



**Gastonia Planning Commission  
Meeting Schedule  
August 3, 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 1c: Oath of Office**

**ITEM 1d: Approval of June 8, 2023 Minutes**

**ITEM 2: Public Hearing – Zora Grove Duplexes (File #202200635)**

Subject hearing involves an annexation and assignment of zoning request for approximately 35.179 acres from Gaston County R-1 (Single-family Limited) to City of Gastonia RMF CD (Residential Multi-family - Conditional District). The subject property is located at 3024 Beaty Road, northeast of Kendrick Road and is owned by HLG Capital, LLC.

➤ *The Gastonia City Council will be holding a Public Hearing on the Annexation and Rezoning request at the **September 5th, 2023** meeting*

**ITEM 3: Public Hearing – 626 N. Modena (File #202200666)**

Subject hearing involves a request to rezone approximately 0.65 acres from RS-12 (Single-family Residential, minimum 12,000 sq. ft. lots) to RS-8 CD (Single-family Residential – Conditional District). The subject property is located at 626 N. Modena, adjacent to E. Harrison Avenue and is owned by Itani, LLC.

**ITEM 4: Public Hearing – Movement Charter School (File #202300212)**

Subject hearing involves a request to amend the C-2 CD (Highway Commercial – Conditional District) zoning district (File 202200150) for approximately 7.09 acres. The subject property is located at 1955 Davis Park Road, northwest of the Davis Park Road and W. Hudson Boulevard intersection and is owned by RSS GSMS2015 – GC28 – NC SG, LLC.

**ITEM 5: Public Hearing – Bessemer City Road (File #202200289) - TABLED**

Subject hearing involves an annexation request for approximately 4.6108 acres and an assignment of zoning request for approximately 5.4838 acres from Gaston County C-3 and I-2 and City of Gastonia I-2 to City of Gastonia C-3 (General Business). The subject property is located at 1533 Pioneer Lane and 2019 Bessemer City Road and is owned by Doris B. Stewart.

➤ *The Gastonia City Council will be holding a Public Hearing on the Annexation and Rezoning request at the **September 19th, 2023** meeting*

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

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**ITEM 6: Public Hearing – Goble Street (File #202300149)**

Subject hearing involves an annexation and assignment of zoning request for approximately 6.15 acres from Gaston County RS-8 (Single-family Residential, minimum 8,000 sq. ft. lots) to City of Gastonia RS-8 (Single-family Residential). The subject property is located on Goble Street between Huffman Road and Olney Church Road and is owned by Greater New Mills Chapel Church, Inc.

➤ *The Gastonia City Council will be holding a Public Hearing on the Annexation and Rezoning request at the **September 5th, 2023** meeting*

**ITEM 7: Public Hearing – 323 Linwood Road (File #202300203)**

Subject hearing involves a rezoning request for approximately 0.579 acres from I-U (Urban Industrial) to I-2 (General Industrial). The subject property is located at 323 Linwood Road, adjacent to W. Garrison Boulevard and is owned by Industrial Electroplating, Co.

**ITEM 8: Public Hearing – 2005 S. York Road (File #202300211)**

Subject hearing involves a rezoning request for approximately 0.24 acres from C-3 (General Business) to C-1 (Neighborhood Business). The subject property is located at 2005 S. York Road, between Gilmer Street and Charles Street and is owned by Carolina Injury Rehab, PLLC.

**ITEM 9: Public Hearing – 912 Union Road (File #202300234)**

Subject hearing involves a rezoning request for approximately 0.48 acres from RS-12 (Single-family Residential, minimum 12,000 sq. ft. lots) to C-1 (Neighborhood Business). The subject property is located at 912 Union Road and is owned by Jacob Hickman.

**ITEM 10: OTHER BUSINESS**

**ITEM 11: ADJOURNMENT**

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**UPCOMING IMPORTANT DATES**

September 5th & September 19<sup>th</sup> – City Council Meeting – 6:00 p.m.

September 7<sup>th</sup> – Planning Commission Meeting – 5:30 p.m.

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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 June 8, 2023 Meeting Minutes**

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The Gastonia Planning Commission meeting opened at 5:30 p.m. on Thursday, June 8, 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, Shelley DeHart, Jalen Nash, Keith Lineberger, 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 April 6, 2023 Meeting Minutes**

Commissioner Stewart made a motion to adopt the April 6, 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 – Dallas Bessemer City Highway Townhomes (File #202200615)**

Subject hearing involves a rezoning request for approximately 32.45 acres from Gaston County TMU (Transitional Mixed Use) and RLD (Residential Low Density) to City of Gastonia PD-RRDD (Planned Development – Revised Residential Development District). The subject property is located on Dallas Bessemer City Highway, north of the Gastonia Technology Park. The property is owned by Charles E. Pasour and Kenneth and Pamela Avery.

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 request includes a total of six tax parcels, which are mostly zoned Transitional Mixed Use in Gaston County. He noted the property is adjacent to Dallas Park, a Gaston County Park facility, and Gastonia Technology Park. Mr. Pauling stated the property across Dallas-Bessemer City Highway is zoned Residential (R-1) and includes single-family homes. He stated the Gastonia Technology Park is within the City of Gastonia limits and zoned I-2 to the west. To the north and east, including the Dallas Park and Gaston College, the majority of the property is zoned TMU, with Commercial C-1 zoning at the intersection of Dallas-Cherryville Highway, some of which is within the Town of Dallas' jurisdiction.

A future land use map was displayed. Mr. Pauling stated the Future Land Use Plan indicates Industrial for the future of this property, which is consistent with the industrial park, but not necessarily a compatible land use in an area with residential across the street, a public park, and a college campus, and therefore a residential use with proper connectivity and design features could work in this area.

A site plan is displayed. Mr. Pauling stated the applicant is planning to develop 191 single-family attached (townhome) units utilizing the Revised Residential Development District Standards. He stated this proposal yields a density of approximately 5.86 dwelling units per acre and will require a completed Traffic Impact Analysis (TIA). Mr. Pauling stated a scoping meeting has already taken place with the City and State.

Areas of common open space were presented. Mr. Pauling stated the applicant is planning to consider a sidewalk connection to the Park and new sidewalk along the Dallas-Bessemer City Road frontage. He stated there are several pockets of open space throughout, but he will let the applicant further describe this in their presentation. Conceptual elevations were presented. Mr. Pauling stated the proposal is a rear-loaded, planned townhouse community and will feature a mix of masonry and siding materials. The proposed conditions were presented. Mr. Pauling briefly described the conditions but specified condition 5, on the proposed park connection, and condition 6, regarding stormwater coordination.

The staff's recommendation was presented, along with the statement of consistency and reasonableness. Mr. Pauling stated staff is recommending approval of this request and that he is available for questions.

## **Gastonia Planning Commission June 8, 2023 Meeting Minutes**

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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 Kyle DiPretoro at 1314 Mockingbird Lane, Charlotte, NC 28209. The site plan was presented. Mr. DiPretoro stated the townhomes are all two stories between 1500, 1600, and 1700 square feet with two car garages where possible. Mr. DiPretoro stated they have about 100 guest spaces for overflow parking. He stated there is a centralized courtyard so when you drive in, you're not looking through anybody's front door, but instead, you'll be looking at a centralized green space with a covered sunshade, or a covered dining area for people to gather. Mr. DiPretoro stated at the corners of some of these lots, some of these larger areas will be designated for dog parks, playgrounds, seating areas, hardscape seating areas, and other large and small amenity spaces. Mr. DiPretoro stated also the park will be their greatest amenity and they will work with City and County staff to make connections. He stated that the park may be federally funded, so there is some challenge on what they're allowed to do, but they plan to make a connection. Mr. DiPretoro pointed out the stormwater features and the stormwater management facilities on the site plan. He stated the proposed stormwater locations may change some in size and shape, but they have considered how they will maintain storm water on site and how they let the storm water ultimately release into the creeks. Mr. DiPretoro pointed out the tree save area in the bottom left area of the site plan, and stated he felt it was an appropriate location to screen the site from the corporate park. Mr. DiPretoro stated they were trying to be mindful of how to transition from the park, to residential, and over to the corporate park. Mr. DiPretoro stated the rear entry townhomes will have a blend of exterior materials including brick masonry, stone, fiber cement siding, window trim details, etc. He stated the walking trails, centralized green spaces, access points, and remaining green spaces will be professionally maintained and taken care of by the HOA. Mr. DiPretoro stated they will work with Duke Energy, to provide the required street lighting per the requirements listed in the ordinance. Mr. DiPretoro stated they have a covered kiosk area for mail, that may need to change locations based on USPS and what they allow them to do. Mr. DiPretoro stated they have already released the TIA (Traffic Impact Analysis) and the traffic counts have been collected. He stated if they can get the approval here, they would release the traffic engineer to finish out the traffic analysis and take that analysis and work with the City to get the improvements. Mr. DiPretoro stated to install those improvements, he would imagine at least, a left and right-hand turn lane to continue the flow of traffic. He stated there are two proposed entrances.

With that being the end of Mr. DiPretoro's presentation, Chair Ferguson opened the floor for any questions. Commissioner Wilson asked Mr. DiPretoro what the proposed bedroom count was for the townhomes. Mr. DiPretoro responded the typical is three bedrooms, with two and a half bathrooms. He stated they do have a builder picked out, but they're not 100% sure.

Commissioner Wilson asked Mr. DiPretoro if the townhomes were going to be built to rent or built to sell. Mr. DiPretoro responded they have a for-sale builder on this. Commissioner Wilson also asked Mr. DiPretoro how the HOA will be maintained. Mr. DiPretoro discussed situations he has encountered working with HOAs on their sites.

Commissioner Harris asked Mr. DiPretoro if they were using any vinyl in the materials, and what's the price point for the townhomes. Mr. DiPretoro responded no vinyl, and that they would do the market rate. Commissioner Harris asked staff for clarification on the term dwelling units per acre. Mr. Pauling explained and stated the site is 5.8 dwelling units per acre.

Commissioner Harris asked Mr. DiPretoro if the townhomes were to have two garages per unit. Mr. DiPretoro stated he does not know the final plan of the builder, but typically, they would always have a two-car garage and wouldn't have a personnel door on that backside. Commissioner Harris also asked Mr. DiPretoro if wetlands were going around the site. Mr. DiPretoro responded “Yes”, there is a buffer around the wetlands and they are well outside of that buffer, staying away from the residential area.

Chair Ferguson asked the board if there were any additional questions.

With there being no further questions, Chair Ferguson asked for the wishes of the board. Commissioner Stewart moved to recommend the approval with the statement of consistency and reasonableness. Commissioner Harris and Silverman seconded the motion. The motion was unanimously passed (7-0).

### **Item 3: Public Hearing – Crowders Creek Commons Townhomes (File #202300052)**

Subject hearing involves a request to rezone approximately 16.31 acres from C-3 (General Business), I-2 (General Industrial), and I-2 CUP to PD-RRDD (Planned Development – Revised Residential Development District). The subject property is located on West Franklin Boulevard, adjacent to Patterson Circle and is owned by Dean Putnam and Martha Smith.



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Chair Ferguson opened the public hearing and recognized Jason Pauling, Assistant Planning Director, for the purpose of staff presentation. An aerial image of the site was displayed. Mr. Pauling stated the request is to rezone a total of nine parcels along West Franklin Avenue from C-3, I-2 & I-2 CUP to PD-RRDD. He stated this project is directly adjacent to the larger Crowder's Creek proposed development that the Planning Commission and Council approved this past September, which was a TND (Traditional Neighborhood Development) request including a mix of single-family, multi-family, and commercial along Franklin Blvd. Mr. Pauling stated the site is currently being used as an auto service and salvage yard. He stated there is a small creek that borders the property to the east, there is a mix of commercial and industrial uses across Franklin and larger vacant and single-family properties to the east and south.

The zoning map was displayed. Mr. Pauling stated the site is zoned a mix of commercial and industrial and the request, is to rezone to a Planned District to utilize the Revised Residential Development District (RRDD) standards of sections 8.1.11 and 8.1.17 recently adopted. He stated RS-8 and RS-12 zoning is present to the east, C-3 zoning along Franklin, and the TND to the west.

The Future Land Use Plan is presented. Mr. Pauling stated the future land use plan includes a mix of residential, commercial, and industrial for the subject property, mostly following current zoning boundaries, not in anticipation of redevelopment of this property.

The site plan is presented. Mr. Pauling stated the applicant(s) are requesting to develop a residential community featuring a maximum of 140 units, with the site plan showing a series of single-family attached, townhome buildings. He stated the final plan could also include a mix of single-family detached. Mr. Pauling stated there will be three primary access points to the development and three main new residential streets with alley-loaded units from the rear following the RRDD code. Mr. Pauling stated the total density will be approximately 8.6 dwelling units per acre. Mr. Pauling stated the development will have sidewalks and street trees throughout all main roads, as well as bicycle connectivity back to the main Crowder's Creek development to connect to the multi-use sidewalk and greenway system that the development will provide. He stated the open space and tree save will be reserved in the most natural areas of the property along the creek and borders.

The proposed architecture is presented. Mr. Pauling stated the majority of the units will front on one of the main public streets and include a variety of masonry products, and decorative siding materials. Mr. Pauling presented the staff's proposed conditions and read them briefly. He stated staff supports this request and presented statements of consistency and reasonableness.

With there being no questions for staff, Chair Ferguson stated there is an applicant here to speak, and noted there is no one signed up to speak against this item. Chair Ferguson recognized John Carmichael at 101 North Tryon St Charlotte, North Carolina, and Daniel Robertson at 2820 Sullen Ave Charlotte, North Carolina. Mr. Carmichael stated the site is just over 16 acres. Mr. Carmichael presented an aerial image of the site and discussed the property's current use and the uses of the surrounding parcels. Mr. Carmichael stated, on behalf of his client, the applicant is requesting that the site be rezoned to the PD-RRDD zoning district to accommodate a residential community that would contain a maximum of 140 dwelling units. He stated they could all be single-family attached townhome units, or single-family detached units, which of course would reduce the density or a combination thereof.

Mr. Carmichael presented the site plan. Mr. Carmichael stated the site would be accessed from West Franklin Boulevard, Public Street A, and Public Street B, which would connect to the Crowder's Creek development to the west. Mr. Carmichael stated there would be a third public street, labeled Public Street C in the site plan. Mr. Carmichael stated all of the units would be rear loaded and all of them would face a public street, except for the four units shown in the site plan that face open space. He stated there'll be sidewalks and street trees on both sides of each street. Mr. Carmichael stated there will be a multi-use path on Street B that would provide bicycle and pedestrian connectivity to Crowder's Creek, which then provides connectivity to the Greenway to be located in Crowder's Creek, as well as a connection to Linwood Park. He stated there is a creek to the east, containing mostly common open space, and the tree save area would be located along the eastern portion of the site. Mr. Carmichael stated there are some open space areas in the interior portions of the site as well.

Mr. Robertson stated as of now, the product is envisioned to be rear-loaded townhomes, but it could also be single-family detached homes. He stated they are committed to not doing predominantly vinyl facades and they envision that the price would probably start in the upper three hundreds, but they can't commit to the price until analyzing the market. Mr. Robertson stated one of the conditions agreed to is that the construction materials should consist of predominantly brick, stone, or other masonry products, and any combination or variation of fiber cement siding. He stated the builder has not been finalized yet.

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Commissioner Harris asked the applicants, on vehicular access A, what the applicants envision that width to be. The applicants deferred to staff. Mr. Pauling responded it will most likely be a 50-foot right of way, with sidewalks on both sides, but staff will have to review that at the preliminary plat stage.

Commissioner Harris asked staff if the applicant is required to place sidewalks along Franklin Boulevard. The applicants deferred to staff due to Franklin Boulevard being a public right-of-way. Mr. Thompson, Planning Director responded the standard answer in the code is yes, you have to put sidewalks along public streets, but with that being US Highway and NCDOT jurisdiction, they may not allow for sidewalks to be on a divided highway, but it's too early to say.

Commissioner Silverman asked the applicants what's the missing parcel on the upper northeast corner. Mr. Robertson responded that is an auto repair shop that elected to not be part of this. Commissioner Silverman asked the applicants if there were any environmental concerns with there being a car lot in that location. Mr. Robertson responded they did both phase one and phase two environmental testing, and it came back clean. Commissioner Wilson asked the applicants when the development is going to start breaking ground. Mr. Robertson responded it could very easily be a five to ten-year build-out.

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

Commissioner Silverman moved to approve the request as presented with the statement of consistency and reasonableness. Commissioners Stewart and Harris seconded the motion. The motion was approved unanimously (7-0).

### **Item 4: Public Hearing – Armstrong Park Road (File #202300122)**

Subject hearing involves a request to amend the C-2 CD (Highway Commercial – Conditional District) zoning district (File 7321) for approximately 3.49 acres. The subject property is located at the intersection of W. Hudson Boulevard and Armstrong Park Road and is owned by Gaston County Family YMCA.

Chair Ferguson opened the public hearing and recognized Jason Pauling, Assistant Planning Director, for the purpose of staff presentation. Mr. Pauling stated the proposed site is a three-and-a-half acre property at the northwest corner of Armstrong Park Road and East Hudson Blvd. An aerial image of the property was displayed. Mr. Pauling stated the property is currently vacant and sits just south of Ballantyne Apartments. He stated to the east, across Hudson, there is a Gaston County school facility, a small City park, and a mix of residential uses.

A zoning map was displayed. Mr. Pauling stated the existing property is zoned C-2 CD and this request is an amendment. He stated the original request was for a mix of retail and office uses, and the allowance of a drive-through facility. Mr. Pauling stated property to the east, across Armstrong Park Road, is zoned RS-8 and some RMF (Residential Multi-family). He stated RMF also exists to the north and RS-12 to the south.

The Future Land Use Plan was presented. Mr. Pauling stated the future land use plan suggests residential for the subject property, which was also the designation before the previous rezoning. Mr. Pauling stated that based on this location and the property constraints with access issues, staff feels the proposed use is a better fit for the site if designed properly with low impact on the existing traffic patterns and surrounding land uses. The elevations and site plan were presented. Mr. Pauling stated the applicant is requesting this amendment to develop a three-story, 115,000-square-foot climate-controlled storage facility. He stated the development will also include a multi-use path along Armstrong Park Road, and sidewalk along Hudson to tie back into the existing sidewalk network.

The staff's proposed conditions were presented. Mr. Pauling stated staff is recommending approval of this request with the conditions presented. The statements of consistency and reasonableness were presented.

Commissioner Harris asked Mr. Pauling if the number of parking spaces presented was reasonable for this site. Mr. Pauling responded he may let the applicants address that, but with self-storage, there are really no hours, meaning there are not a whole lot of customer-driven needs for parking. Mr. Thompson stated, from previous conversations with similar developers, the average number of trips generated by these facilities is around 4 trips, and not a lot of people come and go through these facilities initially.

With there being no further questions for staff, Chair Ferguson recognized Chris Baker 145 Eclipse Way Mooresville, North Carolina. Mr. Baker stated he represents Legacy Point Properties. He stated they are the owner, the developer, and the builder of the property. Mr. Baker gave a summary of Legacy Point Properties. Mr. Baker stated there are maybe five to six trips generated a day. Mr. Baker stated

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the cut-in shown on the site plan is a two-story indoor climate-controlled loading area, which adds a little more parking. He stated as far as public utilities go, sewer capacity is not a big thing for development with four trips a day. Mr. Baker stated the project has a very high tax base, as an \$8 million project compared to other alternatives. Mr. Baker stated they have spoken with the DOT and they're in agreement in principle with their plans. Mr. Baker stated their sites are secure and well-lit for the community. He stated the total time from start to opening is nine months, with a 6-month build time. Mr. Baker stated they do have a letter in support of the development from the only adjoining neighbor.

Commissioner Silverman asked the applicants if the requested amendment was to have a larger facility and remove any prior proposals. Mr. Baker responded "Yes". Commissioner Silverman asked the applicants if the architectural front will resemble other Life Storage facilities. Mr. Baker responded the renderings are what they intended to build and Life Storage is our third-party operator. He stated they partner with them, but they don't develop properties. Mr. Baker stated they submitted their designs to Life Storage, and what is being presented is what they agreed on.

Commissioner Harris asked Mr. Baker if the proposal is a tilt-up structure. Mr. Baker responded "No", this is steel framing. Mr. Thompson stated the Unified Development Ordinance has baseline architectural and material standards for all non-residential buildings, with some exceptions in industrial zoning, but there will be more review on the elevations required to make sure the applicant is complying with our code.

Commissioner Harris asked if the parking was calculated based on the requirements listed in the Unified Development Ordinance. Mr. Thompson responded "Yes". Discussion ensued over parking requirements.

With there being no further questions for Mr. Baker, Chair Ferguson recognized Sharon Padgett at 816 Springs Road, Dallas, North Carolina. Ms. Padgett gave a quick summary of Gaston County YMCA's acquisition of the property and thanked the Commissioners for their time.

