

**Gastonia Planning Commission  
August 5, 2021 Meeting Minutes**

---

The Gastonia Planning Commission meeting opened at 5:30 p.m. on Thursday, August 5, 2021 via Zoom.

Present: Commissioners Chad Ghorley, Bob Cinq-Mars, Jim Stewart, Carl Harris and David Wilson

Absent: Commissioners Rodney Armstrong, Anthony Gallant and Kristie Ferguson

Staff Members Present: Jason Thompson, Quentin McPhatter, Tucker Johnson, Jana McMakin, Chrystal Howard and Attorney David Smith

**Item 1a: Role Call / Sound Check**

**Item 1b: Calls/Contacts to Planning Commission Members**

Commissioners were not contacted.

**Item 1c: Oath of Office**

Vice-Chairman Stewart recognized newly appointed Carl Harris, Sr. and Chad Ghorley. Commissioners Harris and Ghorley were sworn in by Ms. Howard.

**Item 1d: Approval of June 3, 2021 Meeting Minutes**

Commissioner Cinq-Mars made the motion to approve the June 3, 2021 minutes and Commissioner Wilson seconded the motion. The motion was passed (5-0).

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

**Item 2: Public Hearing – Excel Church Inc. (File #202100138)**

Subject hearing involves a request to assign a zoning district in conjunction with an annexation request for approximately 25.05 acres from RS-12 (Gaston County, Single-family Residential District) to PD-RRDD (City of Gastonia, Planned Development-Revised Residential Development District). The subject property is located at the end of Crawford Avenue. The property is owned by Excel Church Inc. The City Council will hold a public hearing on the assignment of zoning request at the August 10, 2021 City Council meeting.

Vice-Chairman Stewart opened the public hearing and recognized Jana McMakin, Senior Planner for the purpose of staff presentation. Ms. McMakin displayed the rezoning map and explained the annexation and the assignment of the zoning district. She explained the Planning Commission's involvement was to formulate a recommendation on the requested zoning district to City Council. Ms. McMakin summarized the site description and background, as well as, the adjoining properties and land use trends. She displayed the conceptual site plan and stated this request was for single-family detached homes. Access to the property was the existing Crawford Avenue with a proposed total of forty-two single-family detached lots. Ms. McMakin commented on the floodplain and floodway on the property's west side that will remain undisturbed. The tree save area is part of city requirement. Because of access to the Phillips Center, there was a pedestrian access being shown the plan. Ms. McMakin displayed conceptual architectural plans. As part of the Planning Commission's consideration, there are seven proposed zoning conditions. Ms. McMakin stated the 2021 comprehensive plan indicates residential and staff recommended approval of the request.

Commissioner Wilson asked if anyone was in opposition of the request. Ms. McMakin replied that she did not receive any phone calls, but received a couple email inquiries. She noted that two individuals were signed up to speak on the petition.

Commissioner Harris inquired about the floodplain and floodway and setback requirements for dwellings. Ms. McMakin replied that the City of Gastonia has a no rise ordinance. If building in the floodway or flood zone, a flood study has to be provided that states there is no rise. Setbacks would be the same as building setbacks. Commissioner Harris inquired about a culvert needing to be designed to enter the property in regards to the extension of Crawford Avenue. Assistant City Engineer, Tucker Johnson replied that there was a possibility for a culvert and then explained the City has a prohibited flood development ordinance. Commissioner Harris noticed one plan did not have masonry and asked if a percent of masonry will be required on any dwellings. Ms. McMakin stated that the commission can ask the applicant if they would be willing to commit to a certain percentage of masonry or stone product of the front façade as part of a zoning condition.

## **Gastonia Planning Commission August 5, 2021 Meeting Minutes**

---

Brief discussion ensued on past projects refraining from vinyl siding, past submitted and approved projects, and the applicant's choice of building materials.

Commissioner Harris asked if the route coming in from Crawford was the only plan. Ms. McMakin replied that there would not be a crossing to Cedar Oak Circle. Because the number of units are less than fifty, the fire department does not require another access. Price points on proposed structures was discussed.

Vice-Chairman Stewart recognized Dennis Terry, 3302 Belaire Road of Mooresboro, NC. Mr. Terry stated he was the landscape architect with Bloc Design. He displayed a site development plan on the 2005 aerial. He noted the site was cleared in 2005 as part of a construction project that was abandoned. About eighty percent of the proposed area for single-family homes has been mass graded. Eleven acres will be developed as single-family homes and streets and fourteen acres will remain undeveloped or utilized as natural or open space. Lots will range from one sixteenth of an acre to nine tenths of an acre. Eleven acres is located in the floodplain. Based on stream and topography information, there are no plans for culverts at the entrance.

