

Gastonia Planning Commission October 7, 2021 Meeting Minutes

The Gastonia Planning Commission meeting opened at 5:30 p.m. on Thursday, October 7, 2021 via Zoom.

Present: Commissioners Carl Harris, Bob Cinq-Mars, Kristie Ferguson, Jim Stewart, and Anthony Gallant

Absent: Commissioners Rodney Armstrong, Chad Ghorley, and David Wilson

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

Item 1a: Role Call / Sound Check

Item 1b: Calls/Contacts to Planning Commission Members

Commissioner Gallant received one contact. Remaining Commissioners were not contacted.

Item 1c: Approval of September 9, 2021 Meeting Minutes

Commissioner Stewart made the motion to approve the September 9, 2021 minutes and Commissioner Gallant seconded the motion. The motion was passed (5-0).

Chairwoman Ferguson explained the rules of procedure and time limitations.

Item 2: Lamar Robinson, Jr., Elizabeth C. Froom, & Nancy R. Sparks (File #202100213)

Subject hearing involves a request to assign a zoning district in conjunction with an annexation request and rezone approximately 108.921 acres from R-1 (Gaston County, Limited Single-family Residential) and RS-12 (Gaston County, Single-family Residential District) and rezone RS-12 (City of Gastonia, Single-family Residential District, minimum 12,000 sq. ft. lots) to PD-RRDD (City of Gastonia, Planned Development-Revised Residential Development District). The subject property is located to the west of Davis Park Road and south of Linwood Road. The property is owned by Lamar Robinson, Jr, Elizabeth C. Froom, and Nancy R. Sparks. The City Council will hold a Public Hearing on the assignment of zoning request at the October 19, 2021 City Council meeting.

Chairwoman Ferguson opened the public hearing and recognized Jana McMakin, Senior Planner for the purpose of staff presentation. Ms. McMakin displayed the rezoning map and stated the location of the subject parcels. She explained the annexation, the assignment of the zoning district, and that the Planning Commission's involvement was to formulate a recommendation on the requested zoning district to City Council. Ms. McMakin summarized adjoining properties and land use trends and she identified on the rezoning map access at Davis Park Road and Linwood Road. Ms. McMakin stated the property is currently vacant and is heavily comprised of floodplain as Crowder's Creek crosses the property. She displayed the site plan and shared the applicant's subdivision proposal of 439 units including 261 single-family attached homes (24 front-load and 237 rear-load) and 178 single-family detached homes predominately 50' wide lots, and 15, 70' wide lots on the west side with a side access separated by the floodplain. Access is located off of Davis Park Road, Linwood Road, Anthony Drive and future W. Hudson Boulevard extension, and a street crossing will be included at the future W. Hudson Boulevard extension. Ms. McMakin referred the commission to the proposed conditions provided in the staff report. The 2025 Comprehensive Plan indicates residential for the subject property. Staff recommended approval of the request.

Discussion ensued on the 500-year flood zone abutting the proposed single-family detached lots. Commissioner Harris inquired how the creek performed during the last rain and Ms. McMakin was unable to speak on it and suggested the stormwater administrator. Commissioner Harris asked if the 70' single-family detached lot will have a basement. Ms. McMakin deferred the question to Mr. Olson.

Chairwoman Ferguson recognized Kent Olson with Development Solutions Group LLC., 11121 Carmel Commons Boulevard of Charlotte, NC. Mr. Olson thanked the Commission for the opportunity to bring Westfall to Gastonia to continue efforts to revitalize and make investments in West Gastonia. He shared the timing of Westfall coincided with the development of the Planned Development-Revised Residential Development District, and he has been working with staff with an open pallet to embrace and expand the new district. Mr. Olson explained that behind the abandoned BI-LO was an urban feel hence more of the townhomes, rural feel toward Linwood

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hence single-family detached, and ending with 70' single-family detached lot with one-third having a basement providing a mix. A vast majority of the single-family attached are rear load. He visualized coming in through Davis Park Road and the buildings configured to have a beautiful streetscape, front homes seen, and greenspace. Mr. Olson stated the possible connection on Providence Road was eliminated because of concerns from residence. Site access #2 will be a connection. Mr. Olson commented that he did not think there would be a pool, and in consideration of Crowder's Mountain, the amenity area will be focused on outdoor activities. He shared that the plan is to have a grandiose entrance off of Linwood Road across the street from the new park. Mr. Olson commented that Planning staff has encouraged him to work with the Parks and Recreation Department and the Carolina Thread Trail on Westfall being a part of the new park, and he was willing to commit to adding similar lighting like the one at the crosswalk near Dixie Village Shopping Center on Franklin Boulevard. He stated they have engaged and paid for a Traffic Impact Analysis (TIA), Mattamy Homes was selected as the builder who embraced the proposed construction conditions, and the townhome section will be maintained by a Home Owners Association (HOA).

