



**Gastonia Planning Commission  
Meeting Schedule  
May 9<sup>th</sup>, 2024**

**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: Approval of April 4th, 2024 Minutes**

**ITEM 2: Public Hearing – Bolding Street Lofts (File #202400036)**

Subject hearing involves a request to rezone approximately 8.35 acres from RS-8 (Single-family Residential, minimum 8,000 sq. ft. lots) to RMF CD (Residential Multi-family – Conditional District). The subject property is located on Bolding Street and is owned by Petros Tesfagaber.

**Staff Presentation: Jordan Tubbs, MEPD – Senior Planner**

**ITEM 3: Public Hearing – 1801 E. Franklin Boulevard (File #202400071)**

Subject hearing involves a request to rezone approximately 0.445 acres from C-1 (Neighborhood Business) to C-3 (General Business). The subject property is located at 1801 E. Franklin Boulevard and is owned by SAS Real Estate, LLC.

**Staff Presentation: Jordan Tubbs, MEPD – Senior Planner**

**ITEM 4: Public Hearing – 1792 Hoffman Road (File #202400068)**

Subject hearing involves a request to rezone approximately 9.79 acres from RS-12 (Single-family Residential, minimum 12,000 sq. ft. lots) to C-2 (Highway Business). The subject property is located at 1792 Hoffman Road and is owned by Keith Clark.

**Staff Presentation: Maddy Gates, MURP – Senior Planner**

**ITEM 5: OTHER BUSINESS**

**ITEM 6: ADJOURNMENT**

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**UPCOMING IMPORTANT DATES**  
May 21<sup>st</sup> & June 4<sup>th</sup> – City Council Meeting – 6:00 p.m.  
June 6<sup>th</sup> – Planning Commission Meeting – 5:30 p.m.

## **Gastonia Planning Commission April 4<sup>th</sup>, 2024 Meeting Minutes**

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The Gastonia Planning Commission meeting opened at 5:30 p.m. on Thursday, April 4, 2024, in the Council Chambers at City Hall, 181 S. South Street of Gastonia, NC.

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

Absent: Chair Kristie Ferguson

Staff Members Present: Charles Graham, Quentin McPhatter, Jalen Nash, Maddy Gates, Jordan Tubbs, Tucker Johnson, Cory Steiss and Amber Bridges

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

Vice Chair Chad Ghorley noted the absence of Chair Kristie Ferguson and declared a quorum for the meeting.

### **Item 1b: Oath of Office**

Planner Jalen Nash administered the Oath of Office to Commissioners Julie Coffey and Jeff Howe.

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

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

### **Item 1d: Approval of February 8th, 2024 Meeting Minutes**

Commissioner Gallant made a motion to adopt the February 8<sup>th</sup> minutes as presented and Commissioner Chapman seconded the motion. The motion unanimously passed (7-0).

### **Item 2: Public Hearing – 1033 Brown Street (File #202400085)**

Subject hearing involves a request to rezone approximately 0.33 acres from C-3 CD to RS-8 (Single-family Residential, minimum 8,000 sq. ft. lots). The subject property is located at 1033 Brown Street and is owned by Ralph Bridges.

Vice Chair Ghorley recognized Jordan Tubbs, Senior Planner, for staff presentation. The zoning map was presented. Mr. Tubbs stated the rezoning request is for two tax parcels located on Brown Street. He shared that a previous conditional rezoning for the property from 2002 was approved for a fuel station but was never built. Mr. Tubbs explained the existing conditions of the two properties and the surrounding zoning. He shared that adjoining properties are a combination of industrial, commercial, and single-family residential. Mr. Tubbs stated the request is consistent with the 2025 Future Land Use Map for residential uses and staff is recommending approval.

Commissioner Chapman asked Mr. Tubbs to explain the 20-year gap between the two rezoning petitions. Mr. Tubbs replied that he was unsure why the fuel station was never built but stated that the property is intended to be used for single-family residential.

With no further discussion, Commissioner Chapman made a motion to approve the request as presented with the statement of consistency and reasonableness. Commissioner Gallant seconded the motion. With no discussion, the motion to approve the request as presented was unanimously passed (7-0).

### **Item 3: Public Hearing – S. New Hope Road and E. Perry Street (File #202300464)**

Subject hearing involves a request to rezone a portion of tax parcel 115678 for approximately 0.23 acres from RS-12 (Single-family Residential, minimum 12,000 sq. ft. lots) to RS-8 CD (Single-family Residential, minimum 8,000 sq. ft. lots – Conditional District). The subject property is located on S. New Hope Road and E. Perry Street and is owned by Snarkus Holdings, LLC

Vice Chair Ghorley recognized Maddy Gates, Senior Planner, for staff presentation. The zoning map was displayed. Ms. Gates stated that the rezoning request is for a portion of tax parcel 115678 to facilitate the creation of two new single-family residential lots. She noted that a similar request had been submitted by the same applicant as a general rezoning which was heard at the November 2023 Planning Commission meeting. She further stated that the request was denied due to density and land use concerns. Ms. Gates explained that the applicant has returned with a conditional rezoning for .23 acres to RS-8 CD. The site plan was displayed. Ms. Gates stated that the subject property is proposed to be subdivided into two lots; with one on S. New Hope Road proposed as RS-8 CD and one on Perry Street that was remaining as RS-12. She noted that the RS-8 and RS-12 zoning district standards are included in the staff report for review. Conceptual elevations submitted by the applicant were displayed. Ms. Gates stated that the request is consistent with the Future Land Use Map for residential uses and staff is recommending approval as presented.

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Commissioner Gallant asked Ms. Gates to clarify the previously denied request for this property. Ms. Gates responded that it was heard at the November 2023 meeting as a general RS-8 rezoning and was denied by Planning Commission due to concerns for density and land use.

Vice Chair Ghorley recognized Tish Sanchez, P.O. Box 1405, Harrisburg, NC. Ms. Sanchez stated she is the applicant and the home builder for the project. She stated they held a neighborhood meeting and conceptualized the site plan from feedback received from the neighbors. Commissioner Harris asked Ms. Sanchez if there were any concerns voiced at the neighborhood meeting. Ms. Sanchez replied that there were no concerns but noted that residents wanted to see conceptual elevations for the homes which she stated were the same elevations presented tonight. Vice Chair Ghorley asked if any Perry Street neighbors attended. Ms. Sanchez replied that there was one neighbor from Perry street and one neighbor from Bayview present.

Vice Chair Ghorley recognized Bill Kelley, 1725 S. New Hope Road, Gastonia, NC. Mr. Kelley stated he owns a dental business directly east of the subject property. He explained that he previously rezoned his dental office building and had to provide a 6-foot tall brick wall, add sidewalk, and preserve trees as part of his approval. Mr. Kelley shared that he did not support the rezoning petition to build a new home on S. New Hope Road due to proximity to his business and the small size of the lot. Mr. Kelley stated he did not believe the rezoning petition would improve the overall area.

Vice Chair Ghorley recognized Roy Will Kelley, 1725 S. New Hope Road, Gastonia, NC. Mr. Roy Kelley stated that he and his family have invested a lot into their property and dental business and cared about the area. He shared concerns for the new home being located too close to their property and the roof of the home showing over the brick wall. Mr. Roy Kelley expressed that he did not think the proposed project fit with the neighborhood.

Vice Chair Ghorley recognized David Jenkins, 2210 Bayview Street, Gastonia, NC. Mr. Jenkins stated his property is directly west of the site. He shared that he was okay with the rezoning as long as the Perry Street lot would only have one home on it. Commissioner Chapman asked Mr. Jenkins if he was present at the November 2023 Planning Commission meeting. Mr. Jenkins replied "Yes". Ms. Gates approached to clarify the lot size requirements in RS-12. She stated that the lot on Perry Street could not be subdivided into a smaller lot due to the minimum lot width and lot size requirements.

Vice Chair Ghorley recognized Jose Sanchez, P.O. Box 1405, Harrisburg, NC. Commissioner Ghorley asked Mr. Sanchez if he also owned the homes located west of the subject property. Mr. Sanchez replied that he owns 1715 S. New Hope Road, which is directly west. He explained that 1707 S. New Hope Road is for sale but he does not own it. Ms. Sanchez approached to address a comment regarding the home size. She shared that the home width is 40-feet and the lot width is 60-feet, which would provide 10-feet on each side of the house. Commissioner Harris asked the Sanchez's if they were aware of the Kelley family's opposition. Mr. Sanchez replied "No", and shared that the Kelley's did not attend the neighborhood meeting or contact them. Commissioner Silverman asked for clarification on the neighborhood meeting notifications. Ms. Sanchez stated she mailed and hand delivered notifications. She also stated that she hand delivered a letter to the dentist office receptionist.

Commissioner Harris asked staff to provide a Google Maps visual of the property. Commissioner Chapman asked staff to clarify the lot size requirements. Ms. Gates stated that there are dimensional requirements for creating new lots in all zoning districts. She stated that for RS-8, the requirement is 8,000 sq. ft. minimum lot size and 60-foot minimum lot width. For RS-12, she stated the requirements are 12,000 sq. ft. minimum lot size and 90-foot minimum lot width. Ms. Gates also noted that house size is not typically regulated but noted that there are setbacks that have to be met. A visual of the property from Google Maps was presented. Commissioner Silverman asked Mr. Kelley if the brick wall was along the entire property. Mr. Kelley replied that the wall is along the west and rear sides of the property. Commissioner Silverman also asked if the vegetation shown on Google Maps is representative of what is there currently. Mr. Kelley replied "Yes" and stated that he believed it was accurate.

Commissioner Chapman asked Ms. Gates if sidewalk was planned to be extended. Ms. Gates responded that she did not believe so and noted that the requirement for sidewalk would be with a major subdivision, which is 4 or more lots.

