



**Gastonia Planning Commission
Meeting Schedule
August 08, 2019**

5:00 – UNTIL DINNER
(City Hall – City Council Conference Room 201)

5:30 – UNTIL PLANNING COMMISSION MEETING
(City Hall – City Council Chamber)

Gastonia Planning Commission
City Council Chamber, City Hall
August 8, 2019 – 5:30 pm

ITEM 1a: ROLE CALL / SOUND CHECK

ITEM 1b: CALLS/CONTACTS TO PLANNING COMMISSION MEMBERS

ITEM 1c: APPROVAL OF MAY 1, 2019, JUNE 6, 2019, and JULY 22, 2019 MINUTES

ITEM 2: PUBLIC HEARING – Kent Olson (File # 9279)

Subject hearing involves a request to rezone approximately 10.07 acres from RS-12 (Residential District, minimum 12,000 sq. ft. lots) to RMF (Residential Multi-family District). The subject property is located on the northeast corner of W. Davidson Avenue and Hargrove Avenue. The property is owned by Roane Investments, LLC.

Staff Presentation: Jana McMakin, AICP, Senior Planner

ITEM 3: PUBLIC HEARING – Amending the Unified Development Ordinance (File # 9290)

Subject hearing involves a request to amend the Unified Development Ordinance Chapter 2 Definitions to establish a definition for Blood Plasma Facility, and Section 7.1 Table of Uses to establish the zoning district that allow Blood Plasma Facility and Charitable Relief Organization Category 1, 2 and 3, and Section 8.4.4 to establish new supplemental regulations for these land uses, and Table 10.5-1 to establish parking calculation requirements for these land uses.

Staff Presentation: Jason Thompson, AICP, Planning Director

ITEM 4: OTHER BUSINESS

- **New Urban Redevelopment Area**
- **Update on Council Votes**
- **Representative for August 20th City Council Meeting (if needed)**

UPCOMING IMPORTANT DATES

August 20, 2019 - Regular Council Meeting - Gaston County Courthouse Public Forum Room at 6:00 p.m.

September 2, 2019 – City Offices Closed

September 5, 2019 – Planning Commission Meeting – City Hall Council Chamber

**Gastonia Planning Commission
Special Workshop
May 1, 2019 Minutes**

Chairperson Goode declared a quorum and the Gastonia Planning Commission Special Workshop opened at 5:30 pm on Thursday, May 1, 2019, in the 1st Floor Conference Room at City Hall.

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

Absent: Commissioners Mark Epstein and Bob Biggerstaff

Staff Members Present: Charles Graham, Assistant City Attorney; Jason Thompson, AICP, Planning Director; Jana McMakin, AICP, Senior Planner; Quentin McPhatter, Assistant City Manager, and Chrystal Howard, Secretary

Item 1a: Role Call / Sound Check

Item 1b: Calls/Contacts to Planning Commission Members

Commissioners stated there were no contacts.

Mr. Thompson introduced Quentin McPhatter, Assistant City Manager. Mr. McPhatter shared a brief background of his work history and family.

Mr. Thompson provided an update on Commissioner Biggerstaff.

Item 2: Discuss Draft of Residential Development Standards

Mr. Demetri Baches and Mr. Jason Thompson briefed the Commission on the residential development standards and options for integrating new standards into the Unified Development Ordinance (UDO).

Mr. Baches briefly explained a four year expansion plan and three components; social platforms, small area plans, and text. He commented that the website and social media will be involved. The first year will include an illustrative plan per City Council. As a result seven to ten sites will need to be determined to illustrate the tools of the ordinance for a better understanding. Images and diagrams will be embedded within the ordinance to show a pictorial view what the ordinance can do reinforcing intent and clarity. Sections will be completed incrementally and passed along for City Council to approve. Training will be conducted on how to use this throughout the learning process. In the end, Gastonia will have a new and updated ordinance with illustrations for certain areas of the city, a social platform for input and data, and a way to incrementally update the comprehensive plan.

Tasks of the Commission:

- Create a master list of seven to ten places
- Think about next item to tackle
- Review and recommend approval of final draft of the residential development standards

Mr. Thompson expressed his excitement and the importance of this effort as it moves forward for the City of Gastonia. He commented that the community has aging nonresidential/commercial development. Potential redevelopment is not accommodated very well with commercial zoning with very dimensional based restrictions. Examples given were Akers Center, Dixie Village and Eastridge Mall and offered these areas as consideration for the next priority option. Commissioner Cinq-Mars commented on limited housing. Mr. Thompson also briefly explained a separate effort being undertaken is the possibility of establishing a new urban redevelopment area on the west side.

Mr. Baches commented that this group is not rezoning the city but is writing text and giving the tools to apply. The zoning map will stay the same, the components will change, but the zoning will be modified. He provided an example.

Commissioner Fleeman briefly talked about investing in a housing code and better development since land will go away. The group agreed that it is time to move on this. Commissioner Fleeman stated that we do not have time to be very incremental and we have to do something with our subdivision code now. Mr. Baches stated that if this is something that needs to be polished and moved quickly for approval process, then it can be done.

Discussion ensued on water and sewer price point change.

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Commissioner Stewart stated he'd like to see the UDO easier to read and understand, such as figuring out what is required for a project. Mr. Thompson stated one of the trends is a movement to simplification and it is a goal of the City. Mr. Baches stated graphics, illustrations and pictures will provide help and text will be next to the images.

Mr. Thompson directed the Commission to item 2 of the agenda packet. Staff needs to hear ideas about priority areas from the Commission. His example was at the I-85 / US-321 interchange as a development opportunity; however, the interchange improvement project has scared opportunities away because of uncertainty. There is vacant land around this busy interchange that will probably be an intensive development.

Commissioner Fleeman mentioned the construction on I-85 and travelers trying to avoid the construction. He suggested doing something with Highway 7 coming from Lowell. Mr. Thompson stated a portion of this corridor was reviewed by Gaston County Economic Development and the City of Gastonia Economic Development. Mr. Thompson noted the amount of municipalities Highway 7 touches.

Mr. Thompson stated the priority is to finish the Residential Development Standards. Mr. Baches and Mr. Thompson recapped the master list of seven to ten places tasked to the Commissioners. Mr. Baches described different types of development. Regarding rezoning, large and small scale projects were briefly explained. Ward Map was displayed for the Commissioners to view to help with their upcoming project.

Item 3: Other Business

There being no further business, Chairperson Goode adjourned the meeting at 6:29 p.m.

Respectfully submitted,

Chrystal Howard, Secretary

Pam Goode, Chairperson

**Gastonia Planning Commission
June 6, 2019 Minutes**

Vice-Chairman Cinq-Mars declared a quorum and the Gastonia Planning Commission meeting opened at 5:36 pm on Thursday, June 6, 2019, in the Council Chamber at City Hall.

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

Absent: Chairperson Pamela Goode

Staff Members Present: Ash Smith, City Attorney; Jason Thompson, AICP, Planning Director; Jana McMakin, AICP, Senior Planner; Rusty Bost, Quentin McPhatter, Assistant City Attorney; and Chrystal Howard, Secretary

A moment of silence was led by Vice-Chairman Cinq-Mars in honor of the 75th anniversary of D-day. He also led the audience in the Pledge of Allegiance.

