



**Gastonia Planning Commission  
Meeting Schedule  
April 4<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: Oath of Office**

**ITEM 1c: Calls/Contacts to Planning Commission Members**

**ITEM 1d: Approval of February 8th, 2024 Minutes**

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

Subject hearing involves a request to rezone approximately 0.33 acres from C-3 CD (General Business – Conditional District) 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.

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

**ITEM 3: Public Hearing – S. New Hope Road & 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.

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

**ITEM 4: Public Hearing – Union New Hope Road (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 hold a Public Hearing for the annexation and assignment of zoning request at the **April 16<sup>th</sup>, 2024** meeting.

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

**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 (Neighborhood Business – Conditional District). The subject property is located at 413 Misty Lane and is owned by Now Outreach, Inc.

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

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

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**ITEM 6: Public Hearing – 216 W. Davidson Avenue (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.

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

**ITEM 7: Public Hearing – 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 hold a Public Hearing for the text amendment request at the **April 16<sup>th</sup>, 2024** meeting.

**Staff Presentation: Tucker Johnson – City Engineer**

**ITEM 8: Public Hearing – 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.

- The Gastonia City Council will hold a Public Hearing for the text amendment request at the **April 16<sup>th</sup>, 2024** meeting.

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

**ITEM 9: OTHER BUSINESS**

**ITEM 10: ADJOURNMENT**

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**UPCOMING IMPORTANT DATES**

April 16<sup>th</sup> & May 7<sup>th</sup> – City Council Meeting – 6:00 p.m.  
May 9<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 February 8<sup>th</sup>, 2024 Meeting Minutes**

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The Gastonia Planning Commission meeting opened at 5:30 p.m. on Thursday, February 8, 2024, in the Council Chambers at City Hall, 181 S. South Street of Gastonia, NC.

Present: Chair Kristie Ferguson and Commissioners Megan Chapman, Anthony Gallant, Chad Ghorley and Glen Silverman

Absent: Commissioners Jim Stewart, Carl Harris and Rodney Armstrong

Staff Members Present: Charles Graham, Quentin McPhatter, Jalen Nash, Jordan Tubbs, Keith Lineberger, and Amber Bridges

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

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

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

Chair Ferguson and Commissioner Ghorley received two contacts. None of the other Commissioners received any contacts.

### **Item 1d: Approval of January 4<sup>th</sup>, 2024 Meeting Minutes**

Commissioner Ghorley made a motion to adopt the January 4<sup>th</sup> minutes as presented and Commissioner Gallant seconded the motion. The motion unanimously passed (4-0).

### **Item 2: Public Hearing – Union Mill (File #202300408)**

Subject hearing involves a request for annexation and assignment of zoning for approximately 219.178 acres from Gaston County R-1 (Single-family Limited Residential) to PD-RRDD (Planned Development – Revised Residential Development District). The subject property is located on Union New Hope Road, directly across Glover Road and is owned by Walton North Carolina, LLC.

Chair Ferguson announced that the Gastonia City Council will hold a Public Hearing for the annexation and assignment of zoning request at the February 20<sup>th</sup>, 2024 meeting.

Chair Ferguson recognized Jordan Tubbs, Senior Planner, for staff presentation. Mr. Tubbs stated that the request includes an annexation petition and that the applicant is present for a recommendation on the zoning. Mr. Tubbs discussed the existing conditions and surrounding zoning of the subject property. He stated the request is for a 526-unit single-family residential development. The site plan was displayed. Mr. Tubbs discussed the 50-foot perimeter setback along the entirety of the property and the 100-foot landscape setback along Union New Hope Road which the applicant has agreed to provide. He discussed the agreed upon conditions in the staff report and noted that a Traffic Impact Analysis (TIA) is required for this development which is currently under review. Mr. Tubbs stated the request is consistent with the 2025 Future Land Use Map for residential uses and staff is recommending approval.

With no questions for staff, Chair Ferguson recognized Sara Shirley, 200 S. Tryon Street, Charlotte, NC. Ms. Shirley stated that she works with Kimley Horn and is representing the applicant, Meritage Homes. Ms. Shirley discussed the neighborhood meeting that was held and the site plan revisions requested from staff. She noted that construction will most likely be in four phases and that full buildout would be intended for 6-8 years. Ms. Shirley discussed specifics of the site plan, including stream buffers, wetlands, setbacks, open space, and tree save area. She shared the concerns from the neighborhood meeting which were traffic, neighborhood change, environmental protection and construction.

Chair Ferguson recognized Reid Owen, 13925 Ballantyne Corporate Place, Charlotte, NC. Mr. Owen shared that he is present on behalf of Meritage Homes. He provided background information on Meritage Homes and shared that they have also built in the neighboring Nolen Farms development. Mr. Owen also noted that Meritage will be the land developer, home builder and seller throughout the process.

Chair Ferguson recognized Holly Stowe, 630 Union New Hope Road, Gastonia, NC. Ms. Stowe shared that she is an adjoining property owner and long-time resident of Gastonia. She stated she has a small farm and that her main concerns with the proposed development were the quality of life. Ms. Stowe shared that Union New Hope road is a rural area, with several farms and large lots which would make this project not compatible. She shared concerns with density, small lot sizes, school capacity and traffic. Commissioner Silverman asked Ms. Stowe if the property that she owns adjacent to the site is currently being farmed. Ms. Stowe replied “Yes”, and shared that it is for hay for their cattle.

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Chair Ferguson recognized Daniel Cerdeiras, 247 Moore Drive, Gastonia, NC. Mr. Cerdeiras shared that he has a small farm and was attracted to the Union New Hope Road area due to its rural nature, low density development, and limited traffic. He shared that the proposed development would not improve the lives of the existing residents. He shared concerns for quality of life and density and stated that the proposed development did not fit in with the area.

Chair Ferguson recognized Eduardo Cerdeiras, 247 Moore Drive, Gastonia, NC. Mr. Cerdeiras shared that he has the same concerns as the previous speakers. He stated that the property should be developed with more of an ecological mindset to preserve nature and not be so dense. Mr. Cerdeiras also discussed the issues of road connections, traffic concerns, and school capacity. He noted that cookie cutter homes do not fit in this area and he expressed concerns with clear cutting the existing woods.

Chair Ferguson recognized David Arruzza, 243 Moore Drive, Gastonia, NC. Mr. Arruzza shared that the proposed project did not fit in with the existing County properties. He stated that the lots should be 2 acres and the unit count should be cut in half. Mr. Arruzza shared concerns with homes being too close to one another and the property being overbuilt. He also stated that traffic will get worse and that the infrastructure cannot withstand the new homes.

Commissioner Ghorley asked Ms. Shirley what the turn out of the neighborhood meeting was and if any suggestions from the residents were added to the site plan. Ms. Shirley responded that there were 20 to 25 people in attendance. She also noted that the 50-foot perimeter setback around the entire property was added due to feedback from residents. Commissioner Ghorley asked Mr. Owen if he had thought about less density since this is a more rural area. Mr. Owen replied that the current site plan is a significant decrease in unit count from the original site plan. He also shared that Meritage would not be able to make one acre to three quarters of an acre lots work. Commissioner Ghorley asked what amenities would be provided. Ms. Shirley shared that it is not yet finalized but that they are planning for a pool and clubhouse as well as several pocket parks throughout the site.

Commissioner Silverman asked for clarification on the proposed elevations. Mr. Owen stated that the elevations included in the packet are different varieties for ranch style and two-story homes. He discussed that the elevations are similar to the homes built in Nolen Farms. Mr. Owen also noted that they are anticipating more feedback on the elevations from staff throughout the process. Commissioner Chapman asked Ms. Shirley for clarification on price points. Ms. Shirley discussed that price points are based upon the current market at the time of sale but that they will be market rate.

Chair Ferguson asked Ms. Shirley if the perimeter setback and landscape setback were agreed upon conditions and beyond what the code required. Ms. Shirley replied "Yes". Ms. Shirley approached for a rebuttal to address concerns from the residents. She discussed compliance with all City and County ordinances, the need for additional housing in the area, the water and sewer extension planned for Union New Hope Road, and the future vision of the City.

Commissioner Gallant made a motion to close the public hearing and Commissioner Ghorley seconded the motion. The motion to close the public hearing was unanimously approved (5-0).

Commissioner Gallant and Chair Ferguson discussed the TIA. Assistant City Attorney, Charles Graham, noted that the TIA takes the provided density and unit count into account and will provide mitigations to the project site and other intersections that are studied. The Commissioners discussed the density, TIA, consistency and price points. Commissioner Ghorley stated he felt the request was consistent based upon similar projects in the area. Commissioner Chapman shared that she has concerns with the density. Chair Ferguson discussed affordability and how it is related to density.

With no further discussion, Commissioner Ghorley made a motion to recommend approval of the request as presented with the statement of consistency and reasonableness. Commissioner Gallant seconded the motion. With no discussion, the motion to recommend approval of the request as presented was unanimously passed (5-0).

### **Item 3: Public Hearing – Oakwood Townhomes (File #202300361)**

Subject hearing involves a request to rezone approximately 3.152 acres from RS-12 (Single-family Residential, minimum 12,000 sq. ft. lots) to PD-RRDD (Planned Development – Revised Residential Development District). The subject property is located at 1106 N. Oakwood Street and is owned by KB Holdings, LLC.

Chair Ferguson recognized Jordan Tubbs, Senior Planner, for staff presentation. The zoning map was displayed. Mr. Tubbs stated the request was for a maximum of 35 rear loaded townhomes located on N. Oakwood Street. He explained the existing conditions of the property and the surrounding zoning. The site plan was displayed. Mr. Tubbs explained that site plan was designed in accordance with



## **Gastonia Planning Commission February 8<sup>th</sup>, 2024 Meeting Minutes**

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Section 8.1.17 following the Revised Residential Development Standards. He discussed the agreed upon conditions in the staff report. Additionally, he noted that the applicant has agreed to provide a two-story product although the elevations show a three-story. Mr. Tubbs stated that the request is consistent with the Future Land Use Map for residential uses and staff is recommending approval as presented.

With there being no questions for staff, Chair Ferguson recognized Kenneth Bell, 325 State Street, Charlotte, NC. Mr. Bell shared that he is the applicant on the request. He started by providing some background information on the previous ownership of the subject property. Mr. Bell discussed the existing conditions of N. Oakwood Street, particularly the narrow roads and lack of pedestrian infrastructure. Mr. Bell discussed highlights of the site plan including open space, sidewalk on Oakwood, and buffers.

Commissioner Gallant asked if the townhomes are for sale or for rent. Mr. Bell replied that they are intended for sale. Commissioner Gallant asked for details on the neighborhood meeting and if any suggestions from the residents were included on the site plan. Mr. Bell replied that there was a good turnout at the neighborhood meeting. He discussed that the main concerns were traffic, density, and overall change. In response to the concerns, Mr. Bell noted that they added additional buffers, wider driveways at the entrance and units that front on Oakwood for aesthetic purposes.

Chair Ferguson asked Mr. Bell about the re-located access to 1106 ½ N. Oakwood Street. Mr. Bell replied that he has been in contact with that property owner. He discussed that there is currently a dirt road to the rear property but that they have agreed to provide paved access through this development.

Chair Ferguson recognized Angie Castro, 7823 Elwood Drive, Charlotte, NC. Ms. Castro shared that she is a realtor. She discussed the lack of affordable housing and that she was in favor of the proposed project.

Chair Ferguson recognized Eric Eichinger, 424 E. 36<sup>th</sup> Street, Charlotte, NC. Mr. Eichinger shared that he was in favor of the project and believes it will provide needed affordable housing.

Chair Ferguson recognized Ashshaquor Sandiford, 5124 Rosemead Drive, Charlotte, NC. Mr. Sandiford shared that he is working on a similar project on Davidson Avenue. He discussed theft and drug use in the area and noted that he believes new housing will help. Mr. Sandiford stated that he was in favor of the project and its potential to increase home ownership.

Chair Ferguson recognized Tonda Nolen, 1204 N. Oakwood Street, Gastonia, NC. Ms. Nolen shared that she is speaking on behalf of the Oakwood and Hillwood neighborhoods. She stated that most homes in the neighborhood are ranch style with larger lots. She expressed concerns for the quality of life of the existing residents. She argued that higher density townhomes did not fit in the single-family detached neighborhood. Ms. Nolen stated that she would rather have single-family homes at this property. Lastly, she shared that Oakwood is a small neighborhood and a short road and that she believes this will congest the area.

Chair Ferguson recognized William Suggs, 1423 N. Oakwood Street, Gastonia, NC. Mr. Suggs shared that he had concerns for the existing flood way and creeks that are surrounding the property. He also mentioned that the townhomes were too close together.

Chair Ferguson recognized Amber Price, 1042 N. Oakwood Street, Gastonia, NC. Ms. Price shared that Oakwood is a narrow street in bad condition. She expressed concern for additional vehicles and traffic in the neighborhood. She also discussed existing creek and stormwater issues. Ms. Price shared she was in opposition of the proposed project.

Commissioner Gallant asked Mr. Bell for clarification on parking for the townhomes. Mr. Bell replied that all parking is proposed on-site and that there is no street parking. He also added that all townhomes are rear loaded with either garages or driveways. In response to public comments on stormwater issues, Mr. Bell stated that underground management will be provided. Commissioner Ghorley asked Mr. Bell if he had considered developing single-family detached instead. Mr. Bell replied that due to development costs and affordability, townhomes made more sense. Commissioner Silverman asked Mr. Bell what the price points would be and what makes these units affordable. Mr. Bell replied that they would be market rate but will fall in the price range for the local first time homebuyers program.

Commissioner Chapman asked staff where the stormwater pond would be located on site. Assistant City Engineer, Keith Lineberger, replied that the applicant is proposing an underground management system. He also noted that this will continuously reviewed throughout the construction document process.

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Commissioner Chapman made a motion to close the public hearing. Commissioner Ghorley seconded the motion. The motion to close the public hearing was unanimously passed (5-0).

Commissioner Ghorley and Commissioner Chapman discussed underground stormwater management, affordability and compatibility with the existing neighborhood. Commissioner Gallant made a motion to approve the request as presented with the statement of consistency and reasonableness. Commissioner Ghorley seconded the motion. With no further discussion, the motion to approve as presented was unanimously passed (5-0).

### **Item 4: Public Hearing – 1820 Hoffman Road (File #202300461)**

Subject hearing involves a request to rezone approximately 3.75 acres from RS-12 (Single-family Residential, minimum 12,000 sq. ft. lots) to C-2 (Highway Business). The subject property is located at 1820 Hoffman Road and is owned by Gary McCaslin.

Chair Ferguson opened the public hearing and recognized Jordan Tubbs, Senior Planner, for the purpose of staff's presentation. The zoning map was presented. Mr. Tubbs discussed that the intent of the rezoning was for the petitioner to sell the property for commercial uses. He explained the surrounding zoning, noting that the Hoffman Road and Gaston Day School Road intersection is currently a commercial corridor. Mr. Tubbs stated that the general rezoning request would consider all C-2 uses which includes some less intense commercial and some residential uses. He explained that although the Future Land Use Map shows residential, staff feels a commercial use at this location would be in keeping with the existing commercial character of the area and that staff is recommending approval as presented.

Chair Ferguson recognized Gary McCaslin, 1820 Hoffman Road, Gastonia, NC. Mr. McCaslin said he was looking to relocate and sell his property for commercial uses. Chair Ferguson shared concerns that the request was for a general C-2 zoning rather than a conditional. Further, she asked staff if uses could be limited as part of the rezoning request. Assistant City Attorney, Charles Graham, clarified that conditions or limiting uses cannot be added to a general request.

Commissioner Chapman made a motion to approve the request as presented with the statement of consistency and reasonableness. Commissioner Ghorley seconded the motion. The motion to approve the request as presented was passed (4-1). Commissioners Gallant, Ghorley, Chapman, and Silverman voted in favor of the motion. Chair Ferguson voted in opposition of the motion.

### **Item 5: Public Hearing – 819 S. Oakland Street (File #202300502)**

Subject hearing involves a request to rezone approximately 0.26 acres from C-2 (Highway Business) to C-1 (Neighborhood Business). The subject property is located at 819 S. Oakland Street and is owned by Bond Stone Holdings, LLC.

Chair Ferguson 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 C-1, neighborhood business which includes single-family residential uses. He discussed the surrounding zoning and land uses. Mr. Tubbs stated that the request is consistent with the Future Land Use Map for residential uses and that staff believes smaller scale uses in this area would be more compatible. Lastly, he stated staff is recommending approval as presented.

Chair Ferguson recognized Joseph Wilson, 3001 Smithfield Drive, Monroe, NC. Mr. Smithfield stated he was available for any questions. Commissioner Gallant made a motion to approve the request as presented with the statement of consistency and reasonableness. Commissioner Ghorley seconded the motion. The motion to approve the request as presented was unanimously passed (5-0).

### **Item 6: Public Hearing – 2558 W. Franklin (File #202400010)**

Subject hearing involves a request to rezone approximately 2.62 acres from I-2 (General Industrial) to C-3 (General Business). The subject property is located at 2558 W. Franklin Boulevard and is owned by Rusty Nutz, LLC.

Chair Ferguson 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 C-3, general business. He discussed the surrounding zoning and land uses. Mr. Tubbs stated that the request is consistent with the 2025 Future Land Use Map for commercial uses and that staff is recommending approval as presented.

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Chair Ferguson recognized Kathy Spencer, 956 Oates Road, Bessemer City, NC. Ms. Spencer shared that the property is owned by her father. She stated he would like to use the property for commercial uses instead of industrial uses.

Commissioner Ghorley made a motion to approve the request as presented with the statement of consistency and reasonableness. Commissioner Silverman seconded the motion. With no further discussion, the motion to approve as presented was unanimously passed (5-0).

### **Item 7: Other Business**

Assistant City Manager, Quentin McPhatter, shared that the Highland Townhome project has been withdrawn and that a Planning Commission representative will no longer be needed for the February 20<sup>th</sup>, 2024 City Council Meeting.

Chair Ferguson announced that Vice Chair Jim Stewart and Commissioner Rodney Armstrong have resigned from the Planning Commission. Mr. Graham shared that two new commissioners have been appointed by City Council and will need to be sworn in at the next Planning Commission meeting.

Chair Ferguson entertained nominations for Vice Chair. Commissioner Gallant nominated Commissioner Ghorley. Commissioner Silverman seconded the nomination. With no further discussion, the nomination for Chad Ghorley for Vice Chair was unanimously passed (5-0).

### **Item 8: Adjournment**

Chair Ferguson entertained a motion to adjourn the February 8<sup>th</sup> Planning Commission meeting. Commissioner Ghorley made a motion to adjourn the meeting and Commissioner Gallant seconded the motion. The motion to adjourn was unanimously passed (5-0). The meeting adjourned at 7:24 PM.

