

Gastonia Planning Commission August 8th, 2024 Meeting Minutes

The Gastonia Planning Commission meeting opened at 5:30 pm on Thursday, August 8th, 2024, in the Council Chambers at City Hall, 181 S. South Street of Gastonia, NC.

Present: Chair Kristie Ferguson, Vice Chair Chad Ghorley and Commissioners Megan Chapman, Anthony Gallant, Glenn Silverman, Carl Harris, and Julie Coffey.

Absent: Commissioner Jeff Howe

Staff Members Present: Charles Graham, Quentin McPhatter, Joe Gates, Maddy Gates, Jordan Tubbs, Collin Patterson, Tucker Johnson, Amber Bridges, Cory Steiss, and Rebeca Mintz.

Item 1a: Role Call / Sound Check

Chair Kristie Ferguson declared a quorum for the meeting.

Gastonia Planning Commission Secretary, Rebeca Mintz, administered the Oath of Office to Vice Chair Chad Ghorley and Commissioner Carl Harris for re-appointment.

Item 1b: Calls/Contacts to Planning Commission Members

No Commissioners were contacted.

Item 1c: Approval of June 6th, 2024 Meeting Minutes

Vice Chair Ghorley made a motion to adopt the June 6th, 2024 minutes as presented and Commissioner Harris seconded the motion. The motion to approve the June 6th, 2024 meeting minutes was unanimously passed (7-0).

Chair Ferguson read the rules of procedure and the time limitation policy.

Chair Ferguson recognized Senior Planner, Maddy Gates, for an announcement, Ms. Gates stated that the applicant for Item 9, Union Road/Robinson Road Townhomes (File #202300213), has requested that the item be continued to the September 5th, 2024 Gastonia Planning Commission meeting. Commissioner Chapman made a motion to approve the request to continue Item 9 to the September 5th, 2024 Planning Commission meeting and Commissioner Harris seconded the motion. The motion was unanimously approved (7-0).

Item 2: Public Hearing – 3300 Kendrick Road (File #202400228)

Subject hearing involves a request for annexation and assignment of zoning for approximately 3.97 acres from Gaston County R-1 (Single-family Limited Residential) to RS-12 (Single-family Residential, minimum 12,000 sq. ft. lots). The subject property is located at 3300 Kendrick Road and is owned by Kevin Billups. The Gastonia City Council will hold a Public Hearing for the annexation and assignment of zoning request at the August 20th, 2024 meeting.

Chair Ferguson opened the public hearing and recognized Maddy Gates, Senior Planner, for staff's presentation. The zoning map was presented. Ms. Gates stated that the subject property is 3.97 acres, located at 3300 Kendrick Road, and is currently undeveloped and wooded. She noted that the parcel is contiguous to City limits and is surrounded by residential zoning in Gastonia and Gaston County. She discussed the location of the property and stated that there is approximately 135 feet of road frontage on Kendrick Road where access to this property is provided. Ms. Gates stated that the action tonight is a recommendation to City Council for the zoning portion of the petition. She discussed the general rezoning nature of the request and noted that all RS-12 uses should be considered. Lastly, Ms. Gates stated that the request is consistent with the 2025 Future Land Use Map for residential uses and staff is recommending approval as it's been presented. Ms. Gates noted that the applicant was not present but that staff was available for any questions.

Commissioner Harris asked Ms. Gates what the area between the subject property and Kendrick Road was on the zoning map. Ms. Gates replied that it was the road right-of-way for Kendrick Road. She discussed the location of the existing driveway and identified this on the aerial map. Vice Chair Ghorley asked Ms. Gates if any concerns arose during the application process. Ms. Gates replied "No", and stated that the intent of the request was to build a single-family home, as staff had discussed with the applicant.

With no further discussion, Vice Chair Ghorley made a motion to recommend approval of the annexation and assignment of zoning request as presented with the statement of consistency and reasonableness. Commissioner Harris seconded the motion. The motion to approve the request as presented was unanimously passed (7-0).

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Item 3: Public Hearing – 1501 School Avenue (File #202400295)

Subject hearing involves a request to rezone approximately 0.17 acres from C-3 (General Business) to C-1 (Neighborhood Business). The subject property is located at 1501 School Avenue and is owned by Shawn Badami.

Chair Ferguson opened the public hearing and recognized Jordan Tubbs, Senior Planner, for staff's presentation. Mr. Tubbs stated that the request consists of one tax parcel (PID 106307) currently zoned C-3, located at 1501 School Avenue. He noted that the applicant is requesting to rezone to C-1, which is neighborhood business, and allows for smaller-scale commercial, retail and residential uses. The zoning map was presented. Mr. Tubbs stated that the site is accessed off of N. Webb Street and is currently vacant. He discussed the zoning and land uses for surrounding properties. Mr. Tubbs stated that the Future Land Use Map indicates residential uses for the site and staff is recommending approval of the request as presented. Mr. Tubbs noted that the applicant was not present but that staff was available for any questions.

Commissioner Harris asked Mr. Tubbs what the typical right-of-way setback would be for railroads. Mr. Tubbs replied that he was unsure of the right-of-way setback but stated that N. Webb Street is between the subject property and the railroad tracks. Vice Chair Ghorley asked Mr. Tubbs if any concerns arose during the application process? Mr. Tubbs replied "No" and noted that there were no concerns that he was aware of.

With no further questions, Commissioner Silverman made a motion to approve the request as presented with the statement of consistency and reasonableness. Vice Chair Ghorley seconded the motion. The motion to approve the request as presented was unanimously passed (7-0).

Item 4: Public Hearing – Willowbrook at Union Road (File #202400060)

Subject hearing involves a request for annexation and assignment of zoning for approximately 44.6487 acres from Gaston County R-1 (Single-family Limited Residential) and R-2 (Single-family Moderate Residential) to PD-RRDD (Planned Development – Revised Residential Development District). The subject property is located on the western side of Union Road, across from Crawford Drive and is owned by K&D Land Holdings, LLC. The Gastonia City Council will hold a Public Hearing for the annexation and assignment of zoning request at the August 20th, 2024 meeting.

