

Gastonia Planning Commission May 7, 2020 Meeting Minutes

Vice-Chairperson Cinq-Mars declared a quorum and the Gastonia Planning Commission meeting opened at 5:38 pm on Thursday, May 7, 2020 via Zoom.

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

Absent: None

Staff Members Present: Charles Graham, Assistant City Attorney; Jason Thompson, AICP, Planning Director; Jana McMakin, AICP, Senior Planner; Chrystal Howard, Planning Commission Secretary, Keith Lineberger, Land Development Project Manager, and Tucker Johnson, PE, Assistant City Engineer

Item 1a: Role Call / Sound Check

Item 1b: Calls/Contacts to Planning Commission Members

Commissioner Stewart received one contact. Remaining commissioners stated there were no contacts.

Item 1c: Approval of March 5, 2020 Meeting Minutes

Commissioner Fleeman made the motion to approve the February 6, 2020 minutes as written and Commissioner Stewart seconded the motion. The motion was approved (8-0).

Brief discussion ensued on a public hearing presented at the March 5, 2020 meeting: KRP Investments, LLC, File # 9412. This item involved a request to rezone approximately 6.28 acres from C-2 (Highway Commercial District) and RS-8 (Single-family Residential District, minimum 8,000 sq. ft. lots) to RMF CD (Multi-family Residential Conditional District). At the March 5th meeting, this item was tabled to allow staff time to ask the applicant if they would be willing to initiate a traffic impact analysis, consent on the number of units, and also allow staff time to research the actual ownership of the road. Ms. McMakin stated that the applicant withdrew their request and their application was withdrawn.

Before proceeding further, Attorney Graham briefly explained how to proceed with the meeting to complying with the newly adopted law regulations.

Item 2: Public Hearing – City of Gastonia (File #9434)

Subject hearing involves a request to zone approximately 0.429 acres from RS-12 (Gaston County, Single-family Residential District, minimum 12,000 sq. ft. lots) to C-2 (City of Gastonia, Highway Commercial District). The subject property is located off of Old Barn Lane. The property is owned by the City of Gastonia.

Commissioner Cinq-Mars opened the public hearing and recognized Jason Thompson, Planning Director for the purpose of staff presentation. Mr. Thompson stated the parcel is owned by the City of Gastonia. The rezoning map was displayed. He explained that this item was about a project for water infrastructure involving Two Rivers Utilities, Gaston County and Bessemer City to expand water service capabilities. Gastonia City Council recently voted to annex the property. The request is to assign a zoning designation on this newly annexed property. Staff recommended approval as presented. No questions were asked by the Commissioners.

Commissioner Fleeman made a motion to approve the request as presented and Commissioner Stewart seconded the motion. The motion was approved (8-0).

Chairperson Goode was recognized as present.

Item 3: Public Hearing – Southwest Realty through Armstrong Bradford, LLC (File #9438)

Subject hearing involves a request to rezone approximately 14.04 acres from RS-12 (Single-family Residential District, minimum 12,000 sq. ft. lots) and C-3 (General Commercial District) to RMF CD (Multi-family Residential Conditional District). The subject property is located on the north side of S. New Hope Road, just west of the intersection with Lowell Bethesda Road. The property is owned by Dixie M. Forbes and Marcus M. and Joan W. Van Dyke.

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Commissioner 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 this rezoning consists of three parcels located off of South New Hope Road and is for a multi-family conditional district. It involves two parcels zoned RS-12 and one parcel zoned C-3. Ms. McMakin displayed and briefly explained the applicant's conceptual site plan. She stated both access points on South New Hope Road based on future improvements are right-in/right-out only. She displayed and briefly explained the applicant's architectural elevations. The request includes 10 three-story buildings comprised of 78 one-bedroom units, 120 two-bedroom units, and 24 three-bedroom units for a total of 230 units. The Future Land Use Map indicates residential and commercial use for the existing parcel zoned C-3 to be appropriate for this area. Given the consistency with the 2025 Plan, Unified Development Ordinance (UDO) requirements, site plan and architectural elevations, and zoning conditions, staff recommended the request for rezoning be approved as presented.

Commissioner Wilson asked if there was anyone signed up to speak in opposition. Ms. McMakin provided an update on the applicant's mail out, their scheduled meeting via conference call. She noted that she had not received any feedback in opposition, and one person had a question.