Respectfully submitted,

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Jalen Nash, Planning Technician

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Kristie Ferguson, Chairwoman

**PUBLIC HEARING  
STAFF REPORT**

**File # 202400085**

**GPC Hearing Date: April 4<sup>th</sup>, 2024**

OWNER: Ralph Bridges  
APPLICANT: Ralph Bridges  
PROPOSED ZONING ACTION: Rezoning from C-3 CD to RS-8  
LOCATION: 1033 Brown Street (PID: 102108 & 102109)  
TRACT SIZE: Approximately 0.33 acres  
WARD: 4

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**EVALUATION:**

**Background and Request**

The subject property for this rezoning request consists of two tax parcels (PID 102108 and 102109), currently zoned C-3/CUD (General Business Conditional Use District), located at the south eastern corner of the intersection of Brown Street and Bessemer City Road. In July of 2002 the subject property was granted a conditional use district approval for a fuel station which was never developed (File #35-02). Existing conditions show a single-family detached dwelling on Parcel 102108 while Parcel 102109 remains vacant.

**Adjoining Properties and Land Use Trends**

Surrounding properties consist of commercial, residential, and industrial uses. The character of the area is that of a remnant mill village with neighborhoods made up of traditional style homes in close proximity to industry and retail. Adjacent properties along Bessemer City Road are currently zoned C-3 (General Business). The parcels to the north on the opposing side of Brown Street are zoned I-U (Urban Industrial). Parcels directly to the east of the property are zoned RS-8 (Residential Single Family).

**Available Public Facilities**

Both public water and sewer are currently available to these tax parcels at frontage.

**Consistency with the Comprehensive Plan**

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

**Conclusion**

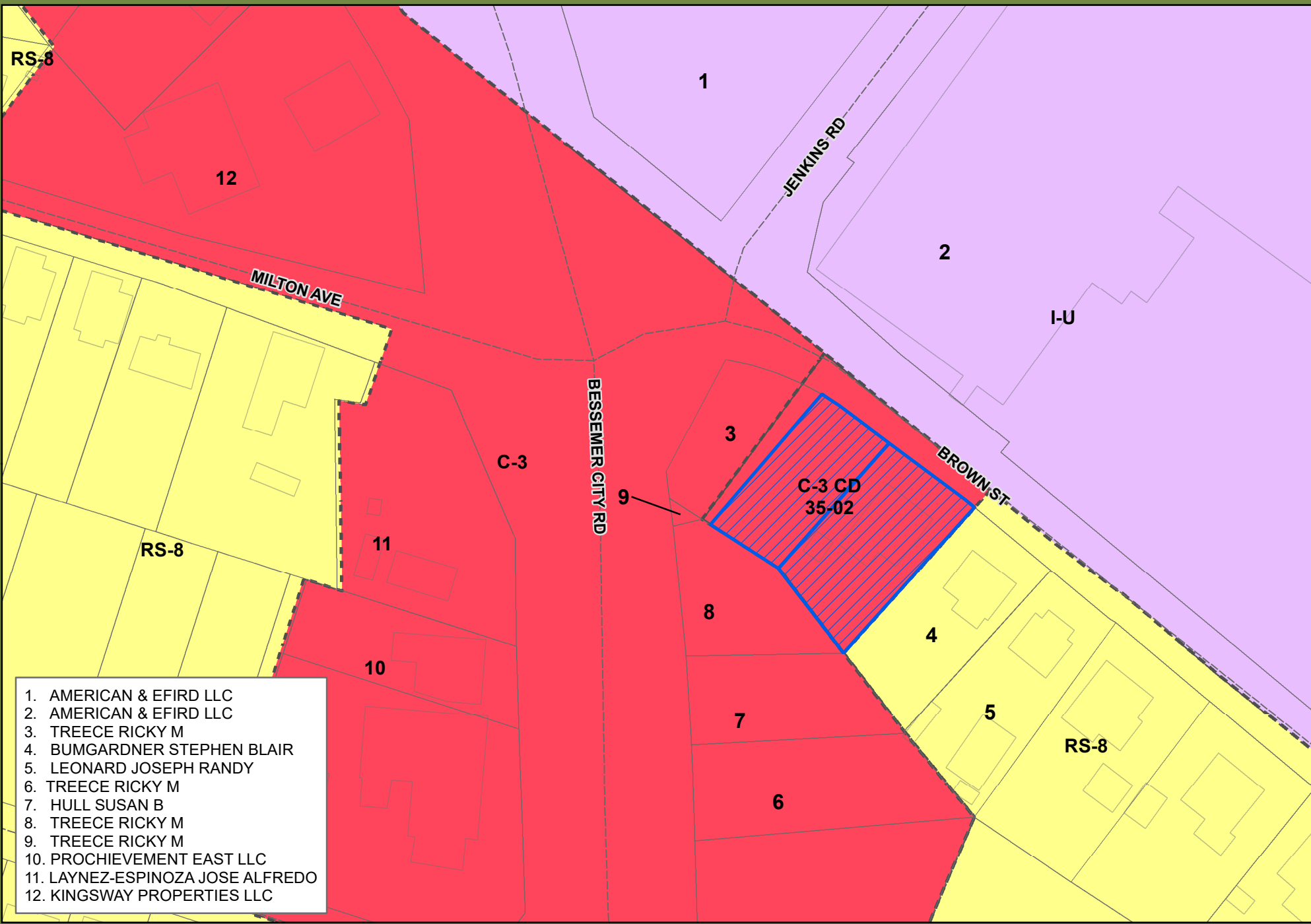
The request includes a rezoning from C-3 CD to RS-8 to facilitate residential uses. Based on the 2025 Comprehensive Plan and the submitted application, **staff recommends approval of the request as presented.**



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 residential 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.



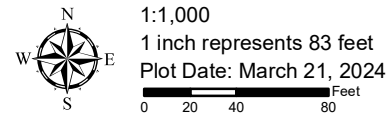
1. AMERICAN & EFIRD LLC
2. AMERICAN & EFIRD LLC
3. TREECE RICKY M
4. BUMGARDNER STEPHEN BLAIR
5. LEONARD JOSEPH RANDY
6. TREECE RICKY M
7. HULL SUSAN B
8. TREECE RICKY M
9. TREECE RICKY M
10. PROCHIEVEMENT EAST LLC
11. LAYNEZ-ESPINOZA JOSE ALFREDO
12. KINGSWAY PROPERTIES LLC

**Applicant:** Ralph Bridges  
**Owner:** Ralph Bridges  
**Planning Comm Hearing:** April 4, 2024  
**Request:** C-3 CD to RS-8  
**Ward:** 4  
**Total Tract Size:** approx. 0.33 acres  
**Parcel ID #:** 102108 & 102109

**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  
 Streets

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**  
**PLMA202400085**

I, Julia Baker-Granata, hereby certify that all mail notices, in the absence of fraud, were mailed to all affected and adjoining property owners on March 21, 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.): C-3 CD to RS-8 (Single-family Residential)

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

*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): 102108 & 102109

\_\_\_\_\_

3. Subject property addresses: 1033 Brown Street

\_\_\_\_\_

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. PID 102108 consists of a single-family home. PID 102109 is currently vacant.

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

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

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

7. The real property to be rezoned is owned in fee simple by Ralph Bridges as evidenced in deed from (date) 12/2023 recorded in DB: 5450 PG: 1913 in the Gaston County Registry

8. The real property for which the above request is sought is located on the West side of Brown Street between Arkray St. and Bessemer City Rd. having a frontage of 125 feet and depth of Approx. 128 feet and acreage of 0.33.

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: Ralph Bridges  
Telephone #: 704-685-8196 E-mail address: \_\_\_\_\_

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 \_\_\_\_\_ X \_\_\_\_\_ 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 File 35-02 (C-3 CD)

If yes, please explain 2002 approval for a "Fuel Station" use which was never developed. Property has been used for single-family residential.

16. Name and address of person to present item at public hearing: Ralph Bridges  
Telephone number: \_\_\_\_\_ Email: \_\_\_\_\_

\*\*\*\*\*

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.**

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



**PUBLIC HEARING  
STAFF REPORT**

**File # 202300464**

**GPC Hearing Date: April 4<sup>th</sup>, 2024**

OWNER(S): Snarkus Holdings, LLC.  
APPLICANT: Tish Sanchez – Amado Construction, LLC.  
PROPOSED ZONING ACTION: Rezoning from RS-12 to RS-8 CD  
LOCATION: S. New Hope Road & E. Perry Street (PID# 115678)  
TOTAL TRACT SIZE: Approximately 0.72 acres  
AREA TO BE REZONED: Approximately 0.23 acres  
WARD: 3

---

**EVALUATION:**

Site Description and Background

The subject request consists of one tax parcel (PID 115678) currently zoned RS-12 (Single-family Residential, minimum 12,000 sq. ft. lots). The subject property is located in the East Perry Street neighborhood and has approximately 60-feet of frontage on S. New Hope Road and approximately 120-feet of frontage on E. Perry Street. The subject property is currently vacant.

A previous general rezoning request from RS-12 to RS-8 for this property was submitted by the same applicant, Amado Construction LLC, and was heard at the November 9<sup>th</sup>, 2023 Planning Commission meeting (File #202300363). However, that request was denied unanimously (6-0) due to concerns for density and land use.

The applicant has returned and is now requesting to rezone an approximate 0.23-acre portion of tax parcel 115678 to RS-8 CD (Single-family Residential, minimum 8,000 sq. ft. lots – Conditional District). RS-8 CD is requested to create two new single-family residential lots. As shown on the attached site plan, “Lot 7A” has 60-feet of road frontage on S. New Hope Road and is proposed to be rezoned to RS-8 CD. “Lot 26A” has 120-feet of road frontage on E. Perry Street and is proposed to remain RS-12. In accordance with section 7.3-1 Bulk and Use Chart in the Unified Development Ordinance (UDO), the two proposed lots are in conformance with the RS-8 and RS-12 zoning district standards. Driveways for each property will be reviewed as part of the zoning permit process. The applicant has provided conceptual elevations for the S. New Hope Road property which show a one-story home.

**RS-8 Zoning Standards:**

- Minimum lot size: 8,000 sq. ft.
- Minimum lot width: 60 feet

**RS-12 Zoning Standards:**

- Minimum lot size: 12,000 sq. ft.
- Minimum lot width: 90 feet

Proposed zoning conditions:

1. The development shall be consistent with the attached rezoning plan and the associated use for a one-story single-family dwelling. Any change in use will require a new rezoning application to be submitted.
2. Construction shall be generally consistent with character and details as depicted in the submitted elevations.
3. The applicant(s) is required to subdivide the approximate 0.23 acres included in this request from tax parcel 115678 before proceeding with zoning permits. The approval of the parcel subdivision is not included in this request.

4. In no instance shall the zoning conditions exempt a project from other development requirements.
5. Where the notes or depictions on the site plan may conflict with these conditions, the conditions shall govern.

#### Adjoining Properties and Land Use Trends

Adjoining properties are a combination of residential, commercial and office land uses and zoning. To the west and south of the subject property is primarily single-family residential uses zoned RS-12 in the East Perry Street neighborhood. To the north, across S. New Hope Road, is a June, 1997 approval for the Brookdale New Hope assisted living facility which is zoned OM – CD (Office Medical – Conditional District; File# 226-97). Further north is single-family residential, zoned RS-12, consisting of the Lewis Place neighborhood. Directly east of the subject property is single-family residential zoned RS-12 and an October 2006 approval for a medical office building zoned OM – CD (Office Medical – Conditional District; File# 4735). Across Armstrong Park Road, is commercial zoning consisting of one vacant C-2 parcel and two C-1 CD parcels consisting of a CVS store and a multi-tenant commercial building.

#### 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. Staff feels the conditional request to RS-8 produces single-family residential lots which are in keeping with adjoining properties and are consistent with the character of the E. Perry Street neighborhood.

#### Conclusion

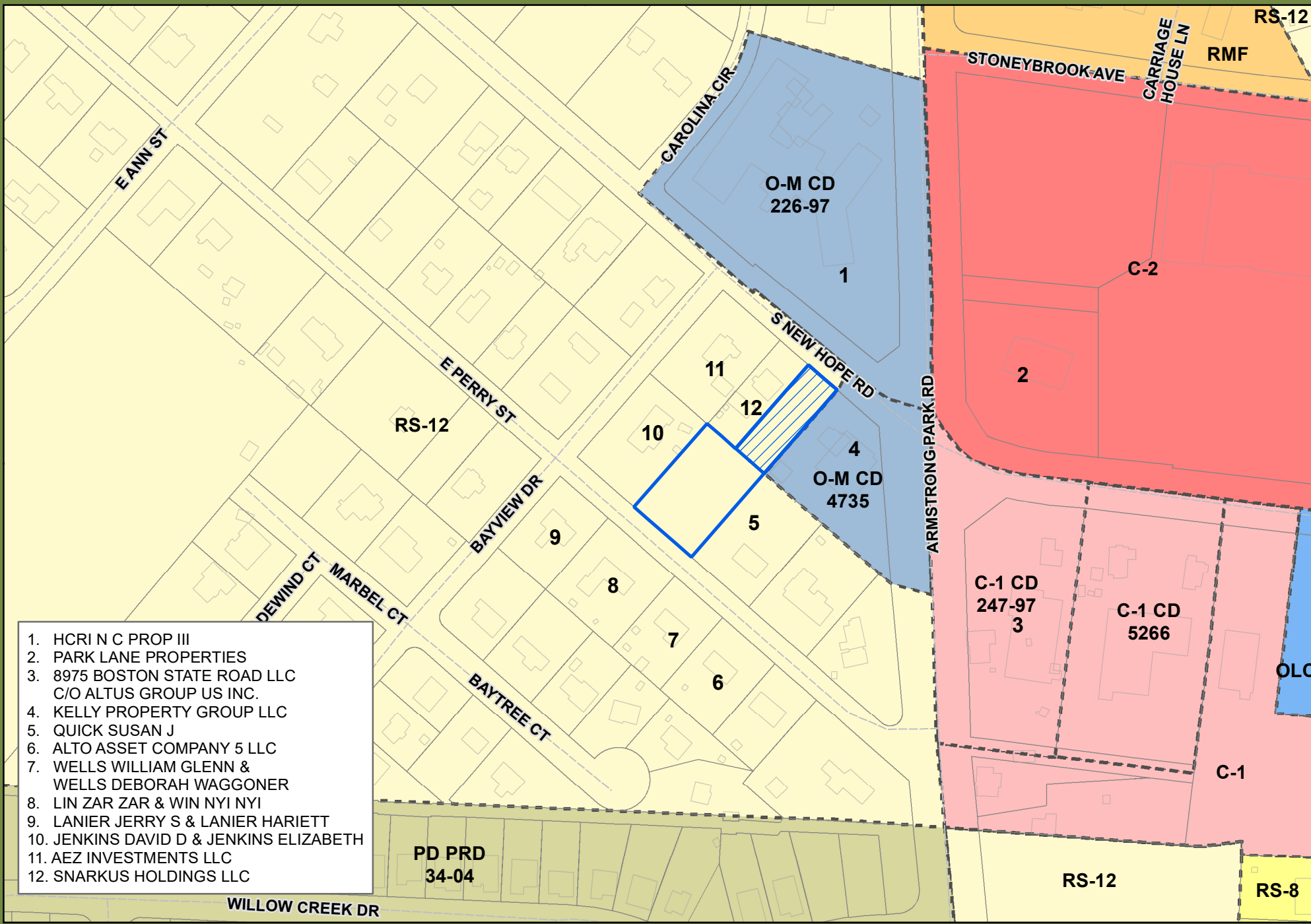
The applicant has requested a partial rezoning of tax parcel 115678 to RS-8 CD (Single-family Residential, minimum 8,000 sq. ft. lots – Conditional District). The rezoning will result in the creation of two new single-family residential lots. Based on the 2025 Comprehensive Plan, the submitted site plan, and attached conditions, **staff recommends that the request be approved 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 development of a single-family 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.*



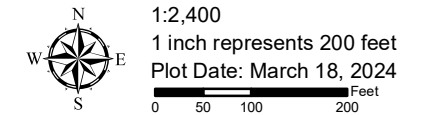
1. HCRI N C PROP III
2. PARK LANE PROPERTIES
3. 8975 BOSTON STATE ROAD LLC  
C/O ALTUS GROUP US INC.
4. KELLY PROPERTY GROUP LLC
5. QUICK SUSAN J
6. ALTO ASSET COMPANY 5 LLC
7. WELLS WILLIAM GLENN &  
WELLS DEBORAH WAGGONER
8. LIN ZAR ZAR & WIN NYI NYI
9. LANIER JERRY S & LANIER HARIETT
10. JENKINS DAVID D & JENKINS ELIZABETH
11. AEZ INVESTMENTS LLC
12. SNARKUS HOLDINGS LLC

**Applicant:** Amado Constructions, LLC  
**Owner:** Snarkus Holdings, LLC  
**Planning Comm Hearing:** April 4, 2024  
**Request:** RS-12 to RS-8 CD (portion)  
**Ward:** 3  
**Total Tract Size:** approx. 0.72 acres  
**Tract Size to be Rezoned:** 0.23 acres  
**Parcel ID #:** Portion of 115678

**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  
 Streets

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**  
**PLMAC202300464**

I, Julia Baker-Granata, hereby certify that all mail notices, in the absence of fraud, were mailed to all affected and adjoining property owners on March 21, 2024.



**NOTES:**

1. THIS PLAT IS NOT FOR RECORDATION AS PER G.S. 47-30 AS AMENDED.
2. ALL CORNERS MONUMENTED AS SHOWN.
3. NO RECOVERABLE NGS MONUMENT LOCATED WITHIN 2,000 FEET OF SUBJECT PROPERTY.
4. THE LOCATION OF UNDERGROUND UTILITIES SHOWN ON THIS MAP IS APPROXIMATE, BASED ON INFORMATION PROVIDED BY OTHERS OR BY FIELD LOCATION. UTILITY LOCATIONS AS SHOWN HEREON ARE INTENDED FOR PLANNING ONLY. ACTUAL LOCATION, SIZE, OR DEPTH OF LINE SHOULD BE VERIFIED WITH THE INDIVIDUAL UTILITY COMPANY BEFORE CONSTRUCTION.
5. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT. CLONINGER BELL SURVEYING & MAPPING, PLLC DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
6. BROKEN LINES INDICATE PROPERTY LINES NOT SURVEYED.
7. THE OFF-SITE RIGHT-OF-WAY SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES ONLY TO THE RIGHT-OF-WAYS SURVEYED, AND DOES NOT CERTIFY TO THE RIGHT OF WAY WIDTH OF ANY ADJACENT PROPERTIES.

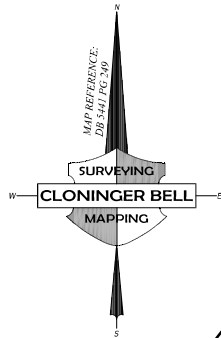
**ZONING:**

ZONING RESTRICTIONS AS PER ZONING ORDINANCE:

ZONE - RS-12  
 MINIMUM SETBACK - 30 FEET  
 MINIMUM SIDE YARD - 12 FEET  
 MINIMUM REAR YARD - 30 FEET

ZONE - RS-8 CD  
 MINIMUM SETBACK - 30 FEET  
 MINIMUM SIDE YARD - 12 FEET  
 MINIMUM REAR YARD - 30 FEET

FOR FURTHER INFORMATION CONTACT THE CITY OF GASTONIA ZONING DEPARTMENT.