Chair Ferguson stated there is no one else signed up to speak and asked for the wishes of the board. Commissioner Stewart moved to approve the request as presented with the statement of consistency and reasonableness. Commissioner Gallant seconded the motion. With there being no further discussion, the motion was passed unanimously (7-0).

### **Items 5-7 Opened Simultaneously**

#### **Item 5: Public Hearing – Unified Development Ordinance Amendment (File #202300141)**

Subject hearing involves a request to amend Chapter 10 Off-Street Parking and Loading to the Unified Development Ordinance to 1) revise the parking maximums within certain zones and building types, 2) allow the Administrator to evaluate and approve increases within particular zones, 3) establish Electric Vehicle Charging Station regulations for certain uses, 4) modify section numbers and cross-references within this chapter and the UDO, and 5) clarify, adjust, and/or remove criteria associated with parking standards.

#### **Item 6: Public Hearing – Unified Development Ordinance Amendment (File #202300147)**

Subject hearing involves a request to amend Section 12.3 Prohibited Signs and Section 12.14 Sign Flexibility Options to the Unified Development Ordinance to allow roof signs as a sign-type flexibility option in the UMU zoning district.

#### **Item 7: Public Hearing – Unified Development Ordinance Amendment (File #202300181)**

Subject hearing involves a request to amend Section 7.6.2 HD Historic District Overlay to the Unified Development Ordinance to revise the Civil Penalty guidelines regarding Certificates of Appropriateness from the Historic District Commission.

Chair Ferguson opened Item 5, Item 6, and Item 7, and recognized Jason Thompson, Planning Director for the staff's presentation.

Mr. Thompson stated the parking section of the Unified Development Ordinance was amended around 2 years ago, and some things didn't make it in originally. He stated one of those things includes requirements for electric vehicle charging stations for certain land uses. Mr. Thompson stated the

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parking amendment will be adding some flexibility in certain situations of the code that uses the term Administrator.

Mr. Thompson stated the second text amendment is one dealing with signs. He stated that staff is in the process rewriting of our sign chapter, but before that is completed, certain sections need to be amended to deal with the developer's innovative ideas, particularly ideas of roof signs. Mr. Thompson stated this amendment will add some flexibility to allow for roof signs.

Mr. Thompson stated the last text amendment is about the Historic Districts, where staff has had an issue with folks doing work without a Certificate of Appropriateness approval. He stated this amendment is proposed to add a little bit more enforcement when it comes to these situations because it keeps happening. Mr. Thompson stated that Kim Wallis, Senior Planner, has worked a lot on this with Mr. Graham, Assistant City Attorney, in rewriting this section.

Commissioner Gallant asked Mr. Thompson if the Historic District Standards regulate property owners cutting down their trees. Mr. Graham responded "Yes", there's a specific set of guidelines, in addition to the new tree ordinance that addresses property owners cutting down trees. Mr. Graham stated with any external change within the Historic District, property owners are supposed to apply for a Certificate of Appropriateness. Mr. Graham discussed situations frequently seen in the Local Historic Districts and how this amendment may help prevent those situations.

Commissioner Harris asked Mr. Graham about the process of the Certificate of Appropriateness. Mr. Graham and Mr. Thompson responded by explaining the different tiers of COA approval, and some examples of what's seen in the City of Gastonia's Historic Districts. Discussion ensued over the Historic District's Design Standards. Commissioner Wilson asked staff what the penalty was for violations. Mr. Graham responded "\$250".

Commissioner Silverman asked staff what is considered a significant change requiring a COA. Mr. Graham responded anything beyond ordinary maintenance requires a COA. Commissioner Silverman asked Mr. Graham for clarification on what is considered ordinary maintenance. Discussion ensued over the Historic District's Design Standards.

Commissioner Wilson asked Staff if property owners, before purchasing Historic District homes, are made aware that they reside in a Local Historic District. Chair Ferguson discussed the ongoing efforts in realty to make that disclosure a requirement.

With there being no further discussion, Chair Ferguson asked Mr. Graham for procedural guidance for a motion for the three text amendments. Discussion ensued on how to make the motion.

Commissioner Gallant moved to approve Items 5, 6, and 7 with the statement of consistency and reasonableness. Commissioner Harris seconded the motion. The motion was unanimously approved (7-0).

### **Item 8: Other Business**

Mr. Thompson updated the Commissioners on City Council votes about Planning Commission absences. Chair Ferguson discussed attendance at the future Planning Commission meetings and requested the Board to notify the Planning Staff well in advance.

### **Item 9: Adjournment**

With there being no further discussion, Commissioner Stewart moved to close the meeting. Commissioner Harris seconded the motion. The motion was unanimously passed (7-0). The meeting adjourned at 6:49 PM.

Respectfully submitted,

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Jalen Nash, Planning Technician

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Kristie Ferguson, Chairwoman

**PUBLIC HEARING  
STAFF REPORT**

**File # 202200635**

**GPC Hearing Date: August 3, 2023**

OWNER: HLG Capital, LLC.  
APPLICANT: HLG Capital, LLC.  
PROPOSED ZONING ACTION: Rezoning from R-1 (Gaston County) to RMF CD (City of Gastonia)  
LOCATION: 3024 Beaty Road (PID: 202200)  
TRACT SIZE: Approximately 35.179 acres  
WARD: County to 1 (City)

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**EVALUATION:**

Site Description and Background

The subject property for this rezoning request consists of one tax parcel, currently located in Gaston County's jurisdiction, zoned R-1 (Single-family Limited). An annexation petition has been filed by the applicant, and both cases will be heard by the Gastonia City Council on September 5, 2023. The site is located at 3024 Beaty Road, just northeast of Kendrick Road and west of Beacon Hills Drive. The property is semi-wooded primarily along the property boundaries with larger pockets of cleared land located centrally. There is one single-family residence, built in 1915, currently present on the property with frontage on Beaty Road.

The applicant is requesting to rezone to RMF CD (Residential Multi-family – Conditional District) to facilitate the development of a multi-family community consisting of a maximum of 190 duplex units. The 190 units are made up of ninety-four (94) two-bedroom units within forty-seven (47) buildings and ninety-six (96) one-bedroom units within forty-eight (48) buildings. The overall site density is 5.55 dwelling units per acre. All buildings in the development front onto one another across a landscaped pathway and have enclosed/fenced rear yards. There are two access points into the development proposed from Beaty Road where sidewalk and other street improvements will be required. Both accesses are proposed to be gated and all streets within the development will be private with three hundred and forty-five (345) surface parking spaces and thirty-five (35) garage spaces. A Traffic Impact Analysis (TIA) is required for the proposed project and the applicant will be responsible for providing all mitigations resulting from the TIA. Along the frontage, a 10-foot Type B buffer will be required to be installed to provide screening of units with rear yards along Beaty Road. The developer is also required to install a 25-foot Type C buffer along the rear and side property lines as this site is adjacent to single-family residential zoning and land uses.

The development includes a 0.47-acre amenity center as well as a future public greenway and private trail. Additional details of the improved open space, including the greenway trail, will be required and reviewed as part of the site plan review process. The applicant has submitted conceptual elevations for both the 1-bedroom and 2-bedroom duplex units. The elevations show a one-story product with some variation of stone or other masonry product and gabled roof entryways.

Proposed zoning conditions:

1. Development shall be generally consistent with the attached site plan including a maximum of 190 duplex units.
2. Applicant(s) shall coordinate with the City and NCDOT on the primary access locations on Beaty Road and any required improvements.
3. A Traffic Impact Analysis (TIA) will be required to be completed prior to the site plan review process.

4. The applicant shall construct a public greenway as shown on the rezoning plan in accordance with the specified design standards of section 9.18.3 of the Unified Development Ordinance. The public greenway shall be shown and recorded in a dedicated 20-foot easement. The private trail shall serve as an access trail and be a minimum of 7-feet in width, paved with asphalt or concrete, and be ADA accessible (per section 9.18.3 G(2) in the UDO).
5. Additional details of the improved open space including the public greenway, the private trail and any other designated future open space will be required and reviewed as part of the site plan review process. The amenity site will be required to be submitted for site plan review separately.
6. A Type B buffer is required along the property frontage to screen units with rear yards from Beaty Road.
7. Construction shall be generally consistent with the character and details as depicted in the submitted elevations and architectural standards of section 8.1.10 in the UDO. Applicants shall continue to provide elevation details for all unit sides throughout the site plan review process and the zoning permitting process. The amenity building, garages and any accessory structures shall be designed in similar character and/or be complementary to the principal dwelling units. Construction material shall consist of a combination of brick, stucco, stone or other masonry product, and any variation of fiber cementitious siding (no vinyl siding). Vinyl may be utilized on windows, doors, soffits, trim, and railings.
8. Details of the stormwater control pond/structure is preliminary in nature and will be finalized during the site plan review process. If stormwater control structures are to be used towards improved open space, they must be designed as best management practices and be a feature of the open space to which they are in. Wet ponds shall be designed to include appropriate fountains or filtration devices and include an ADA accessible walking trail/path around it.
9. In no instance shall the zoning conditions exempt a project from other development requirements.
10. 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 the proposed site is a combination of Gaston County and City of Gastonia residential zoning and land uses. To the west is City of Gastonia RS-12 (Single-family Residential, minimum 12,000 sq. ft. lots) zoning consisting of the Maplecrest neighborhood. Further southwest of the site is a May, 2021 approval for an 86-unit townhome development (File 202000273) at the intersection of Kendrick Road and Beaty Road, zoned PD-RRDD (Planned Development – Revised Residential Development District). To the north and east is a combination of Gaston County R-1 and City of Gastonia RS-12 that includes the Beacon Hills neighborhood. Directly south is single-family residential, also zoned Gaston County R-1 and consists of the Northeast and Valleydale neighborhoods.

#### Available Public Facilities

Water and sewer are required to be extended to serve the property. Additional Two Rivers Utilities comments will be provided during the site plan review process.

#### Consistency with Adopted Plans

The Future Land Use Map in the 2025 Comprehensive Plan indicates residential use for the proposed site.

#### Conclusion

The request includes a rezoning and annexation from Gaston County R-1 to City of Gastonia RMF-CD (Residential Multi-family – Conditional District) to facilitate a 190-unit duplex development. Based on the 2025 Comprehensive Plan, the submitted site plan, and the proposed conditions, staff recommends approval of the request as presented.



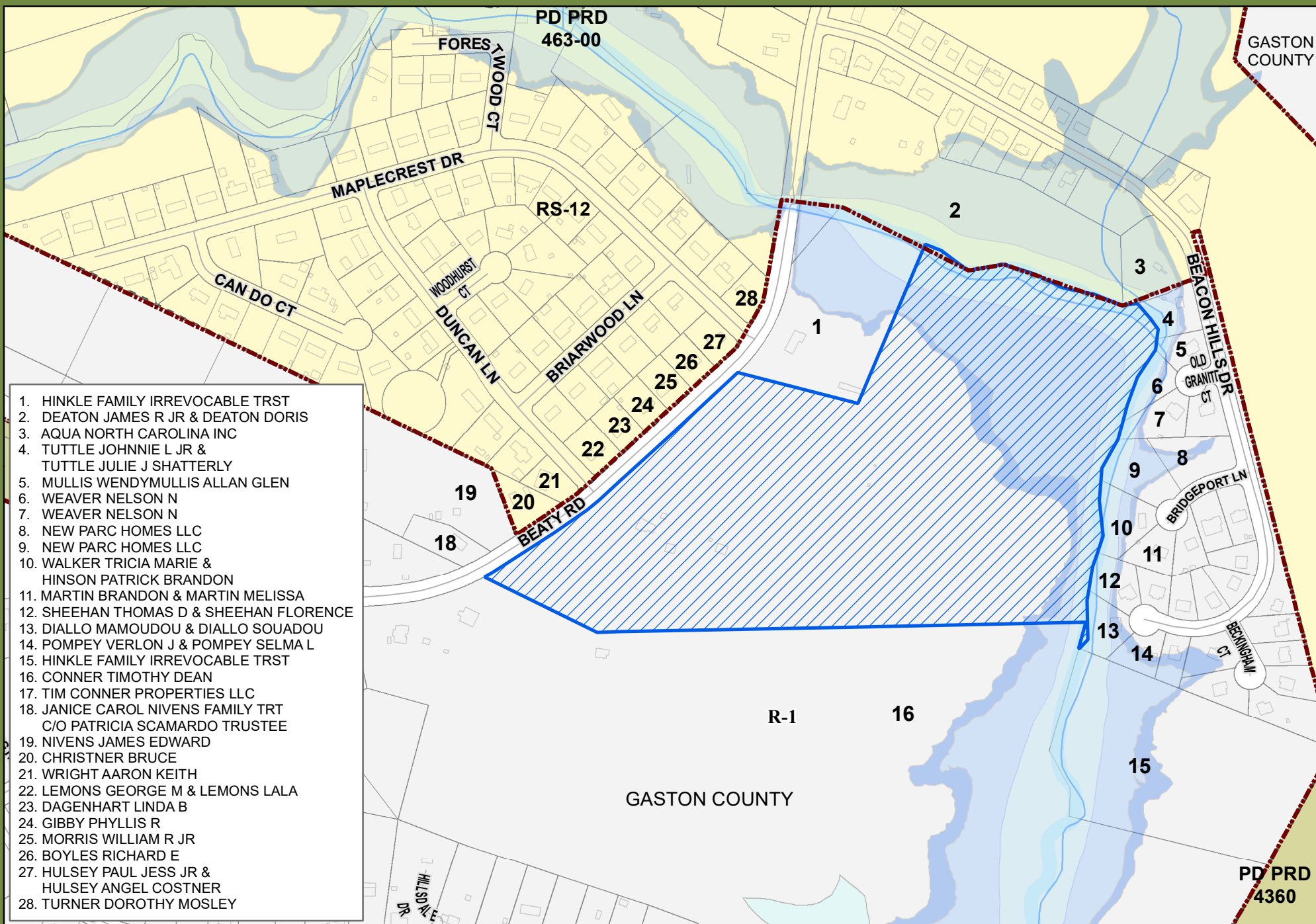
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Maddy Gates, MURP  
Planner

**Statement of consistency and reasonableness (motion to approve):** Based on the 2025 Comprehensive Plan, as well as existing and 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. HINKLE FAMILY IRREVOCABLE TRST
2. DEATON JAMES R JR & DEATON DORIS
3. AQUA NORTH CAROLINA INC
4. TUTTLE JOHNNIE L JR & TUTTLE JULIE J SHATTERLY
5. MULLIS WENDYMULLIS ALLAN GLEN
6. WEAVER NELSON N
7. WEAVER NELSON N
8. NEW PARC HOMES LLC
9. NEW PARC HOMES LLC
10. WALKER TRICIA MARIE & HINSON PATRICK BRANDON
11. MARTIN BRANDON & MARTIN MELISSA
12. SHEEHAN THOMAS D & SHEEHAN FLORENCE
13. DIALLO MAMOUDOU & DIALLO SOUADOU
14. POMPEY VERLON J & POMPEY SELMA L
15. HINKLE FAMILY IRREVOCABLE TRST
16. CONNER TIMOTHY DEAN
17. TIM CONNER PROPERTIES LLC
18. JANICE CAROL NIVENS FAMILY TRT C/O PATRICIA SCAMARDO TRUSTEE
19. NIVENS JAMES EDWARD
20. CHRISTNER BRUCE
21. WRIGHT AARON KEITH
22. LEMONS GEORGE M & LEMONS LALA
23. DAGENHART LINDA B
24. GIBBY PHYLLIS R
25. MORRIS WILLIAM R JR
26. BOYLES RICHARD E
27. HULSEY PAUL JESS JR & HULSEY ANGEL COSTNER
28. TURNER DOROTHY MOSLEY

**Applicant:** HLG Capital, LLC  
**Owner:** HLG Capital, LLC  
**Planning Comm Hearing:** August 3, 2023  
**Request:** R-1 (County) to RMF CD (City)  
**Ward:** County to 1 (City)  
**Total Tract Size:** approx. 35.179 acres  
**Parcel ID #:** 202200

**Subject Property**

**Legend**

	Subject Property		City Boundary
	Roads		Floodway
	100yr Flood Zone		500yr Flood Zone
	Streams		Lakes
	Rivers		Parcels
	Buildings		Gaston County Zoning

- 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

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 10  
**Application**  
**PLMAC202200635**

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 July 20, 2023.



