



Gastonia Planning Commission Meeting Schedule

April 6, 2023

5:00 DINNER

5:30 – UNTIL PLANNING COMMISSION MEETING
(City Hall – City Council Chambers)

.....
ITEM 1a: Role Call / Sound Check

ITEM 1b: Calls/Contacts to Planning Commission Members

ITEM 1c: Approval of March 9, 2023 Minutes

ITEM 2: Public Hearing (Continued from March 9th) – 1818 W. Fifth Avenue (File #202300024) - WITHDRAWN

Subject hearing involves a request to rezone approximately 0.34 acres from RS-8 (Single-family Residential) to RS-8 CD (Single-family Residential – Conditional District) for changes to an existing structure, and development of one new infill single-family house. The subject property is located at 1818 W. Fifth Avenue, adjacent to Sherman Street. The property is owned by Statement Homes, LLC

ITEM 3: Public Hearing – Shannon Bradley Road (File #202200544)

Subject hearing involves a rezoning request for approximately 0.97 acres, and partial annexation (0.06 acres) from I-2 (General Industrial) to C-3 (General Business). The subject property is located south of Bessemer City Road on Shannon Bradley Road and is owned by Norris D. Lamb Jr.

➤ *The Gastonia City Council will be holding a Public Hearing on the rezoning and annexation of 0.06 acres at the **April 18, 2023** City Council meeting.*

Staff Presentation: Jason Thompson, AICP, Planning Director

ITEM 4: Public Hearing – Lofts at Court Drive (File #202300050)

Subject hearing involves a request to rezone approximately 12.64 acres from RS-8 (Single-family Residential, minimum 8,000 sq. ft. lots) to RMF CD (Residential Multi-family – Conditional District). The subject property is located on Court Drive, between Smyre Drive and Log Cabin Drive and is owned by Jerry and Alice Woods.

Staff Presentation: Jason Thompson, AICP, Planning Director

ITEM 5: Public Hearing – Villages at Lynnhaven (File #202300051)

Subject hearing involves a request to amend the conditional zoning district (File 202200570) for approximately 22.28 acres zoned RMF CD (Residential Multi-family – Conditional District). The subject property is located north of W. Hudson Boulevard, adjacent to Clyde Street. The property is owned by Usmani Holdings, LLC., and Jon and Peyton Apel.

Staff Presentation: Jason Thompson, AICP, Planning Director

GASTONIA PLANNING COMMISSION MEETING
Gastonia Council Chamber – City Hall – Gastonia, NC

ITEM 6: Public Hearing – 211 E. Eighth Avenue (File #202300062)

Subject hearing involves a request to rezone approximately 0.26 acres from C-2 (Highway Business) to C-1 (Neighborhood Business). The subject property is located at 211 E. Eighth Avenue, east of S. Oakland Street and is owned by Helmsman Homes, LLC.

Staff Presentation: Jason Thompson, AICP, Planning Director

ITEM 7: Public Hearing – 1410 S. Marietta Street (File #202300063)

Subject hearing involves a request to rezone approximately 0.11 acres from C-3 (General Business) to C-1 (Neighborhood Business). The subject property is located at 1410 S. Marietta Street, between E. Ruby Avenue and Davenport street and is owned by Helmsman Homes, LLC.

Staff Presentation: Jason Thompson, AICP, Planning Director

ITEM 8: Public Hearing – Unified Development Ordinance Amendments (File #202300103)

Subject hearing involves a request to amend *Section 7.1-1 Table of Uses, Section 7.3-1 Bulk and Use Chart, Section 7.6.5 Urban Standards Overlay District USO, Section 8.1.4 Urban Multi-Family and Mixed-Use Residential, and Section 8.1.5 Dwelling, Two Family* to the Unified Development Ordinance to 1) revise the permitted uses and dimensional requirements for all applicable residential uses previously amended by the Revised Residential Development District (*Sections 8.1.11 and 8.1.17*), 2) exempt temporary mobile classrooms on school properties from architectural requirements, and 3) add Urban Multi-Family and Mixed-Use Residential standards.

**Staff Presentation: Jason Thompson, AICP, Planning Director
Demetri Baches, AICP, Metrocology**

ITEM 9: OTHER BUSINESS

ITEM 10: ADJOURNMENT



UPCOMING IMPORTANT DATES

April 18th & May 2nd – City Council Meeting – 6:00 p.m.

May 4th – Planning Commission Meeting – 5:30 p.m.

ALL INTERESTED PERSONS WISHING TO COMMENT SHOULD APPEAR AT THE PUBLIC HEARING. INDIVIDUALS REQUIRING SPECIAL ACCOMMODATIONS WHEN ATTENDING THIS MEETING AND/OR IF THIS INFORMATION IS NEEDED IN AN ALTERNATIVE FORMAT BECAUSE OF A DISABILITY, SHOULD CONTACT THE HUMAN RESOURCES DEPARTMENT, LOCATED IN CITY HALL AT 181 S. SOUTH STREET, TELEPHONE: (704-866-6786), FAX: (704-836-0022) OR BY EMAIL: JUDYS@CITYOFGASTONIA.COM. THE HUMAN RESOURCES DEPARTMENT REQUESTS AT LEAST 72 HOURS' NOTICE PRIOR TO THE MEETING TO MAKE THE APPROPRIATE ARRANGEMENTS.

Gastonia Planning Commission
March 9, 2023 Meeting Minutes

The Gastonia Planning Commission meeting opened at 5:31 p.m. on Thursday, March 9, 2023 in the Council Chambers at City Hall, 181 S. South Street of Gastonia, NC.

Present: Chair Kristie Ferguson and Commissioners Jim Stewart, Carl Harris, Anthony Gallant, David Wilson, Glenn Silverman, Rodney Armstrong

Absent: Commissioner Chad Ghorley

Staff Members Present: Charles Graham, Jason Thompson, Quentin McPhatter, Jason Pauling, Jalen Nash, Shelley DeHart, and Tucker Johnson

Item 1a: Role Call / Sound Check

Chair Kristie Ferguson declared a quorum.

Item 1b: Calls/Contacts to Planning Commission Members

Commissioners were not contacted.

Item 1c: Approval of February 9, 2023 Meeting Minutes

Commissioner Stewart made a motion to adopt the February 9, 2023 minutes as presented and Commissioner Harris seconded the motion. The motion unanimously passed (7-0).

Chair Ferguson explained the rules of procedure and time limitations.

Item 2: Public Hearing – E. Hudson Blvd. & Redbud Dr. (File #202200656)

Subject hearing involves a request to rezone approximately 5.191 acres from RS-8, RS-12 (Single-family Residential), and RMF (Residential Multi-family) to C-3 CD (General Business – Conditional District). The subject property is located at the northwest intersection of Redbud Drive and E. Hudson Boulevard. The property is owned by Triangle Real Estate of Gastonia, Inc.

Chair Ferguson opened the public hearing and recognized Jason Pauling, Assistant Planning Director, for the purpose of staff presentation. The zoning map and aerial image of the site were displayed. Mr. Pauling stated the property is currently vacant and wooded and a small stream runs through the property along the western border. He noted adjoining properties and the request to rezone just over 5 acres at the intersection to C-3 CD which consists of portions of four (4) total tax parcels. Mr. Pauling noted a portion of the main property will remain RS-8 and RS-12 for future development or a future rezoning request. The site plan and elevations were displayed showing the conceptual site plan that features a three-story, climate-controlled storage facility at the intersection totaling approximately 117,000 square feet, and three smaller retail, service, and office buildings totaling 17,500 square feet. Mr. Pauling noted driveways are proposed on both Hudson and Redbud and must be approved by the City and NCDOT. Mr. Pauling also stated there is a request to close Mable Drive, and the applicants will also petition to recombine all properties before submitting a site plan and construction drawings.

The Future Land Use Map and conditions were displayed. Mr. Pauling stated the future land use for the site is indicated as mixed-use. Mr. Pauling noted proposed commercial in a mixed-use context should be a less auto-dependent and neighborhood-scale commercial for the most part, containing commercial uses that are either walkable or have a lower traffic impact. Mr. Pauling stated uses will be limited to what is shown on the site plan, or other neighborhood goods and services uses found in the C-1 zoning district. The statements of consistency and reasonableness were displayed and Mr. Pauling stated that staff recommends approval.

Chair Ferguson asked the Commission if there were any questions for staff. Commissioner Wilson asked if anyone has signed up to speak against this item. Chair Ferguson responded “no”.

With no further questions for staff, Chair Ferguson recognized Richard Denzler, 1673 Perth Rd., Mooresville, NC.

Commissioner Silverman asked Mr. Denzler where the retail shops would be located on the property. Commissioner Silverman asked Mr. Denzler how many retail buildings were being proposed for this site. Mr. Denzler stated there are two 5000 square foot buildings to the rear and they will be broken up into 1200 square foot spaces for a sandwich shop, doctor's office, etc. Mr. Denzler stated the building along the street, facing east Hudson would be 7500 square feet and that would be flex space as well.

Commissioner Wilson asked Mr. Denzler if this is approved, when would this project be constructed. Mr. Denzler responded he is not sure. Mr. Wilson asked Mr. Denzler if the plans are similar to what

the project will look like. Mr. Denzler responded yes, the site has challenges and this plan seems to be the best fit.

Commissioner Harris asked Mr. Denzler if the façade is planned to have mostly masonry product. Mr. Denzler responded yes and they will come back to planning with a full set of plans when the time is right. Commissioner Harris asked Mr. Denzler if they held a community meeting. Mr. Denzler responded yes, on the 27th of February, at the Orchard Trace Community Center adjacent to the property. Commissioner Harris asked Mr. Denzler if there were any calls or concerns from the community. Mr. Denzler responded “no”.

Jason Thompson, Planning Director, followed up on one of the questions asked by Commissioner Harris. Mr. Thompson stated with non-residential buildings in the city of Gastonia, there are base ordinance standards that have to be met regarding materials and architecture. He noted those standards have to be met, regardless of what might be shown in a planning commission agenda. He noted there's also a written zoning condition in this item that specifies this project has to meet that representative elevation,.

With no further questions or discussion, Chair Ferguson asked for the wishes of the board. Commissioner Gallant moved to approve the conditional rezoning request with the statement of consistency and reasonableness. Commissioner Stewart and Wilson seconded the motion. The motion was unanimously approved (7-0).

Item 3: Public Hearing – New Hope Crossings Multi-Family (File #202300044)

Subject hearing involves a request to rezone approximately 4.07 acres from RS-12 (Single-family Residential) to RMF CD (Residential Multi-family – Conditional District). The subject property is located on N. New Hope Road and south of Pinetop Drive, and is owned by Sisk Investments Partnership and Moss Warren Harold.

Chair Ferguson opened the public hearing and recognized Jason Pauling, Assistant Planning Director, for the purpose of staff presentation. The zoning map and aerial image of the site were displayed. Mr. Pauling stated the property is just over 4 acres on the west side of N. New Hope, between Pinetop Drive and Womble Lane. Mr. Pauling noted two of the parcels are developed with older, single-family dwellings and the remaining property is vacant and wooded. He stated the topography slopes from the south to the NW corner. Mr. Pauling noted to the north lies existing single-family residential along Pinetop and Lamb Drive and a larger lot of single-family also exists across New Hope. He stated the site is also close (walking distance) to a commercial center to the north with Food Lion as the anchor.

The site plan was displayed. Mr. Pauling stated the request includes three main residential buildings and a total of 66 units yielding an overall density of about 16. He noted there will be a mix of one, two, and three-bedroom units, and the buildings will be three stories. Mr. Pauling stated the primary access is from New Hope, and the project will include a perimeter, type ‘C’ buffer, and open space to meet code.

The elevations were displayed. Mr. Pauling stated the applicants have submitted elevations to show materials primarily of brick and fiber cement siding. He noted the elevations include gables, variations in the roof lines, and useable patio areas for all units.

The Future Land Use Map was displayed, indicating residential for the subject property, and just below the property along New Hope recommends mixed-use.

Proposed conditions were presented. Mr. Pauling stated the following conditions are included with the CD request: #4 will require some slight modifications to the plan during the site plan review to have adequate fire truck turn-around. #5 references the existing sidewalk in front of the side, and additional payment-in-lieu for the City to complete a multi-use path in the future.

Mr. Pauling presented the appropriate consistency statements, based on the submitted site plan, elevations, and conditions, staff recommends approval of this request. With there being no further questions for staff Chair Ferguson recognized Stephen Drake, 195 Rockbridge Rd., Mills River, NC. Mr. Drake gave a summary of his company, Broad Craft Construction and Development, and noted their company’s vision. He stated the proposed building will be built in the arts and crafts fashion, there will be a community building on site, and stated some of the amenities on site.

Commissioner Gallant asked Mr. Drake if he or his company has been a part of other developments in Gastonia. Mr. Drake responded that they have the Villas at Union Trace, which is off of Union Road;

The Lofts at Union Crossing, also off Union Road; and Catawba Creek Villas, which is off Gaston Day School Road.

Commissioner Silverman asked Mr. Drake if there is going to be only one access to New Hope Road,. Mr. Drake responded "yes". Commissioner Silverman asked Mr. Drake if the development is going to be marketed to seniors or families. Mr. Drake responded it is going to be a mixed community of all ages.

Chair Ferguson recognized Chris Hansen, 1004 Bullard Court, Raleigh, NC. Mr. Hansen stated he is a part of the management company that works with Mr. Drake and he is available if the board has any questions.

Commissioner Harris asked Mr. Hansen what are the rent ranges for workforce housing. Mr. Hansen responded the rents are based on a percentage of the median income of the county and he does not have those numbers with him at the moment.

Chair Ferguson recognized Robert Paysor, 2037 W. New Hope Rd., Gastonia, NC. Mr. Paysor stated he has not seen how the applicant plans to address the wash basins or water drainage. He noted that the traffic on New Hope is not ideal and there are wrecks frequently in the area. Mr. Paysor also stated his concern with the endangered animals in the area and that the applicant not addressing those endangered animals.

Chair Ferguson asked staff to present the rezoning map. Chair Ferguson asked Mr. Paysor if he is number 8 on the map. Mr. Paysor responded "yes".

With there being no further questions for staff or the applicant, Chair Ferguson asked for the wishes of the board. Commissioner Stewart moved to approve the conditional rezoning with the statement of consistency and reasonableness. Commissioner Wilson seconded the motion.

Chair Ferguson asked if there was any discussion. Commissioner Silverman asked staff if wildlife is taken into consideration for rezoning application. Mr. Thompson stated that the City of Gastonia does not have anything in the city ordinances regarding wildlife and wildlife management, and noted that is more under the purview of state departments within state government. Mr. Charles Graham, Assistant City Attorney noted, that a land use decision does not involve wildlife, and it involves the proper use of the land is this consistent with the comprehensive plan of the city, in terms of the type of use allowed in this area. Mr. Graham further described what is involved in land use decisions. With no further discussion amongst the Commissioners or staff, Chair Ferguson continued with the vote on the motion.

The motion was unanimously approved (7-0).

Item 4: Public Hearing – Lewis Street Residential (File #202300004)

Subject hearing involves a request to rezone approximately 1.461 acres from RS-12 (Single-family Residential) and C-3 CD (General Business – Conditional District) to RS-8 CD (Single-family Residential, minimum 8,000 sq. ft. lots – Conditional District). The subject property is located at 706 and 708 Lewis Street, east of E. Davidson Avenue. The property is owned by Helmsman Homes, LLC.

Chair Ferguson opened the public hearing and recognized Jason Pauling, Assistant Planning Director, for the purpose of staff presentation. The zoning map and aerial image of the site were displayed. Mr. Pauling stated both properties are currently vacant, and have a few topographic challenges as they slope from Lewis Street toward the back of the property. He stated the property directly behind the applicants is also vacant, but was approved previously as a landscaping business with a Conditional Use Permit. Mr. Pauling stated to the north also along Lewis Street there are existing single-family residential uses and a small church and to the south, Lewis Street essentially dead-ends just before the railroad tracks. Mr. Pauling stated this request is for RS-8 CD, and to develop two duplexes following the recently adopted RRDD standards of the UDO per section 8.1.17, which addresses infill, single-family attached and duplex development, also known as the missing middle. He noted the surrounding properties are zoned RS-12.

The site plan and elevations were presented. Mr. Pauling stated the proposed duplexes will not have garages, and the parking area will be at the side of each unit setback according to RRDD standards. He noted that a significant amount of the site will remain undeveloped.

The Future Land Use Map was displayed, recommending residential for the subject property and the area. The statements of consistency and reasonableness were displayed and Mr. Pauling stated that staff recommends approval.

With there being no further questions for staff, Chair Ferguson recognized Christine Newsome at 110 Stanton Lane, Mooresville, North Carolina representing Helmsmen Homes. Ms. Newsome stated Helmsmen Homes is a scattered lot-focused company, that focuses on affordable quality homes for first-time home buyers. Ms. Newsome stated there are currently two projects in Gastonia.

Commissioner Wilson asked if there was a mapped floodplain behind the property. Mr. Thompson responded “no”.

With there being no further discussion, Commissioner Silverman moved to close the public hearing and approve the project as presented with the statement of consistency and reasonableness. Commissioner Stewart seconded the motion. The motion was unanimously approved (7-0).

Item 5: Public Hearing – Grover Street Residential (File #202300010)

Subject hearing involves a request to amend the PD-RRDD (Planned Development – Revised Residential Development District) conditional zoning district for approximately 39.57 acres to remove a previously approved road connection. The subject property is located north of Hemlock Avenue, adjacent to Grover Street. The property is owned by Grover Development, LLC.

Chair Ferguson opened the public hearing and recognized Jason Pauling, Assistant Planning Director, for the purpose of staff presentation. The zoning map and aerial image of the site were displayed. Mr. Pauling stated this proposed development is adjacent to the Bradley Center and provides an extension of Grover Street as the primary access. He noted this was one of the first requested RRDD planned developments requested and the property is just under 40 acres and surrounded by mostly RS-8 and some RS-12 single-family homes.

The site plan was displayed, and comparisons of the original site plan and the new site plan were presented. Mr. Pauling stated the revised site plan which proposes a slight reconfiguration of lots based on topography, including the removal of the Bush Street connection proposed in the original approval. He noted the approval for a maximum of 160 units will not change by this requested amendment. Mr. Pauling stated the removal of the Bush Street connection brings the total number of access points from 5 to 4, which is still acceptable for all required access points per Land Development and the Fire Department.

The Future Land Use Map was displayed, recommending future residential growth for this site. Proposed conditions were displayed. Mr. Pauling stated the proposed conditions were the same as the previous approval and staff recommends approval of this request.

Commissioner Silverman asked Mr. Pauling why was this revision made. Mr. Pauling responded if there is a revision or an amendment to a CD, to come back to the Planning Commission, there has to be a change in the configuration of the property as it affects adjoining parcels. He noted in this case, the applicant is proposing to remove the access. Mr. Thompson added that in discussions with the development team, the addition of the Bush Street connection didn't add a lot of value from a transportation perspective. Mr. Thompson stated with the topographic challenges represented, the development team felt that it wouldn't affect much of anything to remove it. He noted when Staff was approached by applicants about making the change, Staff agreed that it didn't represent a very significant change.

With there being no further discussion, Chair Ferguson recognized Francis Yarbrough, 511 Oakland Avenue, Charlotte, NC. Ms. Yarbrough stated the connection to Bush Street is a small residential street and it was causing significant challenges with grading through the site. She stated it was causing more retaining walls and higher retaining walls. Ms. Yarbrough stated they realized by removing that connection, they were able to still have a significant amount of connectivity with the four road connections through the site, and they were able to reduce those retaining wall impacts on the homeowners here.

Chair Ferguson asked Ms. Yarbrough to give the Commission some information about their community meeting. Mr. Yarbrough responded they had two people attend and the attendees live on the opposite side of where they are proposing the ponds. She stated the attendee's questions were about the buffer in the back. Ms. Yarbrough stated they had shown the attendees the proposed tree save in the floodplain area that they are not impacting.

With there being no further questions for the applicant, Chair Ferguson recognized Mr. Charles Blanton who signed up to speak against the item. Mr. Blanton resides at 707 N. Bush Street. He stated that he believes this is a significant change in the original approval, and that he believes it to also be a safety issue to remove the Bush Street connection. He stated with the proper development, it would be helpful

for the community to be able to connect through and come out on Ballard or to New Hope, hopefully, have some sort of a bridge to where the children, the existing neighbors, and the future neighbors will be able to get to the Bradley Center. Mr. Blanton stated he liked the original plan better.

Commissioner Wilson asked Mr. Thompson if this was to pass and Bush Street to be closed, if the Police Department, Fire Department, and Emergency Rescue all have to sign off to make sure they have proper egress. Mr. Thompson responded that the proposal here is not to close, nor do anything to the existing Bush Street. Mr. Thompson stated that type of process runs through the City Council. He stated what's being requested is to alter the development plan and the zoning standards/conditions for the Grover Street Project to just simply not connect to existing Bush Street. Mr. Thompson stated Bush Street would remain as it is, under this proposal, and still connect to all the other existing streets. Mr. Thompson mentioned the connectivity options, including a trail discussed between the Grover Development team, the Planning Department, and Land Development.

Mr. Blanton asked Mr. Thompson if this would be a trail or a road for families to safely bring their children to the Bradley Center via automobile. Mr. Thompson responded the idea is a 10-foot-wide paved ADA-compliant public trail, which would include a bridge across the stream that is on the eastern edge of the Bradley Center site.

With there being no further discussion, Chair Ferguson asked for the wishes of the Board. Commissioner Wilson moved to approve the proposed zoning amendment with the statement of consistency and reasonableness. Commissioners Stewart and Gallant seconded the motion. The motion was unanimously approved (7-0).

Item 6: Public Hearing – 1818 W. Fifth Avenue (File #202300024)

Subject hearing involves a request to rezone approximately 0.34 acres from RS-8 (Single-family Residential) to RS-8 CD (Single-family Residential, minimum 8,000 sq. ft. lots – Conditional District) for changes to an existing structure, and development of one new infill single-family house. The subject property is located at 1818 W. Fifth Avenue, adjacent to Sherman Street. The property is owned by Statement Homes, LLC

Chair Ferguson opened the public hearing and recognized Jason Pauling, Assistant Planning Director, for the purpose of staff presentation.

Mr. Pauling stated that this item has been requested to be tabled so that staff can work with the applicant on revisions. Mr. Graham stated there is the option of continuing until the April 6th meeting.

Commissioner Silverman made a motion to continue Agenda Item #6 to the April 6th meeting. Commissioners Wilson and Harris seconded the motion. The motion to continue was unanimously approved (7-0).

Item 7: Public Hearing – Delta Business Park (File #202300048)

Subject hearing involves a request to rezone approximately 41.119 acres from Gaston County I-2 (General Industry) to the City of Gastonia I-2 (General Industrial). The subject property is located north of I-85, on Delta Drive (1451 & 1500 Delta Drive). The property is owned by JEJ Liability Limited Partnership 3. The Gastonia City Council will hold a Public Hearing on this request along with an Annexation petition at the March 21, 2023, City Council meeting.

Chair Ferguson opened the public hearing and recognized Jason Pauling, Assistant Planning Director, for the purpose of staff presentation. The zoning map and aerial image of the site were displayed. Mr. Pauling stated this request is so that the full Delta Business Park development will entirely fall within the City Limits. He noted an 872,000-square-foot distribution facility is currently under construction on this site. Mr. Pauling stated the requested area for annexation and assignment of zoning is approximately 41.119 acres and it is surrounded by property that is also zoned industrial. The Future Land Use Map was displayed, recommending Industrial Use. Mr. Pauling stated staff is recommending approval of this request.

With there being no further discussion, Chair Ferguson recognized Ian Shorkey, 440 S. Church St, Suite 800, Charlotte, NC.

With there being no questions for the applicant, Chair Ferguson asked for the wishes of the Board.

