



**Gastonia Planning Commission
Meeting Schedule
December 7th, 2023**

5:00 DINNER

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

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ITEM 1a: Role Call / Sound Check

ITEM 1b: Calls/Contacts to Planning Commission Members

ITEM 1d: Approval of November 9th, 2023 Minutes

ITEM 2: Public Hearing (Continued) – Delmont Court (File #202300210)

Subject hearing involves a request to rezone approximately 1.43 acres from RS-12 (Single-family Residential, minimum 12,000 sq. ft. lots) to RMF CD (Residential Multi-family – Conditional District). The subject property is located at the intersection of Delmont Court and Edgewood Road and is owned by RYSM Investments, LLC

Staff Presentation: Maddy Gates, MURP – Senior Planner

ITEM 3: Public Hearing – Prime Gastonia – 2024 Redbud Drive (File #202300272)

Subject hearing involves a request to rezone a portion of tax parcel 148683 for approximately 8.64 acres from RS-12 (Single-family Residential, minimum 12,000 sq. ft. lots) to O-1 CD (Office – Conditional District). The subject property is located east of the S. New Hope Road and Redbud Drive intersection and is owned by New Hope Baptist Church.

Staff Presentation: Jason Thompson, AICP – Planning Director

ITEM 4: Public Hearing – 1750 Rankin Lake Road (File #202300457)

Subject hearing involves a request for an I-2 SUP (General Industrial - Special Use Permit) for approximately 242.66 acres. The subject property is located at 1750 Rankin Lake Road, west of Gastonia Dallas Highway and is owned by the City of Gastonia.

Staff Presentation: Jason Thompson, AICP – Planning Director

ITEM 5: OTHER BUSINESS

ITEM 6: ADJOURNMENT

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UPCOMING IMPORTANT DATES

December 19th & January 2nd – City Council Meeting – 6:00 p.m.

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

Gastonia Planning Commission November 9, 2023 Meeting Minutes

The Gastonia Planning Commission meeting opened at 5:30 p.m. on Thursday, November 9, 2023, in the Council Chambers at City Hall, 181 S. South Street of Gastonia, NC.

Present: Chair Kristie Ferguson and Commissioners Rodney Armstrong, Megan Chapman, Chad Ghorley, Anthony Gallant, and Glenn Silverman

Absent: Commissioners Jim Stewart and Carl Harris

Staff Members Present: Charles Graham, Jason Thompson, Maddy Gates, Jalen Nash, Keith Lineberger

Item 1a: Role Call / Sound Check

Chair Kristie Ferguson noted the absence of Commissioner Stewart and Commissioner Harris and declared a quorum for the meeting.

Item 1b: Calls/Contacts to Planning Commission Members

Commissioner Chapman received one contact. None of the other Commissioners received any contacts.

Item 1d: Approval of October 5th, 2023 Meeting Minutes

Commissioner Ghorley made a motion to adopt the October 5th minutes as presented and Commissioner Gallant seconded the motion. The motion unanimously passed (5-0).

Item 2: Public Hearing – Delmont Court (File #202300210)

Subject hearing involves a request to rezone approximately 1.43 acres from RS-12 (Single-family Residential, minimum 12,000 sq. ft. lots) to RMF CD (Residential Multi-family – Conditional District). The subject property is located at the intersection of Delmont Court and Edgewood Road and is owned by RYSM Investments, LLC

Due to a delay of the applicant, Commissioner Silverman made a motion to move Item 2 (Public Hearing – Delmont Court; File #202300210) to the end of the agenda, before Item 7. Commissioner Ghorley seconded the motion. With there being no discussion, the motion to move Item 2 was unanimously passed (5-0).

Item 3: Public Hearing – 2950 Union Road (File #202300322)

Subject hearing involves a request to rezone approximately 1.13 acres from OLC (Office Light Commercial) to C-2 CD (Highway Business – Conditional District). The subject property is located at the intersection of Old Neal Hawkins Road and Union Road and is owned by Cecchini and Cecchini, Inc.

Chair Ferguson recognized Maddy Gates, Senior Planner, for staff presentation. The zoning map was displayed. Ms. Gates discussed the previous use of the property as a drive through Bank of America. She stated the request was to C-2 CD, Highway Business, and was for a multi-tenant building proposed with two restaurant-type uses. The site plan was displayed. Ms. Gates discussed the specifics of the proposed project including the full renovation and the building addition. She noted that there are two tenants spaces shown on the site plan, one with a drive through window and one without. Further, she explained that “Tenant One” is requested to be a “Restaurant with a drive through” use but noted that it would be for order pick-up only, and there was no ordering menu at this location. Ms. Gates noted that the request to the C-2 zoning district was for the purpose of having the drive through pick-up option. The conceptual elevations were displayed. Ms. Gates discussed the new design details and the changes to the front façade. She stated that a list of conditions was included in the staff report and explained that they are in regards to items such as the drive through stacking, allowed uses, and proposed elevations. She noted that the Future Land Use map indicated commercial uses for the subject property, and that the request was consistent and staff is recommending approval as presented.

With there being no questions for staff, Chair Ferguson recognized Eric Fairbanks, 6532 Silver Fox Road, Charlotte, NC. Mr. Fairbanks discussed the drive through pick-up only window for Penn Station Subs. He stated it is a new concept, but that they don’t expect heavy vehicle stacking. Additionally, he noted that the same concept was done previously at their location in Dallas, NC and has been successful.

Commissioner Ghorley made a motion to approve the request as presented with the statement of consistency and reasonableness. Commissioner Gallant seconded the motion. The motion to approve the request as presented was passed (6-0).

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Item 4: Public Hearing – S. New Hope Road and Perry Street (File #202300363)

Subject hearing involves a request to rezone approximately 0.72 acres from RS-12 (Single-family Residential, minimum 12,000 sq. ft. lots) to RS-8 (Single-family Residential). The subject property is located between S. New Hope Road and Perry Street and is owned by Snarkus Holdings, LLC.

Chair Ferguson opened the public hearing and recognized Jason Thompson, Planning Director, for the purpose of staff's presentation. The zoning map was presented. Mr. Thompson stated that the request was for a general rezoning meaning that there is no site plan available and that it would be a consideration for all RS-8 uses. He explained allowed uses in RS-8 as well as discussing the potential for smaller lot sizes and higher density in comparison to the current zoning of RS-12. Mr. Thompson noted the lot requirements for RS-12 and RS-8. He discussed adjoining zoning and uses. Mr. Thompson discussed specifics of the parcel, stating that it had road frontage on both S. New Hope Road and E. Perry Street. He stated that the Future Land Use map indicates residential uses for the subject property and that the request is consistent. Finally, he discussed the existing Perry Street neighborhood and explained that staff was not in support of the request due to it not being compatible with the area. Mr. Thompson shared that RS-8 does not align due to the allowable lot sizes, density, and uses. He stated staff was recommending denial and that he would be available for questions.

The Commissioners discussed the intent of the rezoning and the allowed uses. Mr. Thompson stated that the applicant was present and that he would refer to them to answer. Chair Ferguson recognized Jose Sanchez, P.O. Box 1405 Huntersville, NC. Mr. Sanchez stated he was the property owner and the representative for Snarkus Holdings, LLC. He shared that he is a local home builder that has done several other infill developments in Gastonia. He noted two recent homes built on Oakwood Street. He stated he owns the property adjacent to this request, at 1715 S. New Hope Road. Mr. Sanchez shared that he was not in agreement with the recommendation from staff. He explained that the intent of the rezoning was to subdivide the property and get two or three single-family lots, although they think two would be better. Mr. Sanchez stated that he feels this project would bring needed infill housing to the City. He referred to the City of Gastonia Comprehensive Plan, noting that infill development was listed as a one of the future goals. Further, Mr. Sanchez referred to the site plan and showed that there are several lots in the Perry Street neighborhood that have smaller lot width and size than is required in the RS-12 zoning district. He stated that since these lots exist, that the RS-8 request is consistent. Mr. Sanchez discussed the need for additional housing in Gastonia and the benefits of infill development. Finally, he shared that he is committed to providing a nice looking product that would fit in with the character of the area. He urged the Commissioners to consider new development in this area and the rezoning request.

In response to Mr. Sanchez, Mr. Thompson noted that the RS-12 requirements for single-family residential development are 12,000 sq. ft. minimum lot size and a minimum of 90-foot lot width. He stated that the existing lots in this neighborhood that do not meet these requirements are considered legally nonconforming and were created prior to the adoption of the ordinance. Further, he noted that any new lots created in RS-12 now, would be required to meet the dimensional standards and that there is not any flexibility. Commissioner Silverman asked Mr. Sanchez about the residence and lot size of 1715 S. New Hope Road. Mr. Sanchez replied that he owned that parcel and that it had 60-feet of frontage on S. New Hope Road. He further stated that the frontage for the subject property on S. New Hope Road was also 60-feet. Discussion ensued amongst the Commissioners in regards to the allowed uses in RS-8 and the flag shape of the lot. The Commissioners stated that they would like to hear from the members of the public before asking any further questions.

Chair Ferguson recognized Mark Lanier, 5311 Old Town Lane, Gastonia, NC. Mr. Lanier shared that he was not in favor of the rezoning request. He expressed concerns with the compatibility of potential development within the existing neighborhood. Mr. Lanier stated he did not like the uncertainty of a general rezoning request and that there is no site plan or commitment. He stated there is a significant difference between two new lots or three new lots and he would prefer to have a site plan be reviewed. Lastly, he noted that he would like the neighborhood to have the opportunity for input if future development is to occur.

