

Gastonia Planning Commission
May 9, 2019 Minutes

Chairperson Goode declared a quorum and the Gastonia Planning Commission meeting opened at 5:35 pm on Thursday, May 9, 2019, in the Council Chamber at City Hall.

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

Absent: Commissioner Bob Biggerstaff

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

Item 1a: Role Call / Sound Check

Item 1b: Calls/Contacts to Planning Commission Members

Commissioner Armstrong received one contract. Commissioner Cinq-Mars received three contacts. Remaining commissioners stated there were no contacts.

Item 1c: Approval of March 7, 2019 Meeting Minutes

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

Chairperson Goode explained the rules of procedure and time limitations.

Item 2: Public Hearing – Kristen and Tony Levine (File # 9202)

Subject hearing involves a request to consider a conditional use permit for approximately .12 acres zoned C-1 (Neighborhood Commercial District). The subject property is located at 1200 S. York Road. The property is owned by Seven Gifts Holdings, LLC.

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

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

Ms. McMakin stated this conditional use permit request is for a veterinary clinic located at 1200 S. York Road. Ms. McMakin displayed an aerial photo showing the existing building and parking area. The subject property is located in the Brookwood Historic District and the applicant received a Certificate of Appropriateness from the Historic District Commission. In addition, the Historic District Commission also provided a recommendation of approval for the Conditional Use Permit with the proposed conditions provided in the staff report. Ms. McMakin stated there would be no outdoor kennels or commercial boarding. The Future Land Use Map shows the subject property appropriate for Mixed Use development and staff recommends the request be approved as presented.

Commissioner Epstein inquired about parking and Ms. McMakin replied that there are a couple spaces available and the applicant entered into a shared use agreement with the adjacent property owner at 1202 S. York Road meeting ordinance requirements.

Chairperson Goode recognized Ms. Kristen Levine, 305 S. Elm Street of Cherryville, NC. Ms. Levine provided her medical background and her ownership history of the building. She commented on the lack of veterinary clinic services in the Historic District, as well as, her proximity to Saint Michaels where she actively participates.

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

Item 3: Public Hearing – Stan Tyson of Tyson Brothers Inc. (File # 9205)

Subject hearing involves a request to rezone approximately 1.62 acres from RS-8 (Residential District, minimum 8,000 sq. ft. lots) to I-2 (General Industrial District). The subject property is located on the south side of Friday Park Road. The property is owned by Tyson Bros Inc.

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Chairperson Goode stated Item 3 and Item 4 will be addressed together.

Item 4: Public Hearing – Stan Tyson of Tyson Brothers Inc. (File # 9206)

Subject hearing involves a request (in conjunction with an annexation request) to assign City of Gastonia zoning to approximately 2.37 acres from RS-8 (Gaston County, Residential District) to I-2 (City of Gastonia, General Industrial District). The subject property is located on the south side of Friday Park Road. The property is owned by Tyson Bros Inc.

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

Ms. McMakin stated the Tyson Brothers, Inc. own property located off of Friday Park Road. Ms. McMakin displayed and briefly explained each rezoning map and the applicant's zoning request for each subject property. Ms. McMakin stated this request is different, because they have a pending annexation that will be presented to City Council on Tuesday, May 21st. City Council assigns a zoning district to the annexation; therefore, the Planning Commission would make a motion of recommendation. She continued that two different motions would need to occur. Tyson Brothers, Inc. submitted these requests to consolidate all the property into the jurisdiction of the City of Gastonia and zoned industrial. The Future Land Use Map in the 2025 Comprehensive Plan indicates this area to be industrial; therefore, staff recommends that the request be approved as presented. Ms. McMakin provided clarification of the requests to Commissioner Cinq-Mars.

Point of order was explained by Attorney Graham.