Commissioner Silverman made a motion to close the public hearing. Commissioner Chapman seconded the motion. The motion to close the public hearing was unanimously passed (7-0). Commissioner Silverman discussed sidewalk along S. New Hope Road and noted that he felt it was not an issue. Commissioner Coffey discussed preserving trees on the property. Vice Chair Ghorley indicated that any tree related issues would have to meet the tree ordinance and be reviewed by the municipal arborist.

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Commissioner Silverman made a motion to approve the request as presented with the statement of consistency and reasonableness. Commissioner Gallant seconded the motion. With no further discussion, the motion to approve as presented was passed (6-1). Commissioner Chapman voted against the motion, all other Commissioners voted in favor of the motion to approve.

### **Item 4: Public Hearing – Union New Hope Road Development (File #202300485)**

Subject hearing involves a request to rezone approximately 66.474 acres and annex approximately 3.976 acres. The total 70.45 acres is requested from Gaston County R-1 (Single-family Limited Residential) and C-3 CD (General Business – Conditional District) to C-3 CD. The subject property is located south of Union New Hope Road, at Union Road and Wilson Farm Road and is owned by Edward Mauney and 4-Star Investors: Union Road, LLC. *The Gastonia City Council will be holding a Public Hearing on the annexation and assignment of zoning request at the **April 16th, 2024** City Council meeting.*

Vice Chair Ghorley opened the public hearing and recognized Maddy Gates, Senior Planner, for the purpose of staff's presentation. The zoning map was presented. Ms. Gates discussed the location and surrounding zoning of the subject property. She stated that tax parcel 306164 is currently zoned C-3 CD in the City of Gastonia and was included in the original approval for the Presley development, which allowed up to 750,000 sq. ft. of commercial space. Additionally, she added that tax parcel 306164 was never developed and is currently vacant and wooded. Ms. Gates discussed the intent of the rezoning for 200 townhomes, 250 apartments, 140,000 sq. ft. of retail space and 5 outparcels with commercial related uses. The site plan was displayed. Ms. Gates explained each portion of the site plan including unit counts, access locations, buffering, and associated uses for the outparcels. She stated a Traffic Impact Analysis (TIA) is required but is still under review with the City and North Carolina Department of Transportation (NCDOT). She shared the agreed upon conditions and the submitted elevations for all building types. Lastly, Ms. Gates stated the request is consistent with the Future Land Use Map for commercial uses and staff is recommending approval as presented.

Commissioner Harris asked Ms. Gates if a TIA was done previously for the Presley and Nolen Farms development and if another TIA was required. Ms. Gates replied that the rezoning petition is a new development that had not been previously studied. Cory Steiss, City Traffic Engineer, stated that the previous TIA for Nolen Farms was only for the residential portion and did not include the subject property of the current rezoning request. Mr. Steiss also noted that a new TIA would be for additional mitigations but would not change anything that had been previously studied.

Vice Chair Ghorley recognized Chris Robusto, 517 Sutton Road, Fort Mill, SC. Mr. Robusto discussed the previous rezoning for the subject property, which was called "Presley". He stated it was from 2007 and included the Nolen Farms property as well as a 750,000 sq. ft. commercial village. He shared that there was previously a freeway planned along this corridor which was never funded or built. Mr. Robusto discussed the intent of the current rezoning petition which was to reduce the commercial square footage and add townhomes and apartments. He explained the road network for the development, the desired uses, and the site layout. Mr. Robusto also mentioned that he has been working with City staff in regards to sewer access and capacity. Commissioner Harris asked Mr. Robusto to explain the planned phasing of the project. Mr. Robusto shared that phase one would be townhomes, phase two would be apartments, and phase three would be the commercial portion. Mr. Robusto stated that the TIA is also phased accordingly. Lastly, Mr. Robusto discussed the neighborhood meeting which was held with 30 plus attendees. He stated there was no major concerns presented by the neighbors.

Commissioner Harris asked Mr. Robusto if there was any opposition from the neighbors. Mr. Robusto stated that the neighborhood meeting went well, and that there were a lot of questions but not any opposition that was presented. Commissioner Harris asked if City Fire, Police and Utilities had been addressed during staff review. Mr. Robusto replied "Yes" and stated that the majority of the property is already in Gastonia with access to those services. Commissioner Harris also asked what the height restriction is for townhomes. Mr. Robusto replied that it is 45-feet and three-stories in the Gastonia ordinance. Lastly, Commissioner Harris asked about green space on the site. Mr. Robusto replied that they are providing open space and tree save area over the required amount and that there is a Type C buffer along all property lines.

Ms. Gates stated the site plan has approximately eight acres of open space and over ten acres of tree save area, which meets the ordinance. She also discussed the differences between commercial and subdivision review, noting that the townhome portion will have to request water and sewer allocation with the submittal of a preliminary plat. Commissioner Chapman asked Ms. Gates if the total site was 70-acres or 74-acres. Ms. Gates replied that it was 70.45 acres total.

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Vice Chair Ghorley recognized Richard Ewell, 9138 Myrna Drive, Gastonia, NC. Mr. Ewell stated he was a resident of the Nolen Farms neighborhood across the street. He shared that residents in the Nolen Farms neighborhood are opposed to the development. Mr. Ewell also stated he was against the proposed rezoning petition. Commissioner Silverman asked Mr. Ewell to share reasons as to why he was opposed to the development. Mr. Ewell responded that it was due to traffic, congestion and busy roads.

Mr. Robusto approached to rebuttal. He stated that the proposed development would produce less traffic than what the existing zoning allows for 750,000 sq. ft. of commercial. He also shared that he had not heard of any opposition from the Nolan Farms development.

Commissioner Gallant made a motion to approve the rezoning request and recommend approval for the assignment of zoning as it was presented with the statement of consistency and reasonableness. Commissioner Harris seconded the motion. The motion to approve the rezoning request and recommend approval for the assignment of zoning was unanimously passed (7-0).

### **Item 5: Public Hearing – Crowders Spring Camp (File #202300313)**

Subject hearing involves a request to rezone approximately 2.84 acres from RS-12 (Single-family Residential, minimum 12,000 sq. ft. lots) to C-1 CD (Highway Business – Conditional District). The subject property is located at 413 Misty Lane and is owned by Now Outreach, Inc.

Vice Chair Ghorley opened the public hearing and recognized Maddy Gates, Senior Planner, for the purpose of staff presentation. The zoning map was presented. Ms. Gates discussed the location and surrounding zoning of the subject property. She stated the intent of the rezoning was to provide an additional access location and office facility for the Crowders Spring Camp. She explained that the Crowders Spring Camp is directly northwest of the subject property and zoned C-1 in Gaston County. The site plan was displayed. Ms. Gates explained the current access on Linwood Road and the proposed new access on Misty Lane. She explained the specifics of the site plan including the building location, parking, and driveway. She shared that the request is for 413 Misty Lane and a 0.31-acre portion of 419 Misty Lane due to the needed location of the driveway. The proposed conditions and submitted elevations were presented. Ms. Gates stated the 2025 Future Land Use Map shows residential uses, but shared that staff feels an office use in this location would be appropriate due to the site plan and conditions. As such, she stated staff is recommending approval as presented. Ms. Gates shared the site plan for the full Crowders Spring Camp but noted it was only for reference since it was not included in the request and is in Gaston County.

Vice Chair Ghorley recognized Nate Flowers, 3707 Autumn Gold Court, Charlotte, NC. Mr. Flowers stated that he was representing the applicant. He shared information on the Crowders Camps non-profit and the operations of their facilities. He discussed their existing location on Camp Rotary Road and the need for expansion of an additional camp. Mr. Flowers explained the site plan and the location of the new access on Misty Lane. He shared conceptual elevations for the office building, dining hall and cabins that will be a part of the camp. Lastly, Mr. Flowers stated the full camp site plan is in review with Gaston County and that there are no indications of impact or needed changes to the Misty Lane site plan.

With no questions for staff or Mr. Flowers, Commission Chapman made a motion to approve the request as presented with the statement of consistency and reasonableness. Commissioner Harris seconded the motion. The motion to approve the request as presented was unanimously passed (7-0).

### **Item 6: Public Hearing – 216 W. Davidson (File #202400055)**

Subject hearing involves a request to rezone approximately 0.31 acres from RS-8 (Single-family Residential, minimum 8,000 sq. ft. lots) to RMF (Residential Multi-family). The subject property is located at 216 W. Davidson Avenue and is owned by the City of Gastonia.

Vice Chair Ghorley opened the public hearing and recognized Jordan Tubbs, Senior Planner, for the purpose of staff presentation. The zoning map was presented. Mr. Tubbs stated the request was for a general rezoning to RMF, and that the applicant was the City of Gastonia. He shared that the intent of the request is related to the City's ongoing affordable housing study and the production of diverse affordable housing types. Mr. Tubbs discussed the surrounding zoning and land uses. He stated that the adjoining zoning districts allow for higher density residential and shared that staff feels the request to RMF is consistent with the area. Lastly, he stated that the request is consistent with the 2023 Affordable Housing Plan and the 2025 Future Land Use Map for residential uses and that staff is recommending approval as presented.

Commissioner Harris asked if there were any details as to what would be developed on the subject property. Mr. Tubbs replied that it was currently planned for a triplex.

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Commissioner Silverman made a motion to approve the request as presented with the statement of consistency and reasonableness. Commissioner Gallant seconded the motion. With no further discussion, the motion to approve as presented was unanimously passed (7-0).