Commissioner Cinq-Mars asked if they had a collection area for storm runoff. Mr. Terry replied that they did and the project will be built to state standards to not increase runoff from impervious areas. Commissioner Wilson asked if the Stormwater Control Measure (SCM) identified on slide #4 is designed for the entire community and Mr. Terry replied that it is designed for the entire site.

Commissioner Cinq-Mars asked what the line was between lot #21 and lot #22 on slide #5. Mr. Terry replied that it was a maintenance easement for the stormwater detention pond. Mr. Terry also noted that the line between lot #19 and lot #20 is a maintenance access to the sanitary sewer line.

Commissioner Harris asked if the detention pond will be fenced or a rain garden. Mr. Terry commented that it most likely will not be a rain garden nor fenced in unless it is a wet pond. It will be designed to the State of North Carolina standards.

Brief discussion ensued on the walkway to the Phillips Center. The detention pond on the north side has an access easement for maintenance and there will be an easement connection to the Phillips Center, but no plan trail for the development has been proposed.

Commissioner Ghorley asked when the detention pond maintenance will be turned over to the HOA and Mr. Terry replied that when about seventy-five percent of lots are sold. Mr. Terry also noted the State of North Carolina requires annual inspection checks for maintenance.

Vice-Chairman Stewart recognized Dan Robertson, 2390 Hilldale Drive of Rock Hill, SC. Mr. Robertson stated there was an easement that connects to the Phillips Center. Regarding the design commitment, they are willing to add some percentage of brick or masonry to the front façade of the house. He stated vinyl was one of the acceptable siding choices because of pricing the neighborhood needs to be in.

Vice-Chairman Stewart recognized Leah Heinsius, 2816 Davis Park of Gastonia, NC. Ms. Heinsius stated she was lot #15 on the rezoning map. She shared that more than four acres of creek is on her property. Ms. Heinsius distributed a photo of the creek and water. She was concerned about stormwater control discharge going into the habitat. Commissioner Harris asked if she had seen the water rise. Ms. Heinsius replied that they had issues with rise. She has given access to lots #10 through #14 because there has been instances where these homeowners were unable to cross the bridge due to rising water as well as the road. The rezoning map was displayed and the road path was explained. Ms. Heinsius stated she owns the road and the homeowners maintain the bridge. Vice-Chairman Stewart asked if anyone discussed with the developer about being able to have access into the street that will serve the new subdivision. Ms. Heinsius was unaware of any discussion. Commissioner Ghorley asked Ms. Heinsius if she attended the community meeting and she replied that she attended the meeting through zoom and concerns were addressed.

Vice-Chairman Stewart recognized Deborah Perry, 1951 Oak Hollow Road of Gastonia, NC. Ms. Perry signed up to speak in error and meant to sign up to speak on the next agenda item.

Ms. McMakin asked Vice-Chairman Stewart if he would allow the applicant to speak on a potential street that can provide a connection to lots #10 through #14. Brief discussion ensued between

**Gastonia Planning Commission**  
**August 5, 2021 Meeting Minutes**

---

commissioners and Ms. McMakin on potential access to lot #9 or lot #10. Mr. Terry commented that the existing stormwater issue was discussed at the community meeting, the developer cannot fix the existing condition, the developer will not add runoff to the existing condition, connecting to the parcels was a great idea, an alternate route would be a solution to the flooding problem, there was a connection provided to lot #9, buffer requirements and topography may create issues, and his proposal is to connect to lot #9. Vice-Chairman Stewart asked Mr. Terry if he talked to the owner of lot #9. Mr. Terry replied that at the community meeting he spoke to the property owner of lot #9 and that the owner expressed concern that he did not want the connection.

Commissioner Cinq-Mars made a recommendation to City Council to annex this property to city limits and to assign an assignment of PD-RRDD zoning district along with the statement of consistency and reasonableness. Commissioner Wilson seconded the motion. There being no further discussion the motion was unanimously approved (5-0).