1:4,800  
 1 inch represents 400 feet  
 Plot Date: July 5, 2023

# ZORA

## REZONING PLAN

### GASTONIA, NORTH CAROLINA

#### LEGEND

##### SEWER

- 8" SAN ——— EXISTING SANITARY SEWER
- ⊙ EX SANITARY MANHOLE

##### WATER

- 1/2" W ——— EXISTING WATER LINE

##### MISCELLANEOUS UTILITIES

- ⊕ EXISTING UTILITY POLE
- OH/E ——— EXISTING OVERHEAD ELECTRIC

##### SITE

- EXISTING STORM SEWER
- EX DROP INLET
- ==== CURB & CUTTER
- PROPERTY LINE
- ~~~~~ EXISTING TREE LINE
- ⊙ EXISTING SHRUB
- ⊙ EXISTING TREE
- EXISTING FENCE
- EXISTING SIGN



#### VICINITY MAP

SCALE: 1" = 500'

#### Sheet List Table

Sheet Number	Sheet Title
RZ-000	COVER SHEET
RZ-001	EXISTING SITE PLAN OVERALL
RZ-002	SITE PLAN OVERALL
RZ-003	REZONING NOTES & OPEN SPACE MAP
RZ-004	ARCHITECTURAL ELEVATIONS

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**HIG CAPITAL LLC**  
 506 DR MARTIN LUTHER KING JR WAY  
 GASTONIA, NC 28054

DATE	DESCRIPTION
07/10/2023	REVISION PER CITY OF GASTONIA COMMENTS
05/03/2023	REVISION PER CITY OF GASTONIA COMMENTS
07/10/2023	REVISION PER CITY OF GASTONIA COMMENTS

DATE: 07/10/2023

DRAWN BY: N. SPINOLA

DESIGNED BY: K. BRADLEY

CHECKED BY: C. TODD

SCALE: N/A



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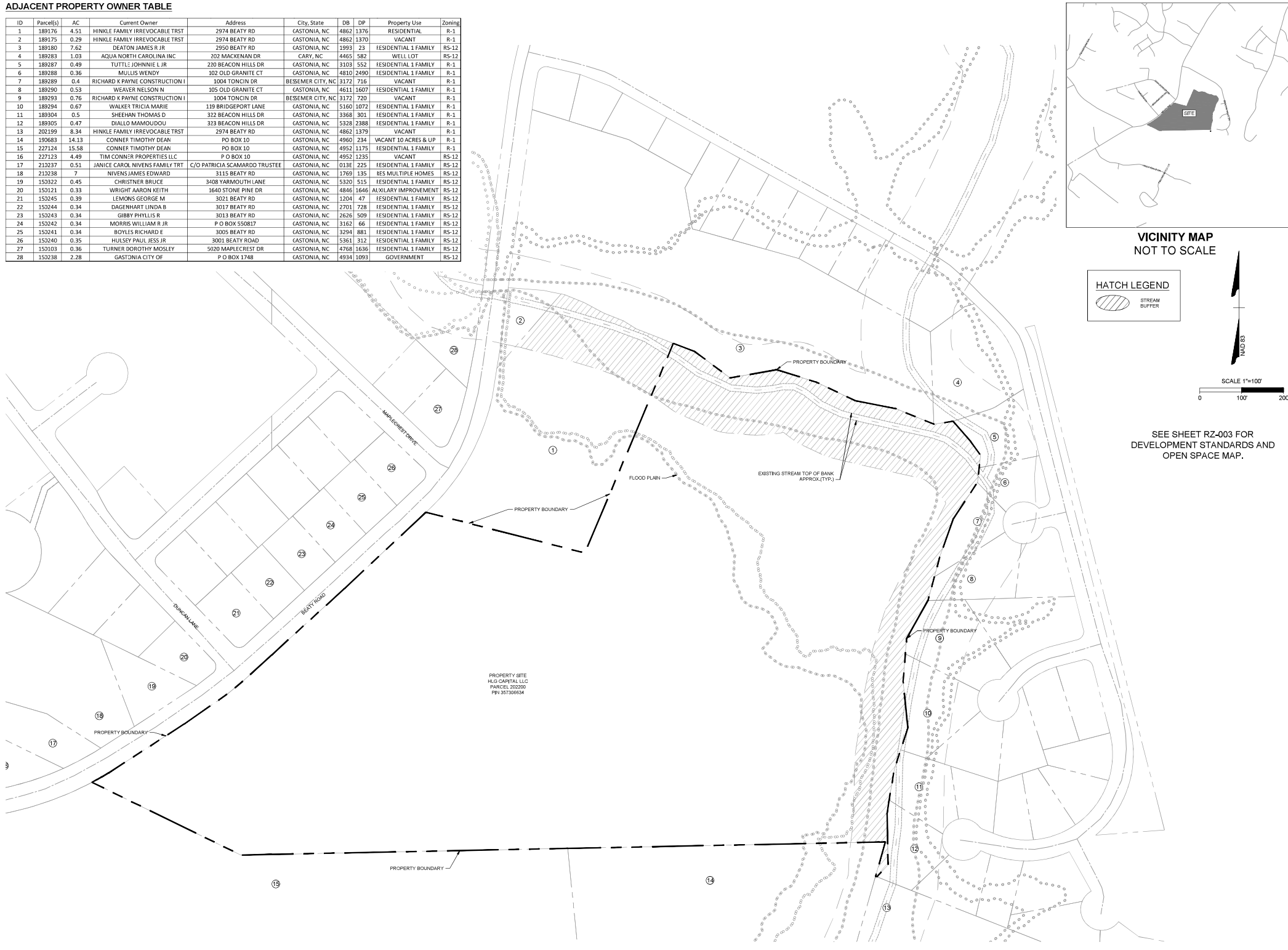
ZORA  
 GASTONIA, NORTH CAROLINA  
 COVER SHEET

X08 NO.  
**53916**  
 SHEET NO.  
**RZ-000**

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ADJACENT PROPERTY OWNER TABLE

ID	Parcel(s)	AC	Current Owner	Address	City, State	DB	DP	Property Use	Zoning
1	189176	4.51	HINKLE FAMILY IRREVOCABLE TRST	2974 BEATY RD	GASTONIA, NC	4862	1376	RESIDENTIAL	R-1
2	189175	0.29	HINKLE FAMILY IRREVOCABLE TRST	2974 BEATY RD	GASTONIA, NC	4862	1370	VACANT	R-1
3	189180	7.62	DEATON JAMES R JR	2950 BEATY RD	GASTONIA, NC	1993	23	RESIDENTIAL 1 FAMILY	RS-12
4	189283	1.03	AQUA NORTH CAROLINA INC	202 MACKENAN DR	CARY, NC	4465	582	WELL LOT	RS-12
5	189287	0.49	TUTTLE JOHNNIE L JR	220 BEACON HILLS DR	GASTONIA, NC	3103	552	RESIDENTIAL 1 FAMILY	R-1
6	189288	0.36	MULLIS WENDY	102 OLD GRANITE CT	GASTONIA, NC	4810	2490	RESIDENTIAL 1 FAMILY	R-1
7	189289	0.4	RICHARD K PAYNE CONSTRUCTION I	1004 TONCIN DR	BESEMER CITY, NC	3172	716	VACANT	R-1
8	189290	0.53	WEAVER NELSON NI	105 OLD GRANITE CT	GASTONIA, NC	4611	1607	RESIDENTIAL 1 FAMILY	R-1
9	189293	0.76	RICHARD K PAYNE CONSTRUCTION I	1004 TONCIN DR	BESEMER CITY, NC	3172	750	VACANT	R-1
10	189294	0.67	WALKER TRICIA MARIE	119 BRIDGEFORD LANE	GASTONIA, NC	5160	1072	RESIDENTIAL 1 FAMILY	R-1
11	189304	0.5	SHEHAN THOMAS D	322 BEACON HILLS DR	GASTONIA, NC	3368	301	RESIDENTIAL 1 FAMILY	R-1
12	189305	0.47	DIALLO MAMOUDOU	323 BEACON HILLS DR	GASTONIA, NC	5328	2388	RESIDENTIAL 1 FAMILY	R-1
13	202199	8.34	HINKLE FAMILY IRREVOCABLE TRST	2974 BEATY RD	GASTONIA, NC	4862	1379	VACANT	R-1
14	199683	14.13	CONNOR TIMOTHY DEAN	PO BOX 10	GASTONIA, NC	4960	234	VACANT 10 ACRES & UP	R-1
15	227124	15.58	CONNOR TIMOTHY DEAN	PO BOX 10	GASTONIA, NC	4952	1175	RESIDENTIAL 1 FAMILY	R-1
16	227123	4.49	TIM CONNER PROPERTIES LLC	P O BOX 10	GASTONIA, NC	4952	1235	VACANT	RS-12
17	212327	0.51	JANICE CAROL NIVENS FAMILY TRT	C/O PATRICIA SCAMARDO TRUSTEE	GASTONIA, NC	013E	225	RESIDENTIAL 1 FAMILY	RS-12
18	212328	7	NIVENS JAMES EDWARD	3115 BEATY RD	GASTONIA, NC	1769	135	RES MULTIPLE HOMES	RS-12
19	153222	0.45	CHRISTNER BRUCE	3408 YARMOUTH LANE	GASTONIA, NC	5320	515	RESIDENTIAL 1 FAMILY	RS-12
20	153121	0.33	WRIGHT AARON KEITH	1640 STONE PINE DR	GASTONIA, NC	4846	1646	AUXILIARY IMPROVEMENT	RS-12
21	153245	0.39	LEMONS GEORGE M	3021 BEATY RD	GASTONIA, NC	1204	47	RESIDENTIAL 1 FAMILY	RS-12
22	153244	0.34	DAGENHART LINDA B	3017 BEATY RD	GASTONIA, NC	2701	728	RESIDENTIAL 1 FAMILY	RS-12
23	153243	0.34	GIBBY PHILLIS R	3013 BEATY RD	GASTONIA, NC	2626	509	RESIDENTIAL 1 FAMILY	RS-12
24	153242	0.34	MORRIS WILLIAM R JR	P O BOX 550817	GASTONIA, NC	3162	66	RESIDENTIAL 1 FAMILY	RS-12
25	153241	0.34	BOYLES RICHARD E	3005 BEATY RD	GASTONIA, NC	3294	881	RESIDENTIAL 1 FAMILY	RS-12
26	153240	0.35	HULSEY PAUL JESS JR	3001 BEATY ROAD	GASTONIA, NC	5361	312	RESIDENTIAL 1 FAMILY	RS-12
27	153103	0.36	TURNER DOROTHY MOSLEY	5020 MAPLECREST DR	GASTONIA, NC	4768	1636	RESIDENTIAL 1 FAMILY	RS-12
28	153238	2.28	GASTONIA CITY OF	P O BOX 1748	GASTONIA, NC	4934	1093	GOVERNMENT	RS-12



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 500 DR MARTIN LUTHER KING, JR WAY  
 GASTONIA, NC 28054

DATE	REVISION DESCRIPTION
07/10/2023	REMOVED PER CITY OF GASTONIA COMMENTS
05/03/2023	REMOVED PER CITY OF GASTONIA COMMENTS
07/10/2023	REMOVED PER CITY OF GASTONIA COMMENTS

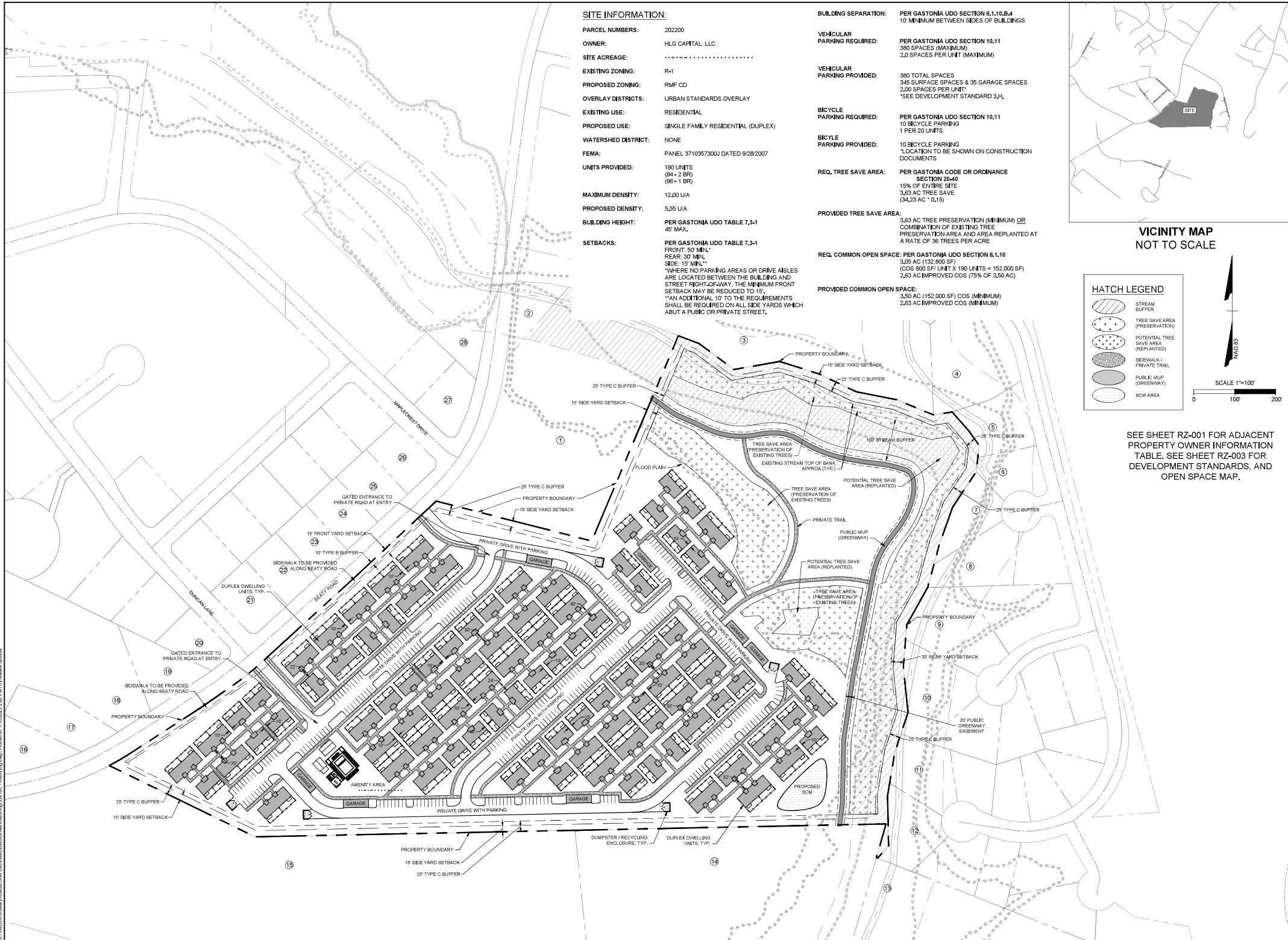
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 NORTH CAROLINA LICENSE NO. C-1632

**EXISTING SITE PLAN OVERALL**

JOB NO. 53916  
 SHEET NO. RZ-001

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**SITE INFORMATION:**

PARCEL NUMBERS: 202200  
 OWNER: HLG CAPITAL, LLC  
 SITE ACREAGE: .....  
 EXISTING ZONING: R-1  
 PROPOSED ZONING: RMF CD  
 OVERLAY DISTRICTS: URBAN STANDARDS OVERLAY  
 EXISTING USE: RESIDENTIAL  
 PROPOSED USE: SINGLE FAMILY RESIDENTIAL (DUPEX)  
 WATERSHED DISTRICT: NONE  
 FEMA: PANEL 3710357300J DATED 9/28/2007

UNITS PROVIDED: 190 UNITS  
 (84 + 208)  
 (86 - 1 BR)

MAXIMUM DENSITY: 12.00 U/A  
 PROPOSED DENSITY: 5.55 U/A

BUILDING HEIGHT: PER GASTONIA UDO TABLE 7.3-1  
 45' MAX.

SETBACKS: PER GASTONIA UDO TABLE 7.3-1  
 FRONT: 30' MIN.  
 REAR: 30' MIN.,  
 SIDE: 15' MIN.,  
 \*WHERE NO PARKING AREAS OR DRIVE AISLES  
 ARE LOCATED BETWEEN THE BUILDING AND  
 STREET RIGHT-OF-WAY, THE MINIMUM FRONT  
 SETBACK MAY BE REDUCED TO 15'.  
 \*\*AN ADDITIONAL 10' TO THE REQUIREMENTS  
 SHALL BE REQUIRED ON ALL SIDE YARDS WHICH  
 ADJUT A PUBLIC OR PRIVATE STREET.

**BUILDING SEPARATION:** PER GASTONIA UDO SECTION 8.1.10.B.4  
 10' MINIMUM BETWEEN SIDES OF BUILDINGS

**VEHICULAR PARKING REQUIRED:** PER GASTONIA UDO SECTION 10.11  
 350 SPACES (MAXIMUM)  
 2.0 SPACES PER UNIT (MAXIMUM)

**VEHICULAR PARKING PROVIDED:** 380 TOTAL SPACES  
 345 SURFACE SPACES & 35 GARAGE SPACES  
 2,00 SPACES PER UNIT\*  
 \*SEE DEVELOPMENT STANDARD 3.H.

**BICYCLE PARKING REQUIRED:** PER GASTONIA UDO SECTION 10.11  
 10 BICYCLE PARKING

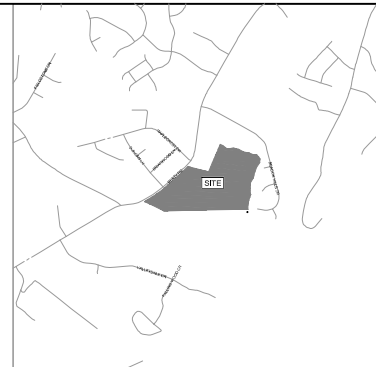
**BICYCLE PARKING PROVIDED:** 10 BICYCLE PARKING  
 \*LOCATION TO BE SHOWN ON CONSTRUCTION  
 DOCUMENTS

**REQ. TREE SAVE AREA:** PER GASTONIA CODE OR ORDINANCE  
 SECTION 20-40  
 15% OF ENTIRE SITE  
 3.63 AC TREE SAVE  
 (34.23 AC \* 0.15)

**PROVIDED TREE SAVE AREA:** 3.63 AC TREE PRESERVATION (MINIMUM) OR  
 COMBINATION OF EXISTING TREE  
 PRESERVATION AREA AND AREA REPLANTED AT  
 A RATE OF 36 TREES PER ACRE

**REQ. COMMON OPEN SPACE:** PER GASTONIA UDO SECTION 8.1.10  
 3,05 AC (132,800 SF)  
 COS 800 SF UNIT X 190 UNITS = 152,000 SF  
 2.63 AC IMPROVED COS (75% OF 3,50 AC)

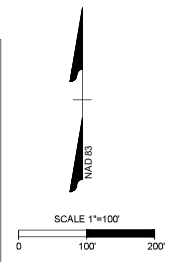
**PROVIDED COMMON OPEN SPACE:** 3.50 AC (152,000 SF) COS (MINIMUM)  
 2.63 AC IMPROVED COS (MINIMUM)



VICINITY MAP  
 NOT TO SCALE

**HATCH LEGEND**

- STREAM BUFFER
- TREE SAVE AREA (PRESERVATION)
- POTENTIAL TREE SAVE AREA (REPLANTED)
- SIDEWALK / PRIVATE TRAIL
- PUBLIC MUP (GREENWAY)
- SCM AREA



SEE SHEET RZ-001 FOR ADJACENT  
 PROPERTY OWNER INFORMATION  
 TABLE. SEE SHEET RZ-003 FOR  
 DEVELOPMENT STANDARDS, AND  
 OPEN SPACE MAP.

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 596 DR MARTIN LUTHER KING JR WAY  
 GASTONIA, NC 28054

DATE	REVISION DESCRIPTION
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05/03/2023	REVISED PER CITY OF GASTONIA COMMENTS
07/10/2023	REVISED PER CITY OF GASTONIA COMMENTS

DATE: 07/10/2023  
 DRAWN BY: N. SPINOLA  
 DESIGNED BY: K. BRADLEY  
 CHECKED BY: C. TODD  
 SCALE: ---



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 ZORA  
 GASTONIA, NORTH CAROLINA  
 SITE PLAN OVERALL

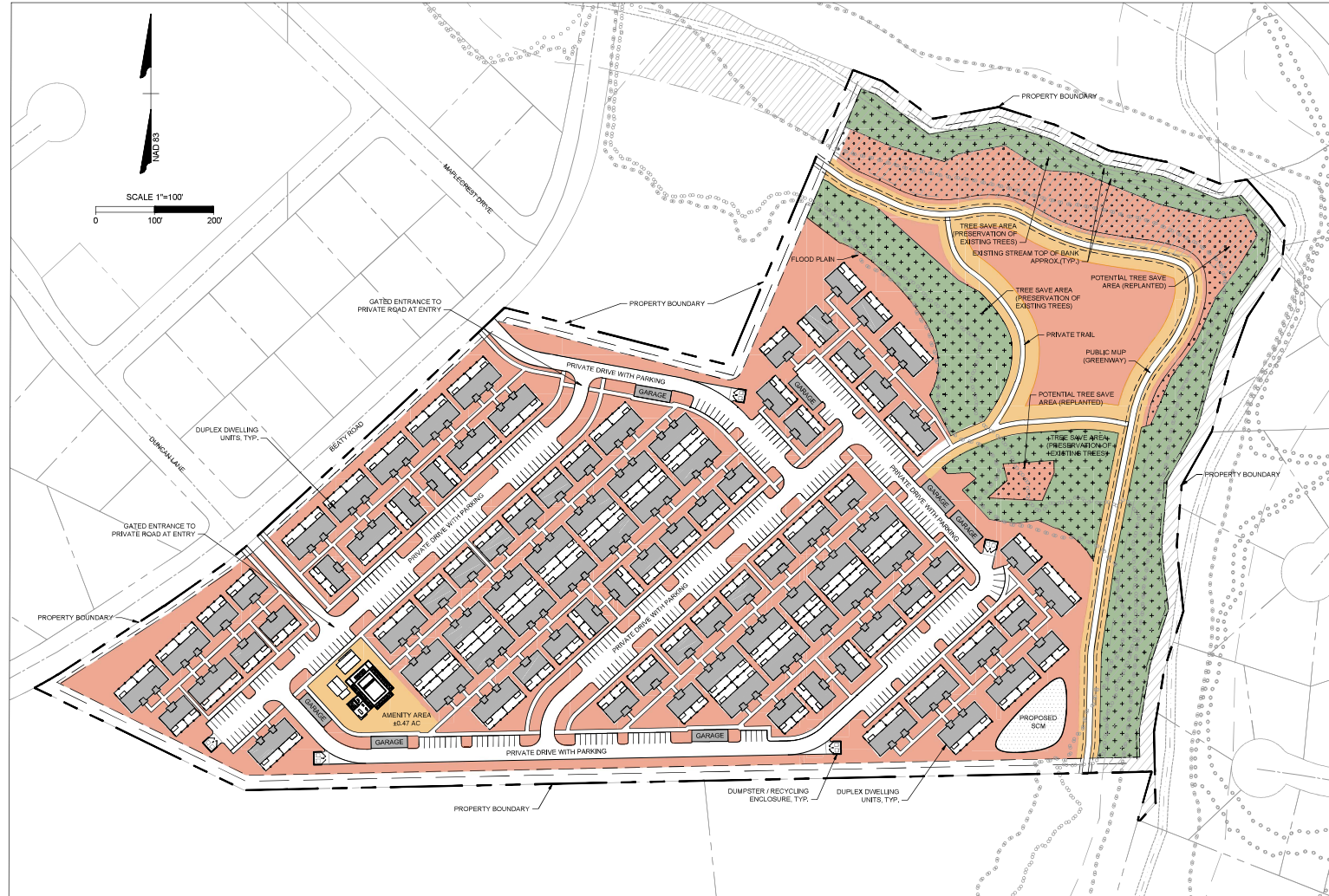
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**53916**  
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**RZ-002**

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OPEN SPACE AND TREE SAVE AREA



**HATCH LEGEND**

	STREAM BUFFER
	TREE SAVE AREA (PRESERVATION)
	POTENTIAL TREE SAVE AREA (REPLANTED)
	SCM AREA
	NATURAL OPEN SPACE
	IMPROVED OPEN SPACE
	COMMON OPEN SPACE

DEVELOPMENT STANDARDS

- GENERAL PROVISIONS**
  - SITE LOCATION:** THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY HLG CAPITAL LLC (PETITIONER) TO ACCOMMODATE THE DEVELOPMENT OF A SINGLE FAMILY DUPLEX COMMUNITY ON APPROXIMATELY 34.236 ACRE SITE LOCATED ALONG BEATY ROAD, (THE "SITE") IN GASTON COUNTY, NC.
  - ZONING DISTRICTS/ORDINANCE:** DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN AS WELL AS THE APPLICABLE PROVISIONS OF THE CITY OF GASTONIA UNIFIED DEVELOPMENT ORDINANCE (THE "ORDINANCE") UNLESS THE REZONING PLAN ESTABLISHES LESS STRINGENT STANDARDS THAN THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE RMF-CD ZONING CLASSIFICATION.
  - GRAPHICS AND ALTERATIONS:** THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, DRIVEWAYS, STREETS AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS (COLLECTIVELY THE "DEVELOPMENT/SITE ELEMENTS") SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. THE LAYOUT, LOCATION, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPER'S PROPOSED DEVELOPMENT. ACCORDINGLY, THE CONFIGURATIONS, PLACEMENTS AND SIZES OF THE BUILDING FOOTPRINTS AS WELL AS THE INTERNAL PRIVATE STREETS, INTERNAL DRIVES AND PARKING AREAS DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND, SUBJECT TO THE TERMS OF THESE DEVELOPMENT STANDARDS AND THE ORDINANCE, ARE SUBJECT TO MINOR ALTERATIONS OR MODIFICATIONS DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES. MINOR MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIRING ADMINISTRATIVE AND CONSTRUCTION PROCESS OF THE ORDINANCE. THESE INSTANCES WOULD INCLUDE CHANGES TO GRAPHICS IF THEY ARE MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.
  - NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY:** THE TOTAL NUMBER OF PRINCIPAL STRUCTURES TO BE DEVELOPED ON THE SITE SHALL NOT EXCEED 95 (90 DUPLEX UNITS), ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE CONSIDERED IN ANY LIMITATION ON THE NUMBER OF BUILDINGS ON THE SITE. ACCESSORY BUILDINGS AND STRUCTURES SHALL BE CONSTRUCTED UTILIZING SIMILAR BUILDING MATERIALS, COLORS, ARCHITECTURAL ELEMENTS AND DESIGNS AS THE PRINCIPAL BUILDINGS LOCATED ON THE SITE. ACCESSORY STRUCTURES AND BUILDINGS INCLUDE STRUCTURES AND BUILDINGS SUCH AS BUT NOT LIMITED TO A CLUBHOUSE, CABANA, MAIL ROOM, DUMPSTER ENCLOSURES, GAZEBOS, TRELLISES, STORAGE BUILDINGS, AND OTHER STRUCTURES ASSOCIATED WITH THE ON-SITE OPEN SPACE.
- PERMITTED USES & DEVELOPMENT AREA LIMITATION:**
  - THE SITE MAY BE DEVELOPED WITH UP TO 180 DWELLING UNITS, TOGETHER WITH ACCESSORY USES, DESCRIBED IN NOTE 1.D., AS ALLOWED IN THE RMF (CD) DISTRICT CLASSIFICATION.
- ACCESS AND TRANSPORTATION:**
  - AS TO THE SITE WILL BE FROM BEATY ROAD IN THE MANNER GENERALLY DEPICTED ON THE REZONING PLAN.
  - THE LOCATION AND CONFIGURATION OF THE VEHICULAR ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE DEVELOPMENT AND CONSTRUCTION PLANS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) AND THE CITY OF GASTONIA IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.
  - AS DEPICTED ON THE REZONING PLAN, THE SITE WILL BE SERVED BY INTERNAL PRIVATE DRIVES, ADJUSTMENTS TO THE LOCATIONS OF THE INTERNAL PRIVATE DRIVES SHALL BE ALLOWED DURING THE CONSTRUCTION PERMITTING PROCESS.
  - INTERNAL SIDEWALKS AND PEDESTRIAN CONNECTIONS SHALL BE PROVIDED ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN AND THE INTERNAL SIDEWALKS MAY VARY FROM THE PLAN.
  - AT LEAST ONE GROUND ENTRANCE TO EVERY DWELLING SHALL BE LOCATED WITHIN A WALKING DISTANCE OF TWO HUNDRED FIFTY (250) FEET TO A PARKING AREA.
  - THE INTERNAL PRIVATE DRIVES MAY, AT THE OPTION OF THE PETITIONER, BE GATED.
  - ROADS SHALL BE DESIGNED TO MEET MINIMUM FIRE AND SANITATION ACCESS REQUIREMENTS WHERE APPLICABLE.
  - PARKING SHALL BE ALLOWED UP TO A MAXIMUM OF 2.0 SPACES PER UNIT.
  - FRONTAGE IMPROVEMENTS ALONG BEATY ROAD SHALL BE AS REQUIRED.
- ARCHITECTURAL STANDARDS:**