Commissioner Stewart made a motion of recommendation to close the public hearing and recommendation to City Council to approve the assignment of zoning request with a statement of consistency and reasonableness. Commissioner Wilson seconded the motion. The motion was unanimously approved (7-0)

Item 8: Public Hearing – Hans Kissle Company (File #202300054)

Subject hearing involves a request to rezone approximately 26.82 acres from Gaston County I-2 (General Industry) to the City of Gastonia I-2 (General Industrial). The subject property is located on Apple Creek Parkway, east of White Jenkins Road. The property is owned by Hans Kissle Company, LLC. The Gastonia City Council will hold a Public Hearing on this request along with an Annexation petition at the March 21, 2023, City Council meeting.

Chair Ferguson opened the public hearing and recognized Jason Pauling, Assistant Planning Director, for the purpose of staff presentation. The zoning map and aerial image of the site were displayed. Mr. Pauling stated the Apple Creek Business Park development was originally led by Gaston County to continue the successful momentum of the Gastonia Technology Park Development. Mr. Pauling stated the park was developed outside the City Limits with each property owner having the option to voluntarily annex for the larger of which projects, we will see these requests for annexation and zoning for them to have water and sewer usage.

The Future Land Use Map was displayed and originally showed residential for this area, well before the Gastonia Tech Park was completed and before the Apple Creek Business Park concept was established, so this will be revisited with the Future Land Use Plan update.

The statements of consistency and reasonableness were displayed and Mr. Pauling stated Staff recommends approval of this request. Mr. Pauling stated Hans Kissle is currently under construction and stated they are a fresh foods manufacturer planning to invest \$42.2 million into the City of Gastonia's economy and create 219 new jobs. He noted over the next year, the City of Gastonia will probably get more annexation and zoning requests for other properties in the Apple Creek Business Park.

Commissioner Harris stated he has seen construction and that the applicants have other developments in front or behind their property, he asked staff if some of those developments have been annexed yet. Quentin McPhatter, Assistant City Manager, stated some of the parcels in Apple Creek will annex into the City and some will not, and that property owners are given the choice. Commissioner Harris asked Mr. McPhatter what happens when properties adjacent to each other decide not to annex. Mr. McPhatter stated that most owners will choose to annex into the City of Gastonia in order to receive the incentives offered by the City, such as water and sewer, police and fire protection, etc.

Discussion ensued over why some property owners choose to annex their properties into the City and some do not.

Chair Ferguson recognized Celestino Martinez, 3606 The Plaza, Charlotte, NC. With there being no questions for Mr. Martinez, Chair Ferguson asked for the wishes of the Board.

Commissioner Silverman made a motion to close the public hearing and a recommendation to City Council to approve the request with a statement of consistency and reasonableness. Commissioner Wilson seconded the motion. The motion was unanimously approved (7-0)

Item 9: Public Hearing – 3435 S. New Hope Rd. (File #202200638)

Subject hearing involves a request to rezone approximately 3.77 acres from RS-12 (Single-family Residential) and C-3 CUP (General Business – Conditional Use Permit) to C-3 CD (General Business – Conditional District). The subject property is located at the northwestern intersection of S. New Hope Road and adjacent to Barber Road. The property is owned by PEN, LLP.

Chair Ferguson opened the public hearing and recognized Jason Pauling, Assistant Planning Director, for the purpose of staff presentation. The zoning map and aerial image of the site were displayed. Mr. Pauling stated the existing property is operated as Tails 'R Waggin Dog Boarding Facility located at 3435 South New Hope Road. He noted the existing business contains three buildings that front on South New Hope at the corner of New Hope and Barber, and an additional property at the back currently vacant, wooded, and zoned RS-12. Mr. Pauling stated the existing business received a Conditional Use Permit in 2013 for an Animal Kennel in addition to its current use as a boarding facility. He noted the adjacent properties and their zoning designations.

The site plan, widening plan, and elevations were presented. Mr. Pauling stated this request is necessitated by the widening of South New Hope Road, which will impact the applicant's existing buildings. He noted the site plan is only conceptual, but it proposes to move the entire facility further back, and into one, 10,000 square foot building. Mr. Pauling stated a secondary driveway is also planned on Barber Drive and due to the widening, the existing driveway on New Hope will also be impacted and at this location will likely be a right-in, right-out only. Mr. Pauling stated as the City of Gastonia starts to see the impact from this widening project, specifically on business owners, we may see more requests to continue to push commercial back.

The Future Land Use Plan was presented. Mr. Pauling stated the Future Land Use Plan does not fully accommodate the impacts of the widening, so this is another area that staff will probably look at with the update.

Proposed conditions were presented. Mr. Pauling mentioned a couple in particular, first is to make sure we accommodate the use as proposed, the conditions of the existing CUP, and to allow for minor modifications in coordination with the City and NCDOT. Secondly, he pointed out improvements to Barber Road for the new driveway, and a type 'D' buffer where the property adjoins existing residential zoning.

The statements of consistency and reasonableness were displayed and Mr. Pauling stated that staff recommends approval of the request.

With there being no further questions for staff, Chair Ferguson recognized Mark Epstein, 2139 Winter Lake Dr., Gastonia, NC. Dr. Epstein stated that to say his business is impacted by this widening is a vast understatement, and that the widening will take all of the building on the site. Dr. Epstein explained, from the presentation, how the S New Hope Rd. widening project will cause his property building to be moved. and stated they had a neighborhood meeting on February 23rd and there was one family present. He noted that family did not object at the time of the meeting and they are present tonight.

Commissioner Harris asked staff what is the projected completion of the new road project and transformation of the intersections. Mr. Pauling responded from the information provided by NCDOT online, Right-of-way construction will begin the summer of 2026.

Commissioner Wilson asked Mr. Epstein if he was aware of the petition being put together, by tenants on that road, to fight NCDOT's proposed expansion. Mr. Epstein responded that he is not aware of this petition.

Chair Ferguson recognized Sonia Youngblood, 405 Barber Rd., Gastonia, NC. Ms. Youngblood stated she did not oppose Mr. Epstein's proposal; she just did not know what would happen to her family's property if this were approved. She stated she was not sure if her family's property would have to be commercial as well. Mr. Thompson responded that this process is entirely applicant and property owner driven, meaning that property owners with development intentions or who may want to purchase a property to develop it from the owner are typically whofiles a petition with the City for a rezoning. He noted this in no way impacts uses that are allowed on your property or development potential.

With there being no further discussion, Commissioner Stewart moved to approve the requested Conditional Rezoning with the statement of consistency and reasonableness. Commissioner Wilson seconded the motion. The motion was approved unanimously (7-0).

Item 10: Other Business

Planning Director, Jason Thompson, stated that there is no other business to discuss.

Item 11: Adjournment

There being no further business, Commissioner Harris made a motion to adjourn the meeting and Commissioner Gallant seconded the motion. Hearing none in opposition, the meeting adjourned at 6:56 p.m.

Respectfully submitted,

Jalen Nash, Planning Tech

Kristie Ferguson, GPC Chair

**PUBLIC HEARING
STAFF REPORT**

File # 202200544

GPC Hearing Date: April 6, 2023

OWNER(S): Norris D. Lamb Jr.
APPLICANT: Tyler Toney
PROPOSED ZONING ACTION: Rezoning from I-2 (City and County) to C-3 (City)
LOCATION: South of Bessemer City Road on Shannon Bradley Road (PIDs: 137650, 137651)
TRACT SIZE: Approximately 0.97 acres
WARD: 4

EVALUATION:

Site Description and Background

The subject property includes two tax parcels 137650 and 137651 totaling approximately 0.97 acres. Tax parcel 137650 and 137651 are in the City of Gastonia's jurisdiction except for a small 0.06-acre portion in the northwestern corner of the site that is in Gaston County's jurisdiction. The annexation request is for the 0.06-acres zoned Gaston County I-2 (General Industrial) to make the entirety of both tax parcels in the City of Gastonia's jurisdiction. The rezoning request is for approximately 0.97-acres, from I-2 (General Industrial) to C-3 (General Business). The subject property is located south of Bessemer City Road on Shannon Bradley Road and is vacant and wooded.

Adjoining Properties and Land Use Trends

Adjoining land use is a mix of industrial and commercial. North and east of the subject property is zoned I-2 and consists of industrial like uses including warehousing, distribution and the AT&T telecommunications facility. To the west of the site is primarily vacant with the exception of three single-family dwellings and is a mix of Gaston County I-2 and City of Gastonia I-2. Directly to the south of the subject property is C-3 zoning consisting of a Bojangles, gas station and the Express Inn and Suites hotel.

Available Public Facilities

Water and sewer are available to the service the property.

Consistency with Adopted Plans

The Future Land Use Map in the 2025 Comprehensive Plan indicates primarily commercial uses for the subject property. Tax parcels 137650 and 137651 are located in a transition area from industrial uses to a commercial corridor along Bessemer City Road. Staff supports a rezoning to the C-3 zoning district and believes it is compatible with the surrounding area and land uses.

Conclusion

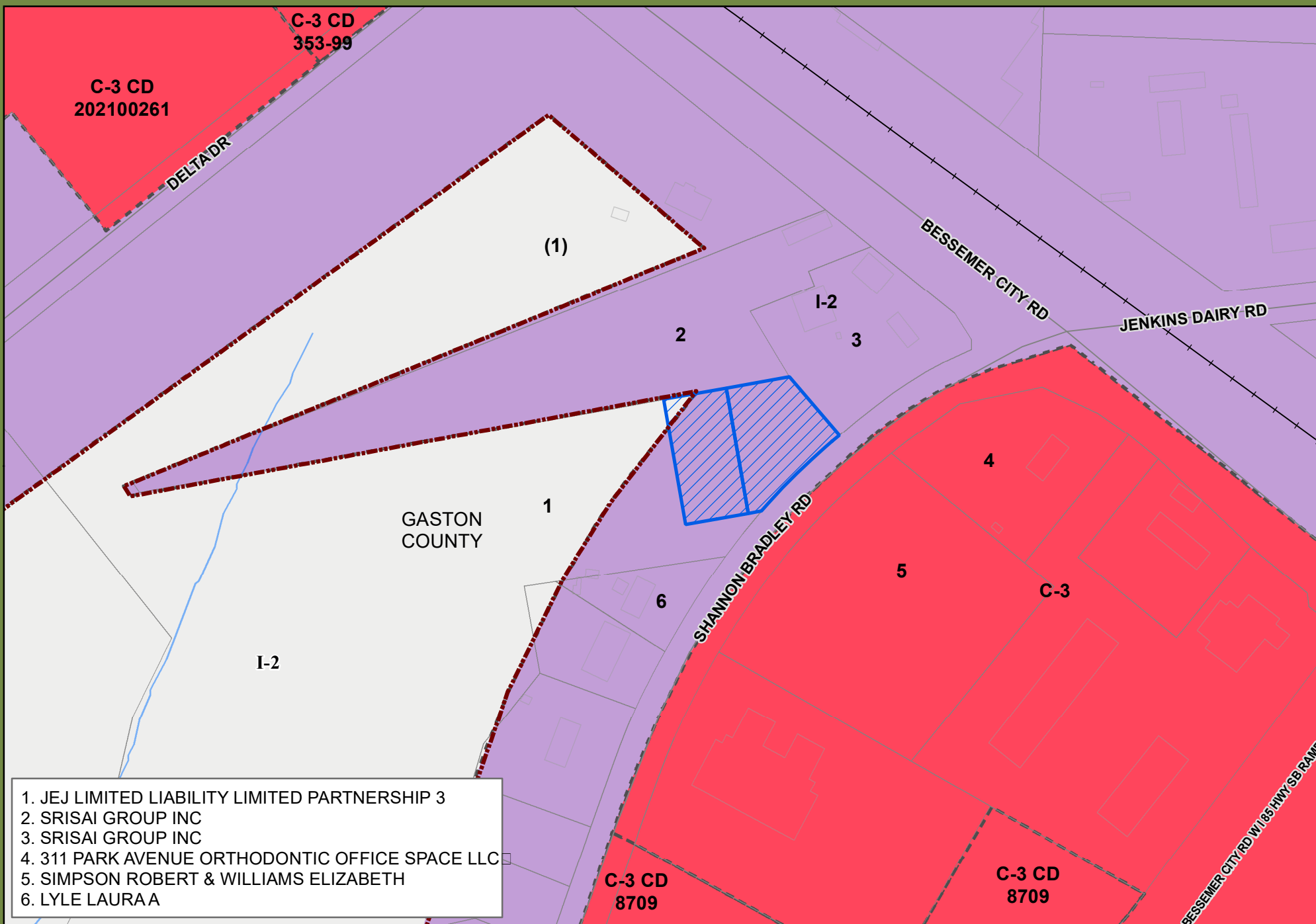
The request includes an annexation of 0.06 acres, and rezoning of the entire 0.97 acres from I-2 to C-3. Based on the 2025 Comprehensive Plan, existing zoning and surrounding land uses, staff feels a general rezoning to C-3 is consistent and in the public interest for this area, and therefore **staff recommends that the request be approved as presented.**



Maddy Gates, MURP
Planner

Statement of consistency and reasonableness (motion to approve): The proposed zoning is consistent with the 2025 Comprehensive Plan and will result in the development of a commercial use. The Planning Commission considers an affirmative vote to be reasonable and in the public's interest.
































Statement of consistency and reasonableness (motion to deny): The Planning Commission considers an affirmative vote to not be reasonable and to not be in the public interest.



Applicant: Tyler Toney
Owner: Norris D. Lamb Jr.
Planning Comm Hearing: April 6, 2023
Request: I-2 to C-2
Ward: 4
Total Tract Size: approx. 0.97 acres
Parcel ID #: 137650 & 137651

 **Subject Property**

Legend

- | | |
|--|---|
|  AP Airport |  City Boundary |
|  C-1 Light Commercial |  Roads |
|  C-2 Highway Commercial |  Railroad |
|  C-3 General Commercial |  Streams |
|  CBD Central Business District |  Parcels |
|  I-U Urban Industrial |  Buildings |
|  I-1 Light Industrial | |
|  I-2 General Industrial | |
|  I-2 General Industrial | |
|  O-1 Office | |
|  OLC Office/Light Commercial | |
|  O-M Medical Office | |
|  PD IRD Planned District Infill Res Devt | |
|  PD PRD Planned District Planned Res Devt | |
|  PD RRDD Planned District Revised Res Devt District | |
|  PD PUD Planned District Planned Unit Devt | |
|  PD TND Planned Dist Traditional Neighborhood Devt | |
|  RLD Residential Low Density | |
|  RS-12 Residential 12000sqft lots | |
|  RS-8 Residential 8000sqft per lot | |
|  R-A Rural Agricultural | |
|  RMF Residential Multi-Family District | |
|  SP State Park District | |
|  TMU Transitional Mixed Use | |
|  UMU Urban Mixed Use District | |

Gaston County Zoning
 I-2


Note: For a complete elaboration of zoning classifications, see the Unified Development Ordinance or contact the City of Gastonia Planning Department at (704) 854-6652.

1. JEJ LIMITED LIABILITY LIMITED PARTNERSHIP 3
2. SRISAI GROUP INC
3. SRISAI GROUP INC
4. 311 PARK AVENUE ORTHODONTIC OFFICE SPACE LLC
5. SIMPSON ROBERT & WILLIAMS ELIZABETH
6. LYLE LAURAA

Application
PLMA202200544

I, Julia Baker-Granata, hereby certify that all mail notices, in the absence of fraud, were mailed to all affected and adjoining property owners on March 23, 2023.



1 : 2,400
 1 inch represents 200 feet
 Plot Date: March 22, 2023




LEGEND

- IPF ○ IRON PIN FOUND (TYPE NOTED)
- IPS ○ IRON PIN SET #4 REBAR SET FLUSH (UNLESS OTHERWISE NOTED)
- UNMARKED POINT
- AG ABOVE GROUND
- BG BELOW GROUND
- OTP OPEN TOP PIPE
- PTP PINCHED TOP PIPE
- EOP EDGE OF PAVEMENT
- R/W RIGHT-OF-WAY
- PP POWER POLE
- OHE— OVERHEAD ELECTRIC LINE
- X-X- FENCE
- SURVEYED LINE
- - - UNSURVEYED LINE (WHEN BEARING & DISTANCE NOT SHOWN)
- - - ROAD RIGHT-OF-WAY LINE
- ~ ~ ~ TREE LINE

FLOOD CERTIFICATION

THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED: 9/28/2007
 MAP NUMBER: 3710353600J

CITY CLERK CERTIFICATION

_____, CLERK FOR THE CITY OF GASTONIA, CERTIFY THAT THIS PLAT WAS APPROVED BY THE GASTONIA CITY COUNCIL ON _____

CITY CLERK _____ DATE _____

ANNEXATION CERTIFICATE

ANNEXATION EFFECTIVE DATE: _____

CERTIFICATE OF REVIEW OFFICER

STATE OF NORTH CAROLINA, COUNTY OF GASTON

I, _____, REVIEW OFFICER OF GASTON COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL THE STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____

RECOMBINATION NOTE:

THE PURPOSE OF THIS PLAT IS TO COMBINE PID # 137650 (0.46 AC) WITH PID # 137651 (0.52 AC) TO MAKE ONE CONTIGUOUS LOT CONTAINING 0.98 ACRES, A LEGAL DOCUMENT OF RECOMBINATION IS REQUIRED TO BE RECORDED.

CERTIFICATE OF SURVEYOR

THIS PLAT IS OF A SURVEY OF ANOTHER CATEGORY SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.

I CERTIFY THAT THIS MAP WAS DRAWN FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK _____, PAGE _____) OR OTHER REFERENCE SOURCE AS SHOWN, BOUNDARIES NOT SURVEYED WERE DRAWN FROM OTHER REFERENCE SOURCE AS SHOWN, AREA WAS DETERMINED BY COMPUTER AND THE POSITIONAL ACCURACY IS 0.10, THE GRID ORIENTATION FOR THIS SURVEY WAS OBTAINED FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION, THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED, WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER, AND SEAL THIS _____ DAY OF _____, 2022.

**PRELIMINARY PLAT
 NOT FOR RECORDATION,
 CONVEYANCES, OR SALES.**

GENERAL NOTES:

1. SURVEY BASED ON PHYSICAL EVIDENCE AND EXISTING CONDITIONS.
2. SURVEY PREPARED WITHOUT BENEFIT OF TITLE ABSTRACT. THE SURVEYED PROPERTY IS SUBJECT TO ANY EXISTING EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, SETBACK LINES, BURIED UTILITIES, PIPES, TANKS, MINERAL RIGHTS, TIMBER RIGHTS, AND LANDFILLS, WHETHER OR NOT SHOWN ON THIS PLAT AND WHETHER OR NOT RECORDED IN THE PUBLIC RECORD.
3. NO NC GRID MONUMENTS WERE FOUND WITHIN 2,000 FEET OF SURVEY, UNLESS OTHERWISE INDICATED.
4. UNDERGROUND UTILITIES WERE NOT LOCATED EXCEPT AS SHOWN, WHERE SHOWN, BY OBSERVED EVIDENCE ONLY, UNLESS OTHERWISE NOTED.
5. BEARINGS SHOWN HEREON ARE DEGREES, MINUTES, AND SECONDS AND DISTANCES ARE US SURVEY FOOT, UNLESS OTHERWISE INDICATED.
6. THE CITY OF GASTONIA WILL NOT BE RESPONSIBLE FOR MAINTAINING ANY OPEN DITCHES, CREEKS OR STREAMS EVEN THOUGH A DRAINAGE EASEMENT IS PROVIDED.

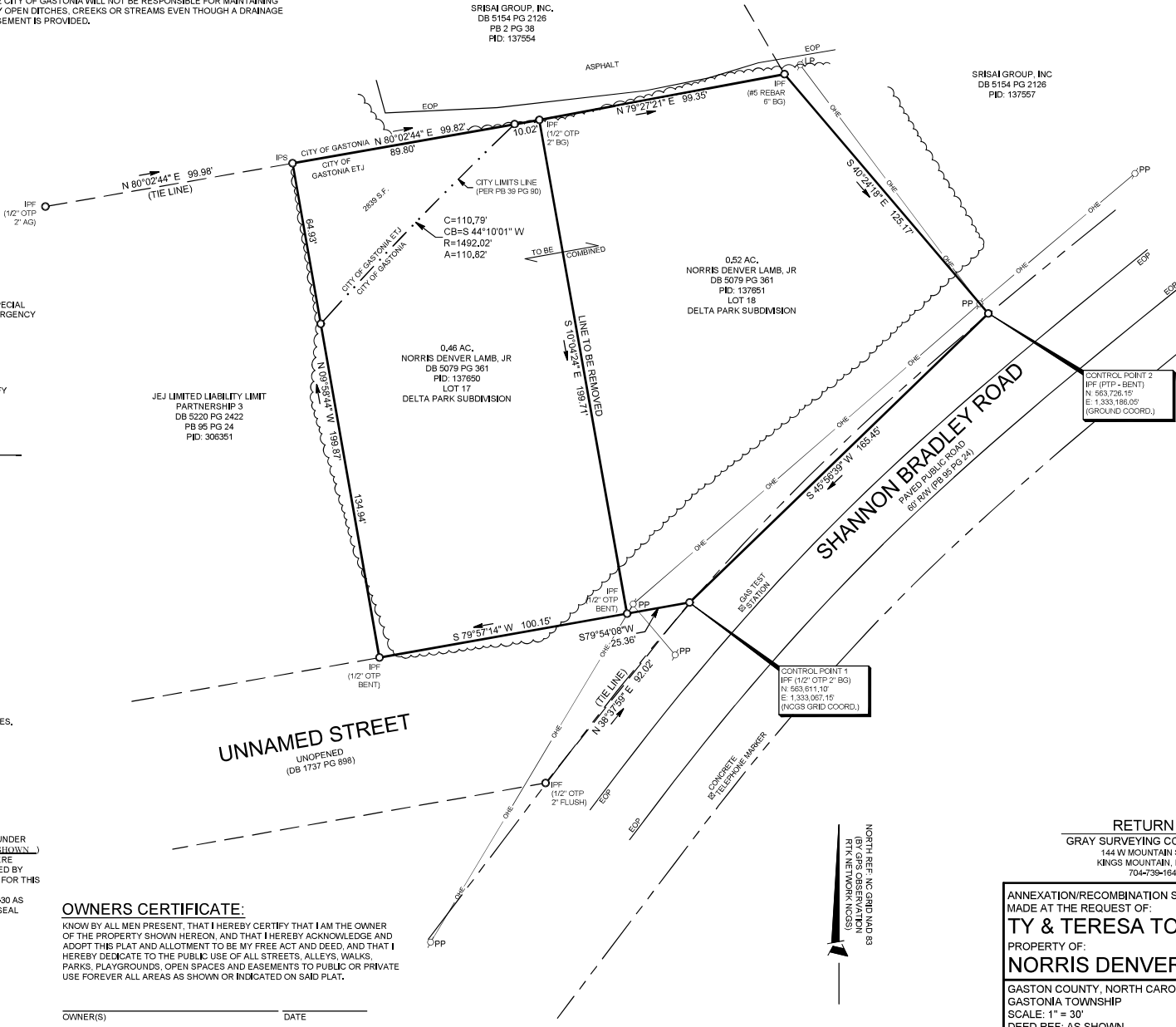
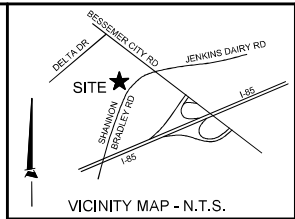
GPS NOTES:

CLASSIFICATION: CLASS A
 TYPE OF GPS FIELD PROCEDURE: RTK NETWORK NCGS
 DATUM/EPOCH: NAD 83 (2011), NAVD 88
 GEICD MODEL: GEICD 12 (B)
 COMBINED FACTOR = 0.59987270
 UNITS: US FOOT
 POSITIONAL ACCURACY: 0.10'
 DATE OF GPS CONTROL: 22 DECEMBER 2022
 GRID ORIENTATION LOCALIZED TO: CONTROL POINT 1

LEGAL DESCRIPTION FOR AREA TO BE ANNEXED

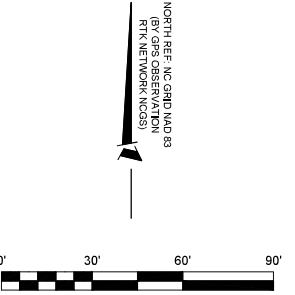
LYING IN GASTONIA TOWNSHIP, GASTON COUNTY, NORTH CAROLINA, ON THE NORTH SIDE OF SHANNON BRADLEY ROAD AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN SET (#4 REBAR) IN THE LINE OF SRISAI GROUP, INC., AS RECORDED IN DB 5154, P. 38, SAID IRON BEING THE COMMON CORNER OF NORRIS D. LAMB, JR AS RECORDED IN DB 5079, P. 361 AND JEJ LIMITED LIABILITY PARTNERSHIP 3 AS RECORDED IN DB 5220 P. 2422, AND ALSO BEING LOCATED N80-02-44E 99.86' FROM AN IRON PIN FOUND (1/2" PIPE), AND RUNNING THENCE WITH THE LINE OF SRISAI GROUP, INC., N80-02-44E 89.80' TO A POINT, SAID POINT BEING LOCATED S80-02-44W 10.02' FROM AN IRON PIN FOUND (1/2" PIPE), THENCE S44-10-01W 110.79' ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1492.02' AND ARC LENGTH OF 110.82' TO A POINT IN THE LINE OF JEJ LIMITED LIABILITY PARTNERSHIP 3, THENCE N09-55-44W 64.63' TO THE PLACE OF BEGINNING AND CONTAINING 2839 SQ. FT.