**Item 3: Public Hearing – Dennis M. and Kathleen S. Crowley (File #202100175)**

Subject hearing involves a request to rezone approximately 38.53 acres from RS-8 (Single-family Residential District, minimum 8,000 sq. ft. lots), RS-12 (Single-family Residential District, minimum 12,000 sq. ft. lots) and I-1 CD (Light Industrial Conditional District) to PD-RRDD (Planned Development-Revised Residential Development District). The subject property is located at the end of Grover Street. The property is owned by Dennis M. and Kathleen S. Crowley.

Vice-Chairman Stewart opened the public hearing and recognized Jana McMakin, Senior Planner for the purpose of staff presentation. Ms. McMakin displayed the rezoning map and explained the subject property and its three zoning districts. She classified this property as an infill piece of development with several potential road connections. The Grover Street rezoning concept plan was displayed and Ms. McMakin stated Ryan Homes was proposing duplexes with two car garages that will be individually owned and be individually utility metered in the new PD-RRDD zoning district. Ms. McMakin identified Grover Street, Ida Street, Bush Street, and Apple Street as road connections, stormwater control measures, tree save areas, available access to the Bradley Center, and open space improved areas. Ms. McMakin stated the request is to build a total of eighty duplexes (one hundred and sixty total units). She shared that the developer has included a type C buffer. Ms. McMakin displayed elevation exhibits, and exterior color schemes. The 2025 Comprehensive Land Use Plan does show residential as appropriate for the subject property and staff recommended approval.

Commissioner Harris inquired about the two-story duplexes. Ms. McMakin replied that the individual lots will be for sale. A duplex layout was displayed.

Commissioner Ghorley asked about a firewall between units and Ms. McMakin deferred that question to the Ryan Homes.

Commissioner Harris commented on the amount of vinyl and mentioned having a discussion with the developer about having a percent as masonry. He referenced nearby neighborhoods as being brick.

Discussion ensued on streets that connect to the development. Ms. McMakin shared that staff did not see a need for a connection to Ballard with the other connections and since this was a crossing. Parking spaces on the south portion was discussed and it was determined that the parking spaces were not a requirement by staff, but may be considered for an amenity for the area.

Vice-Chairman Stewart asked if the lot lines were through the center of the building or is it one building on each lot. Staff was unable to answer at this time.

Vice-Chairman Stewart recognized Mr. Steven Singleton, 2623 Oxborough Drive of Mathews, NC. Mr. Singleton stated he was the landscape architect and land planner with Bohler, a consultant representing the builder. Mr. Singleton stated the walls that split the units will be fire rated. The plan was that the lot line will be a shared wall, two-units, and a 10 ft. clearance between the next duplex. Mr. Singleton displayed agenda page 3-5 and commented on meeting the required open space and tree save areas. He stated that the connection to Ballard Street is something they would like to proceed with if possible and it will be a nice entry into the community. He noted that having multiple access points will help disburse traffic and be a benefit to the neighborhood. Mr. Singleton stated concerns at the community meeting were traffic, stormwater, and wildlife. Regarding connectivity, Mr. Singleton stated roads south of the development are in disrepair, and

## **Gastonia Planning Commission August 5, 2021 Meeting Minutes**

---

there is no connectivity for the children and no ADA compliance. As part of the development, the ADA and connectivity will be addressed on their site. A paved greenway trail will be worked in through the site, as well as, access to the Bradley Center Park. A Traffic Impact Analysis (TIA) study is in process which includes the vicinity, as well as, taking into account Ozark Avenue and proposed improvement changes on I-85. The consensus concern was stormwater and the significant erosion and water rising during a storm event. Mr. Singleton stated the site will not exacerbate the problem due to the stormwater structures on site. Regarding wildlife, the site will maintain its western edge as native with minimal impact and the park will hopefully be a wildlife corridor. Mr. Singleton stated the product was new and the goal was to be cognizant of monotony using a six color options alternating to minimize impact, the use of different materials on the front façade and street trees.

Vice-Chairman Stewart asked if a person can purchase a duplex and lease the units as a rental property. Mr. Thompson replied that no municipality through its zoning authority can dictate whether something was rented or owned. Brief discussion ensued.

Commissioner Cinq-Mars asked about the location of the lot line. Mr. Thompson replied that there will be individual lots under each of the two halves. Vice-Chairman Stewart commented that it will be the foundation. Mr. Thompson replied that there are multiple scenarios and it was to be determined and does not have to be at this point. Mr. Thompson used townhomes as an example. He stated there were multiple configurations that can result and are allowed under the new code. Brief discussion ensued. Mr. Thompson shared that the proposal was individual lots underneath each half of the duplex buildings but the exact dimensions was to be determined, having a total of one hundred and sixty individual lots.