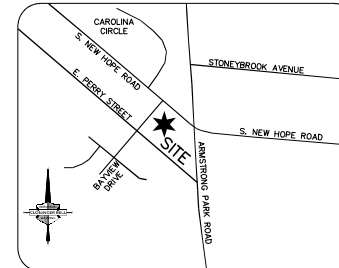


RETURN TO (OWNER):  
 SNARKUS HOLDINGS, LLC  
 P.O. BOX 1405  
 HARRISBURG, NC 28075

**PLOT PLAN**  
**LOTS 7, 8, AND LOTS 27 - 29**  
**E.P. LEWIS PROPERTY SUBDIVISION**

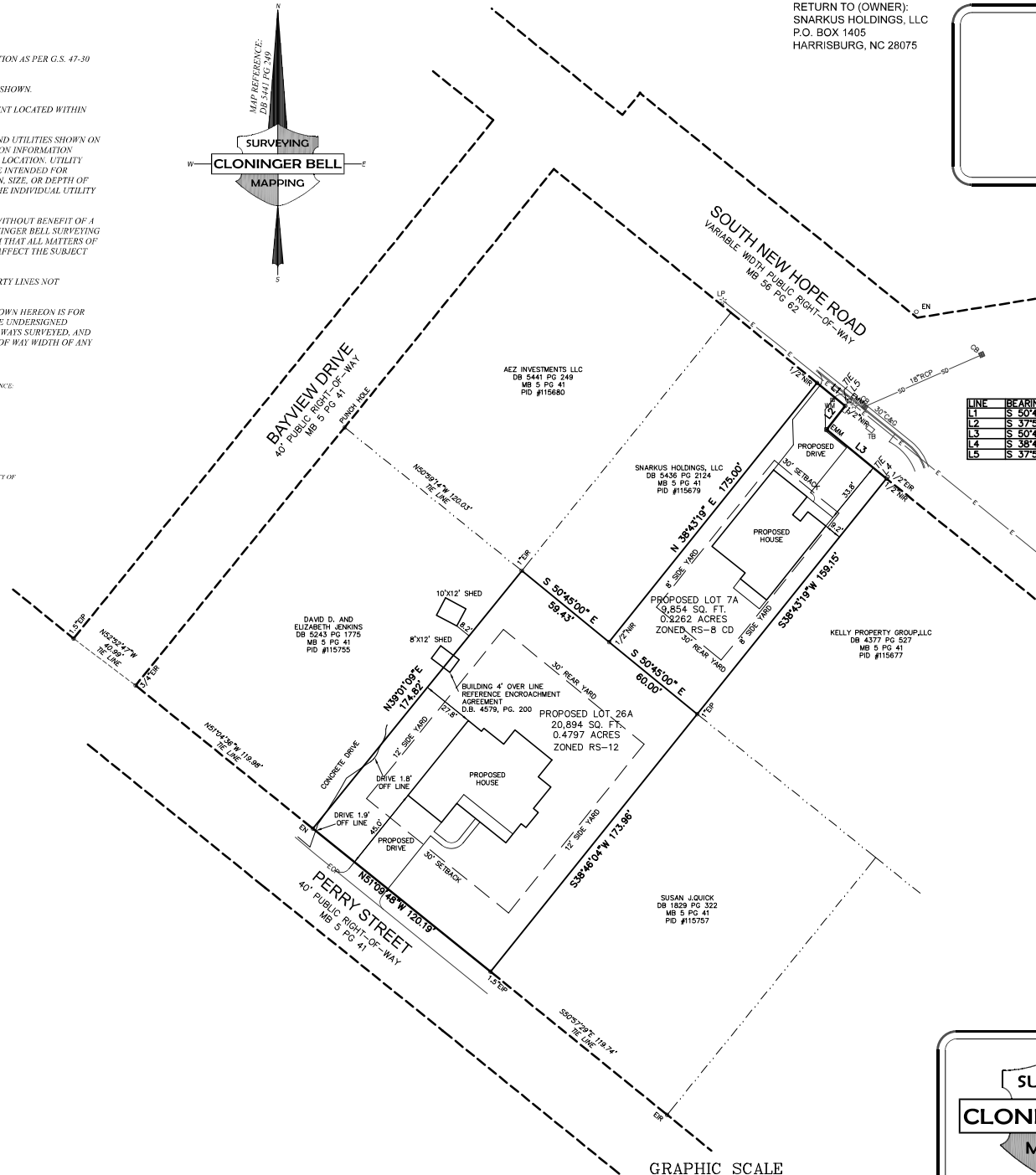
1715 S. NEW HOPE ROAD  
 CITY OF GASTONIA, GASTON COUNTY, N.C.  
 DEED REFERENCE: 5436-2124; MAP REFERENCE: 5-41  
 TAX PARCEL: 115678

TOTAL AREA: 30,748 SQ. FT. (0.7059 ACRES)



VICINITY MAP  
 NOT TO SCALE

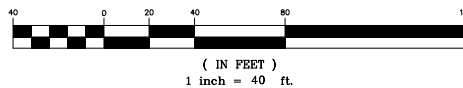
| LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| L1   | S 50°45'00" E | 19.16'   |
| L2   | S 37°57'36" W | 15.85'   |
| L3   | S 50°45'00" E | 40.63'   |
| L4   | S 38°43'19" W | 0.99'    |
| L5   | S 37°57'36" W | 13.56'   |



**LEGEND:**

- CB - CATCH BASIN
- CP - CALCULATED POINT
- DR - DRAINAGE
- ECM - EXISTING CONCRETE MONUMENT
- EP - EXISTING IRON PIPE
- ER - EXISTING IRON ROD
- EMM - EXISTING METAL MONUMENT
- EN - EXISTING NAIL
- LP - LIGHT POLE
- MG - MEASUREMENT
- MB - MAP BOOK
- NCM - NEW CONCRETE MONUMENT
- NGS - NATIONAL GEODETIC SURVEY
- NIR - NEW IRON ROD
- NI - NEW NAIL
- PI - PLATTED
- PIID - PUBLIC IDENTIFICATION NUMBER
- PG - PAGE
- RE - RECORDED
- RW - RIGHT-OF-WAY
- TD - TOTAL
- WM - WATER METER
- PROPERTY LINE
- PROPERTY LINE (NOT SURVEYED)
- RIGHT-OF-WAY
- RIGHT-OF-WAY (NOT SURVEYED)
- EASEMENT
- SETBACK

**FLOOD CERTIFICATION**  
 THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED SEPTEMBER 28, 2007.  
 COMMUNITY PANEL NO: 3770356500U; ZONE "X"



**CLONINGER BELL**  
 SURVEYING & MAPPING, PLLC  
 107 RIVERSIDE DR.  
 MCADENVILLE, NC 28101  
 704.864.9007  
 LICENSE P-2326

|       |        |          |        |                  |          |
|-------|--------|----------|--------|------------------|----------|
| CREW: | DRAWN: | REVISED: | SCALE: | DATE:            | FILE NO. |
| OB    | TLM    |          | 1"=40' | JANUARY 30, 2024 | 3519     |



S. New Hope Road Elevation







## 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 or SUP; etc ): \_\_\_\_\_  
**Conditional Rezoning PID 115678 from RS-12 to RS-8 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): **115678**

- Subject property addresses: **No assigned address**

- In order for our staff to place the rezoning signs on the property, please describe what is on the subject property and or adjacent properties (example: a white frame house is located on the property; the property is vacant with Business 'x' located on the east side). Staff will erect the signs approximately 15 days prior to the meeting. **The property is vacant and adjacent to PID 115679. The property frontage is located on S New Hope Rd near the Armstrong Park Rd intersection and rear of the property is on E Perry St.**

- 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 **Snarkus Holdings, LLC** as evidenced in deed from (date) **9/27/2023** recorded in DB: **5436** PG: **2124** in the Gaston County Registry

- The real property for which the above request is sought is located on the **South** side of **S New Hope Rd** between **Bayview Dr** and **Armstrong Park Rd** having a frontage of **60** feet and depth of **350** feet and acreage of **.72**.

- 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.)

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).

**Snarkus Holdings, LLC, PO Box 1405, Harrisburg NC 28075**

12. Name and address of applicant: **Tish Sanchez, PO Box 1405, Harrisburg NC 28075**

Telephone #: **980-285-8199** E-mail address: **tsanchez@jastradeservicesinc.com**

13. Interest in subject realty: **To subdivide into two parcels to build new construction homes**

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       **N**
- planned unit development       **N**
- subdivision ordinance       **N**
- Planned Residential Development       **N**
- Other Conditional District       **N**

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

16. Name and address of person to present item at public hearing: \_\_\_\_\_

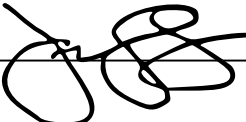
**Jose Sanchez, PO Box 1405, Harrisburg NC 28075**

Telephone number: **980-285-8093** Email: **jsanchez@jastradeservicesinc.com**

\*\*\*\*\*

I, **Tish Sanchez**, certify that I have read the information provided in the public hearing information package on the **27th** day of **November**, 20 **23**.

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

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



**PUBLIC HEARING  
STAFF REPORT**

**File # 202300485**

**GPC Hearing Date: April 4th, 2024**

OWNER: 4-Star Investors: Union Road, LLC.  
& Edward Mauney

APPLICANT: David Hoyle & Benji Layman

PROPOSED ZONING ACTION: Rezoning from R-1 (County) & C-3 CD to C-3 CD

LOCATION: South of Union New Hope Road, at Wilson Farm Road and Union Road (PIDs: 306164, 193027 County)

TRACT SIZE: Approximately 70.45 acres

WARD: 1

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**EVALUATION:**

Site Description and Background

The subject property for this rezoning request consists of two tax parcels located on the southern side of Union New Hope Road, adjacent to Union Road and Wilson Farm Road. PID 306164 is currently zoned C-3 CD (General Business – Conditional District) in Gastonia. This tax parcel was included in a May, 2007 rezoning approval for the Nolen Farms Development and was shown as 750,000 sq. ft. of “Future Commercial Village” (File #4837). This portion was never built out and is currently vacant and wooded. PID 193027 is currently zoned R-1 (Single-family Limited Residential) in Gaston County and consists of an existing single-family home. An annexation petition has been filed by the applicant, and both the annexation and assignment of zoning requests will be heard by the Gastonia City Council on April 16<sup>th</sup>, 2024.

The applicant is requesting to rezone to C-3 CD to facilitate the development of 200 townhomes, 250 apartments, 140,000 sq. ft. of retail space, and associated commercial uses for sit down restaurants, drive through restaurants, and a convenience store – fuel mart.

**Townhome Portion:**

- Townhomes are required to be rear loaded, serviced by a rear lane/alley, in accordance with the Revised Residential Development District (RRDD) standards of Section 8.1.17 in the Unified Development Ordinance (UDO). The majority of the townhomes have frontage on a public street with the exception of 24 lots, located centrally to the site, which front upon one another across designated open space.
- Parking is provided in conformance with Section 10.11. Additional on-street parking and 27 "guest parking" spaces will be further reviewed by the Technical Review Committee (TRC) during preliminary plat and subdivision review.
- Required open space is 4 acres, proposed as a combination of tree save area and improved open space. As shown on the attached site plan, 2.7 acres is indicated as improved.
- Access is proposed from two separate locations at Wilson Farm Road and Union New Hope Road.

**Multi-family Portion:**

- The multi-family portion is required to meet all architectural and development standards of Section 8.1.10 in the UDO.
- The open space requirement for multi-family developments is 800 sq. ft. per unit for 200 units plus an additional 400 sq. ft. per unit for 50 units, totaling a required 4.13 acres. Of the 4.13 acres, 75% of the open space is required to be usable and improved.
- As proposed, approximately 1.5 parking spaces are provided per unit, totaling 383 spaces. Final parking will be reviewed by TRC during the site plan review process.
- Access is proposed from two separate locations at Union New Hope Road and Union Road.

**Commercial/Retail Portion:**

- Grocery anchored shopping center – 70,000 sq. ft. grocery and 70,000 sq. ft. smaller retail.
- 5 outparcels with associated uses for sit down and drive-through restaurants, and a convenience store – fuel mart. When submitted for site plan review, these uses will be subject to additional supplemental regulations as outlined in Chapter 8 of the UDO.
- Parking is differentiated by use in Section 10.11 of the UDO. Parking will be determined by the specific use and will be finalized at the site plan review process.
- Access is proposed from three separate locations; two on Union New Hope Road and one on Union Road.
- Commercial construction must meet all design and development requirements of the Urban Standards Overlay, Section 7.6.5 in the UDO, for all non-residential buildings.

A Traffic Impact Analysis (TIA) is required for the proposed project and is currently under review. The developer(s) will be responsible for providing all mitigations resulting from the TIA. Streets in the multi-family and commercial portions of the development are proposed as private as indicated on the attached site plan. Streets within the townhome portion, are proposed as a combination of public roads and private alleys. All street cross sections, 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 which abut a residential zoning district to provide needed screening. The development includes several pockets of common open space dispersed throughout which will consist of a variety of parks, central squares, enhanced landscaping, seating areas, a dog park, and pool. Additional details of the improved open space will be required and reviewed as part of the subdivision and site plan review process. Conceptual elevations have been submitted for the townhomes, apartments, and commercial buildings.

**Proposed zoning conditions:**

1. Development shall be generally consistent with the attached site plan including a maximum of 200 townhomes, 250 apartments, and 140,000 sq. ft. of retail space. The permitted commercial uses for the outparcels are as indicated on the attached site plan. Any change in uses will require a new rezoning application to be submitted.
2. A Traffic Impact Analysis (TIA) is required and must be completed prior to the subdivision and site plan review processes. The developer(s) will be responsible for providing all mitigations resulting from the TIA.
3. Street cross sections, points of ingress/egress, parking, internal traffic calming, sidewalks and other required road improvements are to be finalized during the preliminary plat, subdivision review, and site plan review processes.
4. Additional details of the improved open space are required to be provided for the townhome development and the multi-family development. Final open space design and details to be determined during subdivision plan and site plan review.
5. Townhome and 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 and 8.1.17. Construction materials for townhomes shall consist of a combination of brick, stone, or other masonry product and any variation of fiber cementitious siding. Any alternatives must be reviewed and approved by Planning Staff prior to zoning permits.
6. Commercial construction must meet all design and development requirements of the Urban Standards Overlay, Section 7.6.5 in the UDO, for all non-residential buildings. Appearance of outparcels and the main shopping center shall be compatible and represent a cohesive design theme.
7. Enhanced landscaping will be provided between the grocery store parking lot and Union New Hope Road to provide screening.
8. The developer(s) is required to provide a stub to the adjoining tax parcel directly to the south as depicted on the attached site plan (PID 193028).
9. 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.
10. In no instance shall the zoning conditions exempt a project from other development requirements.
11. Where the notes or depictions on the site plan may conflict with these conditions, the conditions shall govern.

### Adjoining Properties and Land Use Trends

Adjoining the proposed site is a combination of residential and commercial zoning and land uses. Directly north, across Union New Hope Road, is a 2007 rezoning approval for the Nolen Farms development which includes an approved 593 single-family homes and 127 townhomes. East and west of the subject property is Gaston County R-1 zoning. To the south, is a combination of residential zoning including Gaston County R-1 and R-2 (Single-family Moderate Residential), as well as commercial uses zoned Gaston County C-3 (General Commercial) and NBS (Neighborhood Business Services).

### Available Public Facilities

Public water and sewer are required to be extended to serve the property.

### Consistency with City of Gastonia Adopted Plans

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

### Consistency with Gaston County Adopted Plans

The Gaston County 2035 Comprehensive Future Land Use Plan indicates PID 193027 as rural community. Rural community is indicated as “largely rural areas where there is a number of residential buildings on smaller lots, built closer to the roadway. Driving through these areas, you feel like you are in a neighborhood. These areas may not serve a purpose other than providing homes, but still maintain a neighborhood look and feel” (Gaston County 2035 Comprehensive Land Use Plan; Adopted September 27, 2016).

### Conclusion

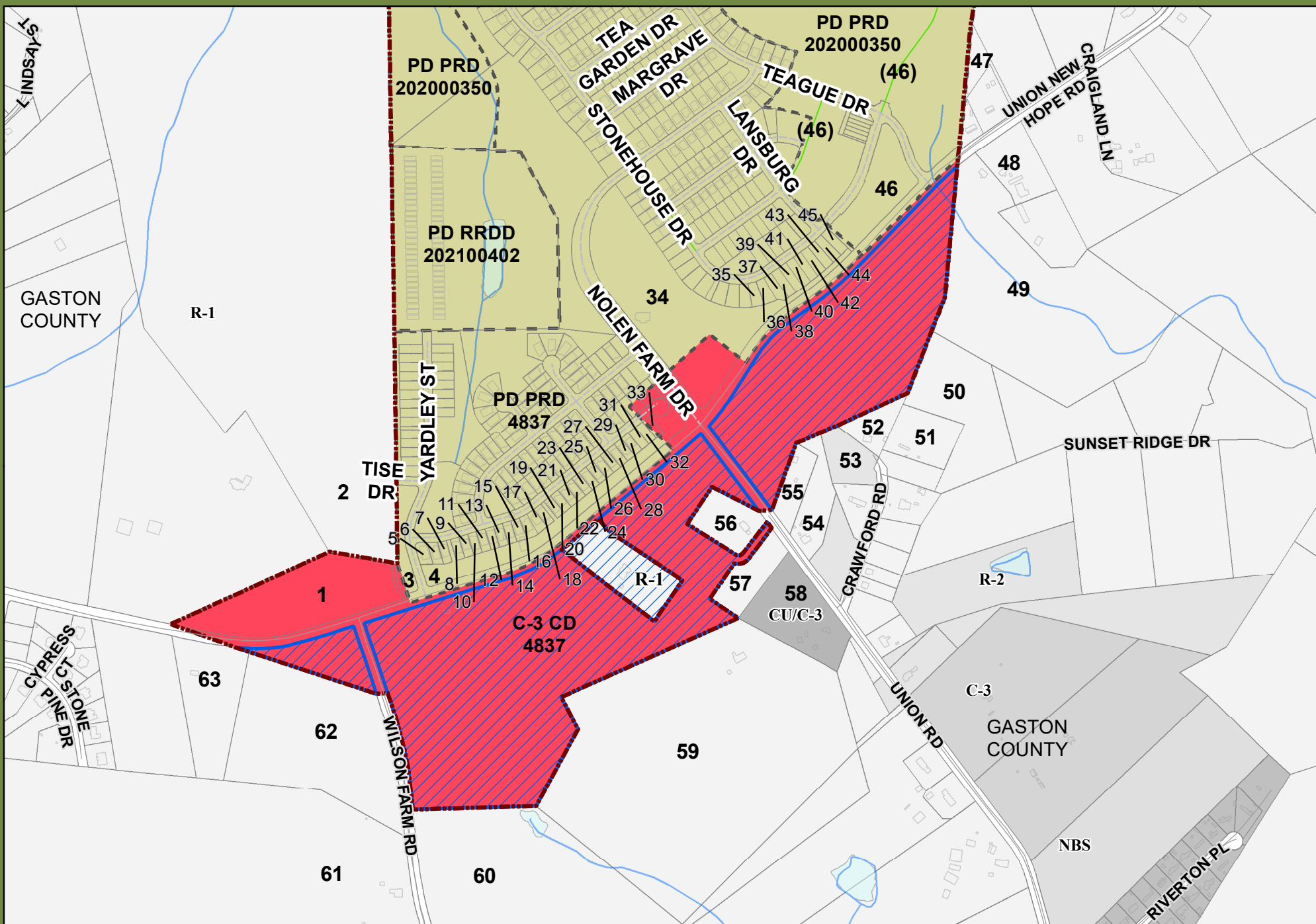
The request includes a rezoning from Gaston County R-1 and City C-3 CD to C-3 CD to facilitate a mixed residential and commercial development. Based on the 2025 Comprehensive Plan, the submitted site plan, and the agreed upon conditions, **staff recommends approval of the request as presented.**



Maddy Gates, MURP  
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 mixed residential and 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.

