

Gastonia Planning Commission December 5th, 2024 Meeting Minutes

The Gastonia Planning Commission meeting opened at 5:40 pm on Thursday, December 5th, 2024, in the Council Chambers at City Hall, 181 S. South Street of Gastonia, NC.

Present: Vice Chair Chad Ghorley and Commissioners Megan Chapman, Carl Harris, Jeff Howe Anthony Gallant

Absent: Chair Kristie Ferguson, Commissioners Glenn Silverman and Julie Coffey

Staff Members Present: Charles Graham, Quentin McPhatter, Sushil Nepal, Maddy Gates, Jordan Tubbs, Joe Gates, Tucker Johnson, Cory Steiss, Becky Mintz, Brent Ratchford

Item 1a: Role Call / Sound Check

Vice Chair Chad Ghorley declared a quorum for the meeting.

Item 1b: Calls/Contacts to Planning Commission Members

No Commissioners were contacted.

Item 1c: Approval of November 7th, 2024 Meeting Minutes

Commissioner Chapman made a motion to adopt the November 7th, 2024 minutes as presented and Commissioner Harris seconded the motion. The motion to approve the November 7th, 2024 meeting minutes was unanimously passed (5-0).

Vice Chair Ghorley read the rules of procedure and the time limitation policy.

Item 2: Public Hearing (Continued from Nov. 7th) – S. New Hope Village (File #202400109)

Subject hearing involves a request to rezone approximately 38.11 acres from RS-12 (Single-family Residential, minimum 12,000 sq. ft. lots) and C-2 CD (Highway Business – Conditional District) to PD-RRDD (Planned Development – Revised Residential Development District). The subject property is located between S. New Hope Road and Lowell Bethesda Road and is owned by multiple owners.

Vice Chair Ghorley 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 request was continued from the November 7th, 2024 meeting and that the applicant and property owners have resolved any outstanding acreage discrepancies. Ms. Gates stated that the city has received a revised survey with the accurate property boundary and acreage. She also noted that there is approximately 4,159 square feet of additional property that has been added to the request from tax parcel 148795, as shown on the attached survey. Ms. Gates noted that the City has re-advertised the item and notified the necessary property owners. She stated that the request was for 38.11 acres located between S. New Hope Road and Lowell Bethesda Road. She discussed the zoning and land uses of the surrounding properties, which were primarily residential with some commercial along S. New Hope Road. Ms. Gates stated that the request was for PD-RRDD for a maximum of 93 single-family homes. The site plan was displayed. She stated that all single-family homes are front loaded with a minimum lot width of 56-feet. Ms. Gates discussed the access points from S. New Hope Road and Swamp Chestnut Oak Drive, which she stated would connect through the Bethesda Oaks neighborhood. She discussed the revisions to the site plan since the November 7th, 2024 Planning Commission meeting which included the addition of lot number 93, additional tree save area, and enhanced landscaping along lot number 49. The survey was displayed. Ms. Gates discussed the changes in the property boundary as submitted by the applicant.

She stated that there were some additions to the conditions since the November 7th, 2024 meeting; she displayed the agreed upon conditions on the monitor and provided hard copies to all Commissioners. Ms. Gates stated that condition number seven and condition number nine have been added to the petition with agreement from the applicant. She noted that condition number seven referred to the enhanced landscaping along the northern property line of lot number 49. She also stated that the applicant has agreed to provide a landscape easement along the rear of lots numbered 13-37 and 47-48 to act as a natural buffer, which was reflected by condition number nine. Ms. Gates identified these conditions as they relate to the site plan. She stated that all other conditions have remained the same. Ms. Gates displayed the elevations and noted that it reflects a variety of front loaded single-family home products. She stated that the request is consistent with the 2025 Future Land Use Map for residential uses and that staff is recommending approval of the request as presented.