### **Item 7: Unified Development Ordinance Amendment (File #202400074)**

Subject hearing involves a request to amend Section 7.6.1 FH Flood Hazard Overlay District to the Unified Development Ordinance to exempt public facilities from a portion of the ordinance. *The Gastonia City Council will be holding a Public Hearing on the text amendment request at the April 16th, 2024 City Council meeting.*

Vice Chair Ghorley opened the public hearing and recognized Tucker Johnson, City Engineer, for the purpose of staff presentation. Mr. Johnson stated the text amendment request was for the Flood Hazard Overlay District, which is the code section that regulates any encroachments into the 100-year floodplain. He explained what is considered a floodplain, what areas would be studied, and how floodplain is mapped by the Federal Emergency Management Agency (FEMA). Mr. Johnson discussed the process for applying for an encroachment, which he stated is an administrative review by staff. He stated the text amendment request is in regards to an exemption in the no-rise ordinance for public facilities which would include parks, treatment plants, utility sub-stations, bridges, and amenity areas. Mr. Johnson discussed how this amendment relates to a similar exemption for public transportation projects. He stated that the proposed exemption has specific parameters including on-site containment of the Base Flood Elevation (BFE) rise and agreement from adjoining property owners. Mr. Johnson stated staff is recommending approval as presented.

Commissioner Silverman asked Mr. Johnson to provide history of the flood plain ordinance. Mr. Johnson replied that it was adopted with the original adoption of the ordinance and stated that mapping of the floodplain has been used since the 1970s. Commissioner Silverman asked if the exemption is for the future Linwood Springs Park. Mr. Johnson replied that the Linwood Park is part of the reason but he also noted that the amendment could relate to improvements for sewer plants or pump stations in the future as the City continues to grow. Mr. Johnson stated the proposed text amendment was thoroughly reviewed by staff and written for a wide range of facilities. Commissioner Silverman asked staff what mitigations would be provided for impacts to the BFE. Mr. Johnson replied that a flood study would be required, which would define the impacts and provide mitigations such as slowing the spread of water, changing stream bank flow and modifying the bed roughness. Commissioner Chapman asked if public facilities would be required to produce a flood study if the BFE was raised. Mr. Johnson replied “Yes” and stated it would be done by a consultant.

Vice Chair Ghorley asked if there have been any exemptions for previous projects. Mr. Johnson discussed recent applications for exemptions but stated they were still in review. Commissioner Chapman made a motion to close the public hearing. Commissioner Gallant seconded the motion. The motion to close the public hearing was unanimously passed (7-0). Commissioner Gallant asked if the exemption is the only change to the ordinance. Assistant City Attorney, Charles Graham, replied “Yes” and explained that the proposed text amendment is a limited exemption for publicly owned facilities but requires a flood study to be produced and mitigations to be provided. He also discussed on-site containment and agreement of adjoining property owners, which is required.

Commissioner Chapman made a motion to recommend approval of the text amendment request as presented with the statement of consistency and reasonableness. Commissioner Silverman seconded the motion. With no further discussion, the motion to recommend approval as presented was unanimously passed (7-0).

### **Item 8: Unified Development Ordinance Amendment (File #202400075)**

Subject hearing involves a request to amend Section 7.6.5 USO Urban Standards Overlay District to the Unified Development Ordinance to revise regulations for non-residential accessory structures. *The Gastonia City Council will be holding a Public Hearing on the text amendment request at the April 16th, 2024 City Council meeting.*

Vice Chair Ghorley opened the public hearing and recognized Jordan Tubbs, Senior Planner, for the purpose of staff presentation. Mr. Tubbs stated the text amendment request was for the Urban Standards Overlay District (USO), which regulates architectural standards for non-residential buildings. He stated the text amendment request is in regards to building materials for new accessory structures for properties with an existing non-conforming primary structure. He explained that the current Section 7.6.5 requires accessory structures that are 750 square feet or greater to meet the list of building materials provided in the USO. In regards to the proposed amendment, Mr. Tubbs noted that the proposed change would allow new accessory structures to match the building materials of the primary structure, if they are considered non-conforming. He stated that this code section would not apply to newly developed sites, and that it would only be for existing non-conforming buildings. Mr. Tubbs

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stated staff is recommending approval as presented. The proposed text amendment was displayed and Mr. Tubbs noted that the changes are indicated in red.

Commissioner Gallant asked what the allowed building materials are and if the text amendment only applied to accessory structures over 750 square feet. Mr. Tubbs replied “Yes” and read excerpts from the code section in regards to allowed building materials. Commissioner Chapman asked staff why the requirement was set at 750 square feet. Mr. Tubbs replied that he was unsure why the requirement was 750 square feet. He stated the square footage is not changing, and clarified that the amendment is only for building materials. He added that Section 7.6.5 will still require other design standards that will apply to the accessory structures.

Assistant City Attorney, Charles Graham, noted that the 750 square feet requirement has been in the code for several years and is proposed to remain. Commissioner Gallant asked if there are any exceptions in the proposed text amendment in regards to size. Mr. Graham replied that there are several requirements in the code for new building construction regardless of Section 7.6.5. Mr. Tubbs noted that the text amendment is consistent with Section 9.9 which addresses standards for accessory structures in terms of setbacks, location, and other zoning requirements.

Vice Chair Ghorley recognized Mike Gibson, 312 Eagles Walk, Gastonia, NC. Mr. Gibson stated he owns a business on Union Road and was looking to build a new accessory structure over 750 square feet. He stated the rear of his building has vinyl siding and he would like to do a vinyl siding accessory structure to match. Mr. Gibson expressed the need for the proposed text amendment. Commissioner Howe asked Mr. Gibson if the new accessory structure would be visible from the street. Mr. Gibson replied “No”. Mr. Graham stated that the text amendment would apply to all non-residential properties. Commissioner Gallant discussed if an exception was added to the text amendment. Ms. Gates replied that there is not an exception for the size of the accessory structure but discussed existing flexibility in the code which allows for administrator approval. She noted that all other design standards in the USO would apply to a new accessory structure except for the list of materials, only in the case that the primary structure is non-conforming.

Commissioner Chapman asked staff if the proposed text amendment would conflict with any other code sections. Mr. Graham replied “No”, and stated that all other applicable code requirements would still apply. The Commissioners discussed the 750 square feet requirement. Mr. Graham stated that the size requirement could be further examined by staff but is a separate issue. With no further discussion, Commissioner Chapman made a motion to recommend approval of the text amendment request as presented with the statement of consistency and reasonableness. Commissioner Silverman seconded the motion. With no further discussion, the motion to recommend approval as presented was passed (6-1). Commissioner Gallant voted against the motion. All other Commissioners voted in favor.

### **Item 9: Adjournment**

Assistant City Manager, Quentin McPhatter, discussed items heard and approved at the March 19<sup>th</sup> City Council meeting. Mr. McPhatter also discussed planning a joint meeting between Planning Commission and City Council.

### **Item 10: Adjournment**

Vice Chair Ghorley entertained a motion to adjourn the April 4<sup>th</sup> Planning Commission meeting. Commissioner Chapman made a motion to adjourn the meeting and Commissioner Gallant seconded the motion. The motion to adjourn was unanimously passed (7-0). The meeting adjourned at 7:30 PM.

Respectfully submitted,

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Jalen Nash, Planner

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Kristie Ferguson, Chairwoman

**PUBLIC HEARING  
STAFF REPORT**

**File # 202400036**

**GPC Hearing Date: May 9<sup>th</sup>, 2024**

OWNER: Tesfagaber W Petros  
APPLICANT: Wynnefield Forward, LLC  
PROPOSED ZONING ACTION: Rezoning from RS-8 to RMF CD  
LOCATION: 306 Bolding Street (PID: 138173)  
TRACT SIZE: Approximately 8.35 acres  
WARD: 6

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**EVALUATION:**

**Background and Request**

The subject property for this rezoning request consists of one 8.35-acre tax parcel (PID 138173), currently zoned RS-8 (Single Family Residential, minimum 8,000 sq. ft. lots), located on the east side of Bolding Street. The applicant is requesting to rezone to RMF CD (Residential Multi-Family - Conditional District) to facilitate the development of 168 apartments. The development is required to meet all architectural and development standards of Section 8.1.10 in the UDO. For Multi-Family developments with less than two hundred (200) units, eight hundred (800) square feet of open space per unit is required with seventy-five (75) percent of the open space being improved. The proposed site plan shows provided open space exceeding this requirement. As proposed, 1.75 parking spaces per unit will be provided totaling 294 spaces. Access is provided to the site by a single entrance on Bolding Street. For developments with less than 200 units, a single access is sufficient so long as a fire sprinkler suppression system is also proposed in all buildings.

A Traffic Impact Analysis (TIA) is required for the proposed project. The developer(s) will be responsible for providing all mitigations resulting from the TIA. Points of ingress/egress, sidewalk, road improvements and parking will be further reviewed by the Technical Review Committee (TRC). A Type C buffer is required along all property lines witch about a residential zoning district to provide needed screening. The development includes several areas of common open space dispersed throughout which will consist of a covered picnic area, outdoor sitting areas with benches, a playground, as well as a clubhouse with other amenities. Additional details of the improved open space will be required and reviewed as part of the site plan review process. Conceptual elevations have been submitted for the apartments.

**Proposed zoning conditions:**

1. Development shall be generally consistent with the attached site plan including a maximum of 168 apartment units. Any change in use will require a new rezoning application to be submitted.
2. A Traffic Impact Analysis (TIA) is required and must be completed prior to the site plan review processes. The developer(s) will be responsible for providing all mitigations resulting from the TIA. All street cross sections, points of ingress/egress, sidewalk, road improvements and parking will be further reviewed by the Technical Review Committee (TRC).
3. Stormwater requirements to be finalized during the site plan review process. Building and parking orientation may be altered to show proper drainage within the site.
4. All buildings shall have fire suppression sprinkler systems due to only one entrance for vehicular ingress and egress shown on site plan.
5. Additional details of the improved open space are required to be provided for the development. Final open space design and details to be determined during site plan review.



