

Gastonia Planning Commission April 8, 2021 Meeting Minutes

The Gastonia Planning Commission meeting opened at 5:39 pm on Thursday, April 8, 2021 via Zoom.

Present: Commissioners, Jerry Fleeman, Anthony Gallant, Bob Cinq-Mars, Jim Stewart, and David Wilson

Absent: Rodney Armstrong, Kristie Ferguson, and Pamela Goode

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

Item 1a: Role Call / Sound Check

Commissioners were recognized.

Item 1b: Calls/Contacts to Planning Commission Members

Commissioners stated they were not contacted.

Item 1c: Approval of March 4, 2021 Meeting Minutes

Commissioner Fleeman made the motion to approve the March 4, 2021 minutes and Commissioner Stewart seconded the motion. The motion was approved (5-0).

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

Item 2: Public Hearing – Presley Development LLC (File #202000350)

Subject hearing involves a request to rezone approximately 113.96 acres from PD-PRD (Planned Development-Planned Residential Development) to PD-PRD (Planned Development-Planned Residential Development) to revise the zoning conditions and rezoning plan of file #4837. The subject property is located to the north of Union Road/Union-New Hope Road and is known as the Nolen Farm development. The property is owned by Presley Development LLC.

Vice-Chairman Cinq-Mars opened the public hearing and recognized Jana McMakin, Senior Planner for the purpose of staff presentation. Ms. McMakin displayed the rezoning map. She stated Phase I was underway and model homes were available by Meritage Homes and D.R. Horton. Ms. McMakin commented that in 2018 there was an administrative amendment approved. The original approved conditions are listed in the staff report and the proposed revised zoning conditions are identified in red font and strikethrough. She noted the amendment to zoning for the lot widths and inclusion of townhomes. Ms. McMakin displayed the site plan and identified Phase 1 and Phase 2 sections. She identified the townhomes, 50' wide lots, 60' wide lots, and 70' wide lots for a total of 127 total unit townhomes. The 90' wide lots were removed. Ms. McMakin stated there was a slight configuration change to the overall road network, but everything matches with the Traffic Impact Analysis (TIA). Ms. McMakin displayed photos of the Administrative Amendment on agenda pages 2-7 through 2-14, as well as, the Administrative Amendment letter from 2018. Ms. McMakin stated staff recommended approval of the changes as presented.

Regarding agenda page 2-13, Vice-Chairman Cinq-Mars asked what size lot this house was on and Ms. McMakin replied that the house with a three car garage option was shown to be placed on a 70' wide lot.

Commissioner Wilson asked if there was anyone in opposition of the request. Ms. McMakin replied that staff received one call; however, the individual had questions about the ongoing process with the sewer acquisition and it directed more towards legal.

Vice-Chairman Cinq-Mars recognized John Myers, 7208 Falls of Neuse Road Suite 101 of Raleigh, NC. Mr. Myers stated he was the Development Manager representing Suncrest Real Estate and Land while Ms. McMakin displayed the new proposed site plan. Mr. Myers gave a brief update on the project offsite and onsite, approximately 300 lots paved, and breaking ground for amenities was within the next couple weeks with a completion goal at end of year. Mr. Myers shared his appreciation to staff for their efforts. He stated the model homes were open and D.R. Horton was averaging seven sales per month at an average of \$293,000 sales price and Meritage Homes was averaging four sales per month at an average of \$325,000 per sale. Mr. Myers shared that they were transitioning to Phase 2. COVID, costs from a builder's perspective increase, and mindset and market were factors in determining cost of products and the elimination of the 90'

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wide lots. Mr. Myers stated they were not requesting additional lots, but requesting approval of shift in product mix. He noted the rear section townhomes front on open space and community space making the units appealing. Mr. Myers briefly mentioned the Nolan Farm Green as a focal point, architecture standards will not be diluted and will be of good quality attractive product, and this project is a large mixed use master plan. Pictures of a park were displayed and Mr. Myers shared that the park will be approximately 1½ acres, and the park will be the focal point in Phase 2 for the community.