Commissioner Harris asked if concerns from the community meeting were addressed. Mr. Olson stated one concern was the proposed connection on Providence Road and this connection was eliminated. Buffer was also a concern so they will make sure there is enough buffer for the neighborhood.

Commissioner Cinq-Mars asked if the apartments with the HOA condominiums were for rent or for sale, and Mr. Olson replied that these were townhomes and all for sale. Commissioner Cinq-Mars asked if the single homes have another HOA, and Mr. Olson replied that they would take care of their own maintenance for their own yard. Commissioner Cinq-Mars asked what the fifteen lots were on the west side and Mr. Olson replied that these were the large 70' single-family lots.

Commissioner Harris asked what Duke Power's setback was and Mr. Olson replied that his engineer was unable to make it to the meeting, but can reply back to the commission with exact setbacks. Commissioner Harris asked if Mattamy practices sustainable products and Mr. Olson replied that they do and encouraged the commission to view their website.

Chairwoman Ferguson recognized Mike Bynum, 2675 Providence Drive of Gastonia, NC. Mr. Bynum was concerned about the rear loaded townhomes backing up to the single-family lots on Providence Drive and not having a sufficient buffer to protect homes. He stated that a national drainage runs along the rear property limiting what can be done with a buffer, the property is higher in elevation than the single-family homes, and he was concerned about water that may directed toward their homes. Commissioner Harris asked how high the terrain was and Mr. Bynum replied that it was probably 25' to 30' higher than his lot, which is the last house on Providence Drive.

Chairwoman Ferguson recognized David Brooks, 2609 Providence Drive of Gastonia, NC. Mr. Brooks lives on the other side of Providence Drive. He had a concern about the buffer zone off of Providence to the back of the townhomes and had a concern about opening the connection on Providence Drive.

Brief discussion ensued simultaneously on the connection at Providence Drive. Ms. McMakin stated the site access #2 on Anthony Road was connected. She mentioned there may be a stop sign or yield sign at the intersection of Providence Road and Anthony Road that may need modified. Google Maps was displayed to show the connection on Davis Park Road and the stub on Providence Road. Brief discussion ensued on no connection to occur at the stub on Providence Road.

Commissioner Harris asked how the school district gets involved and Ms. McMakin replied that staff will have an internal review meeting which includes various departments within the city to discuss the rezoning requests. Also, information is provided to several outside reviewers from neighboring cities, county, staff, Gaston County schools for feedback; however, no response was received. Commissioner Harris asked if there are any remedies for those that have addressed their concerns at this meeting. Mr. Olson replied that he will contact Mr. Bynum and Mr. Brooks to provide information on the buffer. Mr. Olson stated there is a natural water flow ravine that is close to the property line. He commented that these are rear loaded so a road has to be built to embrace the Revised Residential Development District to have a nice streetscape. Mr. Olson stated a challenge he has is that the asphalt ends before the two lots near Mr. Bynum's property, so the

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best alternative is to combine the two lots into one lot and have maybe a house with a long driveway.

Mr. Olson displayed building elevations of the single-family and townhomes and shared price and square foot ranges. He commented that his goal is to make the large 70' single-family lots for local builders.

Ms. McMakin clarified that part of the submittal is a pool amenity and some elevations and she heard that the applicant was taking the pool out of the development. The pool documents will be removed prior to going to City Council. She continued that as part of the neighborhood meeting records, it indicated that there will be a natural landscape buffer of 25' to the Providence neighbors. She stated the issue of swales and required buffers is running out of room, plantings cannot be in swales for it to work effectively, and there is an allowance of a Type C buffer, reducing the buffer from 25' to a 15' with a fence.

Commissioner Stewart asked if each unit was 5' from the property line resulting in 10' between with an easement in between the units. Ms. McMakin replied that there is a 5' yard setback. Commissioner Stewart asked if the 10' space has an easement for utilities or something else. Ms. McMakin stated in between some of the units, there will probably be some room allocated for drainage and utilities.

Commissioner Cinq-Mars asked if there was enough room for a berm and Ms. McMakin replied that she was not sure what the best measures will be, but in the conditions it states, "*Swales are not permitted to be located in any required/indicated buffer areas.*" She mentioned options of having expanded retaining walls or more natural swales. Commissioner Cinq-Mars commented that the very large retention pond was good.