6. Multi-family construction shall be generally consistent with the character and details as depicted in the submitted elevations and meet all applicable requirements of Section 8.1.10. At least fifty (50) percent of the front elevation of the Multi-Family Apartment building shall be clad with brick, rock, decorative block, approved stucco and other permitted masonry materials.
7. The developer(s) is required to provide a Type C buffer along all property lines which abut a residential zoning district. No swales, retaining walls, or stormwater (BMP) measures can be located within buffers.
8. In no instance shall the zoning conditions exempt a project from other development requirements.
9. Where the notes or depictions on the site plan may conflict with these conditions, the conditions shall govern.

#### Adjoining Properties and Land Use Trends

Surrounding properties consist mostly of residential with commercial directly north west of the site. Excluding Dixie Village to the north west of the site which is zoned C-3 (General Business), the rest of the surrounding the properties are zoned RS-8 (Residential Single Family).

#### Available Public Facilities

Water is available at Bolding Street and Posey Street. Sewer is present on Posey Street.

#### Consistency with the Comprehensive Plan

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

#### Conclusion

The request includes a rezoning from RS-8 to RMF CD to facilitate higher density residential uses. Based on the 2025 Comprehensive Plan and the submitted application, site plan, and elevations, **staff recommends approval of the request as presented.**



Jordan Tubbs, MEPD

Senior 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 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.*

RS-8

I-2

TRAKAS BLVD

W FRANKLIN BLVD W

W FRANKLIN BLVD E

C-3

1

C-2

C-3

C-2 CD 5925

RS-8

C-2 CD 4481

MORTON AVE

C-1

PACKARD ST

GARRISON ST

ROY ST

C-2

C-1

C-2

C-1

C-2

C-3

W FRANKLIN BLVD

C-2 CD 9165

C-1

C-1 CD 27-04

C-1 CD

C-1 CD 4506

O-1 CD 23-02

RS-8

C-1

C-1

C-1 CD 202100037

BOLDING ST

W SECOND AVE

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POSEY ST

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# BOLDING STREET LOFTS

GASTONIA, NC

### SITE INFORMATION:

PARCEL NUMBER: #138173  
 PROPOSED UNIT COUNT: 168 UNITS  
 ZONING: CLURRENT: = RS-8  
 PROPOSED: = RMF-CD  
 TREE SAVE AREA: REQUIRED: = 15% OF SITE 8.55 ACRES = 1.25 ACRES  
 PROVIDED: = 1.44 ACRES  
 SITE: 8.55 +/- ACRES  
 DENSITY: 20.11 UNITS/ACRES  
 BUILDINGS: (1) 1 STORY CLUBHOUSE  
 (4) 3 STORY BUILDING  
 (2) 3-4 STORY SPLIT BUILDINGS  
 SPRINKLERS: NTPA 13R SPRINKLERS IN ALL BUILDINGS  
 PARKING SPACES: REQUIRED: = 2.0 SPACES PER UNIT MAXIMUM  
 @ 1.75 SPACES / UNIT = 294 SPACES  
 PROVIDED: = 294 SPACES  
 SETBACKS: FRONT = 15' MINIMUM  
 REAR = 30'  
 SIDE = 15'  
 BUFFERS: MIN. 25'-0" TYPE C BUFFER ALONG ALL SIDES  
 SURROUNDED BY SINGLE FAMILY ZONING.  
 OPEN SPACE: REQUIRED: = 80c SQ. FT. / UNIT (134,400 SQ. FT.)  
 PROVIDED: = 135,765 SQ. FT. (75% OF OPEN SPACE  
 REQUIRED TO BE IMPROVED).

### SITE NOTES:

- SITE TO BE GRADED TO ASSUME 5% SLOPE AWAY FROM BUILDINGS WITHIN FIRST 10'.
- NO FLOOD PLAINS.
- NO SWALES, RETAINING WALLS, STORM WATER (BMP) MEASURES CAN BE LOCATED WITHIN BUFFERS.
- SITE SHALL MEET ALL ARCHITECTURAL REQUIREMENTS IN SECTION 5.1.10.
- BUILDING AND PARKING ORIENTATION MAY CHANGE TO SHOW PROPER DRAINAGE THROUGH EXISTING NATURAL CHANNEL LOCATED IN THE MIDDLE OF THE SITE.

### UNIT INFORMATION:

Unit Type	Unit Heated Area (Paint to Paint)	Unit Net Area*	No. of Units	Unit Heated Total (Paint To Paint)	Unit Net Total
1 BEDROOM "A1"	715	755	12	1287C	1360B
1 BEDROOM "B1"	980	1,026	8C	7840C	8208D
3 BEDROOM "C1"	1,152	1,293	5E	6451D	6736E
3 BEDROOM "C2"	1,152	1,293	12	1612E	16842
Total			168	17191D	17988E

\* Net Area Equal To Outside of Stud

### ACCESSIBLE UNITS "(a)" OR "(as)": TOTAL OF (17) UNITS

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

### REQUIRED SITE AMENITIES:

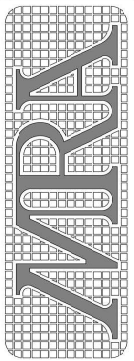
- A** PLAYGROUND - (W/ MIN. 1 BENCH)
- B** MULTI-PURPOSE ROOM (MIN. 250 SQ. FT.)
- C** COVERED PICNIC AREA - (150 SQ.FT. W/ 2 TABLES & GRILL)

### ADDITIONAL AMENITIES:

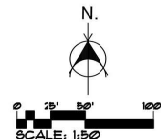
- D** OUTDOOR SITTING AREAS W/ BENCHES - (MIN. 3 LOCATIONS)
- E** SCREENED-IN PORCH - (MIN. 150 SQ. FT.)
- F** RESIDENT COMPUTER CENTER - (MIN. 2 COMPUTERS)



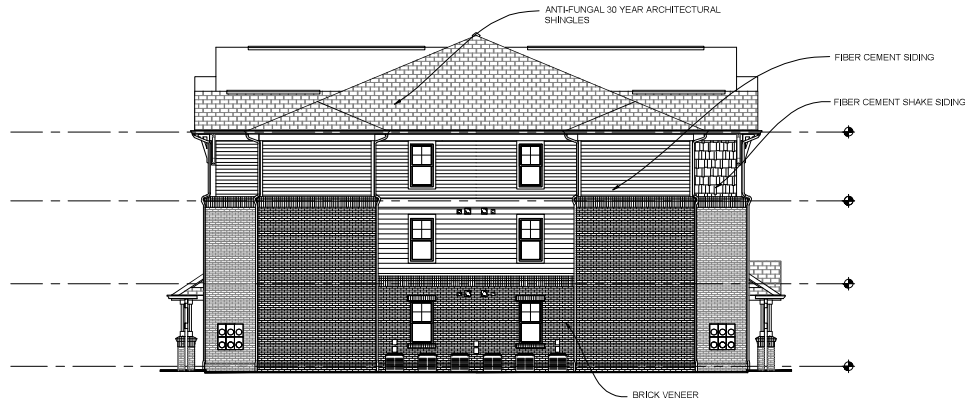
MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C.  
 100 CRESCENT CENTRE PARKWAY SUITE 20 TUCKER, GEORGIA 30084 404-373-2800  
 BOLDING STREET LOFTS  
 GASTONIA, NC



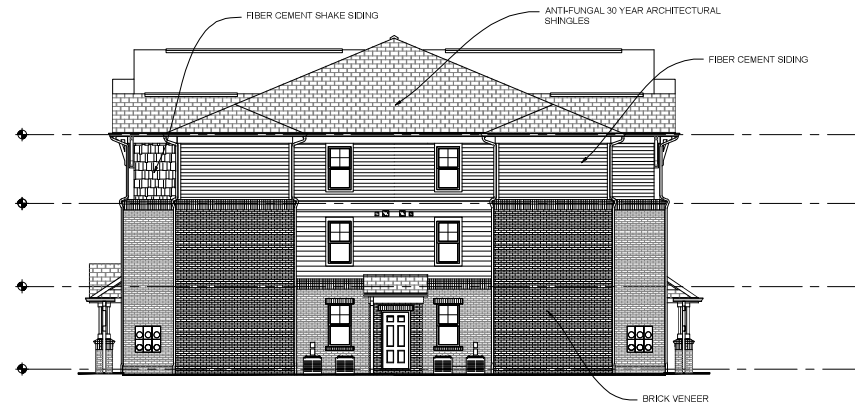
CSP.1



PROJECT NUMBER	DATE	BY	CHECKED BY
2024-001	2-26-2024	SM	MRL
	4-01-2024		
	4-19-2024		
	4-24-2024		



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



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



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

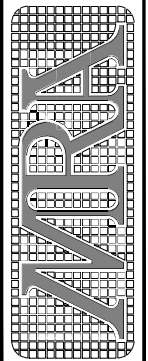


1 BUILDING 200 - FRONT ELEVATION (PARKING LOT)  
1/8" = 1'-0"

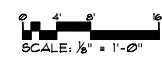
2024-001	1-17-2024	SM	MRL
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MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C.  
 100 CRESCENT CENTER PARKWAY SUITE 20 TUCKER GEORGIA 30084 404-373-2800  
 BOLDING STREET LOFTS  
 GASTONIA, NC