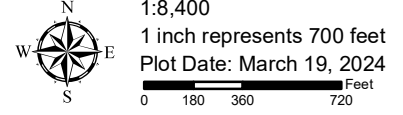


**Applicant:** David Hoyle Jr. & Benji Layman  
**Owner:** Mauney Mark Edward & 4-Star Investors: Union Road LLC  
**Planning Comm Hearing:** April 4, 2024  
**Request:** R-1 (Co.) & C-3 CD (City) to C-3 CD  
**Ward:** 1 (City) & County  
**Total Tract Size:** approx. 70.45 acres  
**Parcel ID #:** 306164 (City), 193027 (Co.)

**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
  - Gaston County Zoning**
    - C-3
    - CU/C-3
    - NBS
    - R-1
    - R-2
    - R-3
  - City Boundary**
  - Streams**
  - Lakes**
  - 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.



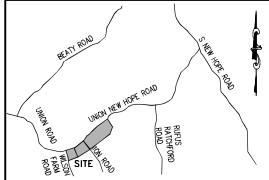
**Application**  
**PLMAC202300485**

I, Julia Baker-Granata, hereby certify that all mail notices, in the absence of fraud, were mailed to all affected and adjoining property owners on March 21, 2024.



1. PRESLEY DEVELOPMENT LLC C/O TODD W HALL
2. MCDANIEL NANCY F 1/3 & AUTEN MARY ALICE FOY 1/3
3. PRESLEY DEVELOPMENT LLC C/O TODD W HALL
4. PRESLEY DEVELOPMENT LLC C/O TODD W HALL
5. MURILLO KEVIN & MURILLO LOGAN FRANCISCA
6. WALKER DUSTIN ADAM
7. HARVARD JESSICA & HARVARD WILLIAM
8. FOWLER JORDAN M & FOWLER JASON M
9. DECUBELLIS ALBERT STEPHEN & DECUBELLIS MARLA
10. TABATHA E AND JASON C NOEL LIVING TRUST
11. LINDSAY JERMAINE & BRICE KEISHA
12. THEVAOS MICHELLE NICOLE
13. MAYES JOHN & MAYES ENGLE
14. HELMS JOANNA & HELMS DANNY
15. BUSTOS ANTHONY & BUSTOS JESSICA NICOLE
16. KNOWLTON KAREN & KNOWLTON CHARLES RICHARD
17. NEILLY TERESA M
18. HARROLL JAMES R & BRAGG-HARROLL DENISE
19. RUPAREL ROHIT & PATEL VAIDEHI TARUN
20. LEWIS GERMAINE ANTOINETTE
21. TAYLOR RONALD J JR & GALAN COURTNEY
22. HAMILL TRACY & KNEZEVICH ADAM
23. LUCAS TAYLOR HOVIS & LUCAS MICHAEL W
24. SODER TIMOTHY
25. HAGEN CINDY S & HAGEN SCOTT G
26. KOIRALA ROSHAN & NEPAL SAMBRIDHI
27. DAVIS ANTHONY DEVON & DAVIS MARGARET
28. MCJUNKINS LATIVIA DENISE
29. JONES CRAIG & RHODES-JONES DAWNE
30. INNES ERIC MATTHEW & HAUG HEIDI LYNN
31. QUEEN MICHAEL JAY JR & QUEEN ASHLEY
32. LAIBHEN RAYMOND & ALVARADO LENDIZ
33. CLARK RODRIGUES & CLARK RAKISHA
34. PRESLEY DEVELOPMENT LLC C/O TODD W HALL
35. ANANTHARAMAN VIJAY & NAGARAJU NEETHI
36. STERN SHARON ANN
37. BURCKE KATRINA & BURCKE JAMAINE
38. CAPELLAN VICKIANA A & MENDOZA FRANCISCO ALBA
39. WILLIAMS BRANDON THOMAS & WILLIAMS RASHELLA MOODY
40. HINTON OMAR
41. CARROLL NICHELE
42. HARRELL JESSTINA CHARMAINE
43. BLASSINGAME TAKASHA TAMESHIA
44. MILLER MARCUS
45. CURTIS JESSE LLOYD & CURTIS MADISON ROGERS
46. PRESLEY DEVELOPMENT LLC C/O TODD W HALL
47. MANHATTAN INVESTMENT LLC
48. RUSHING ANDRA & RUSHING RANDY
49. RUSHING SHANNON RYAN & RUSHING MATTHEW RANDALL
50. MCLEAN MATTIE C HEIRS OF C/O TAMMYE M REESE
51. BENN TAMMYE M C/O TAMMYE E MCLEAN REESE
52. REESE WALTER EUGENE SR
53. BERRY SAMUEL F
54. SPAIN NORMAN L
55. STOWE MICHAEL HUGH & STOWE DELANE R
56. APARICIO ZITA HERNANDEZ & GONZALEZ MOHAMMAD
57. PARKER LAVERNE C & PARKER CALVIN
58. KISER DAVID MICHAEL
59. K & D LAND HOLDINGS LLC
60. WILSON LEONARD M & OTHERS & WILSON PATRICIA J
61. FERGUSON FAMILY TRUST
62. ZEIGLER GST IRREV TRUST 1/3 F/B/O CHARLES E ZEIGLER JR & ZEIGLER GST IRREV TRUST 1/3 F/B/O NANCY Z RUANE
63. ZEIGLER GST IRREV TRUST 1/3 F/B/O CHARLES E ZEIGLER JR & ZEIGLER GST IRREV TRUST 1/3 F/B/O NANCY Z RUANE





**ENTIRE DEVELOPMENT:**  
 PROJECT NAME: UNION NEW HOPE RD DEVELOPMENT  
 OWNER/AGENT: DMR GROUP  
 PLANS PREPARED BY: THE ISAACS GROUP, PC PHONE #: 704-527-3440  
 EXIST. ZONING: C3-CD JURISDICTION: CITY OF GASTONIA  
 PROP. ZONING: C3-CD - CONDITIONS CHANGED  
 TAX PARCEL #: 306164 AND 193027  
 PROPOSED USE: RESIDENTIAL  
 TOTAL SITE AREA: 20.46 ACRES (INCLUDES FUTURE R/W DEDICATION)  
 PROPOSED TOWNHOMES: 200 UNITS  
 PROPOSED MULTIFAMILY: 250 UNITS  
 PROPOSED RETAIL: 5,000 S.F.  
 C-STORE: 16 PUMPS  
 DRIVE-THRU RESTAURANT: 10,000 S.F.  
 10,000 S.F. INCLUDES THREE DRIVE-THRU'S  
 SIT DOWN RESTAURANTS: 10,000 S.F.  
 10,000 S.F. INCLUDES TWO SIT DOWN RESTAURANTS

**PHASE 1 DEVELOPMENT DATA:**  
 PROPOSED USE: RESIDENTIAL  
 TOTAL SITE AREA: APPROX. 28.97 ACRES  
 PROPOSED TOWNHOMES: 200 UNITS  
 ALL UNITS ARE THREE BEDROOMS  
 \*MORNING DOES NOT INCLUDE R/W DEDICATION ALONG EXIST. ROADS

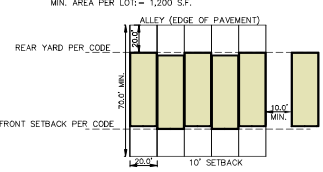
**PHASE 2 DEVELOPMENT DATA:**  
 PROPOSED USE: RESIDENTIAL  
 TOTAL SITE AREA: APPROX. 17.79 ACRES  
 PROPOSED MULTIFAMILY: 250 UNITS  
 100 - ONE BEDROOM  
 125 - TWO BEDROOMS  
 25 - THREE BEDROOMS  
 \*MORNING DOES NOT INCLUDE R/W DEDICATION ALONG EXIST. ROADS

**PHASE 3 DEVELOPMENT DATA:**  
 PROPOSED USE: COMMERCIAL  
 TOTAL SITE AREA: APPROX. 22.10 ACRES  
 PROPOSED RETAIL: 140,000 S.F.  
 C-STORE: 5,000 S.F.  
 16 PUMPS  
 DRIVE-THRU RESTAURANT: 10,000 S.F.  
 10,000 S.F. INCLUDES THREE DRIVE-THRU'S  
 SIT DOWN RESTAURANT: 10,000 S.F.  
 10,000 S.F. INCLUDES TWO SIT DOWN RESTAURANTS  
 \*MORNING DOES NOT INCLUDE R/W DEDICATION ALONG EXIST. ROADS

**PARKING PROVIDED:**  
 PROPOSED TOWNHOMES: MAXIMUM TWO SPACES PER UNIT  
 PARKING PROVIDED PER CODE REQUIREMENTS  
 PROPOSED MULTI-FAMILY: 29 SPACES ON PUBLIC STREET + 354 PARKING SPACES ALONG PRIVATE DRIVES  
 TOTAL = 383 SPACES = 1.5 SPACES/UNIT (1 MIN./2 MAX.)  
 \*FINAL PARKING NUMBERS COULD VARY DURING DESIGN

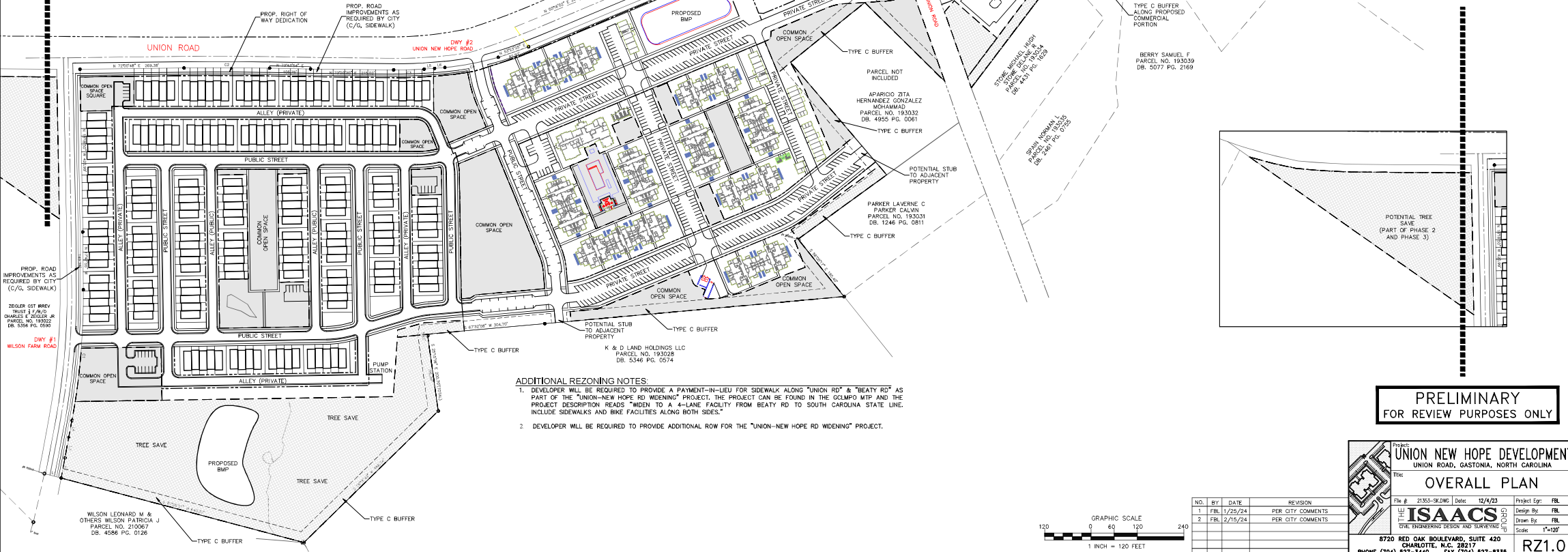
**OPEN SPACE/TREE SAVE DATA:**  
 OPEN SPACE REQUIRED: 10% OF TOWNHOME AREA = 22.13 ACRES ± 0.10 = 2.77 ACRES  
 4 ACRES FOR MULTIFAMILY  
 75% OF ME (3.10 ACRES) TO BE IMPROVED OPEN SPACE  
 TOTAL OPEN SPACE REQ'D = 6.77 AC  
 OPEN SPACE PROVIDED: 6.77 AC  
 TREE SAVE REQUIRED: 15% OF ENTIRE SITE = 3.07 ACRES  
 TREE SAVE PROVIDED: 70.46 ± 0.15 = 10.57 ACRES  
 OPEN SPACE WILL CONSIST OF SQUARES, PARKS, AND NATURAL AREAS/TREE SAVE  
 THE IMPROVED AREAS WILL HAVE ENHANCED LANDSCAPING, BENCHES, A DOG PARK, COVERED SHELTER, DOG STATIONS, AND A POOL ON THE MULTI-FAMILY PORTION

**TYPICAL LOT LAYOUT:**



**REZONING NOTES:**

- SITE PLAN MUST GO THROUGH TECHNICAL REVIEW COMMITTEE FOR REVIEW AND FINAL APPROVAL.
- NC DOT MUST REVIEW AND APPROVE FINAL DRIVEWAY LOCATIONS
- ANY AMENITY WILL REQUIRE SEPARATE SITE PLAN APPROVAL THROUGH TECHNICAL REVIEW COMMITTEE.
- SITE PLAN MUST MEET REQUIREMENTS OF THE CITY OF GASTONIA TREE ORDINANCE.
- THE DEVELOPER SHALL ATTEMPT TO PRESERVE TREES ALONG WILSON FARM ROAD, UNION ROAD, AND UNION NEW HOPE ROAD..
- ADA-COMPLIANT RAMPS WILL BE PROVIDED WHERE SIDEWALK MEETS CURBS AT THE ENTRANCES TO THE DEVELOPMENT. THEY WILL ALSO BE PROVIDED AT THE CORNER OF INTERNAL INTERSECTIONS.
- CUL-DE-SACS ARE DESIGNED TO SUPPORT GARBAGE TRUCKS.
- DEVELOPMENT WILL BE PART OF A PROPERTY MANAGEMENT ENTITY.
- DETAILS OF THE PLAN COULD CHANGE AS ENGINEERING PLANS ARE ESTABLISHED.
- SITE WILL HAVE 3 RAMPS AT T INTERSECTIONS AND 4 RAMPS AT 4 WAY INTERSECTIONS AS REQUIRED BY TRAFFIC ENGINEERING.
- PARKING IS SUBJECT TO TRC REVIEW.
- ROAD CROSS SECTIONS ARE SUBJECT TO TRC REVIEW.
- THERE IS A MINIMUM OF 10' SEPARATION BETWEEN TOWNHOME BUILDINGS.
- WATER AND SEWER EXTENSIONS WILL BE REQUIRED TO SERVE THE DEVELOPMENT.
- WATER AND SOUTHWEST SEWER SYSTEM DEVELOPMENT FEES WILL BE REQUIRED FOR NEW SERVICES.
- TRAFFIC CALMING DEVICES WILL BE REQUIRED THROUGHOUT THE DEVELOPMENT.
- ROADS AND SIGHT DISTANCE TO MEET AASHTO STANDARD.
- ROAD IMPROVEMENTS WILL BE PHASED PER THE APPROVED TIA.
- IMPROVEMENTS TO THE ROAD FRONTAGE WILL BE COMPLETED WITH EACH PHASE. CURB/GUTTER AND SIDEWALK IF REQUIRED WILL BE INSTALLED ADJACENT TO THE AREA BEING DEVELOPED IN THAT SPECIFIC PHASE.

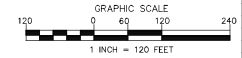


**ADDITIONAL REZONING NOTES:**

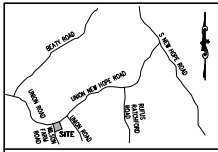
- DEVELOPER WILL BE REQUIRED TO PROVIDE A PAYMENT-IN-LIEU FOR SIDEWALK ALONG "UNION RD" & "BEAUTY RD" AS PART OF THE "UNION-NEW HOPE RD WIDENING" PROJECT. THE PROJECT CAN BE FOUND IN THE GOLMPO WTP AND THE PROJECT DESCRIPTION READS "WIDEN TO A 4-LANE FACILITY FROM BEAUTY RD TO SOUTH CAROLINA STATE LINE. INCLUDE SIDEWALKS AND BIKE FACILITIES ALONG BOTH SIDES."
- DEVELOPER WILL BE REQUIRED TO PROVIDE ADDITIONAL ROW FOR THE "UNION-NEW HOPE RD WIDENING" PROJECT.