Commissioner Cinq-Mars recognized Mr. William Ratchford, 165 S. York Street of Gastonia, NC. Mr. Ratchford stated lots 1 & 2 are currently under contract with Eastwood Homes. He met with the owners of lot 6 who have families that own lots 3, 4, & 5. Their concern was regarding the existing easement to lot 4 on Harmony Trail. Mr. Ratchford stated the easement was fine and was in the Duke Power right-of-way. He continued that the most of the area is being planned with the conjunction of the future widening on New Hope Road and traffic changes. He mentioned that lots 11 and 18 will basically be bulldozed. No other comments were received from neighbors. No questions were asked by the Commissioners.

Commissioner Stewart made a motion to approve the project and Commissioner Gallant seconded the motion. The motion was approved (8-0).

Item 4: Public Hearing – Kent Olson, Development Solutions Group (File #9440)

Subject hearing involves a request to rezone approximately 15.4 acres from PD PUD (Planned Development, Planned Urban Development District) to RMF CD (Multi-family Residential Conditional District) and C-2 CD (Highway Commercial Conditional District). The subject property is located to the north of Bessemer City Road and located to the east of Holland Memorial Church Road. The property is owned by Margaret P. and Richard A. Wing.

Commissioner Cinq-Mars opened the public hearing and recognized Jana McMakin, Senior Planner for the purpose of staff presentation. Ms. McMakin began by displaying the rezoning map. She stated this rezoning item is part of the Barker's Ridge development approved in 2000. Ms. McMakin briefly explained where several single-family homes were built in the subdivision and the unfinished section. Ms. McMakin continued that the applicant has requested the RMF CD to develop up to 13 single-family detached homes along Brook Ridge Drive and then complete the residential portion with up to a maximum of 96 single-family attached or townhomes. She briefly identified on the zoning map land that is currently in the county, and that the applicant submitted an annexation petition request. Ms. McMakin briefly explained the request to include the acre in Barkers Ridge's approval to be rezoned to C-2 CD. She scrolled through and briefly explained the approved conditions for Barkers Ridge as presented in the agenda packet. Ms. McMakin displayed the proposed Bellewood Subdivision sketch plan and identified the retail outparcel location. She finished her presentation stating the Future Land Use Map indicates residential use for the subject property and surrounding properties.

Commissioner Cinq-Mars and Commissioner Stewart inquired about the Stewart-Cooper site design study. Ms. McMakin stated at the time this was part of the original Barkers Ridge conceptual plan and was added for reference of history. Commissioner Stewart recused himself from this item since this was included.

No further questions were asked by the Commissioners.

Commissioner Cinq-Mars recognized Kent Olson, 11121 Carmel Commons Boulevard of Charlotte, NC. Mr. Olson thanked everyone during these difficult circumstances the opportunity to present Bellewood. He explained the development need to western Gastonia. He explained the

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transition from existing single-family homes to the 13 single-family attached. He added that the quality townhome products will be used. Mr. Olson stated the one acre will be used for retail outparcel as planned. The single-family attached is in a controlled environment ensuring the quality of the neighborhood that will have a homeowners association. He briefly explained the uniform exterior appearance and maintenance protecting property home value. Mr. Olson shared his excitement that this development will bring a lot of opportunity to the area.

Commissioner Cinq-Mars asked if the fiber cement siding had another product name and Mr. Olson replied that it was known as hardie-board.

No further questions were asked by the Commissioners.

Commissioner Ferguson made a motion to approve the request with the statement of consistency and reasonableness and Chairperson Goode seconded the motion. The motion was approved (7-0).

Item 5: Public Hearing – South Fork Ventures, LLC (File #9445)

Subject hearing involves a request to rezone approximately 125.77 acres from RS-8 (Single-family Residential District, minimum 8,000 sq. ft. lots) and RS-12 (Single-family Residential District, minimum 12,000 sq. ft. lots) to PD-TND (Planned Development, Traditional Neighborhood District). The subject property is located to the east of Hoffman Road and to the west of S. New Hope Road. The property is owned by Martha Wilson Rev Trust and Robert Wilson Rev Trust.