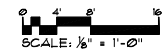
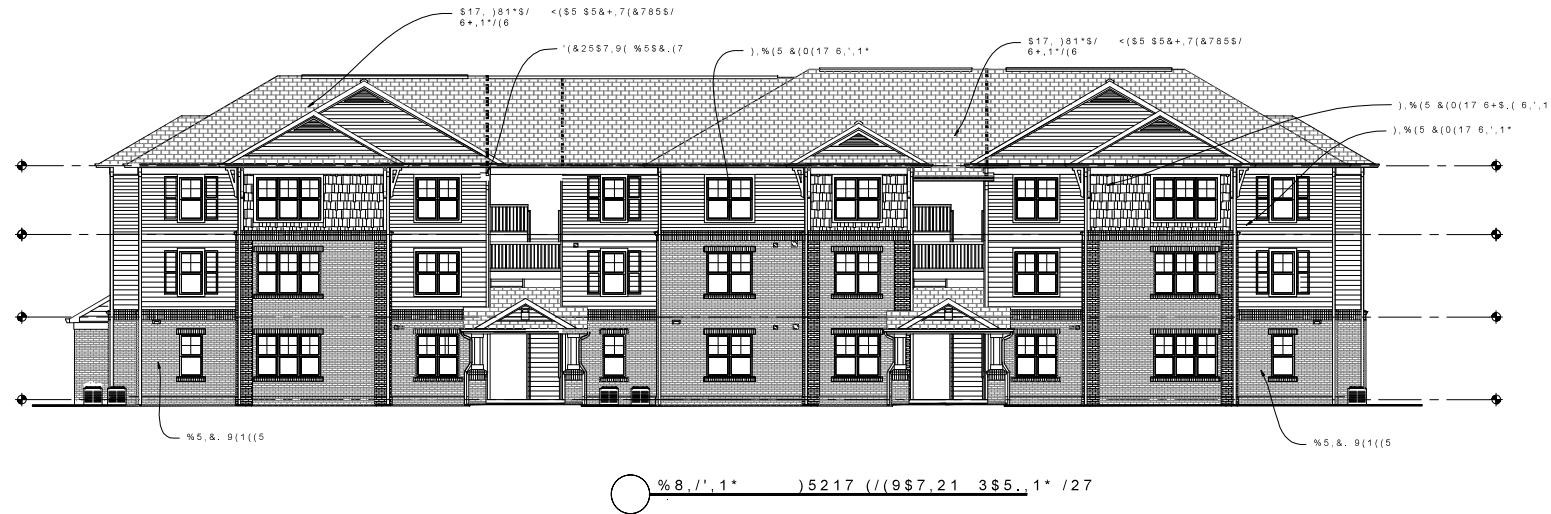
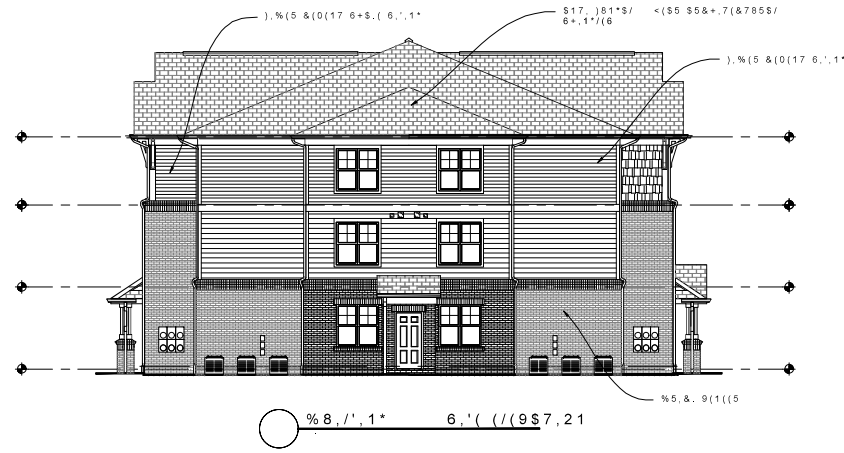
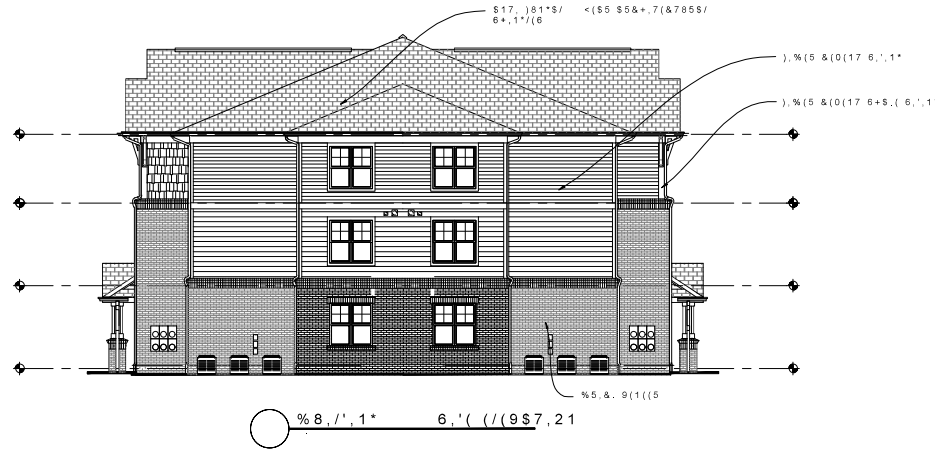
BUILDING 200 - ELEVATIONS



A3.2

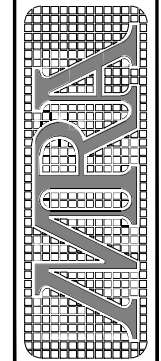


2024 PRELIMINARY DRAWING SET



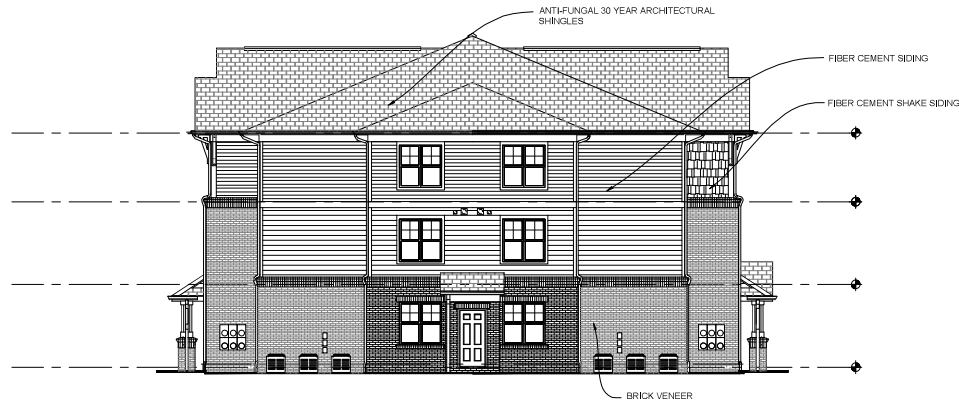
DATE	DESCRIPTION
05/17/16	ISSUED FOR PERMITS
05/17/16	REVISED PER COMMENTS
05/17/16	REVISED PER COMMENTS
05/17/16	REVISED PER COMMENTS

MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C.  
 100 CRESCENT CENTER PARKWAY SUITE 200 TUCKER GEORGIA 30084 404-373-2800  
 BOLDING STREET LOFTS  
 GASTONIA, NC

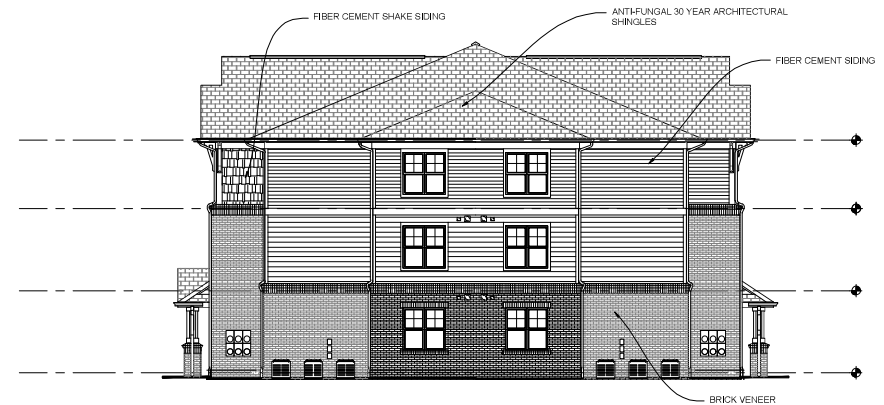


A33

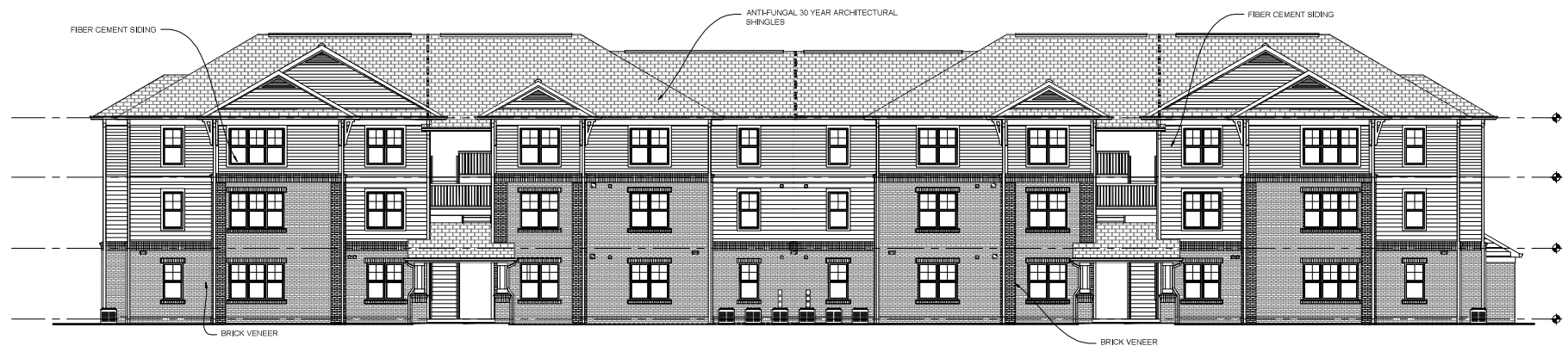
35 ( /, 0, 1 \$5 < '5 \$:, 1\* 6 (7  
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4 BUILDING 400 - SIDE ELEVATION  
1/8" = 1'-0"



