



**Gastonia Planning Commission
Meeting Schedule
Wednesday – March 6th, 2024**

5:00 DINNER

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

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ITEM 1a: Role Call / Sound Check

ITEM 1b: Calls/Contacts to Planning Commission Members

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

ITEM 2: 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 3: 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 4: 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 **March 19th, 2024** meeting.

Staff Presentation: Keith Lineberger – Assistant City Engineer

ITEM 5: 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 to revise regulations for non-residential accessory structures.

- The Gastonia City Council will hold a Public Hearing for the text amendment request at the **March 19th, 2024** meeting.

Staff Presentation: Jason Thompson, AICP – Planning Director

ITEM 6: OTHER BUSINESS

ITEM 7: ADJOURNMENT
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UPCOMING IMPORTANT DATES

March 19th & April 2nd – City Council Meeting – 6:00 p.m.

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

Gastonia Planning Commission February 8th, 2024 Meeting Minutes

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 4th, 2024 Meeting Minutes

Commissioner Ghorley made a motion to adopt the January 4th 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 20th, 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.

Gastonia Planning Commission February 8th, 2024 Meeting Minutes

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 8th, 2024 Meeting Minutes

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. 36th 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.

Gastonia Planning Commission February 8th, 2024 Meeting Minutes

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 20th, 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 8th 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,

Jalen Nash, Planning Technician

Kristie Ferguson, Chairwoman

**PUBLIC HEARING
STAFF REPORT**

File # 202300464

GPC Hearing Date: March 6th, 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 and 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 9th, 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

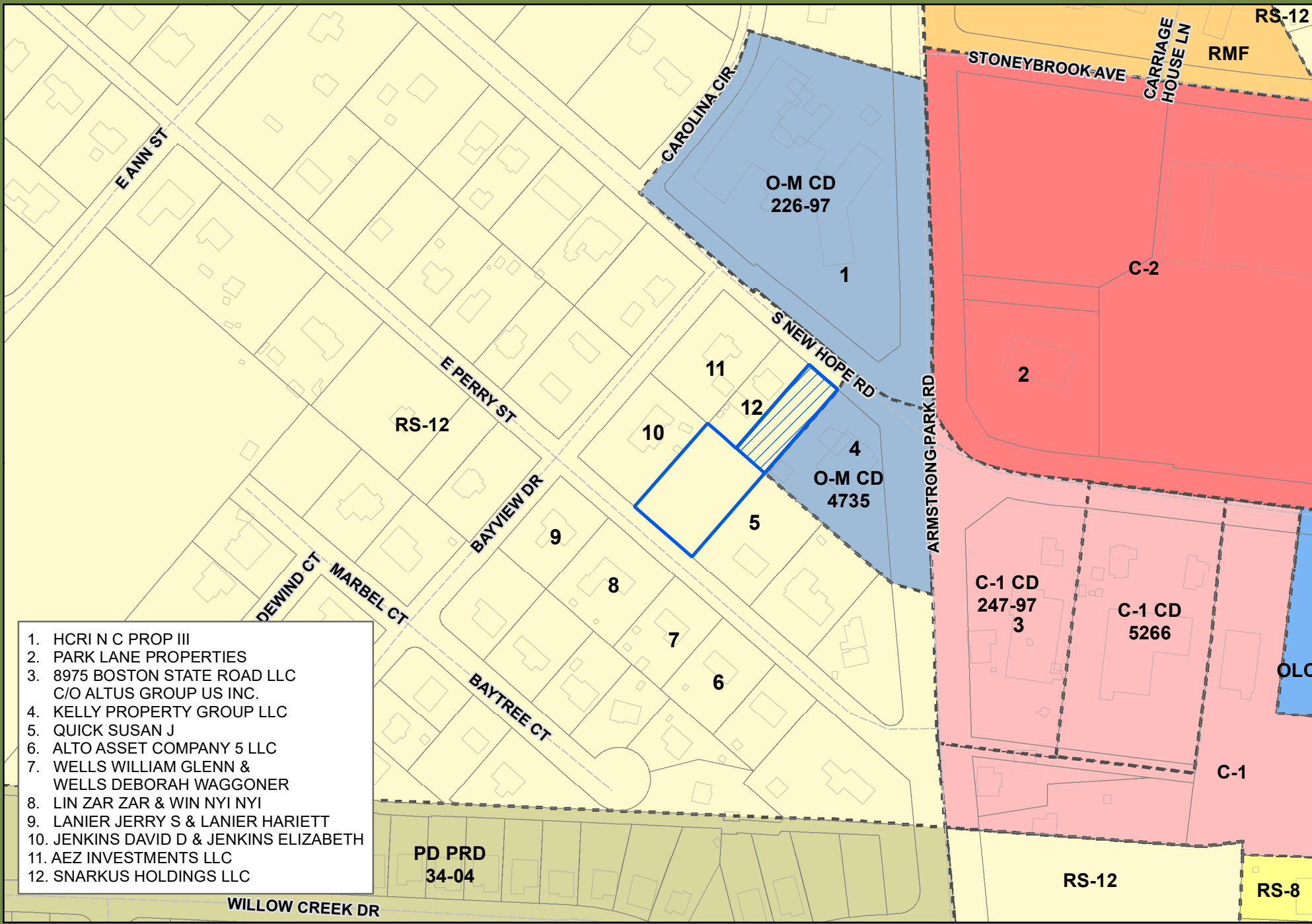
The applicant has requested a partial rezoning of tax parcel 115678 to RS-8 CD (Single-family Residential, minimum 8,000 sq. ft. lots – Conditional District). The rezoning will result in the creation of two new single-family residential lots. Based on the 2025 Comprehensive Plan, the submitted site plan,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