Commissioner Cinq-Mars opened the public hearing and recognized Jason Thompson, Planning Director for the purpose of staff presentation. The rezoning was displayed and Mr. Thompson referred to the two subject parcels. Mr. Thompson stated the request was to rezone to PD-TND and mentioned the zoning districts surrounding the two parcels. He commented on these parcels were a part of the Hand/Wilson Property. Materials provided by the applicant were displayed. On agenda page 5-12, Mr. Thompson briefly explained the depiction of the new road being proposed. On agenda page 5-13, Mr. Thompson explained this depiction as the overall proposed road network and distribution product type depicted through lot sizes. He stated the request proposed a development consisting of a maximum of 616 dwelling units including a mixture of single-family detached houses (front loaded and/or alley), duplexes, townhomes and multi-family units. The proposal includes a maximum of 25,000 square feet of non-residential space near S. New Hope Road. He explained the color codes correlating with the proposed widening of S. New Hope Road, as well as area designated as green space. He encouraged the board to talk to the applicant who conducted a two day charrette.

Commissioner Cinq-Mars asked Mr. Thompson to repeat the proposal of 25,000 square feet and asked if it was commercial. Mr. Thompson repeated his statement and said it was for commercial/office.

Mr. Thompson commented that there was a proposed road connection on Leonard Drive

Referring to RZ:03.1 - Concept Bubble Diagram Plan (agenda page 5-12), Commissioner Fleeman asked if there was a red light at item number 3 on Leonard Drive. Mr. Thompson replied that this was a T-intersection with a stop sign and referred this question to the applicant for confirmation. Based on Commissioner Fleeman's personal experience, he commented that this area already had a lot of movement near Redbud and this would be adding to it. He emphasized that this area needs to be looked at. Mr. Thompson shared that NCDOT was very specific when these roads were built with general obligation funds and his point was very well taken. A traffic circle was briefly discussed.

No other questions were asked by the Commissioners.

Commissioner Cinq-Mars recognized Terry Shook, 1545 W. Trade Street of Charlotte, NC. Mr. Shook spoke on behalf of the applicant. Mr. Shook thanked the Commission, City of Gastonia and Mr. Thompson. Mr. Shook briefly explained their Charrette and their opportunity to talk and exchange ideas with the community. He shared their planning was coordinated with the adjacent Hand property. He commented on the green space and its benefits. The commercial properties and other products will be connected with the Hand property to the north. Regarding signalization, he shared that there was only one proposed traffic signal. He stated that the petitioner has a traffic study in place, so the Commissioners' questions will be addressed by the traffic study. He shared

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his hope for the community and its place in the future once it is built and asked if there were any questions.

Chairperson Goode commented that this was a well-planned.

Commissioner Wilson asked when they anticipated starting construction and asked how long it would take to build a project such as this one. Mr. Shook replied that the implementation team would take place. He commented that by the first quarter of 2021, construction activities should be seen. Based on historical absorption and market, he stated it would take 3 to 5 years to build.

Commissioner Stewart complimented Mr. Shook on his well planned project at Birkdale and hopes this will be as nice. He commented that he felt Mr. Shook will do a good job.

Commissioner Wilson asked if Gastonia or Gaston County has been exposed to a project like this. Mr. Shook said that this project is different and new for most communities.

Mr. Shook corrected his earlier comment that by the last quarter of 2021 and early 2022 for construction activities should be seen.

Commissioner Fleeman asked what the process would be for submitting and reviewing the traffic study if the request was approved. Mr. Thompson replied that the Traffic Impact Analysis (TIA) ordinance is structured that if it trips the threshold requiring the TIA, it doesn't really matter at what stage, but it has to be done before it is built. Commissioner Fleeman wanted to make sure there was a process in place to follow up with the study. Staff reported that the TIA was underway.

Commissioner Stewart made a motion to approve the rezoning project with the statement of consistency and reasonableness and Commissioner Armstrong seconded the motion. The motion was approved (8-0).

Clarification was made on the use for telephoned calls to create virtual raising of hands.

Item 6: Public Hearing – Don Barkley (File #9446)

Subject hearing involves a request to rezone approximately 9.52 acres from RS-8 (Single-family Residential District, minimum 8,000 sq. ft. lots) to I-2 (General Industrial District). The subject property is located to the east of Dr. Martin Luther King, Jr. Way. The property is owned by Charles A. Barkley, Jr. and Donald W. Barkley.

Commissioner Cinq-Mars opened the public hearing and recognized Jana McMakin, Senior Planner for the purpose of staff presentation. Ms. McMakin began by displaying the rezoning map. She stated the rezoning request was submitted by Don Barkley and commented on neighboring parcels that are owned by Mr. Barkley and his brother Charles. She shared that the subject was mostly covered in the floodplain and the applicant is requesting this parcel be zoned as I-2. Staff recommended approval of the request. No questions were asked by the Commissioners.