With no questions for Ms. Gates, Vice Chair Ghorley requested the City Traffic Engineer, Cory Steiss, to approach for questions. Commissioner Harris asked Mr. Steiss if there would be any stop signs in the development. Mr. Steiss replied that stop signs would typically be required at an intersection for sight distance and stop distance. He stated that the cul-de-sac in the northwestern corner would have a

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stop sign but noted that it will be reviewed further during the construction documents. Vice Chair Ghorley asked Mr. Steiss if there will be no parking signs on the road in the development. Mr. Steiss replied that the requirement for on street parking is a minimum of 24 feet of pavement and that parking is allowed on one side only. Mr. Steiss noted that any road under 24 feet of pavement would not allow on street parking. Vice Chair Ghorley asked if the proposed development has 24-feet of pavement in the street cross section and stated that he had concerns for parking on both sides of the street. Mr. Steiss replied “Yes” and noted that parking would only be allowed on one side of the street.

Vice Chair Ghorley recognized the applicant Richard Denzler, 1673 Perth Road, Mooresville, NC. Mr. Denzler discussed the changes to the property boundary and site plan including the addition of lot number 93 and the relocation of the tree save area. Vice Chair Ghorley asked Mr. Denzler what type of plantings would be included for the enhanced landscaping along lot number 49. Mr. Denzler stated that it will be further determined during construction document review but that it would include evergreen trees and vegetation. Vice Chair Ghorley asked Mr. Denzler if he had discussed any traffic calming measures for the stub connection to Swamp Chestnut Oak Drive with the Bethesda Oaks community. Mr. Denzler replied “No” but stated he was open to discussion with the neighborhood. Vice Chair Ghorley stated that he had concerns for additional vehicles and traffic traveling through Bethesda Oaks, specifically Southern Red Oak Lane, which is narrow.

Vice Chair Ghorley recognized Bill Radcliff, 2530 Cyprus Oak Drive, Gastonia, NC. Mr. Radcliff stated that he is the Home Owners Association (HOA) president for the Bethesda Oaks neighborhood and that he will be presenting on behalf of the neighborhood. He stated that the neighborhood is in favor and in opposition of the development. Mr. Radcliff expressed thanks to staff and the applicant for providing additional conditions in regards to buffers and landscaping. He stated that the major concern for the neighborhood was the connection to Swamp Chestnut Oak Drive. Mr. Radcliff stated that the site plan presented at the neighborhood meeting only had one connection to Swamp Chestnut Oak Drive and did not include the southernmost stub, which is now shown on the site plan. Mr. Radcliff provided the Commissioners with hard copies of the neighborhood meeting site plan and a picture of the parking conditions on Swamp Chestnut Oak Drive. He expressed concern for the southernmost stub stating that it would bring additional traffic through the neighborhood when future development occurs. He stated that the biggest concerns for the Bethesda Oaks neighborhood are traffic and the potential for it to become a cut through. Mr. Radcliff shared the second picture which was of current parking conditions on Swamp Chestnut Oak Drive. He stated that the picture reflected parking on both sides of the street which did not leave enough room for vehicles to pass. Mr. Radcliff stated that he felt Swamp Chestnut Oak Drive should have been designed wider, since it is a stub road, to accommodate parking and bidirectional road traffic. Mr. Radcliff noted that he felt the development was a nice project, however, he stated that the traffic and the addition of new vehicles, due to the stub, is a major concern. Mr. Radcliff stated that he has spoken with the applicant and that the applicant is in agreement to make Swamp Chestnut Oak Drive an emergency access. Lastly, he asked the Commissioners to consider the Bethesda Oaks neighborhood’s concerns for a mutually agreeable product.

Commissioner Chapman asked Mr. Radcliff to clarify what road he was referring to as an emergency access. Mr. Radcliff stated that it was the stub connection to Swamp Chestnut Oak Drive. Mr. Radcliff discussed the concept of having a Knox Box for fire and emergency services. Vice Chair Ghorley asked Mr. Radcliff for clarification on the picture of parked vehicles that he presented to the Commissioners. Mr. Radcliff stated that the picture was taken on Swamp Chestnut Oak Drive and that the orientation of the picture is facing the stub at the end of the road, which is south.