Chair Ferguson opened the public hearing and recognized Jordan Tubbs, Senior Planner, for staff's presentation. Mr. Tubbs stated that the subject property consists of four tax parcels totaling approximately 44.6487 acres located on the western side of Union Road, across from Crawford Road. The zoning map was displayed and he discussed the context of the surrounding area. Mr. Tubbs noted that the property is currently zoned R-1 and R-2 in Gaston County and that the request is to annex and assign PD-RRDD zoning to facilitate the development of 267 townhomes and 24 single-family homes. The site plan was displayed. He stated that 233 townhomes and 24 single-family homes are rear loaded, and 34 townhomes are front loaded which is permitted in section 8.1.17 of the Unified Development Ordinance (UDO). Mr. Tubbs discussed particulars of the site plan including the proposed amenities, buffers, and access points. He noted that a Traffic Impact Analysis (TIA) is required for the development but has not yet been started. Mr. Tubbs displayed the elevations and noted that it reflects rear loaded and front loaded single-family homes and townhomes. He discussed the agreed upon conditions, including the applicant's agreement to provide additional landscaping surrounding the amenity center. He stated that the request is consistent with the 2025 Future Land Use Plan for residential uses and that staff is recommending approval of the request as presented.

Vice Chair Ghorley asked Mr. Tubbs, if there is an ordinance for noise due to the fact that the property is located next to the speedway? Ms. Gates replied that noise is not regulated in the zoning ordinance, unless the use specifically calls for it. It was also noted that the speedway is in Gaston County's jurisdiction which would follow Gaston County's requirements. Commissioner Harris asked Mr. Tubbs, if there was only one access. Mr. Tubbs replied that there was two access points, one on Union Road and another was a stub on the northern end of the property. Commissioner Harris asked what the requirement was for two accesses. Mr. Tubbs replied that it was 100 units, which was a fire code requirement. He stated that the developer could only build up to 100 lots with the first access, and would have to make the stub connection to Union New Hope Road for the remainder of the lots. Commissioner Harris asked if the applicant also owned the property to the north. Mr. Tubbs responded that the property to the north was previously approved in April, 2024 and that the northern stub would connect to that development out to Union New Hope Road.

Vice Chair Ghorley asked Mr. Tubbs if there was a preliminary report for the TIA. Mr. Tubbs replied "No". Assistant City Attorney, Charles Graham, provided additional information regarding the noise ordinance. Mr. Graham stated that the City does have a noise ordinance, however, the City can only

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enforce it within the City limits. Mr. Graham added that he was unaware if the County had a noise ordinance and what it consists of.

With no additional questions, Chair Ferguson recognized the applicant Kent Olson, 6401 Camel Road, Charlotte, NC. Mr. Olson stated that he has worked with the Planning Department and that the site plan has gone through several revisions. Mr. Olson discussed the three different building products which he stated he felt would fit well with the adjoining developments. He noted that he has been working with Two River Utilities and the northern development on future infrastructure and has shown a lift station for sewer on their property. Mr. Olson discussed the diverse home product mix and the high quality building materials, including his commitment to fiber cement siding. Mr. Olson discussed the amenities including a dog park, pool, pocket parks, and central green. He also noted that they have provided a Type C buffer along the perimeter of the project and additional plantings around the club house. He stated that the neighborhood meeting was productive and that he feels the concerns were properly addressed. Mr. Olson stated that he has done several other projects in Gastonia and was excited for the potential and opportunity that the proposed development will bring to the City.

Commissioner Gallant asked Mr. Olson who recommended fiber cement siding. Mr. Olson replied that he has done many projects in Gastonia and that he typically prefers to use fiber cement versus vinyl. Commissioner Gallant asked if the recommendation came from Planning staff or the community. Mr. Olson replied that it came from staff but he also noted that he has heard a lot of disappointment from the community in regards to the quality and longevity of vinyl.

Commissioner Harris asked Mr. Olson if he plans to use the color plus siding product. Mr. Olson replied that he was unsure at this time but that it was very likely. Mr. Olson also noted that the project will take time to develop due to needed infrastructure improvements and that a TIA will be done. Vice Chair Ghorley asked Mr. Olson to discuss the breakup of units. Mr. Olson replied that there are 267 townhomes total, including 233 rear loaded units and 34 front loaded. He noted that single-family detached housing is located towards the rear of the site.

Chair Ferguson recognized Kent Burton, 633 Union Rd, Gastonia. Mr. Burton stated that he has been living in the neighborhood for over 4 years and has concerns for the density of the townhomes and the increased traffic on Union Road. He discussed additional concerns for water runoff and the change of land from natural to impervious surfaces. Mr. Burton discussed the speedway and its importance to Gaston County for over 60 years. He stated the noise from the speedway does not bother him and that he hopes it does not become an issue for new residents.

Chair Ferguson recognized Stan Parrish, 161 Sherwood Circle, Rock Hill, SC. Mr. Parrish stated that his main concern was the integrity of the speedway and that he did not want new complaints to cause it to close. He also noted that he is concerned for stormwater runoff and erosion control with the additional impervious surface that will be added to the area. Mr. Parrish stated that there are a lot of farms in the area and he wanted to ensure there would be problems for the surrounding livestock. He also stated that he had some concerns for traffic since Union Road is only two lanes currently. Vice Chair Ghorley clarified that only the property included in the rezoning request was to be annexed.

Chair Ferguson recognized Jim and Kat Morris, 308 Inland Cove Court, Lake Wylie, SC. Mr. Morris stated that he and his wife own the speedway and that their main concerns are the noise, dirt and dust debris, and the density of the development. He stated that it is important to them that their future neighbors are educated on the speedway and its typical operations.