CONTROL POINT 2
 IPF (PTP - BENT)
 N: 563,726.15'
 E: 1,333,186.05'
 (GROUND COORD.)

CONTROL POINT 1
 IPF (1/2" OTP 2" BG)
 N: 563,611.10'
 E: 1,333,067.15'
 (NCGS GRID COORD.)



RETURN TO:
 GRAY SURVEYING COMPANY, INC.
 144 W. MOUNTAIN STREET
 KINGS MOUNTAIN, NC 28086
 704-739-1644

ANNEXATION/RECOMBINATION SURVEY
 MADE AT THE REQUEST OF:
TY & TERESA TONEY
 PROPERTY OF:
NORRIS DENVER LAMB, JR
 GASTON COUNTY, NORTH CAROLINA
 GASTONIA TOWNSHIP
 SCALE: 1" = 30'
 DEED REF: AS SHOWN
 DATE: 22 DECEMBER 2022
 PID: 137650, 137651
 JOB: 2022-578 TONEY

**CITY OF GASTONIA
APPLICATION FOR PUBLIC HEARING**

Detach pages 1-10 from this packet and retain for your records.

The undersigned do hereby make application to the City of Gastonia for the hereinafter described request and in support of this request, the following facts are shown:

1. Identify the request (example: rezone from RS-12 to OLC CD or CUP for outdoor storage; etc.)

Rezone to C-3 for a laundry mat

Please Note: Before applying for a rezoning, applicants are advised to determine if their property is subject to private deed restrictions to be sure the intended use of the property is allowed. The City of Gastonia neither keeps records of, enforces, nor overrules private deed restrictions.

2. Gaston County Tax Identification Number: 137650-137651
Subject property address: Shannon Bradley Rd

3. In order for our staff to place the rezoning signs on the property, please describe what is on the subject property and or adjacent properties (example: a white frame house is located on the property; the property is vacant with Business X located on the East side). Staff will erect the signs approximately 15 days prior to the meeting.

Property is vacant with a convenience store to the right.

4. Complete legal description by metes and bounds of said realty is attached to the application (a copy of the deed is sufficient).

5. In order to be familiar with the subject property the City staff may need to walk the property. Do we have the property owner's permission to do so? yes

6. The real property to be rezoned is owned in fee simple by Norris Lamb

as evidenced in deed from Christopher D Land recorded in Deed Book 5679 at page 361-363 in the Gaston County Registry.

7. The real property, which the above request is sought is located on the Right side of Shannon Bradley between 1533 Shannon Bradley and 1721 BC Road having a frontage of 0 feet and depth of 215 391 feet and acreage of 46.99 TT

8. Are sewer and water available on the property? yes

9. The tax sheets for all persons or firms that own the subject land and land adjacent to or within 100 feet of all sides, including property across the street, from the property for which the request is sought are attached. (Note: When measuring the 100-foot distance, street rights-of-way shall not be included in the measurement.)

10. If the applicant does not own the property sought to be rezoned, the names and addresses of the legal owners are listed below. The owner's names and their addresses are recorded in the Gaston County Tax Office. (Use additional sheets of paper if necessary.)

Norris Lamb
1130 Catwaba Run Rd
Lowell, NC 28098

11. Name and address of applicant: Tyler Toney
1425 Merrimon Ave, Kings Mt, NC 28086
Telephone #: 704-202-9459 Fax #: 704-739-7234
E-mail address: tl101@aol.com

Laundromat

12. Interest in subject realty _____

13. There are no restrictions or covenants of record appearing in the chain of title which would prohibit the property from being used as requested. True False

14. Has this property previously been subject to any of the following? conditional use permit planned unit development subdivision ordinance unified development
If yes, please explain N/A

15. Name and address of person to present item at public hearing Tyler Toney
1425 Merrimont Ave Kings Mtn NC 28086
Telephone number (704) 202-9459

I, Tyler Toney, certify that I have read the information provided in the public hearing information package on the 20th day of Sept, 2022

SIGNATURES: All property owners must sign when either a Conditional Use Permit or CD is requested.

DocuSigned by:

Norris Lamb Jr.

48391525B68247D...

**PUBLIC HEARING
STAFF REPORT**

File # 202300050

GPC Hearing Date: April 6, 2023

OWNER: Jerry W. and Alice K. Woods
APPLICANT: Davis Ray, Wynnefield Forward, LLC
PROPOSED ZONING ACTION: Rezoning from RS-8 to RMF CD
LOCATION: 2985 Court Drive (PIDs #136838, 136839, 208198, 208199, and 137850).
TRACT SIZE: Approximately 12.64 acres
WARD: 2

EVALUATION:

Site Description and Background

The subject site for this rezoning request consists of five parcels located between Court Drive and Log Cabin Drive. Two of the existing parcels (PIDs# 208198 & 208199) are likely to be used as a continuation of Court Drive or a private access drive into the actual development site. The combination of the parcels (PIDs# 136838, 136839, and 137850) result in a 12.64-acre area site currently zoned RS-8 (residential, single family). The site is semi-wooded consisting of a mix of hardwood and evergreen trees. Historic photos reveal a single-family home existed prior to 2011 and only a barn remains on the development site.

The applicant is requesting to rezone all contiguous 12.64 acres to RMF CD (Residential Multi-family - Conditional District) to construct a total of 200 - multi-family units within seven (7) buildings consisting of a mix of thirty (30) one-bedroom units, ninety-six (96) two bedroom units, and seventy-four (74) three bedroom units. The development includes an amenity center building, picnic and playground area, as well as a future public greenway path. Access into the development is proposed from both Court Drive and Log Cabin Drive. Court Drive will be required to extended to the subject property, and improved to meet City of Gastonia Street standards.

Submitted elevations propose seven, three-story buildings with a mix of materials primarily brick and cementitious fiber board. Elevation details include gables, variation in roof line, and usable patio areas for residential units.

Proposed zoning conditions:

1. Development shall be generally consistent with the attached site plan including a maximum of 200 apartment units.
2. Applicant(s) shall coordinate with the City and NCDOT on the primary access locations and required improvements.
3. The subject parcels shall be consolidated into one development site per development plan.
4. A traffic impact analysis will be required at the construction plan review stage of development.
5. Construction shall be generally consistent with character and details as depicted in the submitted elevations and architectural standards. Applicants shall continue to provide elevation details for all sides throughout site plan and zoning reviews and permits.
6. In no instance shall the zoning conditions exempt a project from other development requirements.
7. Where the notes or depictions on the site plan may conflict with these conditions, the conditions shall govern.

Adjoining Properties and Land Use Trends

Single-family residential uses exist to the west of the site and increase in intensity approaching Cox Road, where office and retail uses begin. Residential uses also exist to the north and east within the Smyre neighborhood. To the south and southeast, exist vacant and industrial zoned property until the land meets I-85.

Available Public Facilities

Water and sewer is available at the property.

Consistency with Adopted Plans

The Future Land Use Map in the 2025 Comprehensive Plan indicates future residential use within this area encouraging appropriate and selective, high quality residential redevelopment within the Smyre neighborhood. A Smyre Mill Village Plan adopted on May 16, 2000 also exists for the project area that states in order for multi-family development to be “accepted”, the design standards must be raised. This area plan predates many of city’s ordinances updates that now include design standards for multi-family structures.

Conclusion

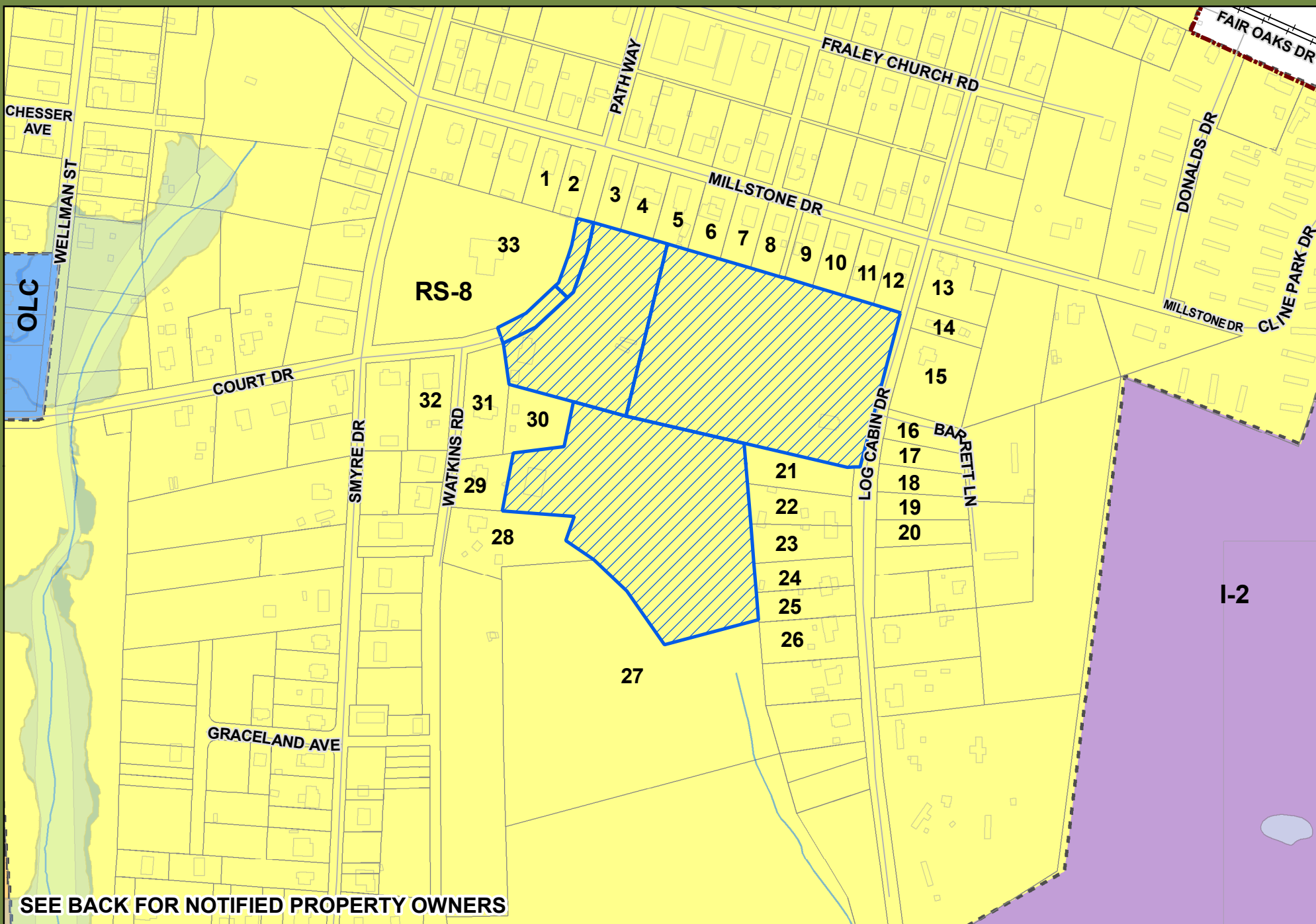
The applicant has requested that the property be rezoned from RS-8 to RMF CD (Residential Multi-family – Conditional District). Based on the submitted site plan, detailed elevations, and proposed conditions, **staff recommends approval of the request.**



Jason T. Pauling, AICP
Assistant Planning Director




































Statement of consistency and reasonableness (motion to approve): Based on the 2025 Comprehensive Plan, the Smyre Mill Village Plan, as well as existing zoning and surrounding zoning and land uses, the Planning Commission considers an affirmative vote for multi-family development to be reasonable, compatible, and in the public’s interest.

Statement of consistency and reasonableness (motion to deny): The Planning Commission considers an affirmative vote to not be reasonable and to not be in the public interest.



Applicant: Wynnefield Forward, LLC
Owner: Jerry W. Woods & Alice K. Woods
Planning Comm Hearing: April 6, 2023
Request: RS-8 to RMF-CD
Ward: 2
Total Tract Size: approx. 12.64 acres
Parcel ID #: 137850, 136838, 136839, 208198, 208199

 **Subject Property**

- Legend**
-  City Boundary
 -  Roads
 -  AP Airport
 -  Railroad
 -  C-1 Light Commercial
 -  Floodway
 -  C-2 Highway Commercial
 -  100yr Flood Zone
 -  C-3 General Commercial
 -  500yr Flood Zone
 -  CBD Central Business District
 -  Streams
 -  I-U Urban Industrial
 -  Lakes
 -  I-1 Light Industrial
 -  Parcels
 -  I-2 General Industrial
 -  Buildings
 -  I-2 General Industrial
 -  OLC Office/Light Commercial
 -  O-1 Office
 -  O-M Medical Office
 -  PD IRD Planned District Infill Res Devt
 -  PD PRD Planned District Planned Res Devt
 -  PD RRDD Planned District Revised Res Devt District
 -  PD PUD Planned District Planned Unit Devt
 -  PD TND Planned Dist Traditional Neighborhood Devt
 -  RLD Residential Low Density
 -  RS-12 Residential 12000sqft lots
 -  RS-8 Residential 8000sqft per lot
 -  R-A Rural Agricultural
 -  RMF Residential Multi-Family District
 -  SP State Park District
 -  TMU Transitional Mixed Use
 -  UMU Urban Mixed Use District


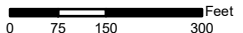
Note: For a complete elaboration of zoning classifications, see the Unified Development Ordinance or contact the City of Gastonia Planning Department at (704) 854-6652.

SEE BACK FOR NOTIFIED PROPERTY OWNERS

Page 15
Application
PLMAC202300050

I, Julia Baker-Granata, hereby certify that all mail notices, in the absence of fraud, were mailed to all affected and adjoining property owners on March 23, 2023.



1 : 3,600
 1 inch represents 300 feet
 Plot Date: March 20, 2023



PLMAC202300050

1. MORTON SANDRA G
2. HOVIS LESTER R & HOVIS VIRGINIA G
3. RIOS EMILY & JOHNSON RONALD LELAND
4. AUTEN JAMES REGINALD
5. COOPER BRIAN CARL SR & COOPER JOY S
6. SPURLING ROY E & SPURLING NELTA M
7. LOVE MARK DELANE
8. THE ELO GROUP LLC
9. DAVIS MINNIE ESTATE OF
10. MATHIS H D HEIRS C/O KENNETH E MATHIS
11. BRADLEY JERRY L & BRADLEY ELIZABETH H
12. PHILLIPS LASHEBRA T
13. BEAVER RONNIE LEE HEIRS C/O CRYSTAL B SERRETT
14. WALKER TERRY LEE & WALKER CYNTHIA B
15. KEEPEES DANIEL EDWARD & KEEPEES NANCY L
16. BETTER PATH HOMES LLC
17. BETTER PATH HOMES LLC
18. THAODARA TONY & PHONGSA CHANTHAY
19. MARRIOTT PETER J & MARRIOTT JESSICA
20. WARNER JAMES & PATTON-WARNER DAPHNE
21. SPENCER BERRY INVESTMENTS LLC
22. SPENCER BERRY INVESTMENTS LLC
23. SPENCER BERRY INVESTMENTS LLC
24. KING CLAYVONNE
25. RINCAN SHIRLEY JANEL & BERRIOS ALLAN DAVID ACOSTA
26. ESCUDERO PATRICIA
27. SEXTON CAROLYN WATKINS & FARMER MARGARET W & OTHER
28. SEXTON CAROLYN W
29. WOODS FRANKIE P
30. HAMLIN STEVEN
31. HAMLIN STEVEN
32. WATTS CARROLL S
33. STUDIO L LLC 24% & OTHERS & CCL HOLDINGS LLC 23%

THE LOFTS AT COURT DRIVE

GASTONIA, NC

SITE INFORMATION:

ZONING- RS-S
 EXISTING: RMF CD
 PROPOSED:
 PARCEL NO.'S: 136838, 136839, 137850, 208198, 208199
 SITE: 12.3 +/- ACRES
 DENSITY: 16.3 UNITS/ACRES
 BUILDINGS: (1) 1-STORY CLUBHOUSE
 (3) 3-STORY APARTMENT BUILDINGS
 SPRINKLERS: 13R
 PARKING SPACES: 300 SPACES REQUIRED @ 1.5 SPACES / UNIT
 300 SPACES PROVIDED
 SETBACKS: FRONT =50'
 REAR =30'
 SIDE =15'
 COS REQUIRED: @800 SQ. FT./ UNIT
 = 160,000 SQ. FT.
 COS PROVIDED: =216,116 SQ. FT.

SITE NOTES:

- SITE TO BE GRADED TO ASSUME 5% SLOPE AWAY FROM BUILDINGS IN FIRST 10'
- NO RETAINING WALLS ANTICIPATED.
- NO FLOOD PLAINS.
- 75% OF COS NEEDS TO BE IMPROVED (INCLUDES GREENWAY)
- 15% OF TOTAL SITE ACREAGE IS REQUIRED TO BE TREE SAVE AREA
- ALL ARCHITECTURAL REQUIREMENTS OF SECTION 8.1.10 IN THE UDO ARE REQUIRED.
- NO SWALES, RETAINING WALLS, OR SWM MEASURES CAN BE LOCATED WITHIN BUFFERS

UNIT INFORMATION:

Unit Type	Unit Heated Area (Paint to Paint)	Unit Net Area*	No. of Units	Unit Heated Total (Paint To Paint)	Unit Net Total
1-BEDROOM "a1"	715	755	30	21450	22680
2-BEDROOM "b1"	980	1,026	96	94080	98496
3-BEDROOM "c1"	1,152	1,203	54	62208	64962
3-BEDROOM "c2"	1,152	1,203	20	23040	24060
Total			200	207778	210198

ACCESSIBLE UNITS "a)" OR "as)": TOTAL OF (20) UNITS

- (2) 1-BEDROOM UNIT WITH TUB
- (2) 1-BEDROOM UNIT WITH ROLL-IN SHOWER
- (4) 2-BEDROOM UNIT WITH TUB
- (4) 2-BEDROOM UNIT WITH ROLL-IN SHOWER AND EQUIPPED FOR THE SIGHT AND HEARING IMPAIRED
- (4) 3-BEDROOM UNIT WITH TUB
- (4) 3-BEDROOM UNIT WITH ROLL-IN SHOWER AND EQUIPPED FOR THE SIGHT AND HEARING IMPAIRED

REQUIRED SITE AMENITIES:

- A** PLAYGROUND - (W/ MIN. 1 BENCH)
- B** MULTI-PURPOSE ROOM (MIN. 250 SQ. FT.)
- C** COVERED PICNIC AREA - (150 SQ.FT W/ 2 TABLES & GRILL)

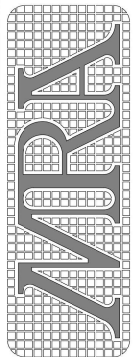
ADDITIONAL AMENITIES:

- D** OUTDOOR SITTING AREAS W/ BENCHES - (MIN. 3 LOCATIONS)
- E** SCREENED PORCH - (MIN. 150 SQ. FT)
- F** RESIDENT COMPUTER CENTER - (MIN. 2 COMPUTERS)

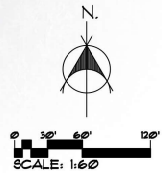
G OPEN SPACE ON SITE



MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C.
 25 CHURCH STREET SUITE 200 DECATUR GEORGIA 30030-3329 404-573-2800
 THE LOFTS AT COURT DRIVE
 GASTONIA, NC

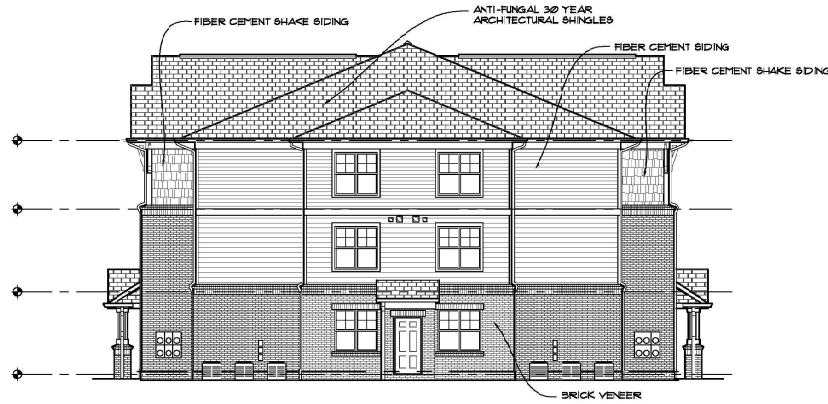


CSP.1

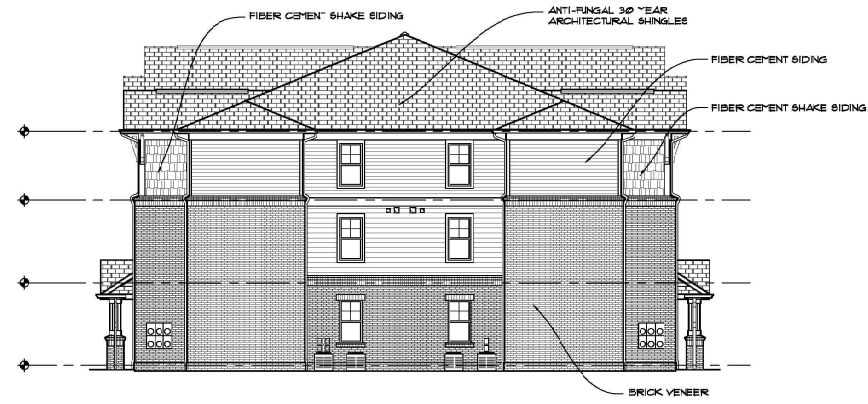


2023 ROUND 1 - PRELIMINARY DRAWING SET

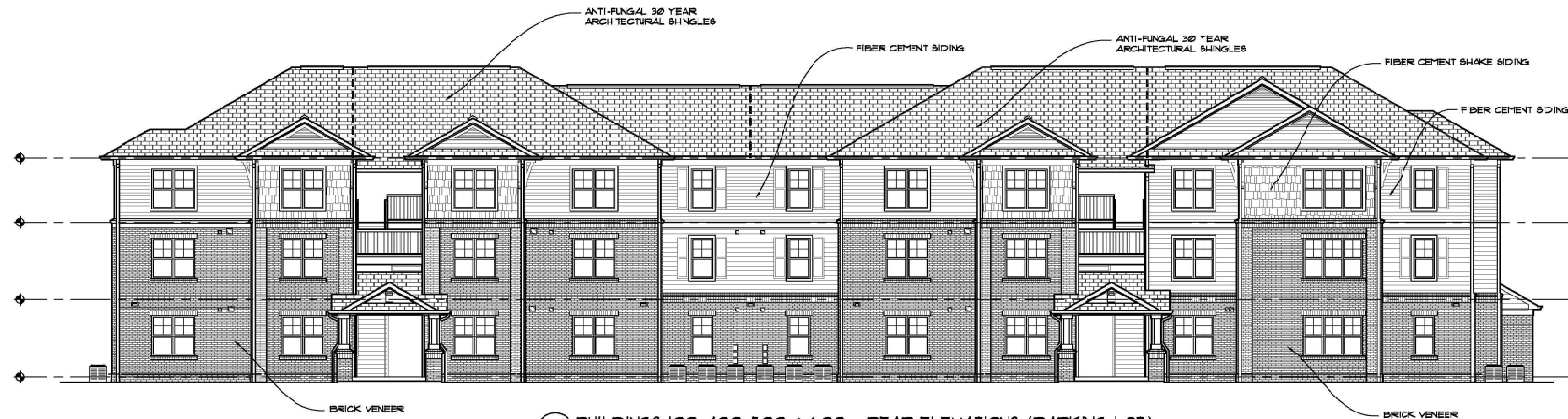
PLOTTED: 3/24/2023 10:25:56 AM - DRAWING: P:\V\NETFIELD\2023-008 GASTONIA, NC\DRAWINGS\PRELIM\2023 PRELIM\SHEETS\CSP-1.DWG - PLOTTED BY: VINIL JOHN THOMAS - COPYRIGHT 2023