Vice Chair Ghorley asked Mr. Radcliff what concerns neighbors have that live closest to the new development. Mr. Radcliff replied that the main concerns are primarily traffic but also privacy and setbacks, and stormwater. Mr. Radcliff stated that Swamp Chestnut Oak Drive should have been designed as a wider street if it was intended to support future development. He noted that the on street parking on Swamp Chestnut Oak Drive can prohibit bidirectional traffic and potentially emergency services. Vice Chair Ghorley asked if there are no parking signs on Swamp Chestnut Oak Drive. Mr. Radcliff replied “Yes” and stated that enforcement has been lacking. Commissioner Harris and Mr. Radcliff discussed the size of the roads in the Bethesda Oaks neighborhood.

Commissioner Gallant asked Mr. Radcliff what could be done to address the Bethesda Oaks resident’s concerns. Mr. Radcliff replied stating that most of the concerns have been addressed, however, they would prefer to not have the connection on Swamp Chestnut Oak Drive. Commissioner Harris asked if that meant that the neighborhood did not want connectivity. Mr. Radcliff replied “Yes”. Commissioner Howe asked Mr. Radcliff if the parking issues would remain even if the emergency access was provided. Mr. Radcliff replied “Yes” stating that they need to work further with the Police Department to address it. Mr. Radcliff discussed concerns that the Swamp Chestnut Oak Drive connection would become a larger cut through for traffic from S. New Hope Road and Lowell Bethesda Road. The Commissioners discussed the adjoining properties.

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Mr. Denzler approached for rebuttal. Commissioner Chapman asked if the property owner “Skyview Two Holdings” was the developer. Mr. Denzler replied “No” and explained that Skyview Two Holdings was the property owner for the golf driving range to the south. Commissioner Howe asked what the potential negative impacts could be from only having one access for the development, if Swamp Chestnut Oak Drive did not connect. Mr. Denzler replied stating that from a developer and builder standpoint, there are no negatives. He stated that the ordinance requirement is one access per 100 homes which they would meet. Mr. Denzler stated that he is agreeable to the emergency access at Swamp Chestnut Oak Drive.

The Planning Director, Sushil Nepal, stated that the stub connection to Swamp Chestnut Oak Drive is an ordinance requirement and cannot be removed. He stated that the existing stub was designed for a future connection. He discussed the intent of the ordinance as it refers to stub connections and stated that it is a requirement for all new subdivisions for neighborhood connectivity and traffic distribution. Vice Chair Ghorley asked if the southernmost stub could potentially connect to Lowell Bethesda Road. Mr. Nepal replied stating that the future stub connection is unknown, however, there are ordinance requirements in terms of design and development standards for safety and traffic flow.

With no further discussion, Commissioner Harris made a motion to approve the request as presented. Commissioner Gallant seconded the motion. The motion to approve the request as presented was unanimously passed (5-0).

Item 3: Public Hearing – 1519 N. Webb Street (File #202400353)

Subject hearing involves a request to rezone approximately 3.52 acres from RS-8 (Single-family Residential, minimum 8,000 sq. ft. lots) to I-U (Urban Industrial). The subject property is located at 1519 N. Webb Street and is owned by 1519 N Webb, LLC.