Chairwoman Ferguson recognized Mr. Olson for rebuttal. Mr. Olson stated he would be willing to waive the 15' buffer with fence out of respect for the neighbors to memorialize the 25' natural buffer and then deal with any stormwater retention after that. He continued that it might tighten up and possibly lose some units, but he was willing to waive the right to utilize the provision of allowing a 15' buffer and fence, and commit to a 25' natural buffer and abide by ordinance thereafter. Regarding the back of the townhomes, Commissioner Harris commented on the tightness having a setback, buffer, cross section, curb and gutter, ditch, and berm. Mr. Olson replied that it was part of the new Revised Residential Development District and they will abide by the ordinance.

Commissioner Stewart made a motion to close the public hearing and approve (move forward with a favorable recommendation) the project, the request for annexation, and the assignment of PD-RRDD zoning district with the statement of consistency and reasonableness. Commissioner Cinq-Mars seconded the motion. The motion was unanimously approved (5-0).

Item 3: Public Hearing – Wilson Property (File #202100291)

Subject hearing involves a request to rezone approximately 14.42 acres from RS-12 (Single-family Residential District, minimum 12,000 sq. ft. lots) and PD-TND (Planned Development-Traditional Neighborhood Development) to PD-RRDD (Planned Development-Revised Residential Development District). The subject property is located at the northwest intersection of S. New Hope Road and City Church Street. The property is owned by multiple owners (Wilson family).

Chairwoman Ferguson opened the public hearing and recognized Jana McMakin, Senior Planner for the purpose of staff presentation. Ms. McMakin displayed the rezoning map and summarized the site description and background, adjoining properties and land use trends provided in the staff report (agenda page 3-1). She noted that the only access will be located off of City Church Street and they do not have to have a secondary access point with only 44 lots. Ms. McMakin displayed several elevations submitted by the proposed developer, NewStyle Communities, Inc. Staff proposed eight zoning conditions as part of the project. Regarding S. New Hope Road, Ms. McMakin commented on the NCDOT widening project on S. New Hope Road to a four-lane median-divided boulevard, with 5-foot sidewalks, curb and gutter, and bike lanes. The 2025 Comprehensive Plan indicates mixed use for the subject property. Staff recommended approval of the request.

Commissioner Harris asked if these were single story ranch houses and Ms. McMakin replied that they may have an option for two story. Commissioner Harris asked if the homes were all brick

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and Ms. McMakin stated that is what was submitted. Commissioner Harris commented on the intersection as crazy, and asked what the intersection would look like. Ms. McMakin replied that she did not have a design available, the right-of-way is scheduled for June 2023 with construction starting toward the end of 2025, and the schedule is subject to change. She stated the design has not been finalized and a Traffic Impact Analysis (TIA) is not required.

Commissioner Stewart commented that this was a step up from a prior project on this property.

Chairwoman Ferguson recognized Brock Fankhauser of NewStyle Communities, LLC., 2125 Southend Drive of Charlotte, NC. Mr. Brock stated this project will be forty-four single-family homes, homes are predominantly single-story homes and occasionally there may be an upper bonus suite, they are committing to all four sides brick, and these are maintenance free homes. He noted there will be a HOA who will be responsible for maintaining the entire exterior of home. He briefly talked about the average age of homeowners as sixty-five who tend to not have children. Mr. Brock mentioned Courtyard of Cramerton as a 71 lot community on Armstrong Ford Road and a good representation for The Courtyards of Gastonia. Mr. Brock mentioned demographics play an important role on what they go after for a location and gave statistics on population based on age. He shared a potential price range. Mr. Brock shared that he met with Bethesda Oaks who were receptive to the plans. Brief discussion ensued on taking care of kids in a 55 and older community. Chairwoman Ferguson thanked Mr. Brooks for knowing HUD guidelines for an exemption.

Chairwoman Ferguson recognized Keely Giarmo who waived speaking.

Chairwoman Ferguson recognized Sherrill Norman, 5274 Courtyard Lane of Belmont, NC. Ms. Norman commented on the ease of getting to know neighbors, they like the brick and comradery, safe area to walk, and they are close to downtown Belmont to eat. NewStyle Communities, LLC has given them the support they need. They have received cooperative help from others. She continued that some problems occur as expected in any community, but they have been patient and things worked out. Commissioner Harris commented that it speaks highly of a community when a resident of 6 weeks comes to speak.

