in the private realm and not public realm, but may be worth looking into. Assistant City Attorney Charles Graham commented that a set of ordinances were adopted to allow the company to rent these in town, these were not part of land use and not in the Unified Development Ordinance, and are the company's responsibilities.

Commissioner Cinq-Mars made a motion to recommend approval with the statement of consistency and reasonableness and Commissioner Ghorley seconded the motion. The motion was unanimously approved (8-0).

Item 7: Other Business

Update on Council Votes

Public Hearing – Dakota Group Limited and Triangle Real Estate of Gastonia Inc. (File #202100274)

The request to rezone approximately 17.54 acres from RS-8 CD (Single-family Residential Conditional District, minimum 8,000 sq. ft. lots), RS-12 (Single-family Residential District, minimum 12,000 sq. ft. lots) and C-1 CD (Neighborhood Commercial Conditional District) to C-2 CD (Highway Commercial Conditional District) and RMF CD (Multi-family Residential Conditional District). The

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subject property is located at the northeast intersection of Robinwood Road and Kendrick Road. This item was denied on Tuesday, March 15th by City Council.

Representative for April 19th City Council Meeting, if needed

The Planning Commission determined no representative was needed.

Item 5: Adjournment

There being no further business, Chairwoman Ferguson entertained a motion to adjourn the meeting. Commissioner Ghorley made a motion to adjourn the meeting and Commissioner Stewart seconded the motion. Hearing none in opposition, the meeting adjourned at 7:55 p.m.

Respectfully submitted,

Chrystal Howard, Secretary

Kristie Ferguson, Chairwoman