Chairperson Goode recognized Mr. Stan Tyson, 350 Miles Road of Dallas, NC. Mr. Tyson is the applicant and owner of the property. He complimented Ms. McMakin on her presentation. Mr. Tyson stated the tract is a total of approximately 19 acres and he would like to consolidate the property to the same zoning district of I-2 and in jurisdiction of the City of Gastonia.

Chairperson Goode recognized Mr. Alan Moseley, 1005 Breakmaker Lane of Indian Trail, NC. Mr. Moseley is with S. C. Hondros Construction and is working with Mr. Tyson. He stated these parcels are vacant lots and they would like to make one continuous lot within the City of Gastonia.

Chairperson Goode recognized Mr. Larry Broome, 3309 Washburn Avenue of Charlotte, NC. Mr. Broome is present to provide assistance as needed for Mr. Moseley.

Chairperson Goode recognized Ms. Cheryl Houser, 749 Friday Park Road of Gastonia, NC. Ms. Houser is a member of the Friday Park community. She wanted to make sure that it wasn't a business coming to this particular location because of current traffic congestion. Ms. Houser asked if there was a business planning to be at the location.

Commissioner Epstein asked staff what is permitted in I-2. He replied that the Commission would approve it based on its merits, and if the potential uses are appropriate then the Commission would vote to approve. Mr. Thompson stated that the I-2 zoning district is the main industrial district and least restrictive of the industrial zoning districts. He provided Gastonia Technology Park as an example, as well as commenting that warehousing, technology-based industries, and various manufacturing are possible in I-2. I-3 was briefly explained.

Commissioner Epstein made a motion to close the public hearing and Commissioner Stewart seconded the motion. The motion was unanimously approved (7-0).

Item # 3 Vote:

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

Item # 4 Vote:

Commissioner Cinq-Mars made a recommendation to assign the I-2 zoning district to City Council along with the statement of consistency and reasonableness and Commissioner Stewart seconded the motion. The motion was unanimously approved (7-0).

Item 5: Public Hearing – Public Hearing – C4 Investments, LLC. (File # 9208)

Subject hearing involves a request to rezone approximately 2.96 acres from C-1 CD (Neighborhood Commercial Conditional District) to C-1 (Neighborhood Commercial) and C-2

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CD (Highway Commercial Conditional District). The subject property is located on the southwest corner of S. New Hope Road and E. Garrison Boulevard. The property is owned by KPK Company and KPK, 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 is for the property at the corner of S. New Hope Road and E. Garrison Boulevard. She explained that a 2015 rezoning request for a grocery store didn't come to fruition, and the current request is to rezone the western portion of the subject property C-1 and the eastern portion C-2 CD (Highway Commercial Conditional District). The C-2 CD portion would be developed for a convenience store including gas pumps and an accessory car wash. The subject property for this rezoning request consists of two tax parcels that encompasses approximately 2.96 acres. The applicant provided a site plan and some exterior elevations of the building. The applicant submitted a site revision to the site plan showing a knee wall that would be installed to screen parking, as well as, decorative and low shrubbery along E. Garrison Boulevard and S. New Hope Road. Ms. McMakin displayed exterior elevations. Staff provided six proposed zoning conditions for consideration. The property is zoned commercial. The 2025 Comprehensive Plan indicates a mixture of commercial, office and residential uses for this corner. The rezoning request can be considered consistent with adopted plans; therefore, staff recommends approval of the request as presented.

Commissioner Cinq-Mars inquired about not having any C-2 districts in proximity based on the zoning map. Mr. Thompson clarified the applicant's request. Commissioner Cinq-Mars stated his concerns are the following; setting a precedence of having a C-2 in this area that is primarily residential and light office, having a second gas station beside another, and another store near others.

Mr. Thompson explained staff's consideration in reviewing the application. While the map does not show C-2 zoning, it is important to consider that directly adjacent the property is a C-1 zoned property with a gas and convenient store with a current C-2 use. The current zoning allows a greater square footage of development with the grocery store approval.

