

## **Gastonia Planning Commission September 4<sup>th</sup>, 2025 Meeting Minutes**

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The Gastonia Planning Commission meeting commenced at 5:30 p.m. on Thursday, September 4<sup>th</sup>, 2025 in the Council Chambers at City Hall, located at 181 S. South Street, Gastonia, NC.

Present: Chair Kristie Ferguson, Vice Chair Chad Ghorley, Commissioners Megan Chapman, Carl Harris, David Wilson, Jeff Howe, and Glenn Silverman.

Absent: Commissioner Julie Coffey.

Staff Members Present: Charles Graham, Quentin McPhatter, Sushil Nepal, Joe Gates, Maddy Gates, Rebeca Mintz, and Brent Ratchford.

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

Vice Chair Ghorley stated that he would be conducting the meeting on behalf of the Chair, Kristie Ferguson. Vice Chair Ghorley declared a quorum for the meeting.

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

Commissioner David Wilson received one contact. No other Commissioners were contacted.

### **Item 1c: Approval of August 7<sup>th</sup>, 2025 Special Meeting Minutes**

Commissioner Harris made a motion to adopt the August 7<sup>th</sup>, 2025 meeting minutes as presented, and Commissioner Chapman seconded the motion. The motion to approve the August 7<sup>th</sup>, 2025 meeting minutes was unanimously passed (7-0).

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

### **ITEM 2: Public Hearing – 1408 Linwood Road (File #202500073)**

Subject hearing involves a request to rezone a portion of tax parcel 112046 for approximately 0.218 acres from RS-8 (Single-family Residential, minimum 8,000 sq. Ft. lots) to C-1 CD (Neighborhood Business – Conditional District). The subject property is located at 1408 Linwood Road and is owned by Better Path Homes, LLC.

Vice Chair Ghorley opened the public hearing and recognized Maddy Gates, Senior Planner, for staff's presentation. Ms. Gates stated that the applicant, Better Path Homes, is requesting a conditional rezoning to C-1 CD. She noted that the request was for a portion of tax parcel 112046, for approximately 0.218 acres, located at the corner of Linwood Road and Austin Street. The zoning map was displayed. Ms. Gates stated that the existing zoning in the surrounding area consists of a mix of commercial and residential (RS-8 and C-1), including light retail and primarily single-family homes. The aerial map was displayed. She noted that the subject property has an existing home which faces onto Linwood Road and is proposed to remain. Ms. Gates stated that the zoning change to C-1 CD was requested to subdivide the property into two lots and build one single-family home. She noted that C-1 was requested because it allows for single-family residential uses and would provide front setback flexibility, allowing a reduction from 30-feet to 15-feet. The site plan was displayed. Ms. Gates stated that the proposed "Lot 1" and "Lot 2" meet all RS-8 and C-1 zoning district requirements. She discussed the orientation of the proposed home and the location of the driveway. Ms. Gates stated that the applicant is requesting a 10-foot strip of property to be extended from "Lot 2" to Linwood Road, which would allow for a public sewer connection.

Ms. Gates presented the proposed elevations, which reflected a two-story home with board and batten siding. She stated that the applicant has agreed to provide a 10-inch trim around the windows on the front façade. Ms. Gates read all the agreed-upon conditions and noted that the applicant held a neighborhood meeting on May 27<sup>th</sup>, however, no neighbors attended. Ms. Gates stated that the Future Land Use Map in the 2025 Comprehensive Plan indicates residential uses for the subject property. She noted that while the zoning for this property is requested as commercial, the C-1 zoning district would facilitate the proposed use for a single-family home, which is consistent with the 2025 Comprehensive Plan, therefore, staff is recommending approval as presented.

With no questions for staff, Vice Chair Ghorley recognized Grace Vandenberg, 10935 Winds Crossing Drive, Suite 300, Charlotte, NC. Ms. Vandenberg stated that she was representing Better Path Homes, the applicant for the rezoning. She noted that Better Path Homes has committed to providing enhancements for the exterior of the home including the 10-inch window trim and board and batten siding. Ms. Vandenberg stated that they are building the home across the street and believe they will improve the look of the neighborhood.

With no further questions, Commissioner Silverman made a motion to close the public hearing. Commissioner Wilson seconded the motion. The motion to close the public hearing was unanimously

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passed (7-0). Vice Chair Ghorley stated that he felt the applicant worked well with staff on the request and that it was going to produce a nice product.

Commissioner Howe made a motion to approve the rezoning request as presented. Commissioner Silverman seconded the motion. The motion to approve the rezoning request as presented was unanimously passed (7-0).

Following, Commissioner Howe made a motion to adopt the statement of consistency and reasonableness. Chair Ferguson seconded the motion. The motion to adopt the statement of consistency and reasonableness was unanimously passed (7-0).

#### **ITEM 3: Public Hearing – 1960 S. New Hope Road & 3001 Stoneybrook Avenue (File #202500282)**

Subject hearing involves a request to amend an existing conditional district (File #8435) zoned C-3 CD (General Business – Conditional District) for approximately 3.95 acres. The subject property is located at 1960 S. New Hope Road and 3001 Stoneybrook Avenue and is owned by Park Lane Properties, LLC.