Chair Ferguson recognized Janice Grayson, 1660 E. Perry Street, Gastonia, NC. Ms. Grayson shared that she is a long time resident of the Perry Street neighborhood and was opposed to the rezoning request. She expressed concerns for existing speeding issues on Perry Street due to it being used as a cut through from Armstrong Park Road. She stated that she is currently working on a petition to reduce the speed limit from 35 miles per hour to 25 miles per hour for safety purposes. Ms. Grayson also shared that the Perry street neighborhood is an older community and that she was concerned for the possibility of duplexes. She noted that she is not against new development but is against the possibility of high density in a single-family residential area. She stated she would like the Commissioners to deny the request.

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Chair Ferguson recognized Paul Bell, 1652 E. Perry Street, Gastonia, NC. Mr. Bell shared that he is also a long time resident of the Perry Street neighborhood and was opposed to the rezoning request. He discussed the existing lots in the neighborhood that are similar in size to the subject property, noting that they used to be owned by one family and then were subdivided. He stated that he would like the property to remain RS-12 because he felt RS-8 did not fit with the character of the area. Lastly, he noted that a driveway at this location on S. New Hope Road was very unsafe.

Chair Ferguson recognized David Jenkins, 2210 Bayview Drive, Gastonia, NC. Mr. Jenkins shared that his property is directly abutting the subject property. He stated that he did not support the request and was concerned with what would potentially be developed. Mr. Jenkins shared that he did not want a two-story or taller home adjacent to his backyard. Further, he noted that a two-story would not fit with the residential character since the neighborhood is primarily one-story ranch houses. He stated that he was not in favor of the request as it was presented.

Chair Ferguson recognized Cathy Costello, 1734 E. Perry Street, Gastonia, NC. Ms. Costello shared that she has lived on E. Perry Street since she was a young child. She noted that the houses in the neighborhood are older ranch-style homes with unique and specific character. She shared concerns for the possibility of higher density and duplexes. She stated that duplexes would not be compatible. Ms. Costello also expressed concerns with the existing traffic on Armstrong Park Road which cuts through the neighborhood. She shared that people often speed on E. Perry Street and it has become dangerous. She stated that she was not in favor of the request as it was presented and believes it should be denied.

Chair Ferguson recognized Susan Quick, 1724 E. Perry Street, Gastonia, NC. Ms. Quick stated that she is a resident of the Perry Street neighborhood and was against the rezoning request. She shared that her biggest concern was that it is a general rezoning and there are no specific plans. Ms. Quick noted that the applicant could build up to three lots which she did not support. She shared that she felt one single-family home would fit with the area best but that she did not like the uncertainty. Ms. Quick expressed her concern for RS-8 density and uses and its compatibility with the neighborhood.

After public comment, discussion ensued amongst the Commissioners in regards to the possibility of duplexes in RS-8. Mr. Thompson stated that duplexes are allowed by right in RS-8 but that they have a separate set of development requirements beyond just the lot dimensional standards. Commissioner Ghorley asked the applicant, Mr. Sanchez, if he plans to build two single-family homes. Mr. Sanchez responded that they initially thought to do three but have been considering only two. He further explained that the property had road frontage on two sides and that it made sense to subdivide the property and make it more usable. Discussion amongst the Commissioners ensued in regards to by-right options and the potential uses in RS-8.

Chair Ferguson recognized Tish Sanchez, P.O. Box 1405 Huntersville, NC. Ms. Sanchez stated that she is the wife of the applicant, Jose Sanchez, and that they work together. Commissioner Ghorley discussed the options of a general versus a conditional rezoning with the applicants. He stated that he felt the adjoining neighbors were not against development but rather would like to see a site plan and additional details. Commissioner Ghorley asked the applicants if staff had mentioned the idea of a conditional rezoning. Ms. Sanchez said "Yes", but stated that they decided to continue with a general. Mr. Thompson and Assistant City Attorney, Charles Graham, discussed with the applicants and the Commissioners what the process would be for denying the request and possibly doing a conditional rezoning instead. Mr. Graham stated that it would require an entirely new application and that the current item would need to be voted on since the public hearing had been opened. The Commissioners discussed the conditional rezoning possibility with the applicants. Ms. Sanchez stated that she would be willing to re-file as a conditional rezoning.

With no further discussion, Commissioner Chapman made a motion to deny the request as presented. Commissioner Ghorley seconded the motion. The motion to deny the request was unanimously passed (6-0).

Item 5: Public Hearing – 207 & 209 E. Fifth Avenue (File #202300366)

Subject hearing involves a request to rezone approximately 0.33 acres from C-2 (Highway Business) to C-1 (Neighborhood Business). The subject property is located at 207 and 209 E. Fifth Avenue and is owned by Carolina Elite Builders, LLC.

Chair Ferguson opened the public hearing and recognized Jason Thompson, Planning Director, for the purpose of staff's presentation. Mr. Thompson stated the request is to C-1, neighborhood business. He explained that it was a general rezoning request meaning that there is no site plan available and that it would be a consideration for all C-1 uses. The zoning map was displayed. Mr. Thompson discussed that the area is a combination of several zoning districts and uses including office, residential, and

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commercial. Further he explained the small scale development intent of C-1, stating that it allows for some residential uses. He stated that although the Future Land Use map indicated office uses for the subject property, that staff felt a commercial district, specifically C-1, was more compatible with this area and would be consistent with the existing residential character of Fifth Avenue. Mr. Thompson stated staff was recommending approval and he was available for any questions.

Commissioner Silverman asked Mr. Thompson if the intent of the rezoning was for duplexes, as it was noted on the application. Mr. Thompson explained that it was a general request and that he would refer to the applicant to answer. Additionally, Mr. Thompson explained allowed uses in C-1 and noted that it was the most restrictive commercial district designed to serve neighborhoods and small geographical areas. He indicated that uses in C-1 are limited compared to the C-2 or the C-3 zoning districts.

With no further questions for staff, Chair Ferguson recognized Igor Shiper, 205 S. Academy Street, Lincolnton, NC. Mr. Shiper stated that he was representing Carolina Elite Builders and that they own the property. He shared that the intent of the rezoning was to build two duplexes. Further, he noted that his company has done several other infill residential projects in Gaston County.

Commissioner Armstrong asked Mr. Shiper what the vacant spaces are between the lots, shown on the zoning map. Mr. Shiper responded that they are road easements but that they are considering having them closed for additional land on each parcel. Mr. Thompson shared that easements such as these, are common in some of the older neighborhoods in Gastonia. He explained the process for road closures and how the subsequent land area would be divided. Assistant City Attorney, Charles Graham, noted that a road closure request would have to go through the legal department and be approved by City Council. Discussion ensued amongst the Commissioners in regards to C-1 uses and by right options. Commissioner Armstrong asked Mr. Shiper if the acreage listed on the zoning map was for both parcels. Mr. Shiper replied "Yes". As a response to acreage, Mr. Thompson noted that due to the small parcel sizes, uses would be even more restricted. Further, he added that additional code requirements such as setbacks, buffers, and parking for most commercial uses would be difficult to accommodate on lots of this size. Discussion ensued amongst the Commissioners in regards to infill development and the current uses on E. Fifth Avenue.

With no further discussion, Commissioner Ghorley made a motion to approve the request as presented with the statement of consistency and reasonableness. Commissioner Armstrong seconded the motion. The motion to approve the item as presented was unanimously passed (6-0).

Item 6: Public Hearing – Unified Development Ordinance Amendment (File #202300419)

Subject hearing involves amending *Section 9.18.3 Multi-Use Paths: Greenways and Street-side Paths* of the Unified Development Ordinance to include the adopted City of Gastonia Bicycle Plan to facilitate in the determination of multi-use paths, trails and greenway locations.

Chair Ferguson stated the Gastonia City Council will be holding a Public Hearing on the Text Amendment request at the November 21st, 2023 meeting.

Chair Ferguson opened the public hearing and recognized Jason Thompson, Planning Director, for the purpose of staff's presentation. Mr. Thompson explained the text amendment request and the overall uses of the City of Gastonia's adopted plans and how they relate to new developments. He stated Section 9.18.3 is used to indicate to developers and staff when things such as road extensions, greenways, or bicycle paths are planned and discusses how they should be designed and implemented. He noted several other plans included in this section of the code such as the Comprehensive Transportation Plan, the Parks and Recreation Plan, the Gastonia Greenways Plan and stated that the text amendment is simply proposing to add the newly adopted Gastonia Bicycle Plan so that it can be enforced. Commissioner Silverman asked Mr. Thompson if only the wording in the red underline was the new addition to Section 9.18.3. Mr. Thompson replied "Yes".

Commissioner Silverman made a motion to recommend approval of the text amendment as presented. Commissioner Ghorley seconded the motion. With no further discussion, the recommendation for approval was unanimously passed (6-0).

Item 2: Public Hearing – Delmont Court (File #202300210)

Subject hearing involves a request to rezone approximately 1.43 acres from RS-12 (Single-family Residential, minimum 12,000 sq. ft. lots) to RMFCD (Residential Multi-family – Conditional District). The subject property is located at the intersection of Delmont Court and Edgewood Road and is owned by RYSM Investments, LLC

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Chair Ferguson opened the public hearing and recognized Maddy Gates, Senior Planner, for the purpose of staff's presentation. The zoning map was presented. Ms. Gates discussed the subject property location and adjoining land uses and zoning. She stated the property currently consists of an existing apartment development that was built in 1970 and has 16-units. She noted that the request was to rezone the entire parcel to RMF CD, Residential Multi-family, for the purpose of adding six additional units, making it a total of 22-units. The site plan was displayed. Ms. Gates discussed the location, size, and design of the existing building and the proposed new building. She stated that the existing development was done prior to the adoption of the Unified Development Ordinance and is legally nonconforming. Further, she noted that the entire site, including the new building, would need to be brought up to current multi-family code standards. She pointed out several new additions to the development including sidewalk, open space, and buffers. A picture of the existing building was presented. Ms. Gates noted that the new building would be similar in color, likeness, and character as to match the existing. She shared the proposed conditions and indicated that the request was consistent with the Future Land Use map for residential uses. Ms. Gates stated staff was recommending approval and is available for any questions.