Item 1a: Role Call / Sound Check

Item 1b: Calls/Contacts to Planning Commission Members

Commissioners stated there were no contacts.

Item 1c: Approval of May 9, 2019 Meeting Minutes

Commissioner Fleeman made the motion to approve the March 7, 2019 minutes as written and Commissioner Stewart seconded the motion. The motion was unanimously approved (7-0).

Vice-Chairman Cinq-Mars explained the rules of procedure and time limitations.

Item 2: Public Hearing – Craig Baucom (File # 9228)

Subject hearing involves a request to consider a conditional use permit for approximately 5.47 acres. The property is zoned I-2 (General Industrial District). The subject property is located at 121 Shannon Bradley Road. The property is owned by Myrtle H. Powell.

Vice-Chairman Cinq-Mars stated because of the quasi-judicial format of this hearing persons wishing to speak and offer evidence are required by North Carolina law to be sworn in. Ms. Howard administered the oath.

Vice-Chairman Cinq-Mars opened the public hearing and recognized Ms. Jana McMakin, AICP, Senior Planner for the purpose of staff presentation.

Ms. McMakin stated this conditional use permit request was filed by Mr. Craig Baucom for his business located at 121 Shannon Bradley Road. Ms. McMakin displayed the aerial photo and zoning map as presented in the agenda. She explained this building was existing, as well as the parking areas. This is a signalized intersection with Shannon Bradley Road and W. Franklin Boulevard. She explained the main driveway, two access points from Shannon Bradley Road, and the existing loading and parking area. Ms. McMakin briefly explained that a conditional use permit is required to allow an indoor flea market with supplemental regulations in the I-2 district and this use would be comprised of several individual vendors. She continued that Mr. Baucom retained an architect for ideas on utilizing the mercantile portion of the property and the reason for the conditional use permit request. Staff recommends the request be approved as presented.

Commissioner Epstein asked why a conditional use is required if an indoor flea market is permitted by right with supplemental regulations. Ms. McMakin stated it was not only regulated by supplemental regulations, but several uses require an additional step by the conditional use permit. Supplement requirements and the conditional use permit process was explained.

Vice-Chairman Cinq-Mars asked if the property will need additional parking spaces and Ms. McMakin replied that the applicant supplied information that he is able to meet parking regulations; however, striping will need to be completed.

No further questions were asked by the Commissioners.

Vice-Chairman Cinq-Mars recognized Mr. Craig Baucom, 403 N. Inman Avenue of Bessemer City, North Carolina. Mr. Baucom is the applicant and he explained his involvement in collecting and selling of items. He continued that it has been a passion and dream of his to own his own place. Mr. Baucom stated his business will be an antiques flea market. Saturdays would probably

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be the busiest day of the week. He stated the reasons for this space are to help provide his friends with a space to sell, hire people who need work, bring people into the city and county, increase income, as well as, increase tax base. He thanked the Commissioners for the opportunity to speak and asked if they had any questions or concerns.

Vice-Chairman Cinq-Mars asked if he had any concerns about the adjacent junk yard and Mr. Baucom replied that the vehicles were removed from the location several months ago.

Commissioner Epstein asked Mr. Baucom if he knew what the previous business was and Mr. Baucom replied that the latest use was a Warehouse and prior to that was a machine shop.

No further questions were asked by the Commissioners.

Vice-Chairman Cinq-Mars recognized Mr. Speight Bird, 107 Canterbury Drive of Kings Mountain, North Carolina. Mr. Bird is in favor of the request and provided his history with antiquities. He stated the potential is to become something similar to first class facilities in Hendersonville, NC or Pickens, SC, which are well known in the antique world.

No questions were asked by the Commissioners.

Vice-Chairman Cinq-Mars recognized Mr. David Fields and Mr. Fields declined speaking.

Commissioner Stewart made a motion to close the public hearing and Commissioner Fleeman seconded the motion. The motion was unanimously approved.

No discussion ensued.

Commissioner Epstein made a motion to approve the request as presented and Commissioner Stewart seconded the motion. The motion was unanimously approved (7-0).

Item 3: Public Hearing – Joseph Kass (File # 9229)

Subject hearing involves a request to zone (in conjunction with annexation request File 9216) approximately 10.31 acres from RMF (Gaston County, Residential Multi-family) to RMF CD (City of Gastonia, Residential Multi-family Conditional District). The subject property is located on the south side of E. Hudson Boulevard across from Efird Street. The property is owned by C & C Investments, Cann Builders, and LL Ratchford Family LP.

Vice-Chairman Cinq-Mars opened the public hearing and recognized Ms. Jana McMakin, AICP, Senior Planner for the purpose of staff presentation.

Ms. McMakin stated this request is an annexation and recommendation to forward to City Council on the assignment of zoning. Ms. McMakin displayed and briefly explained the zoning map and the applicant's request. She stated the subject property for this zoning request is for a portion of one tax parcel (tax parcel 139199) totaling approximately 10.74 acres and the overall tract is 26.36 acres. The applicant's request is to assign the RMF CD (Residential Multifamily Conditional) zoning district. The property is currently in Gaston County's jurisdiction and in October 2018 it was rezoned to RMF (Gaston County, Residential Multifamily). This request is for an apartment complex for three, three-story buildings and one, two-story building with a maximum of 80 units. There is one access point located off of E. Hudson Boulevard across from Efird Street. The project has been allocated a reservation of NC Housing Finance Authority Low Income Housing Tax Credits. Ms. McMakin displayed and briefly explained the site plan. She displayed elevations as presented in the agenda. Ms. McMakin summarized the proposed zoning conditions. The Future Land Use Map in the 2025 Comprehensive Plan indicates residential use for the subject property and surrounding properties. Staff recommends that the request be approved as presented and this recommendation would be presented to City Council with the annexation public hearing on Tuesday, June 18th at the Gaston County Courthouse.

Commissioner Epstein inquired about two ingress and egress instead of the one on E. Hudson Boulevard. Ms. McMakin replied that two ingress and egress connections were not presented to staff and referred the question to the applicant. She added that the Fire Marshall completes this review as part of the staff review process and no comment was made of an additional access.

Vice-Chairman Cinq-Mars read, "However, the number of units is higher than the maximum per site recommended by the policy." from the staff report on page 3-1 of the agenda, and requested

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clarification. Ms. McMakin explained the Assisted Housing Policy staff refers to includes tax credit projects. Mr. Thompson stated the policy was handling two separate components. The geographic component by census tract was aimed at preventing clustering of different projects of this type of assisted living in certain geographic areas. Also, in order to prevent projects that are two large 25 units or below are preferred by the policy and projects 50 units or above are not preferred by the policy. Mr. Thompson shared past history of decisions made by the Planning Commission and City Council. He reminded the Commission that the policy is not part of the ordinance and the vote to be made will be based upon a land use decision. Brief discussion ensued on the policy.

Commissioner Epstein asked if staff received any calls and Ms. McMakin replied that she had not been contacted.

Commissioner Cinq-Mars commented that he did not see a posted sign located on Hudson Boulevard. Ms. McMakin replied that signs were posted, but may have been moved for mowing. Staff will make sure signs are signs are posted if any were removed.

No further questions were asked by the Commissioners.