Vice-Chairman Cinq-Mars asked when the commercial side will start to support residents who move in early. Mr. Myers replied that the commercial property was owned by the original selling entity, so he did not have control of the timing. At this time, Mr. Myers did not have a firm timeline to share of breaking ground.

Commissioner Stewart made a motion to close the public hearing and approve the project with the statement of consistency and reasonableness and Commissioner Wilson seconded the motion. The motion was approved (5-0).

Item 3: Public Hearing – Gossett Machine Works (File #202100037)

Subject hearing involves a request to rezone approximately 5.29 acres from C-2 (Highway Commercial) to C-1 CD (Neighborhood Commercial Conditional District). The subject property is located south of W. Franklin Boulevard between S. Vine Street and S. Dixie Street. The property is owned by Gossett Machine Works.

Vice-Chairman Cinq-Mars opened the public hearing and recognized Jana McMakin, Senior Planner for the purpose of staff presentation. Ms. McMakin displayed the rezoning map. She gave a brief description of the request and acknowledged Joseph Kass as the applicant. Ms. McMakin recognized Mr. Kass for the approved rezoning of Parkside at Hudson presented over a year ago. The applicant submitted a request to rezone from C-2 to C-1 CD for four (4) three-story buildings with a maximum of 78 units including 18 one bedroom units, 42 two bedroom units, and 18 three bedroom units. Ms. McMakin described adjoining properties and land use trends. She mentioned the floodplain along the eastern portion of the property and the property was vacant. Ms. McMakin stated the apartment complex will be known as Ovata at Blackwood Creek and the applicant has indicated the project has been allocated a reservation of NC Housing Finance Authority Low Income Housing Tax Credits, similar financing structure to Parkside at Hudson. Ms. McMakin displayed the site plan and noted the one access point along W. Franklin Boulevard and across from Roy Street. She identified the four residential unit buildings, stormwater BMP and club house. Ms. McMakin briefly displayed the architectural elevations on agenda pages 3-4 through 3-13 and noted brick and fiber cement as the predominant building materials. Staff has indicated a total of six zoning conditions. The Future Land Use Map in the 2025 Comprehensive Plan indicates commercial use for the subject property. Ms. McMakin stated that given its location, walkable location, on a transit route, and nice transition from RS-8, above and beyond zoning conditions and architectural elevations provided, staff recommended the request be approved.

Referring to the rezoning map, brief discussion ensued on lot 22, owned by the City of Gastonia, and the only access being on W. Franklin Boulevard.

Vice-Chairman Cinq-Mars asked for the distance between the project and the intersection of Bessemer City Road and Garrison Boulevard thinking of a single road. Ms. McMakin replied that there was a middle lane to turn left into the complex, but another signalized intersection probably would not occur with NCDOT since it was within a quarter mile proximity.

Vice-Chairman Cinq-Mars recognized Joseph Kass, NHE, Inc., 325 Rocky Slope Road of Greenville, SC. Mr. Kass commented on the completion of Parkside at Hudson and the positive experience in Gastonia with staff and residents. A presentation of photos was displayed of the Parkside at Hudson. Mr. Kass stated the development team owns the property long term, 18-20 years or longer. The team is a property management firm and will directly control over the property, and they are highly motivated to maintain quality and performance of the multi-million-dollar investment/asset. He talked about the need of affordable housing in Gastonia, FUSE revitalizing the corridor on West Franklin Boulevard will prime for revitalization and development, and their project being a good balance and transition between C-2 and RS-8 zoning districts.

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Vice-Chairman Cinq-Mars commented on the land being flat and stated that he was glad the project was in an infill position. Mr. Kass agreed and commented that the location was a great site and good fit for development.

Commissioner Fleeman made a motion to approve the request with the statement of consistency and reasonableness, automatically closing the public hearing, and Commissioner Stewart seconded the motion. The motion passed (5-0).

Item 4: Public Hearing – Faye Rose Lineberger (File #202100041)

Subject hearing involves a request to rezone approximately 4.55 acres from RS-8 and RS12 (Single-family Residential District, minimum 8,000 and 12,000 sq. ft. lots) to O-1 CD (Office Conditional District). The subject property is located at the northwest intersection of Union Road and Wellons Drive. The property is owned by Faye Rose Lineberger.