With no questions for staff, Chair Ferguson recognized Josh Shoupe, 1417 Wandering Way Drive, Charlotte, NC. Mr. Shoupe indicated he was available for any questions. He noted that the picture included in the packet was old and that the buildings have since been renovated and painted white. He indicated that the new building would still resemble the existing ones. Commissioner Ghorley asked for clarification on the unit count. Mr. Shoupe replied that 16 units are existing and six units will be added. Commissioner Silverman asked Mr. Shoupe to discuss the current building layout and how many units were in each building. Mr. Shoupe replied that the buildings face inward on the site and that each building has eight units. Commissioner Ghorley also asked Mr. Shoupe how much parking is existing and if any additional parking was included. Mr. Shoupe replied that there are 26 existing parking spaces and that no additional spaces are to be provided. Discussion ensued amongst the Commissioners regarding parking requirements and parking needs.

Mr. Shoupe stated that space was limited on the site for additional parking due to open space requirements and the needed buffers. Mr. Thompson further noted that providing open space is a requirement of the current multi-family code section but that a condition was written for a fee-in-lieu option for any deficiencies. Mr. Shoupe noted that the exact fee-in-lieu had not yet been decided but that they are willing to work with staff on it. Mr. Thompson noted that the parking requirements in the code are maximums and that what is shown on the site plan, does meet code. Discussion ensued amongst Mr. Thompson and Commissioners regarding parking maximums in the code. The Commissioners requested to hear from the members of the public that were signed up against this request.

Chair Ferguson recognized William Leech, 101 Delmont Court, Gastonia, NC. Mr. Leech stated he was a resident of the apartments and had several concerns with the request. He stated one of his biggest concerns was the location of the new building which is on a very sloped hill. He also expressed concern with parking and stated that there are existing parking problems. Further, he noted that there are regularly no available parking spaces and that residents park in front of units, which blocks the walkways. He stated he would like to see more parking available to residents and was in opposition of the request if more was not provided.

With no questions for Mr. Leech, Chair Ferguson recognized Rafe Creed, 101 Delmont Court, Gastonia, NC. Mr. Creed stated he was also a resident of the apartments. He stated he was not against the rezoning entirely but that he had concerns with parking and sidewalk on Edgewood Road. Mr. Creed indicated that Edgewood Road is very unsafe and that he has seen several accidents from reckless driving and speeding. He noted that sidewalk on Edgewood Road would not be practical or safe for users. Mr. Creed also expressed concerns for the existing lack of parking. He stated that an additional six units, each with possibly two cars, would make parking nearly impossible. He urged the Commissioners to deny the request due to insufficient parking.

Commissioner Chapman asked the applicant, Mr. Shoupe, if additional parking could be added. Mr. Shoupe responded that it possibly could but that he would need to remove some open space which would be an additional cost due to a fee-in-lieu requirement. Mr. Shoupe discussed the existing layout and options for potential parking locations. Commissioner Armstrong asked if additional parking could be a fire safety issue due to access. Mr. Thompson replied that the Fire Department has reviewed the current plan and did not have any concerns but noted that they would need to review again if the plan changed.

Commissioner Ghorley stated that he understood the concerns of the residents and felt a final vote could not be made and that he would like to see a revised site plan with more parking. Mr. Shoupe stated he would like to work with staff to discuss the specifics of the fee-in-lieu and possibly adding

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parking. Discussion ensued amongst the Commissioners in regards to needed parking and the potential to continue the item. Mr. Shoupe noted he appreciated the feedback and that he would be happy to re-work the plan but that he is representing his client, the property owner, and would need to discuss with him. Chair Ferguson asked Mr. Shoupe if he would be willing to continue the item in order to see if additional parking can be added. Mr. Shoupe replied "Yes".

Commissioner Chapman made a motion to close the public hearing and Commissioner Ghorley seconded the motion. The motion to close the public hearing was unanimously passed (6-0). Discussion ensued amongst the Commissioners in regards to parking concerns. The Commissioners noted they were in favor of the project but wanted to make sure the public's concerns were addressed.

With no further discussion, Commissioner Gallant made a motion to continue the item to the December 7th Planning Commission meeting in order to allow the applicant to add additional parking. Commissioner Ghorley seconded the motion. With no discussion, the motion to continue the item to the December 7th Planning Commission meeting unanimously passed (6-0).

Item 7: Other Business

Mr. Thompson shared updates from previous City Council items. He stated the Robinson Clemmer Road and Edgewood Road annexations were approved at the October 17th City Council meeting. He noted that the Robinson Road development had been withdrawn.

Item 8: Adjournment

Chair Ferguson entertained a motion to adjourn the November 9th Planning Commission meeting. Commissioner Ghorley made a motion to adjourn and Commissioner Silverman seconded the motion. The motion to adjourn was unanimously passed (6-0). The meeting adjourned at 7:20 PM.

Respectfully submitted,

Jalen Nash, Planning Technician

Kristie Ferguson, Chairwoman

**PUBLIC HEARING
STAFF REPORT**

File # 202300210 (Continued)

GPC Hearing Date: December 7th, 2023

OWNER: RYSM Investments, LLC.
APPLICANT: Joshua Shope
PROPOSED ZONING ACTION: Rezoning from RS-12 to RMF CD
LOCATION: 101 Delmont Court, adjacent to Edgewood Road (PID# 309570).
TRACT SIZE: Approximately 1.43 acres
WARD: 6

EVALUATION:

Site Description and Background

The subject property for this rezoning request consists of one tax parcel (PID 309570) located at the corner of Delmont Court and Edgewood Road (101 Delmont Ct.). The property is currently zoned RS-12 (Single-family Residential, minimum 12,000 sq. ft. lots) and consists of an existing 16-unit multi-family apartment complex built in 1970.

The rezoning request is from RS-12 to RMF CD (Residential Multi-family – Conditional District). RMF CD is requested to facilitate an expansion of the existing apartment complex to include 6 additional units. The overall site density for the proposed 22-units is 15.4 dwelling units per acre. The two existing buildings face internally to the site and are located along Edgewood Road and the southernmost property line. The new building is proposed to be two-stories, 6,000 sq. ft., and located centrally to the site.

There are 26 parking spaces existing at the current location. The applicant is proposing to add an additional 10 parking spaces to make the new total 36 spaces. A Type C buffer is required to be provided along all property lines which abut single-family residential zoning. Additionally, a Type A buffer and sidewalk is proposed along Delmont Court and Edgewood Road. The new building must be constructed in character and likeness to the existing buildings.

Revisions to the site plan:

The applicant has proposed 10 additional parking spaces located along the northern side of the new building. The total parking count provided is 36 spaces. Per the RMF code (Section 8.1.10 in the Unified Development Ordinance), the subject property is exempt from providing additional open space.

Proposed zoning conditions:

1. Development shall be generally consistent with the attached site plan including a maximum of 22 apartment units.
2. Construction shall be generally consistent with the character, details and likeness of the existing buildings. Applicants shall continue to provide elevation details throughout site plan review and zoning permits.
3. Sewer extension is required by the developer to serve the new building. This includes, but is not limited to, improvements such as the addition of a manhole in the cul-de-sac of Delmont court.
4. In no instance shall the zoning conditions exempt a project from other development requirements.
5. Where the notes or depictions on the site plan may conflict with these conditions, the conditions shall govern.

Adjoining Properties and Land Use Trends

Adjoining properties are a combination of residential and commercial land uses and zoning. To the north, south, and west of the subject property is RS-12 zoning in the Edgewood Acres neighborhood. To the east, across Edgewood Road, is C-2 (Highway Business) zoning consisting of a shopping center that includes a grocery store, restaurants and other smaller scale commercial and retail uses.

Available Public Facilities

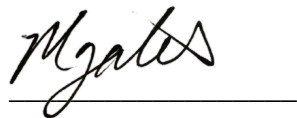
Water and sewer are available to serve the property.