Abby Cornelius, 3338 Brackhill Street of Davison, NC was recognized. Ms. Cornelius is with Ryan Homes and she stated the development will be setup like their townhome neighborhoods with one hundred and sixty individualized homes to be sold fee simple, homeowners will own the land, HOA will take care of the yard, a firewall will exist to protect homeowners, and the HOA policy will cover units in case of fire or damage collectively.

Commissioner Harris asked why this development is being called a duplex. Ms. Cornelius replied that when a two-unit townhome is sold, which is very rare, the market calls it a duplex.

Vice-Chairman Stewart asked if the property line on an individual lot is through the middle of the property and Ms. Cornelius replied, "Yes, as it is a town home." Discussion ensued on what is considered a lot and the middle of the property. Mr. Singleton and Ms. Cornelius displayed the concept plan on agenda page 3-5 and explained that each block is a single home having a one hundred and sixty blocks on the plan. Further discussion ensued on this being a new product and the subdivision process will address issues. A sketch was displayed showing the lot lines.

Commissioner Harris inquired about the TIA study and car counts. Mr. Singleton replied that he had no data on the TIA as it is still in progress. Mr. Thompson talked about the City of Gastonia having an adopted TIA ordinance and explained that a TIA will be required based on a threshold.

Vice-Chairman Stewart recognized Deborah Perry, 1951 Oak Hollow Road of Gastonia, NC. Ms. Perry was not available having left the meeting.

Commissioner Cinq-Mars commented a subdivision that has a HOA, which has a restriction in their HOA that no more than a certain percent can be rented on a business type venture.

Commissioner Harris inquired what will need to be done conceptually and Ms. Cornelius replied that it'll be the same as their townhomes. Each home is framed individually and a fire protection wall is slid in between the homes, attached with brackets, structurally built to have a breakaway, and provides some sound proofing quality.

Commissioner Cinq-Mars made a motion to approve along with the statement of consistency and reasonableness and Commissioner Harris seconded the motion. The motion was unanimously approved (5-0).

**Item 4: Public Hearing – Oakland & Partners LLC & Billie F. Holbrooks (File #202100228)**  
Subject hearing involves a request to rezone approximately 2.89 acres from RS-8 (Single-family Residential District, minimum 8,000 sq. ft. lots) to C-3 CD (General Commercial Conditional

**Gastonia Planning Commission**  
**August 5, 2021 Meeting Minutes**

---

District). The subject property is located at the end of Carpenter Street. The property is owned by Oakland and Partners LLC and Billie F. Holbrooks.

Vice-Chairman Stewart opened the public hearing and recognized Jana McMakin, Senior Planner for the purpose of staff presentation. Ms. McMakin displayed the rezoning map and provided description of adjoining properties and zoning. She stated the request was to rezone to C-3 CD. A conceptual plan was displayed and Ms. McMakin noted there were five proposed zoning conditions, and several uses were restricted from the C-3 permitted use list as part of the rezoning. McMakin identified the primary access point connects to the existing CarMax lot, and explained the proposed area as a parking lot for vehicles. She stated trees and buffering will take place, as well as, fencing and lighting. The main issue from Carpenter Street was that it would be gated and used in rare instances. The primary access for trucks and trailers would be through the CarMax facility. Ms. McMakin stated the applicant was required to have a neighborhood meeting, the C-3 permitted use list was displayed, and staff recommended approval of the request.

Commissioner Harris requested confirmation that an entrance and exist was on Carpenter Street and Ms. McMakin replied there was a gated access on Carpenter Street providing access for emergency, but the primary access was through the CarMax facility. Commissioner Harris asked if the road will be repaved for larger carriers and Ms. McMakin replied that the applicant indicated that the larger carriers will not be on the Carpenter access.

Commissioner Ghorley inquired about the gate if the access point on Carpenter Street was occasionally used. Ms. McMakin stated there could be a condition that there would be no access from Carpenter Street if the applicant is willing to agree. Commissioner Ghorley asked about the lighting and time limits. Ms. McMakin stated based on the ordinance; lighting does not shine on adjacent property owners. At this time, a specific lighting plan has not been submitted. Brief discussion ensued on lighting at the Carmax facility, the nearby railroad location, the process after a zoning hearing if approved would be the Technical Review Committee, and traffic on Carpenter Street. Google view was displayed showing the end of Carpenter Street and the CarMax facility.