Vice-Chairman Cinq-Mars opened the public hearing and recognized Jana McMakin, Senior Planner for the purpose of staff presentation. Ms. McMakin displayed the rezoning map and identified the three parcels as split zoned between RS-12 and RS-8 zoning districts. She stated all three parcels were owned by Ms. Faye Rose Lineberger and the existing homes are rental homes. The applicant, Stephen Drake with Broadcast Construction, submitted a rezoning request to O-1 CD to construct a senior independent living center, which is a permitted land use with supplemental regulations in the O-1 zoning district. Ms. McMakin stated this project will consist of 78 units with 36 one and 42 two bedroom apartments. She shared projects of the applicant, such as The Villas at Union Trace directly across Wellons Drive in the OLC zoning district. Ms. McMakin displayed the site plan and identified the location of the three story building, access point on Wellons Drive, parking internal to the site, tree save area, BMP area for stormwater, and bench seating areas. Ms. McMakin transitioned to the rezoning map and commented on lot #10 as a fire department. She briefly displayed site details, such as the picnic area, gazebo, monument signage, and landscaping entry. Ms. McMakin displayed the overall elevations, representations of the three story project, on agenda pages 4-7 through 4-15. She stated this will be a tax credit project under NC Housing Finance Agency Low Income Housing Tax Credits. Ms. McMakin displayed the summary report written by Mr. Drake. Staff is asking for ten zoning conditions for consideration. The Future Land Use Map in the 2025 Comprehensive Plan shows the subject property as appropriate for office and residential uses. Therefore, an independent living center (residential use) allowed under the O-1 district can be considered consistent with the City's adopted plans for this area. Staff recommended approval of the project given they are meeting the Unified Development Ordinance standards, zoning conditions, as well as the architectural elevations provided.

Vice-Chairman Cinq-Mars asked Ms. McMakin about the list of construction materials. Ms. McMakin replied that she had reference to the Unified Development Ordinance, but asked the applicant that the material would be brick and fiber-cement or hardiboard material because of a discrepancy on the agenda page 4-7. Vice-Chairman Cinq-Mars asked if this would be similar to the project across the street and Ms. McMakin replied that he was correct and it was the same developer.

Vice-Chairman Cinq-Mars recognized Stephen Drake, 195 Rockbridge Road of Mills River, NC. Mr. Drake stated he was representing WDT Development, LLC. and he owns BroadCraft Construction. Mr. Drake commented on the recent build of the Villas at Union Trace, and the current build of The Lofts at Union Crossing. Mr. Drake read through his presentation points addressing the company's focus, development and mission, the demand for senior housing, the desire to obtain an O-1 CD to build a senior community, the apartment units as efficient, and the apartment for fixed income targeting 30% - 80% range, estimating rents of \$400 to \$900 per month. He continued by explaining the building was 3 stories with 36 one bedroom units and 42 two bedroom units, and described the building interior and outside the building. Mr. Drake stated the reason to build was to continue to help relieve the increasing demand for affordable senior housing in Gastonia as a recent market study showed a very high need. He shared that this site was a great location for a senior development being close to a lot of amenities.

Vice-Chairman Cinq-Mars noted that this location where the topography would not be a hindrance was a good infill project.

Commissioner Gallant thanked Mr. Drake for providing his presentation notes, questions and answers, and discussion in the agenda.