4 BUILDINGS 100, 400, 500 & 600 - SIDE ELEVATIONS
1/8" = 1'-0"



3 BUILDINGS 100, 400, 500 & 600 - SIDE ELEVATIONS
1/8" = 1'-0"



2 BUILDINGS 100, 400, 500 & 600 - REAR ELEVATIONS (PARKING LOT)
1/8" = 1'-0"

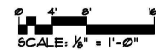


1 BUILDINGS 100, 400, 500 & 600 - FRONT ELEVATIONS (PARKING LOT)
1/8" = 1'-0"

MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C.
215 CHURCH STREET SUITE 200 DECATUR GEORGIA 30030-3339 404-373-2900
THE LOFTS AT COURT DRIVE
GASTONIA, NC



A3.1

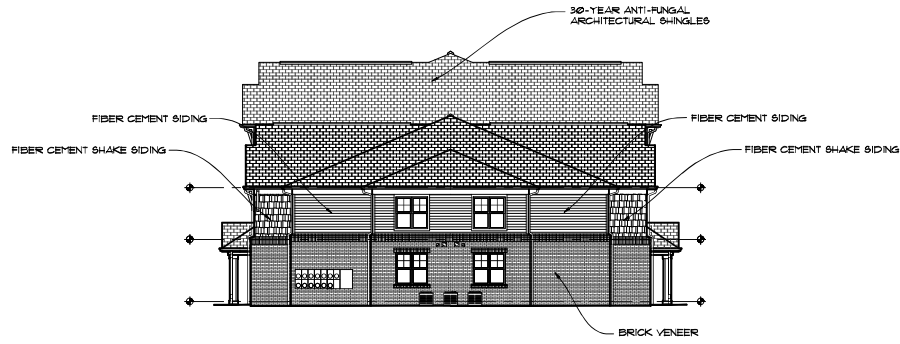


SCALE: 1/8" = 1'-0"

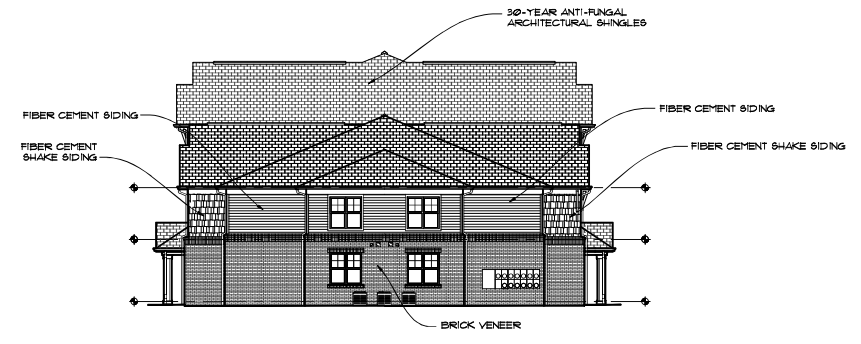
PROJECT	2023-008
DATE	1-19-2023
DRAWN BY / CHECKED BY	MPL

BUILDINGS 100, 400, 500 & 600 - ELEVATIONS

PLOTTED: 1/20/2023 4:48:21 AM - DRAWING: P:\WINNETILL\1\2023-008 GASTONIA, NC\DRAWINGS\PRELIM\2023 PRELIM\SHEETS\A3.2.DWG - PLOTTED BY: MICHAEL LEE - COPYRIGHT 2023



4 BUILDING 200 - SIDE ELEVATION
3/32" = 1'-0"



3 BUILDING 200 - SIDE ELEVATION
3/32" = 1'-0"



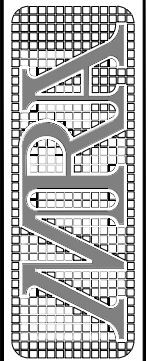
2 BUILDING 200 - REAR ELEVATION
3/32" = 1'-0"



1 BUILDING 200 - FRONT ELEVATION (PARKING LOT)
3/32" = 1'-0"

SCALE: 3/32" = 1'-0"

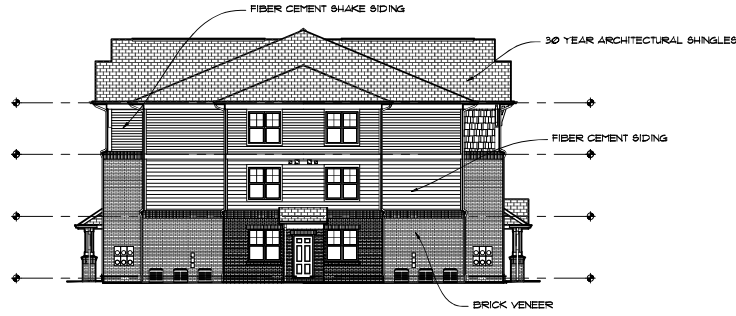
MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C.
215 CHURCH STREET SUITE 200 DECATUR GEORGIA 30030-5329 404-373-2800
THE LOFTS AT COURT DRIVE
GASTONIA, NC



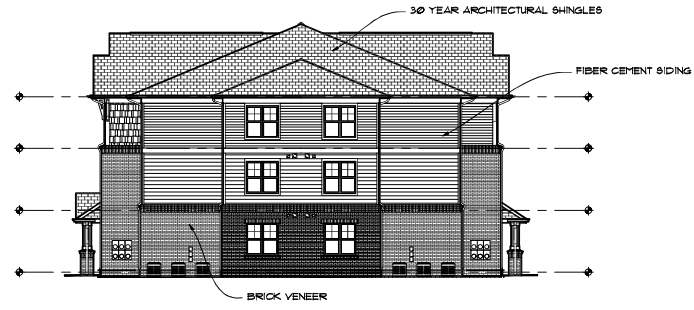
A3.2

BUILDING 200 - ELEVATIONS

2023 ROUND 1 - PRELIMINARY DRAWING SET



4 BUILDING 300 - SIDE ELEVATION
1/16" = 1'-0"



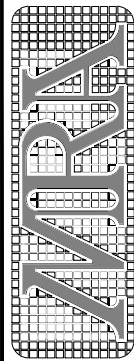
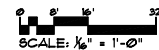
3 BUILDING 300 - SIDE ELEVATION
1/16" = 1'-0"



2 BUILDING 300 - REAR ELEVATION
1/16" = 1'-0"



1 BUILDING 300 - FRONT ELEVATION (PARKING LOT)
1/16" = 1'-0"



MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C.
25 CHURCH STREET SUITE 200 DECATUR GEORGIA 30030-5329 404-373-2800
THE LOFTS AT COURT DRIVE
GASTONIA, NC

BUILDING 300 - ELEVATIONS

PROJECT	2023-008
DATE	1-19-2023
DRAWN BY / CHECKED BY	MRL



CITY OF GASTONIA APPLICATION FOR PUBLIC HEARING

ATTN: Please upload applications and all attachments separately to our online portal at the following address: <https://devsvcs.cityofgastonia.com/> and click on "Apply for a Planning Permit"

The undersigned do hereby make application to the City of Gastonia for the hereinafter described request and in support of this request, the following facts are shown:

1. Identify the request (example: rezone from RS-12 to OLC CD; etc.): rezone from RS-8 and RMF-CD

Please Note: Before applying for a rezoning, applicants are advised to determine if their property is subject to private deed restrictions to be sure the intended use of the property is allowed. The City of Gastonia neither keeps records of, enforces, nor overrules private deed restrictions.

2. Gaston County Tax Identification Number(s): 137850, 136838, 136839, 208198, 208199

3. Subject property addresses: 2985 Court Drive, Gastonia, NC

4. In order for our staff to place the rezoning signs on the property, please describe what is on the subject property and or adjacent properties (example: a white frame house is located on the property; the property is vacant with Business 'x' located on the east side). Staff will erect the signs approximately 15 days prior to the meeting. The subject property is located at the dead end of the pavement on Court Drive, just beyond the intersection of Court Drive and Watkins Road. The parcels closest to the site entrance are vacant.

5. Complete legal description by metes and bounds of said realty is attached to the application (a **copy of the deed** is sufficient).

6. In order to be familiar with the subject property the City staff may need to walk the property. Do we have the property owner's permission to do so? YES

7. The real property to be rezoned is owned in fee simple by Jerry W. and Alice K. Woods as evidenced in deed from (date) 1/11/2017 recorded in DB: 5189 PG: 1294 in the Gaston County Registry

8. The real property for which the above request is sought is located on the South side of Millstone Drive between Court Dr and Log Cabin Dr having a frontage of 417 +/- feet and depth of 807 +/- feet and acreage of 12.64 +/- acres.

9. Are sewer and water available on the property? YES

10. The tax sheets for all persons or firms that own the subject land and land adjacent to or within 100 feet of all sides, including property across the street, from the property for which the request is sought are attached. (Note: When measuring the 100-foot distance, street rights-of-way shall not be included in the measurement.)

11. If the applicant does not own the property sought to be rezoned, the names and addresses of the legal owners are listed below. The owner's names and their addresses are recorded in the Gaston County Tax Office. (Use additional sheets of paper if necessary).

Jerry W. Woods and Alice K. Woods | 300 Farris Road, Clover, SC 29710

12. Name and address of applicant: Wynnefield Forward, LLC | Davis Ray | 5614 Riverdale Drive, Jamestown, NC
 Telephone #: 336.625.7641 E-mail address: davis@wynnefieldforward.com
13. Interest in subject realty: Applicant has an option to purchase the property with the landowner.
14. There are no restrictions or covenants of record appearing in the chain of title which would prohibit the property from being used as requested. True False
15. Has this property previously been subject to any of the following (please add case # and date)?
- Conditional Use Permit _____
 - planned unit development _____
 - subdivision ordinance _____
 - Planned Residential Development _____
 - Other Conditional District _____

If yes, please explain _____

16. Name and address of person to present item at public hearing: _____
Davis Ray | 5614 Riverdale Drive, Jamestown, NC
 Telephone number: 336.625.7641 Email: davis@wynnefieldforward.com

I, Alice + Jerry Woods certify that I have read the information provided in the public hearing information package on the 2nd day of Feb, 2023.

SIGNATURES: All property owners must sign when a CD is requested.

Jerry W. Woods 2/2/2023

Alice K. Woods 2/2/2023

**PUBLIC HEARING
STAFF REPORT**

File # 202300051

GPC Hearing Date: April 6, 2023

OWNER: Usmani Holdings, LLC & Jon and Peyton Apel

APPLICANT: Davis Ray, Wynnefield Forward, LLC

PROPOSED ZONING ACTION: Rezoning from RMF-CD and RS-8 to RMF-CD
(Amend File 202200570)

LOCATION: 404 W. Hudson and the corner of W. Hudson
and Clyde Street. (PIDs# 114414 and the
northern portion of 217095 -unassigned address).

TRACT SIZE: Approximately 22.28 acres

WARD: 6

EVALUATION:

Site Description and Background

The subject site for this zoning request consists of two parcels located adjacent to, and on both sides of, W. Hudson Blvd. at Clyde Street. The combination of the parcels result in a 22.28-acre area. The new development site is 12.48 acres (north side of W Hudson Blvd.) which is zoned RS-8 (PID#114414 -Residential, single family), and RMF-CD (PID#217095-Residential Multi-Family – Conditional District). The parcel zoned RMF-CD was the subject of a conditional zoning request (202200570 – The Reserve at Hudson) approved in December of 2022 that authorized the development of a 164-unit senior apartment development on the southern portion of the property. The northern portion of the property was not proposed for development at that time.

The applicant is requesting to amend and rezone all contiguous 22.28 acres to RMF-CD (Residential Multi-family, Conditional District) to construct a total of 72- multi-family units within three (3) buildings, in addition to the previously approved Reserve at Hudson case, which will not change from what was approved. The new site includes a mix of twelve (12) one bedroom units, thirty-six (36) two bedroom units, and twenty-four (24) three bedroom units, on the northern portion only. The development includes an amenity center building, and other activated open space areas. Access into the development is proposed from W. Hudson Blvd.

Submitted elevations propose three, three-story buildings with a mix of materials primarily brick and cementitious fiber board. Elevation details include gables, variation in roof line, and usable patio areas for residential units.

Proposed zoning conditions:

1. Development shall be generally consistent with the attached site plan including a maximum of 72 apartment units at the north side of W. Hudson and the 164-unit apartment development previously approved on the south side of W. Hudson in CD 202200570 as conditioned.
2. Applicant(s) shall coordinate with the City and NCDOT on the primary driveway at Hudson Boulevard across from Clyde Street. Any improvements recommended by the required TIA should also consider safe pedestrian crossing from Clyde Street to the South side of Hudson Boulevard.
3. Applicant(s) shall construct sidewalk along Clyde Street, and a pedestrian crossing to connect to the Greenway that is proposed as part of the Lofts at Hudson.
4. Applicant(s) shall construct or provide payment-in-lieu for the portion of greenway shown on the property.
5. Applicant(s) shall construct Multi-Use path along the south side of Hudson Boulevard for the entire length of the Reserve at Hudson project. Details of the multi-use path and all

other sidewalk connections will be submitted and reviewed as part of the site plan and construction document submittal process.

6. Applicant shall coordinate with Gastonia Transit to add or relocate any bus stops along Hudson as part of the existing bus route in a safe pedestrian manner with good connectivity and a shelter/seating.
7. The applicants shall provide an open space plan as part of site plan and construction document review. Storm water control structures designed as part of the open space shall be designed as best management practice solutions that are a feature of the open space to which they are within. For wet ponds, they shall be designed to include appropriate fountains or filtration devices with permanent depth of at least 3-feet. Any pond that is a feature of the open space shall also provide an ADA accessible trail around said pond.
8. Construction shall be generally consistent with character and details as depicted in the submitted elevations and architectural standards. Applicants shall continue to provide elevation details for all sides throughout site plan and zoning reviews and permits.
9. Applicant shall extend all internal sidewalk to the public sidewalks on adjacent streets.
10. In no instance shall the zoning conditions exempt a project from other development requirements.
11. Where the notes or depictions on the site plan may conflict with these conditions, the conditions shall govern.

Adjoining Properties and Land Use Trends

To the west, across the street on Clyde Street, the site borders commercial use and a future multi-family (The Lofts at Hudson). To the north/northeast exist single-family residential use. To the south, across W. Hudson Blvd. and Clyde Street, is the approved multi-family development - Reserve at Hudson.

Available Public Facilities

Water and sewer is available at the property.

Consistency with Adopted Plans

The Future Land Use Map in the 2025 Comprehensive Plan indicates office center use south of W. Hudson and future Commercial use north of W. Hudson at this location.

Conclusion

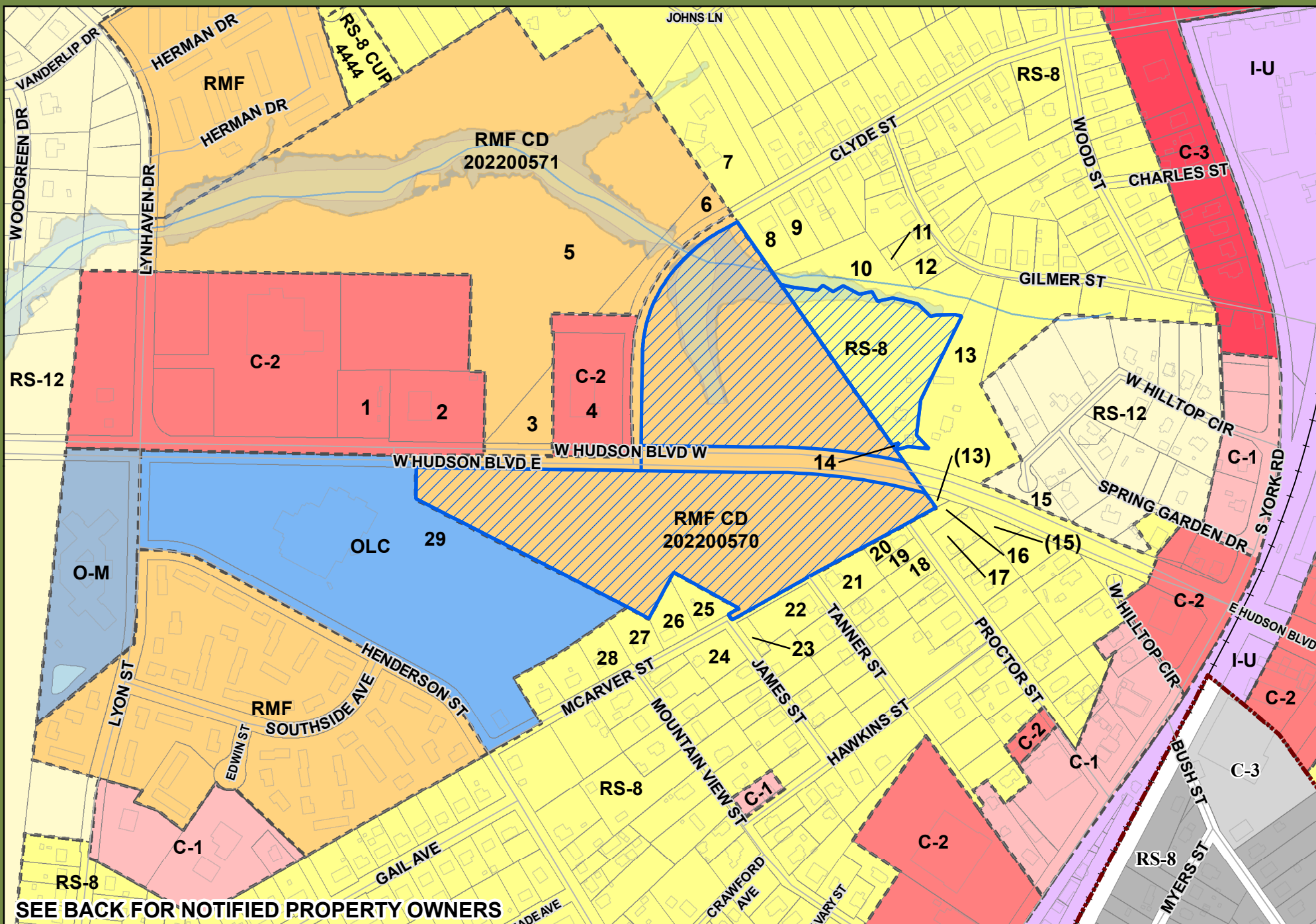
The applicant has requested that the property be rezoned from RMF-CD and RS-8 to RMF-CD (Residential Multi-family – Conditional District). Based on the submitted site plan, detailed elevations, and proposed conditions, **staff recommends approval of the request.**



Jason Pauling, AICP
Assistant Planning Director

Statement of consistency and reasonableness (motion to approve): Based on the 2025 Comprehensive Plan as well as existing zoning and surrounding zoning and land uses, the Planning Commission considers an affirmative vote for multi-family development to be reasonable, compatible, and in the public's interest.

Statement of consistency and reasonableness (motion to deny): The Planning Commission considers an affirmative vote to not be reasonable and to not be in the public interest.



SEE BACK FOR NOTIFIED PROPERTY OWNERS

Applicant: Wynnefield Forward, LLC
 Davis Ray

Owner: Apel Jon Matthew & Apel Peyton;
 Usmani Holdings LLC

Planning Comm Hearing: April 6, 2023










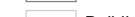


























Request: RMF-CD & RS-8 to RMF-CD

Ward: 6

Total Tract Size: approx. 22.28 acres

Parcel ID #: 114414, 217095

 **Subject Property**

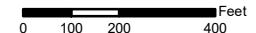
- Legend**
-  City Boundary
 -  Roads
 -  Railroad
 -  Floodway
 -  100yr Flood Zone
 -  500yr Flood Zone
 -  Streams
 -  Lakes
 -  Parcels
 -  Buildings
- Gastonia County Zoning**
-  C-3
 -  RS-8
-  AP Airport
 -  C-1 Light Commercial
 -  C-2 Highway Commercial
 -  C-3 General Commercial
 -  CBD Central Business District
 -  I-U Urban Industrial
 -  I-1 Light Industrial
 -  I-2 General Industrial
 -  O-1 Office
 -  OLC Office/Light Commercial
 -  O-M Medical Office
 -  PD IRD Planned District Infill Res Devt
 -  PD PRD Planned District Planned Res Devt
 -  PD RRDD Planned District Revised Res Devt District
 -  PD PUD Planned District Planned Unit Devt
 -  PD TND Planned Dist Traditional Neighborhood Devt
 -  RLD Residential Low Density
 -  RS-12 Residential 12000sqft lots
 -  RS-8 Residential 8000sqft per lot
 -  R-A Rural Agricultural
 -  RMF Residential Multi-Family District
 -  SP State Park District
 -  TMU Transitional Mixed Use
 -  UMU Urban Mixed Use District

Note: For a complete elaboration of zoning classifications, see the Unified Development Ordinance or contact the City of Gastonia Planning Department at (704) 854-6652.

Page 25
Application
PLMAC202300051

I, Julia Baker-Granata, hereby certify that all mail notices, in the absence of fraud, were mailed to all affected and adjoining property owners on March 23, 2023.