  - THIS PLAN TO BE IN ACCORDANCE WITH ALL RMF STANDARDS FOUND IN SECTIONS 8.1.1 TO ADOPTED BY CITY COUNCIL ON 07/18/22. ALL ARCHITECTURAL REQUIREMENTS FOUND IN 8.1.1 TO ARE REQUIRED UNLESS OTHERWISE MODIFIED BY THE PLAN.
  - THE ACTUAL WIDTHS AND DEPTHS OF THE DWELLING UNITS CONSTRUCTED ON THE SITE MAY VARY FROM THE WIDTHS AND DEPTHS DEPICTED ON THE REZONING PLAN.
  - THE PRIMARY EXTERIOR BUILDING MATERIALS FOR THE BUILDINGS CONSTRUCTED ON THE SITE SHALL BE A COMBINATION OF PORTIONS OF THE FOLLOWING: BRICK VENEER OR SIMILAR MASONRY PRODUCTS, STONE, MANUFACTURED STONE, STUCCO AND CEMENTITIOUS SIDING.
  - VINYL SIPS OR WASCOTE MAY NOT BE USED AS AN EXTERIOR BUILDING MATERIAL ON ANY BUILDING CONSTRUCTED ON THE SITE. NOTWITHSTANDING THE FOREGOING, VINYL MAY BE UTILIZED ON PORCHES, LOGGIES, PATIOS, TERRAZZOS, SOFFITS, TRIM AND RAILINGS.
  - ATTACHED TO THE REZONING PLAN ARE CONCEPTUAL ARCHITECTURAL PERSPECTIVES OF THE DWELLING UNITS AND BUILDINGS TO BE CONSTRUCTED ON THE SITE THAT ARE INTENDED TO DEPICT THE GENERAL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER OF THE DWELLING UNITS AND BUILDINGS TO BE CONSTRUCTED ON THE SITE. ACCORDINGLY, THE DWELLING UNITS AND BUILDINGS ARE SUBSTITUTED TO THE APPEARANCE OF THE CONCEPTUAL ARCHITECTURE PERSPECTIVES WITH RESPECT TO ARCHITECTURAL STYLE AND CHARACTER. NOTWITHSTANDING THE FOREGOING, CHANGES AND ALTERATIONS WHICH DO NOT MATERIALLY CHANGE THE OVERALL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER SHALL BE PERMITTED.
- STREETSCAPE, BUFFERS, LANDSCAPING, TREE SAVE AND AMENITY AREA**
  - FINAL OPEN SPACE AND TREE SAVE AREAS, PERCENTAGE, TYPE, AND LOCATION SHALL BE DETERMINED DURING CONSTRUCTION DOCUMENT PHASE.
  - AMENITY AREA MAY INCLUDE POOL, CABANA, CHILDRENS PLAY AREA AND OTHER AMENITIZED FEATURES. THE SPECIFIC LAYOUT OF FEATURES MAY BE ALTERED DURING THE CONSTRUCTION DOCUMENT PERMITTING PHASE.
  - ENTRANCE MONUMENTATION MAY BE PLACED WITHIN THE SETBACK OR BUFFER BUT NOT THE RIGHT-OF-WAY.
  - WALKWAYS SHALL BE PROVIDED TO CONNECT ALL RESIDENTIAL ENTRANCES TO SIDEWALKS ALONG PRIVATE STREETS.
- ENVIRONMENTAL FEATURES**
  - THE LOCATION, SIZE AND TYPE OF STORM WATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS TO THE LOCATION, SIZE AND TYPE OF STORMWATER MANAGEMENT SYSTEMS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.
  - STREAM BUFFER SIZE AND WIDTHS SHOWN BASED ON CITY OF GASTONIA UDD.
- UTILITIES**
  - ALL UTILITIES WITHIN THE SITE WILL BE PLACED UNDERGROUND.
  - ALL EXISTING STRUCTURES, SEPTIC SYSTEMS AND/OR WELLS SHALL BE FIELD LOCATED PRIOR TO DESIGN. ANY WELLS AND/OR SEPTIC SYSTEMS DISCOVERED DURING THE SITE DEVELOPMENT PROCESS SHALL BE ABANDONED IN ACCORDANCE WITH APPLICABLE NORTH CAROLINA LAWS AND RULES.
  - WATER DISTRIBUTION SYSTEM AND SANITARY SEWER SYSTEM TO BE DESIGNED AND BUILT PER THE CITY OF GASTONIA AND TWO RIVER UTILITIES (TRU) REQUIREMENTS AND MINIMUM CONSTRUCTION STANDARDS. PUBLIC SYSTEMS TO BE OWNED AND OPERATED BY TRU. PORTIONS OF WATER AND SANITARY SEWER SYSTEMS MAY BE PRIVATE. LOCATION AND DESIGN OF PRIVATE WATER AND SEWER SYSTEMS TO BE COORDINATED WITH TRU DURING THE CONSTRUCTION DOCUMENT PERMITTING PHASE.
  - PUBLIC WATER AND SEWER EXTENSIONS BY THE DEVELOPER WILL BE REQUIRED TO SERVE THE SITE.
  - WATER AND SEWER SYSTEM DEVELOPMENT FEES MAY APPLY. THE SITE IS LOCATED IN THE SOUTHWEST SEWER SERVICE AREA.
  - ANNEXATION REQUIRED FOR WATER AND SEWER SERVICE.
- AMENDMENTS TO THE REZONING PLAN:**
  - FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE APPLICABLE DEVELOPMENT AREA PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS OF THE ORDINANCE.
- BINDING EFFECT OF THE REZONING APPLICATION:**
  - IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND HURE THE BENEFIT OF THE PETITIONER AND SUCCESSOR OWNERS OF THE SITE AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS OF THE PETITIONER OR THE OWNER OR OWNERS OF THE SITE FROM THE TIME THEY MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.
  - THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERM "PETITIONER" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF PETITIONER OR THE OWNER OR OWNERS OF THE SITE FROM THE TIME THEY MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.
  - ANY REFERENCE TO THE ORDINANCE HEREIN SHALL BE DEEMED TO REFER TO THE REQUIREMENTS OF THE ORDINANCE IN EFFECT AS OF THE DATE THIS REZONING PETITION IS APPROVED.

GENERAL NOTES:

- FINAL IMPERVIOUS CALCULATIONS SHALL BE CALCULATED DURING CONSTRUCTION DOCUMENT PHASE AND SHALL MEET APPLICABLE STORMWATER REQUIREMENTS.
- BASE MAPPING INFORMATION TAKEN FROM GASTON COUNTY, NC GIS.
- NO SWALES, RETAINING WALLS, STORMWATER (BMP) MEASURES CAN BE LOCATED WITHIN BUFFERS.
- UNDERGROUND STORMWATER (BMP) MEASURES MAY BE LOCATED WITHIN COMMON OPEN SPACE.

FOR REZONING ONLY

THIS DRAWING PREPARED AT THE  
**CHARLOTTE OFFICE**  
 631 E. Northlake Blvd., Charlotte, NC 28202  
 TEL: 704.366.8899 FAX: 704.366.2017  
 WWW.TIMMONSGROUP.COM

HLG CAPITAL LLC  
 590 DR MARTIN LUTHER KING JR WAY  
 GASTONIA, NC 28054

DATE	REVISION DESCRIPTION
07/07/2023	REVIEW PER CITY OF GASTONIA COMMENTS
05/03/2023	REVIEW PER CITY OF GASTONIA COMMENTS
07/10/2023	REVIEW PER CITY OF GASTONIA COMMENTS
DATE	
07/10/2023	

YOUR VISION ACHIEVED THROUGH OURS

DRAWN BY  
**N. SPINOLA**

DESIGNED BY  
**K. BRADLEY**

CHECKED BY  
**C. TODD**

SCALE  
**N/A**

**TIMMONS GROUP**

ZORA  
 GASTONIA, NORTH CAROLINA

NORTH CAROLINA LICENSE NO. C-1652

REZONING NOTES & OPEN SPACE MAP

JOB NO.	53916
SHEET NO.	RZ-003

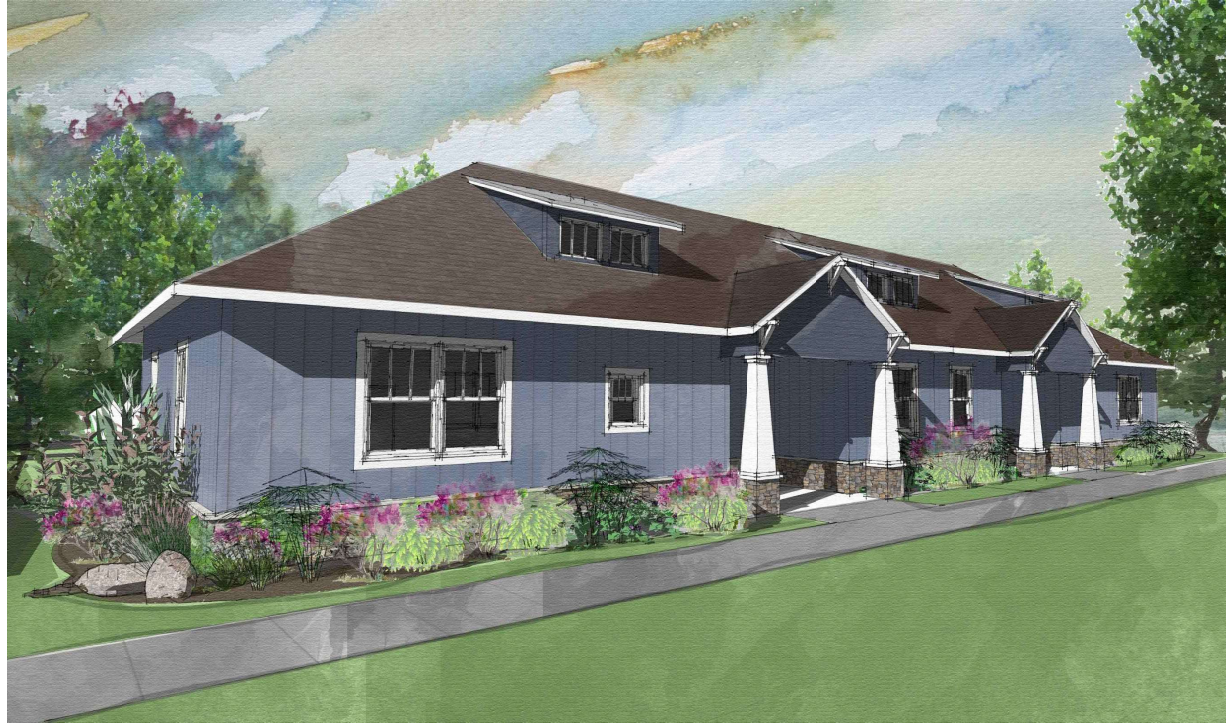
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REPRESENTATIVE ARCHITECTURAL RENDERING - 1 BEDROOM DUPLEX



REPRESENTATIVE ARCHITECTURAL RENDERING - 2 BEDROOM DUPLEX



FOR REZONING ONLY

THIS DRAWING PREPARED AT THE  
**CHARLOTTE OFFICE**  
 641 E. Northlake Blvd., Charlotte, NC 28202  
 TEL 704.940.8890 FAX 704.940.7610 www.timmonsgrp.com

**HLC CAPITAL LLC**  
 806 DR MARTIN LUTHER KING JR WAY  
 GASTONIA, NC 28054

DATE	REVISION DESCRIPTION
07/10/2023	REMOVED PER CITY OF GASTONIA COMMENTS
05/03/2023	REMOVED PER CITY OF GASTONIA COMMENTS
07/10/2023	REMOVED PER CITY OF GASTONIA COMMENTS

DATE  
 07/10/2023

DRAWN BY  
 N. SPINOLA

DESIGNED BY  
 K. BRADLEY

CHECKED BY  
 C. TODD

SCALE  
 N/A

**TIMMONS GROUP**  
 YOUR VISION ACHIEVED THROUGH OURS  
 NORTH CAROLINA LICENSE NO. C-1632  
**ZORA**  
 GASTONIA, NORTH CAROLINA  
**ARCHITECTURAL ELEVATIONS**

JOB NO.  
 53916

SHEET NO.  
 RZ-004

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**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 from R-1 (Gaston County) to RMF CD (City of Gastonia)

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: 202200  
Subject property address: 3024 Beaty Rd Gastonia, NC 28056

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 wooded with pockets of clearings. Property has an existing white house across along Beaty Rad and across from Duncan Ln.

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 HLG Capital, LLC  
as evidenced in deed from North Carolina General Warranty Deed recorded in Deed Book 5321 at page 748 in the Gaston County Registry.

7. The real property for which the above request is sought is located on the southeast side of Beaty Road between Kendrick Road and Beacon Hills Dr having a frontage of approximately 1,030 feet and depth of variable feet and acreage of 34.23 (total).

8. Are sewer and water available on the property? Water - in Beaty Road  
Sewer - in Beaty Road (off-site extension may be necessary for gravity flow)

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.)  
HLG Capital, LLC  
PO Box 550442  
Gastonia, NC 28055

11. Name and address of applicant: HLG Capital, LLC  
Telephone #: 704-868-9703 Fax #: 704-868-9705  
E-mail address: Wally @ WOPPROPS.COM



12. Interest in subject realty Single Family Residential - Duplex

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 \_\_\_\_\_  
Michael Dixon  
Telephone number (704) 678-5058

\*\*\*\*\*

I, William W. Gillespie, certify that I have read the information provided in the public hearing information package on the 13 day of Oct, 2022.

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

[Signature] - Manager HUG Capital \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**PUBLIC HEARING  
STAFF REPORT**

**File # 202200666**

**GPC Hearing Date: August 3, 2023**

OWNER(S): Itani, LLC.  
APPLICANT: Itani, LLC  
PROPOSED ZONING ACTION: Rezoning from RS-12 to RS-8 CD  
LOCATION: 626 N. Modena Street (PID# 104786).  
TRACT SIZE: Approximately 0.65 acres  
WARD: 2

---

**EVALUATION:**

Site Description and Background

The subject request consists of one tax parcel (PID 104786) currently zoned RS-12 (Single-family Residential, minimum lot size 12,000 sq. ft.). The property is currently vacant and cleared. There was previously one single-family residence on the lot that has since been demolished in 2022. The applicant is requesting to rezone the property to RS-8 CD (Single-family Residential, Conditional District) in order to develop two duplexes (four units) following the recently adopted Revised Residential Development District (RRDD) standards per section 8.1.17 of the Unified Development Ordinance. The duplexes will be a two-story design that resembles the characteristics of a single-family home and will feature a one car garage, and one central driveway off of N. Modena Street with rear lane access to each unit.

Proposed Zoning Conditions:

1. The development shall be consistent with the attached rezoning plan including a maximum of two duplexes (4 dwelling units on separately deeded lots).
2. Construction shall be generally consistent with character and details as depicted in the submitted elevations and architectural standards of section 8.1.17 in the UDO.
3. Applicant will pay fee-in-lieu for required sidewalk on N. Modena Street.
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

North Modena Street is a transitional corridor from primarily commercial land uses near the downtown area and remnant industrial uses, to primarily single-family residential neighborhoods. There is existing sidewalk along Modena Street from E. Long Avenue connecting to the Bradley Community Center. The subject property is surrounded by mostly residential and industrial uses and zoning. To the north, there is mainly single-family residential consisting of the Lewis Street neighborhood. Zoning to the north is primarily RS-12 with two smaller pockets of RS-8 which includes a March, 2023 approval for two duplexes on Lewis Street (File 202300004). Directly west of the site is the Charlotte Transload warehouse facility, zoned I-U (Urban Industrial). To the south, across the train tracks, is RS-8 zoning consisting of single-family residential in the North Modena neighborhood. Property to the east is a mix of RS-12, I-U and a C-3 CD (General Business – Conditional District) approval from 2006 for a lawn and garden equipment storage yard (File 4616).

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 use for the subject property. Staff feels that the integration of duplexes and the slight increase in density from RS-12 to RS-8 is compatible with the current character and future vision of the Modena Street neighborhood.

Conclusion

The applicant has requested a rezoning to RS-8 CD in order to develop two duplex buildings (four dwelling units on separately deeded lots). Based on the 2025 Comprehensive Plan, the submitted site plan and the proposed zoning conditions, **staff recommends that the request be approved as presented.**

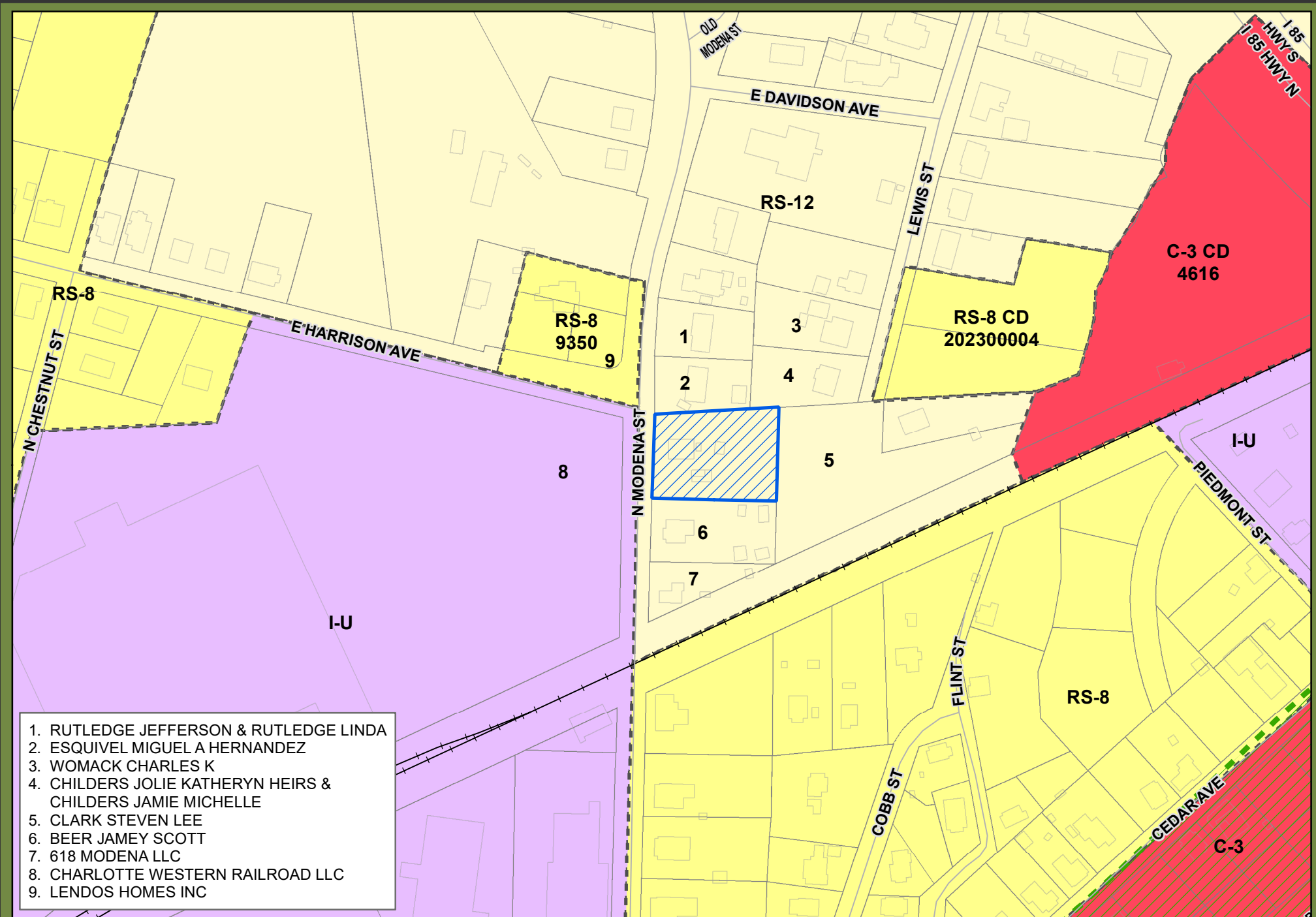


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Maddy Gates, MURP  
Planner

***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 an 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:** ITANI LLC  
**Owner:** ITANI LLC  
**Planning Comm Hearing:** August 3, 2023  
**Request:** RS-12 to RS-8 CD  
**Ward:** 2  
**Total Tract Size:** approx. 0.65 acres  
**Parcel ID #:** 104786

 **Subject Property**

**Legend**

- |   |  |   |           |