Consistency with Adopted Plans

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

Conclusion

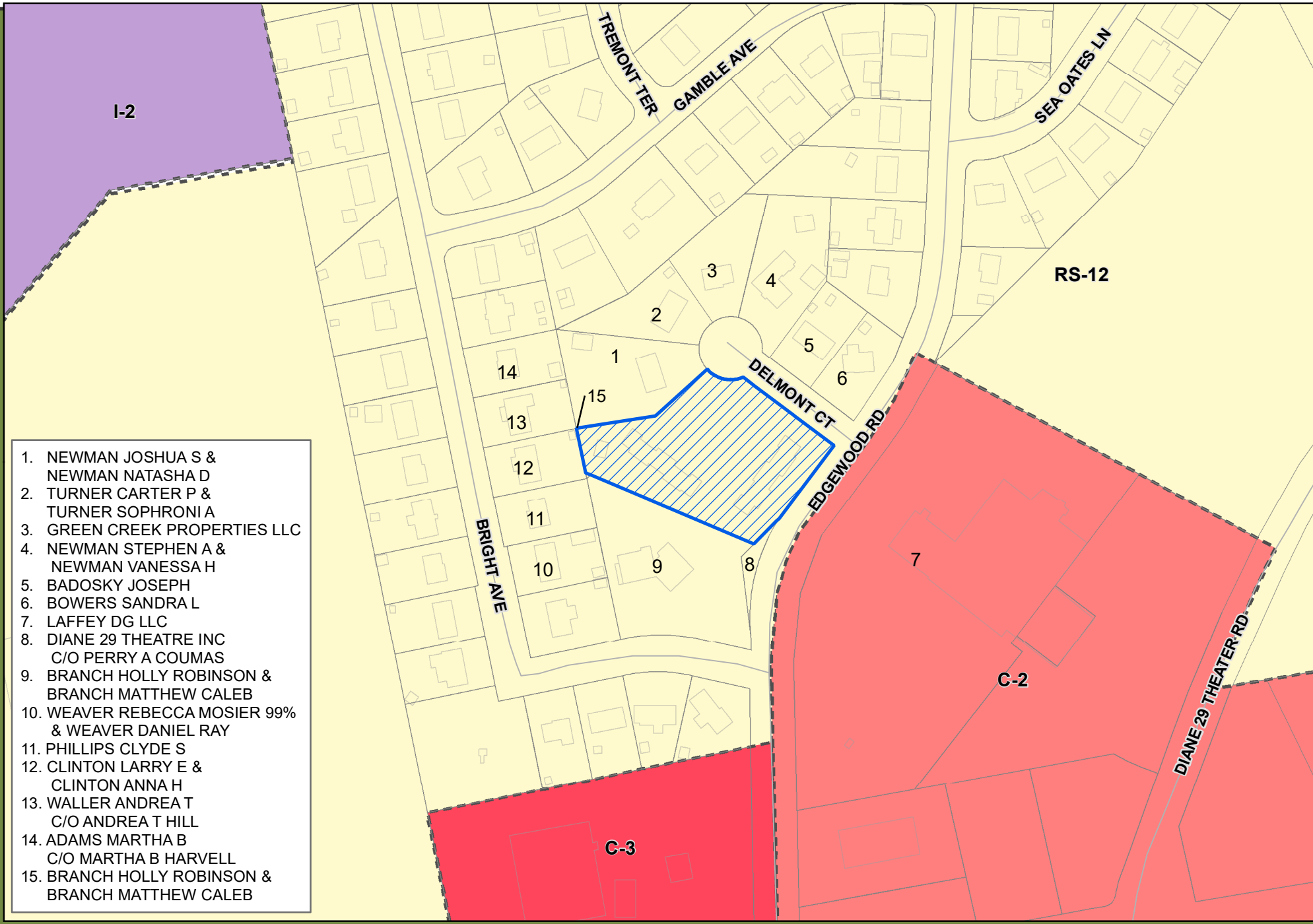
The applicant is requesting a rezoning to RMF CD (Residential Multi-family – Conditional District) to facilitate the expansion of an existing apartment complex. Based on the surrounding residential character of the area, the submitted site plan, and proposed conditions, **staff recommends that the request be approved as presented.**



Maddy Gates, MURP
Senior Planner

***Statement of consistency and reasonableness (motion to approve):** Based on the 2025 Comprehensive Plan as well as surrounding zoning and land uses, the Planning Commission considers an affirmative vote for a 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.*



1. NEWMAN JOSHUA S & NEWMAN NATASHA D
2. TURNER CARTER P & TURNER SOPHRONIA A
3. GREEN CREEK PROPERTIES LLC
4. NEWMAN STEPHEN A & NEWMAN VANESSA H
5. BADOSKY JOSEPH
6. BOWERS SANDRA L
7. LAFFEY DG LLC
8. DIANE 29 THEATRE INC C/O PERRY A COUMAS
9. BRANCH HOLLY ROBINSON & BRANCH MATTHEW CALEB
10. WEAVER REBECCA MOSIER 99% & WEAVER DANIEL RAY
11. PHILLIPS CLYDE S
12. CLINTON LARRY E & CLINTON ANNA H
13. WALLER ANDREA T C/O ANDREA T HILL
14. ADAMS MARTHA B C/O MARTHA B HARVELL
15. BRANCH HOLLY ROBINSON & BRANCH MATTHEW CALEB

Applicant: Joshua Shope

Owner: RYSM Investments, LLC

Planning Comm Hearing: Nov. 9, 2023

Request: RS-12 to RMF-CD

Ward: 6

Total Tract Size: approx. 1.43 acres

Parcel ID #: 309570

Subject Property

- Legend**
- 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
 - 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
- Roads
 - Parcels
 - Buildings

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
PLMAC202300210

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 October 27, 2023.



1:2,400
1 inch represents 200 feet
Plot Date: October 26, 2023

SITE DATA

SUBJECT PROPERTY LOT SIZE: 62,203 SF
 CURRENT ZONING: RS-12
 PROSPECTIVE ZONING: RMF-CD
 EXISTING UNIT COUNT: 16 APARTMENTS
 PROPOSED UNIT COUNT: 6 NEW APARTMENTS
 TOTAL UNIT COUNT: 22 TOTAL APARTMENTS
 EXISTING DENSITY: 11.2 PER ACRE
 PROPOSED DENSITY: 15.4 PER ACRE
 REQUIRED OPEN SPACE: 17,600 SF
 PROPOSED OPEN SPACE: APPROX. 17,255 SF
 IMPROVED OPEN SPACE: APPROX. 12,841 SF IMPROVED THROUGH TRAILS, PLANTINGS, FENCING, AND NATURAL AREAS AVAILABLE TO ENTIRE DEVELOPMENT
 TREE SAVE AREA: NONE REQUIRED BUT THERE ARE TWO LARGE TREES ALONG DELMONT CT THAT WILL BE REMOVED, THESE TREES WILL BE REPLACED BY NEW PLANTINGS AS REQUIRED. ALL OTHER TREES ON SITE WILL REMAIN.
 MAX PARKING REQUIRED: 1.5 X 24 = 36 SPACES
 PARKING PROVIDED: 26 SPACES, ALL EXISTING
 BUFFERS: TYPE A ALONG DELMONT AND EDGEWOOD, TYPE C ALONG ALL OTHER PROPERTY LINES
 OPEN SPACE DEFICIT WILL BE MATCHED BY FEE-IN-LIEU PAYMENTS AS REQUIRED, EXISTING OPEN SPACE IS GRASS AROUND PERIMETER OF SITE ONLY; OPEN SPACE APPROVED IN REZONING WILL BE LANDSCAPED AND INCLUDE A NEW CENTRAL AREA.

Issued For:
REZONING PACKAGE

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No.	Description	Date
1	REVISION 1	08/04/2023

Project No: 2308

Issue Date:
02/28/2023

Sheet Title:
**ARCHITECTURAL SITE
PLAN**

Original drawing is 24 x 36. Do not scale contents of this drawing.
 Sheet Number



LEGEND

- PROPERTY LINE
- EXISTING STREET
- EXISTING TREES TO BE REMOVED
- EXISTING BUILDING
- PROPOSED NEW BUILDING AREA
- PROPOSED NEW OPEN SPACE
- NEW SIDEWALK

SITE DATA

SUBJECT PROPERTY LOT SIZE: 62,203 SF

CURRENT ZONING: RS-12

PROSPECTIVE ZONING: RMF-CD

EXISTING UNIT COUNT: 16 APARTMENTS

PROPOSED UNIT COUNT: 6 NEW APARTMENTS

TOTAL UNIT COUNT: 22 TOTAL APARTMENTS

EXISTING DENSITY: 11.2 PER ACRE

PROPOSED DENSITY: 15.4 PER ACRE

TREE SAVE AREA: NONE REQUIRED BUT THERE ARE TWO LARGE TREES ALONG DELMONT CT THAT MAY BE REMOVED, THESE TREES WILL BE REPLACED BY NEW PLANTINGS AS REQUIRED. ALL OTHER TREES ON SITE WILL REMAIN.

MAX PARKING ALLOWED: 2 X 22 = 44 SPACES

PARKING PROVIDED: 36 SPACES TOTAL (26 EXISTING AND 10 NEW)

BUFFERS: TYPE A ALONG DELMONT AND EDGEWOOD, TYPE C ALONG ALL OTHER PROPERTY LINES

Issued For:

REZONING PACKAGE

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No.	Description	Date
1	REVISION 1	08/04/2023

Project No: 2308

Issue Date:

