



**Gastonia Planning Commission
Meeting Schedule
March 7, 2019**

5:30 – Until **Planning Commission Meeting**
(City Hall – City Council Chamber)

Gastonia Planning Commission
City Council Chamber, City Hall
March 7, 2019 – 5:30 pm

ITEM 1a: ROLE CALL / SOUND CHECK

ITEM 1b: CALLS/CONTACTS TO PLANNING COMMISSION MEMBERS

ITEM 1c: APPROVAL OF FEBRUARY 7, 2019 MINUTES

ITEM 2: PUBLIC HEARING – Amending the Unified Development Ordinance (File # 9189)

Subject hearing involves a request to amend *Table 7.1-1 Table of Uses* and *7.3-1 Bulk and Use Chart*, add a new subsection *Section 8.1.17 Dwelling, Single Family, Attached*, and amend *Chapter 13 Subdivisions* to the Unified Development Ordinance to provide clear standards for single-family attached uses.

ITEM 3: OTHER BUSINESS

- **Update on Council Votes**
- **Representative for March 19th City Council Meeting (if needed)**

ALL INTERESTED PERSONS WISHING TO COMMENT SHOULD APPEAR AT THE PUBLIC HEARING. INDIVIDUALS REQUIRING SPECIAL ACCOMMODATIONS WHEN ATTENDING THIS MEETING AND/OR IF THIS INFORMATION IS NEEDED IN AN ALTERNATIVE FORMAT BECAUSE OF A DISABILITY, SHOULD CONTACT THE HUMAN RESOURCES DEPARTMENT, LOCATED IN CITY HALL AT 181 S. SOUTH STREET, TELEPHONE: (704-866-6786), FAX: (704-836-0022) OR BY EMAIL: JUDYS@CITYOFGASTONIA.COM. THE HUMAN RESOURCES DEPARTMENT REQUESTS AT LEAST 72 HOURS' NOTICE PRIOR TO THE MEETING TO MAKE THE APPROPRIATE ARRANGEMENTS.

UPCOMING IMPORTANT DATES

March 19, 2019 - Regular Council Meeting - Gaston County Courthouse Public Forum Room at 6:00 p.m.
April 4, 2019 – Planning Commission Meeting – City Hall City Council Chamber at 5:30 p.m.

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Chairperson Pamela Goode declared a quorum and the Gastonia Planning Commission meeting opened at 5:31 pm on Thursday, February 7, 2019, in the Council Chambers at City Hall.

Present: Commissioners Jerry Fleeman, Pamela Goode, Bob Cinq-Mars, Jim Stewart, and Bob Biggerstaff

Absent: Commissioners Rodney Armstrong, Mark Epstein, and Kristie Ferguson

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

Item 1a: Role Call / Sound Check

Item 1b: Calls/Contacts to Planning Commission Members

Commissioners stated there were no contacts.

Item 1c: Approval of December 6, 2018 and January 3, 2019 Meeting Minutes

Commissioner Fleeman made the motion to approve the December 6, 2018 minutes as written and Commissioner Cinq-Mars seconded the motion. The motion was unanimously approved (5-0).

Commissioner Stewart made the motion to approve the January 3, 2019 minutes as written and Commissioner Cinq-Mars seconded the motion. The motion was unanimously approved (5-0).

Chairperson Goode explained the rules of procedure and time limitations.

Item 2: Public Hearing – Pat Budronis (File # 9165)

Subject hearing involves a request to rezone approximately 0.83 acres from C-1 (Neighborhood Commercial District) to C-2 CD (Highway Commercial Conditional District). The subject property is located on the southeast intersection of W. Franklin Boulevard and S. Myrtle School Road. The property is owned by Durga Jay Ambe LLC and Balaji Enterprises LLC.

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

Ms. McMakin stated this rezoning request is for the existing convenience store and gas pumps located at the intersection of W. Franklin Boulevard and S. Myrtle School Road. Ms. McMakin briefly explained the rezoning map. Two tax parcels, a portion of one tax parcel, are involved in this request and the applicant submitted a survey to be used if this request is approved. Ms. McMakin displayed the parcels using Google Maps. The applicant submitted a request to rezone to C-2 CD (Neighborhood Commercial Conditional District) to redevelop the subject property for a new convenience store with new canopy and gas pumps, parking area, buffers and landscaping. The existing building on the second parcel located off of S. Myrtle School Road would be demolished. The applicant submitted a site plan and architectural elevation of proposed building and both site plan and architectural elevation were displayed. Ms. McMakin explained adjoining properties, land use trends, and available public facilities. According to the Unified Development Ordinance, convenience stores with gas pumps must be located at least in a C-2 (Highway Commercial District) and must meet supplemental regulations. The applicant held their neighborhood meeting and proposed six zoning conditions. The Future Land Use Map in the 2025 Comprehensive Plan shows the subject property as commercial for the tax parcel with existing convenience store with gas pumps and residential for the second tax parcel. This rezoning request proposes to rezone from the C-1 to C-2 CD district to be able to redevelop an existing convenience store with gas pumps. The applicant included a portion of the adjacent tax parcel in order to meet the supplemental regulations of the Unified Development Ordinance for this use. Based on the existing commercial zoning and uses on the subject property and improvements proposed to the site, staff recommended the request be approved.