Vice Chair Ghorley opened the public hearing and recognized Maddy Gates, Senior Planner, for staff's presentation. Ms. Gates stated that the applicant, Mr. Pearson, is requesting to amend the existing C-3 Conditional District File #8435 to allow for a nursery use with overnight outdoor storage. She stated that the subject property consisted of two tax parcels with frontage on S. New Hope Road and Stoneybrook Avenue. The zoning map was displayed. Ms. Gates noted that the adjoining zoning and land uses were a combination of commercial, residential and office. The aerial map was displayed. Ms. Gates discussed the previous use of the property for auto sales and noted that there is an existing office building on the property.

Ms. Gates discussed File #8435 which was approved in 2016 for auto sales or any other uses permitted in C-2. She noted that the proposed use for a nursery is permitted in C-2 zoning, however, overnight outdoor storage requires C-3 zoning. She stated that the request for overnight outdoor storage is the reasoning for the conditional rezoning amendment. Ms. Gates stated that in addition to the nursery, the applicant is also requesting a secondary use for a salon, which is permitted by right in the C-2 and C-3 zoning districts. She noted that all previous uses and conditions from the 2016 File #8435 approval would still apply.

The site plan was displayed. Ms. Gates discussed several of the key elements of the site plan including the overall layout, screening and access. She clarified that the screening along the front yard will consist of a 4-foot fence and 6-foot continuous hedges and that the side yards would require screening with 6-foot continuous hedges. Ms. Gates noted that the existing vegetation, fence, and berm along Stoneybrook Avenue will remain, as required from the 2016 approval. She stated that the property does not currently have vehicular access or a driveway from South New Hope Road, but there is a 48-foot driveway easement from the adjoining property which provides access to the site. Additionally, Ms. Gates stated that the existing office building will be partitioned into two spaces for the nursery office and the salon. For final site plan elements, she stated that the applicant has agreed to increase the sidewalk on S. New Hope Road from 4-feet to 5-feet. Ms. Gates displayed and read the agreed-upon conditions. Ms. Gates noted that the neighborhood meeting was held on August 7<sup>th</sup>, 2025 and that the details for that meeting are in the agenda. She stated that the 2025 Future Land Use Map identifies the subject property for commercial uses and that the amendment for C-3 CD zoning is consistent with the Comprehensive Plan. Ms. Gates stated that staff is recommending approval as presented.

Commissioner Howe asked staff if the hedges will be 6-feet tall when planted. The Planning Director, Sushil Nepal, replied "Yes".

Commissioner Silverman asked Ms. Gates if the nursery business was relocating or if this was a second location. Ms. Gates stated that the business is called the "Mulch House" and that they would be relocating.

Ms. Gates displayed pictures of the Mulch House's current business property on Union Road.

With no further questions for staff, Vice Chair Ghorley recognized Charlie Pearson, 3609 Augusta Court, Gastonia, NC. Mr. Pearson stated that he has been working on this project with the Mulch House owner, Chad Milner. He stated that the Mulch House operations are very clean and well maintained. Mr. Pearson stated that Mr. Milner has outgrown his current location and needs a larger property.

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Vice Chair Ghorley recognized Chad Milner, 1116 Summer Drive, Gastonia, NC. Mr. Milner stated that he started his business in 2010. He discussed the operations of the business and the need for a larger property. Mr. Milner stated that his current property is only one acre and that this property on S. New Hope Road, is over 4 acres, which would allow him to expand his business further.

Commissioner Harris asked Mr. Milner why the gravel would be located in front of the business rather than behind it. Mr. Milner stated that the location of the product is essential; if the customer can't see it, they won't buy it.

Commissioner Silverman asked Mr. Milner what lessons he has learned that would help his business be successful as he continues to expand. Mr. Milner stated that relocating to the subject property would allow him to add more types of products, which he is not able to do at his current location. He noted that he's learned that more inventory is more beneficial.

Commissioner Silverman asked Mr. Milner how the nursery and salon businesses work together. Mr. Milner stated that having a second business on the property is another way to attract customers. He noted that they operate out of separate building spaces but share a parking lot.

Commissioner Howe asked Mr. Milner if he uses concrete bins to store material. Mr. Milner replied "No" stating that products often mix when bins are used.

Vice Chair Ghorley asked Mr. Milner if the storage at the back of the property would be covered. Mr. Milner replied "No" and stated that the back portion of the property will likely be for excess material such as crushed concrete. He noted that the back portion of the property has a natural buffer which will remain.

Commissioner Harris asked Mr. Milner how stormwater runoff will be controlled. Mr. Milner stated that he will use sediment control rolls around drains. He explained the process of installing and replacing rolls and noted that they collect around 80% of sediment.

Vice Chair Ghorley recognized Michael Wilson, 1414 Florida Street, Gastonia, NC. Mr. Wilson stated that he was in favor of the project and that he believes Mr. Milner will operate a clean site.