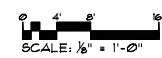
3 BUILDING 400 - SIDE ELEVATION  
1/8" = 1'-0"



2 BUILDING 400 - REAR ELEVATION  
1/8" = 1'-0"

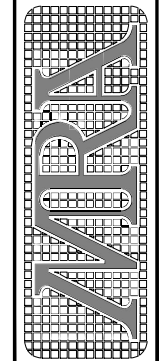


1 BUILDING 400 - FRONT ELEVATION (PARKING LOT)  
1/8" = 1'-0"



2024-001	1-17-2024	SM	MRL
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MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C.  
 100 CRESCENT CENTER PARKWAY SUITE 20 TUCKER GEORGIA 30084 404-373-2800  
 BOLDING STREET LOFTS  
 GASTONIA, NC



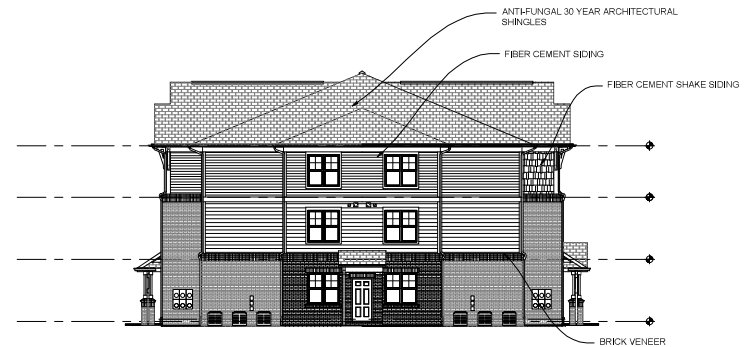
A3.4

2024 PRELIMINARY DRAWING SET

BUILDING 400 - ELEVATIONS



4 BUILDING 500 - SIDE ELEVATION  
1/8" = 1'-0"



3 BUILDING 500 - SIDE ELEVATION  
1/8" = 1'-0"



2 BUILDING 500 - REAR ELEVATION  
1/8" = 1'-0"



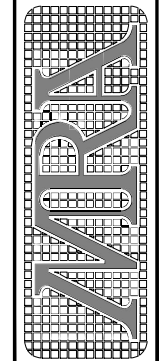
1 BUILDING 500 - FRONT ELEVATION (PARKING LOT)  
1/8" = 1'-0"

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

2024-001	1-17-2024	SM	MRL
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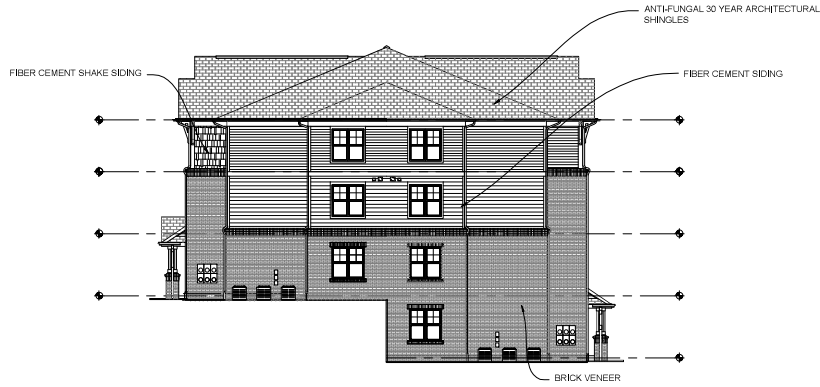
MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C.  
100 CRESCENT CENTER PARKWAY SUITE 20 TUCKER GEORGIA 30084 404-373-2800  
BOLDING STREET LOFTS  
GASTONIA, NC

BUILDING 500 - ELEVATIONS

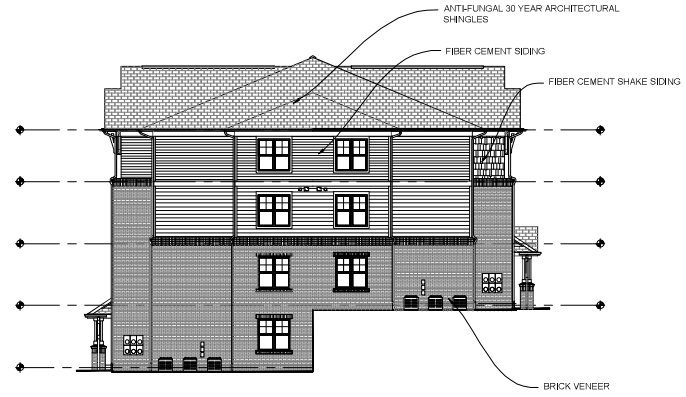


A3.5

2024 PRELIMINARY DRAWING SET



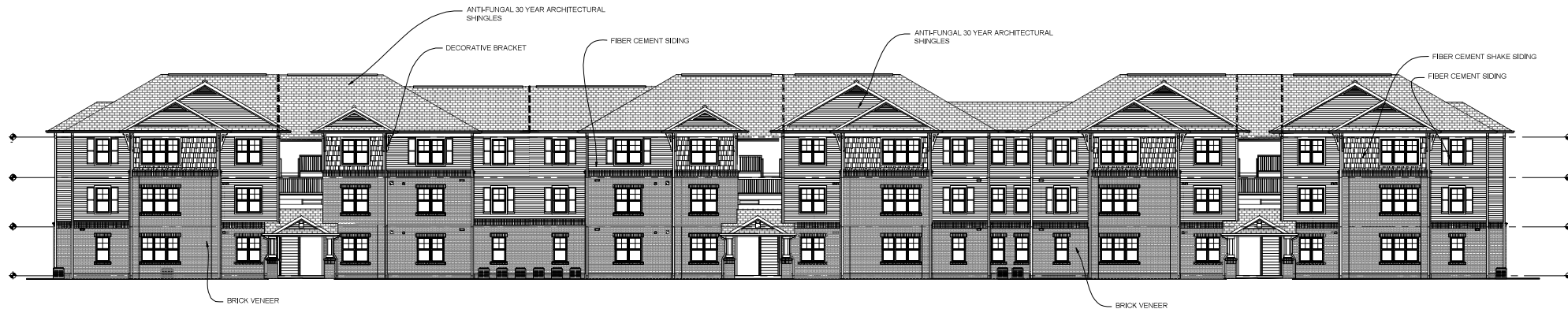
4 BUILDING 600 - SIDE ELEVATION  
1/8" = 1'-0"



3 BUILDING 600 - SIDE ELEVATION  
1/8" = 1'-0"



2 BUILDING 600 - REAR ELEVATION  
1/8" = 1'-0"



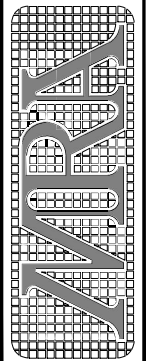
1 BUILDING 600 - FRONT ELEVATION (PARKING LOT)  
1/8" = 1'-0"

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

2024-001	1-17-2024	SM	MRL
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MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C.  
100 CRESCENT CENTER PARKWAY SUITE 20 TUCKER GEORGIA 30084 404-373-2800  
BOLDING STREET LOFTS  
GASTONIA, NC

BUILDING 600 - ELEVATIONS



A3.6

2024 PRELIMINARY DRAWING SET





## CITY OF GASTONIA APPLICATION FOR PUBLIC HEARING

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

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

- Identify the request (example: rezone from RS-12 to OLC CD; etc.): REZONE PROPERTY FROM RS-B TO RNF CD

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

- Gaston County Tax Identification Number(s): 138173
- Subject property addresses: 234 BOLDING STREET, GASTONIA (ADJACENT)

- In order for our staff to place the rezoning signs on the property, please describe what is on the subject property and or adjacent properties (example: a white frame house is located on the property; the property is vacant with Business 'x' located on the east side). Staff will erect the signs approximately 15 days prior to the meeting. PROPERTY IS VACANT WITH A CHAIN LINK FENCE. SINGLE FAMILY TO NORTH, SOUTH, EAST AND WEST. COMMERCIAL/RETAIL TO NORTH WEST

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

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

- The real property to be rezoned is owned in fee simple by TESFAGABER W. PETROS evidenced in deed from (date) 3/26/2019 recorded in DB: 5031 PG: 2374 in the Gaston County Registry

- The real property for which the above request is sought is located on the south side of 234 BOLDING ST between 812 BOLDING and 311 POSEY having a frontage of 265.9' feet and depth of 879' feet and acreage of 8.35 +/-

- Are sewer and water available on the property? YES

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

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

1402 E. OZARK AVE., GASTONIA, NC 28054

12. Name and address of applicant: WYNNFIELD FORWARD, LLC  
Telephone #: 336.822.9765 -mail address: davis@wynnfieldforward.com

13. Interest in subject realty: PROPERTY IS UNDER CONTRACT

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

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

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

If yes, please explain \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

16. Name and address of person to present item at public hearing: DAVIS RAY  
PO Box 506, JAMESSTOWN, NC 27202  
Telephone number: 336.625 7641 Email: davis@wynnfieldforward.com

.....  
Tesfagaber W Petros  
I, \_\_\_\_\_, certify that I have read the information provided in the public hearing information package on the 29th day of January, 2024.