Vice-Chairman Cinq-Mars recognized Mr. Joseph Kass, 227 Asbury Avenue of Greenville, South Carolina. Mr. Kass thanked the Commission for their time and then provided a brief history on the property. He explained neighboring properties and supporters of the request. He stated access, turn lanes, traffic, neighborhood, surrounding environment, middle class area, and economic signs of activity and growth are positives for this location. Mr. Kass continued that he felt that this project fits in with the character on E. Hudson Boulevard, as well as, a fantastic addition from an economic and demographic perspective. The main motivation to annex was based on water and sewer rates and he briefly explained their savings long term through annexation. Mr. Kass commented that this development will look like the existing development in downtown Clover, South Carolina. He finished his presentation by briefly explaining the profile of the tenants. He asked the Commission if they had any questions.

Commissioner Epstein inquired about ingress and egress at multiple locations. Mr. Kass replied that feedback had not been received from NCDOT or other stakeholders. An easement with the owner that will be purchasing the property would be needed, as well as, involvement with NCDOT for feasibility. The entire parcel is an undivided twenty six acres. Two separate contracts exist with related entities, but slightly different groups of investors. Commissioner Epstein commented that it seemed reasonable to have another ingress and egress at the back of the property. Commissioner Ferguson stated with Neal Hawkins being a two lane road, she felt it would safer to have one entrance on E. Hudson Boulevard with a four lane and divider in the middle. Mr. Kass summarized that the traffic study resulted as low traffic. Commissioner Stewart commented that the entrance is after the median.

No further questions were asked by the Commissioners.

Commissioner Stewart made a motion to approve (forward a favorable recommendation) the request as presented with the statement of consistency and reasonableness and Commissioner Ferguson seconded the motion. No discussion ensued. The motion was unanimously approved (7-0).

Statement of consistency and reasonableness (motion to approve): The proposed zoning is consistent with the 2025 Comprehensive Plan and will result in the potential development of a residential use and is consistent with the current RMF zoning of the property in Gaston County. The Planning Commission considers an affirmative vote to be reasonable and in the public's interest.

Brief discussion ensued on an annexation recommendation.

Item 4: Public Hearing – Reliable Investment (File # 9230)

Subject hearing involves a request to rezone approximately 2.1 acres from C-1 (Neighborhood Commercial District) and UMU (Urban Mixed Use District) to C-2 CD (Highway Commercial Conditional District). The subject property is located on the east side of S. Broad Street (412 S. Broad Street). The property is owned by Honey Properties, Inc.

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Vice-Chairman Cinq-Mars opened the public hearing and recognized Ms. Jana McMakin, AICP, Senior Planner for the purpose of staff presentation.

Ms. McMakin stated this is a rezoning request for the property located at 412 S. Broad Street. Ms. McMakin displayed and briefly explained the aerial photo and zoning map as presented in the agenda. The parcel containing the building and parking to the rear is zoned C-1 (Neighborhood Commercial District) and the adjacent parcel comprised of parking is zoned UMU (Urban Mixed Use District). There are three existing driveways located along S. Broad Street. The building is vacant and needs improvements. The applicant has submitted a rezoning request to rezone to the C-2 CD (Highway Commercial Conditional District) to allow C-2 uses including but not limited to moving and storage and this would include interior self-storage. The ground floor would be one of the uses in the C-2 district, and all uses in C-2 will be permitted except those removed by the applicant presented in the agenda. The additional paved parking will be utilized for oversized vehicles such as food trucks, recreational vehicles, and moving trucks. The parking area would be screened with buffering. Ms. McMakin provided description of adjoining properties and zoning. The Future Land Use Map in the 2025 Comprehensive Plan indicates commercial and residential use for the subject property. Staff recommends approval of the request.

Vice-Chairman Cinq-Mars asked if there was a loading dock on the backside of the building and Ms. McMakin referred the question to the applicant.

Commissioner Epstein asked if the oversized vehicles would be in the side lot or behind the building and Ms. McMakin answered that the vehicles would be behind the building. Commissioner Epstein stated that the vehicles would not be visible from Broad Street and Ms. McMakin agreed. She stated to her understanding that one of the zoning conditions was worded to make sure the side lot would be used for customers and easy access to the office and oversized vehicles would be in the rear with a possible gates for safety.

No other questions were asked by the Commission.

Vice-Chairman Cinq-Mars recognized Mr. John Doster, 3749 Stoneycreek Court of Gastonia, North Carolina. Mr. Doster thanked the Commission for their time. He stated that the Southern Bell building has been vacant for a long time, and due to how it was built, it would not be an easy one to make work. It would be very expensive to tear down. Mr. Doster clarified that all three stories would be used for moving and storage with the upper levels as a future project. Rear parking would be screened from residential. He asked the Commission if they had any questions.

Mr. Thompson commented that the way this building was constructed it is difficult to make anything work. Mr. Doster commented that the building was basically a parking deck with the top floor as a call center.

No questions were asked by the Commissioners.

Commissioner Stewart made a motion to approve the request as presented with the statement of consistency and reasonableness and Commissioner Fleeman seconded the motion. No discussion ensued. The motion was unanimously approved (7-0).

Statement of consistency and reasonableness (motion to approve): The proposed rezoning is consistent with the 2025 Comprehensive Plan and is in harmony with the current zoning and development in proximity of the subject property. Therefore, the Planning Commission considers an affirmative vote to be reasonable and in the public interest.

Item 5: Public Hearing – Amending the Unified Development Ordinance (File # 9249)

Subject hearing involves a request to amend the Unified Development Ordinance by deleting Subsection 5.11.2.C.5 under Procedures and replacing Subsection 5.18 Protest Petition with Transportation Impact Analysis to define and provide reference to a new TIA (Transportation Impact Analysis) Policy.

This item will be heard by City Council on Tuesday, June 18, 2019 at 6 p.m. in the Public Forum Room of the Gaston County Courthouse.

Vice-Chairman Cinq-Mars opened the public hearing and recognized Mr. Rusty Bost, PE, Director of Development Services for the purpose of staff presentation.

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Mr. Bost stated the Traffic Impact Analysis (TIA) policy is briefly mentioned in the Planned Residential Development (PRD) section of the Unified Development Ordinance (UDO) and there is no real requirement other than North Carolina Department of Transportation (NCDOT) requirements for when a TIA is done. Mr. Bost gave an example of a new site development as a by-right construction that would not trigger NCDOT requirements or TIA. Staff reviewed how traffic is handled, formalized the process, and included some goals. First step is transparency to have the process be apparent. Next, the study would be thorough for citizens to have faith and trust in the work done. Lastly, improve upon the efficiency on how this is handled. Staff researched twenty other jurisdiction's TIA policies and their criteria, such as thresholds that trigger a TIA, when are the peak hours, how mitigations are handled, what types of signalizations criteria, and warrants. Staff found the following in common; one thousand new trips per day or one hundred trips per peak hour is the trigger for most municipalities and NCDOT is three thousand trips per day and nothing about peak hours, intersections were analyzed within a mile radius of the site, mitigations are only required based on the impact directly attributable to the development, and when trip forecasting, it was common to adopt the Institute of Transportation Engineers' (ITE) criteria for how they calculate trips. Staff found the following different; peak hours, bike/pedestrian considerations, expiration date on traffic data, basis for the mitigation, such as level of service, delay, and/or queuing. The proposed TIA ordinance is simple and three paragraphs. If an applicant applies to the City of Gastonia to do certain things, he/she will have to do a TIA per a policy that will later be adopted by City Council allowing for adjustment flexibility. The policy document contains two sections, administrative and engineering criteria. Mr. Bost explained the new method versus the existing traditional method and who has adopted it.