|---|--|---|-----------|
|    | AP Airport   |  | Roads     |
|    | C-1 Light Commercial                               |  | Railroad  |
|    | C-2 Highway Commercial                             |  | Gateway   |
|    | 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                       |   |           |


1. RUTLEDGE JEFFERSON & RUTLEDGE LINDA
2. ESQUIVEL MIGUEL A HERNANDEZ
3. WOMACK CHARLES K
4. CHILDERS JOLIE KATHERYN HEIRS & CHILDERS JAMIE MICHELLE
5. CLARK STEVEN LEE
6. BEER JAMEY SCOTT
7. 618 MODENA LLC
8. CHARLOTTE WESTERN RAILROAD LLC
9. LENDOS HOMES INC

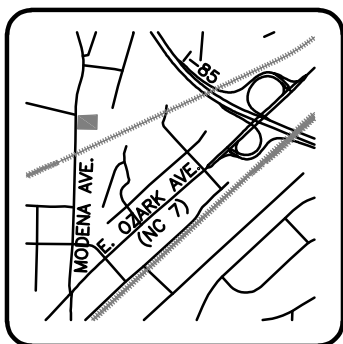
Note: For a complete elaboration of zoning classifications, see the Unified Development Ordinance or contact the City of Gastonia Planning Department at (704) 854-6652.

**Application**  
**PLMAC202200666**

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 July 20, 2023.



1:2,400  
 1 inch represents 200 feet  
 Plot Date: July 3, 2023  




**VICINITY MAP**  
1"=2000'

CHARLOTTE WESTERN  
RAILROAD, LLC.  
DB 5346 PG 329  
PID# 104753  
ZONED: I-U

HARRISON AVE.

MODENA ST.

PROPOSED PUBLIC SIDEWALK  
(FEE IN LIEU OF)

PROPOSED PUBLIC  
WATERLINE EASEMENT

EXISTING  
PROPERTY LINE

JAMEY SCOTT BEER  
DB 4585 PG 1748  
PID# 104785  
ZONED: RS-12

PROPOSED (2)  
PARKING SPACES  
PER UNIT

PROPOSED DRIVE

MIGUELA A. HERNANDEZ  
ESQUIVEL  
DB 5044 PG 1284  
PID# 104787  
ZONED: RS-12

ITANI, LLC.  
DB 5381 PG 2129  
PID# 104786  
ZONED: RS-12

PROPOSED 24' WIDE  
ACCESS EASEMENT

MIGUELA A. HERNANDEZ ESQUIVEL  
DB 4381 PG 543  
PID# 104816  
ZONED: RS-12

JOLIE KATHERYN CHILDERS  
JAMIE MICHELLE CHILDERS HEIRS  
DB 008E PG 0451  
PID# 104815  
ZONED: RS-12

**SURVEY LEGEND**

- PROPERTY LINE(UNSURVEYED)
- MAJOR CONTOUR
- - - MINOR CONTOUR
- ~ ~ ~ TREE LINE

**PROPOSED LEGEND**

- - - BUILDING SETBACK
- ▨ BUILDING/STRUCTURE
- - - HOUSE TO BE REMOVED
- ▭ ASPHALT PAVEMENT
- SCREEN FENCE

**ZONING NOTES**

PROPERTY ADDRESS: 626 N. MODENA ST.,  
GASTONIA, NC 28054  
CURRENT ZONING: RS-12  
PROPOSED ZONING: RS-8 CD  
TOTAL ACREAGE: 0.65 AC  
EXISTING LAND USE: RESIDENTIAL  
PROPOSED USE: SINGLE FAMILY DWELLING (DUPLX)  
PRE-CONSTRUCTION IMPERVIOUS AREA: 2,135 SF  
POST-CONSTRUCTION IMPERVIOUS AREA: 12,467 SF  
PID: 104786  
DEED BOOK/PAGE: 5381/2129

SETBACKS(SECTION 8.1.17, TABLE C(1)):  
FRONT: 10'  
SIDE LOT: 5'  
REAR LOT LINE: 20'

PARKING SETBACKS(SECTION 8.1.17, TABLE C(1)):  
FROM BACK OF SW(PRIMARY STREET): 10'  
SIDE STREET: 10'  
SIDE LOT LINE: 0' OR 3'  
REAR LOT LINE: 3 FT  
REAR LANE: 5' OR 20'

MIN. LOT DIMENSIONS(SECTION 8.1.17, TABLE C(1)):  
WIDTH: 50'  
DEPTH: 85'

PROPOSED LOT DIMENSIONS:  
WIDTH: 27.5'  
DEPTH: 198'

626 N. MODENA ST.  
REZONING PLAN

**PRELIMINARY**  
NOT FOR CONSTRUCTION

CONDITIONAL USE SITE PLAN

ITANI, L.L.C.  
DIRK TANIS, JR.  
2016 LAKE FOREST DR.  
FORT MILL, SC 29708



**ROBINSON &  
SAWYER, INC.**  
THRASHER

707 E. Second Avenue | Gastonia, NC  
Phone: 704-864-2201  
Fax: 704-864-2276

NC License #: F-0338  
SC COA 841  
www.robinson-sawyer.com

EXH-1

DATE: 4/17/23

SCALE: 1" = 40'

THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. ANY REPRODUCTION, REUSE AND/OR IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT EXPRESS WRITTEN AUTHORIZATION AND ADAPTATION BY ROBINSON & SAWYER, INC. SHALL BE STRICTLY PROHIBITED.

**CORNERSTONE III  
PROPERTIES**

4509 FAITH CHURCH RD  
INDIAN TRAIL, NC 28079  
(704) 577 - 4002

PROJECT TITLE

**TIDEWATER  
PLAN**

**GARAGE REAR**

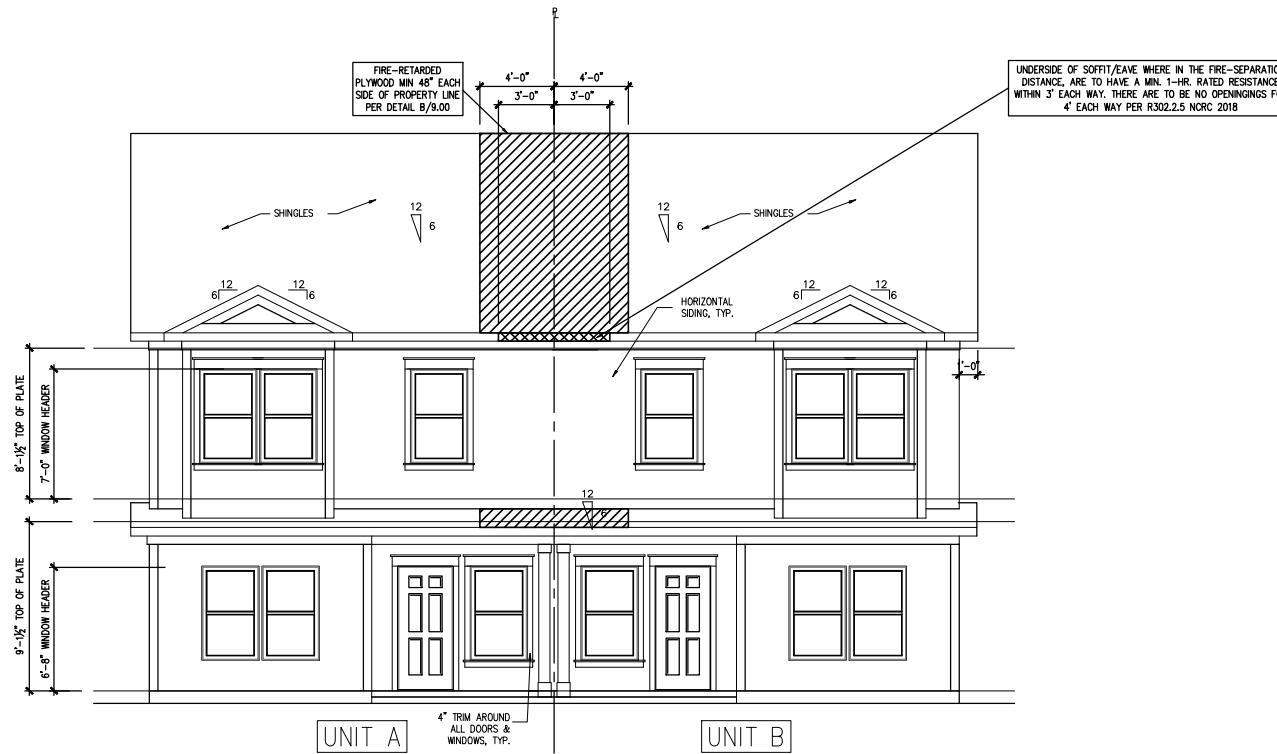
PROJECT NUMBER  
ISSUE DATE

DRAWING DATA  
DRAWN BY: CORNERSTONE III  
CHECKED BY: S. PRESLEY  
FILE NUMBER:

SHEET TITLE  
**FRONT &  
RIGHT SIDE  
ELEVATIONS  
LOT 17-18**

SHEET NUMBER

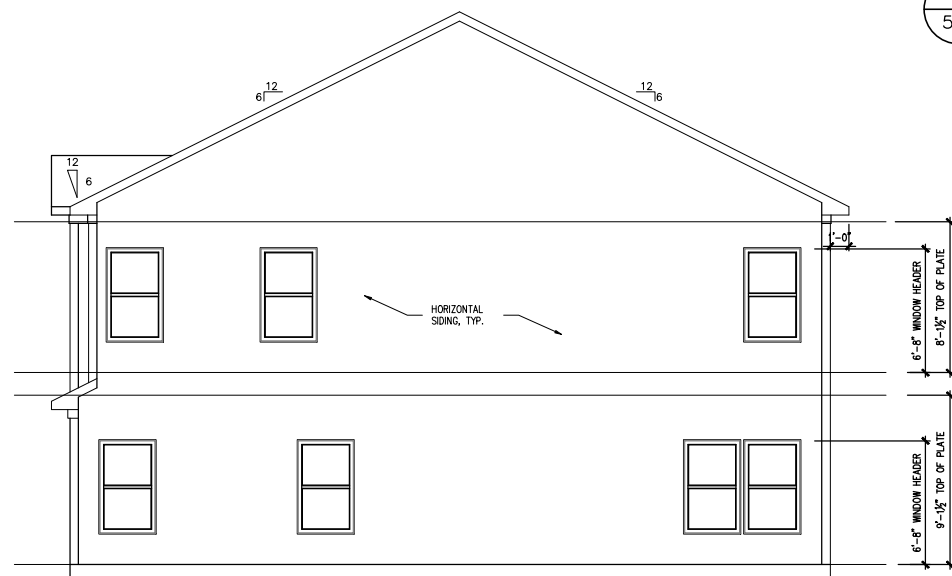
**5.0**



**UNIT A**      **UNIT B**

**1**      **LOT 9-10**  
**5.0**      **FRONT ELEVATION**

SCALE: 1/8"=1'-0" (11"X17" SHEET SIZE)  
SCALE: 1/4"=1'-0" (22"X36" SHEET SIZE)



**UNIT B**

**2**      **RIGHT SIDE ELEVATION**

**5.0**      SCALE: 1/8"=1'-0" (11"X17" SHEET SIZE)  
SCALE: 1/4"=1'-0" (22"X36" SHEET SIZE)

**CORNERSTONE III  
PROPERTIES**

4509 FAITH CHURCH RD  
INDIAN TRAIL, NC 28079  
(704) 577 - 4002

PROJECT TITLE

**TIDEWATER  
PLAN**

**GARAGE REAR**

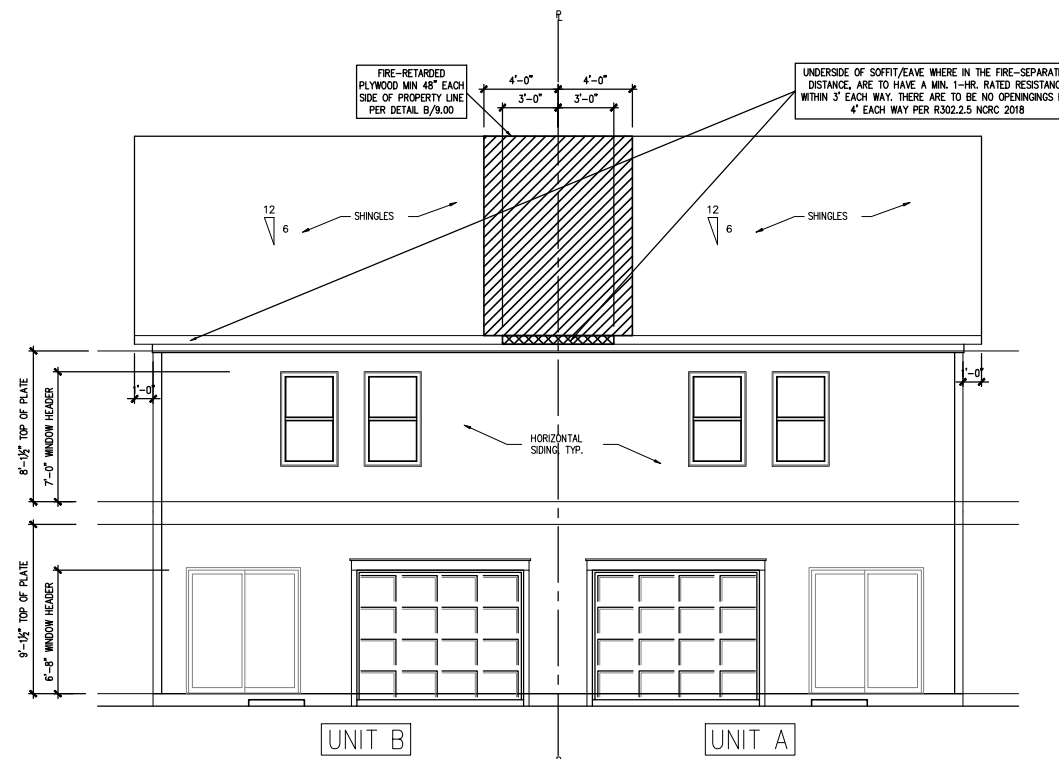
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DRAWING DATA  
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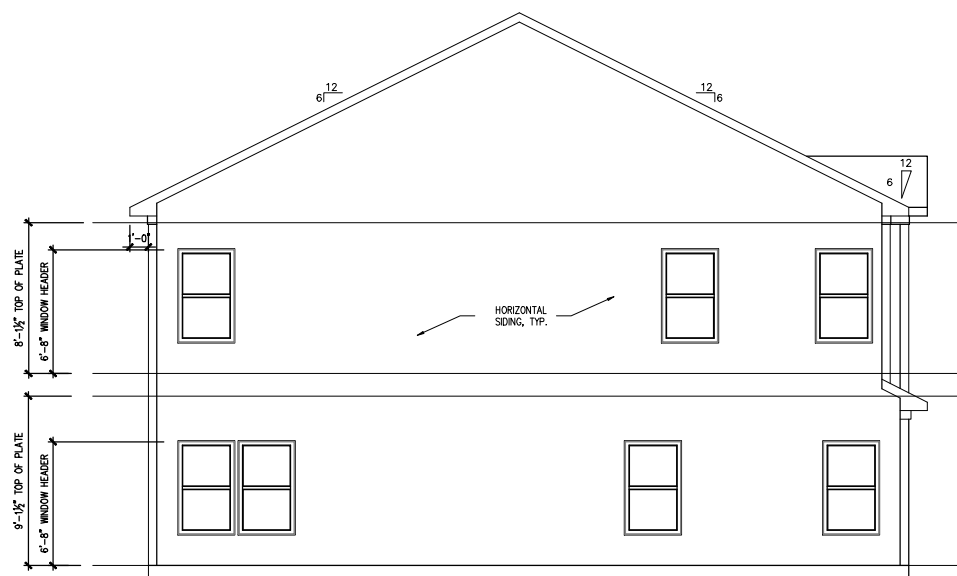
SHEET TITLE  
**REAR &  
LEFT SIDE  
ELEVATIONS  
LOT 17-18**

SHEET NUMBER

**5.1**



**1 REAR ELEVATION**  
5.1 SCALE: 1/8"=1'-0" (11"x17" SHEET SIZE)  
SCALE: 1/4"=1'-0" (22"x36" SHEET SIZE)



**2 LEFT SIDE ELEVATION**  
5.1 SCALE: 1/8"=1'-0" (11"x17" SHEET SIZE)  
SCALE: 1/4"=1'-0" (22"x36" SHEET SIZE)





## 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 RS-8 CD

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*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): 3556315184

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3. Subject property addresses: 626 N. Modena Street, Gastonia

---

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. Lot is currently vacant with disturbance from recently demolished house. Property is just south of the Harrison Ave intersection with a fire hydrant at the northern property line.

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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 Itani, LLC as evidenced in deed from (date) 12/8/22 recorded in DB: 5381 PG: 2129 in the Gaston County Registry

8. The real property for which the above request is sought is located on the east side of Modena St. between Railroad and Harrison Ave having a frontage of 134 feet and depth of 200 feet and acreage of 0.65.

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.

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[www.cityofgastonia.com](http://www.cityofgastonia.com) | P.O. Box 1748, Gastonia, NC 28053 | Phone (704) 854-6652 | Fax (704) 869-1960

12. Name and address of applicant: Dirk Tanis, 2016 Lake Forest Drive, Fort Mill, SC 29708  
Telephone #: (704) 962-4793 E-mail address: dt5568@gmail.com

13. Interest in subject realty: Development

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 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: \_\_\_\_\_  
Dirk Tanis, 2016 Lake Forest Drive, Fort Mill, SC 29708  
Telephone number: (704) 962-4793 Email: dt5568@gmail.com

\*\*\*\*\*

I, Dirk Tanis Jr, certify that I have read the information provided in the public hearing information package on the 8<sup>th</sup> day of March, 2023.

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

      CEO Itani LLC  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PUBLIC HEARING  
STAFF REPORT**

**File # 202300212**

**GPC Hearing Date: August 3, 2023**

OWNER: RSS GSMS2015-GC28-NC SG, LLC.  
APPLICANT: Movement Resources – Garrett McNeil  
PROPOSED ZONING ACTION: C-2 CD Amendment (File 202200150)  
LOCATION: 1955 Davis Park Road – Northwest intersection of Davis Park Road and W. Hudson Boulevard (PID# 138695)  
TRACT SIZE: Approximately 7.09 acres  
WARD: 6

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**EVALUATION:**

Site Description and Background

The subject property for this rezoning request consists of one tax parcel located at 1955 Davis Park Road, at the northwestern intersection of Davis Park Road and W. Hudson Boulevard. The site is currently zoned C-2 CD (Highway Business – Conditional District) and has previously went through the conditional rezoning process in April, 2022, to allow for a restaurant with a drive through per section 8.2.30 of the Unified Development Ordinance (UDO) (File 202200150). Prior to the April, 2022 approval this site was zoned C-1 (Neighborhood Business) for the purpose of a shopping center use which consisted of the Bi Lo grocery store that closed in 2018. The property is 7.09-acres and currently consists of an approximately 49,500 sq. ft. multi-tenant building. A Little Caesars with a drive through and a Chinese Restaurant remain in operation on the site.

The applicant is requesting to amend the C-2 CD (Highway Business– Conditional District) zoning district to allow for the development of a Charter School by Movement Resources. The proposed Charter School would service elementary and middle school grades, which may also include transitional kindergarten. The request would include an up-fitting and facade change but would not involve any expansion onto the existing building. The main access to the site is shown as “Access B” on the site plan and is located west of the Davis Park Road and W. Hudson Boulevard intersection.

Proposed zoning conditions:

1. Development shall be generally consistent with the attached site plan and proposed uses. Future uses should be limited to neighborhood goods and services found within the C-1 zoning district.
2. Construction shall be generally consistent with the character and details as depicted in the submitted elevations. Applicants shall continue to provide elevation details throughout the site plan review process and the zoning permit process.
3. A Traffic Impact Analysis (TIA) will be required to be completed prior to site plan review. The main site access point and school circulation shall be finalized through the TIA process with coordination from City staff.
4. A Type D buffer is required to be installed along the western/rear property line per section 8.2.30 in the UDO. The buffer shall not be placed in nor shall it obstruct the rear service lane for fire access purposes.
5. In no instance shall the zoning conditions exempt a project from other development requirements.
6. Where the notes or depictions on the site plan may conflict with these conditions, the conditions shall govern.

### Adjoining Properties and Land Use Trends

The subject property is surrounded by a mix of Gaston County and City of Gastonia zoning. Directly north of the site is three tax parcels located in Gaston County's jurisdiction, zoned RS-12 (Single-family Residential, minimum 12,000 sq. ft. lots). Further north, is City of Gastonia single-family residential land uses, zoned RS-12 and consisting of the Anthony Acres neighborhood. To the east of the property, across Davis Park Road, is C-1 (Neighborhood Business) zoning which consists of an approximately 3.15-acre vacant lot. Also east is a combination of Gaston County RS-12, and City of Gastonia RS-12 consisting of the All American Park and the North Belmar Drive neighborhoods. To the south is Gaston County C-1 (Light Commercial) which is currently a Family Dollar and Gaston County RS-12 consisting of the Hedgewood Circle neighborhood.

### 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 the future use as commercial at this location. This is consistent with neighboring properties and land uses at the Davis Park Road and W. Hudson Boulevard intersection.

### Conclusion

The applicant has requested an amendment to the C-2 CD zoning district (File 202200150) to allow for a Charter School. Based on the submitted site plan, detailed elevations, and proposed conditions, **staff recommends approval of the request as presented.**

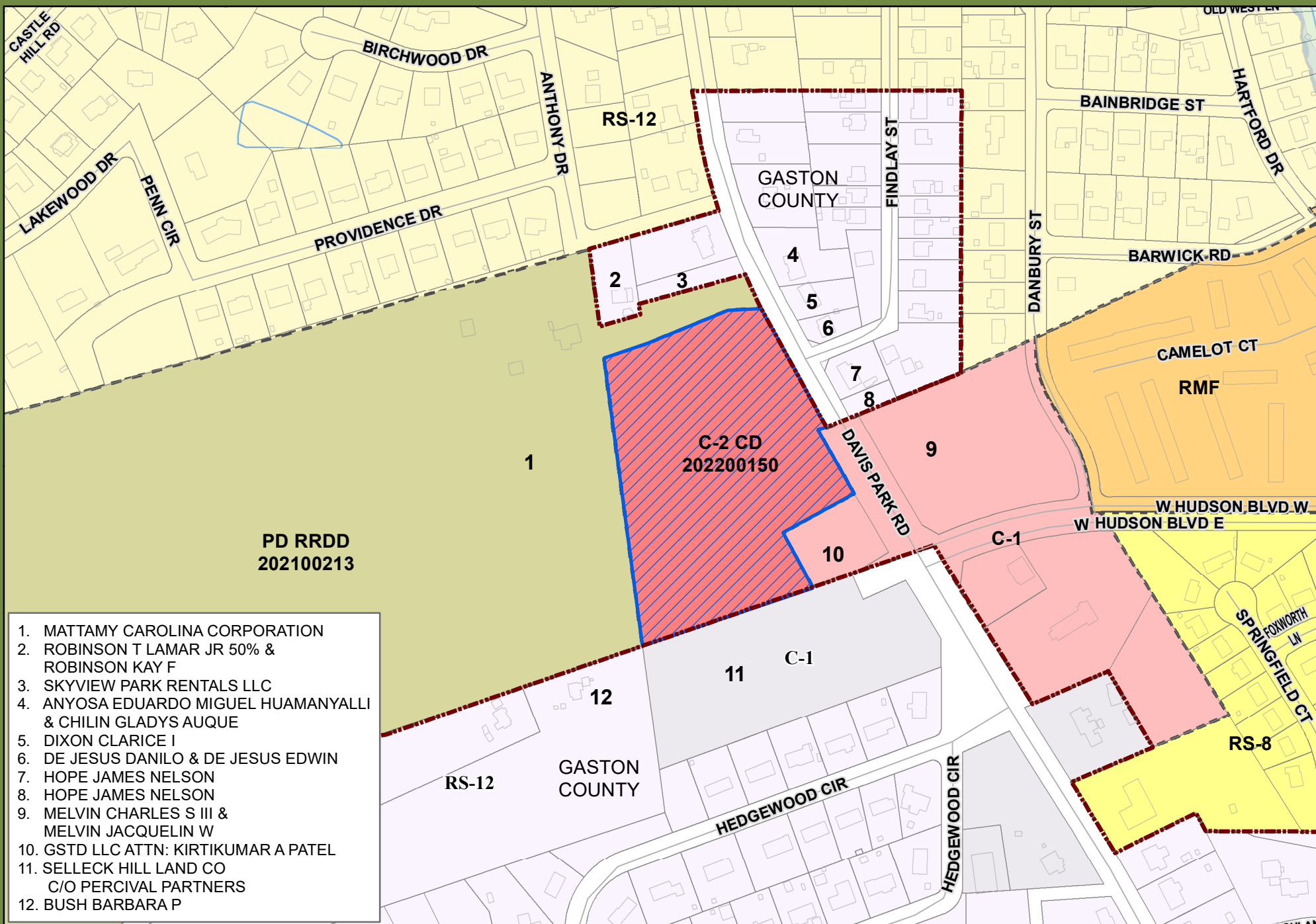


Maddy Gates, MURP  
Planner

**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 continued commercial use 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:** Movement Resources  
C/O J. Garrett McNeill

**Owner:** RSS GSMS2015 -GC28-NC SG LLC

**Planning Comm Hearing:** August 3, 2023






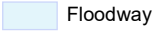







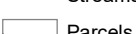

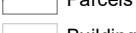


















**Request:** C-2 CD to C-2 CD  
Modify Conditional District

**Ward:** 6

**Total Tract Size:** approx. 7.09 acres

**Parcel ID #:** 138695

 **Subject Property**

- Legend**
-  AP Airport
  -  City Boundary
  -  C-1 Light Commercial
  -  Roads
  -  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
  -  Parcels
  -  I-2 General Industrial
  -  Buildings
  -  I-2 General Industrial