**PRELIMINARY FOR REVIEW PURPOSES ONLY**

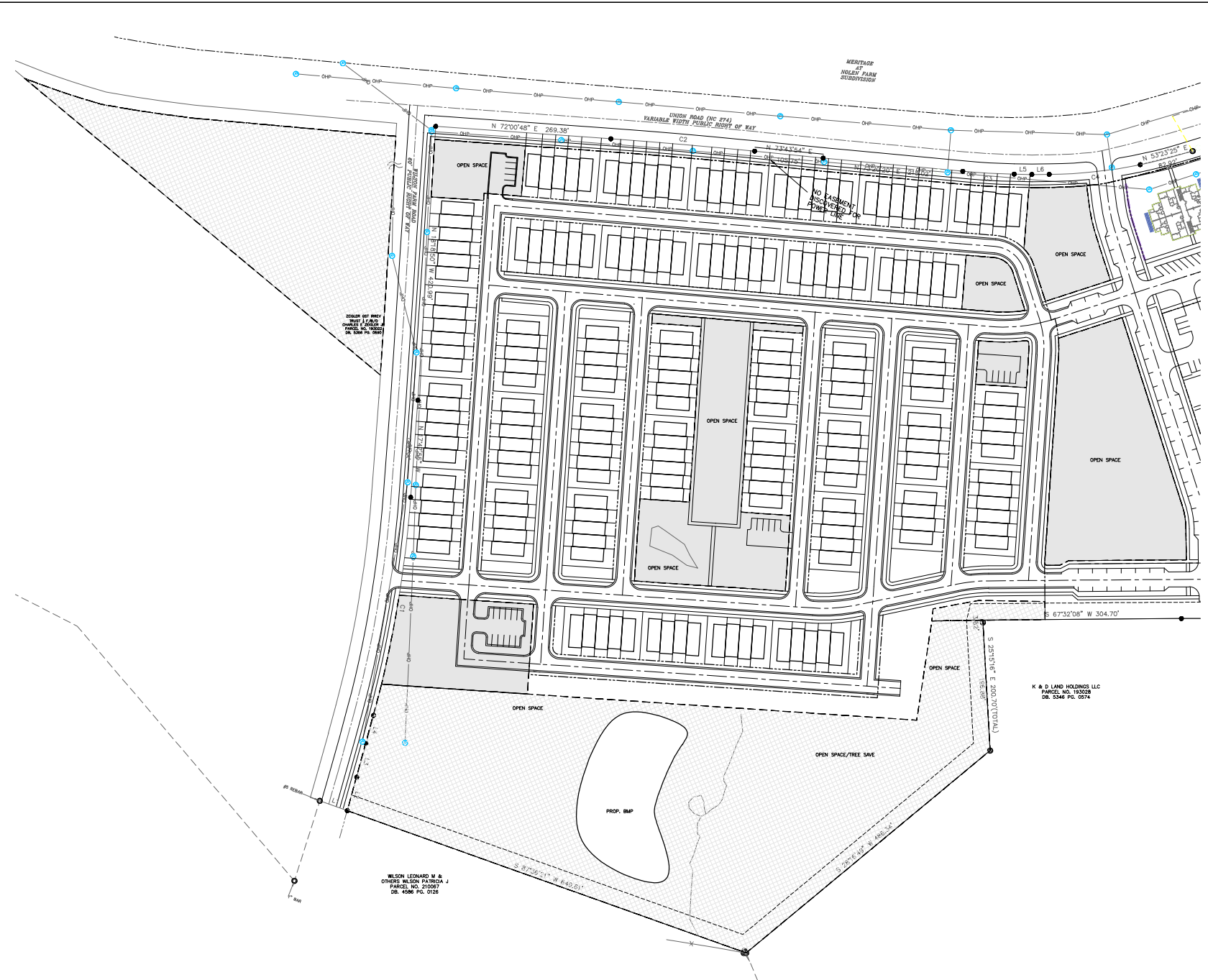
Project: **UNION NEW HOPE DEVELOPMENT**  
 UNION ROAD, GASTONIA, NORTH CAROLINA  
 Title: **OVERALL PLAN**  
 File #: 2153-SK-DWG | Date: 12/4/23 | Project Egr: FBL  
 1 FBL 1/25/24 | Design By: FBL  
 2 FBL 2/15/24 | Drawn By: FBL  
 Scale: 1"=120'  
**ISAACS**  
 CIVIL ENGINEERING DESIGN AND SURVEYING  
 8720 RED OAK BOULEVARD, SUITE 420  
 CHARLOTTE, N.C. 28217  
 PHONE (704) 527-3440 FAX (704) 527-8335  
**RZ1.0**



| NO. | BY  | DATE    | REVISION          |
|-----|-----|---------|-------------------|
| 1   | FBL | 1/25/24 | PER CITY COMMENTS |
| 2   | FBL | 2/15/24 | PER CITY COMMENTS |



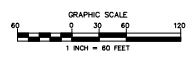
PHASE 1 DEVELOPMENT DATA:  
 PROPOSED USE: RESIDENTIAL  
 TOTAL SITE AREA APPROX.: 26.87 ACRES  
 PROPOSED TOWNHOMES: 200 UNITS  
 ALL UNITS ARE THREE BEDROOMS  
 \*MOORAGE DOES NOT INCLUDE R/W DEDICATION ALONG EXIST. ROADS



PRELIMINARY  
 FOR REVIEW PURPOSES ONLY



Know what's below.  
 Call before you dig.  
 For a full list of utility companies, visit  
 www.nc811.com. For more information, visit  
 www.nc811.com or call 1-800-4-A-UTILITY.



| NO. | BY  | DATE     | REVISION          |
|-----|-----|----------|-------------------|
| 1   | FKL | 12/25/24 | PER CITY COMMENTS |
| 2   | FKL | 12/15/24 | PER CITY COMMENTS |

Project: UNION NEW HOPE DEVELOPMENT  
 GASTONIA, NORTH CAROLINA

Task: TOWNHOMES

File #: 2101066 Date: 12/23/23  
 Designer: FKL  
 Checker: FKL  
 Date By: FKL  
 Scale: 1"=60'

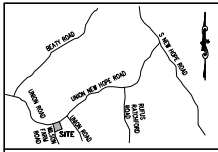
**ISAACS**  
 CIVIL ENGINEERING & ARCHITECTURE

8730 RED OAK BOULEVARD, SUITE 430  
 CHARLOTTE, N.C. 28217  
 PHONE (704) 527-5445 FAX (704) 527-5555

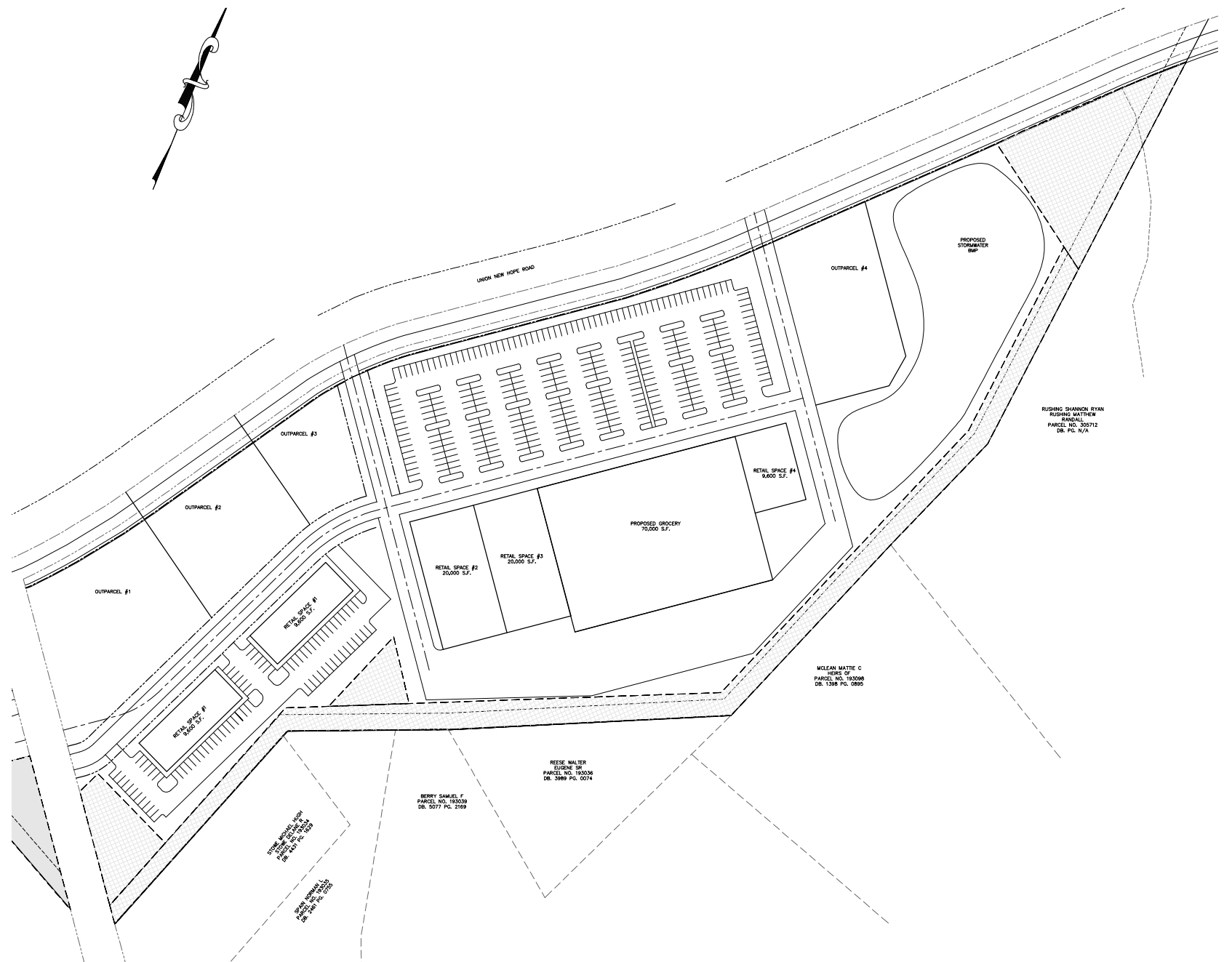
RZ2.0







PHASE 3 DEVELOPMENT DATA:  
 PROPOSED USE: COMMERCIAL  
 TOTAL SITE AREA: APPROX. 23.10 ACRES  
 PROPOSED RETAIL: 140,000 S.F.  
 C-STORE: 5,000 S.F.  
 18 RAMP  
 DRIVE-THRU RESTAURANT: 10,000 S.F.  
 10,000 S.F. INCLUDES THREE DRIVE-THRU'S  
 SIT DOWN RESTAURANT: 10,000 S.F.  
 10,000 S.F. INCLUDES TWO SIT DOWN RESTAURANTS  
 NOTE: DOES NOT INCLUDE R/W REDUCTION ALONG EXIST. ROADS



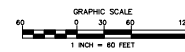
**REZONING NOTES:**

1. SITE PLAN MUST GO THROUGH TECHNICAL REVIEW COMMITTEE FOR REVIEW AND FINAL APPROVAL.
2. NCDOT MUST REVIEW AND APPROVE FINAL DRIVEWAY LOCATIONS
3. ANY AMENITY WILL REQUIRE SEPARATE SITE PLAN APPROVAL THROUGH TECHNICAL REVIEW COMMITTEE.
4. SITE PLAN MUST MEET REQUIREMENTS OF THE CITY OF GASTONIA TREE ORDINANCE.
5. THE DEVELOPER SHALL ATTEMPT TO PRESERVE TREES ALONG KENDRICK ROAD AND BEATY ROAD.
6. ADA-COMPLIANT RAMPS WILL BE PROVIDED WHERE SIDEWALK MEETS CURBS AT THE ENTRANCES TO THE DEVELOPMENT. THEY WILL ALSO BE PROVIDED AT THE CORNER OF INTERNAL INTERSECTIONS.
7. CUL-DE-SAC'S ARE DESIGNED TO SUPPORT GARABGE TRUCKS.
8. DEVELOPMENT WILL BE PART OF A PROPERTY MANAGEMENT ENTITY.
9. THE SITE PLAN WILL PROVIDE, GENERALLY AS SHOWN, A MINIMUM OF 2.00 ACRES OF OPEN SPACE, WHICH COULD INCLUDE PARK BENCHES, PICNIC TABLES, ENHANCED LANDSCAPING, TREE SAVE, AND OTHER AMENITIES FOR RESIDENTS. OPEN SPACE MAY MOVE DURING THE PERMITTING PROCESS AS NEEDED.
10. SITE WILL HAVE 3 RAMPS AT T INTERSECTIONS AND 4 RAMPS AT 4 WAY INTERSECTIONS AS REQUIRED BY TRAFFIC ENGINEERING.

PRELIMINARY  
FOR REVIEW PURPOSES ONLY



Know what's below.  
Call before you dig.  
The 811 service is a free, nationwide, one-stop service that provides critical information to utility companies and contractors. It's the only way to ensure that you know what's below before you dig.



| NO. | BY | DATE    | REVISION          |
|-----|----|---------|-------------------|
| 1   | RL | 1/25/24 | PER CITY COMMENTS |
|     |    |         |                   |
|     |    |         |                   |
|     |    |         |                   |

Project: UNION NEW HOPE DEVELOPMENT  
 GASTONIA, NORTH CAROLINA  
 Title: COMMERCIAL

|          |         |            |         |              |        |
|----------|---------|------------|---------|--------------|--------|
| File #   | 2103106 | Date       | 12/2/23 | Project Egr. | RL     |
| Drawn By | RL      | Checked By | RL      | Scale        | 1"=60' |

**ISAACS**  
 THE ENGINEERING DESIGN AND SURVEYING GROUP  
 8730 RED OAK BOULEVARD, SUITE 430  
 CHARLOTTE, N.C. 28217  
 PHONE (704) 527-5440 FAX (704) 527-5555

**RZ4.0**







RUBY, AMBER, HAWTHORN, ADDISON, TWINBERRY, TUPELO



RUBY, AMBER, HAWTHORN, ADDISON, TWINBERRY, TUPELO





## CITY OF GASTONIA APPLICATION FOR PUBLIC HEARING

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

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

1. Identify the request (example: rezone from RS-12 to OLC CD; etc.): \_\_\_\_\_  
C-3 CD (City) and R-1 (County) to C-3 CD

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

2. Gaston County Tax Identification Number(s): 306164 and 193027

3. Subject property addresses: 6150 Union 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. Site is currently undeveloped. It is located across from Nolen Farm on Union New Hope Road east of Wilson Farm Road

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 4-Star Investors Union Road LLC as evidenced in deed from (date) 9/23/2021 recorded in DB: 5271 PG: 1726 in the Gaston County Registry

8. The real property for which the above request is sought is located on the South side of Union New Hope Rd between Wilson Farm and Craigland Ln having a frontage of 4,225 feet and depth of varies feet and acreage of 67.97.

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: David Hoyle Jr. (Owner) and Benji Layman (Engineer - The Isaacs Group)  
Telephone #: 704-527-3440 E-mail address: blayman@isaacsgrp.com

13. Interest in subject realty: Site Engineer

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 #4837 A approved May 25, 2005
  - planned unit development \_\_\_\_\_
  - subdivision ordinance \_\_\_\_\_
  - Planned Residential Development \_\_\_\_\_
  - Other Conditional District \_\_\_\_\_

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

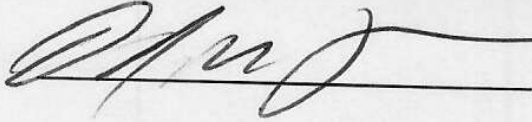
16. Name and address of person to present item at public hearing: \_\_\_\_\_  
David Hoyle Jr. and Benji Layman

Telephone number: \_\_\_\_\_ Email: \_\_\_\_\_

\*\*\*\*\*

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.**

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

**PUBLIC HEARING  
STAFF REPORT**

**File # 202300313**

**GPC Hearing Date: April 4th, 2024**

OWNER: Now Outreach, Inc.  
APPLICANT: Jay Oliver – Now Outreach, Inc.  
PROPOSED ZONING ACTION: Rezoning from RS-12 to C-1 CD  
LOCATION: 413 Misty Lane and a portion of 419 Misty Lane  
(PID: 154009, portion of 154012)  
TOTAL TRACT SIZE: Approximately 3.79 acres  
AREA TO BE REZONED: Approximately 2.84 acres  
WARD: 6

---

**EVALUATION:**

Site Description and Background

The subject property for this rezoning request consists of tax parcel 154009 and a portion of tax parcel 154012 for a total of approximately 2.84 acres located at 413 and 419 Misty Lane. The property is currently zoned RS-12 (Single-family Residential, minimum 12,000 sq. ft. lots) and is vacant.

The rezoning request is from RS-12 to C-1 CD (Neighborhood Business – Conditional District). C-1 CD is requested to facilitate an office use for the Crowders Spring Camp which is located directly northwest of the subject property and zoned C-1 (Light Commercial) in Gaston County. The new building is proposed to be one-story, approximately 3,648 sq. ft., and located with frontage on Misty Lane. There is one access point into the site located on Misty Lane. All road improvements, parking, and points of ingress/egress will be further reviewed by the Technical Review Committee (TRC) during the site plan review process.

The applicant is required to provide a Type C buffer along all property lines which abut a residential zoning district to provide needed screening. The applicant has also submitted conceptual elevations which include a one-story office building. The construction shall be generally consistent with the character and details as depicted in the submitted renderings and meet all applicable requirements of the Urban Standards Overlay in Section 7.6.5 of the Unified Development Ordinance (UDO).

Proposed zoning conditions:

1. Development shall be generally consistent with the attached site plan and the associated Office use. Any change in use will require a new rezoning application to be submitted.
2. The applicant(s) is required to recombine the approximate 0.29 acres included in this request from tax parcel 154012 (419 Misty Lane) before proceeding with site plan review.
3. The construction shall be generally consistent with the character and details as depicted in the submitted renderings and meet all applicable requirements in Section 7.6.5; Urban Standards Overlay.
4. Approval of signage is not included in this request and must be submitted and approved separately.
5. A Type C buffer is required along all property lines which abut a residential zoning district. No swales, retaining walls, stormwater (BMP) measures can be located within buffers.



6. All road improvements, parking, and points of ingress/egress will be further reviewed by the Technical Review Committee (TRC) during the site plan review process.
7. In no instance shall the zoning conditions exempt a project from other development requirements.
8. Where the notes or depictions on the site plan may conflict with these conditions, the conditions shall govern.

#### Adjoining Properties and Land Use Trends

Adjoining properties are a combination of residential and commercial land uses and zoning. Directly the north of the subject property is C-1 zoning in Gaston County which consists of the Crowders Spring Camp. To the east is a combination of residential uses and zoning including City of Gastonia RS-12 and Gaston County R-1 (Single-family Limited). South of the subject property is primarily RS-12 zoning consisting of single-family residential uses. To the west, is Crowders Mountain State Park, zoned SP (State Park) in the City of Gastonia.

#### Available Public Facilities

Water and sewer extensions are required 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. Given the proposed use and agreed upon conditions, staff feels an office use within a neighborhood commercial district is compatible.