Commissioner Epstein asked if it was true that these kinds of convenience stores and dollar stores have an impact on small businesses and some communities have restricted the proximity of these types of stores. Mr. Thompson was unaware of anything specific to convenience store / gas marts, but was aware of some articles with regard to impact relative to dollar stores.

Chairperson Goode recognized Mr. David Smith, 925 Kirkcaldy Yard of Gastonia, NC. Mr. Smith is representing C4 Investments, LLC. Mr. Smith complimented Ms. McMakin on her presentation. Mr. Smith stated this is the old Grier Apartment's site that have somewhat deteriorated over time. This property is zoned commercial, C-1, and the applicant is only seeking the zoning for the development of a convenience store with the gas pumps pursuant to site plan submitted. He continued that the infrastructure is in place and two five lane major thoroughfares serve the property. Mr. Smith commented that the board's decision should be based on the property land use and not the competitive forces in the business. He stated that the request would not be an intrusive use and that the commercial area is growing. Mr. Smith explained how the convenience store and gas station would be a benefit to the community. A neighborhood meeting was conducted and no significant opposition was received. He asked the Commissioners to approve the request.

Chairperson Goode recognized Mr. Haynes Perry, 121 W. Trade Street of Charlotte, NC. Mr. Perry commented on the intersection as a high traffic intersection. He stated the existing buildings would be removed, they would complete architectural upgrades if required, and lastly, they feel they would be a good corporate citizen and neighbor.

Commissioner Cinq-Mars commented on driveway and access points on the property site. Mr. Smith stated the access points were already granted.

Chairperson Goode recognized Mr. Jerry Kellar, 1256 Canoby Court of Gastonia, NC. Mr. Kellar is one of the owners of the property. He stated they owned the building for forty-seven years and it is dated. The building needs some upgrades and it would be a large investment ultimately affecting the tenants in cost. As a result, the owners made a decision to sell. Lastly, Mr. Kellar stated the property has four driveways and the plan is to reduce this amount.

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Commissioner Epstein inquired about the grocery store and Mr. Kellar replied that the Food Lion grocery store backed out.

Commissioner Cinq-Mars asked if he owns the neighboring property and Mr. Kellar replied that they acquired the property to add to this property to make it a more compatible development.

Chairperson Goode recognized Ms. Yvonne Burton, 987 Surry Lane of Gastonia, NC. Ms. Burton is in opposition of the request. She distributed a document containing questions and comments. She stated some of her questions had been answered. Ms. Burton shared concerns about a twenty-four hour, seven days a week operation and the possible safety issues to residents. Ms. Burton asked if there was a buffer planned, and if so, what would be the buffer for screening from the road so as not to detract from the aesthetics and desirability of Ferrington Place and property values of one hundred and one property owners and residents.

Mr. Thompson proceeded to answer questions on the documents. Mr. Thompson explained that buffering requirements kick in when there is an adjacency to residential zoning. In this case there are no particular buffers required. The current zoning approval for the grocery store has a road connection to Dixon Road and this would no longer be the case under this proposal. The pumps will be away from the Dixon Road side and explained the location. The elevation documents show the dumpster location off the corner of the main building, as well as the gates and masonry surround for the dumpster area. The knee wall, main building, car wash, canopy columns, and dumpster enclosure will be coordinated in design and materials. The proposed car wash is directly adjacent to the Times Turnaround building on commercial zoning; therefore, no requirement for screening. Access will be S. New Hope Road and E. Garrison Boulevard. The rezoning process is overwhelmingly applicant driven. The applicant proposed this request and planning staff reviews with consistency with long range plans, ordinance, and other rules and regulations. The current approval of the grocery has no restriction on hours of operations.

Ms. Burton shared her concern that this was a residential neighborhood and a twenty-four hour, seven days a week operation is a possible safety issue and is not welcome.