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

Item 4: Public Hearing – Unified Development Ordinance Amendments (File #202100367)

Subject hearing involves a request to amend Table 2.7.1-Defined Terms of Chapter 2, replace Section 8.1.11 Revised Residential Development District, replace Section 8.1.17 Single-Family Attached Development of Chapter 8 Supplemental Use Regulations, Section 9.7 Sight Triangles and Section 9.18 Sidewalks/Greenstrips of Chapter 9 General Provisions and Section 13.21 Conformity to the Comprehensive Transportation Plan (CTP) of Chapter 13 Subdivisions to the Unified Development Ordinance for further revisions to the Revised Residential Development District standards, clarify sight distance standards, and clarify some standards for subdivisions. This item will be heard by the City Council at the October 19, 2021 meeting at 6:00 PM in the City Council Chambers, 181 S. South Street in Gastonia.

Chairwoman Ferguson opened the public hearing and recognized Jason Thompson, Planning Director, for the purpose of staff presentation. Mr. Thompson mentioned several staff members who have been engaged on this work as it is complex and time consuming. He stated that corrections are being made to errors of what was intended in the code language. Several departments including Planning staff continue to work on street sections and land development regulations. Engineering Department in conjunction with Planning staff have been working on provisions of the subdivision codes dealing with greenway standards codifying the same standards used to make sure trails are installed properly, properly maintained, and withstand time. Planning staff is reviewing transportation related updates and changes. One change is to make an exception under the requirements in the subdivision codes proposed thoroughfares and right-of-way dedication. The Transportation Subcommittee recommended moving this forward. Updates were made updating references from Long Range Transportation Plan to the Comprehensive Transportation Plan. Brief discussion ensued on Section D.3. as an example of a typographical error that lots are to be 55 ft. as intended; therefore, the correction from 40 ft. The proposed Westfall project was used as an example regarding the possibility of losing units to meet requirements because of tight buffer regulations. Commissioner Harris inquired about street cross

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sections for alleys and Mr. Thompson replied that there were two different private alley section options. Mr. Thompson explained that the Revised Residential Development District accommodates a lot of building types and in order to properly provide access to these unit types an understanding for the different road sections is needed to have various available options. Mr. Thompson shared different perspectives about what the standard needs to be and what it means long term. Commissioner Stewart shared his concern on severe changes in elevations between the street and drainage flow with tight regulations that cannot be managed. Mr. Thompson replied that the city has stormwater management requirements and a grading policy that is intended to help this issue. Discussion ensued on how the Revised Residential Development District changes perspectives, a developer's view point on rezoning approvals and what they consider as their entitlement, deletion of street sections, revisions to text amendments related to cross sections, and taking out cross section items from the Unified Development Ordinance and adding them to the Gastonia Standards and Specifications.

Commissioner Cinq-Mars made a motion (move forward with a favorable motion) to approve the revisions to the UDO and standards with the statement of consistency and reasonableness and Commissioner Harris seconded the motion. The motion was unanimously approved (5-0).

Item 5: Other Business

Update on Council Votes

M5DD Neal Hawkins, LLC (File #202100223) - The request to assign a zoning district in conjunction with an annexation request for approximately 12.92 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 off of Neal Hawkins Road. Mr. Thompson stated this item was approved on Tuesday, September 21st by City Council.

South Gastonia Church of God (File #202100176) - The request to assign a zoning district in conjunction with an annexation request and rezone approximately 14.49 acres from RS-8 and RS-12 (Gaston County, Single-family Residential District) and RS-8 (City of Gastonia, Single-family Residential District, minimum 8,000 sq. ft. lots) to RMF CD (City of Gastonia, Multi-family Residential Conditional District). The subject property is located at the end of Forbes Street and north of E. Hudson Boulevard. Mr. Thompson stated this item was approved on Tuesday, September 21st by City Council.

Unified Development Ordinance Amendments (File #202100334) – The request to amend Table 2.7.1-Defined Terms of Chapter 2 and replace Chapter 13 Subdivisions of the Unified Development Ordinance to clarify definitions and update standards and processes in Chapter 13 Subdivisions. Mr. Thompson stated this item was approved on Tuesday, September 21st by City Council.

Representative for September 21st City Council Meeting, if needed

No representative of the Planning Commission will be present.

Chairwoman Ferguson commented on having new members on the Commission and suggested having a workshop and receive a meal from Grandma Hoyts along with banana pudding. Mr. Thompson replied that there may be an opportunity as it has been discussed to have a training workshop.

Item 6: Adjournment

There being no further business, Chairwoman Ferguson entertained a motion to adjourn the meeting. Commissioner Cinq-Mars made a motion to adjourn the meeting and Commissioner Stewart seconded the motion. Hearing none in opposition, the meeting adjourned at 7:49 p.m.

Respectfully submitted,

Chrystal Howard, Secretary

Kristie Ferguson, Chairwoman