#### Conclusion

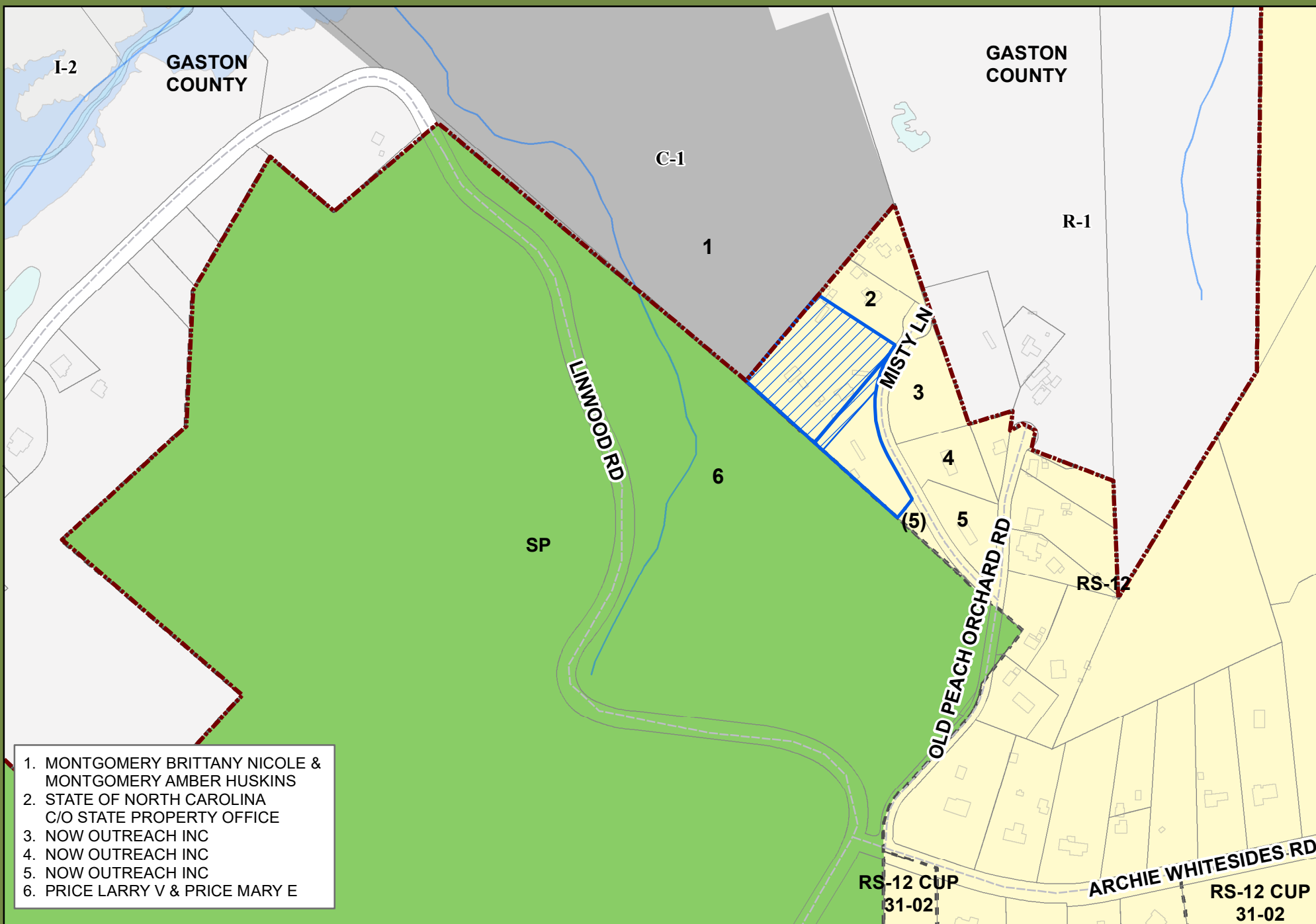
The applicant is requesting a rezoning to C-1 CD (Neighborhood Business – Conditional District) to facilitate the development of an office use for the Crowders Spring Camp. Based on the proposed use, the submitted site plan, and proposed conditions, **staff recommends that the request be approved as presented.**



\_\_\_\_\_  
Maddy Gates, MURP  
Senior Planner





































**Statement of consistency and reasonableness (motion to approve):** *Based on the 2025 Comprehensive Plan as well as surrounding zoning and land uses, the Planning Commission considers an affirmative vote for an office 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:** Now Outreach Inc. (Jay Oliver)  
**Owner:** Now Outreach Inc.  
**Planning Comm Hearing:** April 4, 2024  
**Request:** RS-12 to C-1 CD  
**Ward:** 6  
**Total Tract Size:** approx. 3.79 acres  
**Area To Be Rezoned:** approx. 2.84 acres  
**Parcel ID #:** 154009, portion of 154012

 **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
  -  City Boundary
  -  100yr Flood Zone
  -  Streams
  -  Lakes
  -  Rivers
  -  Parcels
  -  Buildings
  -  Streets
- Gastonia County Zoning**
-  C-1
  -  I-2
  -  R-1

1. MONTGOMERY BRITTANY NICOLE & MONTGOMERY AMBER HUSKINS
2. STATE OF NORTH CAROLINA C/O STATE PROPERTY OFFICE
3. NOW OUTREACH INC
4. NOW OUTREACH INC
5. NOW OUTREACH INC
6. PRICE LARRY V & PRICE MARY E

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**  
**PLMAC202300313**

I, Julia Baker-Granata, hereby certify that all mail notices, in the absence of fraud, were mailed to all affected and adjoining property owners on March 21, 2024.



1:4,800  
 1 inch represents 400 feet  
 Plot Date: March 18, 2024  
 Feet  
 0 100 200 400



**STANDARD NOTES:**

- 1. THE CITY OF GASTON CITY OF GASTON/GASTON COUNTY WILL PROVIDE PART THE INSPECTION SERVICES FOR IMPROVEMENTS THAT ARE TO BECOME PUBLIC UTILITIES... THE DESIGN PROFESSIONAL AND CONTRACTOR SHALL PROVIDE ADEQUATE NOTIFICATION AND COORDINATION... ENSURE ALL IMPROVEMENTS ARE INSPECTED DURING CONSTRUCTION.
2. REGULAR WORKING HOURS ARE DEFINED AS 8:00 HOURS PER DAY BETWEEN THE HOURS OF 7:00 AM AND 7:00 PM... MONDAY THROUGH FRIDAY... EXCLUDING CITY OF GASTON CITY OF GASTON/GASTON COUNTY HOLIDAYS... IF THE CONTRACTOR INTENDS TO WORK OTHER THAN REGULAR WORKING HOURS... HE SHALL SUBMIT A WRITTEN REQUEST TO THE CITY INSPECTOR NOT LESS THAN 48 HOURS PRIOR TO ANY PROPOSED WORK OR SCHEDULED EXTENDED WORK WEEKS.
3. CONTRACTOR SHALL REIMBURSE THE CITY OF GASTON CITY OF GASTON/GASTON COUNTY FOR ADDITIONAL INSPECTION COSTS INCURRED AS A RESULT OF OVERTIME WORK IN EXCESS OF THE REGULAR WORKING HOURS...
4. CONSTRUCTION MATERIALS AND METHODS SHALL BE GOVERNED BY THE CURRENT CITY OF GASTON CITY OF GASTON/GASTON COUNTY LAND DEVELOPMENT STANDARDS MANUAL...
5. THE DESIGN PROFESSIONAL SHALL HAVE FORMAL SUBMISSION TO THE CITY FOR OFFICIAL APPROVAL... APPROVAL CONSTRUCTION SPECIFICATIONS WHICH DOES NOT CONFORM TO THE LAND DEVELOPMENT STANDARDS MANUAL WILL BE REJECTED.
6. SHIP DRAWINGS AND MATERIAL SPECIFICATION SHEETS SHALL BE SUBMITTED TO THE DESIGN PROFESSIONAL FOR APPROVAL... CONTRACTOR SHALL AFFIX A STAMP TO EACH SHIP DRAWING OR MATERIAL SPECIFICATION SHEET...
7. THE DESIGN PROFESSIONAL SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS NECESSARY TO CONDUCT THE WORK...
8. THE DESIGN PROFESSIONAL SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS NECESSARY TO CONDUCT THE WORK...
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29. THE DESIGN PROFESSIONAL SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS NECESSARY TO CONDUCT THE WORK...
30. THE DESIGN PROFESSIONAL SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS NECESSARY TO CONDUCT THE WORK...

**WATER & SEWER NOTES:**

- 1. ALL DEVELOPMENT APPROVED BY THE CITY OF GASTON CITY OF GASTON/GASTON COUNTY, ALL PLUMBING, MATERIALS, FITTINGS AND INSTALLATION MUST CONFORM TO THE CITY OF GASTON CITY OF GASTON/GASTON COUNTY'S MINIMUM CONSTRUCTION STANDARDS...
2. ALL SEWER LINES APPROVED BY THE CITY OF GASTON CITY OF GASTON/GASTON COUNTY SHALL BE INSPECTED FOR PROPER FUNCTION PRIOR TO THE PLACEMENT OF ANY ADDITIONAL LINES...
3. ALL SEWER LINES APPROVED BY THE CITY OF GASTON CITY OF GASTON/GASTON COUNTY SHALL BE INSPECTED FOR PROPER FUNCTION PRIOR TO THE PLACEMENT OF ANY ADDITIONAL LINES...
4. DO NOT INSTALL SANITARY SEWER IN FILL AREAS UNTIL SOIL IS FULLY COMPACTED TO MEET AT LEAST 98% COMPACTION...
5. ALL SANITARY SEWER CONNECTIONS TO BUILDINGS TO HAVE INDIVIDUAL CLEAR-OUTS AT BUILDING ENTRANCE COATED WITH THE UTILITY GASBENT AND TO BE CONNECTED TO THE MAIN WITH WELLS...
6. CONTRACTOR TO ADHERE TO THE FOLLOWING CLEARANCES: 24" MINIMUM CLEARANCE BETWEEN SANITARY AND STORM DRAINS...
7. CEMENT LINE DUCTILE IRON PIPING (AWWA C151) CLASS 51 REQUIRED FOR SEWER LINES WHEN THESE LINES ARE NOT MAINTAINED...
8. EACH LOT OWNER SHALL INSTALL DIVERSION DITCHES TO DIVERT SLOW RUNOFF FROM DRIVEWAYS...
9. PROPOSED MANHOLE BENCH SHALL BE CONSTRUCTED OF PRECAST CONCRETE...
10. BUILDING PAGES TO BE SERVED WITH 4" PVC SEWER LATERAL AS PER ASTM D1765 S040 WITH MINIMUM SLOPES OF 1/2" PER FOOT...
11. MANHOLE COVERS SHALL BE PLUGGED AT THE CONNECTION POINT UNTIL THE PROPOSED EXTERNS IS ACTIVATED...
12. MANHOLE COVERS SHALL BE US FPOUR 689 OR AS APPROVED WITH "SANITARY SEWER" CAST INTO COVER...
13. CLEANSUITS SHALL BE PROTECTED WITH ORANGE FENCING AFTER INSTALLED... THE FENCING SHALL BE MAINTAINED UNTIL THE MANHOLE UNTIL THE MANHOLE IS OPEN CHANNELS...
14. CONTRACTOR MUST HAVE VALID NORTH CAROLINA GENERAL CONTRACTOR LICENSE TO BE PRESENTED AT PRECONSTRUCTION MEETING...
15. ALL SEWER AND SERVICES SHALL BE TESTED FOR LEAKAGE USING INFILTRATION, EXFILTRATION OR TEST TUBES...
16. PVC SEWER LINES SHALL BE DEFLECTION TESTED...
17. ALL WATER LATER IMPROVEMENTS MUST MEET THE MINIMUM STANDARDS PRESENTED IN THE LAND DEVELOPMENT STANDARDS MANUAL...
18. MINIMUM DESIGN VELOCITY OF SEWER LINE WHEN FLOWING FULL SHALL NOT LESS THAN 2 FEET PER SECOND...
19. ALL EXISTING SIDEWALK SECTIONS SHALL BE SEALED WITH EXTERNAL JOINT SEALING BANDS CONFORMING TO ASTM D377 TYPE "1" RUBBER AND MASTIC BANDS, CADILAC EXTERNAL PIPE JOINT OR AS APPROVED...

**DEVELOPERS NOTES:**

- 1. THE DEVELOPER SHALL ARRANGE FOR STREET LIGHTS THROUGH DUKES ENERGY IF HE WANTS THE CITY TO LEASE THEM...
2. THE CITY OF GASTON CITY OF GASTON/GASTON COUNTY ASSUMES NO LIABILITY OR RESPONSIBILITY REGARDING THE PLACEMENT OF THE LIGHTS...
3. ENGINEER MUST SUBMIT COMPUTATION TESTING RESULTS TO THE CITY INSPECTOR...
4. FOR WATER IMPROVEMENTS, ALL VALVES, BLOWERS, FIRE HYDRANTS, METER BUILDS AND SERVICE CONNECTION POINTS ON THE WATER MAIN MUST BE LOCATED IN THEIR FINAL LOCATION...
5. THE CITY REQUIRES THE DEVELOPER TO PROVIDE AS-CONSTRUCTED RECORD DRAWINGS FOR THE WATER, SANITARY SEWER, AND ALL OTHER UTILITIES IMPROVEMENTS...
6. FOR WATER IMPROVEMENTS, ALL VALVES, BLOWERS, FIRE HYDRANTS, METER BUILDS AND SERVICE CONNECTION POINTS ON THE WATER MAIN MUST BE LOCATED IN THEIR FINAL LOCATION...
7. THE CITY REQUIRES THE DEVELOPER TO PROVIDE AS-CONSTRUCTED RECORD DRAWINGS FOR THE WATER, SANITARY SEWER, AND ALL OTHER UTILITIES IMPROVEMENTS...
8. ALL EXISTING BURIED UTILITIES ENCOUNTERED DURING CONSTRUCTION ARE TO BE LOCATED...
9. ALL EXISTING BURIED UTILITIES ENCOUNTERED DURING CONSTRUCTION ARE TO BE LOCATED...
10. ALL EXISTING BURIED UTILITIES ENCOUNTERED DURING CONSTRUCTION ARE TO BE LOCATED...
11. THE CITY ACCEPTANCE POLICY GOVERNS THE PROCEDURES FOR THE CITY TAKING OVER MAINTENANCE OF THE WATER AND SEWER UTILITIES...
12. SINCE ALL LOTS ARE WITHIN 500 FEET OF AN EXISTING FIRE HYDRANT... THERE WILL BE NO RESTRICTIONS REGARDING PLUMBING DEPARTMENT PRIOR TO BEGINNING CONSTRUCTION...
13. UPON FINAL APPROVAL OF THE PLANS BY THE CITY OF GASTON CITY OF GASTON/GASTON COUNTY... THE DESIGN PROFESSIONAL AND CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS NECESSARY TO CONDUCT THE WORK...
14. WATER SERVICE LINES AND SEWER SERVICE LINES ARE NOT PERMITTED UNDER DRIVEWAYS...
15. NEW WATER AND SEWER SYSTEM ADDITIONS CANNOT BE ACTIVATED UNTIL FINAL APPROVALS FROM NCDCR PUBLIC WATER SUPPLY AND WATER RESOURCES ARE OBTAINED AND THE NECESSARY APPROVAL LETTERS ARE RECEIVED BY THE CITY...
16. PAVEMENT PATCHES IN RECORD STREET FOR THE SEWER AND WATER MAIN EXTENSIONS SHALL BE 18" A/C AND 4" OF GRANITE...
17. CONTRACTOR SHALL OBTAIN A RECORD PERMANENT MARKING FOR THE UTILITIES LOCATED ON PRIVATE PROPERTIES...

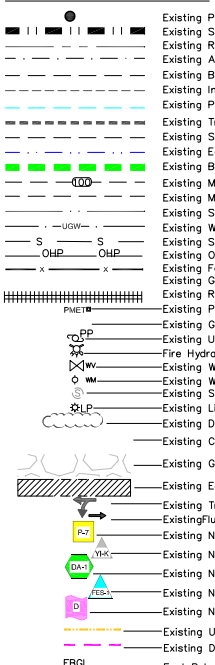
**EROSION CONTROL NOTES:**

- 1. ALL DEVELOPMENT CONTROL PRACTICES WILL BE CHECKED FOR STABILITY AND OPERATION FOLLOWING EVERY RUNOFF PRODUCING RAINFALL...
2. SEDIMENT WILL BE REMOVED FROM THE TEMPORARY SEDIMENT TRAPS WHEN STORAGE CAPACITY IS FULL...
3. SEDIMENT WILL BE REMOVED FROM BEHIND THE SILT FENCE WHEN IT BECOMES ABOUT 0.5 FEET DEEP...
4. THE SEDIMENT FENCE WILL BE REPAIRED AS NECESSARY TO MAINTAIN A PROPER BARRIER...
5. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REMOVED ONCE THE ENTIRE SITE IS STABILIZED AND IS RESPONSIBLE TO REPAIRS...
6. EACH LOT OWNER IS REQUIRED TO COMPLETE NPDES PERMITTING, NOIS, PERMITTING AND FEES AS APPLICABLE IF REQUIRED...
7. EACH LOT OWNER IS REQUIRED TO INSTALL A STABILIZED CONSTRUCTION ENTRANCE AND ENVIRONMENTAL WASHOUT AS SHOWN ON THE PLANS...
8. EACH LOT OWNER SHALL INSTALL DIVERSION DITCHES TO DIVERT SLOW RUNOFF FROM DRIVEWAYS...
9. EACH LOT OWNER SHALL VERIFY THAT ALL CONSTRUCTION ACTIVITIES ARE PER THE CONTRACT DOCUMENT AS APPROVED ALONG WITH THE LATEST AMENDED REQUIREMENTS...
10. EACH LOT OWNER SHALL STABILIZE THEIR LOT WITH SEEDING REQUIREMENTS AS SHOWN ON THE APPROVED PLANS...
11. EACH LOT OWNER SHALL VERIFY THE LOCATION OF DOWNSPOUTS... SPLASH BLOCKS MAY BE USED WITH DRAINAGE DIRECTED TO OPEN CHANNELS THAT WILL DISCHARGE INTO THE STORM DRAINAGE SYSTEM...
12. SEE EROSION CONTROL PLAN FOR ECP MEASURES TO BE UTILIZED...
13. THE CONTRACTOR SHALL VERIFY THAT ALL FILL IS COMPACTED TO 98% STANDARD PROCTOR UNDER ALL PAVING/ROOFING AREAS AND LOT UTILITY TRENCHING...
14. CONTRACTOR SHALL ENSURE POSITIVE DRAINAGE SO THAT RUNOFF WILL DRAIN BY SHEET FLOW AWAY FROM BUILDINGS AND LANDSCAPED AREAS TO NEW OR EXISTING DRAINAGE FEATURES...
15. THE CONTRACTOR SHALL MAINTAIN ALL PROPOSED ELEVATIONS WITHIN +/- 0.1 FT AS PER SHOWN ON THE DRAWINGS TO INSURE PROPER DRAINAGE AND WORKING CONDITIONS OF THE PROPOSED DRAINAGE SYSTEM...
16. THE CONTRACTOR SHALL VERIFY THE LOCATION OF DOWNSPOUTS... SPLASH BLOCKS MAY BE USED WITH DRAINAGE DIRECTED TO OPEN CHANNELS THAT WILL DISCHARGE INTO THE STORM DRAINAGE SYSTEM...
17. CONTRACTOR TO VERIFY THE CUTFILL VOLUMES BALANCE PRIOR TO COMMENCEMENT OF GRADING AT THE PROPERTY...
18. SEE EROSION CONTROL PLAN FOR ECP MEASURES TO BE UTILIZED...