It was determined that the applicant was not available on Zoom to answer any questions. The Commissioner did not have any questions.

Commissioner Fleeman made a motion to approve the request based on the parcel being surrounded by I-2 and Commissioner Stewart seconded the motion. The motion was approved (8-0).

Item 7: Public Hearing – Michael Aho, Carolina Metals Group, LLC (File #9466)

Subject hearing involves a request for a Conditional Use Permit (CUP) to revise CUP File 4980 on approximately 25.73 acres. The subject property is zoned I-2 (General Industrial District) and is located at 249 N. Hartman Road. The property is owned by Carolina Metals Group Properties, LLC.

Because of the quasi-judicial format of this hearing, person wishing to speak and offer evidence are required by North Carolina law to be sworn in or affirmed. An affirmation was administered to staff, the applicant and the public who signed up to speak.

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Commissioner Cinq-Mars opened the public hearing and recognized Jana McMakin, Senior Planner for the purpose of staff presentation. Ms. McMakin affirmed the oath and summarized the background provided in the staff report. She displayed the rezoning map and briefly described adjoining properties and zoning. Ms. Makin displayed the marked up site plan provided on agenda page 7-4 and referred the Commissioners to the Approved and Existing Structures and Proposed Structures notes. She referred the Commissioners to the Existing Conditional Use Permit Conditions provided on agenda page 7-1. She identified the proposed changes made to the existing conditions and read condition number 3. The subject property, as well as adjacent properties along Hwy 321, is designated for industrial use in the Future Land Use Map. Ms. McMakin finished her presentation by summarizing the basis of staff's recommended approval of the request.

Commissioner Cinq-Mars noted Ms. McMakin did not mention conditions number 11 and 12, so Ms. McMakin acknowledged the two new proposed conditions. Commissioner Cinq-Mars stated he was impressed that a noise monitoring survey was performed.

Commissioner Fleeman asked if the conditional use permit included junk cars. Staff did not see a reference to junk cars in the conditional use permit. Mr. Thompson shared his recollection that pieces to be broken down to component parts was not prohibited and also shared the definition in the code for scrap material assembly and recycling operation. Commissioner Cinq-Mars referenced agenda page 7-13. Commissioner Fleeman reference condition numbers 10 and 11 on agenda page 7-6. Ms. McMakin stated that the existing condition number 10 and 11 were accidentally omitted and need to be included in the current request and thanked Commissioner Fleeman. Commissioner Fleeman commented that this will need to be a part of any motion in the affirmative.

Commissioner Stewart stated his concern of sound level and the effect on adjoining properties. He inquired about heavy pressure and equipment on site. Commissioner Cinq-Mars referenced agenda page 7-17 regarding sound. He was opposed to a 24 hour operation and Saturdays.

Commissioner Wilson asked if they will operate 7 days a week. Ms. McMakin reiterated proposed condition number 3 and referred to the applicant for explanation.

Commissioner Cinq-Mars recognized Michael Aho, 101 Bryant Street of Belmont, NC. Mr. Aho affirmed the oath. Mr. Aho commented that they are a metal recycling company and not a junk yard. Cars were not brought in, stripped, and sold for parts and anything brought in are for recycling purposes only. Regarding large stacks are cars, Mr. Aho referred to agenda page 7-13 as a facts sheet about the recycling industry and not a depiction of their facility. Mr. Aho explained condition number 3.

3. Hours of operation are limited to: 6am - 6pm Monday thru Friday
6am – 12pm Saturday

*The applicant is requesting an expansion of hours of 7 days a week 6 am – 7 pm as well as unlimited hours of operations for processing and maintenance indoors.

Commissioner Gallant inquired about the early starting time and Mr. Aho explained the employees work schedule and the business serving businesses in both North and South Carolina.

Regarding unlimited hours of operations for processing and maintenance indoors, Commissioner Armstrong requested clarification that indoors means fully enclosed building and not a covered shed. Mr. Aho replied that he was correct.

Chairperson Goode asked why they were requesting these hours and she was concerned about noise that would be heard. Mr. Aho replied that this was to alleviate concerns from neighbors with concerns about noise. He also commented on the noise study.

For the record, Commissioner Stewart stated he had to leave the meeting. Commissioner Cinq-Mars stated Commissioner Stewart's vote will be in the affirmative.