Vice Chair Ghorley asked Mr. and Mrs. Morris, what they would like to see for the property if it wasn't going to be a residential development. Mr. Morris stated that he did not have an issue with the new development and hopes that the new neighbors understand that the speedway is across the street and does make a lot of noise. Mr. Morris added that other future sports facilities in the area would be beneficial. Vice Chair Ghorley asked if Mr. Morris has received any noise complaints from the Nolen Farms neighborhood. Mr. Morris replied "No", and stated that he was not aware of any. Mrs. Morris stated that they just want good neighbors who understand that the race track is present and in operation. Commissioner Silverman noted that there is a distinction from Gaston County and City of Gastonia ordinances and that cooperation with the developer would be beneficial.

Chair Ferguson recognized Angel Arrantz, 3416 Bruce Ridge, Clover, SC. Ms. Arrantz stated that she has similar concerns as the previous speakers, in regards to preserving the speedway. She noted that the race track causes a lot of noise and dust debris. Ms. Arrantz stated that she works at the speedway and did not want it to be shut down.

Mr. Olson approached for rebuttal. He addressed concerns in regards to the Speedway including noise, dust debris, and odor. Mr. Olson noted that it will be required to be disclosed to buyers from the realtor,

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that the speedway is in close proximity and in operation. He added that he has not chosen a builder yet, but will work with the future builder to make sure new residents are informed before they purchase the homes. Chair Ferguson and Commissioner Coffey discussed North Carolina Real Estate laws. Vice Chair Ghorley asked Mr. Olson if he had considered building all single-family homes instead of townhomes. Mr. Olson replied “Yes” but noted that it is always market driven and townhomes are currently the top of the market, according to his research. He also stated that townhomes are a good fit for the area considering the new multi-family and commercial that will be built on Union New Hope Road.

Commissioner Coffey stated that she is struggling with the fire code requirement for one access per one hundred homes. City Engineer, Tucker Johnson, clarified that the second access requirement is for the first one hundred homes, not per every one hundred homes. Commissioner Harris asked Mr. Johnson, what the access requirement is after 200 homes. Mr. Johnson replied that the requirement for a third access is at a very high unit count, but he was unsure of what that number was.

Commissioner Harris asked Ms. Gates what buffer was used around the perimeter of the property. Ms. Gates replied that it was a 25-foot Type C buffer. Vice Chair Ghorley asked Ms. Gates if sidewalk would be required on the commercial property to the north and along Union Road. Ms. Gates replied “Yes” and stated that sidewalk will be constructed on both sides of Union Road and along the stub road to provide pedestrian connections for both developments.

Vice Chair Ghorley made a motion to closed the public hearing and Commissioner Harris seconded the motion. The motion to close the public hearing unanimously passed (7-0). Vice Chair Ghorley stated that he had concerns about the density and potential noise problems. He noted that he did like the proximity to commercial and the connections to other residential developments. Commissioner Gallant stated that he feels comfortable with the project due to the fact that the applicant has addressed all of the neighbors’ concerns on the site plan. Commissioner Harris stated that he had concerns for density and traffic but believes the TIA will resolve any outstanding traffic issues.

Commissioner Chapman expressed her concerns with traffic and density. Commissioner Coffey stated that she also believes the TIA will resolve traffic issues and that she appreciated the applicant’s cooperation with the neighbors. Chair Ferguson discussed density and its relation to affordability in the housing market. With no further discussion, Vice Chair Ghorley made a motion to recommend approval of the annexation and assignment of zoning request as presented with the statement of consistency and reasonableness. Commissioner Silverman seconded the motion. The motion to recommend approval of the request as presented was passed (6-1). Commissioner Chapman voted in opposition of the motion due to concerns for the number of units and density.

Item 5: Public Hearing – Crawfords Cove (File #202400105)

Subject hearing involves a request for annexation and assignment of zoning for approximately 170.89 acres from Gaston County I-2 (General Industrial) to PD-RRDD (Planned Development – Revised Residential Development District). The subject property is located on the northern and southern side of Superior Stainless Road, west of Highway 321 and is owned by multiple owners. The Gastonia City Council will hold a Public Hearing for the annexation and assignment of zoning request at the August 20th, 2024 meeting

Chair Ferguson opened the public hearing and recognized Maddy Gates, Senior Planner, for staff presentation. The zoning map was presented. Ms. Gates stated that the request was from DP Development for approximately 170.89, located on the northern and southern side of Superior Stainless Road. She discussed the zoning and context of the surrounding area and noted that the property would be a satellite annexation. The site plan was displayed. Ms. Gates stated the request to PD-RRDD was for a 331-unit single-family residential subdivision with front loaded homes. She explained the details of the site plan, including buffers, phasing, open space and the access points from Superior Stainless Road, Gallagher Drive and Davis Heights Drive. Ms. Gates stated that a Traffic Impact Analysis (TIA) was required for the site and is still in the process. She discussed the agreed upon conditions and displayed the conceptual elevations, which represented a variation of one-story and two-story homes. Ms. Gates stated that although the 2025 Future Land Use Map identifies the subject property for industrial and residential uses, staff feels a residential development would be more compatible with the surrounding area. Lastly, she noted that the procedural action would be a recommendation from the Commission and stated that staff is recommending approval as presented.

Ms. Gates also stated that the two tax parcels included in the request are the only properties being reviewed to be annexed. She clarified that the numbers shown on the zoning map represent properties that the City is required to notify by state statute.