1 : 4,800
 1 inch represents 400 feet
 Plot Date: March 21, 2023


PLMAC202300051

1. SAVERA INVESTMENTS LLP
2. GASTONIA CITY OF
3. USMANI HOLDINGS LLC
4. AEI ACCRTD INVESTOR FUND VI &
AEI NATL INCOME PROP FUND VII & 1300 WELLS FARGO CENTER
5. USMANI HOLDINGS LLC
6. USMANI HOLDINGS LLC
7. COMMUNITY APT CORP OF GASTON
8. 651 CLYDE STREET LLC
9. TOUVELL BEVERLY JANE
10. GASTONIA CITY OF
11. GASTONIA CITY OF
12. MILLER ESTATE LLC
13. AUTON TIMOTHY LEE & DRAWDY ELIZABETH CHER
14. N C DEPT OF TRANSPORTATION R/W DEPT
15. N C DEPT OF TRANSPORTATION R/W DEPT
16. TEJEDA SUACER MARMOLEJOS & MARMOLEJOS SUACER HERIBERTO
17. TEJEDA SUACER MARMOLEJOS & MARMOLEJOS SUACER HERIBERTO
18. ANDERSON DONNA S
19. WENG BINBIN
20. WENG BINBIN
21. LAMAR GLENDA M
22. ZETA REALTY INVESTMENTS LLC
23. GALVAN ABEL SANDOVAL & TREJO JUAREZ MARCELA
24. BOLYNN DANIEL RAY
25. MITCHELL LAUREN
26. BEAVER CARINA C
27. BROOKS MAURICE A & BROOKS ALICE L
28. JONES SELINA V
29. GASTON COUNTY

VILLAGES AT LYNNHAVEN

GASTONIA, NC

SITE INFORMATION:

PARCEL: #217095 & #114414
 SITE ACREAGE: 22.28 +/- ACRES
 EXISTING ZONING: RMF CD & RS-8
 PROPOSED ZONING: AMEND FILE 202200570,
 ZONED RMF CD
 DENSITY: 5.77 UNITS/ACRES
 REQUIRED COS: 800 SQ. FT./UNIT COS REQUIRED
 57,600 SQ. FT. PROVIDED
 TREE SAVE: 15% OF TOTAL SITE ACREAGE
 81,542 SQ. FT. TOTAL
 BUILDINGS: (1) 1 STORY CLUBHOUSE
 (3) 3-STORY APARTMENT BUILDINGS
 SPRINKLERS: 13R
 PARKING SPACES: 108 SPACES REQUIRED @ 1.5 SPACES / UNIT
 108 SPACES PROVIDED
 SETBACKS: FRONT =50'
 SIDE =15'
 REAR =30'

SITE NOTES:

- NO SWALES, RETAINING WALLS, OR SWN MEASURES CAN BE LOCATED WITHIN BUFFERS
- SITE TO BE GRADED TO ASSUME 5% SLOPE AWAY FROM BUILDINGS IN FIRST 10'
- ALL ARCHITECTURAL REQUIREMENTS OF SECTION 8.1.10 IN THE UDO ARE REQUIRED

UNIT INFORMATION:

Unit Type	Unit Heated Area (Paint to Paint)	Unit Net Area*	No. of Units	Unit Heated Total (Paint To Paint)	Unit Net Total
1 BEDROOM "A1"	715	756	12	8580	9072
2 BEDROOM "B1"	990	1026	36	35280	36936
3 BEDROOM "C1"	1,152	1,203	24	27648	28872
Total			72	71508	74880

ACCESSIBLE UNITS "(A)" OR "(AS)": TOTAL OF (8) UNITS

- (1) 1-BEDROOM UNIT WITH TUB
- (1) 1-BEDROOM UNIT WITH ROLL-IN SHOWER
- (2) 2-BEDROOM UNIT WITH TUB
- (2) 2-BEDROOM UNIT WITH ROLL-IN SHOWER AND EQUIPPED FOR THE SIGHT AND HEARING IMPAIRED
- (1) 3-BEDROOM UNIT WITH TUB
- (1) 3-BEDROOM UNIT WITH ROLL-IN SHOWER AND EQUIPPED FOR THE SIGHT AND HEARING IMPAIRED

REQUIRED SITE AMENITIES:

- A** PLAYGROUND - (W/ MIN. 1 BENCH)
- B** MULTI-PURPOSE ROOM (MIN. 250 SQ. FT.)
- C** COVERED PICNIC AREA - (150 SQ.FT. W/ 2 TABLES & GRILL.)
- D** IMPROVED COS - (10% OF COMMON OPEN SPACE - 5,760 SQ. FT.)

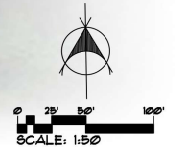
ADDITIONAL AMENITIES:

- E** OUTDOOR SITTING AREAS W/ BENCHES - (MIN. 3 LOCATIONS)
- F** SCREENED PORCH - (MIN. 150 SQ. FT.)
- G** RESIDENT COMPUTER CENTER - (MIN. 2 COMPUTERS)

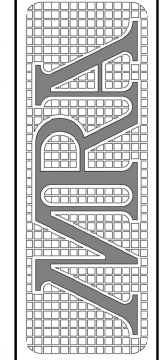
PARCEL #222501
AEI ACCRTD INVESTOR FUND
OFFICE - MEDICAL

PARCEL# 114373
PROPERTY OF GASTONIA CITY
IMPROVED RESIDENTIAL

PROPERTY# 114413
AUTON TIMOTHY LEE
IMPROVED RESIDENTIAL



MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C.
 25 CHURCH STREET SUITE 200 DECATUR GEORGIA 30030-3329 404-373-2800
 VILLAGES AT LYNNHAVEN
 GASTONIA, NC
 ARCHITECTURAL SITE PLAN



CSP.1

PROJECT NUMBER	2023-001
DATE REVISION	3-19-23
DRAWN BY	JJAR
CHECKED BY	MEL

2023 ROUND 1 - PRELIMINARY DRAWING SET

THE RESERVE AT HUDSON

GASTONIA, NC

REQUIRED AMENITIES:

- A** INDOOR/OUTDOOR SITTING AREAS - (W/ MIN. 1 BENCH, 3 LOCATIONS)
- B** MULTI-PURPOSE ROOM (MIN. 250 SQ. FT.)
- C** GAZEBO
- D** IMPROVED COMMON SPACE - 75% OF OPEN SPACE

ADDITIONAL AMENITIES:

- E** COVERED DRIVE-THRU AT ENTRY
- F** COVERED PATIO WITH SEATING - (MIN. 150 SQ. FT.)
- G** RESIDENT COMPUTER CENTER - (MIN. 2 COMPUTERS)

NOTE: NO SWALES, RETAINING WALLS, OR SWIM MEASURES CAN BE LOCATED WITHIN BUFFERS.

NOTE: ALL ARCHITECTURAL REQUIREMENTS OF SECTION 8.1.10 IN THE UDO ARE REQUIRED

SITE INFORMATION:

PARCEL NUMBER: #217095
 SITE ACREAGE: 10.79 +/- ACRES
 ZONING: EXISTING: RS-8 & C-2
 PROPOSED: RMF CD
 SETBACKS: FRONT: 30' MINIMUM
 SIDE: 15' MINIMUM
 REAR: 30' MINIMUM
 COMMON OPEN SPACE: REQUIRED: 800 SQ. FT. PER UNIT = 131,200 SQ. FT.
 PROPOSED: 131,200 SQ. FT.
 TREE SAVE AREA: REQUIRED: 20% OF OVERALL SITE = 2.16 +/- ACRES
 PROPOSED: 2.16 +/- ACRES
 DENSITY: 15.2 UNITS/ACRES
 BUILDINGS: (1) 4-STORY SENIOR APARTMENT BUILDING
 SPRINKLERS: 13R
 PARKING SPACES: 246 SPACES REQUIRED @ 1.5 PER UNIT
 164 SPACES PROVIDED

UNIT INFORMATION:

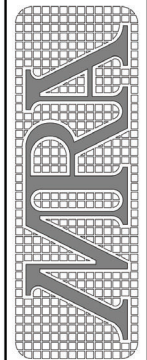
UNIT MIX	SPCS/UNIT	PAINT TO PAINT SQ. FT.
1-BR (A UNITS)	= 56	668 SQ. FT.
2-BR (B UNITS)	= 108	974 SQ. FT.
TOTAL	= 164 UNITS	

HANDICAP UNITS:

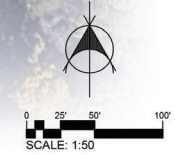
1 BEDROOM "A1" UNITS W/ TUB:	=	3 UNITS
1 BEDROOM "A1" UNITS W/ ROLL-IN SHOWER:	=	3 UNITS
2 BEDROOM "B1" UNITS W/ TUB:	=	6 UNITS
2 BEDROOM "B1" UNITS W/ ROLL-IN SHOWER:	=	6 UNITS
TOTAL UNITS W/ TUBS:	=	9 UNITS
TOTAL UNITS W/ ROLL-IN SHOWERS:	=	9 UNITS
TOTAL HANDICAP UNITS:	=	18 UNITS

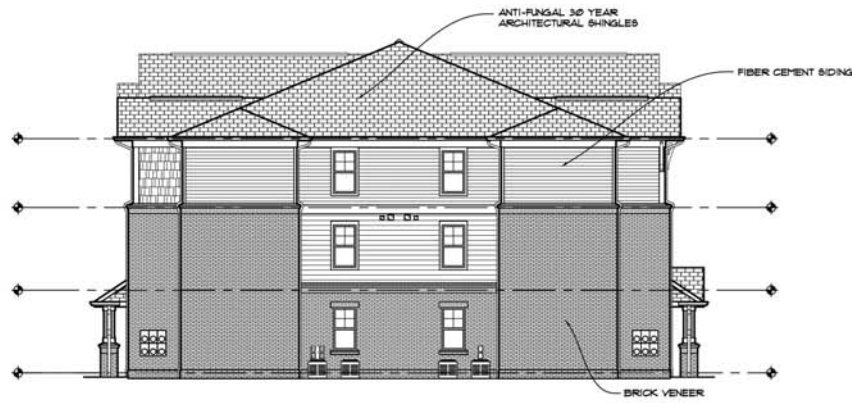


MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C.
 215 CHURCH STREET SUITE 200 DECATUR GEORGIA 30030-3329 404-373-2800
 THE RESERVE AT HUDSON
 GASTONIA, NC



CSP.1

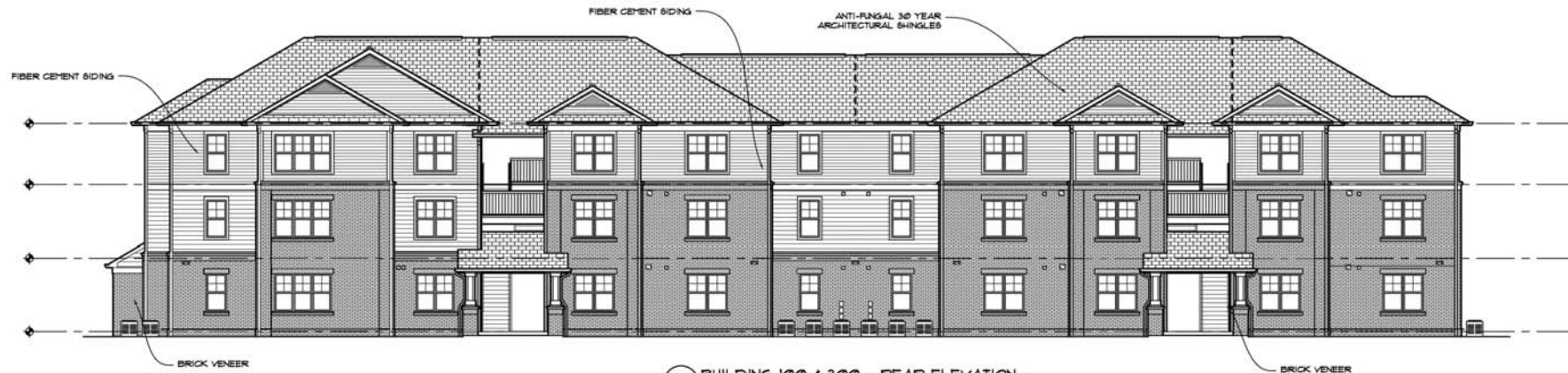




4 BUILDING 100 & 300 - SIDE ELEVATION
1/8" = 1'-0"



3 BUILDING 100 & 300 - SIDE ELEVATION
1/8" = 1'-0"



2 BUILDING 100 & 300 - REAR ELEVATION
1/8" = 1'-0"



1 BUILDING 100 & 300 - FRONT ELEVATION (PARKING LOT)
1/8" = 1'-0"

SCALE: 1/8" = 1'-0"

PROJECT NUMBER	2023-001
DATE ISSUED	1-12-2023
DRAWN BY	JAR
CHECKED BY	MRL

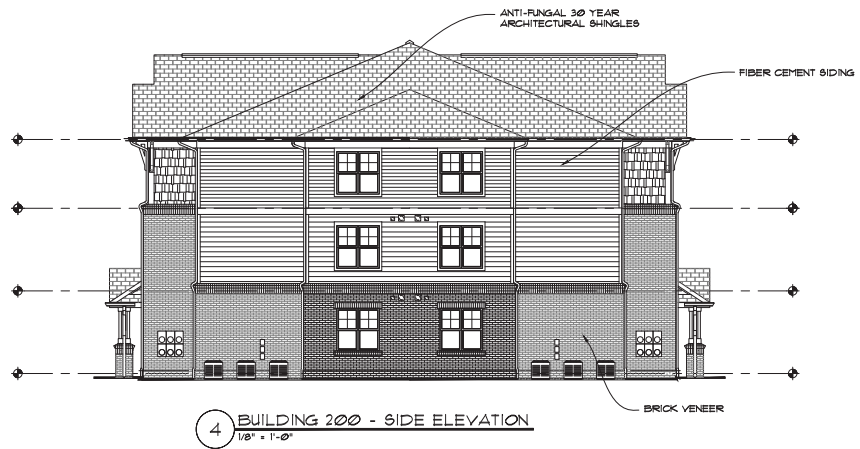
MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C.
25 CHURCH STREET SUITE 200 DECATUR GEORGIA 30030-3329 404-373-2800
VILLAGES AT LYNNHAVEN
GASTONIA, NC

BUILDING 100 & 300 - ELEVATIONS



A31

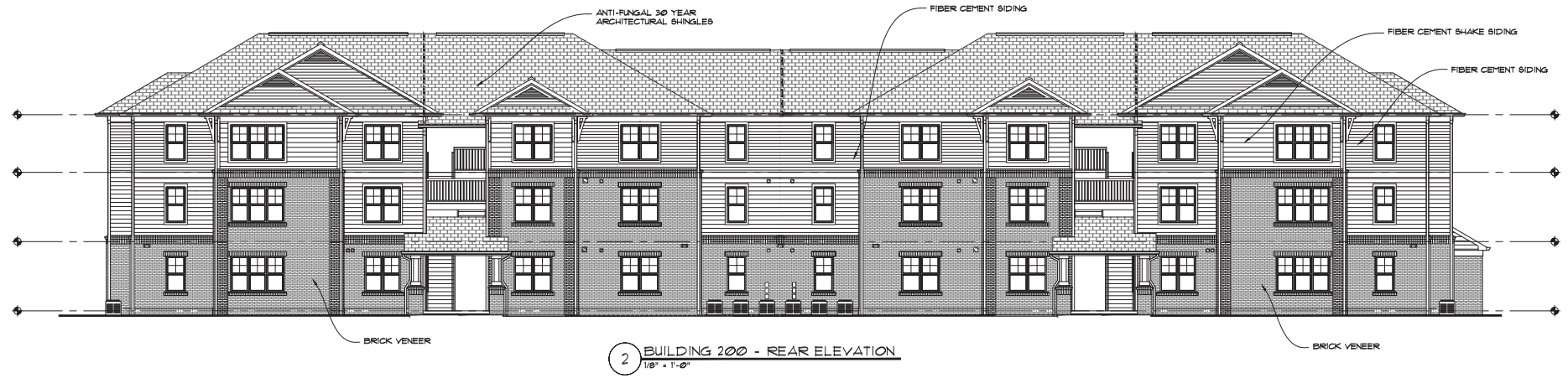
2023 ROUND 1 - PRELIMINARY DRAWING SET



4 BUILDING 200 - SIDE ELEVATION
1/8" = 1'-0"



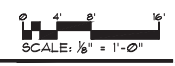
3 BUILDING 200 - SIDE ELEVATION
1/8" = 1'-0"



2 BUILDING 200 - REAR ELEVATION
1/8" = 1'-0"

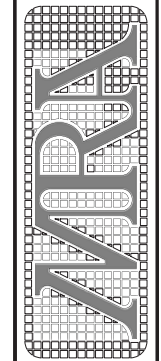


1 BUILDING 200 - FRONT ELEVATION (PARKING LOT)
1/8" = 1'-0"



PROJECT NUMBER	2023-001
DATE REVISION	1-12-2023
DRAWN BY	JAR
CHECKED BY	MYL

MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C.
 215 CHURCH STREET SUITE 200 DECATUR GEORGIA 30030-3329 404-573-2800
 VILLAGES AT LYNNHAVEN
 GASTONIA, NC



A3.2

BUILDING 200 - ELEVATIONS

2023 ROUND 1 - PRELIMINARY DRAWING SET



CITY OF GASTONIA APPLICATION FOR PUBLIC HEARING

ATTN: Please upload applications and all attachments separately to our online portal at the following address: <https://devsvcs.cityofgastonia.com/> and click on "Apply for a Planning Permit"

The undersigned do hereby make application to the City of Gastonia for the hereinafter described request and in support of this request, the following facts are shown:

- Identify the request (example: rezone from RS-12 to OLC CD; etc.): Rezone from RMF-CD and RS 8 to RMF-CD
(Amend File 202200570)

Please Note: Before applying for a rezoning, applicants are advised to determine if their property is subject to private deed restrictions to be sure the intended use of the property is allowed. The City of Gastonia neither keeps records of, enforces, nor overrules private deed restrictions.

- Gaston County Tax Identification Number(s): 217095 & 114414

- Subject property addresses: 404 W. Hudson Blvd, Gastonia, NC (114414)
W Hudson Blvd, Gastonia, NC (21095) portion to the north of W. Hudson (No Address - vacant property)

- In order for our staff to place the rezoning signs on the property, please describe what is on the subject property and or adjacent properties (example: a white frame house is located on the property; the property is vacant with Business 'x' located on the east side). Staff will erect the signs approximately 15 days prior to the meeting. The site is a combination of two parcels as dictated in section 2. The property is mostly vacant with one (owner-occupied) single family home located at 404 N. Hudson. The single family home is a white single family home. The adjacent property is vacant with frontage on both W. Hudson and Clyde Street.

- Complete legal description by metes and bounds of said realty is attached to the application (a **copy of the deed** is sufficient).

- In order to be familiar with the subject property the City staff may need to walk the property. Do we have the property owner's permission to do so? YES

- The real property to be rezoned is owned in fee simple by Jon Matthew Apel & Peyton Apel (114414) as evidenced in deed from (date) 3/2/2021 recorded in DB: 5204 PG: 0441 in the Gaston County Registry

- The real property for which the above request is sought is located on the North side of W. Hudson Blvd between Clyde St. and S. York Rd. having a frontage of 838.7 feet and depth of 684.4 feet and acreage of 11.5 +/- acres.

- Are sewer and water available on the property? YES

- The tax sheets for all persons or firms that own the subject land and land adjacent to or within 100 feet of all sides, including property across the street, from the property for which the request is sought are attached. (Note: When measuring the 100-foot distance, street rights-of-way shall not be included in the measurement.)

- If the applicant does not own the property sought to be rezoned, the names and addresses of the legal owners are listed below. The owner's names and their addresses are recorded in the Gaston County Tax Office. (Use additional sheets of paper if necessary).

Usmani Holdings, LLC | PO Box 79291, Charlotte, NC 28271 (Parcel 217095)

- 12. Name and address of applicant: Davis Ray (Wynnefield Forward, LLC)
 Telephone #: 336.822.0765 E-mail address: davis@wynnefieldforward.com
- 13. Interest in subject realty: Applicant currently has a Purchase Agreement to purchase both parcels
- 14. There are no restrictions or covenants of record appearing in the chain of title which would prohibit the property from being used as requested. _____ True _____ False
- 15. Has this property previously been subject to any of the following (please add case # and date)?
 - Conditional Use Permit YES
 - planned unit development _____
 - subdivision ordinance _____
 - Planned Residential Development _____
 - Other Conditional District _____

If yes, please explain The larger portion of the property (parcel 217095) was previously rezoned from the RS-8 and C-2 district to RMF-CD to accommodate our proposed 'The Reserve @ Hudson' project. The property is still being considered for development we are exploring this property for additional units. Case Number: PLMAC202200570

- 16. Name and address of person to present item at public hearing: _____
Davis Ray | 5614 Riverdale Drive, Jamestown, NC 27282
 Telephone number: 336.822.0765 Email: davis@wynnefieldforward.com

I, _____, certify that I have read the information provided in the public hearing information package on the _____ day of _____, 20_____.

SIGNATURES: All property owners must sign when a CD is requested.

Peyton Apel _____

Jon Matthew Apel _____

Jon Matthew Apel & Peyton Apel | 404 W. Hudson Blvd., Gastonia, NC 28052 (Parcel 114414)

12. Name and address of applicant: Davis Ray (Wynnefield Forward, LLC)
Telephone #: 336.822.0765 E-mail address: davis@wynnefieldforward.com

13. Interest in subject realty: Applicant currently has a Purchase Agreement to purchase both parcels

14. There are no restrictions or covenants of record appearing in the chain of title which would prohibit the property from being used as requested. True False

15. Has this property previously been subject to any of the following (please add case # and date)?

- Conditional Use Permit YES
- planned unit development _____
- subdivision ordinance _____
- Planned Residential Development _____
- Other Conditional District _____

If yes, please explain The larger portion of the property (parcel 217095) was previously rezoned from the RS-8 and C-2 district to RMF-CD to accommodate our proposed 'The Reserve @ Hudson' project. The property is still being considered for development we are exploring this property for additional units. Case Number: PLMAC202200570

16. Name and address of person to present item at public hearing: _____
Davis Ray | 5614 Riverdale Drive, Jamestown, NC 27282
Telephone number: 336.822.0765 Email: davis@wynnefieldforward.com

I, Najam Usmani, certify that I have read the information provided in the public hearing information package on the 2 day of February, 20 23.

SIGNATURES: All property owners must sign when a CD is requested.

[Signature] _____

**PUBLIC HEARING
STAFF REPORT**

File # 202300062

GPC Hearing Date: April 6, 2023

OWNER(S): Helmsman Homes, LLC.
APPLICANT: Helmsman Homes, LLC
PROPOSED ZONING ACTION: Rezoning from C-2 to C-1
LOCATION: 211 East Eighth Avenue (PID# 109137).
TRACT SIZE: Approximately 0.26 acres
WARD: 5

EVALUATION:

Site Description and Background

The subject request consists of one tax parcel currently zoned C-2, which is vacant. The total square footage for the property is approximately 11,325, and roughly half of that is covered with floodplain, making development of the site difficult. The applicant is requesting to rezone the property to C-1 in order to allow more flexibility and mix of uses that are more appropriate at a smaller (neighborhood) scale, which may include residential, mixed uses, and neighborhood commercial.

Adjoining Properties and Land Use Trends

The subject property is surrounded by existing residential uses along East Eighth Avenue, which are also zoned C-2, consisting of similar sized lots on both sides of Eighth Ave. To the south, the property borders the Gaston County Schools Central office property zoned C-3. To the north, properties that front on Garrison Boulevard are a mix of commercial and office, zoned C-2 and C-3.

Available Public Facilities

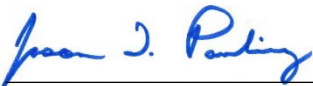
Water and sewer are available to serve the property.

Consistency with Adopted Plans

The Future Land Use Map in the 2025 Comprehensive Plan indicates commercial for the subject property.