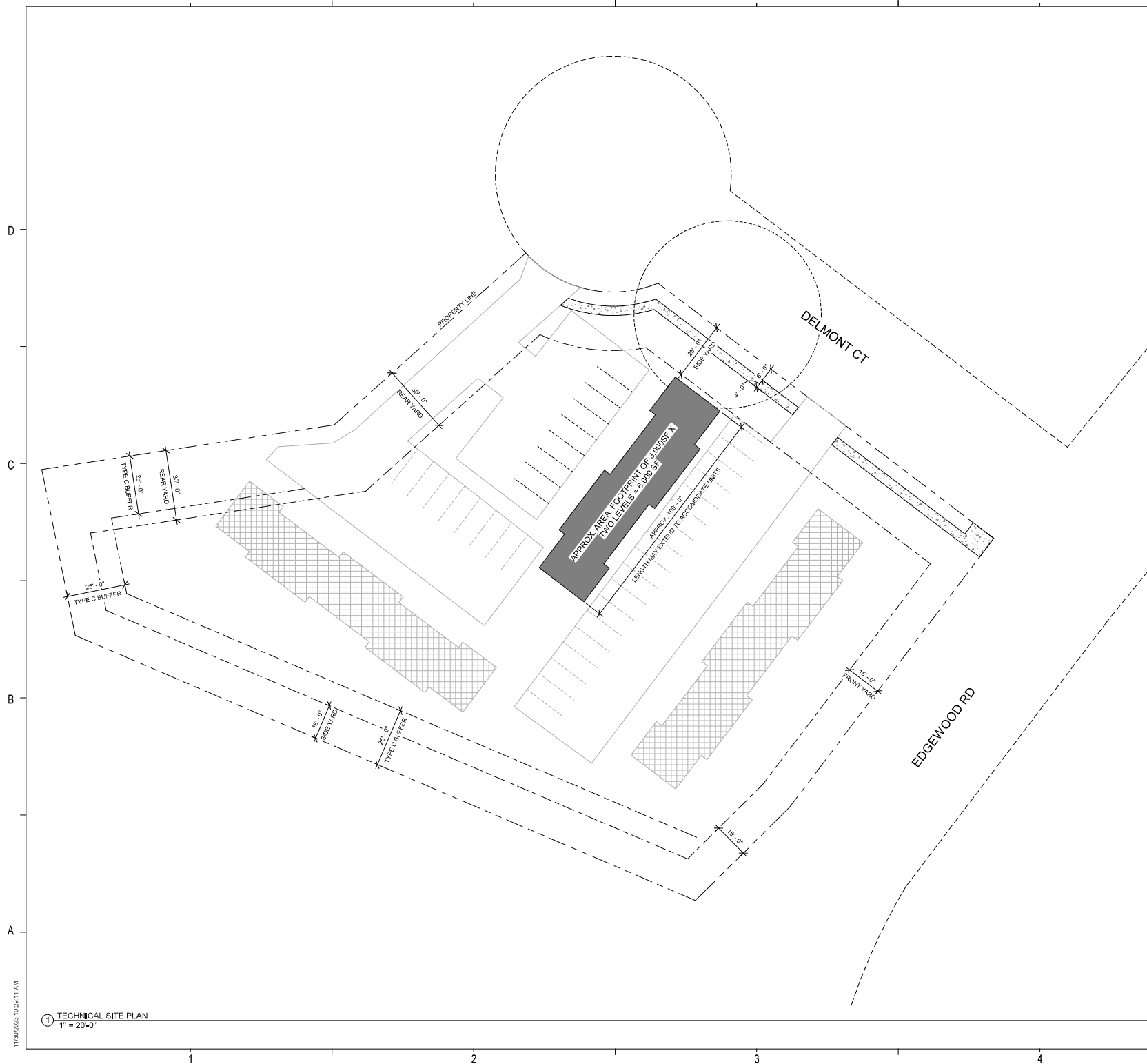
02/28/2023

Sheet Title:

TECHNICAL SITE PLAN

Original drawing is 24 x 36. Do not scale contents of this drawing.
Sheet Number

A001



LEGEND

- PROPERTY LINE
- EXISTING STREET
- EXISTING TREES TO BE REMOVED
- EXISTING BUILDING
- PROPOSED NEW BUILDING AREA
- NEW SIDEWALK

PROJECT:
**DELMONT CT
APARTMENTS**
PROJECT ADDRESS:
**109 DELMONT CT
BESSEMER CITY, NC
28016**

Issued For:
REZONING PACKAGE

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No.	Description	Date

Project No: 2308

Issue Date
02/28/2023

Sheet Title
**EXISTING SITE
BUILDINGS**

Original drawing is 24 x 36. Do not scale contents of this drawing.
Sheet Number



NOTE: BOTH EXISTING MULTIFAMILY BUILDINGS ON THE SITE ARE IDENTICAL AND WILL REMAIN AS-IS WITH NO CHANGES. ANY NEW BUILDING WILL MATCH EXTERIOR OF EXISTING BUILDING IN SHAPE, MASSING, SCALE, AND MATERIALS. THE INTENT IS TO MATCH NEW BUILDINGS TO EXISTING IN EVERY WAY POSSIBLE.

① EXISTING BUILDING ON SITE
1/16" = 1'-0"

D
C
B
A



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-12 to 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): 309570

- 3. Subject property addresses: 101 Delmont Ct, Bessemer City, NC 28016

- 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. There are two existing townhome-style apartment buildings, each with 8 units, as well as parking pads.

- 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 RYSM Investments, LLC as evidenced in deed from (date) 03/17/2023 recorded in DB: 5400 PG: 2363-2367 in the Gaston County Registry

- 8. The real property for which the above request is sought is located on the South side of Delmont Ct between Bright Ave and Edgewood Rd having a frontage of 180 feet and depth of 230 feet and acreage of 1.428.

- 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). RYSM Investments, LLC, 3222 West Canyon Ave, San Diego, CA 92123

**PUBLIC HEARING
STAFF REPORT**

File # 202300272

GPC Hearing Date: December 7th, 2023

OWNER: New Hope Baptist Church

APPLICANT: Prime Senior Living Group, LLC.

PROPOSED ZONING ACTION: Rezoning from RS-12 to O-1 CD

LOCATION: 2024 Redbud Drive. East of the S. New Hope Road and Redbud Drive intersection (PID: Portion of 148683)

TOTAL TRACT SIZE: Approximately 24.11 acres

AREA TO BE REZONED: Approximately 8.64 acres

WARD: 1

EVALUATION:

Site Description and Background

The subject property for this rezoning request consists of a portion of tax parcel 148683 for approximately 8.64 acres located east of the S. New Hope Road and Redbud Drive intersection (2024 Redbud Drive). The property is currently zoned RS-12 (Single-family Residential, minimum 12,000 sq. ft. lots) and consists of the New Hope Baptist Church property.

The rezoning request is from RS-12 to O-1 CD (Office – Conditional District). O-1 CD is requested to facilitate the development of an Independent Living Center consisting of a maximum of 145 units. The overall site density is proposed to be 16.8 dwelling units per acre. The independent living center is a 55+ active adult community which provides services such as, but not limited to, communal meals and transportation services to its residents.

The new building is proposed to be three-stories, approximately 156,951 sq. ft., and located with frontage on Redbud Drive. There is one access into the site located on Redbud Drive where sidewalk and other road improvements will be required along the frontage of the property. A Traffic Technical Memorandum (TTM) was required for this development and is currently under review. The applicant will be responsible for providing all mitigations resulting from the TTM. All sidewalks, parking locations, and ingress/egress will be further reviewed by the Technical Review Committee (TRC) during the site plan review process.

The applicant is required to provide a Type B buffer along all property lines which abut single-family residential zoning to provide needed screening. The independent living center includes several active and passive open space amenities as shown on the submitted site plan. The applicant has also submitted conceptual elevations which include a three-story building. The construction shall be generally consistent with the character and details as depicted in the submitted elevations and renderings

Proposed zoning conditions:

1. Development shall be generally consistent with the attached site plan and the associated use of an Independent Living Center (consisting of a maximum of 156,951 sq. ft.). The maximum unit count permitted is 145 units. Any proposed change in use will require an amendment of the conditional zoning district.
2. The applicant(s) is required to subdivide the approximate 8.64 acres included in this request from tax parcel 148683 before proceeding with the site plan review process.

3. The construction shall be generally consistent with the character and details as depicted in the submitted elevations and renderings.
4. A Traffic Technical Memorandum (TTM) has been required for this development. The applicant and/or developer will be responsible for providing all mitigations resulting from the TTM.
5. An automatic fire sprinkler system is required to be installed throughout the entirety of the new building.
6. The developer will be required to reserve 55 feet of right-of-way along Redbud Drive for a recommended 4-lane divided facility with bicycle and pedestrian accommodations identified in the adopted Comprehensive Transportation Plan (CTP).
7. All sidewalks, parking locations, and points of ingress/egress will be further reviewed by the Technical Review Committee (TRC) during the site plan review process.
8. In no instance shall the zoning conditions exempt a project from other development requirements.
9. Where the notes or depictions on the site plan may conflict with these conditions, the conditions shall govern.

Adjoining Properties and Land Use Trends

Adjoining properties are a combination of residential and commercial land uses and zoning. To the north and east of the subject property is RS-12 zoning consisting of the Gardner woods neighborhood and the Monticello Woods neighborhood. To the west, across S. New Hope Road, is a combination of C-1 (Neighborhood Business) and C-2 (Highway Business) zoning which consists of several commercial-type uses including two gas stations, a drive through restaurant, and the Redbud Commons shopping center. Directly south are two C-1 parcels consisting of a bakery and an insurance office. Further south, is RS-12 zoning.

Available Public Facilities

Water and sewer are available to serve the property on Redbud Drive.

Consistency with Adopted Plans

The Future Land Use Map in the 2025 Comprehensive Plan indicates institutional uses for the subject property which is due to the presence of the New Hope Baptist Church.