Commissioner Cinq-Mars recognized Laura Stroupe, 1503 Old Dallas Highway of Dallas, NC. Ms. Stroupe's properties were identified as numbers 6, 7, & 8 on rezoning map. She stated that she can hear the business every day and the quality of life would be drastically affected in the negative if this happens. She commented on a noise study done and how it rated the decimal level, and the noise study did not rate vibration and the booming that is heard from Carolina Metal. Ms.

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Stroupe stated this is significant, it affects her, neighbors, and it vibrates her house. She shared her investment in her property and the business she owns. Ms. Stroupe stated she was very much against this request. Ms. Stroupe did not want 24 hour scrap metal happening and she does not believe that it would not affect her every day of the week. She shared her care for her land, the livestock and the children. She commented that no one should have to live with the requested schedule along with the level of noise, inconvenience and stress. She is concerned about how they will obtain car parts and how car crushing would not be involved. Ms. Stroupe reiterated that she was very much against the request and that she was upset about it. Ms. Stroupe stated everyone beforehand was against action demolition increasing in any capacity for noise as well. She reiterated this was her quality of life. Ms. Stroupe affirmed that everything she stated was the truth.

Commissioner Cinq-Mars recognized Dawn Warrick, 1605 Old Dallas Highway of Dallas, NC. Ms. Warrick affirmed the oath. Ms. Warrick's property was identified as number 9 on the rezoning map. Ms. Warrick stated she is also opposed to the request. She stated she currently hears beeping noises and noises up to 10, 11 and 12 at night, beyond the stated business hours. Ms. Warrick stated she has livestock on her property. The stream running through her back yard was roped off to keep her animals from drinking the water because of an oily appearing substance coming from his property in the stream. Ms. Warrick stated she was concerned that Carolina Metal's website stated is was now accepting cars. She is concern that the property value will decrease due to having a junk yard behind homes. She finished by stating she purchased her property 3 to 4 months ago.

Chairperson Goode asked if the operation that takes place inside the building can be heard from her property. Ms. Warrick replied that she can hear it all night long. Chairperson Goode asked Ms. Warrick's opinion on the study and not having anything happening at that time for it to pass and Ms. Warrick replied, "Yes".

Commissioner Cinq-Mars recognized Mr. Aho for rebuttal. Mr. Aho stated they have stayed within the current the CUP. He noted two different plants that operate 24/7 from his understanding, Owen Steel Company (number 14 on rezoning map) and a concrete plant (number 5 on rezoning map). Mr. Aho stated these plants operate before and after the hours of his business operation. He shared that their surveillance cameras operate 24/7 and can prove that they have not gone outside of the CUP. He stated it was not their operation that the neighbors hear running 24 hours a day. He explained the stormwater testing that is conducted quarterly by the State. He continued that at a minimum of a quarterly basis, a consultant audits their facility not only from an environmental standpoint but also from an OSHA and DOT standpoint. He also commented that the cars brought in are for scrap metal purposes and not recycling, dismantling, or resell. He emphasized that they do not break down or sell parts.

Commissioner Cinq-Mars asked if they bring in crushed cars. Mr. Aho briefly explained the how cars from individuals would be accepted for their retail business.

Chairperson Goode asked if the cars will be crushed at their facility. Mr. Aho replied that they do not have a crusher; cars are not shredded or processed. The cars are loaded out with a scrap handler or a machine to transport to a shredding facility. Chairperson Goode summarized that the cars were brought in and hauled off. Chairperson Goode asked why they needed 24 hours and shared her concern for the neighbors. Mr. Aho reiterated the outdoor hours of operation and any work at night being conducted in a completely closed building and no noise should be heard. He stated the building would be located on the northwest corner of the property close to Hwy 321 (identified as #2 and #4 on the site plan sketch on agenda page 7-4).

Ms. Stroupe stated she knows the difference of sounds between the nearby businesses and where the sounds were coming from that she hears. She noted that the last thing she wants to hear on a Sunday is any more noise. She respectfully disagreed with the owners' statements. Ms. Stroupe's concerns were on the noise level, nothing stopping their business from doing what they want, and the drastic impact it will have on her life. She stated that she was very upset about the idea of hearing the noise on Sunday. She reiterated the sound survey does not take into consideration the vibration and booming.

Brief discussion ensued on neighbors that were opposed but unable to participate in the meeting.

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Commissioner Cinq-Mars inquired about the white line on the rezoning map between lots 9 and 10. Mr. Thompson replied that this was the former railroad line.