Commissioner Cinq-Mars inquired about the partial circle in the property line shown on the rezoning map and Ms. McMakin replied that the reason for the curve was because of distance requirements from residential zoning to any use with a convenience store.

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Commissioner Cinq-mars asked if the parcel would be empty and Ms. McMakin replied that the owner would be able to utilize the property; however, staff has not been informed of their decision.

No further questions were asked by the commissioners.

Chairperson Goode recognized Mr. Pat Budronis, 100 Main Street, Suite 302 of Safety Harbor FL. Mr. Budronis is with Encore Real Estate Development LLC. He thanked Ms. McMakin for her presentation. Mr. Budronis stated the existing use was a gas station for approximately thirty years and they would like to make significant improvements to the property. He continued that the building would be brick, single story, and aesthetically pleasing. From a safety perspective, the three driveway access points on S. Myrtle School Road would be consolidated to a single driveway.

No questions were asked by the commissioners.

Commissioner Fleeman made a motion to approve the request as presented with the statement of consistency and reasonableness and Commissioner Stewart seconded the motion. The motion was unanimously approved 5-0.

Statement of consistency and reasonableness (*motion to approve*): The Planning Commission finds that the proposed zoning is consistent the existing commercial zoning and land uses on the subject property and at the intersection of W. Franklin Boulevard and S. Myrtle School Road. The subject property is designated for commercial and residential in the 2025 Comprehensive Plan. The property will be redeveloped to meet current ordinance standards and include landscape buffers. Therefore, the Planning Commission considers an affirmative vote to be reasonable and in the public interest.

Item 3: Public Hearing – Stephen Drake (File # 9166)

Subject hearing involves a request to rezone approximately 4.94 acres from RS-12 (Residential District, minimum 12,000 square foot lots) to O-1 CD (Office Conditional District) for a Senior Independent Living Center. The subject property is located on the east side of Union Road. The property is owned by Charles Calvin Faires and Wade Elias Faires Jr.

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

Ms. McMakin stated this rezoning request is from RS-12 to O-1 CD (Office Conditional District). She displayed and explained the rezoning map. Ms. McMakin commented that Mr. Drake with Broadcast Construction recently developed an independent living center for seniors in Gastonia on Union Road and she used Google Maps to display The Villas at Union Trace. This project was processed through the Technical Review Committee. The applicant provided a site plan, architectural plans, and a summary of the proposed project and amenities that would be offered. The three story development would provide 84 units comprised of 33 one and 51 two bedroom apartments. The units would be accessed from an interior corridor and will have private balconies. Other amenities include several outdoor sitting areas and a covered picnic area as indicted on the site plan. There are five proposed zoning conditions as part of staff's review. Ms. McMakin referred the commissioners to the applicant's summary on page 3-4 of the agenda. She displayed the site plan and renderings for the architectural elevations. Ms. McMakin explained adjoining properties, land use trends, and available public facilities. The Future Land Use Map in the 2025 Comprehensive Plan shows the portion along Union Road as office, approximately 175 ft. in depth, and the remainder of the proposed rezoning area as residential. Therefore, a residential land use allowed under the O-1 district can be considered consistent with the City's adopted plans for this area. If approved, the request from the RS-12 to the O-1 CD district will allow for an independent living center as defined by the Unified Development Ordinance. This proposal meets the supplemental regulations. The land use is residential and is in compliance with the 2025 Future Land Use Map and complimentary to surrounding land uses and zoning; therefore, staff recommended the request be approved as presented.

Brief discussion ensued on The Villas at Union Trace.

No questions were asked by the commissioners.

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Chairperson Goode recognized Mr. Stephen Drake, 195 Rockbridge Road of Mills River, NC. Mr. Drake thanked Ms. McMakin for her presentation. Mr. Drake works with WDT Development who recently developed and built The Villas at Union Trace. He provided his background with this new project and stated that the community would be called the Villas at Union Crossing. He provided a breakdown of the 84 units. Mr. Drake continued that the development would be age restricted and have several amenities. He stated affordable senior housing is needed because Gaston County is a high income county of \$74,100 per year and these units are expected to be offered at a monthly average of \$650 to \$675. Mr. Drake requested the Planning Commission's full support on the request and asked if there were any questions.