  -  O-1 Office
  -  City Boundary
  -  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
  -  RDL 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

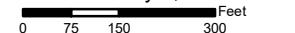
Note: For a complete elaboration of zoning classifications, see the Unified Development Ordinance or contact the City of Gastonia Planning Department at (704) 854-6652.

1. MATTAMY CAROLINA CORPORATION
2. ROBINSON T LAMAR JR 50% & ROBINSON KAY F
3. SKYVIEW PARK RENTALS LLC
4. ANYOSA EDUARDO MIGUEL HUAMANYALLI & CHILIN GLADYS AUQUE
5. DIXON CLARICE I
6. DE JESUS DANILLO & DE JESUS EDWIN
7. HOPE JAMES NELSON
8. HOPE JAMES NELSON
9. MELVIN CHARLES S III & MELVIN JACQUELIN W
10. GSTD LLC ATTN: KIRTIKUMAR A PATEL
11. SELLECK HILL LAND CO C/O PERCIVAL PARTNERS
12. BUSH BARBARA P

**Application**  
**PLMAC202300212**

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 July 20, 2023.



1:3,600  
1 inch represents 300 feet  
Plot Date: July 6, 2023  


**SITE & ZONING SUMMARY:**

SITE ADDRESS: 1915 DAVIS PARK RD  
GASTONIA, NC 28052

OWNER: RSS GSMS2015 -GC2B- NC SG LLC

OWNER ADDRESS: 200 S BISCAYNE BLVD SUITE 3550  
MIAMI, FL 33133

TAX MAP NUMBER: 138695

EXISTING LOT SIZE: ±7.09 AC

EXISTING ZONING: C2-CD

PROPOSED ZONING: C2-CD Amendment

**C-2 ZONING REQUIREMENTS:**

MINIMUM LOT AREA: 5,000 SF

MINIMUM LOT WIDTH: 70'

MINIMUM FRONT YARD SETBACK: 30'

MINIMUM SIDE YARD SETBACK: 10'

MINIMUM REAR YARD SETBACK: 30'

MAXIMUM BUILDING HEIGHT: 50'

PROPOSED USE: See Below

STACKING REQUIRED (Drive Through) 8 SPACES

STACKING PROVIDED (Drive Through) 8 SPACES

**SUPPLEMENTAL REGULATIONS:**

A TYPE D buffer shall be provided along the rear property line, adjacent to the residential use.

Buffer/Setback Note: Any existing pavement encroachments into the rear buffer and setback area are permitted with redevelopment. No new encroachments are permitted.

Number of parking spaces shall be provided in conformance with City of Gastonia UDO, Chapter 10.

This development is exempt from tree save requirements in conformance with 20-4 (no building addition over 1,000 sf and no additional parking spaces)

Any trash containers shall be screened from view of Davis Park Road and Hudson Boulevard.

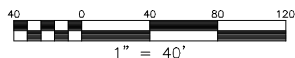
Proposed Uses: All uses permitted by right and all uses permitted by right with supplemental regulations in the C2 zoning district, including, without limitation, a restaurant with drive thru facilities. Additionally, a school, elementary & middle (public & private), which is a use permitted with conditional zoning in the C-2 zoning district, shall be permitted on the site. A school, elementary & middle (public & private), may include a transitional kindergarten.

ALL USES WITH OUTDOOR SPEAKERS SHALL LOCATE THE SPEAKER AND ASSOCIATED MENU BOARD, DRIVE THROUGH WINDOW, AND STACKING LANE, IF APPLICABLE, 50' OR MORE FROM THE EDGE OF A LOT LOCATED IN A RESIDENTIAL ZONING DISTRICT.



**CONCEPT PLAN NOTE:**

1. THIS PLAN IS FOR CONCEPTUAL PLANNING PURPOSES AND HAS BEEN PREPARED USING COMPILED INFORMATION. A CURRENT FIELD SURVEY HAS NOT BEEN PERFORMED TO VERIFY ALL EXISTING CONDITIONS ON-SITE.
2. AERIAL IMAGERY SOURCED FROM GOOGLE EARTH, DATED 2021



**BALZER & ASSOCIATES**  
PLANNERS / ARCHITECTS  
ENGINEERS / SURVEYORS

Roanoke / Richmond  
Shenandoah Valley  
New River Valley / Lynchburg  
[www.balzer.cc](http://www.balzer.cc)  
1208 Corporate Circle  
Roanoke, VA 24018  
540.772.9580

Updates Completed by:



601 S. Cedar Street, Suite 101  
Charlotte, NC 28202  
980-224-8518  
acro@acro-ds.com

LITTLE CAESARS DRIVE THRU - GASTONIA

CONCEPTUAL SITE PLAN

1915 DAVIS PARK RD  
GASTONIA, NC

DRAWN BY: KAM  
DESIGNED BY: BTC  
CHECKED BY: BTC  
DATE: 1/31/2022  
SCALE: 1" = 100'

- REVISIONS
- 1 (6/2/2023) Conditional Plan Updates
  - 2 (7/14/2023) Conditional Plan Comments
  - 3 (7/24/2023) Buffer Update

**EX-A**  
PROJECT NO. 0422006\_00









## 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.): See Exhibit A attached hereto

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): 138695

3. Subject property addresses: 1955 Davis Park Road  
Gastonia, NC 28052

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. A retail shopping center

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 upon reasonable Notice

7. The real property to be rezoned is owned in fee simple by See Exhibit B as evidenced in deed from (date) \_\_\_\_\_ recorded in DB: \_\_\_\_\_ PG: \_\_\_\_\_ in the Gaston County Registry

8. The real property for which the above request is sought is located on the West side of Davis Park Rd. between W. Hudson Blvd. and \_\_\_\_\_ having a frontage of 510 +/- feet and depth of 397 +/- feet and acreage of 7.09 acres Garland Avenue

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). See Exhibit B

12. Name and address of applicant: Movement Resources c/o J. Garrett McNeill  
8024 Calvin Hall Road, Indian Land, SC 29707

Telephone #: 704-526-9080 E-mail address: garrett@movementfoundation.org

13. Interest in subject realty: Contract interest

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 Yes

If yes, please explain Site subject to a previously approved  
C2-CD rezoning to allow a restaurant with a  
drive thru facility on the site

16. Name and address of person to present item at public hearing: J. Garrett McNeill  
8024 Calvin Hall Road, Indian Land, SC 29707

Telephone number: ~~704-526-9080~~ Email: garrett@movementfoundation.org  
704-526-9080

\*\*\*\*\*

J. Garrett McNeill

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.

See Attached  
Signature Page

\_\_\_\_\_  
See Attached Signature Page  
\_\_\_\_\_  
\_\_\_\_\_

\* Applicant is currently conducting a title  
Search

**Exhibit A to Rezoning Application**  
**Filed by Movement Resources**

**Rezoning Request**

Applicant is requesting an amendment to the approved C2-CD conditional rezoning plan for the site to allow the uses set out below on the site.

All uses permitted by right and all uses permitted by right with supplemental regulations in the C2 zoning district, including, without limitation, a restaurant with drive thru facilities. Additionally, a school, elementary & middle (public & private), which is a use permitted with conditional zoning in the C2 zoning district, shall be permitted on the site. A school, elementary & middle (public & private), may include a transitional kindergarten.

**Exhibit B to Rezoning Application**  
**Filed by Movement Resources**

**Rezoning Site Property Owner Information and Property Information**

Property Owner: RSS GSMS2015-GC28-NC SG, LLC

Property Address: 1955 Davis Park Road, Gastonia, NC 28052


Property Owner's Address: 200 South Biscayne Boulevard, Suite 3550, Miami, FL  
33133

Tax Identification No. 138695

Deed from Melanie J. Raubach, Substitute Trustee, to RSS GSMS2015-GC28-NC SG, LLC recorded in Deed Book 5250 at Page 449

*[Signature Page of Applicant to Rezoning Application filed by  
Movement Resources]*

**MOVEMENT RESOURCES**

By: 

Name: **J. Garrett McNeill**

Title: **Director**

Mailing Address:

c/o Garrett McNeill  
8024 Calvin Hall Road  
Indian Land, SC 29707

Phone: 704-526-9080

Email: [garrett@movementfoundation.org](mailto:garrett@movementfoundation.org)

***[Signature Page of Property Owner to Rezoning Application filed by  
Movement Resources]***

**RSS GSMS2015-GC28-NC SG, LLC**

By: DocuSigned by:  
Adam Singer  
24DDBGB1842B4F1...

Name: Adam Singer

Title: Managing Director

Mailing Address:

c/o RSS GSMS2015-GC28 - NC SG, LLC  
200 South Biscayne Boulevard, Suite 3550  
Miami, FL 33131

Phone: (786) 568-8876

Email: timothy.sopok@rialtocapital.com

**PUBLIC HEARING  
STAFF REPORT**

**File # 202200289**

**GPC Hearing Date: August 3, 2023**

OWNER(S): Doris B. Stewart

APPLICANT: Doris B. Stewart

PROPOSED ZONING ACTION: Rezoning from C-3 and I-2 (Gaston County & City) to C-3 (City)

LOCATION: West of Bessemer City Road – Located at: 2057 Overhead Bridge Road, 2019 Bessemer City Road, & 1533 Pioneer Lane (PIDs: 135857, 220029, 206267)

TRACT SIZE: Approximately 5.4838 acres (total tract size)  
Approximately 4.6108 acres (to be annexed)

WARD: County to 6 (City)

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**EVALUATION:**

Site Description and Background

The subject property includes three tax parcels (135857, 206267, & 220029) that are currently split between the City of Gastonia’s jurisdiction and Gaston County’s jurisdiction. The total tract size of all three parcels is 5.4838 acres. Of the total tract size, 4.6108 acres is located in Gaston County’s jurisdiction and has been requested to be annexed into the City of Gastonia. An annexation petition has been filed by the applicant, and both cases will be heard by the Gastonia City Council on September 19, 2023.

The rezoning request is from Gaston County C-3 (General Commercial) and I-2 (General Industrial) and City of Gastonia C-3 (General Business) and I-2 (General Industrial) to City of Gastonia C-3 (General Business). The subject property is located west of Bessemer City Road and has three separate addresses; 2057 Overhead Bridge Road, 2019 Bessemer City Road, and 1533 Pioneer Lane. All three tax parcels consist of single-family dwellings.

Adjoining Properties and Land Use Trends

Adjoining properties are a combination of Gaston County’s jurisdiction and City of Gastonia’s jurisdiction. To the north of the property, there is Gaston County C-3 (General Commercial) and I-2 (General Industrial) consisting of a church and a single-family residence. To the east, the properties are zoned City of Gastonia I-2 (General Industrial) consisting of several warehousing, manufacturing and distribution-type uses along Industrial Pike Road. Directly south is an April, 1999 C-3 CD approval for a mixed used site consisting of hotel, restaurant, retail and commercial uses which has not been developed (File 353-99). Further south are two vacant tax parcels zoned Gaston County and City of Gastonia I-2. Property to the west, is zoned City of Gastonia I-2 and consists of the Delta Drive Industrial Park.

Available Public Facilities

Water is available to serve the property. Sewer service will need to be extended.

Consistency with Adopted Plans

The Future Land Use Map in the 2025 Comprehensive Plan indicates both commercial and industrial uses for the subject property. Staff feels based upon the adjoining land uses and zoning, and the frontage of this property on Bessemer City Road, that a request for the C-3 zoning district is compatible with the future vision of commercial development and uses along the Bessemer City Road corridor.

Conclusion

The request includes an annexation and rezoning to City of Gastonia C-3. Based on the 2025 Comprehensive Plan and 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.**



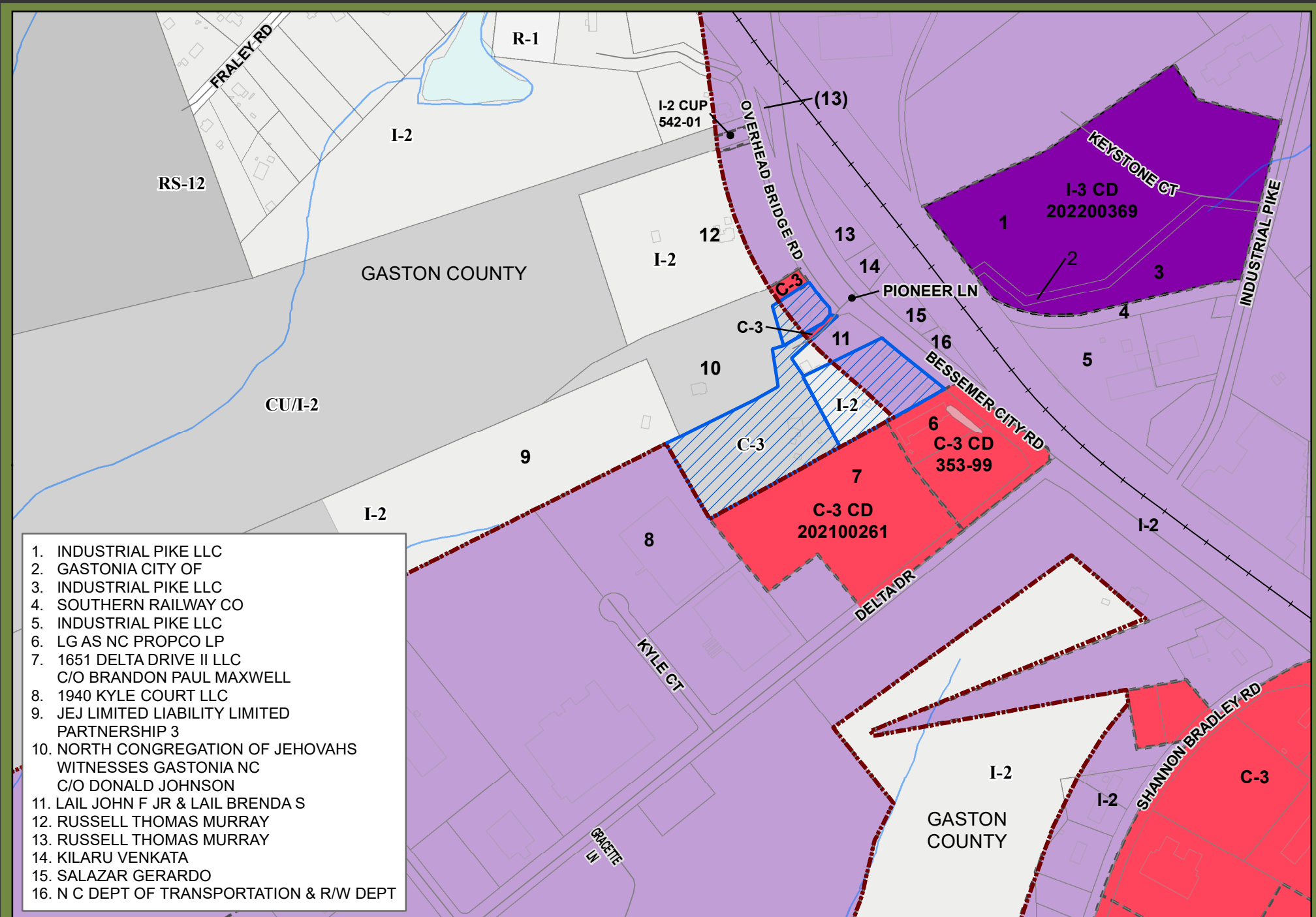
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Maddy Gates, MURP  
Planner

**Statement of consistency and reasonableness (motion to approve):** *The proposed zoning is consistent with the 2025 Comprehensive Plan and will result in the potential 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.*





1. INDUSTRIAL PIKE LLC
2. GASTONIA CITY OF
3. INDUSTRIAL PIKE LLC
4. SOUTHERN RAILWAY CO
5. INDUSTRIAL PIKE LLC
6. LG AS NC PROPCO LP
7. 1651 DELTA DRIVE II LLC  
C/O BRANDON PAUL MAXWELL
8. 1940 KYLE COURT LLC
9. JEJ LIMITED LIABILITY LIMITED  
PARTNERSHIP 3
10. NORTH CONGREGATION OF JEHOVAHS  
WITNESSES GASTONIA NC  
C/O DONALD JOHNSON
11. LAIL JOHN F JR & LAIL BRENDA S
12. RUSSELL THOMAS MURRAY
13. RUSSELL THOMAS MURRAY
14. KILARU VENKATA
15. SALAZAR GERARDO
16. N C DEPT OF TRANSPORTATION & R/W DEPT

**Applicant:** Doris B. Stewart  
**Owner:** Doris B. Stewart  
**Planning Comm Hearing:** August 3, 2023  
**Request:** C-3, I-2 (Co.) & C-3, I-2 (City)  
to C-3 (City)  
**Ward:** County & 4 (City)  
**Total to be Annexed:** approx. 4.6108 ac.  
**Total Tract Size:** approx. 5.4838 ac.  
**Parcel ID #:** 220029, 206267, 135857

**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                      | Lakes         |
| 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                       |               |