Mr. Aho stated he was the only person who knew about the noise study and it was conducted at normal capacity.

Commissioner Cinq-Mars asked if large trucks were backed up in the evenings and Mr. Aho replied that they are staying within the CUP conditions and nothing after hours.

Commissioner Cinq-Mars asked if his clients were typically closed on Sundays and Mr. Aho replied that he has some clients that operate 24/7 and limited downtime for holidays. Mr. Aho reiterated their retail business and internal business use.

Commissioner Ferguson stated the hesitation is what the intent being heard and way the condition reads. She asked Mr. Aho if he would be willing to adjust his request for condition number 3 about the hours. Mr. Aho was willing to make a concession to hours from 6am to 7pm Monday through Saturday with no operational or processing of scrap sales on Sunday.

Clarification was made on the adjusted hours highlighting Saturday hours.

Ms. Stroupe stated she did not want any Sunday hours or the availability to make any more noise on any other day. She requested this request be rejected.

Ms. Warrick stated she agreed with Ms. Stroupe and also wants the request rejected.

Chairperson Goode made a motion to close the public hearing and Commissioner Ferguson seconded the motion. The motion was approved (8-0).

Chairperson Goode noted the City of Gastonia having a noise ordinance. She was concerned about Saturday hours and suggested allowing to 1 p.m. and no hours on Sunday for her to approve. Chairperson Goode stated she was not for extending hours throughout the week.

Commissioner Ferguson stated based on the applicant being willing to comprise, if the applicant is amiable to moving forward with condition number 3 to be no Sunday hours and 6am to 6pm Monday through Saturday. The unlimited hours of operations for processing and maintenance indoors was too vague and was causing issues.

Commissioner Fleeman commented that there are a lot of issues and this is a tough one. Thinking of industrial and rural, he is trying to look at the whole application beyond the hours.

Commissioner Cinq-Mars commented that the traffic on Hwy 321 on Saturdays is busy.

Commissioner Gallant stated he was for business but the quality of life of the neighbors around needs to be considered. Considering noise, he wanted more compromise from the applicant on the hours.

Commissioner Armstrong was also concerned with Sunday operation hours and stated Saturday hours was a stretch for operation. He suggested extending buffering from what currently exists to help address noise and issues and referred this to staff. Commissioner Ferguson made a motion to open the public hearing and Commissioner Armstrong seconded the motion. The motion approved (8-0). Mr. Thompson shared that he was unsure what additional volume of thickly wooded area would make much difference. He commented that he was not sound expert and shared his thoughts. From an engineering perspective, Commissioner Cinq-Mars commented on the topography and how sound transmits to a lower area including the traffic on the highway.

Commissioner Ferguson inquired about an appeal process and Commissioner Cinq-Mars explained the process of contacting staff first, request an appeal, and then it is presented to City Council. Mr. Thompson added that the appeal is a form that must be completed and there is a 15 day appeal period following this hearing.

Commissioner Gallant inquired if there was any comprise that can be reached between the applicant and the neighbors.

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Mr. Aho shared that their company has grown tremendously over the last 2 years with approximately a 250 percent growth, so they are trying to build out more processing capabilities. They want to respect and consider their neighbors. He suggested operation hours of 6 a.m. to 6 p.m. Monday through Friday, 6 a.m. to 3 p.m. on Saturday, and nothing on Sunday. Mr. Aho explained their future investment to the facility and operation capabilities. He commented that they were not asking more than what their neighbors are already doing. Mr. Aho explained that his neighboring businesses are working with heavier equipment during late and early morning hours. He commented on their needs to continue their business to continue to grow and strive. He mentioned that they suggested their conditions so they won't have to come back asking for the same thing again.

Commissioner Cinq-Mars reiterated the hours and Mr. Aho agreed, but would like the operation hours of 6 a.m. to 7 p.m. Monday through Friday. He reiterated that the unlimited hours of operation for processing and maintenance was for indoors only. The buildings would be insulated, no noise would be able to escape the building and interfere with any neighbors.

The difference between the current and the new hours was explained as 1 additional hour a day Monday through Friday and 3 additional hours on Saturday with internal operations.