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With no questions for staff, Chair Ferguson recognized Kyle diPretoro, 1314 Mockingbird Lane, Charlotte, NC. Mr. diPretoro displayed his presentation and discussed the location of the subject property. He stated that the development has two phases; phase one will have 158 lots and phase two will have 173 lots. He discussed highlights of the site plan including the stormwater ponds, stream buffers, and tree preservation area. Mr. diPretoro discussed the public greenway that was identified on the subject property and stated that the developer will have to either construct the greenway or pay a fee-in-lieu. He shared potential activated open space options such as a playground, dog park, community green space, gardens, and pocket parks which will be committed to during preliminary plat and subdivision plans, per staff's approval. Mr. diPretoro shared elevations and discussed the mix of one and two story home products. He stated that the developer would be responsible for improvements such as the greenway, Traffic Impact Analysis (TIA), road upgrades, extension of public water connections and buffers. Mr. diPretoro shared that the TIA is currently studying nine intersections and that a draft TIA is expected in September. Mr. diPretoro displayed feedback and concerns from the neighborhood meeting including privacy, compatibility with adjoining industrial uses, wildlife, and environmental contamination which he noted have all been addressed on the site plan. Additionally, he added that he has committed to providing additional fencing along residential and industrial neighbors. Mr. diPretoro shared excerpts from the 2025 Comprehensive Plan and stated that he believes the proposed development is consistent. Lastly, he discussed the timeline and stated it would be a projected ten-year project.

Vice Chair Ghorley asked what kind of material would be used for the fencing. Mr. diPretoro stated he was unsure but that it would most likely be wood and opaque. Commissioner Harris asked Mr. diPretoro if the streets in the development will meet City standard details and include sidewalk and planting strips. Mr. diPretoro stated "Yes", and noted that the section is likely a 60-foot right-of-way which has already been accounted for on the site plan. Commissioner Harris asked where the existing culverts are located on the site plan. Mr. diPretoro pointed out the culverts on the plan and stated that videography of the existing culverts has been done and will be reviewed by the City. Commissioner Harris also asked if vinyl siding would be used as noted in the conditions. Mr. diPretoro stated that the materials would be mixed but that he prefers the flexibility to use vinyl. Commissioner Harris and Mr. diPretoro discussed price ranges.

Vice Chair Ghorley asked Mr. diPretoro if there is a specific percentage of two story versus one story homes. Mr. diPretoro stated that it would likely be around 33-percent for one-story homes. Vice Chair Ghorley stated that the site looks challenging in regards to topography, streams, and floodplain and asked Mr. diPretoro to discuss the engineering expectations. Mr. diPretoro stated that there will be a lot of permitting, grading and erosion control review needed due to the existing conditions but he noted that are no concerns.

Vice Chair Ghorley asked Mr. diPretoro to discuss feedback from the neighborhood meeting. Mr. diPretoro stated that he felt a lot of the concern was in regards to the property changing, the loss of the trees and compatibility with adjoining industrial uses. He discussed further the modifications made to the plan and the commitment to buffers and fencing. Commissioner Harris asked what wildlife exists in the area and if it was considered by the applicant. Mr. diPretoro stated that he was unsure of exactly what animals reside there but noted that he believes further environmental review will be done to ensure no endangered animals or plants are harmed.

Commissioner Gallant asked Mr. diPretoro what benefits the existing neighbors would receive from this development. Mr. diPretoro stated that the primary benefit would be the improvement of Superior Stainless Road from a safety and practicality standpoint. Commissioner Silverman asked if residents lived at the western end of Superior Stainless Road. Mr. diPretoro stated "Yes" and noted that there are 13 or 14 lots there.

Chair Ferguson stated that there are six people signed up in opposition and that each person will get five minutes to speak. Chair Ferguson recognized Robert Cloninger, 118 Lafayette Road, Stanley, NC. Mr. Cloninger stated that he is an adjoining property owner and that he likes the quiet and the privacy. He noted that the Davis Heights Drive connection was a concern and stated that it cannot handle the additional traffic. Mr. Cloninger expressed that he does not want the new residents to complain about the noise from the existing industrial businesses on Superior Stainless Road and make them shut down. He added that there are no grocery stores from Dallas to Clover, South Carolina to support these homes. Mr. Cloninger expressed concern for the capacity issues for nearby schools due to this development and others in the area. He discussed the loss of wildlife, the loss of trees and the existing floodplain. Lastly, Mr. Cloninger noted that Superior Stainless was primarily an industrial area and that residential uses are not compatible.

Chair Ferguson recognized Russell Lewis, 411 Davis Heights Drive, Gastonia, NC. Mr. Lewis stated that his family has owned land in the area for 100-years and that Davis Heights Drive would not be able to handle the added cars. He noted that the current condition of Superior Stainless Road is not as

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bad as it has been portrayed and that the neighbors are okay with it. Mr. Lewis expressed concern for the displacement of wildlife and stated that 30-acres of tree preservation is not enough. He stated that he did not believe the new development would be a benefit to the community and that it was not attainable in terms of cost. Mr. Lewis stated he did not want this project to occur.

Chair Ferguson recognized Earl Hall, 407 Davis Heights Drive, Gastonia, NC. Mr. Hall stated that he has lived in the area for 70 plus years. He noted that James Street dead ends at the subject property and that he did not want it to be extended or opened due to traffic safety issues. Mr. Hall shared concerns for wildlife including deer, raccoons, coyotes and owls. Mr. Hall stated that the existing neighborhood and roads are quiet which he prefers. Lastly, he noted concerns for runoff due to unmaintained culverts.

Chair Ferguson recognized Nicholas Miller, 612 Woodcrest Drive, Gastonia, NC. Mr. Miller stated that he moved to Woodcrest for privacy and quiet. He expressed the importance of preserving their neighborhood and the wooded land that surrounds it. Mr. Miller stated that he hunts on his property and has concerns for the loss of wildlife and contamination of water due to the added impervious surface. He stated that he feels the 25-foot buffer is not sufficient enough for needed screening and that it would be an invasion of privacy to have houses so close to his property. Mr. Miller also shared that he believes the TIA will not provide needed improvements. Commissioner Gallant asked Mr. Miller if he would be okay with the development if it had 100 homes instead of 331. Mr. Miller stated that a reduction of units and a change in the development layout would be more favorable to him.