Commissioner Epstein asked if she was representing constituents from Ferrington Park and Ms. Burton replied that she was representing Ferrington since they could not be here this evening. They asked her to speak on the safety concern.

Mr. Thompson addressed the signage question. The applicant indicated having a sign at the corner of E. Garrison Boulevard and S. New Hope Road as shown on the site plan. The ordinance would allow for either a pole sign or monument/ground sign. The preference is for monument/ground sign of the same materials as mentioned before. The monument/ground sign using same materials is not a proposed condition and if the applicant agrees it could be added.

Chairperson Goode recognized Mr. Gordon Quarles, 5601 Kentwood Drive of Gastonia, NC. Mr. Quarles is in opposition of the request. He commented that a convenience store located on this corner poses a considerable risk for a greater number of traffic accidents. Mr. Quarles explained his concern on traffic. The widening of New Hope Road may become more congested and high risks taken. He was unaware if a traffic study was completed. He contended that the request was not consistent with the 2025 plan because of its proximity to two other convenience stores. Mr. Quarles asked the Commissioners to oppose the request and thanked them for their time.

Chairperson Goode recognized Mr. Greg Edel, 966 Churchill Drive of Gastonia, NC. Mr. Edel is concerned about two convenience stores next to each other, property values, twenty-four hour seven days a week operation, and the proximity to residential area.

Chairperson Goode recognized Ms. Bonnie Blair, 6403 Amos Smith Road of Charlotte, NC. Ms. Blair is in opposition of the request and she is speaking on behalf of Dean Brown, Vice President of Times Oil Corp. Ms. Blair distributed copies of Mr. Brown's letter and then read it. The letter shared its history of stores along New Hope Road, meetings with the City regarding uses along New Hope Road, Times Oil's interest in purchasing property at the Kellar site, and Time Oil's community services and contributions. Lastly, Ms. Blair stated she did not see the need of having two convenience stores side-by-side. Ms. Blair inquired if the store would be locally run.

Chairperson Goode recognized Mr. Smith for rebuttal. Mr. Smith stated this site would be a well-lit modern convenient store. He commented that he hasn't reviewed crime statistics and was

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unsure of factual basis from comments of those in opposition. Mr. Smith stated he was unsure of what makes an additional convenience store more appealing to crime. The Ferrington Place is separated by a wooded area on the other side of Dixon Road to this development. He commented that this area is changing into a commercial area with commercial uses in the vicinity. Regarding affecting property values, Mr. Smith could not speak to it. From a land use perspective, he stated it was somewhat ingenuous to have a convenience store and not develop another one in the same area. Mr. Smith briefly commented on competitive forces and that he was unsure how widening a road would create greater congestion.

Commissioner Epstein made a motion to close the public hearing and Commissioner Stewart seconded the motion. The motion was unanimously approved (7-0).

Commissioner Epstein made a motion to deny the request and Commissioner Cinq-Mars seconded the motion.

Commissioner Epstein commented that the Commission should work on the land use that is in the best interest in the City of Gastonia. He stated he was not inspired by a convenience store and gas station at this location and shared his view. He provided a restaurant as an example of a better use.

Commissioner Cinq-Mars was in agreement with Commissioner Epstein. Commissioner Cinq-Mars commented that an apartment use in this location was a good use and that there was a demand for it. He provided Loray Mill as an example. He briefly commented on businesses within close proximity to the property. Commissioner Cinq-Mars talked about the current traffic issues. He also agreed that there was a better use for the property.

Commissioner Ferguson respectfully disagreed and commented that she was not inspired by a 7-Eleven store. She commented that the zoning already changed on the property and the apartments will eventually go away. With the amount of traffic there is a need for gas, and if Times Turnaround was to leave, service for this area would be lost. She believes in healthy competition. Commissioner Ferguson is in favor with the request with an additional condition about the city's preference for the monument/ground sign.