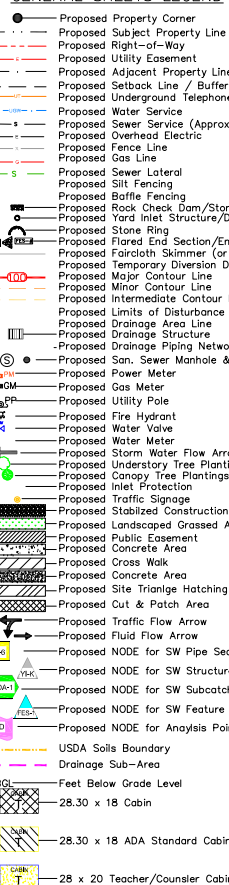
**GENERAL CONSTRUCTION NOTES:**

- 1. ALL CONSTRUCTION SHALL BE COMPLETED IN ACCORDANCE WITH CONTRACT DOCUMENTS, AND ANY AND ALL APPLICABLE JURISDICTIONAL REGULATIONS AND AS PER THE APPROVED DRAWINGS...
2. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER/DEVELOPER OF ANY DISCREPANCIES FOUND TO EXIST BETWEEN ACTUAL FIELD CONDITIONS AND CONSTRUCTION DOCUMENTS FOR RECOMMENDATIONS...
3. THE CONTRACTOR SHALL VERIFY THAT ALL FILL IS COMPACTED TO 98% STANDARD PROCTOR UNDER ALL PAVING/ROOFING AREAS AND LOT UTILITY TRENCHING...
4. CONTRACTOR SHALL ENSURE POSITIVE DRAINAGE SO THAT RUNOFF WILL DRAIN BY SHEET FLOW AWAY FROM BUILDINGS AND LANDSCAPED AREAS TO NEW OR EXISTING DRAINAGE FEATURES...
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7. CONTRACTOR TO VERIFY THE CUTFILL VOLUMES BALANCE PRIOR TO COMMENCEMENT OF GRADING AT THE PROPERTY...
8. SEE EROSION CONTROL PLAN FOR ECP MEASURES TO BE UTILIZED...
9. ALL CONSTRUCTION SHALL BE COMPLETED IN ACCORDANCE WITH CONTRACT DOCUMENTS, AND ANY AND ALL APPLICABLE JURISDICTIONAL REGULATIONS AND AS PER THE APPROVED DRAWINGS...
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14. THE CONTRACTOR SHALL VERIFY THE LOCATION OF DOWNSPOUTS... SPLASH BLOCKS MAY BE USED WITH DRAINAGE DIRECTED TO OPEN CHANNELS THAT WILL DISCHARGE INTO THE STORM DRAINAGE SYSTEM...
15. CONTRACTOR TO VERIFY THE CUTFILL VOLUMES BALANCE PRIOR TO COMMENCEMENT OF GRADING AT THE PROPERTY...
16. SEE EROSION CONTROL PLAN FOR ECP MEASURES TO BE UTILIZED...

**EXISTING CONDITIONS LEGEND:**



**GENERAL SHEETS LEGEND:**



NOTE: THE SURVEY SHEET REFLECTS A DIFFERENT LEGEND. PLEASE DO NOT USE THIS LEGEND FOR SHEET 3 OF 15.

FLOOD HAZARD NOTE: THIS PROPERTY IS SITUATED WITHIN AN FLOODZONE PER FEMA/FIRM MAP PANEL 871035200A, EFFECTIVE ON 06/28/2007.

FOR CONSTRUCTION

Project information including owner/developer (JAY OLIVER), civil design by (ECA), project # (2023017), and drawing title (MISTY LN AT CROWDERS SPRING CAMP). Includes logos for ECEA and North Carolina State Seal.

APPENDIX/NOTES SHEET 2







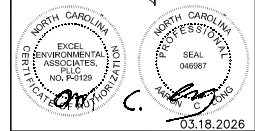


625 HUNTSMAN COURT  
GASTONIA, NC 28054  
NC LICENSE NO. P-0129  
PHONE: (704) 853-0800  
FAX: (704) 853-3949  
WEB: www.excelengr.com

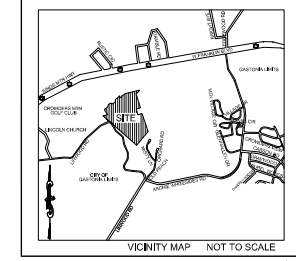
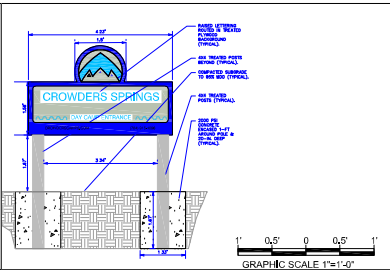
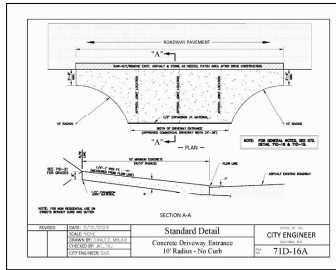
Owner / Developer: Civil Design by:  
JAY OLIVER  
CROWDERS CAMPS, N.C.,  
(704) 915-1096  
ECAA  
625 Huntsman Court  
Gastonia, NC 28054  
Ph. 704.853.0800  
Fax. 704.853.3949  
ALong@excelengr.com

PROJECT #: 2023017  
DRAWN BY: B.J.P.J.  
CHECKED BY: ACL  
DATE: 5.1.2023  
SCALE: AS NOTED

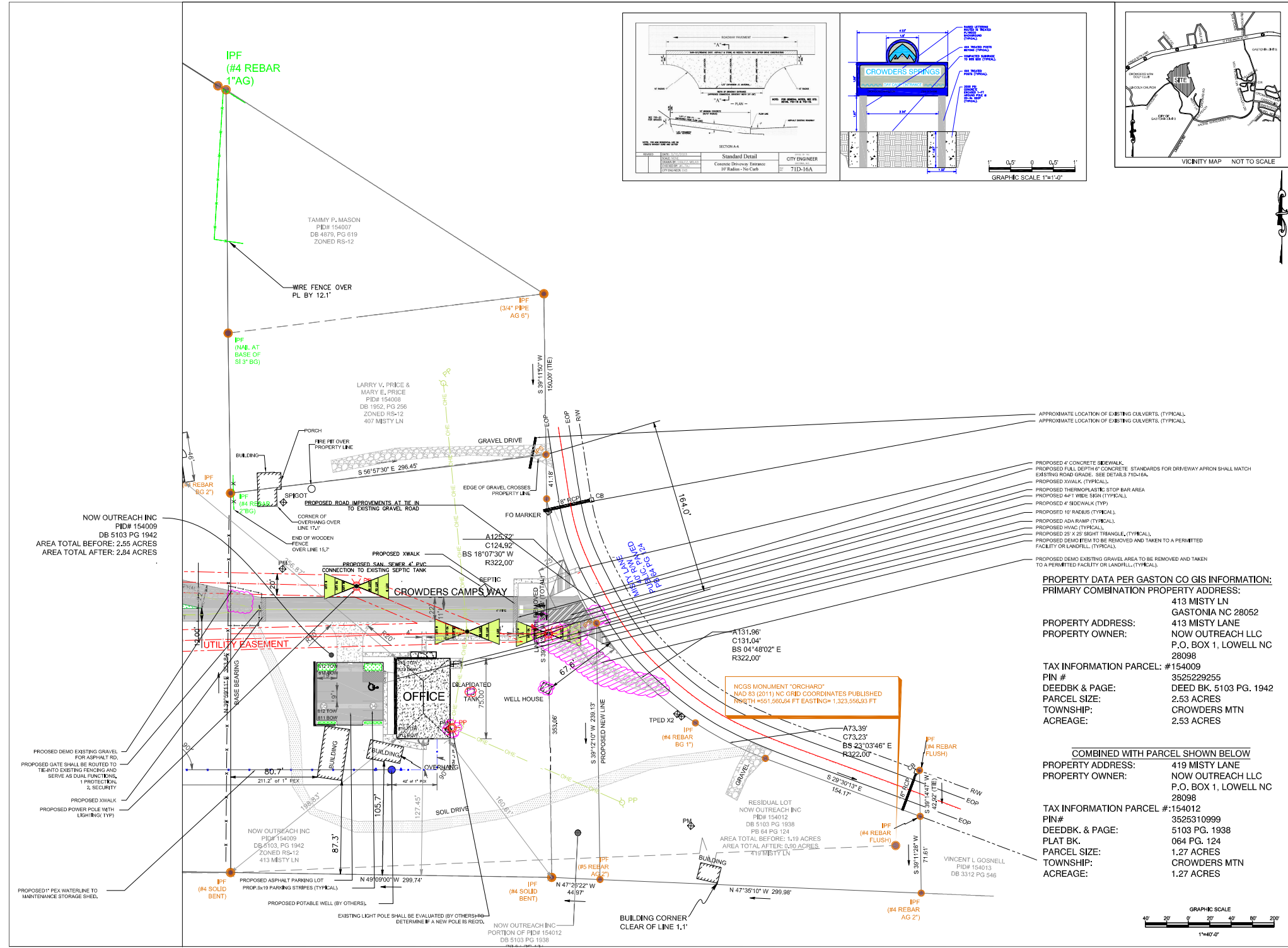
# MISTY LN AT CROWDERS SPRING CAMP



SHEET 4 OF 4  
SITE PLAN



FOR CONSTRUCTION



APPROXIMATE LOCATION OF EXISTING CULVERTS, (TYPICAL).

- PROPOSED 4" CONCRETE SIDEWALK.
- PROPOSED FULL DEPTH 6" CONCRETE STANDARDS FOR DRIVEWAY APRON SHALL MATCH EXISTING ROAD GRADE. SEE DETAILS 71D-16A.
- PROPOSED XWALK, (TYPICAL).
- PROPOSED THERMOPLASTIC STOP BAR AREA.
- PROPOSED 4\"/>

PROPERTY DATA PER GASTON CO GIS INFORMATION:  
PRIMARY COMBINATION PROPERTY ADDRESS:

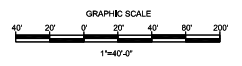
413 MISTY LN  
GASTONIA NC 28052  
PROPERTY OWNER:  
413 MISTY LANE  
NOW OUTREACH LLC  
P.O. BOX 1, LOWELL NC  
28098

TAX INFORMATION PARCEL: #154009  
PIN # 3525229255  
DEEDBK & PAGE: DEED BK, 5103 PG. 1942  
PARCEL SIZE: 2.53 ACRES  
TOWNSHIP: CROWDERS MTN  
ACREAGE: 2.53 ACRES

COMBINED WITH PARCEL SHOWN BELOW

PROPERTY ADDRESS: 419 MISTY LANE  
PROPERTY OWNER: NOW OUTREACH LLC  
P.O. BOX 1, LOWELL NC  
28098

TAX INFORMATION PARCEL #:154012  
PIN# 3525310999  
DEEDBK. & PAGE: 5103 PG. 1938  
PLAT BK. 064 PG. 124  
PARCEL SIZE: 1.27 ACRES  
TOWNSHIP: CROWDERS MTN  
ACREAGE: 1.27 ACRES











## CITY OF GASTONIA APPLICATION FOR PUBLIC HEARING

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

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

1. Identify the request (example: rezone from RS-12 to OLC CD or SUP; etc.): \_\_\_\_\_  
Re-zoning to C1-CD from RS-12

*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): \_\_\_\_\_ PIDs: 154009 and 154012 (portion)

3. Subject property addresses: \_\_\_\_\_ 413 Misty lane and (portion) 419 Misty Lane

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. \_\_\_\_\_ Left side of Misty lane on Stake park side.

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 \_\_\_\_\_ Now Outreach. Inc \_\_\_\_\_ as evidenced in deed from (date) \_\_\_\_\_ 2/26/20 \_\_\_\_\_ recorded in DB: \_\_\_\_\_ 5103 PG: \_\_\_\_\_ in the Gaston County Registry 1942-1946

8. The real property for which the above request is sought is located on the \_\_\_\_\_ Left \_\_\_\_\_ side of \_\_\_\_\_ Misty \_\_\_\_\_ between \_\_\_\_\_ Peach Orchard \_\_\_\_\_ and \_\_\_\_\_ Achie Whiteside \_\_\_\_\_ having a frontage of \_\_\_\_\_ 200 \_\_\_\_\_ feet and depth of \_\_\_\_\_ 400 \_\_\_\_\_ feet and acreage of \_\_\_\_\_ 6 \_\_\_\_\_.

9. Are sewer and water available on the property? \_\_\_\_\_ Sewer \_\_\_\_\_

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).

Now Outreach, Inc

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

12. Name and address of applicant: Jay Oliver

Telephone #: 704-915-1132 E-mail address: jay@crowderscamps.com

13. Interest in subject realty: Summer Camp Entrance and office

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

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

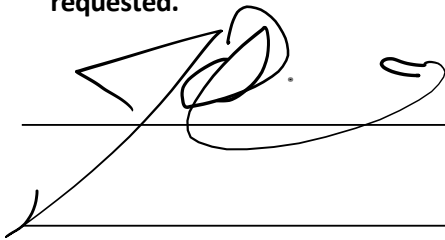
16. Name and address of person to present item at public hearing: Jay Oliver

Telephone number: 704-915-1132 Email: Jay@crowderscamps.com

\*\*\*\*\*

I, Jay Oliver, certify that I have read the information provided in the public hearing information package on the 9th day of November, 2023.

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

|   |       |
|---|-------|
|  | _____ |
| _____   | _____ |
| _____   | _____ |



**PUBLIC HEARING  
STAFF REPORT**

**File # 202400055**

**GPC Hearing Date: April 4<sup>th</sup>, 2024**

OWNER: City of Gastonia  
APPLICANT: City of Gastonia  
PROPOSED ZONING ACTION: Rezoning from RS-8 to RMF  
LOCATION: 216 West Davidson Avenue (PID: 100644)  
TRACT SIZE: Approximately 0.31 acres  
WARD: 4

---

**EVALUATION:**

**Background and Request**

The subject property for this rezoning request consists of one vacant tax parcel currently zoned RS-8 (Residential Single Family). The applicant is requesting to rezone the property to RMF (Residential Multi-Family). This request is made in the effort to address City Council's desire to transfer surplus, city-owned properties for the purpose of affordable housing. The reason for the Multi-Family request is due to the accommodating size of the subject tract and the goal to maximize opportunities for affordable housing within the city.

**Adjoining Properties and Land Use Trends**

The subject property is bordered by existing residential uses and RS-8 zoning to the west, north, and east. There are lots zoned C-1 (Neighborhood Business) directly south of the property. Further towards the east, at the termination of West Davidson Avenue, there is one parcel zoned O-1 (Office District) with I-U (Urban Industrial) beyond. Though RMF currently is absent, The C-1 district south of the site allows for higher density residential uses.

**Available Public Facilities**

Both public water and sewer are available to serve this parcel.

**Consistency with the Comprehensive Plan**

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

**Conclusion**

The applicant has requested a rezoning to RMF (Residential Multi-Family). Based on the character of this area, surrounding land uses, size of the property, consistency with the 2023 Affordable Housing Plan and 2025 Comprehensive Plan, staff believes that residential multi-family is an appropriate use for this property. **Staff recommends approval of the requested zoning change.**

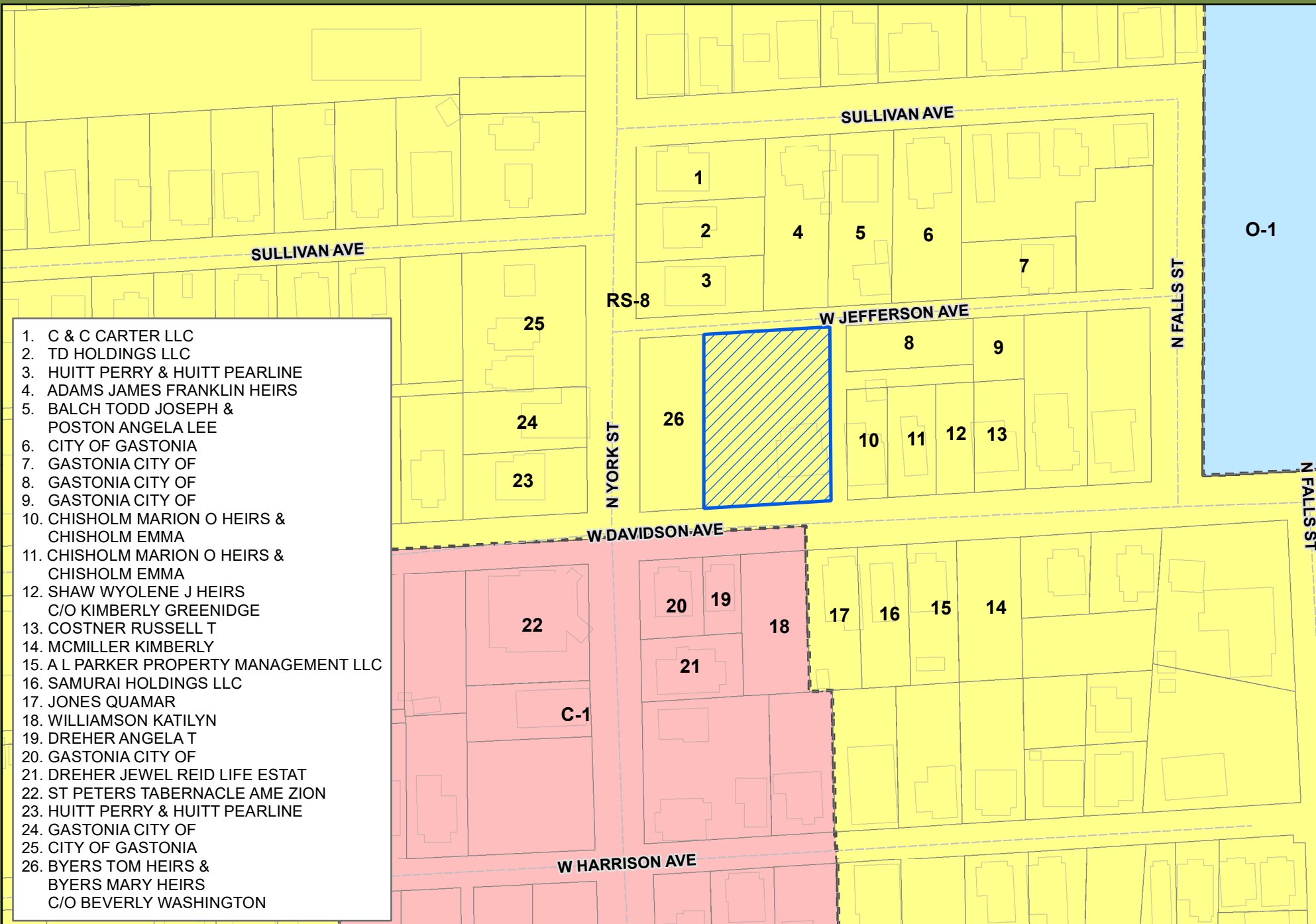


Jordan Tubbs, MEPD  
Senior Planner

**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 multi-family 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. C & C CARTER LLC
2. TD HOLDINGS LLC
3. HUITT PERRY & HUITT PEARLINE
4. ADAMS JAMES FRANKLIN HEIRS
5. BALCH TODD JOSEPH & POSTON ANGELA LEE
6. CITY OF GASTONIA
7. GASTONIA CITY OF
8. GASTONIA CITY OF
9. GASTONIA CITY OF
10. CHISHOLM MARION O HEIRS & CHISHOLM EMMA
11. CHISHOLM MARION O HEIRS & CHISHOLM EMMA
12. SHAW WYOLENE J HEIRS  
C/O KIMBERLY GREENIDGE
13. COSTNER RUSSELL T
14. MCMILLER KIMBERLY
15. A L PARKER PROPERTY MANAGEMENT LLC
16. SAMURAI HOLDINGS LLC
17. JONES QUAMAR
18. WILLIAMSON KATILYN
19. DREHER ANGELA T
20. GASTONIA CITY OF
21. DREHER JEWEL REID LIFE ESTAT
22. ST PETERS TABERNACLE AME ZION
23. HUITT PERRY & HUITT PEARLINE
24. GASTONIA CITY OF
25. CITY OF GASTONIA
26. BYERS TOM HEIRS & BYERS MARY HEIRS  
C/O BEVERLY WASHINGTON



**Applicant:** City of Gastonia  
**Owner:** City of Gastonia  
**Planning Comm Hearing:** April 4, 2024  
**Request:** RS-8 to RMF  
**Ward:** 4  
**Total Tract Size:** approx. 0.31 acres  
**Parcel ID #:** 100644

 **Subject Property**

**Legend**

**Residential Zones**

-  RLD Residential Low Density
-  RS-12 Residential 1200sqft 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**

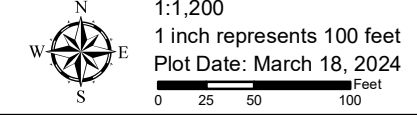
-  I-U Urban Industrial District
-  I-1 Light Industrial District
-  I-2 General Industrial District
-  I-3 Exclusive Industrial District

**Other Zones**

-  SP State Park District
-  AP Airport District

 Parcels  
 Buildings

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**  
**PLMA202400055**

I, Julia Baker-Granata, hereby certify that all mail notices, in the absence of fraud, were mailed to all affected and adjoining property owners on March 21, 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.): RS-8 to RMF (Residential Multi-family)

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

*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): 100644

\_\_\_\_\_

3. Subject property addresses: 216 W. Davidson Avenue

\_\_\_\_\_

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.