Chair Ferguson recognized Richard Turlington, Superior Stainless, Gastonia, NC. Mr. Turlington stated that he works for a company on the industrial side of Superior Stainless Road. He expressed concerns for the industrial businesses getting pushed out due to complaints. Mr. Turlington discussed the Gaston County Capital Improvement Plans which included government purchase of property to rezone for industrial. He stated that it did not make sense to spend tax dollars on the purchasing of land to rezone to industrial when there is plenty of existing industrial zoned land in the County. He shared concerns for City services including policing and fire. He stated that the City cannot keep up with current request and shouldn't annex additional land. He also noted that he believes the buffers should be larger next to industrial.

Chair Ferguson recognized Marlin Lomick, 579 Woodcrest Drive, Gastonia, NC. Mr. Lomick stated that he has lived on Woodcrest Drive for 24 years and that he has been maintaining Superior Stainless Road, including scraping and adding gravel. He discussed that he was not opposed to the project but was concerned for traffic safety, access, and maintenance. He stated that superior Stainless is not paved and does not have lines, which cannot handle additional traffic. Vice Chair Ghorley asked Mr. Lomick what he would see as acceptable for this project. Mr. Lomick stated that he would be more favorable if all of Superior Stainless was better maintained. Commissioner Silverman stated to Mr. Lomick that he believes the TIA and the required road improvements by the developer will help with a lot of his current concerns. Mr. Lomick asked what intersections were being studied in the TIA. Chair Ferguson stated that she will have that answered during rebuttal.

Chair Ferguson asked Ms. Gates to approach to answer questions from the public. In regards to policing and the provision of City services for satellite annexations, Ms. Gates stated that all departments review the annexation request and determine if services can be provided to the new development at the same quality and capacity as current residents. She noted that there were no concerns in terms of providing City services to this develop and that it would be treated the same as any other property in the City of Gastonia. Vice Chair Ghorley asked if the connection to Davis Heights Drive was emergency only or full access. Ms. Gates replied that it would be a full access connection. Vice Chair Ghorley asked if that connection is required at 100 units. Ms. Gates replied "Yes". Commissioner Coffey asked Ms. Gates when Gaston County Schools is contacted during the process and if they do an impact study. Ms. Gates replied that the City sends all rezoning and annexation petitions to Gaston County Schools for review and noted that they are keeping track of all new developments. Assistant Planning Director, Joe Gates, added that in general, all new developments are sent to Gaston County Schools for review. He added that no comments were received for this particular requests. Commissioner Coffey asked if no comments received would mean that they have no issues with the planned development. Mr. Gates replied "Yes".

Vice Chair Ghorley asked if Davis Heights Drive will remain under North Carolina Department of Transportation (NCDOT) ownership and maintenance. Ms. Gates replied "Yes" and stated that any potential for improvements would be a result of the TIA. Chair Ferguson asked Ms. Gates to display Gaston County's zoning ordinance for I-2. Chair Ferguson read the description of I-2 zoning in Gaston County's UDO.

Chair Ferguson asked Mr. diPretoro to approach for rebuttal. Mr. diPretoro displayed the nine intersections that are currently being studied in the TIA. Commissioner Silverman asked Mr. diPretoro

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which consultant was doing the TIA. Mr. diPretoro stated that it was Kimley Horn, which is one of the selected consultants by the City of Gastonia. Commissioner Ghorley asked what the percentages are on the TIA display. Mr. diPretoro stated that the percentages project traffic volumes in and out of the development to specific roads.

For rebuttal, Mr. diPretoro addressed concerns in regards to Superior Stainless Road, adjoining industrial uses and lack of grocery stores. In terms of provision of City services, he stated that all City departments have approved the review of the annexation and shared no concerns. Mr. diPretoro also noted that James Street is not included in the development and will not be extended. He discussed the 2025 Comprehensive Plan and the need for additional housing and growth. Mr. diPretoro discussed the revisions he made to the site plan in regards to neighbor's concerns, including additional Type C and Type D buffers and fencing. Lastly, he stated that he feels a residential use is more consistent with the surrounding area rather than industrial. Commissioner Harris asked where the Superior Stainless Road improvements would be. Mr. diPretoro stated that it would occur along the frontage of their property.

Commissioner Silverman made a motion to close the public hearing and Vice Chair Ghorley seconded the motion. The motion to close the public hearing was unanimously passed (7-0). Commissioner Silverman stated that he feels all concerns and important topics have been discussed and resolved. Vice Chair Ghorley and Commissioner Harris discussed residential versus industrial uses. Commissioner Chapman and Commissioner Coffey discussed the dimensions of the buffers. Mr. Graham clarified that the Commission can request for additional conditions with approval from the applicant, but stated that new conditions cannot be imposed.

With no further discussion, Commissioner Chapman made a motion to recommend approval of the annexation and assignment of zoning request as presented with the statement of consistency and reasonableness. Commissioner Gallant seconded the motion. The motion to recommend approval of the request as presented was unanimously passed (7-0).

Item 6: Public Hearing – Huffstetler Residential (File #202400209)

Subject hearing involves a request to rezone approximately 29.29 acres from RS-12 (Single-family Residential, minimum 12,000 sq. ft. lots) to PD-RRDD (Planned Development – Revised Residential Development District). The subject property is located on the western side of Huffstetler Road, across McDade Lane and is owned by Horsley Forests, LLC.