Conclusion

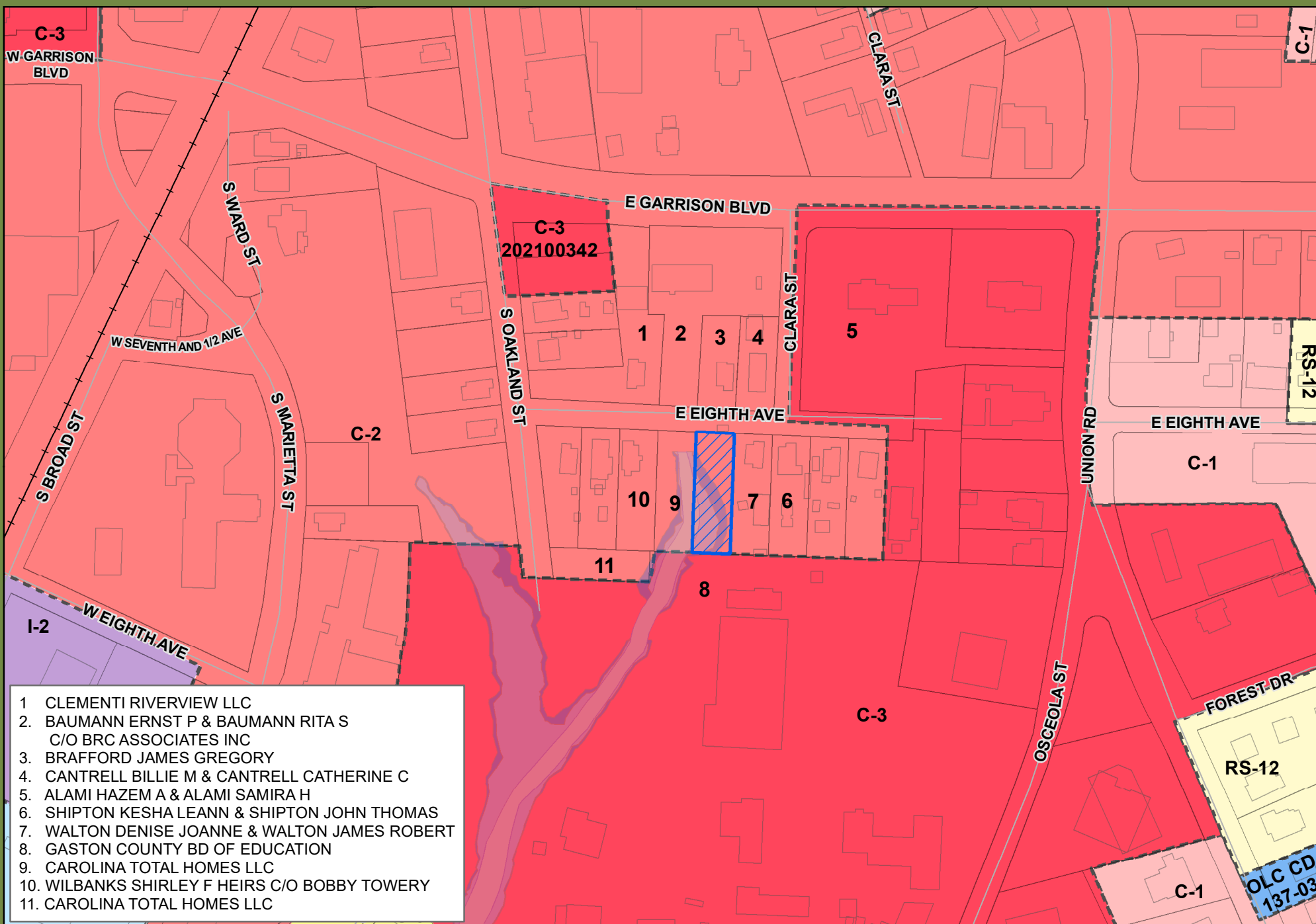
The applicant has requested a rezoning to C-1 (Neighborhood Commercial). Based on the character of this area, surrounding land uses, and size of the property, staff believes that smaller scale commercial is more appropriate along Eighth Avenue versus C-2 zoning, which is geared more toward auto dependent commercial uses. C-1 also allows options for residential and mixed use, yielding to more flexibility for smaller scale projects while keeping commercial base zoning. **Staff recommends approval of the requested zoning change.**



Jason T. Pauling, AICP
Assistant Planning Director

Statement of consistency and reasonableness (motion to approve): *The proposed zoning is consistent with the 2025 Comprehensive Plan and will result in the potential development of a neighborhood commercial, mixed use or residential use. The Planning Commission considers an affirmative vote to be reasonable and in the public's interest.*

Statement of consistency and reasonableness (motion to deny): *The Planning Commission considers an affirmative vote to not be reasonable and to not be in the public interest.*



1. CLEMENTI RIVERVIEW LLC
2. BAUMANN ERNST P & BAUMANN RITA S
C/O BRC ASSOCIATES INC
3. BRAFFORD JAMES GREGORY
4. CANTRELL BILLIE M & CANTRELL CATHERINE C
5. ALAMI HAZEM A & ALAMI SAMIRA H
6. SHIPTON KESHA LEANN & SHIPTON JOHN THOMAS
7. WALTON DENISE JOANNE & WALTON JAMES ROBERT
8. GASTON COUNTY BD OF EDUCATION
9. CAROLINA TOTAL HOMES LLC
10. WILBANKS SHIRLEY F HEIRS C/O BOBBY TOWERY
11. CAROLINA TOTAL HOMES LLC

Applicant: Helmsman Homes, LLC
Owner: Helmsman Homes, LLC
Planning Comm Hearing: April 6, 2023
Request: C-2 to C-1
Ward: 5
Total Tract Size: approx. 0.26 acres
Parcel ID #: 109137

Subject Property

Legend

- | | | | |
|--|--|--|------------------|
| | AP Airport | | Roads |
| | C-1 Light Commercial | | Railroad |
| | C-2 Highway Commercial | | Floodway |
| | C-3 General Commercial | | 100yr Flood Zone |
| | CBD Central Business District | | 500yr Flood Zone |
| | I-U Urban Industrial | | Parcels |
| | I-1 Light Industrial | | Buildings |
| | I-2 General Industrial | | |
| | I-2 General Industrial | | |
| | O-1 Office | | |
| | OLC Office/Light Commercial | | |
| | O-M Medical Office | | |
| | PD IRD Planned District Infill Res Devt | | |
| | PD PRD Planned District Planned Res Devt | | |
| | PD RRDD Planned District Revised Res Devt District | | |
| | PD PUD Planned District Planned Unit Devt | | |
| | PD TND Planned Dist Traditional Neighborhood Devt | | |
| | RLD Residential Low Density | | |
| | RS-12 Residential 12000sqft lots | | |
| | RS-8 Residential 8000sqft per lot | | |
| | R-A Rural Agricultural | | |
| | RMF Residential Multi-Family District | | |
| | SP State Park District | | |
| | TMU Transitional Mixed Use | | |
| | UMU Urban Mixed Use District | | |

Note: For a complete elaboration of zoning classifications, see the Unified Development Ordinance or contact the City of Gastonia Planning Department at (704) 854-6652.

Page 35
Application
PLMA202300062

I, Julia Baker-Granata, hereby certify that all mail notices, in the absence of fraud, were mailed to all affected and adjoining property owners on March 23, 2023.



1 : 2,400
 1 inch represents 200 feet
 Plot Date: March 13, 2023



CITY OF GASTONIA APPLICATION FOR PUBLIC HEARING

ATTN: Please upload applications and all attachments separately to our online portal at the following address: <https://devsvcs.cityofgastonia.com/> and click on "Apply for a Planning Permit"

The undersigned do hereby make application to the City of Gastonia for the hereinafter described request and in support of this request, the following facts are shown:

1. Identify the request (example: rezone from RS-12 to OLC CD; etc.): C-2 to C-1

Please Note: Before applying for a rezoning, applicants are advised to determine if their property is subject to private deed restrictions to be sure the intended use of the property is allowed. The City of Gastonia neither keeps records of, enforces, nor overrules private deed restrictions.

2. Gaston County Tax Identification Number(s): 109137

3. Subject property addresses: 211 E 8th Ave, Gastonia, NC 28054

4. In order for our staff to place the rezoning signs on the property, please describe what is on the subject property and or adjacent properties (example: a white frame house is located on the property; the property is vacant with Business 'X' located on the east side). Staff will erect the signs approximately 15 days prior to the meeting. Facing the home, the house on the left is a blue frame house, and the lot on the other side is vacant.

5. Complete legal description by metes and bounds of said realty is attached to the application (a **copy of the deed** is sufficient).

6. In order to be familiar with the subject property the City staff may need to walk the property. Do we have the property owner's permission to do so? yes

7. The real property to be rezoned is owned in fee simple by Helmsman Homes, LLC as evidenced in deed from (date) Nov 5, 2021 recorded in DB: 5286 PG: 412 in the Gaston County Registry

8. The real property for which the above request is sought is located on the south side of Garrison Blvd between S Clara St and S Oakland St having a frontage of 62 feet and depth of 191 feet and acreage of .26.

9. Are sewer and water available on the property? yes

10. The tax sheets for all persons or firms that own the subject land and land adjacent to or within 100 feet of all sides, including property across the street, from the property for which the request is sought are attached. (Note: When measuring the 100-foot distance, street rights-of-way shall not be included in the measurement.)

11. If the applicant does not own the property sought to be rezoned, the names and addresses of the legal owners are listed below. The owner's names and their addresses are recorded in the Gaston County Tax Office. (Use additional sheets of paper if necessary). N/A

12. Name and address of applicant: Helmsman Homes, LLC, 116 Gasoline Alley, Mooresville, NC 28117
Telephone #: 980-500-1251 E-mail address: cnewsome@helmsmanhomes.com

13. Interest in subject realty: owner

14. There are no restrictions or covenants of record appearing in the chain of title which would prohibit the property from being used as requested. True False

15. Has this property previously been subject to any of the following (please add case # and date)?

- Conditional Use Permit _____
- planned unit development _____
- subdivision ordinance _____
- Planned Residential Development _____
- Other Conditional District _____

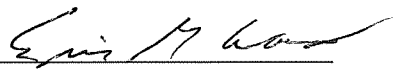
If yes, please explain N/A

16. Name and address of person to present item at public hearing: Crissy Newsome

Telephone number: 704-252-3249 Email: cnewsome@helmsmanhomes.com

I, Eric Wood, certify that I have read the information provided in the public hearing information package on the 25th day of January, 2023.

SIGNATURES: All property owners must sign when a CD is requested.

 _____

**PUBLIC HEARING
STAFF REPORT**

File # 202300063

GPC Hearing Date: April 6, 2023

OWNER(S): Helmsman Homes, LLC.
APPLICANT: Helmsman Homes, LLC
PROPOSED ZONING ACTION: Rezoning from C-3 to C-1
LOCATION: 1410 S. Marietta Street (PID# 112974).
TRACT SIZE: Approximately 0.11 acres
WARD: 5

EVALUATION:

Site Description and Background

The subject request consists of one tax parcel currently zoned C-3, which is vacant but has some off-street parking on it from an adjoining land owner. The total square footage for the property is just under 5,000 square feet. The applicant is requesting to rezone the property to C-1 in order to allow more flexibility and mix of uses that are more appropriate at a smaller (neighborhood) scale, which may include residential, mixed uses, and neighborhood commercial.

Adjoining Properties and Land Use Trends

The subject property is bordered by a single-family residence to the north, a commercial garage business and a church to the south, and existing single-family residences to the west across Marietta. The majority of parcels in this location just south/west of Ruby Avenue are also zoned C-3.

Available Public Facilities

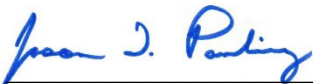
Water and sewer are available to serve the property.

Consistency with Adopted Plans

The Future Land Use Map in the 2025 Comprehensive Plan indicates residential for the subject property, and the area around and adjacent to it.

Conclusion

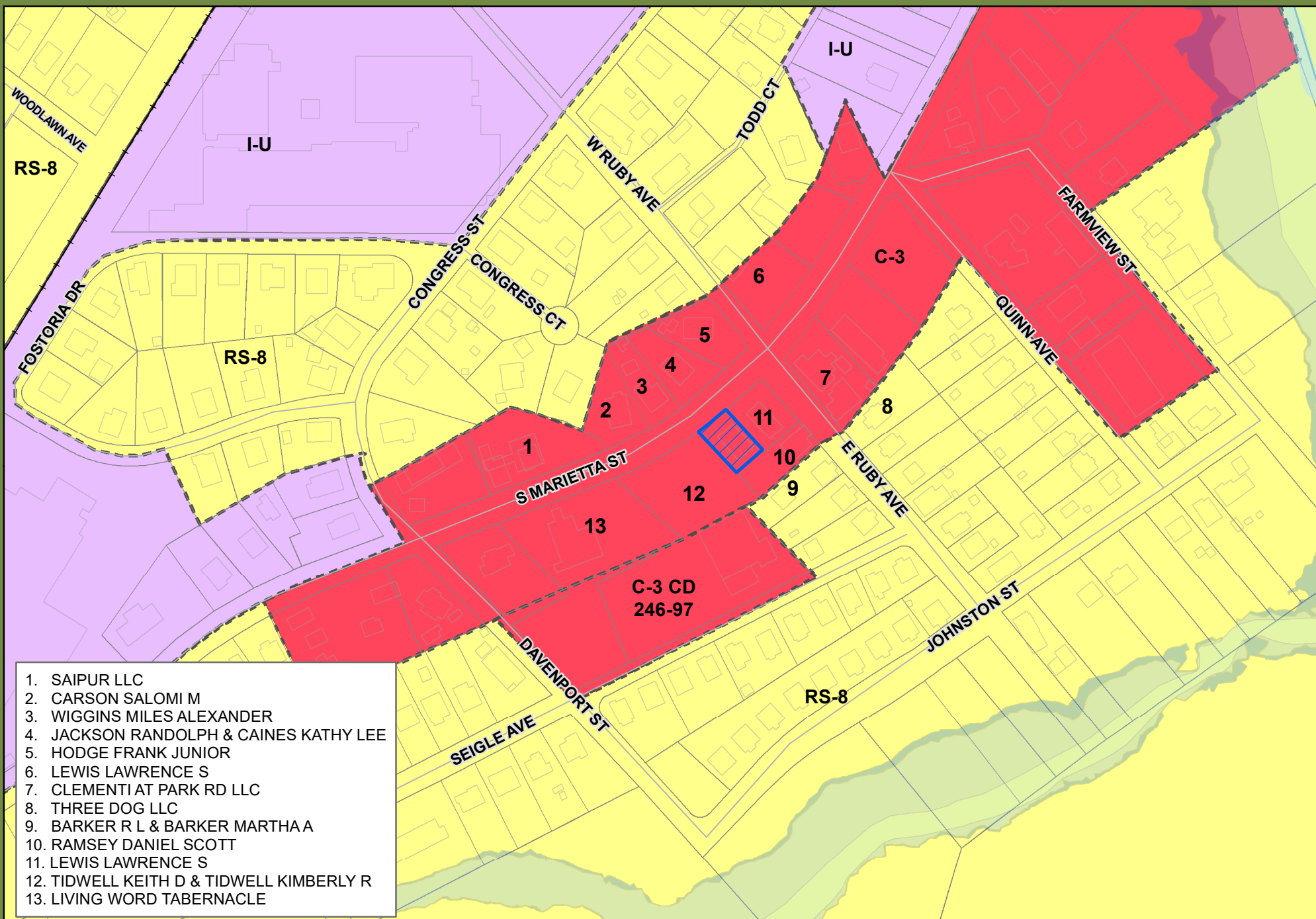
The applicant has requested a rezoning to C-1 (Neighborhood Commercial). Based on the character of this area, surrounding land uses, future land use plan, and size of the property, staff believes that smaller scale commercial is more appropriate along Marietta Street versus C-3 zoning, which is geared more toward larger commercial and auto-dependent uses. C-1 also allows options for residential and mixed use, yielding to more flexibility for smaller scale projects while keeping commercial base zoning. **Staff recommends approval of the requested zoning change.**



Jason T. Pauling, AICP
Assistant Planning Director

Statement of consistency and reasonableness (motion to approve): *The proposed zoning is consistent with the 2025 Comprehensive Plan and will result in the potential development of a neighborhood commercial, mixed use, or infill residential use. The Planning Commission considers an affirmative vote to be reasonable and in the public's interest.*



































Statement of consistency and reasonableness (motion to deny): *The Planning Commission considers an affirmative vote to not be reasonable and to not be in the public interest.*



Applicant: Helmsman Homes, LLC
Owner: Helmsman Homes, LLC
Planning Comm Hearing: April 6, 2023
Request: C-2 to C-1
Ward: 5
Total Tract Size: approx. 0.11 acres
Parcel ID #: 112974

 **Subject Property**

Legend

- | | |
|--|--|
|  AP Airport |  Roads |
|  C-1 Light Commercial |  Railroad |
|  C-2 Highway Commercial |  Floodway |
|  C-3 General Commercial |  100yr Flood Zone |
|  CBD Central Business District |  500yr Flood Zone |
|  I-U Urban Industrial |  Streams |
|  I-1 Light Industrial |  Rivers |
|  I-2 General Industrial |  Parcels |
|  I-2 General Industrial |  Buildings |
|  O-1 Office | |
|  OLC Office/Light Commercial | |
|  O-M Medical Office | |
|  PD IRD Planned District Infill Res Devt | |
|  PD PRD Planned District Planned Res Devt | |
|  PD RRDD Planned District Revised Res Devt District | |
|  PD PUD Planned District Planned Unit Devt | |
|  PD TND Planned Dist Traditional Neighborhood Devt | |
|  RLD Residential Low Density | |
|  RS-12 Residential 12000sqft lots | |
|  RS-8 Residential 8000sqft per lot | |
|  R-A Rural Agricultural | |
|  RMF Residential Multi-Family District | |
|  SP State Park District | |
|  TMU Transitional Mixed Use | |
|  UMU Urban Mixed Use District | |

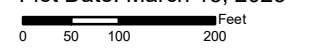
1. SAIPUR LLC
2. CARSON SALOMI M
3. WIGGINS MILES ALEXANDER
4. JACKSON RANDOLPH & CAINES KATHY LEE
5. HODGE FRANK JUNIOR
6. LEWIS LAWRENCE S
7. CLEMENTI AT PARK RD LLC
8. THREE DOG LLC
9. BARKER R L & BARKER MARTHA A
10. RAMSEY DANIEL SCOTT
11. LEWIS LAWRENCE S
12. TIDWELL KEITH D & TIDWELL KIMBERLY R
13. LIVING WORD TABERNACLE

Note: For a complete elaboration of zoning classifications, see the Unified Development Ordinance or contact the City of Gastonia Planning Department at (704) 854-6652.

Application
PLMA202300063

I, Julia Baker-Granata, hereby certify that all mail notices, in the absence of fraud, were mailed to all affected and adjoining property owners on March 23, 2023.



1 : 2,400
 1 inch represents 200 feet
 Plot Date: March 13, 2023




CITY OF GASTONIA APPLICATION FOR PUBLIC HEARING

ATTN: Please upload applications and all attachments separately to our online portal at the following address: <https://devsvcs.cityofgastonia.com/> and click on "Apply for a Planning Permit"

The undersigned do hereby make application to the City of Gastonia for the hereinafter described request and in support of this request, the following facts are shown:

1. Identify the request (example: rezone from RS-12 to OLC CD; etc.): C-3 to C-1 _____

Please Note: Before applying for a rezoning, applicants are advised to determine if their property is subject to private deed restrictions to be sure the intended use of the property is allowed. The City of Gastonia neither keeps records of, enforces, nor overrules private deed restrictions.

2. Gaston County Tax Identification Number(s): 112974 _____

3. Subject property addresses: 1410 S Marietta St, Gastonia, 28054 _____

4. In order for our staff to place the rezoning signs on the property, please describe what is on the subject property and or adjacent properties (example: a white frame house is located on the property; the property is vacant with Business 'X' located on the east side). Staff will erect the signs approximately 15 days prior to the meeting. When facing the property from the street, the parcel to the left has a small white house with a front porch. The parcel to the right is vacant. _____

5. Complete legal description by metes and bounds of said realty is attached to the application (a **copy of the deed** is sufficient).

6. In order to be familiar with the subject property the City staff may need to walk the property. Do we have the property owner's permission to do so? yes _____

7. The real property to be rezoned is owned in fee simple by Helmsman Homes, LLC as evidenced in deed from (date) Nov 5, 2021 recorded in DB: 5365 PG: 288 in the Gaston County Registry

8. The real property for which the above request is sought is located on the south side of Marietta St between W Ruby Ave and Davenport St having a frontage of 55 feet and depth of 86 feet and acreage of .11.

9. Are sewer and water available on the property? yes _____

10. The tax sheets for all persons or firms that own the subject land and land adjacent to or within 100 feet of all sides, including property across the street, from the property for which the request is sought are attached. (Note: When measuring the 100-foot distance, street rights-of-way shall not be included in the measurement.)

11. If the applicant does not own the property sought to be rezoned, the names and addresses of the legal owners are listed below. The owner's names and their addresses are recorded in the Gaston County Tax Office. (Use additional sheets of paper if necessary). N/A _____

12. Name and address of applicant: Helmsman Homes, LLC, 116 Gasoline Alley, Mooresville, NC 28117
Telephone #: 980-500-1251 E-mail address: cnewsome@helmsmanhomes.com

13. Interest in subject realty: OWNER

14. There are no restrictions or covenants of record appearing in the chain of title which would prohibit the property from being used as requested. True False

15. Has this property previously been subject to any of the following (please add case # and date)?

- Conditional Use Permit _____
- planned unit development _____
- subdivision ordinance _____
- Planned Residential Development _____
- Other Conditional District _____


If yes, please explain N/A

16. Name and address of person to present item at public hearing: Crissy Newsome

Telephone number: 704-252-3249 Email: cnewsome@helmsmanhomes.com

I, Eric Wood, certify that I have read the information provided in the public hearing information package on the 25th day of January, 2023.

SIGNATURES: All property owners must sign when a CD is requested.

 _____



MEMORANDUM

Date: April 18, 2023

To: Michael Peoples
City Manager

From: Jason Thompson, AICP
Planning Director

Subject: Subject hearing involves a request to amend *Section 7.1-1 Table of Uses, Section 7.3-1 Bulk and Use Chart, Section 7.6.5 Urban Standards Overlay District USO, Section 8.1.4 Urban Multi-Family and Mixed-Use Residential, and Section 8.1.5 Dwelling, Two Family* to the Unified Development Ordinance to 1) revise the permitted uses and dimensional requirements for all applicable residential uses previously amended by the Revised Residential Development District (*Sections 8.1.11 and 8.1.17*), 2) exempt temporary mobile classrooms on school properties from Urban Standards Overlay (USO) architectural requirements, and 3) add Urban Multi-Family and Mixed-Use Residential standards (File #202300103)

BACKGROUND

Planning staff, working with Metrocology continues to review and make necessary modifications to the UDO with the goal of clarifying and improving residential standards in the urban core of the City. The Revised Residential Development District standards adopted per section 8.1.11 and 8.1.17 by City Council have been successful for larger projects as we continue to allow developers more flexibility from traditional regulatory and dimensional requirements. We are now experiencing an increase in infill requests for smaller projects, thereby making it necessary to amend two-family dwelling (duplex) requirements per section 8.1.5, and make further modifications to the RS-8 district to allow infill residential development while continuing to reference the new RRDD supplemental regulations.

Additionally, Metrocology has drafted new regulations for Urban Multi-Family and Mixed Use Developments with the goal of promoting these types of development in the urban core areas of the City, which currently includes the following:

1. The Central Business District (CBD)
2. The Urban Mixed Use (UMU) Zoning District
3. The Gateway Corridor Overlay (GC-O) District
4. The Historic District Overlay (HD-O) Districts (York-Chester & Brookwood)
5. The York-Chester National Historic District
6. The Municipal Service District
7. The Urban Redevelopment Area
8. The Loray Mill National Register Historic District
9. The Downtown Gastonia National Register District
10. The Uptown Redevelopment Area
11. The West Gastonia Redevelopment Area

Lastly, this UDO Amendment request will exempt temporary mobile classrooms at approved school sites from the architectural regulations of the Urban Standards Overlay District (USO) found in section 7.6.5 of the UDO.

CONCLUSION

If approved, these revisions would modify the permitted use table and dimensional tables found in Chapter 7, the USO standards in section 7.6.5, and supplemental regulations 8.1.4 and 8.1.5 in the UDO. Staff recommends approval as presented.

Statement of Reasonableness and Consistency (*motion to approve*):

This ordinance is consistent with the Gastonia 2025 Comprehensive Plan and any applicable duly adopted small areas plans, and is reasonable and in the public interest.

