

## **Gastonia Planning Commission October 8, 2020 Meeting Minutes**

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The Gastonia Planning Commission meeting opened at 5:30 pm on Thursday, October 8, 2020 via Zoom.

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

Absent: Commissioners Pamela Goode

Staff Members Present: Charles Graham, Assistant City Attorney; Jana McMakin, AICP, Senior Planner; Quentin McPhatter, Assistant City Manager; Chrystal Howard, Secretary to the Planning Commission; and Keith Lineberger, Land Development Project Manager.

A moment of silence occurred in remembrance of family and friends affected physically, emotionally or economically by COVID-19.

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

Commissioners were recognized.

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

All Commissioners stated there were no contacts.

Vice-Chairman Cinq-Mars declared a quorum.

### **Item 1c: Approval of September 3, 2020 Meeting Minutes**

Commissioner Fleeman made the motion to approve the September 3, 2020 minutes and Commissioner Ferguson seconded the motion. The motion was approved (7-0).

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

### **Item 2: Public Hearing – Bethlehem Baptist Church of Gastonia (File #202000029)**

Subject hearing involves a request to rezone approximately 4.19 acres from RS-8 (Single-Family Residential District, minimum 8,000 sq. ft. lots) to C-1 CD (Neighborhood Commercial Conditional District). The subject property is located at 597 Separk Circle. The property is owned by Bethlehem Baptist Church of Gastonia.

Vice-Chairman Cinq-Mars opened the public hearing and recognized Jana McMakin, Senior Planner for the purpose of staff presentation. Ms. McMakin displayed the rezoning map and provided the background and request, as well as, a description of the adjoining properties and zoning as presented in the staff report. The 2025 Comprehensive Plan shows the subject property with the southern portion projected as commercial and the northern portion as residential. After review of the surrounding area and growth in the area, staff recommended approval of the request. Ms. McMakin commented that the applicant excluded several uses from the C-1 permitted use list as a proposed condition.

Commissioner Wilson inquired about the use. Based on Ms. McMakin understanding, she replied that the current lease was for an adult day care facility, and the intended buyer of the property would also like to utilize additional office space on the second floor of the building. She stated the intent is to sell the property.

Vice-Chairman Cinq-Mars recognized the applicant, Mark Gillming, 2464 Kinmere Drive of Gastonia, NC. Mr. Gillming commented that they are selling the campus to relieve some burden on the church. The intent is to continue with the day care and move some offices onto the second floor.

Commissioner Wilson asked if the building will be mainly used for an office complex. Mr. Gillming replied that some of the second floor, not used for the day care, would be used for office space. Commissioner Wilson asked if this was considered light office use. Ms. McMakin reiterated the zoning request and proposed condition that the applicant provided consisting of uses permitted or omitted.

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Vice-Chairman Cinq-Mars asked about the proposed conditions and Ms. McMakin replied that the main proposed conditions were from the applicant agreeing to exclude several C-1 uses. The remaining proposed conditions were added by staff and Ms. McMakin briefly explained. Vice-Chairman Cinq-Mars identified agenda page 2-6 and 2-7 as the proposed condition list. Ms. McMakin also referred the Commissioners to the proposed zoning conditions listed in the staff report on agenda page 2-1.

There being no further questions, Commissioner Stewart made a motion to approve the rezoning request with the statement of consistency and reasonableness and Commissioner Ferguson seconded the motion. The motion was approved (7-0).

### **Item 3: Public Hearing – WTH Times LLC (File #202000035)**

Subject hearing involves a request to rezone approximately 3.17 acres from C-2 CD (Highway Commercial Conditional District) and RS-12 (Single-Family Residential District, minimum 12,000 sq. ft. lots) to C-2 CD (Highway Commercial Conditional District). The subject property is located at the northwest corner of the intersection of Bethlehem Avenue and N. New Hope Road and to the west of N. New Hope Road. The property is owned by Roy David Thomas, Jr., Bobbie P. Thomas, Kalinga D. and Amara S. Amarasinghe, and WTH Times, LLC.

Commissioner Fleeman was recused from this item.

Vice-Chairman Cinq-Mars opened the public hearing and recognized Jana McMakin, Senior Planner for the purpose of staff presentation. Ms. McMakin displayed the rezoning map and provided a site description. She stated the C-2 CD parcel was rezoned in 2006 for a convenience store with fuel pumps and an attached fast food restaurant with drive through. The applicant wants to expand the site and is proposing a separate fast food restaurant with drive through, convenience store with gas pumps and car wash. She continued that the subject property was comprised of four parcels zoned C-2 CD and RS-12. Ms. McMakin referred the Commissioners to their agenda to view the original rezoning, as well as, the applicant's conceptual rezoning plan, elevation and pictures of the convenience store, canopy, signage, a schematic rendering of the proposed fast food restaurant, and car wash. She provided a brief description of adjoining properties and zoning. Ms. McMakin displayed the proposed site plan and identified the convenience store and associated parking, pump canopies along N. New Hope Road, fast food restaurant with two drive through lanes and associated parking near the intersection of Bethlehem Avenue and N. New Hope Road, existing buffer along the side abutting residential, proposed entrance on the north side of the subject property, and the carwash. She displayed the elevation of the convenience store, a picture of the proposed convenience store, canopy, signage, and a schematic rendering of a proposed fast food restaurant. Ms. McMakin commented that a final review would be made by the Technical Review Committee (TRC). She mentioned most of the property was shown as commercial within the Future Land Use Map Plan; therefore, staff recommended approval.