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Vice-Chairman Cinq-Mars recognized Ms. Glenda Carpenter. Ms. Carpenter thanked the Commission for allowing her to speak. She shared how long she lived at her property, the intent to widen the road, and wrecks on Union Road. Ms. Carpenter noted her concern was about traffic. She noted three large senior citizen complexes with a total number of residents of 401. She stated a request to the State was made a few years ago requesting a stop light at the intersection of Union Road and Wellons Drive. Ms. Carpenter's phone call disconnected. Assistant City Engineer Tucker Johnson replied that staff also contacted the State about a signal intersection at the same location and was turned down. He continued that staff is aware of traffic speed and the intersection as difficult to navigate; however, Union Road is NCDOT controlled. Mr. Johnson commented that NCDOT was resistant to adding new signals and this required a warrant analysis. Several warrants would have to be met before the State would allow a signal at a location. He added that the crash data did not support a warrant, number of trips, or any other warrant; therefore, a signal at this intersection would not be allowed. Mr. Johnson stated that a NCDOT widening project is scheduled in the future with right-of-way acquisition in 2023 and construction in 2025. Brief discussion ensued on the amount of lanes; however, staff has not seen the design. Staff is doing what they can for this project to make the area as safe as they can and not worse. Mr. Johnson shared other options to avoid the intersection. Ms. McMakin stated staff will follow-up with Ms. Carpenter. Commissioner Stewart commented that the living center facilities do not have a lot of vehicles on the property in comparison to a regular apartment complex. Ms. McMakin asked Mr. Drake to confirm a couple issues. Regarding the building materials, Mr. Drake replied that cement board siding was fine and can be integrated with brick veneer required by the agency. Mr. Drake also suggested SmartSide siding, which has a deeper profile, depth and shadowing, in lieu of cement board. Regarding improvements along Union Road and after review and comment of the project, Ms. McMakin stated that the Engineering staff has asked for a fee-in-lieu for the required road improvements along Union rather than installation. Mr. Drake asked if this was the sidewalk and Ms. McMakin replied that he was correct. Mr. Drake replied that this was fine. Brief discussion ensued on the right-of-way and adequate spacing was met between right-of-way and buildings, and any other spacing will be reviewed by the Technical Review Committee. Ms. Carpenter was reconnected into the meeting. She mentioned a bad drainage problem that abuts a neighbor's home that flows into the road. Ms. Carpenter asked if the developer will pay for a traffic light and speed bumps. She shared that the State promised a signal years ago and they did not fulfill their promise. She reiterated her earlier statement and noted the amount traffic. Mr. Johnson summarized his earlier comments regarding the inability to get a signal at the intersection to Ms. Carpenter, and he informed her of the future road improvements. Brief discussion ensued on having a signal intersection. Mr. Johnson explained the process of requesting a speed hump, and stated he will provide Ms. Carpenter with the City Traffic Engineer's contact information. Ms. Carpenter commented that she and her neighborhood were not against having the apartment complex, they wanted to share their concerns and requests, and she also thanked the Commission for the opportunity to speak. Brief discussion ensued on a signal intersection.

Commissioner Stewart made a motion to close the public hearing and approve the project with the statement of consistency and reasonableness and Commissioner Wilson seconded the motion. The motion passed (5-0).

Item 5: Public Hearing – NCRES Holdings LLC (File #202100045)

Subject hearing involves a request to rezone approximately 2.57 acres from O-M CD (Office Medical Conditional District) to RS-8 (Single-family Residential District, minimum 8,000 sq. ft, lots). The subject property is located south of Court Drive. The property is owned by NCRES Holdings LLC.

Vice-Chairman Cinq-Mars opened the public hearing and recognized Jana McMakin, Senior Planner for the purpose of staff presentation. Ms. McMakin displayed the rezoning map and provided the background, proposed zoning action and description of adjoining properties and zoning. She noted a correction to the staff report that in October 2020 lot #12 was rezoned by the Planning Commission.

Vice-Chairman Cinq-Mars recognized Donna Barbour with Ground Technological Services, Inc. (GTSI), 2067 NC-16 Business N of Denver, NC. Ms. Barbour commented that the request was to rezone back to its underlying district.

There being no questions or comments, Commissioner Fleeman made a motion to approve the request with the statement of consistency and reasonableness, automatically closing the public hearing, and Commissioner Stewart seconded the motion. The motion passed (5-0).

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Item 6: Public Hearing – Unified Development Ordinance Amendments (File #202100122)

Subject hearing involves a request to amend Section 8.1.11 Revised Residential Development District (R2D2) of Chapter 8 Supplemental Use Regulations to the Unified Development Ordinance to clarify standards and options for revised residential district for the City of Gastonia. This item will be heard by the City Council at the April 20, 2021 meeting at 6 p.m. in the City Council Chambers, 181 S. South Street in Gastonia.