**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT
ORDINANCE OF THE CITY OF GASTONIA**

WHEREAS, the City of Gastonia deems it necessary to update the Unified Development Ordinance in order to provide additional clarification as needed; and

WHEREAS, the City of Gastonia deems it necessary to and in the public interest to have clear, concise and consistent standards for the management of growth and development throughout the city; and

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GASTONIA as follows:

Section 1. Section 7.5 shall be amended as follows:

TABLE 7.1-1 – TABLE OF USES

Use Category				Residential Districts					Office Districts			
	Def	Sup. Reg.	Pkg. Reg.	RLD	RS-20	RS-12	RS-8	RMF	TMU	OM	O-1	OLC
Dwelling, Mixed Use	Y	8.1.4	10.11						XS	XS	XS	XS
Dwelling, Multi-Family	Y	8.1.10	10.11					XS	XS	XS	XS	XS
Dwelling, Single Family Detached	Y	8.1.11	10.11	X	X	X	XS	XS	XS	XS	XS	XS
Dwelling, Single Family Attached	Y	8.1.11 8.1.17	10.11					XS ⁽¹⁾	XS ⁽¹⁾		XS ⁽¹⁾	XS ⁽¹⁾
Dwelling, Single-Family Attached, Two Unit	Y	8.1.17	10.11				XS	XS	XS		XS	XS
Dwelling, Two Family (Duplex)	Y	8.1.5 8.1.11 8.1.17	10.11	XS	XS	XS	XS	XS	XS	XS	XS	XS
Urban Multi-Family & Mixed Use Development		8.1.4					CS	CS	XS ⁽²⁾		XS ⁽²⁾	

⁽¹⁾ For projects that require new streets, a Conditional ~~the PD~~ District process is required.

⁽²⁾ For projects within the boundaries and locations identified by section 8.1.4, use is allowed by right in TMU, O-1, C-1, C-3, & I-U.

Use Category				Commercial Districts				Industrial Districts				Other		
	Def	Sup. Reg.	Pkg. Reg.	C-1	C-2	C-3	CBD	I-1	I-2	I-3	IU	SP	A P	PD
Dwelling, Mixed Use	Y	8.1.4	10.11	XS	XS	XS	XS				XS			
Dwelling, Multi-Family	Y	8.1.10	10.11	CS			CS				XS			
Dwelling, Single Family Detached	Y	8.1.11	10.11	XS							XS			CS
Dwelling, Single Family Attached	Y	8.1.11 8.1.17	10.11	XS ⁽¹⁾			XS ⁽¹⁾				XS ⁽¹⁾			CS ⁽¹⁾
Dwelling, Single-Family Attached, Two Unit	Y	8.1.17	10.11	XS							XS			CS

Dwelling, Two Family (Duplex)	Y	8.1.5 8.1.11 8.1.17	10.11	XS							XS			CS
Urban Multi-Family & Mixed Use Development		8.1.4		XS ⁽²⁾		XS ⁽²⁾	XS				XS ⁽²⁾			CS

- (1) For projects that require new streets, a Conditional ~~the PD~~ District process is required.
- (2) For projects within the boundaries and locations identified by section 8.1.4, use is allowed by right in TMU, O-1, C-1, C-3, & I-U.

TABLE 7.3-1 – BULK & USE CHART

RESIDENTIAL DISTRICTS

	RS-8						RMF					
	A	W	F	S	R	H	A	W	F	S	R	H
Single-family Dwellings, Detached	Refer to 8.1.11 for requirements ⁽⁶⁾⁽⁷⁾						Refer to 8.1.11 for requirements					
Single-family Dwellings Attached	—	—	—	—	—	—	Refer to 8.1.17 for requirements					
Dwelling, Multi-Family	—	—	—	—	—	—	Refer to 8.1.10 for requirements					
Dwelling, Two-family (Duplex)	Refer to 8.1.17 for requirements						Refer to 8.1.17 for requirements					
Urban Multi-Family & Mixed Use Development	Refer to 8.1.4 for requirements						Refer to 8.1.4 for requirements					
A = Minimum Lot Area W = Minimum Lot Width (as measured at the minimum front yard setback) F = Minimum Front Setback (see definition of front yard to determine how front yard is measured on corner lots) S = Minimum Side Setback R = Minimum Rear Setback H = Maximum Building Height * There are no dimensional requirements for Essential Services, Class 1 and Parks ** Dimensional requirements listed for certain uses in Chapter 8 shall supersede those listed herein.	<ol style="list-style-type: none"> An additional ten (10) feet to the requirements listed above shall be required on all side yards which abut a public or private street. For newly created non-residential lots: Minimum two hundred (200) feet on a major thoroughfare, a minimum one hundred (100) feet on a minor thoroughfare, and a minimum of one hundred fifty (150) feet on all lots located at the intersection of two (2) streets. Existing lots with a width of less than sixty (60) feet may use a five (5) foot side yard setback. Where no parking areas or drive isles are located between the building and the street right-of-way, the minimum front setback may be reduced to fifteen (15) feet (applicable for attached housing and non-residential development only). Existing lots with a lot width of sixty (60) feet or less may use the RS-8 setbacks. New lots shall follow R-1, R-2 and R-3 Districts according to section 8.1.11, R-4 and R-5 requires conditional zoning approval In the RS-8 district when the R-3 option is chosen, the required lot area and lot width may be determined reduced for a new lot(s) if each of the following are met: (a) the existing tract to be subdivided is no greater than two (2) acres, (b) the lot area and lot width may be determined by the averaging of at least two (2) lots located on the same block, facing the same street, and within two hundred (200) linear feet from the lot in question, and (c) no more than three (3) lots will result after the subdivision is completed. 											

OFFICE & MIXED USE DISTRICTS

	TMU, OLC, O-1, UMU						OM					
	A	W	F	S	R	H	A	W	F	S	R	H
Single-family Dwellings, Detached	Refer to 8.1.11 for requirements						—	—	—	—	—	—
Single-family Dwellings Attached	Refer to 8.1.11/8.1.17 for requirements						—	—	—	—	—	—
Dwelling, Multi-Family	Refer to 8.1.10 for requirements						—	—	—	—	—	—
Dwelling, Two Family (Duplex)	Refer to 8.1.17 for requirements						Refer to 8.1.17 for requirements					
Urban Multi-Family & Mixed Use Development	Refer to 8.1.4 for requirements						Refer to 8.1.4 for requirements					

COMMERCIAL DISTRICTS

	C-1						CBD						
	A	W	F	S	R	H	A	W	F	S	R	H	
Single-family Dwellings, Detached	Refer to 8.1.11 for requirements												
Single-family Dwellings Attached	Refer to 8.1.11/8.1.17 for requirements						Refer to 8.1.11/8.1.17 for requirements						
Dwelling, Multi-Family	Refer to 8.1.10 for requirements						Refer to 8.1.10 for requirements						
Dwelling, Two Family (Duplex)	Refer to 8.1.17 for requirements						Refer to 8.1.17 for requirements						
Urban Multi-Family & Mixed Use Development	Refer to 8.1.4 for requirements						Refer to 8.1.4 for requirements						

INDUSTRIAL/OTHER DISTRICTS

	I-U						PD					
	A	W	F	S	R	H	A	W	F	S	R	H
Single-family Dwellings, Detached	Refer to 8.1.11 for requirements						Refer to 8.1.11 for requirements					
Single-family Dwellings Attached	Refer to 8.1.11/8.1.17 for requirements						Refer to 8.1.11/8.1.17 for requirements					
Dwelling, Two Family (Duplex)	Refer to 8.1.11/8.1.17 for requirements						Refer to 8.1.11/8.1.17 for requirements					
Urban Multi-Family & Mixed Use Development	Refer to 8.1.4 for requirements						Refer to 8.1.4 for requirements					

Section 2. *Section 7.6.5 Urban Standards Overlay (USO) District shall be amended as follows:*

Add the following:

A. Parking Lot Connections

(Note: The following provisions do not apply to temporary mobile classrooms approved on a designated school site for a period not to exceed two years)

B. Building Materials

(Note: The following provisions do not apply to temporary mobile classrooms approved on a designated school site for a period not to exceed two years)

D. Building Colors

(Note: The following provisions do not apply to temporary mobile classrooms approved on a designated school site for a period not to exceed two years)

E. Building Articulation

(Note: The following provisions do not apply to temporary mobile classrooms approved on a designated school site for a period not to exceed two years)

F. Entrance Orientation

(Note: The following provisions do not apply to temporary mobile classrooms approved on a designated school site for a period not to exceed two years)

Section 3. Section 8.1.4 and 8.1.5 shall be amended as follows:

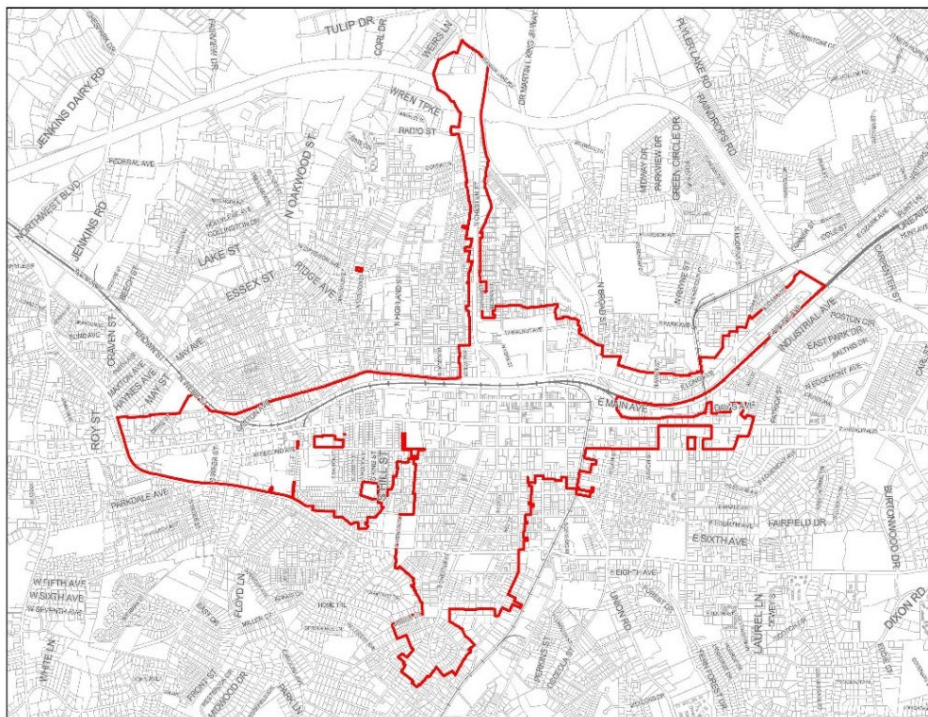
8.1.4 ~~DWELLING, MIXED USE~~

- ~~A.— The dwelling unit and the commercial use shall occupy the same principal structure.~~
- ~~B.— Lot and yard requirements for this use shall be the same as those for the nonresidential use.~~
- ~~C.— Nonresidential uses shall be limited to those allowed in the zoning district in which the structure is located.~~
- ~~D.— In the CBD and C-1 districts, the structure must contain a commercial use for a dwelling to also be located in the structure.~~

8.1.4 URBAN MULTI-FAMILY & MIXED-USE DEVELOPMENT

The Urban Multi-family & Mixed-Use Development regulations are hereby established, and applicable to the following “urban core areas” and associated underlying zoning districts:

1. The Central Business District (CBD)
2. The Urban Mixed Use (UMU) Zoning District
3. The Gateway Corridor Overlay (GC-O) District
4. The Historic District Overlay (HD-O) Districts (York-Chester & Brookwood)
5. The York-Chester National Historic District
6. The Municipal Service District
7. The Urban Redevelopment Area
8. The Loray Mill National Register Historic District
9. The Downtown Gastonia National Register District, and
10. The Uptown Redevelopment Area
11. The West Gastonia Redevelopment Area



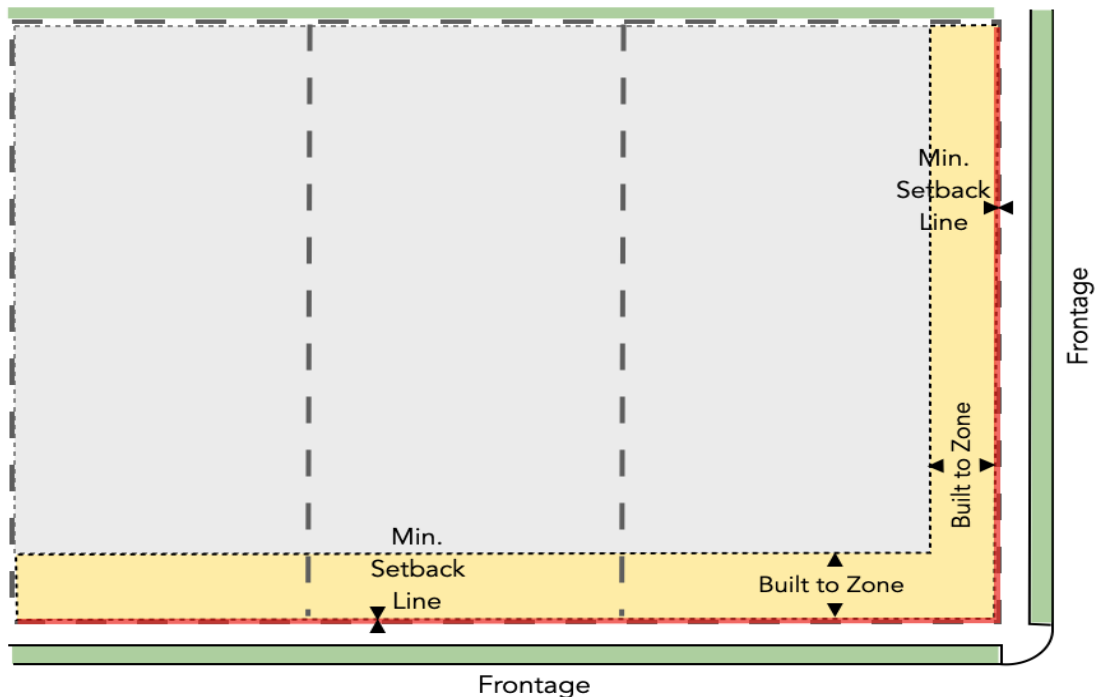
These areas which comprise of Gastonia’s Urban Core include a variety of base zoning districts whereas the supplemental regulations are intended to allow urban multi-family and mixed use developments by right, or via conditional zoning process in existing residential districts.

These developments are intended within zones that are transitioning from an automobile-centric orientation toward a comfortable pedestrian environment that is easily accessible and well-connected to surrounding neighborhoods. Such developments may serve the daily needs of nearby residents within walking distance. The standards allow for greater flexibility in design and site needs, such as parking amount and location, while accommodating multiple modes of transportation including walking, bicycling, and automobile.

1. General Provisions

- a) Build-to-zone – A build-to zone (BTZ) is the area on a lot, measured parallel from the required frontage setback line, where the minimum build-to percentage of a structure shall be located. A build-to-zone sets a minimum and maximum dimension within which the building facade line shall be located per the requirements of the minimum build-to percentage.

BTZ Diagram



- b) Build-To Percentage – The percentage of the building facade that shall be located within the build-to zone (BTZ), calculated by building facade, not lot width. Build-to percentage is further defined as:
- Facade articulation elements, such as window or wall recesses and projections, shall be considered to meet any required build-to percentage.
 - Public open spaces and outdoor dining areas that are bounded by a building facade and are no more than an average of twenty-four (24) inches above or below grade are counted as meeting the build-to percentage.
 - Common or private open spaces of residential development bounded on three sides by a building and no more than an average of twenty-four (24) inches above or below grade are counted as meeting the build-to percentage.
- c) Frontage on Public and Private Streets – The percentage of the building façade that shall be located within the build-to zone (BTZ), calculated by building facade, not lot width. Build-to percentage is further defined as:
- Buildings within a multi-dwelling development may be placed on a lot that does not abut a street, provided that each building is within four-hundred (400) feet of a public street or network required private street that furnishes direct access to the property.
 - Lots within a mixed-use development site need not abut a street so long as the overall development site abuts a public or network required private street and is designed in such a manner that access is furnished to all interior lots or building sites. Access to interior lots or building sites shall only be across property zoned for nonresidential development.
- d) Building Length – measured as the length of the facade abutting a frontage. Passageways, breezeways, ground floor passages and similar building connections are included in the calculation of total building length.
- e) Prominent Entrance – A building entrance that is visually distinctive from the remaining portions of the façade where it is located and is parallel and directly connected to adjacent pedestrian facilities. A building frontage shall have a minimum of 1 prominent entrance. Individual tenant spaces on the ground floor must each provide a connection to adjacent pedestrian facilities. For mixed-use buildings, and multi-family stacked units, entrances that contain at least three of the following are considered a prominent entrance:
- Decorative pedestrian lighting/sconces;
 - Architectural details carried through to upper stories;

- Covered porches, canopies, awnings, or sunshades;
 - Archways;
 - Transom or sidelight windows
 - Terraced or raised planters;
 - Common outdoor seating enhanced with specialty details
 - Paving, landscaping, or water features;
 - Double doors;
 - Stoops or stairs.
- f) Maximum Blank Wall Area – measured vertically or horizontally on any façade facing a public ROW, public open space, and public trail shall not exceed 20 ft.

3. Building Setbacks & Architectural Design Specifications

The Diagram 2(a) and Table 2(a) regulate the built form and placement of multi-family and mixed-use developments buildings in the designated Zoning Districts in which they are applicable.

Diagram 2(a)



Table 2(a): Urban Multi-family & Mixed-use Development	
A. Frontage Setback Line (from existing or future back of curb)	
1. Main Street (pedestrian mixed-use street, independent of lane count)	24 feet
2. Street with 4 lanes or more	24 feet
3. Street with less than 4 lanes	20 feet
4. Off street public path, open space (from edge of pavement, or landscape) ¹	36 feet
B. Frontage Build to Zone (from frontage setback line) ^{2, 3}	
1. Main Street	0 – 20 feet
2. Street with 4 lanes or more	0 – 35 feet
3. Street with less than 4 lanes	0 – 30 feet
4. Off street public path, open space	0 – 20 feet

C. Minimum Percentage of Structure in BTZ ⁴	
1. Main Street	80%
2. Street with 4 lanes or more	80%
3. Street with less than 4 lanes	80%
4. Off street public path, public & private open space	80%
D. Minimum Building Length as a % of Lot Width (measured at frontage line) ⁵	
1. Main Street	80%
2. Street with 4 lanes or more	60%
3. Street with less than 4 lanes	60%
4. Off street public path, public & private open space	60%
5. Max building length along a frontage	400 feet
6. Max building length along a frontage with additional design elements ⁶	600 feet
7. Maximum blank wall area, horizontal or vertical, Main St.	10 feet
8. Maximum blank wall area, horizontal or vertical all Streets, and off-street public paths, and public & private open space	20 feet
E. Maximum Prominent Entry Spacing ⁷	
All streets, and off-street public paths, and public & private open space	200 feet
F. Minimum Side Setback	
1. Not abutting a residential use/zone	0 feet
2. Abutting a residential use/zone	15 feet
G. Minimum Rear Setback	
1. Not abutting a residential use/zone	0 feet
2. Abutting a residential use/zone	20 feet
H. Building Height ^{8, 9, 10}	
1. Minimum/Maximum	24 feet / 120 feet
2. Minimum ground floor height, residential (finished floor to finished floor elevation in feet), Main Street ^{11, 12, 13}	16 feet
3. Min ground floor height, residential (finished floor to finished floor elev. in feet), all Streets, and off street public paths, and public & private open space ^{11, 12, 13, 14}	12 feet
4. Minimum ground floor height, non-residential (finished floor to finished floor elevation in feet), all Streets, and off-street public paths, and public & private open space ^{11,12, 14}	16 feet
I. Floor Transparency	
1. Ground Floor Residential (% of wall area between three (3) and ten (10) feet from grade) ^{12, 13}	25%
2. Ground Floor Non-residential (% of wall area between three (3) and ten (10) feet from grade) ¹²	55%
3. Upper Floors all uses (% of wall area of the floor)	15%
J. Façade Articulation & Entrances (Multi-family) ¹⁶	
1. Ground floor entrance height for units along a frontage sidewalk when located within ten (10) feet of back of sidewalk; minimum/maximum	1 foot / 5 feet

<p>2. Ground floor entrance height for units below the adjacent sidewalk grade; min/max</p>	<p>1 foot / 3 feet</p>
<p>Notes</p> <ol style="list-style-type: none"> 1. For off street public paths, public park/open space frontage shall be measured from a property line or right of way line. If there is an easement in place for any frontage, then the measurement shall be taken from such easement 2. If there is an existing easement that conflicts with the build-to zone requirement, a build-to line shall be established at the edge of the easement closest to the build-to zone. 3. Where a lot has more than two frontages that require a build-to zone, the build-to zone shall be increased by 100% for those frontages that exceed two. 4. Pedestrian oriented ground floor designs are encouraged, including galleries, colonnades, outdoor dining areas, and outdoor plazas. When integrated into the overall building design, such features are considered to meet any required build-to percentage. 5. Where multiple frontages apply, the highest frontage classification shall meet the established standard. In the case of a lot with two frontages, the second frontage shall meet only 40% of the standard. There are no min requirements for additional frontages, unless such frontage is along a public path, or public and private open space. In such instances the frontage requirement shall meet 40% of the standard. 6. The following design elements are required for maximum building length: <ul style="list-style-type: none"> • where a building abuts two parallel frontages with pedestrian facilities, or one frontage with pedestrian facilities and a parking lot, public park or other publicly owned open space on the side of the building opposite the frontage, a pedestrian passage is required that meets the following criteria: <ul style="list-style-type: none"> ○ A minimum of thirty (30) feet in width, twenty (20) feet in height if covered ○ Designed to maintain views from one end through to the other ○ Provide decorative elements within passage ○ Align with the street grid or other points of access to sidewalks, public paths, parking lots, public parks or other publicly owned open space where present and feasible. • Passages in non-residential buildings shall orient ground floor uses toward the passage, including entrances; and such ground floor facades shall maintain a minimum transparency of forty percent (40%) of the wall area of the passage, see Note 15. • Passages in residential buildings may be closed off to the public with gates and/or fencing but shall be open in design to allow for clear view through the passage, be designed with elements for use by residents, such as seating areas, and maintain a minimum transparency of twenty-five percent (25%) of the wall area of the passage, see Note 15. • Where a building does not abut two parallel frontages with pedestrian facilities, a break on the building massing is required as follows: <ul style="list-style-type: none"> ○ Building mass shall be recessed a minimum of twenty (20) feet in depth for no less than thirty (30) linear feet along the façade. Such recess shall extend the full height of the building. ○ For nonresidential buildings ground floor uses shall orient toward the recessed areas, including public entrances; be subject to all transparency requirements; and shall be designed as public or common space including amenities such as seating areas, landscaping, lighting, decorative elements, and public art. 7. One prominent entrance at grade is required per building on a site. In no case shall any building entry be located closer than six (6) feet to an existing or proposed off-street public path or shared use path. The primary pedestrian entry to each principal structure shall face a frontage. For mixed-use buildings each individual tenant space on the ground floor must provide a connection to adjacent pedestrian facilities. In the case of buildings located on corner lots with two frontages, one prominent entrance at the corner may satisfy the requirement subject to the following: <ul style="list-style-type: none"> • Each frontage shall not require more than one prominent entry • The entry shall include design features that reinforce the intersection as a key pedestrian location with at least two of the following elements: <ul style="list-style-type: none"> ○ a chamfered or rounded corner design ○ Awnings, canopies, or other covered entry feature 	

- Special paving, landscape, or lighting
 - Unique architectural detailing that emphasizes the entry
 - For multi-family buildings entries shall be a prominent entrance along a frontage. In the case of a building with multiple entrances to individual units within the structure, this requirement applies to all exterior entrances along a frontage.
8. Lots of one -half acre or less are exempt from min building height requirements.
 9. The max building height of any structure within two-hundred (200) feet of single-family residential districts/uses is limited as follows: that portion of a structure within the first one-hundred (100) feet is limited to a max of fifty (50) feet in height; that portion of a structure within one-hundred (100) to two-hundred (200) feet is limited to a maximum of seventy-five (75) feet in height. This limitation does not apply to open spaces of three (3) acres or greater, or to three (3) or fewer adjacent residentially zoned or used parcels.
 10. For mixed-use buildings over ninety (90) feet in height, the base of the building shall be clearly differentiated from the remainder of the building with an emphasis on providing design elements that enhance the pedestrian environment. This differentiation shall occur within the bottom third of the building, but no higher than fifty (50) feet above grade, may include but not be limited to: cornices, corbeling, molding, string courses, ornamentation, changes in material or color, recessing, architecture lighting, and other sculpturing to clearly differentiate the base from the remainder of the building. Arcades, galleries, colonnades, outdoor plazas, outdoor dining areas, or similar pedestrian-oriented ground floor features may be used as part of a building façade. When provided, such features that are parallel with the building façade above the ground floor are considered to meet any required build-to percentage.
 11. Minimum ground floor heights may be reduced by the Zoning Administrator or their designee if there are site constraints that cause practical difficulty.
 12. The ground floor of residential developments is still considered residential when the leasing or management office and/or tenant facilities associated with the development are located on the ground floor.
 13. Applies only if non-convertible residential; for convertible residential the non-residential standard applies.
 14. At least 70% of the total ground floor for non-residential uses and 30% for residential uses, measured as a percentage of the interior space, shall meet the minimum ground floor height requirement. Such measurements shall be certified on the building/site plans.
 15. Transparency is calculated by the amount of window area as a percentage of a specified façade. Glass doors are included in ground floor transparency calculations. Garage entrances are not included in ground floor transparency calculations. To qualify as transparent, glazing shall meet the following standards:
 - Have a minimum of 40% Visible Light Transmittance (VLT) and a maximum of 15% Visible Light Reflectance (VLR).
 - Windows with shadow boxes on the interior, glass block, and printed window film do not count in meeting the standard.
 16. Structures shall incorporate elements of variation on any façade facing a frontage, public open space, or common open space. For buildings 150-feet or more in length, recesses, or projections of at least one and a half (1.5) feet in depth and no less than twelve (12) inches in width are required at intervals of no more than sixty (60) feet.