- Gaston County Zoning**
- C-3
  - CU/I-2
  - I-2
  - R-1
  - RS-12

*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**  
**PLMA202200289**

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 July 20, 2023.



1:5,000  
1 inch represents 417 feet  
Plot Date: July 17, 2023  
0 105 210 420 Feet



AMENDED  
**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.): Voluntary annexation of portions of subject property not already in City of Gastonia; rezone all of subject property to C-3. SEE PREVIOUSLY FILED APPLICATIONS NUMBERED PLANX202100499 (annexation) and PLMA202200289. Fees have been paid and an annexation map submitted.  
*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): 206267, 220029, and 135857
3. Subject property addresses: 2057 Overhead Bridge Road, 1533 Pioneer Lane, and 2019 Bessemer City 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. Brown frame house, brick house, and white frame house
5. Complete legal description by metes and bounds of said realty is attached to the application (a **copy of the deed** is sufficient). Previously submitted; city staff has annexation map describing properties.
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 Doris B. Stewart and Doris Beaman Stewart Living Trust as evidenced in deed from (date) \_\_\_\_\_ recorded in DB: 5132 1128 4549 PG: 1325 in the Gaston County Registry File No. 16 E 619 Clerk of Superior Court
8. The real property for which the above request is sought is located on the west side of Bessemer City Road between Overhead Bridge Rd. and Delta Drive having a frontage of ~410 feet and depth of ~890 feet and acreage of 6.08.
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). \_\_\_\_\_



**PUBLIC HEARING  
STAFF REPORT**

**File # 202300149**

**GPC Hearing Date: August 3, 2023**

OWNER(S): Greater New Mills Chapel Church, Inc.  
APPLICANT: Greater New Mills Chapel Church, Inc. – Greta Moses  
PROPOSED ZONING ACTION: Rezoning from RS-8 (Gaston County) to RS-8 (City)  
LOCATION: Goble Street, between Huffman Road and Olney Church Road (PIDs: 141609, 141831)  
TRACT SIZE: Approximately 6.15 acres  
WARD: County to 6 (City)

---

**EVALUATION:**

Site Description and Background

The subject property includes two tax parcels 141609 and 141831 totaling approximately 6.15 acres that are currently located in Gaston County’s jurisdiction. The rezoning request is from Gaston County RS-8 (Single-family Residential, minimum 8,000 sq. ft. lots) to City of Gastonia RS-8 (Single-family Residential). An annexation petition has been filed by the applicant, and both cases will be heard by the Gastonia City Council on September 5, 2023. The subject property is located east of Goble Street between Huffman Road and Olney Church Road and is currently vacant. The northern portion of the site is wooded and the southern portion of the site is cleared.

Adjoining Properties and Land Use Trends

North and south of the subject property is primarily residential uses zoned Gaston County RS-8 and consists of the Goble Street neighborhood. There is one tax parcel directly south of the property zoned Gaston County I-2 (General Industrial). To the east there is a combination of Gaston County RS-12 (Single-family Residential, minimum 12,000 sq. ft. lots) zoning and City of Gastonia PD-RRDD (File 202200404) zoning consisting of the Howe’s Landing project. File 202200404 was approved in April, 2022 for 877 single-family detached and attached (townhome) units but remains vacant and undeveloped. To the west of the site is a combination of Gaston County residential and light industrial land uses zoned RS-8 and I-2 (Light Industrial). Directly northwest is a small pocket of City of Gastonia industrial land uses zoned I-U (Urban Industrial) and I-2 (General Industrial) which consists of the American & Effird manufacturing and distribution warehouse.

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

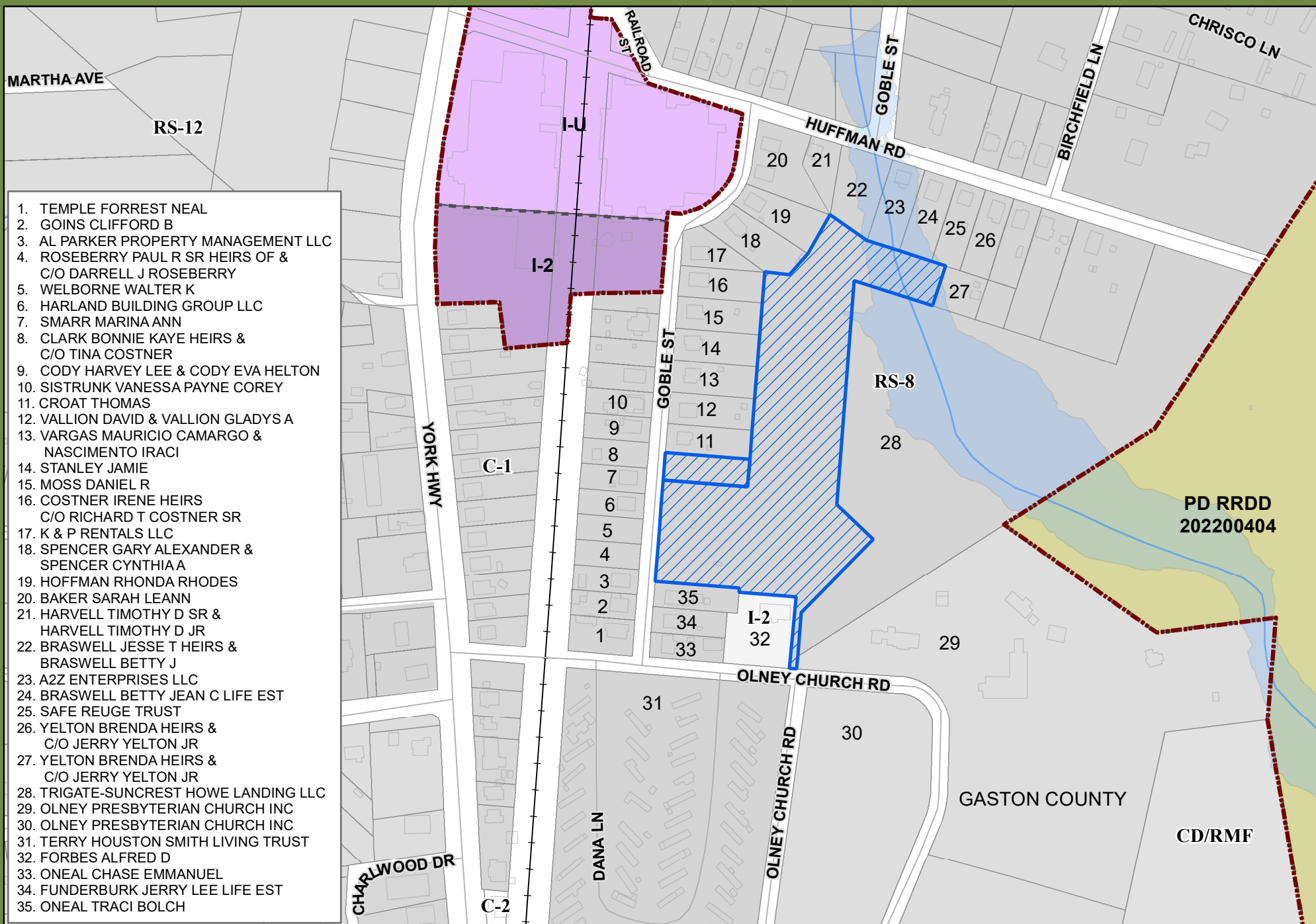
The applicant has requested an annexation and assignment of zoning for tax parcels 141609 and 141831 to City of Gastonia RS-8. Based on the 2025 Comprehensive Plan and existing zoning and surrounding land uses, staff feels a general rezoning to RS-8 is consistent and in the public interest for this area, 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 potential development of a 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. TEMPLE FORREST NEAL
2. GOINS CLIFFORD B
3. AL PARKER PROPERTY MANAGEMENT LLC
4. ROSEBERRY PAUL R SR HEIRS OF & C/O DARRELL J ROSEBERRY
5. WELBORNE WALTER K
6. HARLAND BUILDING GROUP LLC
7. SMARR MARINA ANN
8. CLARK BONNIE KAYE HEIRS & C/O TINA COSTNER
9. CODY HARVEY LEE & CODY EVA HELTON
10. SISTRUNK VANESSA PAYNE COREY
11. CROAT THOMAS
12. VALLION DAVID & VALLION GLADYS A
13. VARGAS MAURICIO CAMARGO & NASCIMENTO IRACI
14. STANLEY JAMIE
15. MOSS DANIEL R
16. COSTNER IRENE HEIRS C/O RICHARD T COSTNER SR
17. K & P RENTALS LLC
18. SPENCER GARY ALEXANDER & SPENCER CYNTHIA A
19. HOFFMAN RHONDA RHODES
20. BAKER SARAH LEANN
21. HARVELL TIMOTHY D SR & HARVELL TIMOTHY D JR
22. BRASWELL JESSE T HEIRS & BRASWELL BETTY J
23. A2Z ENTERPRISES LLC
24. BRASWELL BETTY JEAN C LIFE EST
25. SAFE REUGE TRUST
26. YELTON BRENDA HEIRS & C/O JERRY YELTON JR
27. YELTON BRENDA HEIRS & C/O JERRY YELTON JR
28. TRIGATE-SUNCREST HOWE LANDING LLC
29. OLNEY PRESBYTERIAN CHURCH INC
30. OLNEY PRESBYTERIAN CHURCH INC
31. TERRY HOUSTON SMITH LIVING TRUST
32. FORBES ALFRED D
33. ONEAL CHASE EMMANUEL
34. FUNDERBURK JERRY LEE LIFE EST
35. ONEAL TRACI BOLCH

**Applicant:** Greta Mosses  
**Owner:** Greater New Mills Chapel Church, Inc.  
**Planning Comm Hearing:** August 3, 2023  
**Request:** RS-8 (County) to RS-8 (City)  
**Ward:** County to 6 (City)  
**Total Tract Size:** approx. 6.15 acres  
**Parcel ID #:** 141609, 141831

**Subject Property**

**Legend**

	AP Airport		City Boundary
	C-1 Light Commercial		Roads
	C-2 Highway Commercial		Railroad
	C-3 General Commercial		100yr Flood Zone
	CBD Central Business District		Streams
	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 44  
**Application**  
**PLMA202300149**

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 July 20, 2023.



1:3,600  
 1 inch represents 300 feet  
 Plot Date: July 5, 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.): Rezone Gaston  
County RS-8 to City RS-8

*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): Deed attached - Parcel ID's  
141609 + 141831

3. Subject property addresses: Goble Street, Gastonia, NC 28056  
Parcel ID's 141609 + 141831

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. Vacant property with existing homes located on both sides  
White wood house on right side of property, tan house on  
left side of property with fence

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 Greater New Mills Chapel Church as evidenced in deed from (date) 5-9-2023 recorded in DB: 5409 PG: 955 in the Gaston County Registry

8. The real property for which the above request is sought is located on the \_\_\_\_\_ side of \_\_\_\_\_ between \_\_\_\_\_ and \_\_\_\_\_ having a frontage of \_\_\_\_\_ feet and depth of \_\_\_\_\_ feet and acreage of 5.85.

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). \_\_\_\_\_

12. Name and address of applicant: Greta Moses, 1030 Hipp Rd, Charlotte NC 28216  
Telephone #: 704-835-6680 E-mail address: gretamoses@gmail.com

13. Interest in subject realty: \_\_\_\_\_

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: Greta Moses, 1030 Hipp Rd  
Charlotte, NC 28216

Telephone number: 704-835-6680 Email: gretamoses@gmail.com

\*\*\*\*\*

I, Greta Moses, certify that I have read the information provided in the public hearing information package on the 17<sup>th</sup> day of April, 20 23.

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

<u>Greta Moses</u>	<u>April 17, 2023</u>
_____	_____
_____	_____
_____	_____

**PUBLIC HEARING  
STAFF REPORT**

**File # 202300203**

**GPC Hearing Date: August 3, 2023**

OWNER(S): Industrial Electroplating Co.  
APPLICANT: Scott Curtis  
PROPOSED ZONING ACTION: Rezoning from I-U to I-2  
LOCATION: 323 Linwood Road, at the northwest intersection of W. Garrison Boulevard and Linwood Road (PID# 227866).  
TRACT SIZE: Approximately 0.579 acres  
WARD: 6

---

**EVALUATION:**

Site Description and Background

The subject request consists of one tax parcel (PID 227866) currently zoned I-U (Urban Industrial), located at 323 Linwood Road, adjacent to W. Garrison Boulevard. The applicant is requesting to rezone the property to I-2 (General Industrial). There is currently one warehouse type building located on the site, utilizing a majority of the property area.

Adjoining Properties and Land Use Trends

To the north and west, the subject property is bordered by industrial land uses, zoned I-U. Property to the west, along W. Garrison Boulevard, is vacant and consists of the old Parkdale Mills site. Directly east, across Linwood Road, is zoned I-U and consists of a gas station, a single-family dwelling, and a church. Farther east, along W. Garrison Boulevard, is C-3 (General Business) zoning. To the south, there is mainly C-1 (Neighborhood Business) zoning along W. Garrison Boulevard consisting of a gas station, small shopping center and single-family residential. Farther south, this area transitions to RS-8 (Single-family Residential) and consists of the Emerson Street neighborhood.

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 uses for the subject property, which is consistent along Linwood Road, connecting to the W. Garrison Boulevard and W. Franklin Boulevard corridors. Although commercial is recommended at this location, staff feels a continued industrial use at the subject property is keeping with the character of this area and is compatible with adjacent zoning and land uses.

Conclusion

The applicant has requested a rezoning from I-U (Urban Industrial) to I-2 (General Industrial). **Staff recommends that the request be approved as presented.**



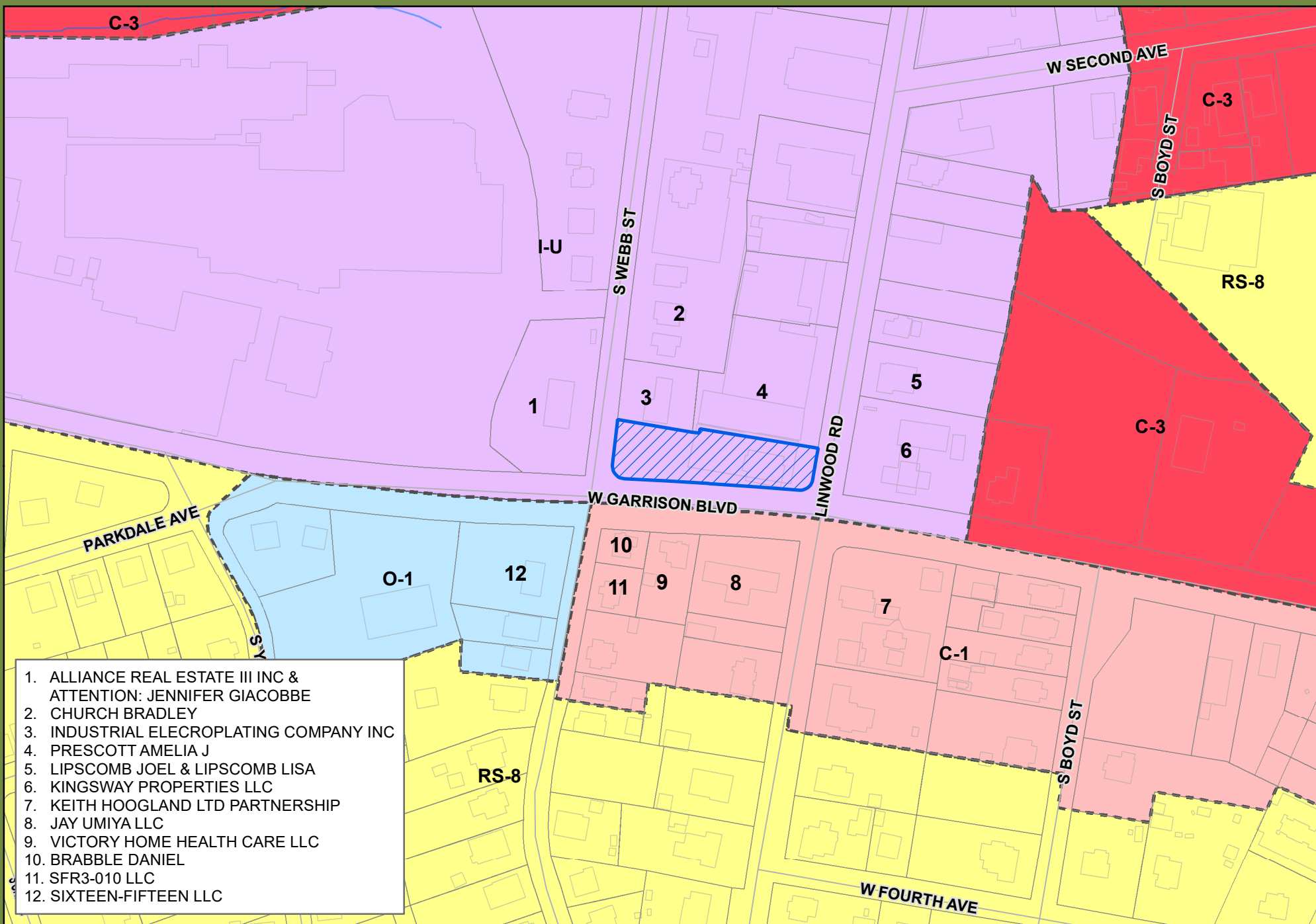
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Maddy Gates, MURP  
Planner

**Statement of consistency and reasonableness (motion to approve):** *The proposed zoning is consistent with the 2025 Comprehensive Plan and will result in the continued development of an industrial 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:** Scott Curtis  
**Owner:** Industrial Electroplating Co.  
**Planning Comm Hearing:** August 3, 2023  
**Request:** I-U to I-2  
**Ward:** 6  
**Total Tract Size:** approx. 0.579 acres  
**Parcel ID #:** 227866

 **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
  -  Streams
  -  Parcels
  -  Buildings


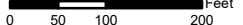
1. ALLIANCE REAL ESTATE III INC & ATTENTION: JENNIFER GIACOBBE
2. CHURCH BRADLEY
3. INDUSTRIAL ELECTROPLATING COMPANY INC PRESCOTT AMELIA J
4. LIPSCOMB JOEL & LIPSCOMB LISA
5. KINGSWAY PROPERTIES LLC
6. KEITH HOOGLAND LTD PARTNERSHIP
7. JAY UMIYA LLC
8. VICTORY HOME HEALTH CARE LLC
9. BRABBLE DANIEL
10. SFR3-010 LLC
11. SIXTEEN-FIFTEEN LLC

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.

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**Application**  
**PLMA202300203**

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 July 20, 2023.



1:2,400  
 1 inch represents 200 feet  
 Plot Date: July 11, 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.): \_\_\_\_\_  
REZONE FROM I-U TO I-2

*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): 227866

- 3. Subject property addresses: 323 LINWOOD ROAD, GASTONIA, NC 28052

- 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. A TAN COLORED METAL BLDG. EXISTS ON SITE THAT JOINS A LARGER SECTION OF BLDGS. WITH A REAR COMMON PARKING AREA THAT IS ACCESSIBLE OFF OF SOUTH WEBB ST.

- 5. Complete legal description by metes and bounds of said realty is attached to the application (a copy of the deed is sufficient). DEED IS ATTACHED / INCLUDED IN SUBMITTAL PACKAGE