Chair Ferguson opened the public hearing and recognized Maddy Gates, Senior Planner, for staff's presentation. The zoning map was presented. Ms. Gates stated that the request was from True Homes for approximately 29.29, located on the northern side of Huffstetler Road. She discussed the existing zoning and context of the surrounding area. The site plan was displayed. Ms. Gates stated the request to PD-RRDD was for a 52-unit single-family residential subdivision with front loaded homes. She explained the details of the site plan, including open space, tree save area and access points. Ms. Gates stated that the western side of the property consists of utility easements and creeks which prohibits construction and explains the development existing primarily on the eastern side of the site. She discussed the agreed upon conditions and displayed the conceptual elevations, which represented a variation of one-story and two-story homes. Ms. Gates stated that the 2025 Future Land Use Map identifies the subject property for residential uses and that staff is recommending approval as presented.

Chair Ferguson recognized Shaun Gasparini, 2649 Brekonridge Centre Drive, Monroe, NC. Mr. Gasparini noted that he is representing True Homes, the applicant. Mr. Gasparini stated that he is in agreement with the conditions as listed in the staff report and that the request is in compliance with the 2025 Future Lane Use Map. He stated that the lot sizes are similar to the neighboring development, Maycroft, however, the proposed density is lower. He noted that 38% of the site is preserved for tree save and 29% is preserved for open space. Mr. Gasparini displayed elevations and discussed the mix of materials. He stated the concerns from the neighborhood meeting were the connection to the Maycroft neighborhood, density, and traffic. He noted that he discussed the Maycroft connection with staff and it was determined that the connection was required per the UDO and needed to remain.

Chair Ferguson recognized Eddie Moore, 2100 S. Tryon Street Suite 400, Charlotte, NC. Mr. Moore stated that he is present on behalf of McAdams, the engineering firm for the site. He noted that there were several concerns in regards to access and traffic during the neighborhood meeting. Mr. Moore discussed the connections from Huffstetler Road to S. New Hope Road from the development and stated that there were several potential routes. Mr. Moore said that the secondary connections were McDade Lane to Cramer Woods, McDade Lane to Stowe Road, and a possible future connection through the planned Springhaven development which extends Huffstetler south and connects to Beaty Road. He discussed the S. New Hope Road widening project that is being done by NCDOT, including

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widening to four lanes. Mr. Moore discussed intersection improvements and proposed new turn lanes that are part of the widening project, which he noted will provide safer traffic movement.

Chair Ferguson stated that there are six people signed up in opposition and that each person will get four minutes to speak. Chair Ferguson recognized Kyra Matthews, 222 Huffstetler Road, Gastonia, NC. Ms. Matthews stated that her primary concern is traffic on Huffstetler Road and S. New Hope Road, particularly unsafe turn lanes and accidents. She also stated that she did not feel like the discussed secondary routes were safe since they connect through other neighborhoods. Ms. Matthews stated that Huffstetler Road currently has no sidewalk and it is a safety concern. Lastly, she noted that new developments should have sidewalk and proper road improvements due to the added traffic. Vice Chair Ghorley asked Ms. Matthews if she was talking about turn lanes on S. New Hope Road. Ms. Matthews replies "Yes". Vice Chair Ghorley stated that S. New Hope Road is a NCDOT road and the City of Gastonia does not have jurisdiction over it.

Chair Ferguson recognized Sergio Jovaneli, 4600 Poinsettia Avenue, Gastonia, NC. Mr. Jovaneli stated that he lives in the adjoining neighborhood, Maycroft. He stated that there was a previous project on Huffstetler Road in the RS-12 zoning district, which he did not get notified about. Mr. Jovaneli discussed several new projects in the area and asked if a TIA was required. He expressed concerns for traffic on Huffstetler Road and S. New Hope Road and stated that the neighbors are relying on additional future accesses from future development which is not certain and problematic. Mr. Jovaneli discussed home prices and the calculation of density, which he did not believe was accurate.

Chair Ferguson recognized Jeff Black, 265 Huffstetler Road, Gastonia, NC. Mr. Black stated that his property is surrounded on all sides by this development. He asked what the buffer specifics would be next to his property. Mr. Black expressed concerns for traffic and consistency with the surrounding area. Vice Chair Ghorley noted that the conditions in the staff report stated that a buffer was going to be provided next to Mr. Black's property. Chair Ferguson stated that further clarification will be given by the applicant.

Chair Ferguson recognized Bridget Bluhm, 5528 Begonia Street, Gastonia, NC. Ms. Bluhm stated that there is only one access to the Maycroft neighborhood and she has concerns for additional people driving through their neighborhood to get to Huffstetler Road. She stated that Huffstetler Road is a quiet, country-feel area and cannot take the additional traffic. Ms. Bluhm expressed concerns for school capacity in southeast Gastonia.

Chair Ferguson recognized Tony Milton, 4626 Christina Court, Gastonia, NC. Mr. Milton stated that he moved to the area for quiet and privacy. He expressed that his biggest concern was in regards to traffic and young drivers. Mr. Milton discussed home prices, home values and potential financial impacts from the new development. He stated that he was in opposition of the project and had concerns for the number of units. Vice Chair Ghorley announced to the members of the public that the property is currently zoned RS-12 in the City and can be developed by-right as it currently stands, for residential uses.

City Traffic Engineer, Cory Steiss, approached to discuss traffic questions. Mr. Steiss stated that a TIA is required when a new development has 100 single-family homes. He noted that the development was only 52-units and did not meet the threshold for a TIA. Mr. Steiss also stated that the Huffstetler Road and S. New Hope Road intersection is currently full movement, however, NCDOT is planning to make the intersection a right-out only for increased safety purposes. He noted that the widening project is in the right-of-way acquisition stage but stated that design plans aren't finalized and adjustments can be made if NCDOT deems it necessary. Commissioner Harris asked if there were one or two accesses for the proposed development. Mr. Steiss stated that the developer is proposing one access to Huffstetler Road and an interconnection to Begonia Street.