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

Tesfagaber W Petros

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

**PUBLIC HEARING  
STAFF REPORT**

**File # 202400071**

**GPC Hearing Date: May 9<sup>th</sup>, 2024**

OWNER: SAS Real Estate, LLC  
APPLICANT: Jay Kumar  
PROPOSED ZONING ACTION: Rezoning from C-1 to C-3  
LOCATION: 1801 E Franklin Blvd (PID: 117564)  
TRACT SIZE: Approximately 0.445 acres  
WARD: 2

---

**EVALUATION:**

**Background and Request**

The subject property for this rezoning request consists of one 0.445-acre tax parcel (PID 117564), currently zoned C-1 (Neighborhood Business), located on the south side of E Franklin Blvd. The applicant is requesting to rezone to C-3 (General Business) to allow the by-right uses within that district.

**Adjoining Properties and Land Use Trends**

The subject property is adjacent to residential and commercial uses. The property is outlined by C-2 (Highway Business) to the east and south. Property zoned RS-12 (Residential Single Family) is directly to the west. Property to the north, on the opposing side of E Franklin Blvd., is zoned C-3 (General Business).

**Available Public Facilities**

Water and sewer are available on E Franklin Blvd and Ridge Ln.

**Consistency with the Comprehensive Plan**

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

**Conclusion**

This request is for a rezoning from C-1 to C-3 to facilitate a larger variety in possible by-right uses. The C-3 zoning district allows for the most intensive commercial uses intended to facilitate large scale development. Based on the existing residential character of the surrounding area, **staff recommends denial of the request as presented.**

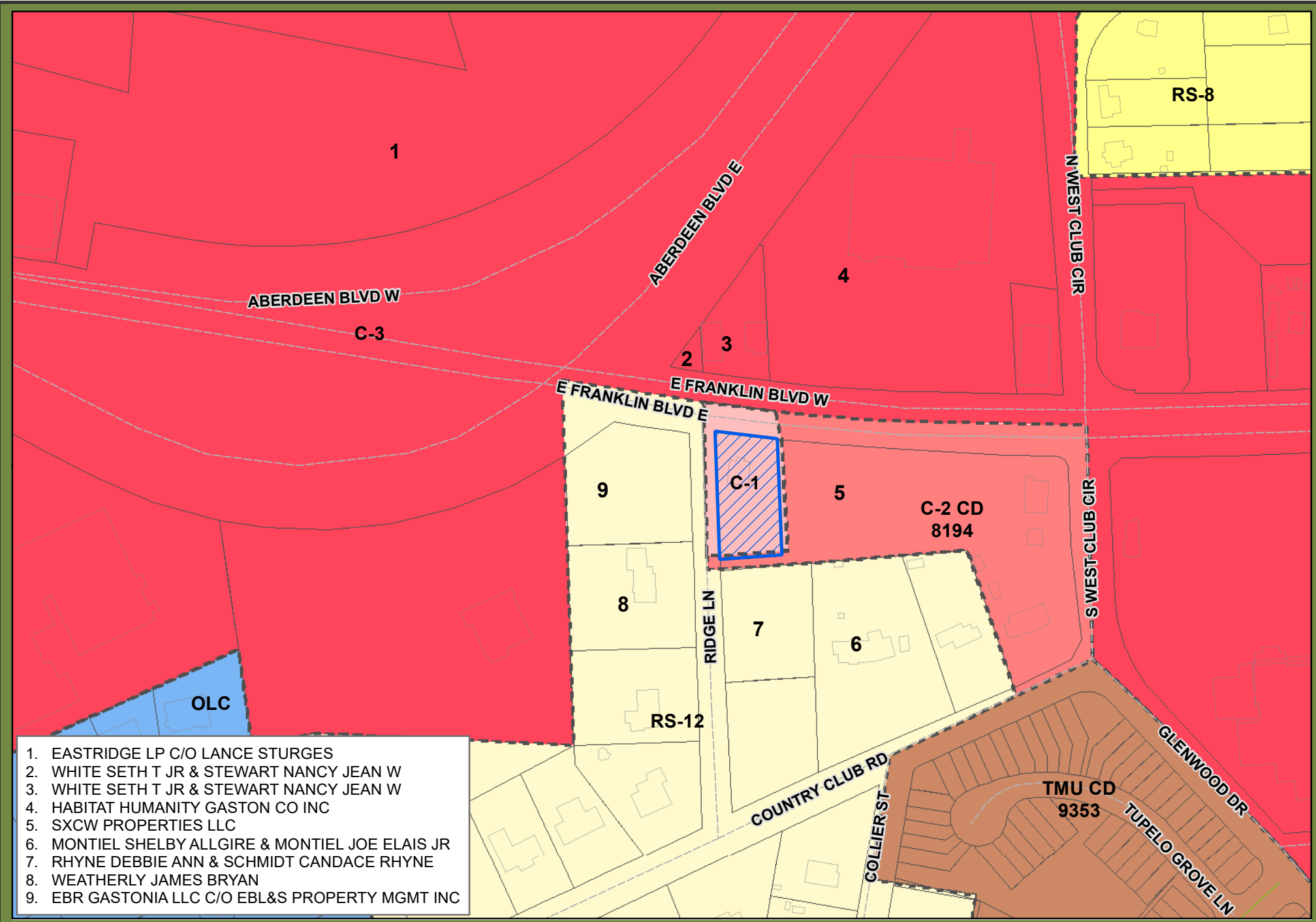


Jordan Tubbs, MEPD

Senior 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 use to be reasonable, compatible, and in the public's interest.*


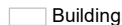
**Statement of consistency and reasonableness (motion to deny):** *The Planning Commission considers an affirmative vote to not be reasonable and to not be in the public interest.*



**Applicant:** Jay Kumar  
**Owner:** SAS Real Estate, LLC  
**Planning Comm Hearing:** May 9, 2024  
**Request:** C-1 to C-3  
**Ward:** 2  
**Total Tract Size:** approx. 0.445 acres  
**Parcel ID #:** 117564

 **Subject Property**

- Legend**
- Residential Zones**
-  RLD Residential Low Density
  -  RS-12 Residential 12000sqft lots
  -  RS-8 Residential 8000sqft lots
  -  RMF Residential Multi-Family District
  -  PD Planned Development (Residential)
  -  PD Planned Development (Mixed Use)
- Commercial Zones**
-  C-1 Neighborhood Business District
  -  C-2 Highway Business District
  -  C-3 General Business District
  -  CBD Central Business District
  -  TMU Transitional Mixed Use
  -  UMU Urban Mixed Use District
- Office Zones**
-  O-1 Office District
  -  OLC Office Light Commercial
  -  O-M Medical Office District
- Industrial Zones**
-  I-U Urban Industrial District
  -  I-1 Light Industrial District
  -  I-2 General Industrial District
  -  I-3 Exclusive Industrial District
- Other Zones**
-  SP State Park District
  -  AP Airport District

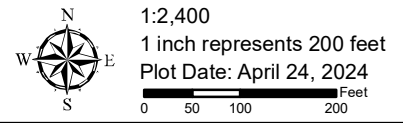
 Parcels  
 Buildings

1. EASTRIDGE LP C/O LANCE STURGES
2. WHITE SETH T JR & STEWART NANCY JEAN W
3. WHITE SETH T JR & STEWART NANCY JEAN W
4. HABITAT HUMANITY GASTON CO INC
5. SXCW PROPERTIES LLC
6. MONTIEL SHELBY ALLGIRE & MONTIEL JOE ELAIS JR
7. RHYNE DEBBIE ANN & SCHMIDT CANDACE RHYNE
8. WEATHERLY JAMES BRYAN
9. EBR GASTONIA LLC C/O EBL&S PROPERTY MGMT 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**  
**PLMA202400071**

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 April 25, 2024.





Great Place. Great People. Great Promise.

**CITY OF GASTONIA APPLICATION FOR PUBLIC HEARING**

<http://www.cityofgastonia.com>

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

1. Identify the request (example: rezone from RS-12 to OLC CD or SUP, etc.):  
Rezone From C-1 to C-3

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): 117564

3. Subject property addresses: 1801 E. FRANKLIN BLVD  
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.  
PROPERTY IS VACANT  
with BUSINESS on Front of Property

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 SAS REAL ESTATE LLC as evidenced in deed from (date) 12/21 recorded in DB: 5292 PG: 2196 in the Gaston County Registry

LLC Habit  
HABIT  
100 RIDE  
100 RIDE

8. The real property for which the above request is sought is located on the E. Franklin side of Log Ride between \_\_\_\_\_ and \_\_\_\_\_ having a frontage of 100 feet and depth of 160 feet and acreage of .44.

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).

JAY KUMAR  
8703 Kentucky Derby Drive  
Waxhaw, NC 28173

12. Name and address of applicant: JAY KUMAR  
Telephone #: 704 634-3874 E-mail address: RJKUMAR@aol.com

13. Interest in subject realty: OWNER INVESTMENT

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 \_\_\_\_\_
- NO*

If yes, please explain \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

16. Name and address of person to present item at public hearing: TOM MUPHAUL

Telephone number: 704 923-5672 Email: T.muphaul@yahoo.com

\*\*\*\*\*

I, Jay Kumar, certify that I have read the information provided in the public hearing information package on the 28 day of Sept, 2023.

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

Jay Kumar \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PUBLIC HEARING  
STAFF REPORT**

**File # 202400068**

**GPC Hearing Date: May 9<sup>th</sup>, 2024**

OWNER(S): Keith Edward Clark  
APPLICANT: Keith Edward Clark  
PROPOSED ZONING ACTION: Rezoning from RS-12 to C-2  
LOCATION: 1792 Hoffman Road (PIDs 140097 & 140102)  
TRACT SIZE: Approximately 9.79 acres  
WARD: 3

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**EVALUATION:**

Site Description and Background

The subject request consists of two tax parcels (PIDs 140097 and 140102) currently zoned RS-12 (Single-family Residential, minimum 12,000 sq. ft. lots), located at 1792 Hoffman Road. The applicant is requesting to rezone to C-2 (Highway Business). The site is accessed off of Hoffman Road, with 40-feet of road frontage, and currently consists of a single-family residence.