Commissioner Epstein asked who the consultant works for and Mr. Bost replied that the consultant works for the City. Commissioner Epstein shared an issue the board comes across and Mr. Bost stated another issue is the review cycles generated from software.

Mr. Bost continued with mitigation requirements specific to the City of Gastonia, school district peak hour study, Franklin Square peak hour study, queue length greater than fifty feet, volume to capacity ratio and speed.

Commissioner Epstein inquired about street parking and Mr. Bost replied that street parking would be accepted.

Commissioner Ferguson shared her appreciation for all the work staff does with preparing for the surge of development. She liked the pressure being removed from the Commission on trying to figure out traffic with minimal information during rezoning requests.

Brief discussion ensued on consultant selection process.

Commissioner Ferguson made a motion recommending adoption of the draft ordinance and removal of Section 5.11.2(c) (5) by Council and Commissioner Epstein seconded the motion. No discussion ensued. The motion of recommendation unanimously passed (7-0).

Item 6: Public Hearing – Amending the Unified Development Ordinance (File # 9250)

Subject hearing involves a request to amend the Unified Development Ordinance Chapter 2 Definitions and Section 7.6.5 Urban Standards Overlay to provide provisions for redevelopment of existing large commercial sites.

This item will be heard by City Council on Tuesday, June 18, 2019 at 6 p.m. in the Public Forum Room of the Gaston County Courthouse.

Vice-Chairman Cinq-Mars opened the public hearing and recognized Mr. Jason Thompson, AICP, Planning Director for the purpose of staff presentation.

Mr. Thompson explained the three components for redevelopment of existing C-3 zoned properties. The City of Gastonia has aging commercial sites in various areas of the community and staff is thinking about the potential for redevelopment and how beneficial redevelopment is to any community. He stated larger commercial site redevelopment often times isn't a brand new big box shopping center or mall. It is often times mixed use or mixture of residential, office and other types of development. This amendment is to come up with a method to facilitate extraordinary beneficial redevelopment projects to see these happen. The bulk of the larger sites twenty acres or more in size are zoned C-3 (General Commercial District). The shopping center zoning district has development standards that do not always facilitate well. The C-3 zoning

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district does not allow multi-family or mixed-use dwelling type developments. This proposed ordinance is aimed to change this while remaining subject to all the same supplement regulations, and give flexibility to allow larger sites to integrate some housing. As a result, this will allow the remainder of the redevelopment to work with the population base on to the large site. The second part of the proposed ordinance is to require the developer to agree in order to get an approved development agreement with the City of Gastonia to be approved by City Council. Mr. Thompson briefly explained the complex agreements to make this work. Lastly, an approved Development Agreement supersedes the base C-3 zoning provisions.

Commissioner Epstein asked about the land use designation that was for large undeveloped pieces of property that was mixed use. Mr. Thompson stated it was Traditional Neighborhood Development (TND). Commissioner Epstein referred to the TND as a smaller scale with the exception of being on existing C-3 designations instead of large open tract of land. Mr. Thompson commented that one of the key differences typically with large scale TND is it works very well with a green field site. He continued that more complications are involved with redevelopment proposals. While this change is simplistic, the development agreement can get very detailed. Examples were shared, such as the old Midtown Mall site in Charlotte and brief discussion ensued.

Commissioner Armstrong inquired about examples of existing structures that would benefit from this proposal. Mr. Thompson mentioned Akers Shopping Center, Dixie Village, Eastridge Mall, portions of Franklin Square as they age out.

Commissioner Fleeman was not in favor of contract zoning. He stated a development agreement is a voluntary contract and the Commission is rezoning based on voluntary contract. Attorney Smith stated development agreements are specifically authorized by North Carolina statute. Ms. McMakin commented that the sites would not include a rezoning component since they have to be existing C-3. Commissioner Fleeman replied that the conditions would change by contract and not by public hearing and vote. Attorney Smith reiterated his statement. Commissioner Fleeman stated there is a potential for huge amount of abuse.

Commissioner Epstein made a motion recommending adoption of the draft ordinance as written to Council and Commissioner Stewart seconded the motion. No discussion ensued. The motion of recommendation passed (6-1 Fleeman).

Item 7: Other Business

Mr. Thompson stated the following public hearing will be presented at the June 18th City Council meeting:

- Public Hearing – C4 Investments, LLC (File # 9208)
- Public Hearing – Joseph Kass (File # 9229) in conjunction with annexation request File # 9216.
- Public Hearing – Amending the Unified Development Ordinance (File # 9249)
- Public Hearing – Amending the Unified Development Ordinance (File # 9250)

Commissioners Armstrong and Ferguson will attend the June 18th City Council meeting as representatives. Brief discussion ensued on the order of business at a City Council meeting. Staff will send a reminder.

The Commission decided on Monday, July 22, 2019 at 5:30 p.m. as their scheduled special meeting for the final review of the Residential Development Standards and a pass a recommendation to City Council to adopt the standards into the ordinance.

There being no further business, Vice-Chairman Cinq-Mars adjourned the meeting at 7:20 p.m.

Respectfully submitted,

Chrystal Howard, Secretary

Pam Goode, Chairperson

Gastonia Planning Commission
July 22, 2019 Minutes

Chairperson Goode declared a quorum and the Gastonia Planning Commission Special meeting opened at 5:36 pm on Thursday, July 22, 2019, in the Council Chamber at City Hall.

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

Absent: Commissioner Bob Biggerstaff and Anthony Gallant

Staff Members Present: Charles Graham, Assistant City Attorney; Jana McMakin, Senior Planner; Quentin McPhatter, Assistant City Manager; and Chrystal Howard, Secretary

Chairperson Goode recognized reappointed Commissioner Cinq-Mars and Commissioners Stewart and both were sworn in by Ms. Howard.

Item 1a: Role Call / Sound Check

Chairperson Goode explained the time limitations.

Item 2: Amending the Unified Development Ordinance (File # 9283)

Subject hearing involves a request to amend the Unified Development Ordinance by amending Section 6.2.6.A Other Districts from Chapter 6 Zoning Districts, Table of Uses 7.1-1 from Chapter 7 Use and Building Lot Standards, Chapter 13 Subdivisions and deleting Section 8.1.11 Planned Residential Development (PRD) and Section 8.1.12 Infill Residential Development from Chapter 8 Supplemental Use Regulations and replacing with a new Section 8.1.11 Revised Residential Development District to provide new standards for revised single-family residential options.