Commissioner Cinq-Mars and Mr. Drake discussed the structure of the second floor, fire rated partition walls and elevators.

Commissioner Fleeman and Mr. Drake discussed the North Carolina Low-Income Housing Tax Credits. Mr. Thompson commented there are other tax credit projects throughout the city and commented on the North Carolina Housing Finance Agency (NCHFA) high standards for architecture and quality assurance.

Mr. Drake stated the mission is to provide affordable housing to seniors and they ensure having a low maintenance quality product for a minimum 15 year period. Mr. Drake addressed fire protection having a fire sprinkler and alarm system to be reviewed and inspected by the Fire department. He explained Range Queen to be used for the tenants and emergency pull stations.

Chairperson Goode inquired about the 15 year investment period and Mr. Drake replied that this is because of the tax credit received. Chairperson Goode asked about discounts and vouchers and Mr. Drake replied he was not familiar with this part and that it related more to a management perspective.

No further discussion or questions were asked by the commissioners.

Commissioner Fleeman made a motion to approve the request as presented with the statement of consistency and reasonableness and Commissioner Stewart seconded the motion. The motion was approved 5-0.

Statement of consistency and reasonableness (motion to approve): The Planning Commission finds that the proposed residential zoning is consistent with applicable long range plans because the subject property is designated for office and residential in the 2025 Comprehensive Plan. In addition, the properties surrounding and across the street are a mixture of office, institutional, and residential land uses. Therefore, the Planning Commission considers an affirmative vote to be reasonable and in the public interest.

Item 4: Major Subdivision Preliminary Plat – Springhaven (File # 8933)

Request involves a Major Subdivision Preliminary Plat for a single family subdivision to be known as Springhaven submitted by REO Funding Solutions III, LLC. The property is located at the end of Huffstetler Road and off of Beaty Road.

Chairperson Goode opened the public hearing and recognized Tucker Johnson, P.E., Assistant City Engineer for the purpose of staff presentation.

Mr. Johnson stated this is preliminary plat for the Springhaven subdivision submitted by REO Funding Solutions III, LLC. Mr. Johnson stated the subdivision consists of 104 single-family lots on 63 acres located on Beaty Road (SR2439) between Kendrick Road and S. New Hope Road near Catawba Creek. The property is zoned RS-12 and he provided the setbacks. Public water and sewer will service the property. The developer will extend the existing waterlines along Beaty Road and Huffstetler Road to serve the development with water. Sewer service will be provided by extensions to the existing outfall line running through the property, so no offsite sewer extension is necessary. Staff reviewed and determined that the Springhaven subdivision preliminary plat is in conformance with the City of Gastonia's Subdivision Ordinance; therefore, staff recommends approval subject to the conditions.

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Commissioner Cinq-Mars inquired about a phase 3 and Mr. Johnson replied there was not a phase 3, but this could be rephased later. Brief discussion ensued on other owned properties and the subject sites illustrated on page 4-3 of the agenda.

No further questions were asked by the commissioners.

Commissioner Cinq-Mars made a motion to approve the request as presented and Commissioner Stewart seconded the motion. The motion was unanimously approved 5-0.

Item 5: Other Business

Mr. Thompson stated he did not have any updates on Council Votes.

No representatives are needed for Tuesday, February 19, 2019 City Council Meeting.

Mr. Thompson stated discussions have taken place regarding a potential scope expansion to the Unified Development Ordinance. This was presented to City Council at their Strategic Planning Session scheduled on January 26th and was well received.

Mr. Thompson updated the commissioners on the residential standard development draft. The plan is to have the consultant attend the regular scheduled March 7th Gastonia Planning Commission meeting for continued discussion.

Brief discussion ensued on zoning signage regulations.

There being no further business, Chairperson Goode adjourned the meeting at 6:21 p.m.