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

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 City of Gastonia as evidenced in deed from (date) 2009 recorded in DB: 4466 PG: 16 in the Gaston County Registry

8. The real property for which the above request is sought is located on the North side of W. Davidson Ave. between N. York St. and N. Falls St. having a frontage of 100 feet and depth of 136.67 feet and acreage of Approx. 0.31.

9. Are sewer and water available on the property? Water and Sewer are available.

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: City of Gastonia  
Telephone #: \_\_\_\_\_ E-mail address: 150 S. York St.

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: \_\_\_\_\_  
\_\_\_\_\_  
Telephone number: \_\_\_\_\_ Email: \_\_\_\_\_

\*\*\*\*\*

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.**

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





## MEMORANDUM

Date: February 20, 2024  
To: Michael Peoples, City Manager  
From: Rusty Bost, Director of Development Services  
Subject: **Subject hearing involves a request to amend Section 7.6.1 – FH FLOOD HAZARD OVERLAY DISTRICT of the Unified Development Ordinance**

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### **Background**

The City's Flood Development Ordinance requires that neither fill or development are allowed to cause a rise in the Base Flood Elevation (also called the 100yr floodplain or BFE). This ordinance has been very helpful over the decades in preventing development in flood prone areas. You can look at jurisdictions all over the state that don't have such a requirement and see how problematic it has been for them to allow development in these areas.

One of the consequences of this ordinance is that it has also made construction of pedestrian paths, park roads, and amenities within City facilities more costly and burdensome.

### **Proposed Amendment**

Staff has worked to develop language to our current no-rise ordinance that would continue to protect the public from allowing development in the flood plain, but ease the regulatory burden for encroachments in flood plain areas on City facility projects.

The proposed wording would exempt public facilities including park roads, bridges, and amenities from the no-rise requirement.

Similar to previous exemptions to the ordinance, this proposed exemption would require any rise in the BFE to be contained within the facility property. If an increase in the BFE were to occur outside the facility property, any affected adjacent property owner would need to agree to the increase in BFE for the project to proceed.

### **Conclusion**

The proposed amendment to 7.6.1 – FH FLOOD HAZARD OVERLAY DISTRICT of the Unified Development Ordinance strikes a balance between protecting individual property owners and easing regulatory requirements that will help improve the community. **Staff recommends approval as presented.**

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

An ordinance amending 7.6.1 - FH FLOOD HAZARD OVERLAY DISTRICT of the Unified Development Ordinance as follows:

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

**WHEREAS**, the City Council finds it to be in the best interests of the health, safety and welfare of the citizens of Gastonia to modify the procedures whereby fill is permitted to be placed in Special Flood Hazard Areas under certain conditions;

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

**Section 1.** Section 7.6.1 – *FH Flood Hazard Overlay District*, Subsection A.17.a.11 – *Provisions for flood hazard reduction*, is hereby amended as follows:

11. No fill or development shall be permitted within any Special Flood Hazard Area unless the following conditions are met:
  - i. The granting of the permit will not create a danger that fill or construction materials may be swept on to lands other than those for which the permit is granted to the injury of others;
  - ii. The granting of the permit will not substantially increase the probability of flooding or erosion damage and thereby create a danger to life and property;
  - iii (a). The granting of the permit will not result in any increase in flood levels during the base flood discharge;
  - b. Proposed public transportation projects/roads are exempt from subsection (a) above provided that they meet the following conditions:
    1. Requirements of 17.6.1A (17)d below are met and
    2. The proposed new roadway centerline is elevated to the Regulatory flood protection elevation
    3. Any rise in the BFE would be contained within the right of way or
    4. Any rise in the BFE would be contained within the proposed development or
    5. Any adjacent owners affected by the rise in BFE would agree in writing to the BFE modification.
  - c. Proposed public facilities including transportation projects/roads and amenities on publicly owned facilities (Parks, Treatment Plants, Electric Substations, etc.) are exempt from subsection (a) above provided that they meet the following conditions:
    1. Any rise in the BFE would be contained within facility property; or
    2. Any adjacent owners affected by the rise in BFE would agree to the BFE modification.
  - iv. The granting of the permit will not have an adverse impact upon properties upstream or downstream other than those for which the permit is granted; and
  - v. The granting of the permit will not result in any fill being placed within any designated floodway or non-encroachment area unless the requirements of Section 7.6.1A(17)(d) are met.

The Floodplain Administrator, for the further protection of the neighboring properties and the public welfare, may impose appropriate conditions and safeguards upon any permit which may be granted pursuant to the provisions of this subsection. Any permit granted may be revoked by the Floodplain Administrator should any conditions and safeguards imposed be violated. Any appeal of the Floodplain Administrator’s decision shall be made to the Board of Adjustment.

**Section 2.** All ordinances or portions of ordinances in conflict herein are hereby repealed.

**Section 3.** Should any provision of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

**Section 4.** This ordinance shall take effect and be in force from its effective date.

**Section 5.** This ordinance is consistent with the Gastonia 2025 Comprehensive Plan and any applicable duly adopted small area plans, and is reasonable and in the public interest because it promotes the health, safety, and welfare and brings the City's ordinance into compliance with federal law.

This the \_\_\_ day of \_\_\_\_\_, 20\_\_.

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Richard Franks, Mayor

ATTEST:

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(Deputy) City Clerk

*Ord24-804*



## MEMORANDUM

Date: February 29, 2024

To: Michael Peoples  
City Manager

From: Jason Thompson, AICP  
Planning Director

Subject: Subject hearing involves a request to amend *Section 7.6.5 Urban Standards Overlay*, of the Unified Development Ordinance, to adjust regulations for non-residential accessory structures (File# 202400075).

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This ordinance addresses Section 7.6.5 of the City's Unified Development Ordinance and is aimed at providing flexibility for materials and design for accessory structures on sites that have existing principal structures. At present, any new building of 750 square feet or greater must meet the existing material and design standards for non-residential structures in the Urban Standards Overlay. While these standards are not overly restrictive, they can potentially prevent matching design and material elements on sites where there are existing principal structures.

This revision is aimed at allowing materials and design elements that match existing principal non-residential structures even if those structures do not meet the standards in Section 7.6.5 of the UDO. Any newly developed sites would still need to meet the standards of Section 7.6.5 for any structure (principal or accessory) in excess of 750 square feet.

### CONCLUSION

If approved, this revision would allow for non-residential accessory structures to be designed in keeping with principal structures. **Staff recommends approval as presented.**

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

*This ordinance is consistent with the Gastonia 2025 Comprehensive Plan, and is reasonable and in the public interest.*



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

An ordinance amending *Section 7.6.5 Urban Standards Overlay* of the Unified Development Ordinance to adjust regulations for non-residential accessory structures.

**WHEREAS**, the City of Gastonia deems it necessary to update the Unified Development Ordinance in order to facilitate the use of land and to maintain consistency with other UDO jurisdictions; and

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

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

**Section 1.** *Section 7.6.5* of the Unified Development Ordinance shall be amended as follows:

**7.6.5 USO URBAN STANDARDS OVERLAY DISTRICT**

The Urban Standards Overlay (USO) district contains a number of design and subdivision standards that apply solely to non-residential uses on properties located in USO district (except where otherwise indicated):

A. Parking Lot Connections.

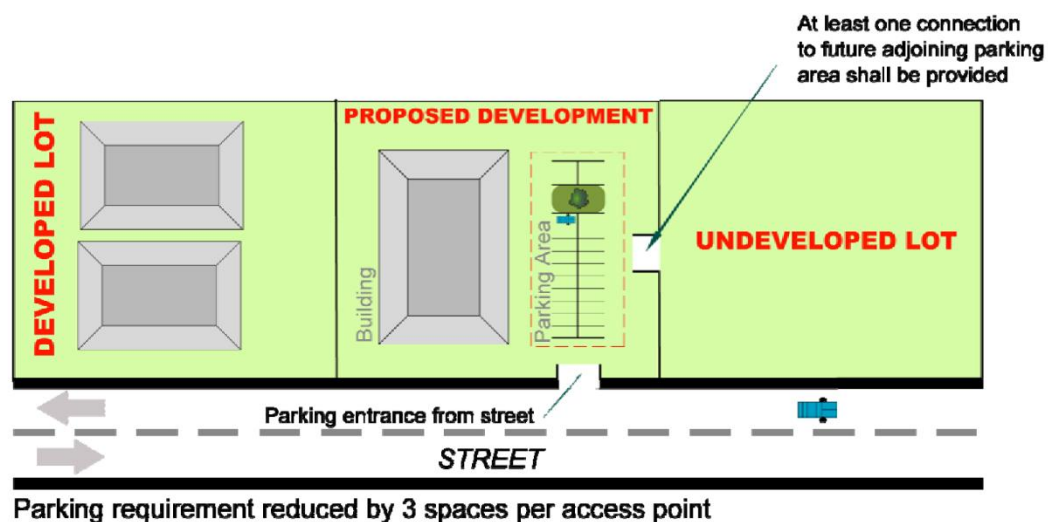
(NOTE: These requirements shall also apply in the CH Overlay district)

(NOTE: The following provisions regarding parking lot connections shall NOT be applicable to lots in the CBD, I-1, I-2, I-3 or I-U zoning districts, irrespective of whether they are in the USO or CH Overlay Districts.)

Parking lots for commercial or office uses (but not for industrial uses) that lie in a Commercial or Office or TMU zoning district and which contain more than thirty-five (35) off-street parking spaces shall be designed to inter-connect with adjoining lots in such zoning districts. At least one future access point to such parking lot from an undeveloped adjoining lot shall be provided. The Administrator may require additional access points, when in his opinion, such additional access point would serve to benefit traffic flow and the safety of pedestrians and motorists using the street. The location of the access point shall be determined by the developer of the property in question and shall be subject to the Administrator's approval. The total number of required off-street parking spaces for all parking lots meeting the requirements of this section shall be reduced by three (3) parking spaces per access point for the lot being developed. The Administrator shall have the authority to waive or modify the requirements of this section upon finding that there is no practical way to create a shared driveway with an adjoining lot.

Figure 7.6.5-1 below illustrates how this requirement is to be implemented.

**Figure 7.6.5-1**



B. Building Materials.

(NOTE: These regulations are also applicable in the CH and SH Overlay districts)

(NOTE: For existing structures that do not meet these standards, these regulations shall only apply when the square footage is increased by more than one hundred (100) percent).

(NOTE: These regulations do not apply to structures of seven hundred fifty (750) square feet and less.)

(NOTE: These regulations do not apply to new accessory structures on existing developed non-residential properties where the principal structure does not meet the standards of this section.)

1. At least seventy-five (75) percent of the area below the fascia of any non-residential building face (excluding industrial uses) including doors and windows shall be finished with one or more of the materials designated as primary as listed below, with the remaining percentage consisting of any materials listed below subject to applicable building code requirements. **(NOTE: The Administrator shall have the authority to approve building materials not specifically listed but similar in appearance and texture to those herein listed.)**
    - a. Brick, brick veneer or polystyrene faced with real brick veneers and field applied jointing. (Primary)
    - b. Decorative CMU (concrete masonry unit) concrete block. (Primary)
    - c. Pre-cast or field-poured tilt concrete panels with texture (such as exposed aggregate) and/or architectural detailing. (Primary)
    - d. Stone, stone veneer, lath applied stone and cultured stone. (Primary)
    - e. Flush architectural metal panels or other metal panels with architectural detailing, but not including sheet metal panels of "R" or similar corrugated and/or ribbed configuration or appearance. (Non-primary)
    - f. Stucco with architectural detailing or artificial stucco (EPS/expanded polystyrene/"Drivet<sup>®</sup>") with architectural detailing. (Primary)
    - g. Glass. (Primary)
    - h. Doors, windows and other fenestration along with their casings. (Primary)
    - i. Wood and wood materials designed and intended for use as exterior finish material. (Primary)
    - j. Non-decorative CMU that is finished with a material which is similar in texture and appearance to an eligible primary building material as listed herein. (Primary)
  2. Trim and similar architectural detailing shall be composed of any code-approved materials (any material may be painted; however, paint and similar coatings themselves are not considered a finish material for the purpose of this list).
  3. Where visible from a public street or adjoining residential property, all facades of a building shall use materials consistent with those used on the front of the building and should be designed with similar detailing and be comparable in quality. Where not visible from a public street or adjacent residential property, facades shall consist of any combination of eligible primary or secondary materials or non-decorative CMU.
- C. Location of Off-Street Loading Areas.  
Refer to Section 10.14 Off-Street Loading Areas.
- D. Building Colors.
1. In addition to the building material standards contained in Subsection B, buildings within the Urban Standards Overlay District shall meet the following standards regarding building facade colors. Facade colors shall be of low reflectance earth tone, muted, subtle, or neutral colors. Building trim may feature brighter colors as an accent material. The use of high-intensity or metallic colors shall not be allowed except for accent purposes. The use of fluorescent, day glow, or neon colors shall be prohibited as a predominate wall color. Variations in color schemes are encouraged in order to articulate entryways and public amenities so as to give greater recognition to these features. Color samples shall be provided to the Administrator at the time of site plan review and prior to any renovations, remodelings, facelifts, and repainting, along with a description of how and where each color will be used. Colored renderings are encouraged, but shall not be a substitute for this requirement.
  2. This prohibition shall not apply to any wall or freestanding signage for the use.
- E. Building Articulation.
- (NOTE: These provisions do not apply to industrial uses.)**
- (NOTE: For existing structures that do not meet these standards, these regulations shall only apply when the square footage is increased by more than one hundred (100) percent).**
- (NOTE: These regulations do not apply to structures of seven hundred fifty (750) square feet and less).**
- (NOTE: These regulations do not apply to new accessory structures on existing developed non-residential properties where the principal structure does not meet the standards of this section.)**
1. All building facades shall incorporate at least two (2) clearly evident horizontally-oriented architectural detail elements in order to break the vertical massing into smaller units.
  2. Building facades that are visible from public streets shall incorporate at least two (2) of the following design features:

- a. Display windows covering at least twenty-five (25) percent of the wall area.
  - b. Distinctive architectural features such as a repeating pattern of wall offsets, pilasters, projections, columns or recesses varying from the plane of the wall by a minimum of one foot.
  - c. At least three (3) different parapet heights which vary in appropriate proportions to the building wall and/or roof(s).
  - d. Repetitive ornamentation including decorative applied features such as, but not limited to, wall mounted light fixtures or faux windows. Repetitive ornamentations shall be located with a maximum spacing of fifty (50) feet.
  - e. Other elements that may be approved by the administrator.
3. Where visible from a public street, roofs shall reflect a variation in planes, slope and/or features.
- a. Overhanging eaves shall extend past supporting walls.
  - b. Flat roofs shall incorporate parapet walls with three-dimensional cornice treatments designed to conceal the roof and roof-mounted mechanical equipment.
  - c. Roofs shall not have a shiny surface appearance similar to aluminized or galvanized metal; however, anodized or baked-on paint metal roofs shall be allowed.

F. Entrance Orientation.

(NOTE: These provisions do not apply to industrial uses.)

(NOTE: The following provisions regarding entrance orientation shall be applicable ONLY within the UMU, TMU and CBD zoning districts.)

(NOTE: These provisions apply only to principal buildings constructed after the effective date of this Ordinance.)

(NOTE: These regulations do not apply to new accessory structures on existing developed non-residential properties where the principal structure does not meet the standards of this section.)

Any new principal building whose exterior facades face a public street, and constructed after the effective date of this Ordinance, shall install a pedestrian entryway opening onto at least one adjoining public street. Corner entrances shall comply with this requirement. Access from the adjoining public sidewalk, street right-of-way or driveway to the principal structure shall be provided through an improved surface.

G. Rooftop and HVAC Equipment.

A parapet or an enclosure consisting of materials that meet the building material requirements of Subsection B herein shall conceal rooftop and HVAC equipment on all buildings visible from a public road, except I-85. This requirement shall not apply to any equipment required by to be located on the roof by either the State Building Code or the County Health Department. The Administrator shall have the authority to waive or modify this requirement based on site-specific conditions, including but not limited to: topography, lot size or site configuration that would make adherence to this requirement impractical.

H. Sidewalks.

Refer to Section 9.18.1.

I. Street Trees.

Refer to Section 11.4.

**Section 2.** All ordinances or portions of ordinances in conflict herein are hereby repealed.

**Section 3.** Should any provision of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

**Section 4.** This ordinance shall take effect and be in force from and after the date of its adoption.

**Section 5.** This ordinance is consistent with the Gastonia 2025 Comprehensive Plan and the city's commitment to establishing an interconnected, multimodal transportation system, and is reasonable and in the public interest because it promotes health, safety, and welfare.

This the \_\_\_\_ day of \_\_\_\_\_, 2024.

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Richard Franks, Mayor

ATTEST:

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City Clerk

Ord24-807