Commissioner Stewart was in agreement with Commissioner Ferguson. He commented that this location is not desirable for apartments. He briefly commented on businesses within close proximity to the property. Commissioner Stewart stated this was a commercial site and zoned commercial.

Commissioner Fleeman commented on concentrated commercial at major intersections with commercial use and the interest of high density residential. He commented that the math didn't work for him for apartments. Commissioner Fleeman reminded everyone that the use is commercial and appropriate for the location and that residential violates the major tenants of the long range plan. He stated it is not the job of the Commission to make an economic decision. He stated he was uncomfortable with what he felt was being asked.

Commissioner Epstein clarified that his motivation and decision was not based on the market dynamic nor the purpose of his motion. He stated this was a valuable commercial corner. Commissioner Epstein mentioned that in principle apartments can go on busy intersections and that we may need to adapt our thinking. He reiterated that a convenience store and gas station is not the highest and wisest best use of commercial uses for this corner. As an example, Commissioner Epstein used a restaurant as a commercial use that he considered as a better use.

Brief discussion continued between Commissioner Fleeman and Commissioner Epstein clarifying their comments.

Commissioner Armstrong asked the Commissioners if the proposal is more in favor if it wasn't a conditional rezoning and moving forward as a straight rezoning to a C-2. Commissioner Epstein commented that conditions can create a hardship in redevelopment and that history has changed over time. He thought conditional use was preferential in this situation.

Chairperson Goode was in agreement with Commissioner Ferguson and Commissioner Stewart. Chairperson Goode stated that she welcomes this project. She continued that the owner was not in a position to complete the necessary remodeling, and if he was, the tenants would not be able to afford the increased cost. She also commented on nearby gas stations. Brief discussion ensued.

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The motion to deny the request by Commissioner Epstein and seconded by Commissioner Cinq-Mars was restated. The motion failed (3-4 Ferguson, Goode, Fleeman, and Stewart). Therefore, Commissioner Ferguson made a motion to approve the request with an additional condition that a preference of the ground/monument sign matching the architectural style be installed when it comes to signage otherwise with the statement of consistency of reasonableness and Commissioner Stewart seconded the motion.

Mr. Thompson clarified point of order.

Commissioner Stewart withdrew his second motion and Commissioner Ferguson withdrew her motion.

Commissioner Ferguson made a motion to reopen the public hearing and Commissioner Stewart seconded the motion. The motion was unanimously approved (7-0).

Chairperson Goode asked Mr. Smith to come forward. Chairperson Goode asked Mr. Smith if he was in a position to ask the applicant if they would be willing to comply with the monument sign. As a result, Mr. Hanes Perry came forward to speak. Mr. Perry was unable to speak for the client, but he stated if this is the condition upon which it gets approved, they will make sure it happens.

Commissioner Ferguson made a motion to approve the request with an additional condition of the ground/monument sign to be installed at the location on the site plan matching the architectural style otherwise with the statement of consistency of reasonableness and Commissioner Stewart seconded the motion. The motion was approved (4-3 Armstrong, Epstein and Cinq-Mars).

Chairperson Goode announced that this item will automatically go to City Council.

Chairperson Goode declared a 10 minute recess. The meeting recessed at 7:10 p.m. and reconvened at 7:25 p.m.

Item 6: Public Hearing – Christopher & Crystal Davis (File # 9209)

Subject hearing involves a request to rezone approximately .64 acres from RS-8 (Residential District, minimum 8,000 sq. ft. lots) to TMU CD (Transitional Mixed Use Conditional District). The subject property is located at 2148 W. Fifth Avenue on the north side of W. Fifth Avenue. The property is owned by Christopher and Crystal Davis.