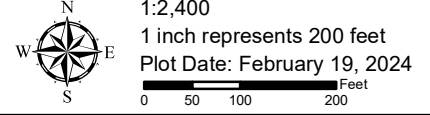
1. HCRI N C PROP III
2. PARK LANE PROPERTIES
3. 8975 BOSTON STATE ROAD LLC
C/O ALTUS GROUP US INC.
4. KELLY PROPERTY GROUP LLC
5. QUICK SUSAN J
6. ALTO ASSET COMPANY 5 LLC
7. WELLS WILLIAM GLENN &
WELLS DEBORAH WAGGONER
8. LIN ZAR ZAR & WIN NYI NYI
9. LANIER JERRY S & LANIER HARIETT
10. JENKINS DAVID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

Applicant: Amado Constructions, LLC
Owner: Snarkus Holdings, LLC
Planning Comm Hearing: March 6, 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

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



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Application
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 February 22, 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.

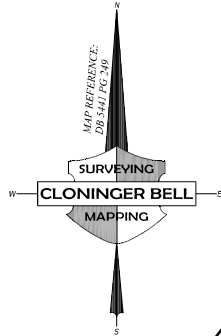
ZONING:

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 - 10 FEET
 MINIMUM REAR YARD - 30 FEET

FOR FURTHER INFORMATION CONTACT THE CITY OF GASTONIA ZONING DEPARTMENT.