Conclusion

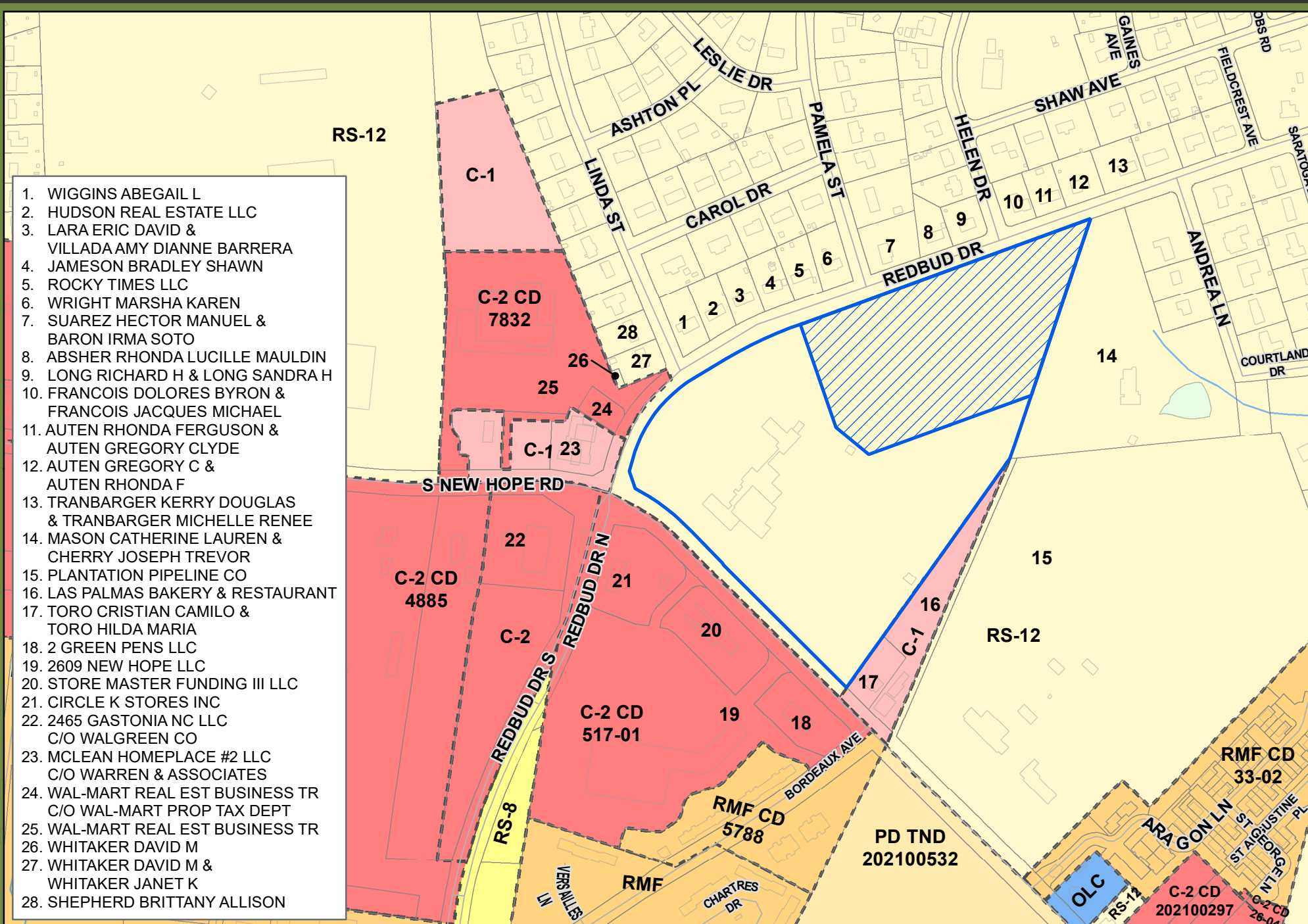
The applicant is requesting a rezoning to O-1 CD (Office – Conditional District) to facilitate the development of a 145-unit Independent Living Center. Based on the proposed use, the submitted site plan, and proposed conditions, **staff recommends that the request be approved as presented.**



Maddy Gates, MURP
Senior Planner

Statement of consistency and reasonableness (motion to approve): *Based on the 2025 Comprehensive Plan as well as surrounding zoning and land uses, the Planning Commission considers an affirmative vote for an office district use to facilitate an independent living center 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.*



1. WIGGINS ABEGAIL L
2. HUDSON REAL ESTATE LLC
3. LARA ERIC DAVID & VILLADA AMY DIANNE BARRERA
4. JAMESON BRADLEY SHAWN
5. ROCKY TIMES LLC
6. WRIGHT MARSHA KAREN
7. SUAREZ HECTOR MANUEL & BARON IRMA SOTO
8. ABSHER RHONDA LUCILLE MAULDIN
9. LONG RICHARD H & LONG SANDRA H
10. FRANCOIS DOLORES BYRON & FRANCOIS JACQUES MICHAEL
11. AUTEN RHONDA FERGUSON & AUTEN GREGORY CLYDE
12. AUTEN GREGORY C & AUTEN RHONDA F
13. TRANBARGER KERRY DOUGLAS & TRANBARGER MICHELLE RENEE
14. MASON CATHERINE LAUREN & CHERRY JOSEPH TREVOR
15. PLANTATION PIPELINE CO
16. LAS PALMAS BAKERY & RESTAURANT
17. TORO CRISTIAN CAMILO & TORO HILDA MARIA
18. 2 GREEN PENS LLC
19. 2609 NEW HOPE LLC
20. STORE MASTER FUNDING III LLC
21. CIRCLE K STORES INC
22. 2465 GASTONIA NC LLC C/O WALGREEN CO
23. MCLEAN HOMEPLACE #2 LLC C/O WARREN & ASSOCIATES
24. WAL-MART REAL EST BUSINESS TR C/O WAL-MART PROP TAX DEPT
25. WAL-MART REAL EST BUSINESS TR
26. WHITAKER DAVID M
27. WHITAKER DAVID M & WHITAKER JANET K
28. SHEPHERD BRITTANY ALLISON

Applicant: Prime Senior Living Group, LLC
Owner: New Hope Baptist Church
Planning Comm Hearing: Dec. 7, 2023
Request: RS-12 to O-1 CD
Ward: 1
Total Tract Size: approx. 24.11 ac.
Total Tract to be Rezoned: approx. 8.64 ac.
Parcel ID #: Portion of 148683

Subject Property

Legend

- | | | | |
|--|--|--|-----------|
| | AP Airport | | Roads |
| | C-1 Light Commercial | | Streams |
| | C-2 Highway Commercial | | Lakes |
| | C-3 General Commercial | | Parcels |
| | CBD Central Business District | | Buildings |
| | I-U Urban Industrial | | |
| | 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 | | |

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
PLMAC202300272

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 November 22, 2023.



1:4,800
 1 inch represents 400 feet
 Plot Date: November 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 or SUP; etc.):
Rezone from RS-12 to O-1 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): 148683 Partial

3. Subject property addresses: 2024 REDBUD DR., GASTONIA, NC 28056
-

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.

See attached Deed. Current Site has New Hope Baptist Church Structure. The proposed parcel being subdivided will contain approximately 8.64 acres which comprises of vacant property along with a playground and baseball playing field. Parcel is bordered by S. New Hope Rd. and Redbud Dr.

5. Complete legal description by metes and bounds of said realty is attached to the application (a **copy of the deed** is sufficient). See attached Deed with Legal Description.
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? Y E S

7. The real property to be rezoned is owned in fee simple by New Hope Baptist Church as evidenced in deed from (date) December 20, 1961 recorded in DB: 0800 PG: 0271 in the Gaston County Registry
8. The real property for which the above request is sought is located on the south side of Redbud Dr. between Redbud Dr. and S. New Hope Rd. having a frontage of approx. 1,190 ft., depth of approx. 1,655 ft. and acreage of approx. 8.64 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).

Owner: New Hope Baptist Church, 2024 Redbud Dr., Gastonia, NC 28056

Mailing Address: S. New Hope Rd., Gastonia, NC 28054(As Listed on Tax Information Gaston County)

12. Name and address of applicant:

Prime Senior Living Group, LLC

2015 Ayrslay Town Blvd. Suite 202, Charlotte, NC 28273

Telephone #: 336-675-4494 E-mail address: bmassey@primeindependentliving.com

13. Interest in subject realty: Develop Three (3) Story Independent Living Community, comprising of 145 one(1) and two(2) bedroom apartments, along with commons spaces.
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
15. Has this property previously been subject to any of the following (please add case # and date)?
 - Conditional Use Permit NO
 - planned unit development NO
 - subdivision ordinance NO
 - Planned Residential Development NO
 - Other Conditional District NO

If yes, please explain. _____

16. Name and address of person to present item at public hearing: To Be Determined by 8/18/2023
Applicant's Resubmittal Deadline

Telephone number: _____ Email: _____

I, Joel Locker, certify that I have read the information provided in the public hearing information package on the 9th day of July, 2023.

I, William Grice, certify that I have read the information provided in the public hearing information package on the _____ day of _____, 207/9/2023.

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

Joel Locker (CEO of Prime Independent Living) Prime Senior Living Group, LLC

DocuSigned by:

William Grice New Hope Baptist Church _____

D93CEDABACC84BA...

**PUBLIC HEARING
STAFF REPORT**

File# 202300457

GPC Hearing Date: December 7, 2023

OWNER: City of Gastonia

APPLICANT: Jason Dolan; Gaston County Community College

PROPOSED ZONING ACTION: I-2 SUP (Consider special use permit for additional training facility and parking lot)

LOCATION: 1750 Rankin Lake Road

TRACT SIZE: Approximately 242.66 acres

WARD: 4

EVALUATION:

Background and Request

Jason Dolan, on behalf of Gaston County Community College, has submitted an I-2 (General Industrial) special use permit (SUP) for Rankin Lake Pistol and Firing Range to allow for the addition of a training facility and associated surface parking lot. The property is currently zoned I-2 CUP (Conditional Use Permit); Case File #7144 approved in May, 2011. According to the Unified Development Ordinance (UDO), a modification to an approved conditional use permit can be approved with the issuance of a special use permit. The applicant has provided a conceptual site plan showing the new locations of the proposed training facility and asphalt parking lot. The applicant's proposed findings of fact are attached as submitted.

Proposed conditions for the SUP:

1. Development shall conform to the attached site plan, development notes.
2. SUP allows for use of the property as a Public Safety Weapons Training & Testing Facility.
3. All other specifications and general provisions shall be met as required by the City of Gastonia Unified Development Ordinance.
4. In no instance shall the zoning conditions exempt a project from other development requirements.
5. Where the notes or depictions on the site plan may conflict with these conditions, the conditions shall govern.

Description of Adjoining Properties and Zoning

The subject property is bordered by non-residential and residential zoning and uses including I-2 (General Industrial) and RS-12 (Residential Single-family, minimum 12,000 sq. ft. lots), off of Gastonia Dallas Highway.

Available Public Facilities

Both public water and sewer currently serve this tax parcel.

Consistency with the Comprehensive Plan

The Future Land Use Map within the 2025 Comprehensive Plan shows the property as Parks and Open Space. However, the Rankin Lake Pistol and Firing Range has been in operation at this location since 2011. Therefore, the request can be considered consistent and appropriate with the 2025 Comprehensive Plan and Future Land Use Map.