Adjoining Properties and Land Use Trends

Adjoining properties consist of a combination of commercial and residential zoning and uses. To the west, the subject property is bordered by single-family residential uses, zoned RS-12. Directly abutting tax parcel 140097 is RS-8 CD (Single-family Residential, minimum 8,000 sq. ft. lots – Conditional District) zoning which was approved in April, 2020, for a 162 lot subdivision. Property directly north is zoned C-2 and RMF (Residential Multi-family) which consists of the Arbors Townhomes. To the east and south of the subject property is C-2 zoning consisting of a life storage facility, CaroMont Urgent Care, and the Hoffman Village shopping center.

Available Public Facilities

Water is available on Hoffman Road. Sewer is available on tax parcel 140097.

Consistency with Adopted Plans

The Future Land Use Map in the 2025 Comprehensive Plan indicates residential uses for the subject property, which is consistent along Hoffman Road, south of Duke Street.

Conclusion

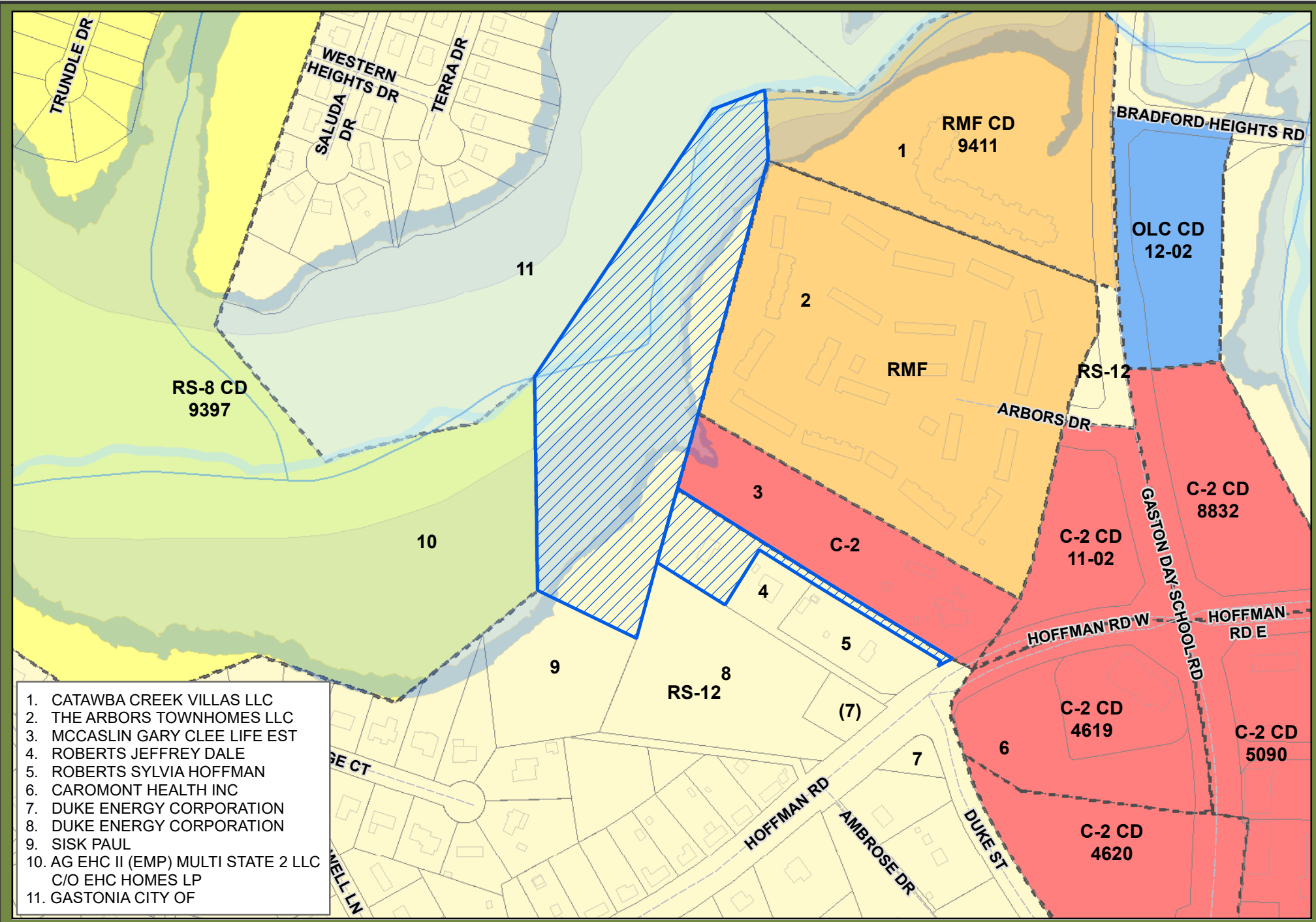
The applicant has requested a rezoning from RS-12 to C-2. South of Duke Street, Hoffman Road transitions to a primarily residential corridor, which is apparent by the configuration of lots and existence of neighborhoods. The C-2 zoning district allows for more intense commercial uses with the intent of providing adequate road access and high visibility development. In order to preserve the residential character of this area and provide compatible uses, **staff recommends that the request be denied as presented.**



Maddy Gates, MURP  
Senior 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.*



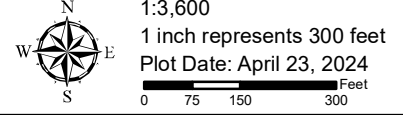
1. CATAWBA CREEK VILLAS LLC
2. THE ARBORS TOWNHOMES LLC
3. MCCASLIN GARY CLEE LIFE EST
4. ROBERTS JEFFREY DALE
5. ROBERTS SYLVIA HOFFMAN
6. CAROMONT HEALTH INC
7. DUKE ENERGY CORPORATION
8. DUKE ENERGY CORPORATION
9. SISK PAUL
10. AG EHC II (EMP) MULTI STATE 2 LLC  
C/O EHC HOMES LP
11. GASTONIA CITY OF

**Applicant:** Keith Edward Clark  
**Owner:** Keith Edward Clark  
**Planning Comm Hearing:** May 9, 2024  
**Request:** RS-12 to C-2  
**Ward:** 3  
**Total Tract Size:** approx. 9.79 acres  
**Parcel ID #:** 140102 & 140097

**Subject Property**

- Legend**
- Residential Zones**
- RLD Residential Low Density
  - RS-12 Residential 12000sqft lots
  - RS-8 Residential 8000sqft lots
  - RMF Residential Multi-Family District
  - PD Planned Development (Residential)
  - PD Planned Development (Mixed Use)
- Commercial Zones**
- C-1 Neighborhood Business District
  - C-2 Highway Business District
  - C-3 General Business District
  - CBD Central Business District
  - TMU Transitional Mixed Use
  - UMU Urban Mixed Use District
- Office Zones**
- O-1 Office District
  - OLC Office Light Commercial
  - O-M Medical Office District
- Industrial Zones**
- I-U Urban Industrial District
  - I-1 Light Industrial District
  - I-2 General Industrial District
  - I-3 Exclusive Industrial District
- Other Zones**
- SP State Park District
  - AP Airport District
- Other Symbols:**
- Floodway
  - 100yr Flood Zone
  - 500yr Flood Zone
  - Streams
  - Rivers
  - Parcels
  - Buildings

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

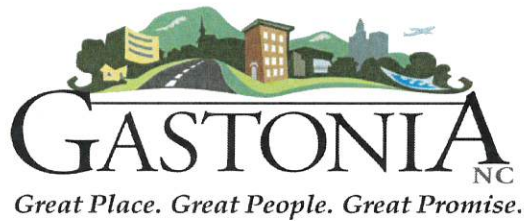


**Application**  
**PLMA202400068**

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 April 25, 2024.







## 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 RS-12 to C-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): 140102 House \$140097 Vacant  
Pin 3564145594 1.12 acre Land 8.67 acre

3. Subject property addresses: 1792 Hoffman 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 is at end of drive<sup>way</sup> about 900 ft from drive way entrance on Hoffman Rd. ~~the~~ beside a white House with Blue Roof. Neighbor house is tan and has a red Building with Red truck in front of building. Vacant land is behind Brick House 1792 Hoffman Rd.

5. Complete legal description by metes and bounds of said realty is attached to the application (a copy of the deed is sufficient). House - Deedbook - 2687 7/30/1997 Plat Neighborhood Hoffman Rd Deed Page - 0448 Platbook 054 Page 112 5B126 Built 1967 1500 sq ft

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 Keith Clark as evidenced in deed from (date) 7-30-97 recorded in DB: 2687 PG: 0448 in the Gaston County Registry

8. The real property for which the above request is sought is located on the North side of Hoffman Rd between \_\_\_\_\_ and \_\_\_\_\_ having a frontage of 40 feet and depth of 1100 feet and acreage of 9.79.

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: Keith Edward Clark  
Telephone #: 704-616-0737 E-mail address: KeithEClark69@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 N/A  
\_\_\_\_\_  
\_\_\_\_\_

16. Name and address of person to present item at public hearing: Keith Clark  
\_\_\_\_\_  
Telephone number: 704-616-0737 Email: KeithEClark69@gmail.com

\*\*\*\*\*

I, Keith Clark, certify that I have read the information provided in the public hearing information package on the 16 day of Feb, 2024.

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

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