- 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 - SEE SCOTT CURTIS:704-913-5394

- 7. The real property to be rezoned is owned in fee simple by INDUSTRIAL ELECTROPLATING COMPANY, INC. as evidenced in deed from (date) 11-08-2017 recorded in DB: 4944 PG: 1805-1807 in the Gaston County Registry

- 8. The real property for which the above request is sought is located on the NORTH side of GARRISON BLVD. between LINWOOD ROAD and S. WEBB STREET having a frontage of 56.27' feet and depth of 316.14' feet and acreage of 0.617 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.) SEE ATTACHED / INCLUDED IN SUBMITTAL PACKAGE

- 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). APPLICANT IS OWNER



12. Name and address of applicant: SCOTT CURTIS - 323 LINWOOD ROAD, GASTONIA, NC 28052  
Telephone #: 704-913-5394 E-mail address: scurtis@electroplate.biz

13. Interest in subject realty: Operations Manager

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 \_\_\_\_\_ **N/A**
- Planned Residential Development \_\_\_\_\_
- Other Conditional District \_\_\_\_\_

If yes, please explain N/A

16. Name and address of person to present item at public hearing: SCOTT CURTIS - 323 LINWOOD RD., GASTONIA, NC 28052  
ERIC L. RILEY - 914 MOOSE STREET, SUITE E, GASTONIA, NC 28056  
704-913-5947 / eric@crecentsstructures.com

Telephone number: SEE ABOVE Email: SEE ABOVE

\*\*\*\*\*

I, SCOTT CURTIS, certify that I have read the information provided in the public hearing information package on the 23RD day of MAY, 2023.

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

<u>Walter C. Prescott</u>	Walter Prescott
<u>Amelia J. Prescott</u>	Amelia J. Prescott
<u>Curtis R. Brooks</u>	Curtis R. Brooks
<u>Terry O. Brooks</u>	Terry O. Brooks

**PUBLIC HEARING  
STAFF REPORT**

**File # 202300211**

**GPC Hearing Date: August 3, 2023**

OWNER(S): Carolina Injury Rehab, PLLC.  
APPLICANT: Ryan Giel  
PROPOSED ZONING ACTION: Rezoning from C-3 to C-1  
LOCATION: 2005 S. York Road (PID# 113056).  
TRACT SIZE: Approximately 0.24 acres  
WARD: 6

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**EVALUATION:**

Site Description and Background

The subject request consists of one tax parcel (PID 113056) currently zoned C-3 (General Business), and consists of one single-family residence. The applicant is requesting to rezone the property to C-1 (Neighborhood Business) in order to allow for a variety of smaller scale commercial and retail uses at the neighborhood level. Services in the C-1 zoning district should be compatible with the adjacent residential land uses. The subject property is located at 2005 S. York Road, between Charles Street and Gilmer Street.

Adjoining Properties and Land Use Trends

To the north and south, the subject property is bordered by residential and commercial land uses, zoned C-3. Property to the west of the site is zoned RS-8 and consists of single-family residential in the Victory Mill neighborhood. Directly east, across S. York Road, is industrial land uses zoned I-U (Urban Industrial) and consists of two warehouse-type buildings.

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 uses for the subject property, which is consistent along the S. York Road corridor to the Marietta Street intersection.

Conclusion

The applicant has requested a rezoning to C-1 (Neighborhood Business). Based on the character of this area, surrounding land uses, and the future land use plan, staff believes that smaller scale commercial is more appropriate along S. York Road versus C-3 zoning. **Staff recommends that the request be approved as presented.**

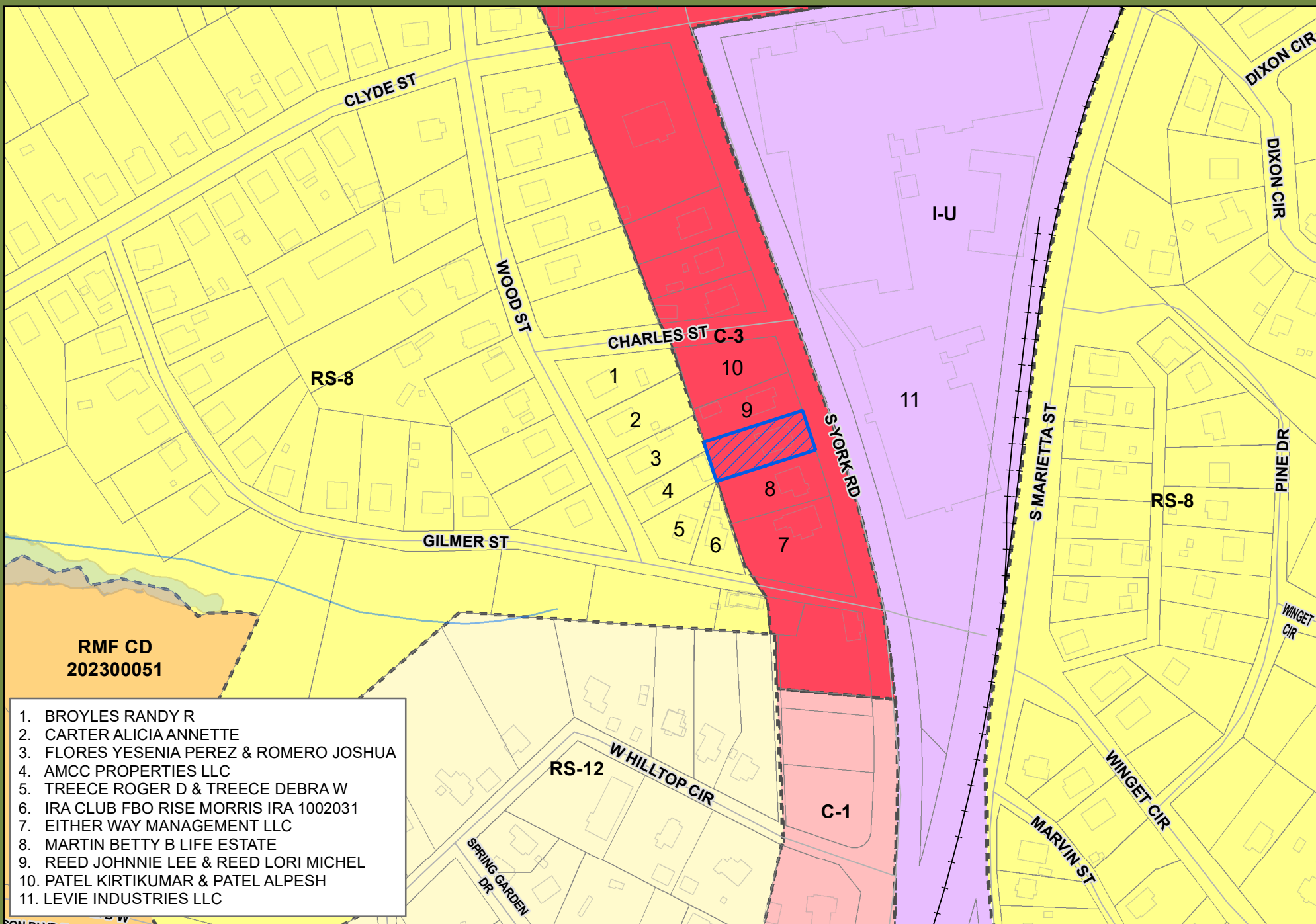


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Maddy Gates, MURP  
Planner

***Statement of consistency and reasonableness (motion to approve):*** *The proposed zoning is consistent with the 2025 Comprehensive Plan and will result in the potential development of a neighborhood 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.*



1. BROYLES RANDY R
2. CARTER ALICIA ANNETTE
3. FLORES YESENIA PEREZ & ROMERO JOSHUA
4. AMCC PROPERTIES LLC
5. TREECE ROGER D & TREECE DEBRA W
6. IRA CLUB FBO RISE MORRIS IRA 1002031
7. EITHER WAY MANAGEMENT LLC
8. MARTIN BETTY B LIFE ESTATE
9. REED JOHNNIE LEE & REED LORI MICHEL
10. PATEL KIRTIKUMAR & PATEL ALPESH
11. LEVIE INDUSTRIES LLC

**RMF CD**  
**202300051**

**Applicant:** Ryan Giel  
**Owner:** Carolina Injury Rehab PLLC  
**Planning Comm Hearing:** August 3, 2023  
**Request:** C-3 to C-1  
**Ward:** 6  
**Total Tract Size:** approx. 0.24 acres  
**Parcel ID #:** 113056

**Subject Property**

**Legend**

	AP Airport		Roads
	C-1 Light Commercial		Railroad
	C-2 Highway Commercial		100yr Flood Zone
	C-3 General Commercial		500yr Flood Zone
	CBD Central Business District		Streams
	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.*

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**Application**  
**PLMA202300211**

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 July 20, 2023.



1:2,400  
 1 inch represents 200 feet  
 Plot Date: July 11, 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.): Rezone from C3 to C1

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): 113056
3. Subject property addresses: 2005 South York Rd.  
Gastonia NC 28052

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. A grey and white house is located on the property; house is vacant and has a large parking area/driveway on the front that stretches on the left, all the way to back yard.
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 Cardina Injury Rehab as evidenced in deed from (date) 12/17/19 recorded in DB: 5088 PG: 1911 in the Gaston County Registry

8. The real property for which the above request is sought is located on the \_\_\_\_\_ side of \_\_\_\_\_ between \_\_\_\_\_ and \_\_\_\_\_ having a frontage of \_\_\_\_\_ feet and depth of \_\_\_\_\_ feet and acreage of \_\_\_\_\_. See Exhibit A on deed

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). Ryan Giel  
12654 Cardinal wood Dr, Pineville NC 28134



12657 Cardinal Woods Dr. Pineville NC 28134

12. Name and address of applicant: Ryan Giel 12657 Cardinalwood dr, Pineville NC 28134  
Telephone #: 980-365-1007 E-mail address: Ryangelde@hotmail.com

13. Interest in subject realty: 100%

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: Kornelijus Vaitekunas  
12657 Cardinal Woods Dr. Pineville NC 28134  
Telephone number: 704-293-5889 Email: dkmgroupp@gmail.com

\*\*\*\*\*

I, Ryan Giel, certify that I have read the information provided in the public hearing information package on the 2nd day of June, 2023.

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

 \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**PUBLIC HEARING  
STAFF REPORT**

File # 202300234

GPC Hearing Date: August 3, 2023



OWNER(S): Jacob Hickman  
APPLICANT: Jacob Hickman  
PROPOSED ZONING ACTION: Rezoning from RS-12 to C-1  
LOCATION: 912 Union Road (PID# 111160).  
TRACT SIZE: Approximately 0.48 acres  
WARD: 5

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**EVALUATION:**

Site Description and Background

The subject request consists of one tax parcel (PID 111160) currently zoned RS-12 (Single-family Residential, minimum 12,000 sq. ft. lots). The applicant is requesting to rezone the property to C-1 (Neighborhood Business) in order to allow for a variety of smaller scale commercial and retail uses at the neighborhood level. Services in the C-1 zoning district should be compatible with the adjacent residential land uses. The subject property is located at 912 Union Road, south of Forest Drive and consists of one single-family dwelling.

Adjoining Properties and Land Use Trends

Adjoining properties are a combination of residential and commercial land uses and zoning. To the north, there is one RS-12 lot with three single-family homes existing on it. Further north and to the west is primarily commercial uses zoned C-3 (General Business). Directly south is a January, 2004 approval (File 137-03) for an office use, zoned OLC CD (Office Light Commercial – Conditional District). Further south of the property is a combination of commercial uses zoned C-1 and C-3. To the east is single-family residential consisting of the Fern Forest West neighborhood, zoned RS-12.

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 uses for the subject property, which is consistent for adjoining properties along this section of Union Road.

Conclusion

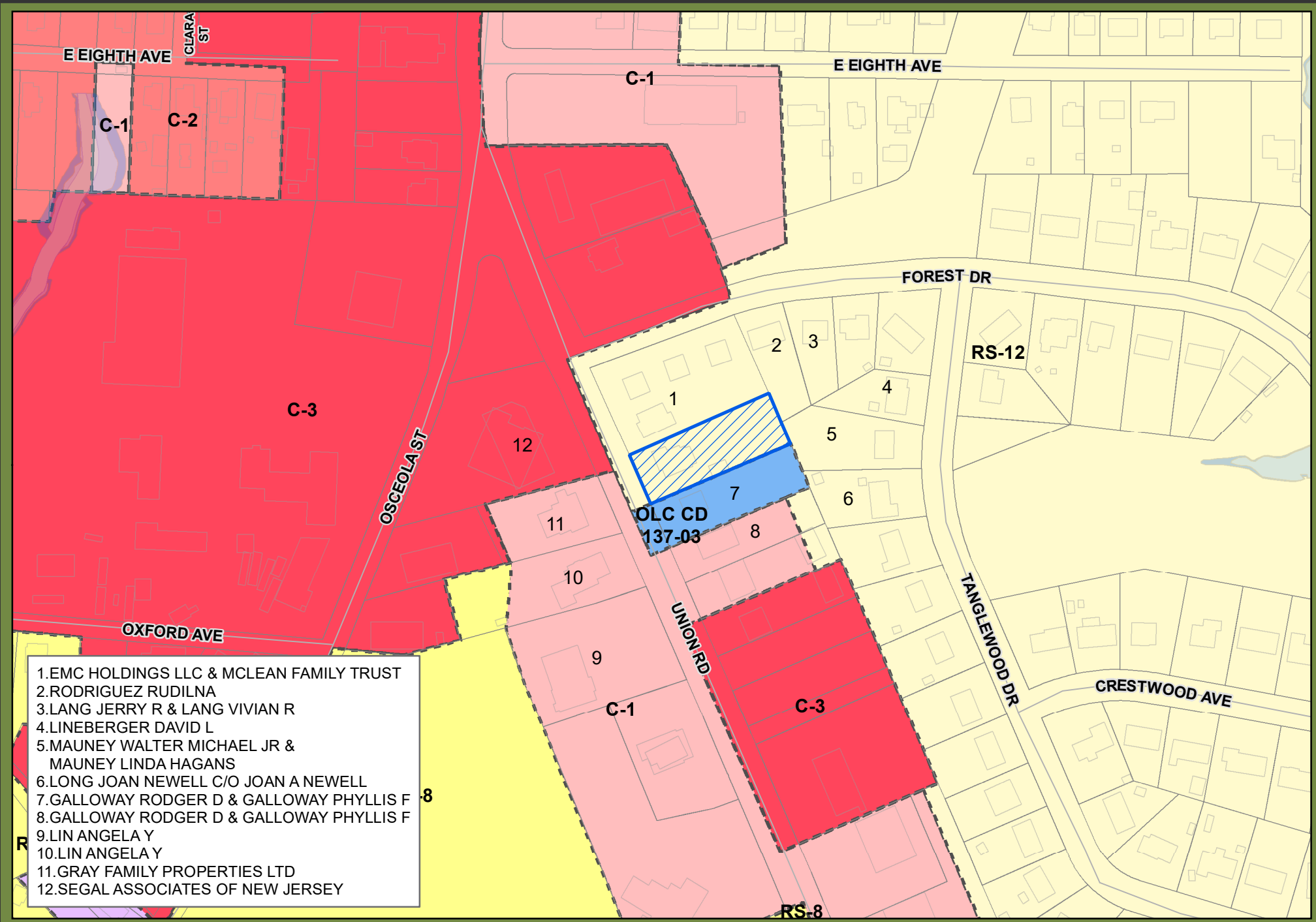
The applicant has requested a rezoning to C-1 (Neighborhood Commercial). Based on the character of this area, surrounding land uses, and the future land use plan, staff believes that smaller scale commercial is appropriate along Union Road. **Staff recommends that the request be approved as presented.**



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 potential development of a neighborhood 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.*



1. EMC HOLDINGS LLC & MCLEAN FAMILY TRUST
2. RODRIGUEZ RUDILNA
3. LANG JERRY R & LANG VIVIAN R
4. LINEBERGER DAVID L
5. MAUNEY WALTER MICHAEL JR & MAUNEY LINDA HAGANS
6. LONG JOAN NEWELL C/O JOAN A NEWELL
7. GALLOWAY RODGER D & GALLOWAY PHYLLIS F
8. GALLOWAY RODGER D & GALLOWAY PHYLLIS F
9. LIN ANGELA Y
10. LIN ANGELA Y
11. GRAY FAMILY PROPERTIES LTD
12. SEGAL ASSOCIATES OF NEW JERSEY

**Applicant:** Jacob Hickman  
**Owner:** Jacob Hickman  
**Planning Comm Hearing:** August 3, 2023  
**Request:** RS-12 to C-1  
**Ward:** 5  
**Total Tract Size:** approx. 0.48 acres  
**Parcel ID #:** 111160

**Subject Property**

**Legend**

- |  |  |  |                  |
|--|--|--|------------------|
|  | AP Airport   |  | Roads            |
|  | C-1 Light Commercial                               |  | Floodway         |
|  | C-2 Highway Commercial                             |  | 100yr Flood Zone |
|  | C-3 General Commercial                             |  | 500yr Flood Zone |
|  | 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                       |  |                  |

*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**  
**PLMA202300234**

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 July 20, 2023.



1:2,400  
 1 inch represents 200 feet  
 Plot Date: July 11, 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.): Re-zone RS12 to C1  
Would like to open a Disc Golf Retail Store.

*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): Parcel #111160

3. Subject property addresses: 912 Union Rd, 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. House (Light Sage Vinyl Siding), red roof, house lotrimmed in red with a detached Garage  
To the right Business currently vacant , to left property no house.  
Across the street restuarant "La Casa De Juli - Empanada Cafe

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

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 Jacob Hickman as evidenced in deed from (date) 04/29/2022 recorded in DB: 5332 PG: 2451 in the Gaston County Registry

8. The real property for which the above request is sought is located on the North side of Union Rd between Forest Dr. and Betty St. having a frontage of 39 feet and depth of 35.7 feet (frontage measurement of porch depth porch to street) and acreage of .48.

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: Jacob Hickman 912 Union Rd, Gastonia, NC 28054  
Telephone #: 704-408-0820 E-mail address: ontapdiscgolf@gmail.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)? N/A

- 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: Jacob Hickman and/or Maritza Gaskin  
912 Union Rd, Gastonia, NC 28054

Telephone number: 704-408-0820 Email: ontapdiscgolf@gmail.com

\*\*\*\*\*

I, Jacob Hickman, certify that I have read the information provided in the public hearing information package on the 12th day of June, 2023.

**SIGNATURES: All property owners must sign when a CD is requested. N/A**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_