Conclusion

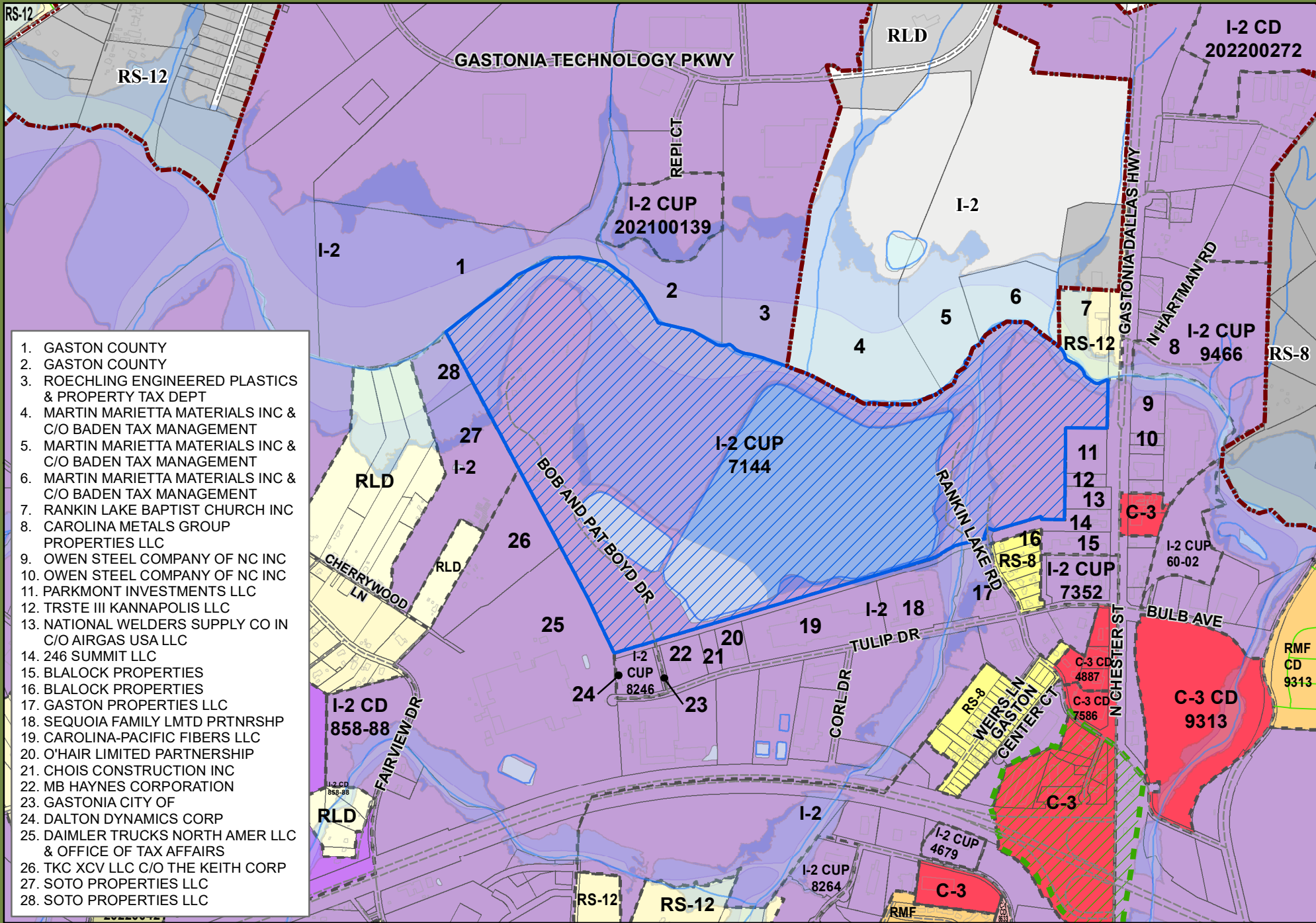
The requested SUP will allow the applicant to construct a new training facility and asphalt parking lot at the Rankin Lake Pistol and Firing Range while meeting the requirements of the UDO. **Staff recommends that the request be approved as presented.**



Jordan Tubbs, MEPD
Senior Planner

Statement of consistency and reasonableness: The proposed special use permit request is consistent with the Gastonia 2025 Comprehensive Plan and will be in compliance with the Unified Development Ordinance. In addition, due to the current zoning of the site and its current use, the Planning Commission considers an affirmative vote to be reasonable and in the public interest.

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



1. GASTON COUNTY
2. GASTON COUNTY
3. ROECHLING ENGINEERED PLASTICS & PROPERTY TAX DEPT
4. MARTIN MARIETTA MATERIALS INC & C/O BADEN TAX MANAGEMENT
5. MARTIN MARIETTA MATERIALS INC & C/O BADEN TAX MANAGEMENT
6. MARTIN MARIETTA MATERIALS INC & C/O BADEN TAX MANAGEMENT
7. RANKIN LAKE BAPTIST CHURCH INC
8. CAROLINA METALS GROUP PROPERTIES LLC
9. OWEN STEEL COMPANY OF NC INC
10. OWEN STEEL COMPANY OF NC INC
11. PARKMONT INVESTMENTS LLC
12. TRSTE III KANNAPOLIS LLC
13. NATIONAL WELDERS SUPPLY CO IN C/O AIRGAS USA LLC
14. 246 SUMMIT LLC
15. BLALOCK PROPERTIES
16. BLALOCK PROPERTIES
17. GASTON PROPERTIES LLC
18. SEQUOIA FAMILY LMTD PRTRNSHP
19. CAROLINA-PACIFIC FIBERS LLC
20. O'HAIR LIMITED PARTNERSHIP
21. CHOIS CONSTRUCTION INC
22. MB HAYNES CORPORATION
23. GASTONIA CITY OF
24. DALTON DYNAMICS CORP
25. DAIMLER TRUCKS NORTH AMER LLC & OFFICE OF TAX AFFAIRS
26. TKC XCV LLC C/O THE KEITH CORP
27. SOTO PROPERTIES LLC
28. SOTO PROPERTIES LLC

Applicant: Gaston Community College
Owner: City of Gastonia
Planning Comm Hearing: Dec. 7, 2023
Request: I-2 SUP
Ward: 4
Total Tract Size: approx. 242.66 acres
Parcel ID #: 205284

Subject Property

Legend

	AP Airport		Gateway
	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		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		