Ms. Stroupe commented on promises being made. She reminded the Commission that she has lived with this for years and this was not the reality of her life or her neighbors. She reiterated that it was noisy. She was okay with the extension of 1 hour per day if she has to, but prefers this request be rejected. She reiterated that their operation can be heard and felt, the land shakes, and she does not want this to get worse. Ms. Stroupe stated she is for business, but is suspicious of any opening that Carolina Metals gets in order to increase operations. She reminded them the Commission that this affects her quality of life, and her neighbors, and this is something they will have to live with for the rest of their lives. Ms. Stroupe was also concerned about promises failing. She asked the Commission to consider their quality of life when they vote.

Regarding the unlimited hours of operation for processing and maintenance indoors, Commissioner Armstrong asked Ms. Stroupe if she would be okay with it if it was only for maintenance. Ms. Stroupe replied that she did not know what the noise levels would be for maintenance. Brief discussion ensued on the building as being totally indoors and closed building. Ms. Stroupe stated she was reticent to go along with anything for 24 hours for a metal yard. She asked who would monitor this and commented that she was concerned about this. Mr. Thompson stated any standard applied to this site from a development and operative perspective will be underlying zoning enforced by zoning enforcement, conditions in the site plan add additional layers of restrictions also related to Planning and Zoning for enforcement. The department is largely complaint driven when it comes to enforcement. Based on this information, Ms. Stroupe was against 24 hours.

Commissioner Gallant asked Ms. Stroupe if she would be willing to comprise with the additional 1 hour Monday through Friday with the understand that she would not be happy with it. Ms. Stroupe stated she would comprise with the 1 extra hour if she absolutely had to and it limits their 24 hours, but she reiterated that she does not want it.

Commissioner Ferguson asked Mr. Aho if the time extension was 1 hour a day Monday through Friday is worth it to their investment. Mr. Aho stated based on the large investment that it probably would not be worth it to their investment and concerning. He reiterated operation hours of 6 a.m. to 7 p.m. Monday through Friday. He requested unlimited hours of operation for processing and maintenance for indoors only in a completed enclosed and insulated building. He inquired about a 2 shift operation of 16 hours instead 24 hours even if it was only Monday through Saturday. To clarify processing, Mr. Aho explained that the intent for building # 2 is a wire chopping operation. Insulated wire and chops material to separate any types of copper or aluminums that would be in that process. This is the hurdle the company needs to work past in order to make their investment successful. He reiterated their need for growth and their willingness to comprise.

Chairperson Goode made a motion to close the public hearing and Commissioner Ferguson seconded the motion. The motion was passed (8-0).

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Chairperson Goode recommended no Sunday or 24 hour operation and allow 1 hour extension Monday through Saturday. She was not in favor of a two shift/16 hour operation.

Commissioner Gallant suggested Mr. Aho to recess for a different plan and come back. As of now, his thought was to vote no and Chairperson Goode stated she was in agreement. Chairperson Goode suggested tabling this item until the next meeting, so the applicant can meet with the neighbors and his partners. Clarification was made on the process after a vote to delay or deny a meeting.

Commissioner Ferguson asked for guidance on the proper verbiage for tabling a motion. Attorney Graham gave guidance to continue this motion to the next regular meeting with the reason be to give the applicant an opportunity to submit an amended application if he chooses. Attorney Graham explained that when the Commission reconsiders based on what the applicant has presented, then at that time the Commission would vote for or against.

Commissioner Gallant asked about the Commission recommending to the applicant to meet the neighbors again to come up with something that all parties would be agreeable to and Attorney Graham replied that the Commission could give this as an opportunity, but not as a directive.

Commissioner Ferguson made a motion to reopen the public hearing and Commissioner Fleeman seconded the motion. The motion was approved (8-0).

Commissioner Ferguson made a motion to continue to allow the applicant to re-adjust/amend any of their conditions if they so choose and Commissioner Gallant seconded the motion. The motion was approved (8-0).

Item 8: Public Hearing – City of Gastonia (File #9486)

Subject hearing involves a request to rezone approximately 3.79 acres from C-3 (General Commercial District) to CBD (Central Business District). The subject property is generally located at the intersection of W Airline Avenue and N. Trenton Street. The property is owned by the City of Gastonia and Bird Dog Holdings, LLC.