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

Ms. McMakin thanked the Commission for being present this evening. She briefly updated the Commission on Jason Thompson's family situation. Ms. McMakin stated one reason for having the July meeting was because staff understood from the May 1st workshop that this needed to move forward into the hands of City Council. Other reasons were not losing another month after having discussions on the new district and development options, receiving inquiries about development projects and proposals, plus cancellation of the July 4th meeting due to the holiday. Also at the time, the August 8th meeting was expected to have several regular meeting agenda items. This meeting gives everyone an opportunity to go over any questions and clarifications with Mr. Baches. At the May 1st workshop Mr. Baches talked about looking forward to the next three years with the City, his part with upgrades to the Unified Development Ordinance (UDO), illustrative plans, and social media aspect. This particular step is finishing what the group has been working on for several months a voluntary option. Existing *Section 8.1.11 Planned Residential Development (PRD) and Section 8.1.12 Infill Residential Development* from Chapter 8 Supplemental Use Regulations would be replaced with a new Section 8.1.11 Revised Residential Development District to provide new standards for revised single-family residential options. This would allow another option for an applicant to use and also infill opportunities for those interested in infill project. At this point to utilize this district, an applicant would need to go through a rezoning process. Nothing is being mapped or changed as far as zoning at this time. Ms. McMakin stated Mr. Baches was present this evening to answer any questions regarding the final draft. Staff is prepared to make any changes needed before it moves to City Council with a target date of August 20th.

Mr. Baches asked the Commissioners if they had any questions. He stated the initial offer started last year was to alleviate some issues arising from developers and designs coming in for single family residential only. He briefly talked about the overall upgrade to take place, but for now the focus is only on residential component outlined by Ms. McMakin. The work done by the Commission and staff would provide an immediate alternative for staff to introduce to people coming in to build subdivisions and that this was a very limited scope. Issues and concerns to be addressed will find a home and throughout the months changes, modifications, and upgrades will occur to the ordinance.

Commissioner Cinq-Mars stated he met with Mr. Baches prior to the meeting to talk about his questions and concerns. He proposed at the time of the vote to make comments and suggestions available to staff for review and input to the amendment.

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Commissioner Fleeman asked the Commission if they were ready to vote. Commissioner Stewart and Ferguson stated they were not ready to vote. The reason for him asking was having items to discuss and how the meeting should continue. Commissioner Cinq-Mars asked what was being voted on.

Ms. McMakin stated staff advertised in the newspaper and on the agenda, to be on the safe side, for a public hearing in the event that the Commission was prepared to approve. Ms. McMakin gave a tentative agenda update on upcoming meeting dates. She stated staff understands and does not want the Commission to make a recommendation if they are not ready and don't feel everything has been addressed. Ms. McMakin explained staff's advertising options if the Commission votes to continue the item to the next meeting.

Commissioner Stewart suggested having comments recorded and given to staff and Commissioners. Commissioner Cinq-Mars stated some of his suggestions are definitions. Commissioner Ferguson was looking forward to a presentation for more information because she did not know what questions she had yet. Assistant City Manager suggested having Mr. Baches provide an overview on the process or content.

Commissioner Fleeman stated he reviewed past meeting notes since 2018 that addressed this issue, but not to this depth. He doesn't understand how this is coming together and gave the example of *what does this do to something we have already done*. Brief discussion ensued amongst Commissioners that this draft was a summary of what has been worked on by the group.

Mr. Baches stated this was not layered, but there are two channels to be watched at the same time. The process was started by approaching at a minimal on how to provide an alternative code for City staff to offer to developers to do residential projects. The residential project product being developed was seen as subpar and the Commission and City Council did not want this to continue. He continued that the quickest way to resolve this was to provide a package that laid out how to develop a subdivision in a manner that would provide for a better quality outcome for single family residential only. In the process of developing these items it was realized that once one thing was changed it impacted another area of the code, and the need was to concentrate on only one area. He replied to Commissioner Fleeman that the code has always been very defined and tight. He stated that we haven't been layering, but basically talking about should the setback be this, do we want to supply street sections, do we want to understand and supply ideas and definitions of what open space might look like, and what would the categories be. He continued that it has been an additive process within a defined scope. The document presented has been refined in the setbacks, the numbers, labeled, terms, and there are still continuations to occur. Mr. Baches stated the engineering standards are not ready to be addressed yet because from the last scope staff has not been able to engage the Engineering department. Therefore the Engineering standards are still the same that he imported into this document. The eight foot zone of no parking from a driveway is a large area of no parking. Commissioner Cinq-Mars replied that it was half a car. Mr. Baches stated this was not the scope at the moment and the Engineering department would need to be engaged. The document is the same document seen all year and refined. This is a voluntary package available to offer a developer or applicant with new standards which may be part of the foundation for the next phase of work. He continued that this would not change any zoning or rezoning, but would be used as a new tool for staff to use. Commissioner Ferguson stated she felt better. Mr. Baches stated this is very precise text that is voluntary and the most effective way to get the larger effort moving forward. Mr. Baches continued that this is a module not impacting anything else in the ordinance and is voluntary. If an applicant or developer wanted to do a standard subdivision all the rules apply. He stated that Commissioner Fleeman's concern is valid in the future in terms of what would we be changing. These will be changes to the zoning ordinance that will require the City to match. Mr. Baches stated he would compile all the points addressed with many going into the next process. Commissioner Cinq-Mars asked Mr. Baches how he would like the Commission to proceed. Mr. Baches stated it would be best to collect for efficiency if the Commission is comfortable that this is a standalone and voluntary package and is a test case. He encouraged the Commission to vote to approve with a positive recommendation. He stated that once all the comments are collected, staff will correlate and use to move along with the next steps. Also if there is a numerous amount of comments that needs addressed, these items can be addressed at the next meeting.

Commissioner Ferguson stated she did not have anything written down and was okay with sending this to City Council since it is voluntary and not replacing or rezoning anything.

Gastonia Planning Commission July 22, 2019 Minutes

Ms. McMakin provided a tentative schedule for the August 8th Gastonia Planning Commission meeting. Chairperson Goode suggested a continuation until the August 8th meeting then provide a decision. Brief discussion ensued on when to provide comments and finalize the package. Some Commissioners stated they felt that the special meeting was a workshop.

Commissioner Stewart inquired on the maximum building height of 30 feet on page 7 and asked who came up with that height. Mr. Baches replied that this was a fire department standard. Mr. Baches reminded the Commission that the Engineering requirements were beyond the scope and due to time he imported information.

Commissioner Fleeman agrees that time is of essence and there is a need to proceed. He asked how to make a mandatory review in October. His example was taking everyone's comments for the next 45 to 60 days to be condensed and then on a fixed date, items would be corrected. Attorney Graham reminded the Commission that this is a public hearing, so options are to continue to gather more information or request more changes, approve or deny. He suggested thinking of this package as a text amendment. If it was adopted, nothing prevents the Commission from reviewing this again at another time and make another text amendment change. He provided an infill example.

Mr. Baches stated this section will be revisited because it is a land use or big text amendment and not a zoning change. It was an effort to show City Council that there is initiative and urgency behind this, to give them tools to be able to get something better, and have it as a work-in-progress to validate itself by use. When it is used we'll receive the feedback and results. Mr. Baches briefly indicated on how the next phases will happen.

Commissioner Stewart commented on the different approach between this package and the ordinance. Commissioner Ferguson gave a playbook and trick play football analogy. Chairperson Goode commented that Mr. Baches has our best interest in mind and Attorney Graham reminded us that this text amendment can be changed at any time, so she was fine with moving forward.

Ms. McMakin stated that this is a different ordinance and option. Staff is often asked *what can I do, what is the exact thing I can do, what is the minimum I have to do*. This would be a change for the applicants, and a lot of this would be design based and up to them to put together a project that accommodates the design goals and the hopes of the City. The applicant will now have the tool. This will be different for everyone in terms of how it is administered.