Commissioner Wilson asked if any neighbors had issues with the request. Ms. McMakin replied that four neighbors attended the neighborhood meeting and the main concerns were lighting and truck traffic.

Vice-Chairman Stewart recognized Gene Matthews with Matthews Management Inc., 208 Burtonwood Drive of Gastonia, NC. Mr. Matthew thanked the commissioners for their service. Mr. Matthews introduced Attorney John Russell and shared that they were both at the neighborhood meeting. Attorney Russell was recognized, 301 S York Street of Gastonia, NC. He thanked staff for their help with working through the process. Attorney Russell stated the site planners primarily looked at the buffering as it abuts residential, the adopted landscaping plan, and conditions. He noted that the applicant volunteered use restrictions shown on agenda pages 4-6 to 4-8. Attorney Russell stated four people attended the neighborhood meeting and a primary issue was lighting. He displayed figures from Section 10.15.E.2. and 10.15.E.4 that they'll need to comply with. Attorney Russell stated another issue was concerning fencing. He displayed fencing that exists and stated the neighbors liked the fence along the commercial property. The Hilltop Drive fencing separating residential with residential was displayed and he noted that their fence was in keeping with the neighborhood in addition to what exists. Lastly, the street access was a concern and how much would be used for cars. Attorney Russell commented that it was not easy to get to this road and not practical for a carrier to get through Hunt Drive. The idea was to have a control access where there may be times an individual car comes out, as well as, for emergency services modeling on the YMCA at Robinwood Road. Emergency services will have the code to a lock box to get in and out. Their proposal is because the facility is overflowing with cars and the expansion is needed. Commissioner Cinq-Mars commented on the parking lot in front of the Gaston Gazette having a lot of Carmax cars. Brief discussion ensued.

Commissioner Harris asked what the vehicle capacity is for the proposed lot. Mr. Matthews replied that it was two hundred and two. Commissioner Harris inquired about the back portion of the lot and why it was not being used. Mr. Matthews replied that it was due to topography.

Commissioner Ghorley commented that he appreciated their presentation and answering his questions.

**Gastonia Planning Commission**  
**August 5, 2021 Meeting Minutes**

---

Commissioner Cinq-Mars made a motion to approve the rezoning with the statement of consistency and reasonableness and Commissioner Wilson seconded the motion. The motion was unanimously approved (5-0). Commissioner Harris encouraged the applicant to have a light study done.

**Item 5: Public Hearing – Unified Development Ordinance Amendments (File #202100281)**

Subject hearing involves a request to amend the Unified Development Ordinance to amend allowances using multifamily development standards and provide some clarifications needed for recently revised parking standards. This item will be heard by the City Council at the August 10, 2021 meeting at 6:00 PM in the City Council Chambers, 181 S. South Street in Gastonia.

Vice-Chairman Stewart opened the public hearing and recognized Jason Thompson, Planning Director for the purpose of staff presentation. Mr. Thompson stated this request has two parts. The first is that ordinance amendments were previously made to the C-3 commercial standards to allow multi-family in this location. He noted the market was changing in terms of housing and multi-family. He gave an example of a proposal of an apartment development that includes individual rental units that are standalones. This amendment would permit this configuration in the areas of the code. The second part of the request is to fix a mistake to the new parking standards that was recently adopted, as one of the tables that sets forth parking standards was wrong and is being corrected. Staff recommended approval.

Commissioner Harris thanked staff for being proactive.

Commissioner Wilson made a motion to approve (move forward with a favorable recommendation) and Commissioner Harris seconded the motion. The motion was unanimously approved (5-0).

**Item 6: Other Business**

**Update on Council Votes**

No Planning Commission items were presented at the last Council meeting.

**Representative for August 10<sup>th</sup> City Council Meeting, if needed**

No representative of the Planning Commission will be present.

**Item 8: Adjournment**

There being no further business, Vice-Chairman Stewart entertained a motion to adjourn the meeting. Commissioner Ghorley made a motion to adjourn the meeting and Commissioner Harris seconded the motion. Hearing none in opposition, the meeting adjourned at 7:50 p.m.

Respectfully submitted,

---

Chrystal Howard, Secretary

---

Jim Stewart, Vice-Chairman