Respectfully submitted,

Chrystal Howard, Secretary

Pam Goode, Chairperson

MEMORANDUM

Date: February 28, 2019

To: Michael Peoples
City Manager

From: Jana McMakin, AICP
Senior Planner

Through: Jason Thompson, AICP
Planning Director

Subject: An ordinance amending *Table 7.1-1 Table of Uses and 7.3-1 Bulk and Use Chart*, adding a new subsection *Section 8.1.17 Dwelling, Single Family, Attached*, and amending *Chapter 13 Subdivisions* to the Unified Development Ordinance to provide clear standards for single-family attached uses. (File #9189)

Proposed Amendments

As has been previously discussed, the Unified Development Ordinance (UDO) does not currently have standards for single family attached dwellings (townhomes). This package of proposed amendments would put in place provisions for accommodating single family attached developments in the UDO. As the Planning Commission is aware, staff has been working with the City’s consultant, Metrocology, on the preparation of new residential standards, including single family attached housing. Staff continues to do outreach on the draft in preparation for a future public hearing on the broader packet of residential amendments. However, over the past few months, staff has had increased interest in townhome development. Therefore, staff has prepared these amendments drawing from existing Planned Residential Development standards as well as the residential standards draft prepared by Metrocology.

The amendments would continue to allow single family attached developments in several zoning districts either by right with new supplemental regulations or by a conditional zoning district. There is also a proposed new subsection *8.1.17 Dwelling, Single Family, Attached* to list all of the supplemental regulations for a single family attached development including setbacks, buffers, parking, and common open space.

The proposed amendments also include removing a duplicate requirement in *Chapter 13 Subdivisions* that is already in *Chapter 9 General Provisions*.

Conclusion

These amendments will bring clarification and address the current gaps in the UDO regarding townhomes. Based on the strong interest City staff has received on development, including townhomes, these amendments pull from residential standards draft and allow City to be in a better position to review these pending developments.

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 brings clarification for single family attached developments and help support the goal of providing various housing options to the City.

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

An ordinance amending *Table 7.1-1 Table of Uses and 7.3-1 Bulk and Use Chart*, adding a new subsection *Section 8.1.17 Dwelling, Single Family, Attached*, and amending *Chapter 13 Subdivisions* to the Unified Development Ordinance to provide clear standards for single-family attached 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. Table 7.1-1 of the Unified Development Ordinance shall be amended as follows:

Table 7.1-1 – Table of Uses

Use Category				Residential Districts		Office Districts		Commercial Districts and Industrial District			
	Defined	Sup. Reg.	Pkg. Reg.	RMF	TMU	O-1	OLC	UMU	C-1	CBD	IU
<i>Dwelling, Single Family Attached</i>	Y	<u>8.1.17</u>	1.2	<u>XS</u>	<u>XS</u>	<u>CS</u>	<u>CS</u>	<u>XS</u>	<u>CS</u>	<u>CS</u>	<u>X</u>

Section 2. Table 7.3-1 of the Unified Development Ordinance shall be amended as follows:

**TABLE 7.3-1
BULK AND USE CHART**

	RLD	RS-20	RS-12	RS-8	RMF
<u>Single-family Dwellings Attached</u>	—	—	—	—	<u>Refer to 8.1.17 for requirements</u>

	TMU	OLC	O-1	OM
<u>Single-family Dwellings Attached</u>	<u>Refer to 8.1.17 for requirements</u>	<u>Refer to 8.1.17 for requirements</u>	<u>Refer to 8.1.17 for requirements</u>	—

	C-1	C-2	C-3	CBD	UMU
<u>Single-family Dwellings Attached</u>	<u>Refer to 8.1.17 for requirements</u>	—	—	<u>Refer to 8.1.17 for requirements</u>	<u>Refer to 8.1.17 for requirements</u>

Section 3. Section 8.1.17 of the Unified Development Ordinance shall be created as follows:

8.1.17 SINGLE-FAMILY ATTACHED DEVELOPMENT

A. Single Family Attached Project Guidelines.

1. Public Service.

All single family attached developments must be served by a public water and sewer system.

2. Project Lot Width and Project Boundary Buffers.

- a. The minimum project lot width (as measured at required front yard setback) shall be one hundred feet.
- b. When project boundary is adjacent to a single family zoning district or single family residential use, a Type C buffer must be installed in accordance to Chapter 11 Screening and Landscaping. This buffer must be located in Common Open Space to be owned and maintained by a Homeowners' Association.
- c. Rear yards shall not directly abut a major or minor thoroughfare. If rear yards are visible from a major or minor thoroughfare, a Type C buffer must be installed along the street frontage in accordance to Chapter 11 Screening and Landscaping. This buffer must be located in Common Open Space to be owned and maintained by a Homeowners' Association.

3. Common Open Space.

Common open space in single family attached development provide primarily aesthetic and recreational areas that are owned and maintained by a homeowners' association.