3. Building Materials

The following building materials are limited to 10% of each façade along a frontage. They may also be used as a component of construction when not a surface finish material without limitation.

- a. Corrugated metal siding; however, the reuse of prefabricated shipping containers is permitted
- b. and is not subject to limitation, as long as all building codes and other applicable codes are met.
- c. Exterior insulation finishing systems (EIFS) is prohibited on the ground floor of a multi-family
- d. Building.
- e. Plain concrete masonry units (CMU)
- f. Plastic
- g. T-111 Composite plywood siding, fiber cement

h. Vinyl or PVC

4. Architectural Elements Encroachment Requirements

Table 4(a) lists architectural design features and extensions permitted into required setbacks.

TABLE 4 (a) Permitted Architectural Features and Extensions for Urban Multi-family & Mixed-Use Buildings ¹				
Permitted Features	Max Extension into Required Frontage Setback	Maximum Extension into required Side Setback	Maximum extension into Required rear setback	Additional Design Regulations
Accessibility Ramp	No limit on extension but may not obstruct a required sidewalk or path	No limit on extension but may not obstruct a required sidewalk or path	No limit on extension but may not obstruct a required sidewalk or path	
Arcade, gallery, or Colonnade	Not permitted	Not permitted	Not permitted	8.1.4 (5)(a)
Awning	Up to a distance of four (4) feet from the future back or existing curb along a street; cannot encroach along non-street frontages	Not permitted	Not permitted	8.1.4 (5)(b)
Balcony	4ft; cannot encroach above any portion of a required sidewalk or path	Not permitted	Four (4) feet	8.1.4 (5)(c)
Bay Window	Located on upper floors: 4ft; cannot encroach above a sidewalk or path	Not permitted	Not permitted	8.1.4 (5)(d)
Canopy	Up to a distance of four (4) feet from the future or existing back of curb; cannot encroach into any portion of a path	Not permitted	Not permitted	8.1.4 (5)(e)
Deck	Four (4) feet; cannot encroach into a sidewalk or path	Not permitted	Four (4) feet	
Porch, unenclosed	Four (4) feet; cannot encroach into a sidewalk or path	Not permitted	Four (4) feet	
Sills, Belt Courses, eaves, cornices, ornamental features	Two (2) feet	Two (2) feet	2ft	8.1.4 (5)(f)

Steps & Stoops	Four (4) feet; cannot encroach into a sidewalk or path	Not permitted	Four (4) feet	
Exterior Stairway	Not permitted	Not permitted	Not permitted	

Notes

No architectural design features and extensions may encroach into the public right of way unless specifically allowed by this Section. Additionally, where such architectural elements might extend into a ROW the following requirements apply:

- a) Prior approval by Public Works and other relevant agencies is required and may require an encroachment agreement.
- b) Encroachments shall protect all trees located in the ROW and comply with the Gastonia Tree Ordinance
- c) When full opened, building doors shall maintain a minimum clearance of 2ft from the back of sidewalk.
- d) An architectural feature shall not result in an unobstructed sidewalk clearance of less than 8ft.

Table 4(a) lists architectural design features and extensions permitted into required setbacks.

TABLE 4(a) Permitted Architectural Features and Extensions for Multi-family & Mixed-Use Buildings ¹				
Permitted Features	Max Extension into Required Frontage Setback	Maximum Extension into required Side Setback	Maximum extension into Required rear setback	Additional Design Regulations
Accessibility Ramp	No limit on extension but may not obstruct a required sidewalk or path	No limit on extension but may not obstruct a required sidewalk or path	No limit on extension but may not obstruct a required sidewalk or path	
Arcade, gallery, or Colonnade	Not permitted	Not permitted	Not permitted	8.1.4 (5)(a)
Awning	Up to a distance of 4ft from the future back or existing curb along a street; cannot encroach along non-street frontages	Not permitted	Not permitted	8.1.4 (5)(b)
Balcony	4ft; cannot encroach above any portion of a required sidewalk or path	Not permitted	Four (4) feet	8.1.4 (5)(c)
Bay Window	Located on upper floors: 4ft; cannot encroach above a sidewalk or path	Not permitted	Not permitted	8.1.4 (5)(d)
Canopy	Up to a distance of 4ft from the future or existing back of curb; cannot	Not permitted	Not permitted	8.1.4 (5)(e)

	encroach into any portion of a path			
Deck	4ft; cannot encroach into a sidewalk or path	Not permitted	Four (4) feet	
Porch, unenclosed	4ft; cannot encroach into a sidewalk or path	Not permitted	Four (4) feet	
Sills, Belt Courses, eaves, cornices, ornamental features	2ft	2ft	Two (2) feet	8.1.4 (5)(f)
Steps & Stoops	4ft; cannot encroach into a sidewalk or path	Not permitted	Four (4) feet	
Exterior Stairway	Not permitted	Not permitted	Not permitted	

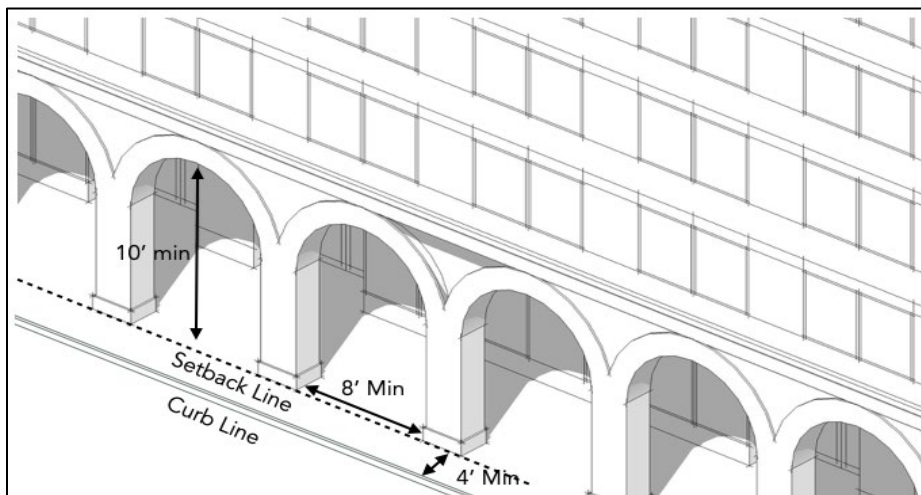
Notes

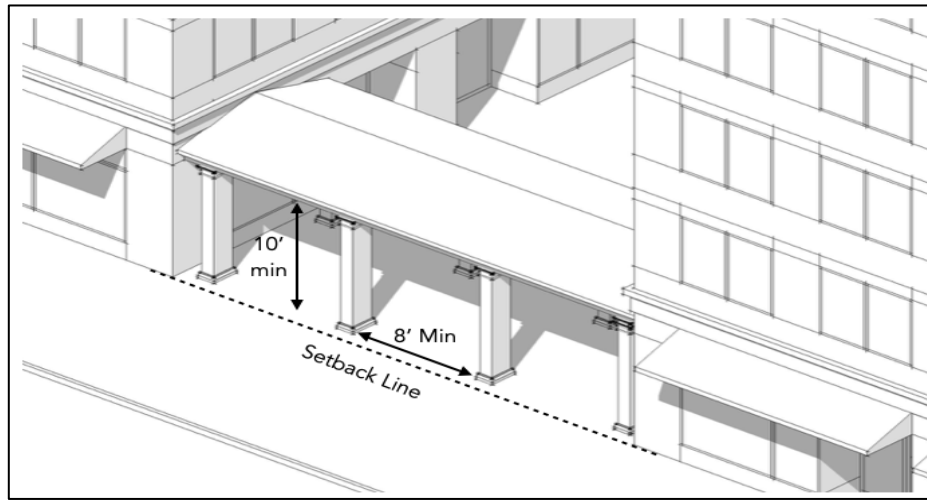
1. No architectural design features and extensions may encroach into the public right of way unless specifically allowed by this Section. Additionally, where such architectural elements might extend into a ROW the following requirements apply:
 - a) prior approval by Public Works and other relevant agencies is required and may require an encroachment agreement.
 - b) encroachments shall protect all trees located in the ROW and comply with the Gastonia Tree Ordinance
 - c) When full opened, building doors shall maintain a minimum clearance of 2ft from the back of sidewalk.
 - d) An architectural feature shall not result in an unobstructed sidewalk clearance of less than Eight (8) feet.

5. Architectural Elements Design Requirements

- a) Arcade, Gallery, Colonnade
 - An arcade, gallery, or colonnade is considered to meet a required build-to-zone
 - The minimum vertical clearance of an arcade, gallery, or colonnade is ten (10) feet.
 - A horizontal clearance of at least 8’ shall be maintained between columns or piers
 - If enclosed, arcades, galleries, and colonnades shall meet min transparency requirements.
 - Arcades, galleries, and colonnades shall be located at or behind the required setback line
 - Projecting and Shingle signs are permitted, and are subject to the supplemental sign regulations of Chapter 12 Signs

Diagram 5(a) Arcade, Gallery, Colonnade

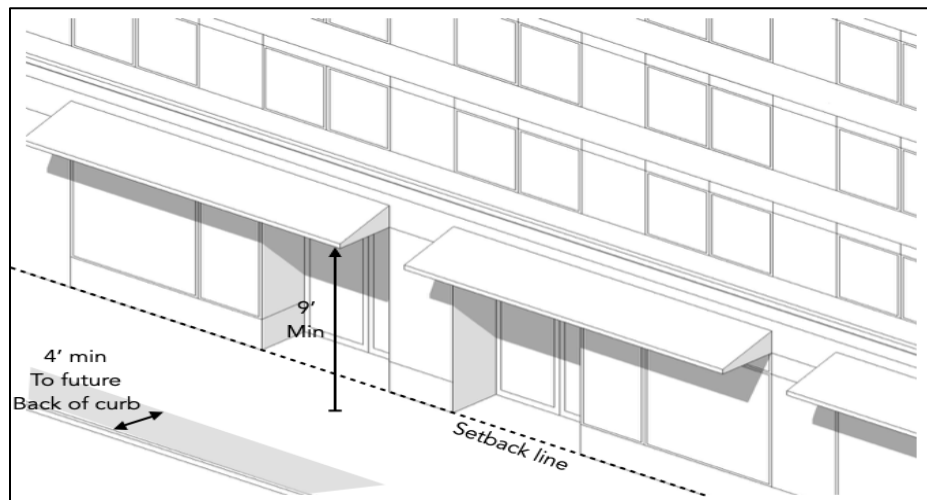




b) Awning

- Awnings and sunshades may encroach over a public or private sidewalk, shared use path, amenity zone, or planting strip, but no more than 4' from the future back of curb.
- Awnings and sunshades shall have a minimum vertical clearance of 10'.
- These standards do not apply to awnings used as awning signs, which are subject to the supplemental sign regulations of Chapter 12 Signs.

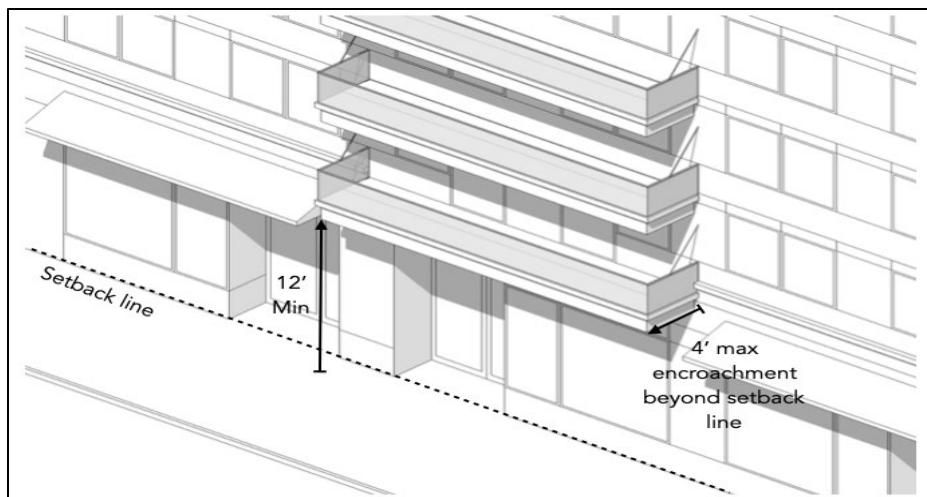
Diagram 5 (b): Awning



c) Balcony

- balconies may project four (4) feet beyond the required setback line but cannot encroach into any public ROW.
- balconies shall maintain a minimum vertical clearance of twelve (12) feet

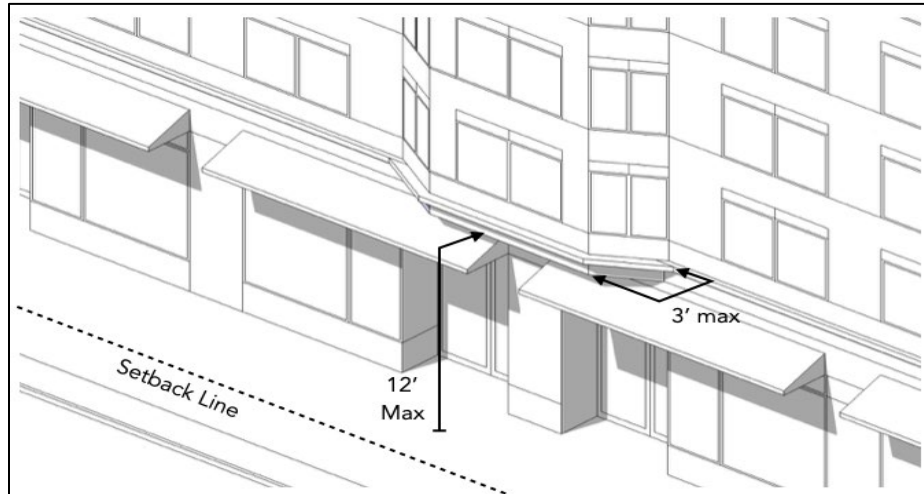
Diagram 5 (c): Balcony



d) Bay Window

- Bay windows may project up to a max of three (3) feet from the building facade line.
- Bay windows may not encroach into any public right-of-way
- Bay windows shall maintain a min. clearance of twelve (12) feet above ground.

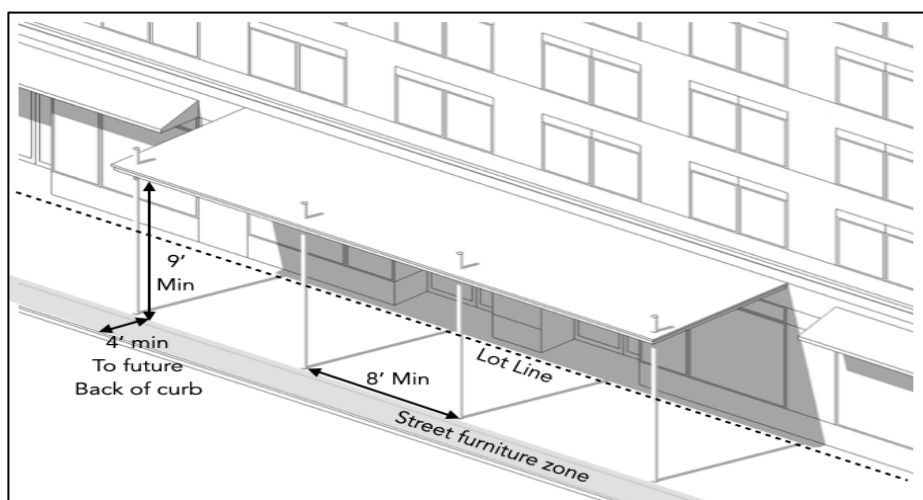
Diagram 5 (d): Bay Window



e) Canopy

- Canopies may encroach over a public or private sidewalk, shared multi use path, amenity zone, or planting strip, but no more than 4' from the future back of curb.
- Canopies shall have a minimum vertical clearance of nine (9) feet.
- A horizontal clearance of at least eight (8) feet shall be maintained between canopy supports and between canopy supports and any building facade.
- For existing buildings, canopy posts may be located within an amenity zone, a minimum of four (4) feet from the back of curb. All other buildings require canopies and all support posts to be located on the property.
- These standards do not apply to canopies used as canopy signs, which are subject to the supplemental regulations of Chapter 12 Signs.

Diagram 5 (e): Canopy



f) Sills, Belt Courses, Eaves, Cornices, & Ornamental Features

- Sills, belt courses, eaves, cornices, and ornamental features may project from the building facade no more than 2' and may extend over a public or private sidewalk, shared multi use way, amenity zone, or planting strip.
- Sills, belt courses, eaves, cornices, and similar ornamental features shall have a minimum vertical clearance of 10'

6. Open Space Requirements

Development sites of one acre or less are exempt from on-site open space requirements. Development sites greater than one acre shall provide a minimum of 10% of the site area as open space. Of the 10% set aside for open space 50% shall be Public Open Space for Mixed Use development and 25% for Multi-Family development. The design of Open Spaces shall meet the requirements of Section 8.1.11.

7. On Site Pedestrian Connectivity

- a) Multi-Family Developments – A pedestrian connection, a minimum of five feet in width, is required to the adjacent public sidewalk, between buildings, and from buildings to all on-site facilities (parking areas, bicycle facilities, plazas, and open space, etc.). This includes a connection to a required public sidewalk not yet constructed.
- b) Mixed-Use Developments – Internal sidewalk connections are required between buildings and from buildings to all on-site facilities (parking areas, bicycle facilities, plazas, and open space, etc.). All internal sidewalks shall have a hard surface constructed of concrete, asphalt, or other similar material and shall be at least five feet in width. In the event that such connection would disturb or impair any significant environmental features of the site, this requirement may be modified by the Zoning Administrator.

8. Off Street Parking, Requirements, Design & Location: Multi-family & Mixed-use

Off Street surface lots and structured parking for Multi-family and Mixed-use buildings shall follow the requirements of Chapter 10, in addition to the requirements listed herein.

- a) All surface and structured parking lots are prohibited in an established setback along a primary frontage, with the following exemptions:
 - Where there is no principal building along a frontage, surface parking areas may be located a minimum of 25 feet from a right-of-way, back of sidewalk, or a shared use path, whichever is greater. On all other frontages parking shall be located behind the established setback. A knee-wall a minimum of three (3) feet in height shall screen all parking from a primary frontage.
 - no parking structure shall face onto a primary frontage, or be located along a primary frontage unless screened by an intervening liner building having a minimum of 30ft in width, and a height sufficient to cover 95% of the height of the parking structure.
 - For mixed-use buildings on streets four (4) lanes or greater, one double row of parking may be located between the building façade and the required setback. Surface parking should be separated from the street right-of-way and public sidewalk by curbing, wheel stops, planted shrubs a min of 3ft in height, or a knee-wall a min of 3ft in height.
 - Alternatively, on streets greater than 4 lanes parking may be located between the building façade and the required setback for up to 50% of the total building length. The remainder of the building length shall be located at, or closer to, the required setback line than the parking.
- b) No surface parking, driveways, circulation, or maneuvering areas shall be located in the established setback along a frontage except as prescribed herein. Driveways shall only be installed across the established setback along a frontage for access to parking areas and shall be as nearly perpendicular to the street frontage as possible. Driveway locations also require approval by the City Development Services Department and through the Technical Review Committee process. Shared parking and driveway connections between parking lots is encouraged. No vehicle travel aisle, including drive aisles for on-site circulation, shall be located in the established setback along a frontage.
- c) Driveway access to surface parking areas shall not be located in an established setback along a primary frontage. Exceptions may be granted by the Zoning Administrator for site conditions that preclude any other practical alternative.

9. Off Street Loading

- a) No more than 5 loading spaces are required for any single building. The minimum required number of off-street Loading spaces may be part of a loading dock or may be freestanding. In no instance shall loading be located within any required setback, or be utilized for placement or storage of any waste or recycling containers with capacity in excess of 2 cubic yards.
- b) Off street loading shall be calculated separately for the residential components and the non-residential components of a development as follows:
 - Residential – One (1) loading space min., is required for a development containing 50 or more dwelling units.

- Non-residential – Less than 20,000 sf total gross area (GFA): none; 20,000 sf – 150,000 sf GFA: 1; One (1) additional for each 100,000 sf GFA above 150,000 sf.
- c) If a parcel has multiple frontages, then exterior loading spaces or driveway access to loading spaces shall not be located on a primary frontage. If this requirement creates a public safety issue or impacts operations, the Zoning Administrator may modify this requirement or provide an alternative standard. If all frontages are primary frontages, the Zoning Administrator will determine the frontage where it shall be located with minimal disruption to vehicles and pedestrians in the right-of-way.
 - d) Loading spaces may be located on the exit portion of a driveway stem when the driveway has two points of ingress and egress. Loading spaces shall be located a minimum of 20 feet behind any required setback and any sidewalk or other pedestrian facilities. The requirement for two access points may be waived if the lading vehicle is able turn around on the site.

10. Landscape & Screening

See Chapter 11 of the Gastonia UDO

11. Signs

See Chapter 12 of the Gastonia UDO

8.1.5 DWELLING, TWO-FAMILY (DUPLEX)

- A. Two-family dwellings are allowed as a use by right on corner lots only **in the RLD, RS-20, and RS-12 zoning districts (except in the For RS-8 and RMF districts refer to Section 8.1.17)**. Driveway ingress and egress to each unit shall be from separate streets. The structure must meet the minimum front setbacks from both streets.
- B. Two-family dwellings on interior lots shall require a Special Use Permit in the RLD and RS-20. ~~and TMU districts~~
- C. ~~A Special Use Permit is required for a two family dwelling in the RS-8 zone. A two family dwelling is allowed on corner lots only. Driveway ingress and egress to each unit shall be from separate streets. The structure must meet the minimum front setbacks from both streets.~~

Section 4. Should any provision of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

Section 5. This ordinance shall take effect and be in force from and after the date of its adoption.

Section 6. This ordinance is consistent with the purpose and intent of the Unified Development Ordinance, Gastonia 2025 Comprehensive Plan and any applicable duly adopted small area plans, and is reasonable and in the public interest because it promotes the health, safety, and welfare.

This the _____ day of _____, 2023.

Walker E. Reid III, Mayor

ATTEST:

Suzanne Gibbs, City Clerk