Commissioner Fleeman stated he discusses these matters with Mr. Bob Clay. He wanted a chance a talk to him before making a decision. He stated that this is different since there is another opportunity to review the details.

Commissioner Stewart was pleased to see that container homes were not included in item (7.) on page 14 and Commissioner Cinq-Mars agreed.

Commissioner Armstrong asked if this does not meet a developer's requirement, would be it captured and brought back to the Commission for discussion. Mr. Baches replied that it would. The overall process is new, no community has done this, and we are doing it because it is difficult to make it work the old way. He continued that the intent is to put out pieces of the ordinance as they are completed and let them run in the real world. The feedback at staff level feeds the process and then meetings will occur to discuss points raised. By the time the last piece of the code is finished, ninety percent of the ordinance will have been in use long enough to know what is going on which is rare. He stated it is a different mindset and that he should have expressed it better.

Ms. McMakin stated it will be different for the applicant because staff cannot give them a minimum, but can provide options and ideas.

Commissioner Fleeman briefly explained us versus them and stated it was refreshing to see this with options and not a set with no options.

Commissioner Ferguson stated it was like beta testing.

Commissioner Cinq-Mars made a motion to accept forwarding to City Council and share ideas with staff for better document down the road with the statement of consistency and reasonableness.

Gastonia Planning Commission
July 22, 2019 Minutes

Ms. McMakin asked for staff clarification that the Commission does not want this to come back on August 8th and that the recommendation is an approval to City Council. The Commission replied that this is correct.

Commissioner Stewart seconded the motion.

Commissioner Ferguson asked Commissioner Cinq-Mars to restate his motion.

Commissioner Cinq-Mars made a motion to approve the forwarding of this document to City Council and that the Commission's written comments are shared with staff so they can make improvements in the future according with the statement of consistency and reasonableness. Commissioner Stewart seconded the motion.

Commissioner Ferguson asked if there was an issue with the additional verbiage about review in the motion. Attorney Graham stated he was making an additional statement and not conditioning the approval to City Council so he did not see an issue.

The motion was unanimously approved 6-0.

Commissioner Fleeman suggested forty-five days to organize comments and submit to staff. Ms. McMakin suggested making an appointment with Jason Thompson or with her to sit down for approximately an hour to discuss comments for clarity. She continued that staff can compile and place in a format for Mr. Baches to see at one time. This would be really beneficial to staff.

Chairperson Goode suggested everyone get together for about an hour as a workshop after the August 8th meeting. Commissioner Armstrong stated he will not be available to attend that meeting. Another date after August 8th was favored such as September or later after it has been in play for a while. The Commission asked staff at a later time to come up with some dates and times.

Statement of Reasonableness and Consistency (motion to approve):

This ordinance is consistent with the Gastonia 2025 Comprehensive Plan and any applicable duly adopted small areas plans, and is reasonable and in the public interest because it provides development provisions to the Unified Development Ordinance and supports the goal of providing various options for housing to the City.

Item 3: Other Business

There being no further business, Chairperson Goode adjourned the meeting at 6:41 p.m.

Respectfully submitted,

Chrystal Howard, Secretary

Pam Goode, Chairperson

**PUBLIC HEARING
STAFF REPORT
File # 9279
GPC Hearing Date: August 8, 2019**

OWNER: Roane Investments, LLC

APPLICANT: Kent Olson – Development Solutions Group

PROPOSED ZONING ACTION: RS-12 to RMF

LOCATION: Located on the northeast corner of W. Davidson Avenue & Hargrove Avenue

TRACT SIZE: Approximately 10.07 acres

WARD: 4

EVALUATION:

Site Description and Background

The subject property is comprised of three (3) tax parcels and is located on the northeast corner of W. Davidson Avenue and Hargrove Avenue. The subject property is the former Rhyne Elementary School site and in 2018 Gaston County Schools sold the property to Roane Investments, LLC. The school has been demolished.

The applicant has submitted a request to rezone the subject property from RS-12 (Residential District, minimum 12,000 sq. ft. lots) to RMF (Residential Multi-Family District).

Adjoining Properties and Land Use Trends

All adjoining properties are residential uses including single-family homes and a manufactured home community located on the northwest corner of W. Davidson Avenue and Hargrove Avenue. The subject property is surrounded by mostly RS-12, one parcel zoned C-1 (Neighborhood Commercial) that contains a single-family home and some manufactured homes.

Public Facilities

Public water and sewer is available to the site. Extensions may be required to serve the site depending on how it is developed.

Consistency with Adopted Plans

The Future Land Use Map in the 2025 Comprehensive Plan indicates Public and Institutional for the subject property and residential for the surrounding properties.

Conclusion

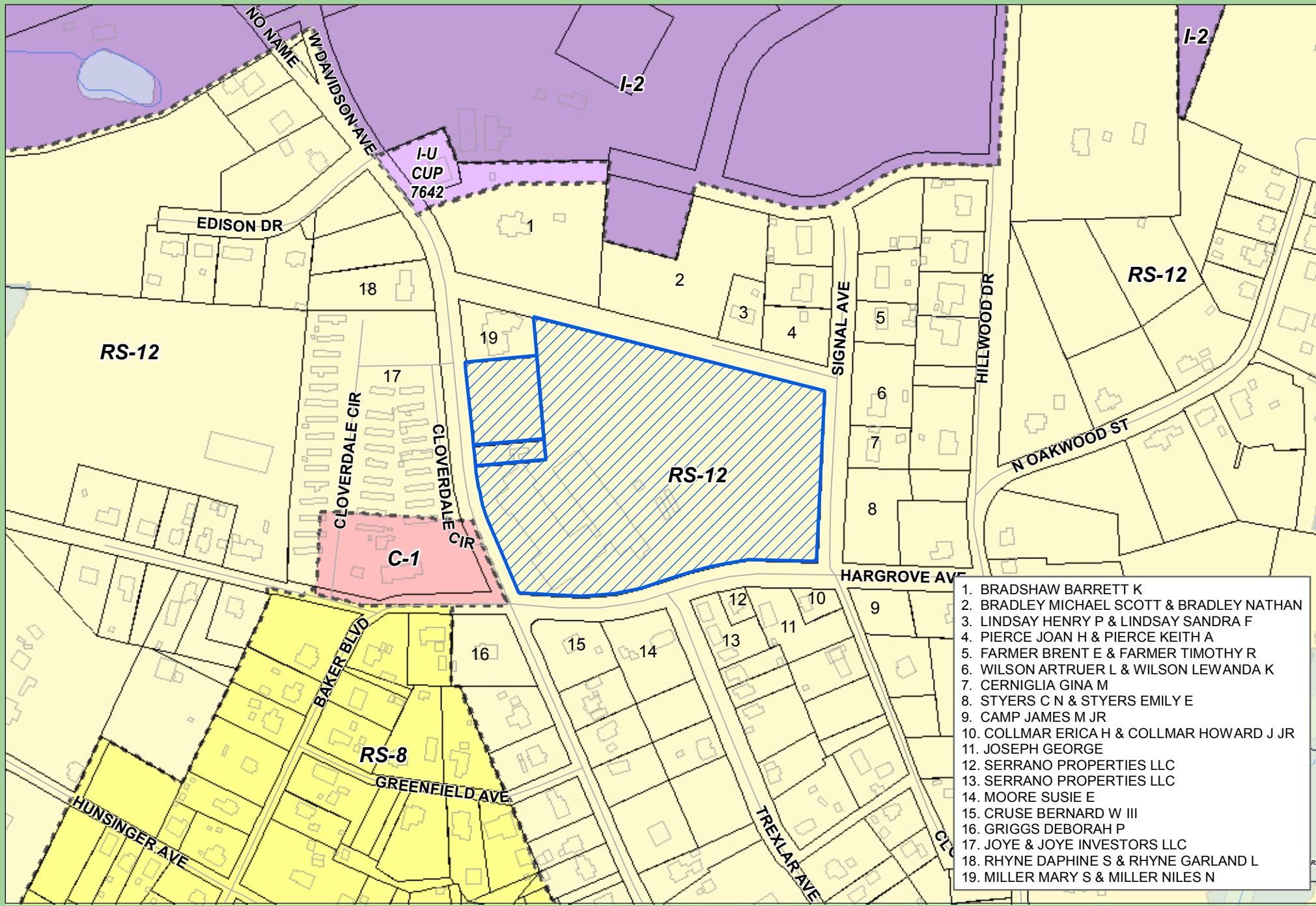
The request is for a rezoning from RS-12 to RMF. Although this is a general rezoning request, there are limitations for the RMF district that are found in 8.1.10 Multi-Family Development in the Unified Development Ordinance. Up to two (2) acres of the property could potentially be developed with apartments. Over two (2) acres requires a Conditional District. Also, density is limited to up to eight (8) dwelling units per acre. Developing over eight (8) dwelling units per acre of multi-family also requires a Conditional District. Another housing option permitted under the RMF district is townhomes. The City Council recently approved a text amendment providing development standards for single-family attached (townhomes) in the Unified Development Ordinance. Therefore, the Unified Development Ordinance contains development provisions such as standards, maximum density, and size under the general RMF district.