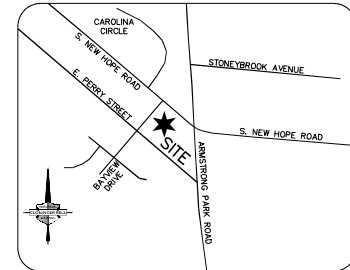


RETURN TO (OWNER):
 SNARKUS HOLDINGS, LLC
 P.O. BOX 1405
 HARRISBURG, NC 28075

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

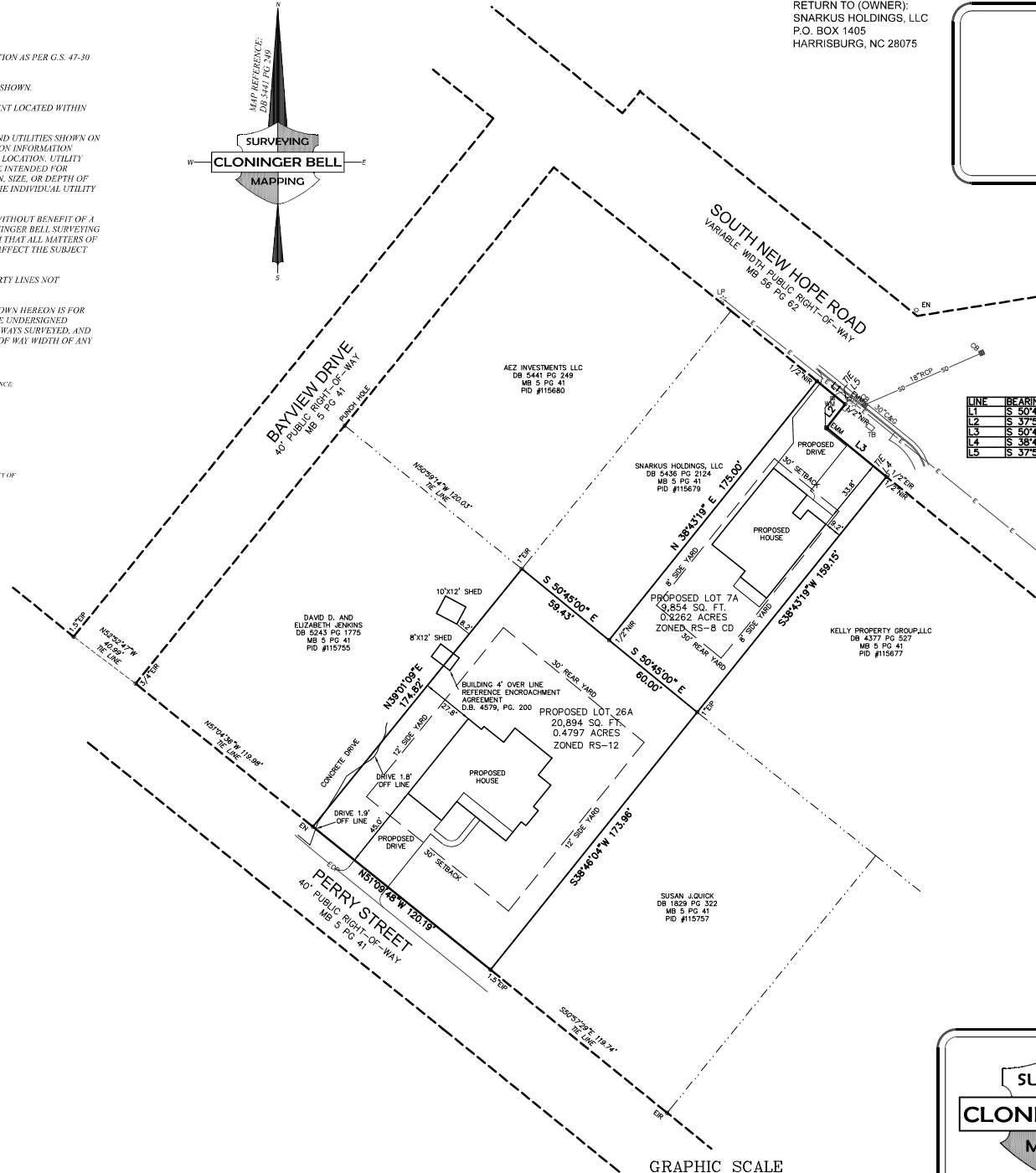
1715 S. NEW HOPE ROAD
 CITY OF GASTONIA, GASTON COUNTY, N.C.
 DEED REFERENCE: 5436-2124; MAP REFERENCE: 5-41
 TAX PARCEL: 115678

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



VICINITY MAP
 NOT TO SCALE

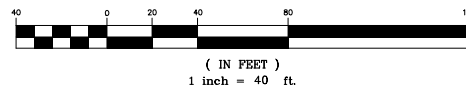
LINE	BEARING	DISTANCE
L1	S 50°45'00" E	19.16'
L2	S 37°57'36" W	15.85'
L3	S 50°45'00" E	40.63'
L4	S 38°43'19" W	0.99'
L5	S 37°57'36" W	13.56'



LEGEND:

- CB - CATCH BASIN
- CP - CALCULATED POINT
- DR - DRIVE ROAD
- ECM - EXISTING CONCRETE MONUMENT
- EP - EXISTING IRON PIPE
- ER - EXISTING IRON ROD
- EMM - EXISTING METAL MONUMENT
- EN - EXISTING NAIL
- LP - LIGHT POLE
- MG - MEASURED
- MB - MAP BOOK
- NCM - NEW CONCRETE MONUMENT
- NGS - NATIONAL GEODETIC SURVEY
- NIR - NEW IRON ROD
- NN - NEW NAIL
- PD - PLATTED
- PID - PARCEL 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: OB	DRAWN: TLM	REVISED:	SCALE: 1"=40'	DATE: JANUARY 30, 2024	FILE NO. 3519
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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:

- 1. Identify the request (example: rezone from RS-12 to OLC CD or SUP; etc.): _____
Conditional Rezoning PID 115678 from RS-12 to RS-8

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

- 2. Gaston County Tax Identification Number(s): **115678**

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

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

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

- 8. 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**.

- 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).

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 _____

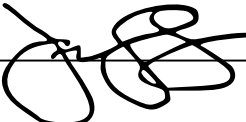
16. Name and address of person to present item at public hearing: _____

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 # 202400055

GPC Hearing Date: March 6th, 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.*



Applicant: City of Gastonia

Owner: City of Gastonia

Planning Comm Hearing: TBD




























Request: RS-12 to RMF

Ward: 4

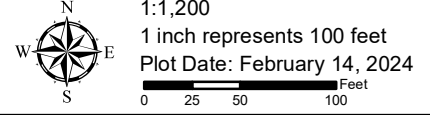
Total Tract Size: approx. 0.31 acres

Parcel ID #: 100644

 **Subject Property**

- Legend**
- Residential Zones**
-  RLD Residential Low Density
 -  RS-12 Residential 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
- Floodway and Flood Zones**
-  Floodway
 -  100yr Flood Zone
 -  500yr Flood Zone
- Other Symbols**
-  Streams
 -  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.



STAFF REVIEW

Page 1/4
Application
PLMA202400055

I, _____, hereby certify that all mail notices, in the absence of fraud, were mailed to all affected and adjoining property owners on _____, 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**

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__.

Richard Franks, Mayor

ATTEST:

(Deputy) City Clerk

Ord24-804.docx



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).

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.

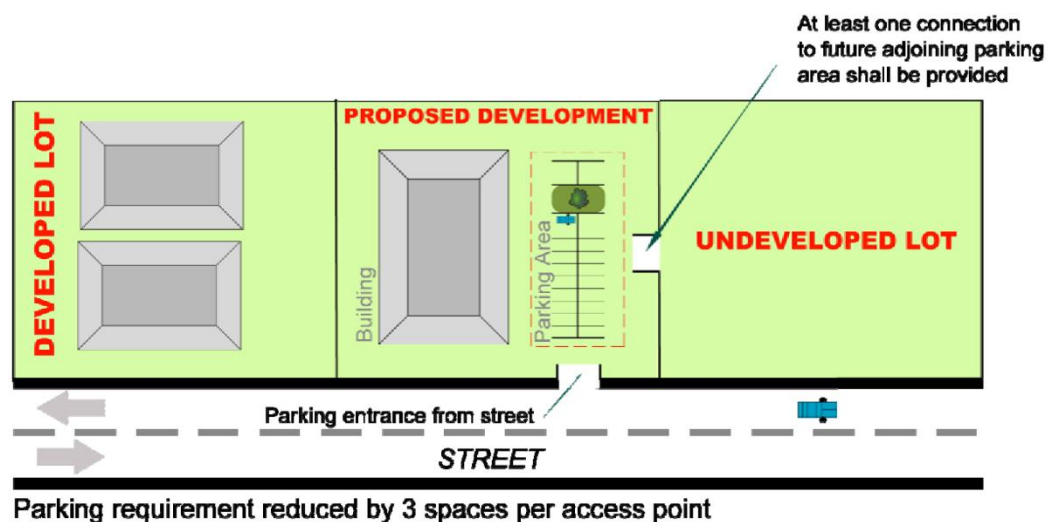
(NOTE: These requirements shall also apply in the CH Overlay district)

(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®") 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.

Richard Franks, Mayor

ATTEST:

City Clerk