Vice-Chairman Cinq-Mars recognized Jason Thompson, Planning Director for the purpose of staff presentation. Mr. Thompson introduced Demetri Baches with Metrocology for staff presentation. Mr. Baches commented on incentivizing the use of R2D2 to developers and applicants to show proof of concept on ground. The table was clarified and refined to incorporate within the R2D2 the R4, permitting the combined development option so the developer would be able to build the housing shown plus and townhomes and not have to rezone twice. Along with the townhome, detached house was added to the table to R-4. Mr. Baches continued that in a lot of cases, townhome development will be adjacent to existing commercially zoned property, in retail and/or office use, and may exceed the maximum acreage listed below by up to 20% provided all the acreage dedicated to townhomes is contiguous to the commercially zoned property.

There being no comments or discussion, Commissioner Fleeman made a motion of recommendation to approve the ordinance amendment as presented and Commissioner Stewart seconded the motion. The motion of recommendation was approved (5-0).

Vice-Chairman declared a five-minute recess. The meeting recessed at 7:18 p.m. and reconvened at 7:23 p.m.

Item 7: Tree Ordinance Presentation

Vice-Chairman Cinq-Mars recognized Quentin McPhatter, Assistant City Manager, and Robert Stroud, City Arborist, for the purpose of staff presentation. Mr. McPhatter gave a background and overview of why the city has a tree ordinance. He started with the Strategic Plan as a guidebook consisting of the City's vision, mission, and core values. The various goals and objectives category in the City's Strategic Plan are infrastructure investment, healthy community, good government, safety, and community identity. Improve Urban Forestry Program within the City of Gastonia falls within the healthy community category. This includes developing policies and guidelines for management of the urban forest within the city. Total number of single-family developments and apartments from 2019 through 2021 was displayed to emphasize the importance of the Urban Forestry program. The presentation transitioned to Mr. Stroud. Mr. Stroud began with Article I – In General Applicability and Exemptions regarding new development, redevelopment or additions to existing and exempt. Article II – Administration is Sec. 20-21 and 20-22 and explains creating a Tree Advisory Commission and the City's jurisdiction and authority. Article III – Maintenance and Protection of Trees is about protecting public property trees, private property trees, permit requirements, and requirements of public and private utilities to provide specifications for working around trees in the right-of-way. Article III – General Land Development Requirements involves required tree preservation of existing tree canopy. Section 20-41 to 20-44 is about Tree Preservation Area (TPA) and how it is measured, how to meet 15%, what counts towards TPA, and incentives. Section 20-45 is about alternative TPA compliance. Based on the growth rate in the city, the Urban zoned district was developed for future planning. Section 20-46 is about tree planting requirements. These requirements are interchangeable with UDO requirements and the applicant only needs to meet one or the other. Perimeter trees in residential subdivision developments, suburban commercial, and urban zones, as well as, and parking areas for internal trees was shared. Article V – Modification, Inspection, Enforcement, and Appeal covers planting delays, authority to enter private property, emergency relief, penalties, and also hearings and appeals. Lastly, the approved Tree Ordinance Standards Manual is available to builders to provide technical specifications for approved species list, how to calculate critical root zone area, diagrams, standards, permits and checklist. Brief discussion ensued on maintenance and Mr. Stroud shared that this was managed through the arborist department, is based on a call and response system, and some work may be contracted out. Staff will email a copy of the presentation after the meeting.

Item 8: Other Business

Update on Council Votes

Mr. Thompson shared that the Planning Commission at their March meeting made a motion of recommendation to approve the Unified Development Ordinance amendments (File # 202000331)

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that clarify standards and options for residential standards for the City of Gastonia. On March 16th, City Council approved the Unified Development Ordinance amendments.

Item 9: Adjournment

There being no further business, Vice-Chairman Cinq-Mars entertained a motion to adjourn the meeting. Commissioner Stewart made a motion to adjourn the meeting and Commissioner Fleeman seconded the motion. The motion passed (5-0); therefore, the meeting adjourned at 7:46 p.m.

Respectfully submitted,

Chrystal Howard, Secretary

Pam Goode, Chairperson