Mr. Moore and Mr. Gasparini approached for rebuttal. Vice Chair Ghorley asked if the development could be built as townhomes in the future. Mr. Gasparini replied "No" and stated that the request was a condition rezoning for only single-family homes. He added that the conditions tie the developers to a maximum of 52-units.

Vice Chair Ghorley asked Mr. Gasparini to discuss the buffer along Mr. Black's property. Mr. Gasparini stated that it was reflected in condition #5 in the staff report and that he has agreed to provide a 15-foot Type C buffer with a fence and additional plantings along Mr. Black's property. Mr. Moore identified the buffer location on the site plan. Vice Chair Ghorley asked about the fence height. Mr. Moore stated it was planned for six feet. Mr. Gasparini stated that he would be willing to increase the height to eight feet. Chair Ferguson asked if the buffer and fence was required by the ordinance. Mr. Gasparini stated that it was requested by staff but that he is in agreement. Vice Chair Ghorley asked if Mr. Black attended the neighborhood meeting and if he knew about the buffer. Mr. Moore replied that

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Mr. Black did not attend the neighborhood meeting and believes this is the first time he has heard about the buffer.

Commissioner Harris asked if townhomes are permitted in RS-12. Mr. Gasparini stated “No” but added that the 2025 Comprehensive Plan would allow townhomes in this location. Chair Ferguson asked Mr. Black to approach. Vice Chair Ghorley asked if the buffer was acceptable to Mr. Black. Mr. Black stated that he felt the six-foot fence was not sufficient enough to provide privacy. Vice Chair Ghorley asked if an eight-foot fence was acceptable. Mr. Black replied “Yes”. Mr. Black asked staff where the sewer easement would be relocated. Mr. Moore stated that the sewer easement would be relocated west of where it currently exists. Mr. Moore identified this location on the site plan. Vice Chair Ghorley asked Mr. Gasparini if he would agree to eight-foot fence instead of six-feet. Mr. Gasparini stated “Yes”. Ms. Gates approached to clarify the location of the fencing on the site plan to the Commissioners and the applicant. The applicant and Mr. Black stated they were in agreement to the fence location and height. Chair Ferguson noted that the change in fence height needs to be included in the final motion and revised in the conditions.

Ms. Gates clarified that the northern development discussed by the neighbors was a by-right single-family residential subdivision in RS-12. She stated that it did not have to go through the conditional rezoning process which is why adjoining properties were not notified.

With no further questions or discussion, Vice Chair Ghorley made a motion to close the public hearing and Commissioner Harris seconded the motion. The motion to close the public hearing was unanimously passed (7-0). Vice Chair Ghorley entertained discussion amongst the Commissioners. No further discussion occurred. Vice Chair Ghorley made a motion to approve the request with the revision to condition #5 in regards to an eight-foot fence height instead of six feet, with the statement of consistency and reasonableness. Commissioner Harris seconded the motion. The motion to approve as presented with the revision to condition #5 was unanimously passed (7-0).

Item 7: Public Hearing – Rolling Meadow Lane (File #202300489)

Subject hearing involves a request to rezone approximately 0.923 acres from RS-12 (Single-family Residential, minimum 12,000 sq. ft. lots) to RS-8 CD (Residential Single-family, minimum 8,000 sq. ft. lots – Conditional District). The subject property is located at 1527 Rolling Meadow Lane and is owned by Hemerson Varela.

Chair Ferguson opened the public hearing and recognized Jordan Tubbs, Senior Planner, for staff’s presentation. The zoning map was presented. Mr. Tubbs stated that the request consists of one tax parcel currently zoned RS-12 on Rolling Meadow Lane. He noted that the intent of the request is to build two, two-unit single family attached dwellings. He stated that all units will share a single “T” shaped access easement to meet the rear loading requirement in section 8.1.17 of the Unified Development Ordinance. Mr. Tubbs discussed the zoning and context of the surrounding area, which included single-family residential and multi-family uses. He discussed the proposed conditions, and stated that the applicant will have to coordinate with Two Rivers Utilities to provide sewer service. Mr. Tubbs stated that the 2025 Future Land Use Map indicates residential uses for the subject property and that staff is recommending approval of the request as presented.

With no questions for staff, Chair Ferguson recognized Hemerson Varela, 2872 Berwick Lane, Gastonia, NC. Mr. Varela stated that the subject parcel has been vacant for several years. He noted that the sewer line will need to be extended to develop the subject property. Mr. Varela stated that in order to offset the cost to be incurred, he will need to build the proposed single family attached two unit products as opposed to traditional single family detached products.

With no questions for the applicant and no persons signed up to speak, Chair Ferguson entertained the wishes of the commission. Vice Chair Ghorley made a motion to approve the request as presented with the statement of consistency and reasonableness. Commissioner Silverman seconded the motion. The motion to approve as presented was unanimously passed (7-0).

Item 8: Public Hearing – Lynhaven Townhomes (File #202300216)

Subject hearing involves a request to rezone approximately 1.678 acres from RS-12 (Single-family Residential, minimum 12,000 sq. ft. lots) to PD-RRDD (Planned Development – Revised Residential Development District). The subject property is located on the western side of Lynhaven Drive and is owned by Smart Building Group, LLC.

Chair Ferguson opened the public hearing and recognized Maddy Gates, Senior Planner, for staff presentation. The zoning map was presented. Ms. Gates stated that the request was from Smart Building Group for approximately 1.678, located on the western side of Lynhaven Drive. She discussed the existing zoning and context of the surrounding area. The site plan was displayed. Ms. Gates stated the request to PD-RRDD was for a 12-unit townhome development with all rear loaded units. She

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explained the details of the site plan, including tree save area and access points. Ms. Gates stated that the applicant has agreed to provide a 15-foot Type C buffer along the rear property line and has added additional guest parking. She added that the development is exempt from providing open space due to the property being less than three acres in size. She discussed the agreed upon conditions and displayed the conceptual elevations, which represented a two-story townhome product. Ms. Gates stated that the 2025 Future Land Use Map identifies the subject property for residential uses and that staff is recommending approval as presented.