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

Ms. McMakin displayed the zoning map and explained that the subject property is comprised of two tax parcels that contain the existing Precious Moments Daycare building, which Ms. Davis currently operates, and the adjacent fenced vacant lot. Due to the growth and need for additional space, the applicants decided to submit this rezoning request in order to build a new daycare center on the adjacent vacant parcel. Ms. McMakin explained the different day care classes defined in the Unified Development Ordinance. The existing day care is in nonconformance in the RS-8 district due to the number of children they are able to care for. This rezoning request would allow the applicants to build a new center and be conforming to zoning. Ms. McMakin explained adjoining properties and land use trends. The existing daycare center would be demolished. She briefly explained the conceptual site plan provided by the applicant. Staff has proposed five zoning conditions. The Future Land Use Map in the 2025 Comprehensive Plan shows the area as suitable for residential uses. Staff recommends that the request be approved as presented.

Commissioner Cinq-Mars shared his understanding of the conceptual site plan and Ms. McMakin agreed.

Chairperson Goode asked if the daycare center will be open during the transition. Ms. McMakin referred this question to the applicant.

Chairperson Goode recognized Ms. Crystal Davis, 121 Bay Shore Drive of Belmont, NC. Ms. Davis replied to Chairperson Goode's question that the daycare center will be operating throughout the process as it would be difficult to place sixty-four children.

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

Item 7: Public Hearing – Amending the Unified Development Ordinance (File # 9225)

Subject hearing involves a request to amend the Unified Development Ordinance Table 7.1-1 Table of Uses to permit additional uses in the UMU (Urban Mixed Use) district, 7.3-1 Bulk and Use Chart to provide provision for lot consistency, and Section 8.1.17.B.2 Dwelling, Single Family, Attached to allow flexibility for various product options.

This item will be heard by the City Council on Tuesday, May 21, 2019 at 6:00 PM in the Public Forum Room at the Gaston County Courthouse.

Chairperson Goode opened the public hearing and recognized Jason Thompson, AICP, Planning Director for the purpose of staff presentation.

Mr. Thompson reminded the Commission that the UDO was modified to allow additional uses in the CBD (Central Business District) based on the FUSE district. Based on the proximity of the UMU district surrounding the FUSE district, this is a similar amendment to encourage and permit additional entertainment options in the downtown area. Mr. Thompson identified the bold font proposed changes in the agenda packet. Brief clarification occurred on symbols for the Farmers Market use. Mr. Thompson continued with the second proposed change as also similar to a text amendment from a few months ago. This would also allow dimensional standards to be in keeping with those in close proximity in the TMU (Transitional Mixed Use), O-1 (Office) and UMU (Urban Mixed Use) districts as all of these district permit residential uses and are located in the urban areas where lot widths are often more narrow than today's standards for new lots. Mr. Thompson provided some flexibility examples. The third change is a small amendment to a recent addition to the UDO for single-family, attached dwellings. Based on the various products that developments can offer including one and two garages, no garages, etc. the driveway width requirement would not permit a variety of options. Therefore, the driveway width requirement is shown to be deleted. These amendments will bring clarification and address the current gaps in the UDO. Based on the strong interest City staff has received on various developments and proposals, these amendments pull from existing standards and allow City to be in a better position to review these pending options for businesses and residential growth.

Commissioner Ferguson made a motion of recommendation to approve the request to City Council as presented and Commissioner Stewart seconded the motion.

Brief discussion ensued on high concentration of apartments and townhouses with a garage and the front street scape due to the lack of room for additional cars. Mr. Thompson commented that several department staff worked together to develop an additional street cross section for this reason for new development.

The motion was unanimous approved (7-0).

Item 8: Major Subdivision Preliminary Plat – Presley (File # 8857)

Request involves a Major Subdivision Preliminary Plat for a subdivision known as Presley submitted by Presley Development LLC. The property is located on the north side of Union Road and Union-New Hope Road.

Chairperson Goode opened the public hearing and recognized Keith Lineberger, Land Development Project Manager for the purpose of staff presentation.