Gaston County Zoning

	I-2
	RLD
	RS-12
	RS-8

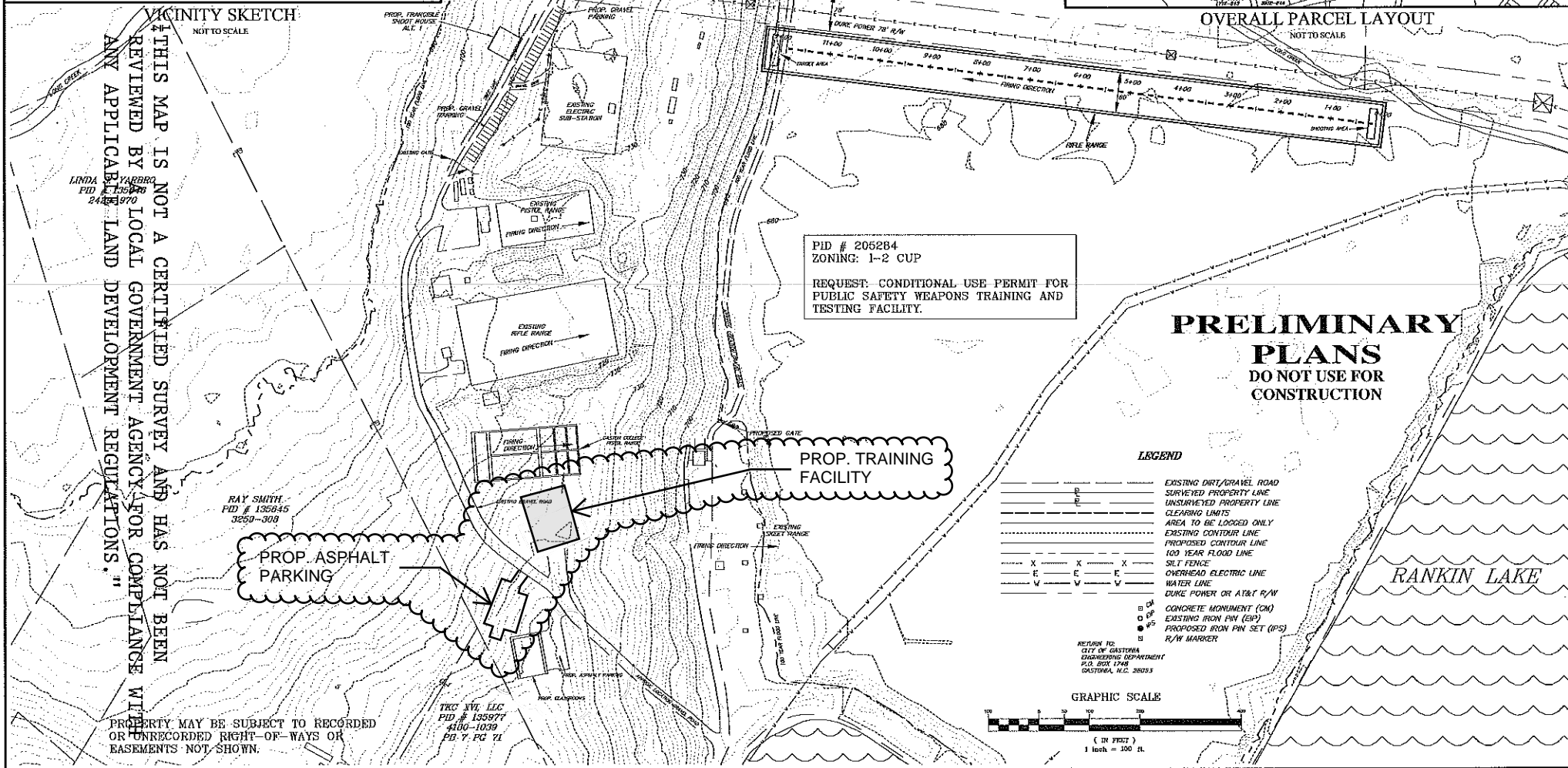
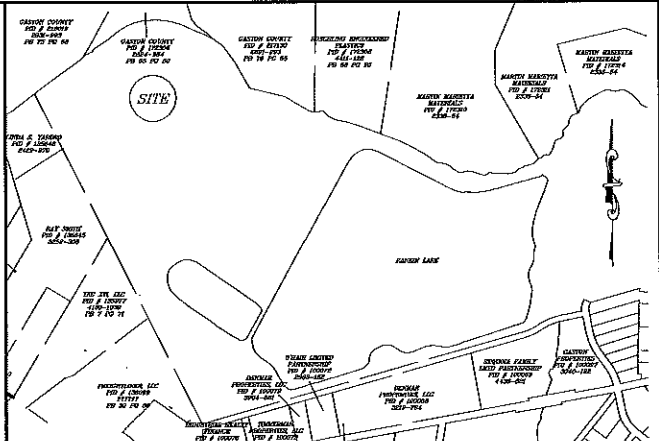
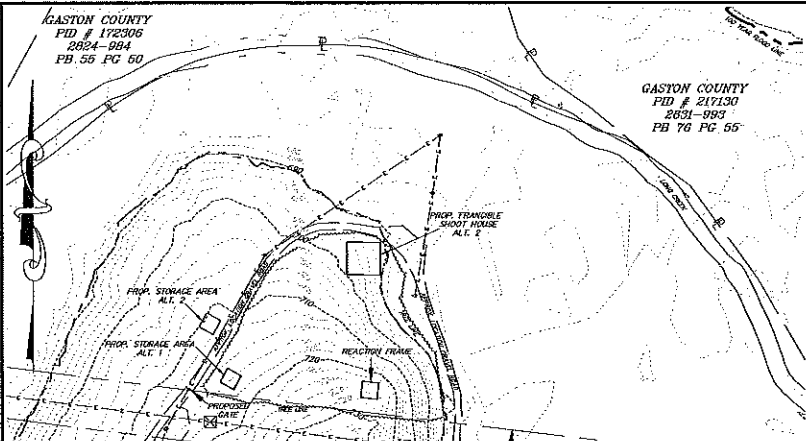
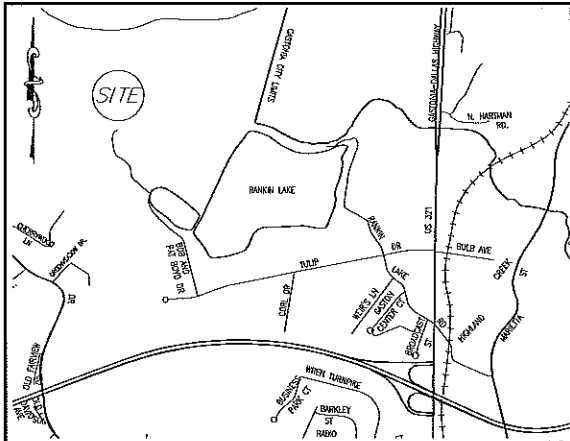
Note: For a complete elaboration of zoning classifications, see the Unified Development Ordinance or contact the City of Gastonia Planning Department at (704) 854-6652.

Application
PLCUP202300457

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 November 22, 2023.



1:13,200
 1 inch represents 1,100 feet
 Plot Date: November 13, 2023

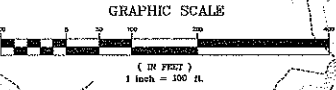


THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.

PROPERTY MAY BE SUBJECT TO RECORDED OR UNRECORDED RIGHT-OF-WAYS OR EASEMENTS NOT SHOWN.

PRELIMINARY PLANS
 DO NOT USE FOR CONSTRUCTION

- LEGEND**
- EXISTING DIRT/GRAVEL ROAD
 - SURVEYED PROPERTY LINE
 - UNSURVEYED PROPERTY LINE
 - CLEARING LIMITS
 - AREA TO BE LOGGED ONLY
 - EXISTING CONTOUR LINE
 - PROPOSED CONTOUR LINE
 - 100 YEAR FLOOD LINE
 - SET FENCE
 - OVERHEAD ELECTRIC LINE
 - WATER LINE
 - DUKE POWER OR AT&T R/W
 - CONCRETE MONUMENT (CM)
 - EXISTING IRON PIN (EIP)
 - PROPOSED IRON PIN SET (IPS)
 - R/W MARKER



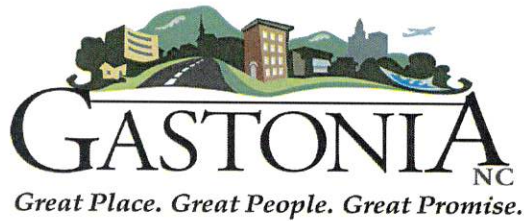
RANKIN LAKE PISTOL
 AND FIRING RANGE
 SPECIAL USE PERMIT SITE PLAN
 OFFICE OF THE CITY ENGINEER
 150 SOUTH YORK STREET - GASTONIA, NC



City of Gastonia
 Engineering Department

GASTONIA TOWNSHIP
 GASTON COUNTY, NC
 CITY OF GASTONIA
 150 South York Street
 P.O. Box 1748
 Gastonia, NC 28653
 OFFICE OF THE
 CITY ENGINEER
 CONDITIONAL USE
 SITE PLAN
 RANKIN LAKE PISTOL
 AND FIRING RANGE
 Drawn By: JBJ
 Checked By: DRP
 City Engineer: FAP
 Scale: 1" = 100'
 Date: 12/18/08
 Job Name:
 Revisions:
 04/21/10
 04/11/11
 601-342

EXHIBIT 'A'



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 or SUP; etc.): _____
 Amend previously approved I-2 CUP for Rankin Lake Pistol and Firing Range to allow for additional training

 facility and surface parking. _____

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): 205284 _____

3. Subject property addresses: 1750 Rankin Lake Road _____

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 City owned and maintained property for training purposes. Access to the property is from the intersection of Tulip Road and Bob & Pat Boyd Drive. _____

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? An owner's representative must be present as there is active law enforcement training on the property. _____

7. The real property to be rezoned is owned in fee simple by City of Gastonia as evidenced in deed from (date) 07/09/1953 recorded in DB: 574 PG: 461 in the Gaston County Registry

8. The real property for which the above request is sought is located on the North side of Rankin Lake Road between Rankin Lake Road and Gaston County having a frontage of 4,000 feet and depth of 3,000 feet and acreage of 242.66.

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).

City of Gastonia (see #7 for deed book & page).

12. Name and address of applicant: Jason Dolan - Timmons Group 610 East Morehead Street, Suite 250 Charlotte, NC 28202
Telephone #: 704-900-4945 E-mail address: jason.dolan@timmons.com

13. Interest in subject realty: None

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 X (File 7144)
- planned unit development _____
- subdivision ordinance _____
- Planned Residential Development _____
- Other Conditional District _____

If yes, please explain Project was previously approved as an I-2 CUP in 2011. This application is made to amend that document.

16. Name and address of person to present item at public hearing: Jason Dolan - Timmons Group
610 East Morehead Street, Suite 250 Charlotte, NC 28202
Telephone number: 704-900-4945 Email: jason.dolan@timmons.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 either a Special Use Permit or CD is requested.

Quentin T. M. Plak, Assistant City Mgr.
City of Gastonia, NC

SPECIAL USE PERMIT

If a Special Use Permit is requested, please fill in the following section(s):

The following are conditions that shall apply to this permit (a site plan is required with one copy being 8 1/2 x14):

The 242 acre property is currently improved with a City park with public recreation surrounding the reservoir and multiple police firing ranges and training facilities. The improvements include a De-escalation Training Center that will be located in close proximity to an existing indoor classroom which will support the new facility. A new surface parking lot and paving of the road is also proposed to provide sufficient parking.

(use additional pages if necessary)

Statement of Justification (for Special Use Permit applications only)

Please read the following statements and then justify them in relation to your proposed rezoning. A simple yes, no or repeating of the question will not be considered sufficient. These statements must be found in the affirmative by the Planning Commission/City Council in order for the Special Use Permit to be issued. The applicant will be required to read these at the public hearing.

- A. The use will not materially endanger the public health or safety if located where proposed and developed according to plan Yes, the proposed project will meet or exceed public health or safety laws regarding its operation.
- B. The use meets all required conditions and specifications, Yes, the new facility and all existing facilities on will comply with all applicable zoning codes, building codes, and fire code requirements.
- C. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity Yes, the facility is part of the Rankin Lake Park property and has been since 2011. Surrounding properties are mostly industrial zoning and uses and will not affected by the proposed use.
- D. The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the adopted Gastonia Land Use Plan and other plans for physical development of the City as adopted by the City Council The proposed improvements are in accordance with previous improvements that have been made to the property and are supportive of those improvements.

(For TNDs only)

- E. The proposed project substantially meets the guiding principles for TNDs as set forth in Section 8.1.13 of the Unified Development Ordinance including, principles of the public realm, principles of the transportation system, principles of mixed use, architectural principles, principles of the neighborhood center, and principles of open spaces and natural site characteristics. _____
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