- a. The greatest of 500 sq. ft. of open space per dwelling unit or 9% of total lot area of the development shall consist of common open space.
- b. Common open space shall be improved for recreation purposes, such as pedestrian trails, swimming pools, tennis courts, or playgrounds, provide usable natural areas, such as a community square or green or passive park space, or provide significant visual or aesthetic qualities, such as tree save areas.
- c. Individual areas designated as open space areas shall not contain less than 500 square feet. Common open space, as calculated per the requirements stated herein, shall not be occupied by or include streets, drives, parking areas, or structures (other than recreational structures).
- d. Open space shall be integrated into the design of the site. Open space shall be located within ¼ miles of at least 90% of the building lots, as measured along the rights-of-way of streets providing access between the two.
- e. All property owners in the development shall have access to the improved open space by means of a public paved sidewalk, trail, or walkway in a publicly-dedicated easement.
- e. Stormwater areas (including BMP's) shall not be counted towards the required Common open space.
- f. If walking or nature trails are to be counted towards required common open space, said trails shall be at least seven (7) feet wide and paved using asphalt, concrete, or other hard surface material as approved by the City of Gastonia. Trails designed to become part of the publicly maintained greenway system (current or future use), shall be a minimum of ten (10) feet wide and paved using materials noted above and as approved by the City of Gastonia. Improved common open space shall be calculated as follows:

$$(\text{length of the trail}) \times (100) = \text{improved space.}$$

4. Parking Requirements.

- a. The requirements of Chapter 10 shall apply. In addition, one (1) additional parking space shall either be provided (in a designated off-street parking area and/or marked on-street parking space) for every ten (10) units.
- b. For any development within a PRD which provides parking spaces in a designated off-street parking facility, parking lot landscaping requirements of Section 11.5 shall be observed.
- c. Off-street parking areas shall not be located between the building and the public street.

5. Screening and Landscaping.

- a. There shall be a landscaped area at least four (4) feet in width along the entire length of the front facade of each building. There shall be at least one shrub per six (6) linear feet of building. (NOTE: This is not applicable in the TMU, UMU and CBD districts.)



b. In lieu of the street tree requirements contained in Section 11.4, trees shall be planted between the building and the adjoining public street (at the periphery of the development) as follows:

Two (2) canopy trees and two (2) understory trees shall be planted for every one hundred (100) linear feet of public street frontage.

When the backs of dwelling units face a street right-of-way (other than a major or minor thoroughfare), the number of plantings required above shall be increased by fifty (50) percent.

B. SINGLE FAMILY ATTACHED BUILDING AND LOT STANDARDS

The following design standards shall apply within a single family attached development:

1. All lots shall have access to a publicly maintained street or publicly maintained ally.
2. Setbacks shall be as follows:

	Front Setback	Garage and Driveway
If front loading garage	Minimum 20-25 ft.	Garage door setback a minimum of 20 ft. from the street ROW or back of sidewalk, whichever measurement creates greatest setback. 20 ft. minimum driveway width required.*
If rear loading garage	Minimum 5 ft.	Garage door setback minimum of 18 ft. from the alley ROW (20 ft. from asphalt). 20 ft. minimum driveway width required*

*Measured by extending the property lines from the street or alley right-of-way to the back of curb.

3. A minimum of twenty (20) feet shall be maintained between one story buildings, however, the rear of a building shall be a minimum of fifty (50) feet from another building. An additional five (5) feet of separation shall be added for each additional story. A multiple-story building with lower end units shall be considered a multiple-story building.
4. The ground level finished floor elevation of single-family attached units shall be located a minimum of two (2) feet above grade as measured from the back of the street right-of-way. In addition, a brick or stone band will be installed along the bottom of the units.



Section 4. *Chapter 13 Subdivisions* of the Unified Development Ordinance shall be amended as follows:

SECTION 13.35 LOT LAYOUT

- A. ~~Every lot shall have a minimum forty (40) feet of frontage extending to the front building line on a publicly maintained street, but~~ Double frontage lots shall be avoided wherever possible.

SECTION 13.25 STREET GRADES AND ALIGNMENT

- C. Horizontal Curvature.

The minimum radius of horizontal curvature on the center line of a street shall be as follows:

1. Major Thoroughfare Streets—Six hundred fifty (650) feet.
2. Minor Thoroughfare Streets—Four hundred (400) feet.
3. Other Streets—Two hundred fifty (250) feet. Developments following supplemental regulations of Chapter 8 including Planned Residential Development, Infill Residential Development, Traditional Neighborhood Development, and Single Family Attached Development may propose a reduced radius with the Subdivision Administrator’s approval.

Section 5. All ordinances or portions of ordinances in conflict herein are hereby repealed.

Section 6. 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 7. This ordinance shall take effect and be in force from and after the date of its adoption.

Section 8. 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