Vice Chair Ghorley opened the public hearing and recognized Jordan Tubbs, Senior Planner, for staff's presentation. The zoning map was presented. Mr. Tubbs stated that the subject property is 3.52 acres located at 1519 N. Webb Street, and is zoned RS-8. He stated that the applicant is requesting to rezone the property to I-U, which is the Urban Industrial district. Mr. Tubbs read the definition of the Urban Industrial zoning district as it was identified in the Unified Development Ordinance (UDO). He highlighted that the purpose of I-U, as defined in the ordinance, was to encourage the redevelopment of older industrial uses for commercial and/or residential purposes. Mr. Tubbs discussed the adjoining zoning and land use trends, stating that directly west of the subject property is the Webb Street School and that many of the properties with commercial zoning in the area consist of a mix of residential, industrial and commercial uses. Mr. Tubbs noted that the subject property was formerly the Arlington Elementary School, which was closed in 2004 by the Gaston County Board of Education. He stated that as of present, the original school building remains on the property but is vacant. Mr. Tubbs also stated that as a standard practice, a zoning permit would be required for a change of use of the property and the operation of a new business which would ensure that the existing structure meets or is updated to commercial building code and would be conforming to any applicable supplemental regulations, as listed in the ordinance. Mr. Tubbs concluded stating that the Future Land Use Map in the 2025 Comprehensive Plan indicates public and institutional uses for the proposed site which is primarily related to the presence of the Webb Street School and the previous Arlington School. He stated that the existing building has remained vacant since 2004 and that staff feels the I-U zoning district can potentially allow for redevelopment of the property. He also noted the presence of existing I-U, C-1, C-3 and RS-8 zoning adjoining the property. Mr. Tubbs stated that due to the mix of uses and zoning in this area, a request for I-U would be compatible with the surrounding area and that staff is recommending approval of the request as presented.

Commissioner Harris asked Mr. Tubbs what the intended future land use was for the site. Mr. Tubbs replied stating that the future land use map indicated public and institutional use for the parcel. Mr. Harris asked Mr. Tubbs what the applicant's intended use was going to be for the existing building and the property. Assistant City Attorney, Charles Graham, stated that the request was for a general rezoning and that the Commission should consider all uses allowed in I-U.

Vice Chair Ghorley recognized the applicant, Sanjive Bhasin, 715 E. Woodlawn Road, Charlotte, NC. Mr. Bhasin addressed the question about the intended use stating that he is considering three different options. He stated that the primary option was for a continuing care facility using the existing building. Mr. Bhasin followed by noting that if his investors felt the primary option did not meet financial milestones, the second option was to use the building for mini storage. Mr. Bhasin stated that the third option was to convert the building into apartments, but due to the expensive nature of the building conversion, the third option is not being seriously considered at this time.

Commissioner Harris thanked Mr. Bhasin for taking an interest in revitalizing the deteriorated structure that has been vacant since 2004. With no further questions for the applicant and no further members of the public signed up to speak, Vice Chair Ghorley asked for the wishes of the Commission.

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Commissioner Chapman asked staff how this rezoning would affect Webb Street School. Mr. Tubbs replied stating that certain permitted uses in I-U that may not be compatible with existing uses would require additional supplemental regulations in the UDO such as buffering requirements or distance requirements in an effort to protect those existing surrounding and more sensitive uses.

Commissioner Chapman and Mr. Graham discussed the option of continuing the request due to concerns for some of the uses allowed in I-U. The Planning Director, Sushil Nepal, stated that the applicant has shown a willingness to have conditions added to the request. Mr. Nepal discussed the potential for the applicant to withdraw the current petition and submit a conditional rezoning. Vice Chair Ghorley discussed the differences between a general rezoning versus a conditional rezoning, specifically noting the possibility to restrict uses with conditional zoning. Mr. Bhasin expressed concern about the timing of a conditional rezoning and the production of a site design plan. Mr. Nepal explained that since the project would be using an existing structure, the design process would be less intense than developing on a vacant parcel. Mr. Nepal stated that the applicant can meet with staff to assist with the conditional rezoning process. Mr. Bhasin stated he would plan to withdraw the current application and come back with a conditional rezoning request.

Commissioner Chapman made a motion to continue the request to the January 9th, 2025 Planning Commission hearing to provide the applicant time to work with staff. Commissioner Harris seconded the motion. The motion to continue the request to the January 9th, 2025 meeting was unanimously passed (5-0).

Item 5: OTHER BUSINESS

Ms. Gates provided City Council updates from November, 2024. Ms. Gates also announced the new Planning Director, Sushil Nepal.

Item 6: ADJOURNMENT

Vice Chair Ghorley entertained a motion to adjourn. Commissioner Gallant made a motion to adjourn and Commissioner Harris seconded the motion. The motion to adjourn was unanimously passed (5-0). The meeting adjourned at 7:00 PM.

Rebeca Mintz, Secretary

Kristie Ferguson , Chairperson