While the 2025 Comprehensive Plan indicates Public and Institutional use for the property, that obviously was based upon the property previously being an elementary school. Given that the school is no longer there, medium density residential use of the property that would be allowed by this rezoning seems to be a reasonable transition for reuse of the site. **Staff recommends that the request be approved as presented.**

Jana McMakin, AICP
Senior Planner

Statement of consistency and reasonableness (*motion to approve*): The 2025 Comprehensive Plan reflects the former school land use of Public/Institutional. With the site being sold, the rezoning request provides redevelopment potential of the property bringing new housing options to the area and would be built with development standards found in the Unified Development Ordinance including buffers. The Planning Commission considers an affirmative vote to be reasonable and in the public's interest.





Statement of consistency and reasonableness (*motion to deny*): The Planning Commission considers an affirmative vote to not be reasonable and not in the public interest.



Applicant: Kent Olson
Owner: Roane Investments LLC
Planning Comm Hearing: August 8, 2019
Request: RS-12 to RMF
Ward: 4
Tract Size: 10.07 total acres
Parcel ID #: 137134, 227612, 227613

 **Subject Property**

Legend

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|
|  AP Airport |  Roads |
|  C-1 Light Commercial |  Parcels |
|  C-2 Highway Commercial |  Buildings |
|  C-3 General Commercial |  Lakes |
|  CBD Central Business District |  Streams |
|  I-U Urban Industrial | Flood Zones |
|  I-1 Light Industrial |  Floodway |
|  I-2 General Industrial |  100yr Flood Zone |
|  O-1 Office |  500yr Flood Zone |
|  OLC Office/Light Commercial | |
|  O-M Medical Office | |
|  PD IRD Planned District Infill Res Devt | |
|  PD PRD Planned District Planned Res Devt | |
|  PD PUD Planned District Planned Unit Devt | |
|  PD TND Planned Dist Traditional Neighborhood Devt | |
|  RLD Residential Low Density | |
|  RS-12 Residential 12000sqft lots | |
|  RS-8 Residential 8000sqft per lot | |
|  R-A Rural Agricultural | |
|  RMF Residential Multi-Family District | |
|  SP State Park District | |
|  TMU Transitional Mixed Use | |
|  UMU Urban Mixed Use District | |

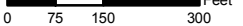
1. BRADSHAW BARRETT K
2. BRADLEY MICHAEL SCOTT & BRADLEY NATHAN
3. LINDSAY HENRY P & LINDSAY SANDRA F
4. PIERCE JOAN H & PIERCE KEITH A
5. FARMER BRENT E & FARMER TIMOTHY R
6. WILSON ARTRUER L & WILSON LEWANDA K
7. CERNIGLIA GINA M
8. STYERS C N & STYERS EMILY E
9. CAMP JAMES M JR
10. COLLMAR ERICA H & COLLMAR HOWARD J JR
11. JOSEPH GEORGE
12. SERRANO PROPERTIES LLC
13. SERRANO PROPERTIES LLC
14. MOORE SUSIE E
15. CRUSE BERNARD W III
16. GRIGGS DEBORAH P
17. JOYE & JOYE INVESTORS LLC
18. RHYNE DAPHINE S & RHYNE GARLAND L
19. MILLER MARY S & MILLER NILES N

Note: For a complete elaboration of zoning classifications, see the Unified Development Ordinance or contact the City of Gastonia Planning Department at (704) 854-6652.

Application #9279

I, _____, hereby certify that all mail notices, in the absence of fraud, were mailed to all affected and adjoining property owners on _____, 2019.



1 : 3,600
 1 inch represents 300 feet
 Plot Date: July 23, 2019


File # 9279
Date Rec'd: 6/21/19
Rec'd By: JM
Fee: 675 Check # 2850

**CITY OF GASTONIA
APPLICATION FOR PUBLIC HEARING**

Detach pages 1-10 from this packet and retain for your records.

The undersigned do hereby make application to the City of Gastonia for the hereinafter described request and in support of this request, the following facts are shown:

1. Identify the request (example: rezone from RS-12 to OLC CD or CUP for outdoor storage; etc.)
RMF

Please Note: Before applying for a rezoning, applicants are advised to determine if their property is subject to private deed restrictions to be sure the intended use of the property is allowed. The City of Gastonia neither keeps records of, enforces, nor overrules private deed restrictions.

2. Gaston County Tax Identification Number: 137134; 227612; 227613
Subject property address: 1900 W DAVIDSON AVE, GASTONIA, NC 28052

3. In order for our staff to place the rezoning signs on the property, please describe what is on the subject property and or adjacent properties (example: a white frame house is located on the property; the property is vacant with Business X located on the East side). Staff will erect the signs approximately 15 days prior to the meeting.
The subject property use to have Rhyne Elementary School on property, it is now concrete and grass.

4. Complete legal description by metes and bounds of said realty is attached to the application (a copy of the deed is sufficient).

5. In order to be familiar with the subject property the City staff may need to walk the property. Do we have the property owner's permission to do so? Yes

6. The real property to be rezoned is owned in fee simple by ROANE INVESTMENTS LLC
as evidenced in deed from _____ recorded in Deed Book
4970 at page 0935 in the Gaston County Registry.

7. The real property for which the above request is sought is located on the Right side of W DAVIDSON AVE between HARGROVE AVE and WESTERLY HILLS DR having a frontage of Approx. 570 feet and depth of Approx. 832 feet and acreage of 10.07.