Vice-Chairman Cinq-Mars recognized the applicant, Dean Brown, 132 Kester Drive of Gastonia, NC. Mr. Brown representing Times Oil and gave a brief history of the company and its service. He stated that Jana covered everything very well in her presentation and shared that they are looking forward to building a modern new site.

Vice-Chairman Cinq-Mars recognized Landscape Architect, David Ledford. No response was received.

Vice-Chairman Cinq-Mars recognized Fast Food Restaurant Representative, Claude Clark, 9432 Southern Pine Boulevard of Charlotte, NC. Mr. Clark stated he was available to answer any questions.

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

### **Item 4: Public Hearing – Cynthia Lyons (File #202000061)**

Subject hearing involves a request to rezone approximately 3.11 acres from O-M CD (Medical Office Conditional District) to RS-8 (Single-Family Residential District, minimum 8,000 sq. ft. lots). The subject property is located at the intersection of Court Drive and Smyre Drive. The property is owned by multiple owners.

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Vice-Chairman Cinq-Mars opened the public hearing and recognized Jana McMakin, Senior Planner for the purpose of staff presentation. Ms. McMakin displayed the rezoning map. She stated this property, as well as, three additional parcels to the east were rezoned in 2005 for an adult living facility accommodating up to ninety units. The property remains vacant. The applicant is part owner and the representative of all the owners and has submitted a request to rezone the subject property to RS-8 in order to remove the OM-CD. The property is for sale. The 2025 Comprehensive Plan recommends residential development for the subject property. The request is to revert the zoning back to RS-8 zoning district. Ms. Makin commented that lots # 8, #9 and #10 has a different property owner. She finished by stating staff recommended the request be approved as presented.

Vice-Chairman Cinq-Mars recognized the applicant, Cynthia Lyons, 11090 Seven Coves Drive of Tega Cay, SC. Ms. Lyons commented that the three families purchased this parcel in 2008 with the conditional district. The intent was to develop the land for fifty-five and older families to have small patio homes. Shortly after the purchase the market crashed and their building investors backed out. Now they are looking for an opportunity to have the property become a development for affordable housing. To appeal to residential developers, the owners would like to revert the zoning back to residential. Brief comments were made on a possibility of pursuing a rezoning in the future by the owner, who owns the other OM-CD properties.

Vice-Chairman Cinq-Mars recognized the applicant's Real Estate Broker, LeeAnn Brown. Ms. Brown commented that this property was federally recognized as an opportunity zone. Ms. Brown stated she has been unable to make a large type affordable housing work at this location. Discussion ensued on the possibility of building eight to nine homes if zoned RS-8.

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

### **Item 5: Major Subdivision Preliminary Plat – Cramer Estates Preliminary Plat, Phase 1 and 3 (File #202000031)**

Request involves a Major Subdivision Preliminary Plat for the Cramer Estates subdivision. The property is located off of Stroupe Road.

Vice-Chairman Cinq-Mars recognized Keith Lineberger, Land Development Project Manager for the purpose of staff presentation. Mr. Lineberger commented that Phase 2 was approved by the Commissioner around June. Tony Duncan submitted this subdivision and it is located south of New Hope Road and on each side of Stroupe Road near Catawba Hills existing development. Mr. Lineberger displayed the site plan. He stated that the proposed development will contain fifty-six single family lots with twenty-three lots to the north zoned RS-12 and thirty-three lots to the south zoned RS-8. The developer will be responsible for street improvements internal to the site. Stroupe Road needs to be constructed to City standards and the developer will be responsible for installing curb and gutter, storm drainage, sidewalks, and other necessary improvements. Public water and sewer will be extended to service the subdivision. The "Preliminary Plat" is in conformance with the City of Gastonia's Subdivision Ordinance; therefore, staff recommended approval.

Vice-Chairman Cinq-Mars asked what the yellow highlighted line was on the site plan. Mr. Lineberger and Mr. Craig replied that this was an engineer highlight of the existing sewer line. Vice-Chairman Cinq-Mars recognized the engineer, Franklin Craig, 2543 Gleneagles Drive of Gastonia, NC.

Commissioner Fleeman made a motion to approve and Commissioner Stewart seconded the motion. The motion was approved (7-0).

### **Item 6: Other Business**

#### **Update on Council Votes**

Ms. McMakin updated the Commission that City Council approved the rezoning at the corner of Neal Hawkins and Howe Dairy Road for Mr. Rick Russell. She commented that Commissioner Ferguson participated in this meeting. Ms. McMakin updated the Commission that City Council approved the text amendments for the townhomes and temporary signage tied to elections for signage in the right-of-way.

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Representative for October 20<sup>th</sup> City Council Meeting (if needed)

No representative is needed.

Brief discussion ensued on the logistics of the November 5<sup>th</sup> meeting. Assistant City Manager, Quentin McPhatter, explained how the City Council conducts their meetings and commented that there may be an opportunity in the future.

There being no further business, Vice-Chairman Cinq-Mars entertained a motion to adjourn the meeting. Commissioner Fleeman made a motion to adjourn the meeting and Commissioner Stewart seconded the motion. The motion was approved and Vice-Chairman Cinq-Mars adjourned the meeting at 6:27 p.m.

Respectfully submitted,

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Chrystal Howard, Secretary

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Pam Goode, Chairperson