Vice Chair Ghorley recognized Brooke Shepard, 111 Landers Chapel Road, Lincolnton, NC. Ms. Shepard stated that she came to speak in favor of the project and that she is the owner of the hair salon that operates on the same property as the Mulch House. She stated that the new business location would provide more parking for customers.

With no further questions, Commissioner Howe made a motion to close the public hearing. Commissioner Wilson seconded the motion. The motion to close the public hearing was unanimously passed (7-0).

Chair Ferguson made a motion to approve the rezoning request as presented. Commissioner Silverman seconded the motion. The motion to approve the rezoning request as presented was unanimously passed (7-0).

Following, Chair Ferguson made a motion to adopt the statement of consistency and reasonableness. Commissioner Silverman seconded the motion. The motion to adopt the statement of consistency and reasonableness was unanimously passed (7-0).

### **ITEM 4: Public Hearing – Unified Development Ordinance Amendment (File #202500354)**

Subject hearing involves a request to amend *Section 2.7 Terms Defined in This Ordinance* and *Chapter 13 Subdivisions* of the Unified Development Ordinance to update definitions for compliance with N.C. General Statutes and clarify language as it pertains to compliance with the Comprehensive Transportation Plan (CTP).

Vice Chair Ghorley opened the public hearing and recognized Joe Gates, Assistant Planning Director, for staff's presentation. Mr. Gates stated that the text amendments for consideration include Section 2.7 and Section 13.21. He started with Section 2.7 and noted that the proposed text amendment request would revise the definition for a "Child Care Center, Located in a Residence" (CLIR). Mr. Gates explained that CLIR facilities are regulated by the North Carolina Department of Health and Human Services (DHHS) and that the amendment to remove the specific number of children allowed per facility would align with state legislation and recent regulation updates. Mr. Gates stated that the intent of the amendment is to leave the definition broad, which would avoid the need for additional language changes during any future regulation updates. In addition, Mr. Gates stated that staff is requesting a

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revision to the definition of Manufactured Goods, Class 2 to separate uses for “Structural Clay Products” and “Cement Concrete Product Manufacturing”. He noted that the North American Industry Classification System (NACIS) identifies these as separate uses, therefore, the intent is for Gastonia’s ordinance to be consistent with industry classifications and standards. Mr. Gates displayed the text amendments and explained the red lines.

Chair Ferguson asked Mr. Gates if the League of Municipalities is responsible for alerting towns and cities of state legislation changes that may impact local ordinances. Mr. Nepal replied “Yes” and stated that the notification of changes often occurs after the fact. He noted that the overall goal is to align local ordinance with state legislation, as needed.

Commissioner Chapman asked Mr. Gates if any other local municipalities had to make similar ordinance amendments for CLIRs. Mr. Gates responded, stating that the City of Charlotte has made a recent ordinance amendment for CLIRs, but that he was not aware of any other cities. Commissioner Chapman asked staff if the Gastonia Unified Development Ordinance (UDO) had always required 3-12 children per facility. Mr. Gates stated that the number of children per facility likely resulted from state legislation.

Mr. Gates stated that the second part of the text amendment addresses Section 13.21 Conformity with the Comprehensive Transportation Plan (CTP). He discussed the purpose of the CTP and any related State Transportation Improvement Programs (STIP). Mr. Gates stated that the CTP is a long-range planning document that identifies needed road projects and that the STIP is the funding and programming to make a road project occur. He stated that the UDO currently only requires compliance with the CTP and that the ordinance amendment would expand compliance to any applicable STIPs or other related road projects. Mr. Gates noted that a STIP includes more detailed designs of road improvements which is advantageous to include for new developments so that plans can account for actual right-of-way dimensions, utility corridors, and any other applicable road design elements. Mr. Gates displayed the text amendments and explained the red lines.

Mr. Nepal stated that the need for the ordinance amendment comes from real life development challenges. He noted that the intent is to avoid new development in areas where future road widening is known and to increase the city’s ability to enforce multi-agency plans and programs; including North Carolina Department of Transportation (NCDOT) and the Gaston Cleveland Lincoln Metropolitan Planning Organization (GCLMPO).

The Commissioners, Mr. Nepal and Mr. Graham discussed an example of how the ordinance can be applied to new residential development. Mr. Gates stated that staff was recommending approval of the text amendment requested as presented and that the City Council will be holding a public hearing on September 16<sup>th</sup>, 2025.

With no further questions or discussion, Commissioner Chapman made a motion to close the public hearing and recommend approval of the text amendment as presented. Chair Ferguson seconded the motion. The motion to recommend approval of the text amendment as presented was unanimously passed (7-0).

Following, Commissioner Chapman made a motion to adopt the statement of consistency and reasonableness. Commissioner Silverman seconded the motion. The motion to adopt the statement of consistency and reasonableness was unanimously passed (7-0).

#### **Item 5: OTHER BUSINESS**

Mr. Gates provided City Council and 2050 Comprehensive Plan updates.

#### **Item 6: ADJOURNMENT**

Vice Chair Ghorley entertained a motion to adjourn. Commissioner Harris made a motion to adjourn, and Chair Ferguson seconded the motion. The motion to adjourn was unanimously passed (7-0). The meeting adjourned at 6:45 PM.