8. Are sewer and water available on the property? Yes

9. The tax sheets for all persons or firms that own the subject land and land adjacent to or within 100 feet of all sides, including property across the street, from the property for which the request is sought are attached. (Note: When measuring the 100-foot distance, street rights-of-way shall not be included in the measurement.)

10. If the applicant does not own the property sought to be rezoned, the names and addresses of the legal owners are listed below. The owner's names and their addresses are recorded in the Gaston County Tax Office. (Use additional sheets of paper if necessary.)

ROANE INVESTMENTS LLC
107 LINDLEY RD, GREENSBORO, NC 27410-4824

11. Name and address of applicant: Kent Olson
11121 Carmel Commons Blvd. Suite 360, Charlotte, NC 28226
Telephone #: 704-543-0760 Fax #: _____
E-mail address: kent@developmenteolutionsgroup.com

12. Interest in subject realty Housing

13. There are no restrictions or covenants of record appearing in the chain of title which would prohibit the property from being used as requested. True False

14. Has this property previously been subject to any of the following? conditional use permit
 planned unit development subdivision ordinance unified development
If yes, please explain _____

15. Name and address of person to present item at public hearing Kent Olson
11121 Carmel Commons Blvd. Suite 360, Charlotte, NC 28226
Telephone number (704) 543-0780

I, James Roane, certify that I have read the information provided in the public hearing information package on the 11 day of June, 2019.

SIGNATURES: All property owners must sign when either a Conditional Use Permit or CD is requested.

 for Roane Investments

MEMORANDUM

Date: August 1, 2019

To: Michael Peoples
City Manager

From: Jason Thompson, AICP
Planning Director

Subject: An ordinance amending the Unified Development Ordinance *Chapter 2 Definitions* to establish a definition for *Blood Plasma Facility*, and *Section 7.1 Table of Uses* to establish the zoning district that allow *Blood Plasma Facility* and *Charitable Relief Organization Category 1, 2 and 3*, and Section 8.4.4 to establish new supplemental regulations for these land uses. (File #9290)

Background

This proposed Unified Development Ordinance (UDO) amendment has been prepared by staff in response to recent concerns expressed over two land uses that have some potential to possibly produce undesirable negative impacts to surrounding properties. Those two land uses are blood plasma donation centers and non-profit substance abuse counseling centers.

Currently the UDO does not specifically regulate blood plasma donations centers as a specific unique land use. Presently there is one existing plasma center in operation in Gastonia and another soon to open. Both of these centers are permitted under the general office/medical office land use designation in the code as are various other offices and healthcare-related facilities across the city.

Charitable Relief Organizations are currently defined in the UDO and are broken into three categories based upon the specific types of services being offered at a given facility. Professional counseling services provided on a documented not-for-profit basis are included in these land use designations and are subject to the current use location restrictions set forth under the UDO.

Proposed Text Amendment

As drafted, the proposed changes to the UDO would accomplish the following relative to both Blood Plasma Facilities and Charitable Relief Organizations in order to address concerns about these land uses:

- Add a definition to define “Blood Plasma Facility” as a unique land use designation.
- Establish those zoning districts to allow these uses, whether conditionally or as a use-by-right.
- Establish supplemental regulations that apply to these uses.
- Limit the hours of operation of these land uses.
- Add a proximity restriction to these land uses to restrict them from locating within a specified distance of residential uses, schools and churches.
- Add a restriction to only allow these uses where they have immediate access to transit.
- Adjust the specific parking calculation for Blood Plasma Facilities to require a greater number of parking spaces for these uses than for offices or medical offices.

Conclusion

Concerns stated by citizens about these two land uses have included the possibility of crime, declining property values, loitering, substance abuse and inadequate parking. In an effort to address these concerns staff has drafted the proposed amendments to ensure that any future proposals for these types of land uses would be subject to appropriate restrictions to prevent negative impacts to surrounding properties. **Staff recommends approval of these amendment as presented.**

Statement of Reasonableness and Consistency:

This ordinance is consistent with the Gastonia 2025 Comprehensive Plan and results in consistency with ordinance language from other UDO jurisdictions.

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF GASTONIA

An ordinance amending the Unified Development Ordinance *Chapter 2 Definitions* to establish a definition for *Blood Plasma Facility*, and *Section 7.1 Table of Uses* to establish the zoning district that allow *Blood Plasma Facility* and *Charitable Relief Organization Category 1, 2 and 3*, and Section 8.4.4 to establish new supplemental regulations for these land uses.

WHEREAS, the City of Gastonia deems it necessary to update the Unified Development Ordinance in order to facilitate the use of land and to maintain consistency with other UDO jurisdictions; and

WHEREAS, the City of Gastonia deems it necessary to and in the public interest to have clear, concise and consistent standards for the management of growth and development throughout the city; and

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GASTONIA as follows:

Section 1. *Chapter 2 Definitions* of the Unified Development Ordinance shall be amended as follows:

Table 2.7-1 – Defined Terms

<u>Blood Plasma Facility</u>	<u>A facility where human blood plasma is collected from donors who may receive monetary compensation for the donation of their blood plasma.</u>
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Section 2. Table 7.1-1 of the Unified Development Ordinance shall be amended as follows:

Table 7.1-1 – Table of Uses

<i>Use Category</i>				Office Districts			Commercial Districts and Industrial District					
	Defin ed	Sup. Reg.	Pkg. Reg.	O-M	O-1	OLC	UMU	C-1	C-2	C-3	CBD	IU
<u><i>Blood Plasma Facility</i></u>	<u>Y</u>	<u>8.4.4</u>	<u>1.28</u>	<u>CS</u>			<u>CS</u>		<u>CS</u>	<u>XS</u>	<u>CS</u>	<u>XS</u>
<i>Charitable Relief Organization, Category I</i>	Y	8.4.4	1.6		X	X	<u>XS</u>	X	<u>XS</u>	<u>XS</u>	<u>XS</u>	<u>XS</u>
<i>Charitable Relief Organization, Category II</i>	Y	8.4.4	1.15						<u>XS</u>	<u>XS</u>		<u>XS</u>
<i>Charitable Relief Organization, Category III</i>	Y	8.4.4	1.15						<u>XS</u>	<u>XS</u>		<u>XS</u>

Section 3. Section 8.4.4 of the Unified Development Ordinance shall be amended as follows:

8.4.4 ~~RESERVED~~ Blood Plasma Facility; Charitable Relief Organization

A. Shall be located at least five hundred (500) linear feet away from any single family residential use; elementary, middle, or high school facility; church or other house of worship facility.

B. Hours of operations for Blood Plasma Facilities shall be between 6:00 a.m. and 8:00 p.m. only.

C. Shall be located on a site that is: (1) on a (CATS or Gastonia) transit line.

Section 4. All ordinances or portions of ordinances in conflict herein are hereby repealed.

Section 5. Should any provision of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

Section 6. This ordinance shall take effect and be in force from and after the date of its adoption.

Section 7. This ordinance is consistent with the Gastonia 2025 Comprehensive Plan and any applicable duly adopted small area plans, and is reasonable and in the public interest because it promotes the health, safety, and welfare.

This the ____ day of _____, 2019.

Walker E. Reid, III, Mayor

ATTEST:

_____ City Clerk