With no questions for staff, Chair Ferguson recognized Walter Fields, 4667 Webbs Chapel Church Road, Denver, NC. Mr. Fields stated he was present on behalf of the applicant and that they work closely on several infill housing projects. Mr. Fields discussed the context of the surrounding area and the proximity of the site to needed services. He stated that the site plan has gone through several revisions and that the original plan had 18-units but that they decided to reduce to 12-units. Mr. Fields discussed the preservation of trees, open space, and additional guest parking. He displayed the elevations and stated that they would be two-story products. Mr. Fields noted that three people attended the neighborhood meeting and stated that they received good feedback. Lastly, he stated that the request is consistent with the 2025 Comprehensive plan and that the applicant is in agreement with the conditions.

With no discussion or questions, Commissioner Gallant made a motion to approve the request as presented with the statement of consistency and reasonableness. Vice Chair Ghorley seconded the motion. The motion to approve as presented was unanimously passed (7-0).

Item 9: Public Hearing – Union Road/Robinson Road Townhomes (File #202300213)

Subject hearing involves a request to amend File #202200487 for approximately 1.45 acres, zoned PD-RRDD (Planned Development – Revised Residential Development District). The subject property is located between Union Road and Robinson Road and is owned by South Oak Partners, LLC.

This item was voted to be continued to the September 5th, 2024 Planning Commission meeting and received a unanimous vote of approval to continue (7-0).

Item 10: Public Hearing – Tails R Waggin (File #202400255)

Subject hearing involves a request to rezone approximately 5.23 acres from C-3 (General Business) and C-3 CD (General Business – Conditional District) to C-3 CD. The subject property is located at the northwestern intersection of S. New Hope Road and Barber Road and is owned by PEN, LLP.

Chair Ferguson opened the public hearing and recognized Maddy Gates, Senior Planner, for staff's presentation. The zoning map was presented. Ms. Gates stated that the request was from PEN, LLP for approximately 5.23 acres, located at the corner of S. New Hope Road and Barber Road. Ms. She stated that the request tonight is to amend the existing conditional district and include and rezone tax parcel 148891. She discussed the existing zoning and context of the surrounding area. Ms. Gates stated that the previous conditional district, File 202200638, was approved by the Planning Commission in March, 2023, however due to impacts to the property from the S. New Hope Road widening project, the applicant has returned to revise the site plan. She noted that the property is currently 5.23 acres but after the right-of-way acquisition, the property is projected to be 4.25 acres. The site plan was displayed. Ms. Gates explained the details of the site plan, including the relocation of the commercial building, parking and the access points. She added that the use is remaining the same for a dog boarding and day care facility, which follows section 8.2.5 in the UDO. Ms. Gates discussed the conditions and presented the elevations. She stated that the 2025 Future Land Use Map identifies the subject property for commercial uses and that staff is recommending approval as presented.

Chair Ferguson recognized Dr. Mark Epstein, 2838 Winterlake Drive, Gastonia, NC. Dr. Epstein stated that the existing business has been in operation for 25 years, however, the widening project will remove all three buildings on the property. Dr. Epstein clarified that there are outdoor play areas for the dogs but no outdoor dog runs. He discussed the neighborhood meeting and stated that there were no concerns or objections from adjoining property owners.

With no discussion or questions, Commissioner Silverman made a motion to approve the request as presented with the statement of consistency and reasonableness. Commissioner Chapman seconded the motion. The motion to approve as presented was unanimously passed (7-0).

Item 11: Public Hearing – Unified Development Ordinance Amendment (File #202400351)

Subject hearing involves a request to amend Section 9.9 Accessory Structures of the Unified Development Ordinance to allow for greater flexibility in side yard setbacks for properties located in the UDU district and the local historic districts. Amendment also includes language to modify how maximum buildable area is calculated for accessory structures located on properties with three (3) acres or more of lot area.

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Chair Ferguson opened the public hearing and recognized Assistant Planning Director, Joe Gates, for staff's presentation. Mr. Gates stated that the proposal aimed to do two things: 1) to allow an existing exception within the CBD zoning district for accessory structures to be applied within the local historic districts and 2) for lots three acres and greater in size, to allow accessory structure size be based on 4% of the total lot acreage instead of being based on the size of the primary residential structure. He stated that this would allow for larger lots, with three acres or more, to have larger accessory structures. Commissioner Harris asked if the 4% total lot acreage would apply to a one-acre lot. Mr. Gates replied "No" and clarified that the 4% would only apply to lots three acres or greater in size. He noted that lots which are three acres or more, would still have to follow other accessory structure requirements, including location and height, however the overall size is allowed to increase.

With no additional questions for staff, Chair Ferguson asked for the wishes of the board. Vice Chair Ghorley made the motion to recommend approval of the text amendment as presented with the statement of consistency and reasonableness. Commissioner Silverman seconded the motion. The motion to recommend approval of the text amendment as presented was unanimously passed (7-0).

Item 12: OTHER BUSINESS

Chair Ferguson recognized Assistant City Manager, Quentin McPhatter, for staff's updates. Mr. McPhatter announced that Planning Director, Jason Thompson, will retire on August 31st. He added that the City Manager will name Mr. McPhatter the Interim Director to work closely with Assistant Director, Joe Gates, until a new Planning Director is hired.

Chair Ferguson mentioned that the Planning Commission Rules of Procedure needed to be reviewed and updated if necessary.

Item 13: ADJOURNMENT

Chair Ferguson entertained a motion to adjourn. Vice Chair Ghorley made a motion to adjourn and Commissioner Coffey seconded the motion. The motion to adjourn was unanimously passed (7-0). The meeting adjourned at 9:56 PM.

Rebeca Mintz, Secretary

Kristie Ferguson , Chairperson