Commissioner Cinq-Mars opened the public hearing and recognized Jason Thompson, AICP, Planning Director for the purpose of staff presentation. Mr. Thompson provided the site description and background as well as explained the adjoining properties and land use trends provided in the agenda packet page on agenda page 8-1. The zoning map was displayed. He stated activity is producing considerable interest in other surrounding properties around in the vicinity of FUSE. Evidence of this interest includes Bird Dog Holdings, LLC recent purchase of the tracts included in this City-initiated rezoning. Bird Dog has stated an interest in possibly developing an urban apartment building in their location. Likewise, the City envisions future urban-style development of current City-owned properties on the south side of Airline Avenue that are also part of this rezoning petition. With the FUSE area being zoned Central Business District (CBD) and the urban-style of development that this zoning district permits, CBD is seen as very appropriate for the properties surrounding this important intersection north of the stadium site. Staff recommended the request be approved as presented. No questions were asked by the Commissioners.

Commissioner Ferguson made a motion to approve the request with the statement of consistency and reasonableness and Commissioner Armstrong seconded the motion. The motion was approved (8-0).

Item 9: Major Subdivision Preliminary Plat – Robinson Oaks Addition (File #9326)

Request involves a Major Subdivision Preliminary Plat for the Robinson Oaks Addition subdivision. The property is located at the eastern end of Shumard Drive adjoining the existing Robinson Oaks subdivision.

Commissioner Cinq-Mars recognized Keith Lineberger, Land Development Project Manager for the purpose of staff presentation. Mr. Lineberger stated this was a 17 lot preliminary subdivision plat. The subdivision plat was submitted by Henson Foley and is located at the east end of Shumard Drive and is affectively an extension of Robinson Oaks Subdivision. The property is zoned RS-12 and the development will contain 16 single-family lots and a common open space. The developer will be responsible for utilities and street construction. Public water and sewer will service the property with extensions made by the developer. The developer is working with the

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City on access for a future greenway through the parcel along the floodplain. Staff believes the preliminary plat is in conformance with the Unified Development Ordinance; therefore, staff recommended approval.

Commissioner Cinq-Mars inquired if the homes will be similar as the homes in Willow Creek and added that he hoped they were not. Mr. Lineberger replied that these are 90 ft. wide lots. The same development group is also part of the Robinson Oaks Subdivision, and is a different construction than the Willow Creek construction. A construction plan has been submitted to City and is under review.

Commissioner Fleeman made a motion to approve and Chairperson Goode seconded the motion. The motion was approved (8-0).

Item 10: Other Business

Update on March 17, 2020 and April 21, 2020 Council Votes

Ms. McMakin provided an update that City Council approved the following items:

- Amending the Unified Development Ordinance (File #9436): Hearing involved a request to amend the Unified Development Ordinance by amending Table of Uses 7.1-1 and Bulk and Use Chart 7.3-1 of Chapter 7 Use and Building Lot Standards, amending 8.1.17 Single Family Attached Development and utilizing the reserved Section 8.1.12 of Chapter 8 Supplemental Use Regulations to allow single-family attached, two-unit housing as well as provide options for certain developed and undeveloped single family lots that meet various infill provisions.
- Rezoning - Shea Homes (File #9397): Hearing involved a request to rezone approximately 114.8 acres from RS-12 to RS-8 CD. The subject property is located on the south side of E. Hudson Boulevard. The property is owned by Robinson Mills Inc.

Mr. Thompson and Mr. Baches with Metrocology have been in conversations about scheduling a special meeting later this month via Zoom to work on text amendments. Staff can send an email to receive some optional dates.

Brief discussion ensued on the recently approved standards on the new housing developments.

Chairperson Goode asked for an update on a map she requested at the last meeting. She requested a larger map displaying street names. Ms. McMakin referenced the Urban area map. Ms. McMakin commented that she unsure if Julia had moved forward on this request, but staff could follow-up with her. Chairperson Goode reminded staff this was approved at the January 5th Planning Commission meeting and was supposed to go to City Council in February. Staff was uncertain of the status and would follow-up with her.

Commissioner Cinq-Mars requested an updated map of all apartment complexes. Mr. Thompson replied that an updated map will be provided.

Commissioner Gallant briefly commented that he hopes the roadways are keeping up with the new housing developments in regards to congestion and overcrowdings in Gastonia and he also thanked staff for the great job with pulling this meeting together. He felt this was one of the best meetings he participated in on Zoom. Mr. Thompson thanked him and gave the majority of the credit to Tech Services' team combined with staff, Planning Commission and the applicants.

Commissioner Cinq-Mars also thanked staff and those who spoke this evening.

There being no further business, Commissioner Cinq-Mars adjourned the meeting at 8:13 p.m.

Respectfully submitted,

Chrystal Howard, Secretary

Pam Goode, Chairperson