Mr. Lineberger stated Presley Development LLC has submitted a preliminary subdivision plat for phase one of their Presley Subdivision. The property is located to the southeast of the city on the north side of New Hope Road and is currently PD PRD. This phase of the development will contain three hundred ninety-five single family lots. The conditional use for the entire site allows a maximum of seven hundred sixty residential lots. Mr. Lineberger briefed the Commission on phase one lot size range, improvement requirements along frontage of the Union Road and Union-New Hope Road, and additional turn lanes and restriping requirements. The developer will reserve right-of-way where the proposed realignment of Gaston Day School Road bisects the property. Public water and sewer will service the property from extensions made by the developer. The "Preliminary Plat" is in conformance with the City of Gastonia's Subdivision Ordinance; therefore, staff recommends approval.

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Mr. Lineberger indicated on the screen where the road from the school bisects the property per Commissioner Cinq-Mars request. Mr. Thompson recalled the Gaston Day School Road extension.

Commissioner Epstein asked when the developer will begin ground work and Mr. Lineberger referred this question to the developer.

Chairperson Goode recognized Mr. Casey Warner, 85016 E. Camelback Road of Phoenix, AZ. Mr. Warner is with Suncrest and represents the developer. He stated they have full grading permits for the site and have started the erosion control process mainly clearing the perimeter of the property and adding their fence. At this time, grading is expected to start in June.

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

Mr. Thompson commented that Presley may change to Nolen Farms.

Item 9: Major Subdivision Preliminary Plat – Winterlake Drive Property (File # 9201)

Request involves a Major Subdivision Preliminary Plat for a subdivision known as Winterlake submitted by Yarbrough-Williams & Houle, Inc. The property is located at the intersection of Winterlake Drive and Elam Street.

Chairperson Goode opened the public hearing and recognized Keith Lineberger, Land Development Project Manager for the purpose of staff presentation.

Mr. Lineberger stated Yarbrough-Williams & Houle, Inc. submitted a preliminary subdivision plat for approximately 19 acres of property located at the corner of Elam Street and Winterlake Drive just east of Union Road. The property is currently zoned RS-8 CD and will contain fifty-one single family lots. The developer will be responsible to bring roads up to city standards, as well as extending public water and sewer to serve the property. The “Preliminary Plat” is in conformance with the City of Gastonia’s Subdivision Ordinance; therefore, staff recommends approval.

Commissioner Cinq-Mars asked about the proposed water quality BMP location and Mr. Lineberger replied that BMP is Best Management Practice. BMP will be the phase two stormwater using the existing pond as a stormwater treatment facility permitted through the Army Corp of Engineers.

Commissioner Epstein inquired about the dam maintenance afterwards and Mr. Lineberger replied that it would be the Homeowners Association (HOA) responsibility.

Point of order was explained by Attorney Graham.

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

Item 10: Other Business

Mr. Thompson stated that the traffic impact analysis addition was endorsed by City Council and may be brought forward to the Commission at the June meeting. The section for the Unified Development Ordinance is minimal because it will refer to a document outside the ordinance. The goal is to allow flexibility.

Amending the Unified Development Ordinance (File # 9225), as well as, the annexation petition - Stan Tyson of Tyson Brothers Inc. (File # 9206) will be presented at the Tuesday, May 21, 2019 City Council meeting.

Staff is currently expecting several items to be presented at the June 6, 2019 Planning Commission meeting.

Mr. Thompson briefly mentioned the possibility of another workshop, as well as, the possibility of having the residential development standard presented at the June meeting.

Brief discussion ensued on the buffer for the lots located along the pond in the Winterlake Drive development.

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Brief discussion ensued on the need for a representative at the Tuesday, May 21, 2019 City Council meeting.

The Commission unanimously voted (7-0) in favor of cancelling the Thursday, July 4, 2019 Gastonia Planning Commission meeting.

There being no further business, Chairperson Goode adjourned the meeting at 8:07 p.m.

Respectfully submitted,

Chrystal Howard, Secretary

Pam Goode, Chairperson