



**Gastonia Planning Commission
Meeting Schedule
September 7, 2023**

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 August 3, 2023 Minutes

ITEM 2: Public Hearing – Longview Subdivision (File #202300179)

Subject hearing involves an annexation and assignment of zoning request for approximately 31.78 acres from Gaston County RLD (Residential Low Density) and City of Gastonia RLD (Residential Low Density) to City of Gastonia PD-RRDD (Planned Development – Revised Residential Development District). The subject property is located on Fairview Drive, north of Chespark Drive and is owned by William Todd Ledford, Michael Scott Rhyne, and Linda W. Poole.

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

Staff Presentation: Jason Thompson, AICP – Planning Director

ITEM 3: Public Hearing – Bessemer City Road and Pioneer Lane (File #202200289)

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

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

Staff Presentation: Jason Thompson, AICP – Planning Director

ITEM 4: Public Hearing – 802 Bessemer City Road (File #202300271)

Subject hearing involves a rezoning request for approximately 0.17 acres from C-3 (General Business) to C-1 (Neighborhood Business). The subject property is located at 802 Bessemer City Road and is owned by Fallcross Construction, LLC.

Staff Presentation: Maddy Gates, MURP – Senior Planner

ITEM 5: Public Hearing – Unified Development Ordinance Amendments (File #202300328)

Subject hearing involves amending the Official Zoning Map for the creation of a Franklin Urban Sports and Entertainment (FUSE) Overlay District for PIDs 301022, 301023, 301024 owned by Gastonia Airline LLC and PID 301025 owned by the City of Gastonia. The request also includes amending *Chapter 6 Zoning Districts* of the Unified Development Ordinance to create a new *Section 6.3.8 Franklin Urban Sports and Entertainment Overlay District*, and to amend *Chapter 7 Use and Building Lot standards* of the Unified Development Ordinance to create a new *Section 7.13 Franklin Urban Sports and Entertainment Overlay District Design and Use Standards*.

➤ *The Gastonia City Council will be holding a Public Hearing on the Unified Development Ordinance Text Amendment request at the **September 19th, 2023** meeting.*

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

Staff Presentation: Quentin McPhatter, ICMA-CM - Assistant City Manager

ITEM 6: Public Hearing – Franklin Urban Sports and Entertainment (FUSE) District Overlay (File #202300336)

Subject hearing involves establishing the Franklin Urban Sports and Entertainment (FUSE) Overlay District for approximately 9.589 acres. The subject property is located north of W. Franklin Boulevard, south of the Norfolk Southern Railway Line right of way and between S. Hill Street and S. Trenton Street. The property is owned by Gastonia Airline, LLC. and the City of Gastonia.

Staff Presentation: Quentin McPhatter, ICMA-CM - Assistant City Manager

ITEM 7: OTHER BUSINESS

ITEM 8: ADJOURNMENT



UPCOMING IMPORTANT DATES

September 19th & October 3rd – City Council Meeting – 6:00 p.m.

October 5th – Planning Commission Meeting – 5:30 p.m.

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 August 3, 2023 Meeting Minutes

The Gastonia Planning Commission meeting opened at 5:32 p.m. on Thursday, August 3, 2023, in the Council Chambers at City Hall, 181 S. South Street of Gastonia, NC.

Present: Chair Kristie Ferguson and Commissioners Jim Stewart, Carl Harris, Megan Chapman, and Rodney Armstrong

Absent: Commissioner Chad Ghorley, Anthony Gallant, and Glenn Silverman

Staff Members Present: Charles Graham, Jason Thompson, Quentin McPhatter, Maddy Gates, Jalen Nash, Rusty Bost, and Keith Lineberger

Item 1a: Role Call / Sound Check

Chair Kristie Ferguson declared a quorum.

Item 1b: Calls/Contacts to Planning Commission Members

Commissioners were not contacted.

Item 1c: Oath of Office

Chair Ferguson stated on Tuesday, June 20th, the Gastonia City Council appointed Megan Chapman to Ward VI of the Gastonia Planning Commission. She stated the City Council also reappointed Rodney Armstrong to Ward V and Kristie Ferguson as an at-large member and chair of the Gastonia Planning Commission. Chair Ferguson asked Ms. Megan Chapman to join Mr. Jalen Nash at the Bible so that he could administer the Oath of Office

Item 1d: Approval of June 8, 2023 Meeting Minutes

Commissioner Stewart made a motion to adopt the June 8, 2023 minutes as presented and Commissioner Harris seconded the motion. The motion unanimously passed (5-0).

Chair Ferguson explained the rules of procedure and time limitations.

Chair Ferguson stated that item number five, Public Hearing for Bessemer City Road (File 202200289) has been tabled to the September 7, 2023 meeting.

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

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

Chair Ferguson noted the Gastonia City Council will be holding a Public Hearing on the Annexation and Assignment of Zoning request at the September 5th, 2023 meeting

Chair Ferguson opened the public hearing and recognized Jason Thompson, Planning Director, for the purpose of staff's presentation. Mr. Thompson stated the request is for an annexation and assignment of zoning. The zoning map was presented. Mr. Thompson stated the property is currently located in Gaston County's jurisdiction. The site plan was presented. Mr. Thompson stated the proposal is for a total of 190 duplex units. He clarified the proposal is 2 unit buildings, totaling 190 units. Mr. Thompson stated the market is bringing the City of Gastonia a diversity of housing products, and when he states, duplex, he is talking about the building type. Mr. Thompson stated the units are all proposed to be on a single piece of property, which makes this a multifamily proposal. Mr. Thompson discussed the surrounding property's zoning designations.

Elevations and proposed conditions were presented. Mr. Thompson stated the conditions presented are typically what is seen in conditional rezonings, which consider maximum unit counts, Traffic Impact Analysis (TIA), building material requirements, and so forth. The Future Land Use Map (FLUM) was presented. Mr. Thompson stated the Future Land Use Map in the 2025 Comprehensive Plan does indicate residential for this location, exemplifying consistency with the 2025 Comprehensive Plan. He states staff is recommending approval of the request, and he is available for any questions the board may have.

Chair Ferguson asked the board if there were any questions for staff at this time. With there being no questions, Chair Ferguson recognized Michael Dickson at 548 Deerwood Drive, Gastonia, NC. Mr. Dickson provided handouts of the material being presented. He states this proposal is a new concept that's being built in a lot of other states, with the most recent being built in the University of North Carolina at Charlotte area.

Gastonia Planning Commission August 3, 2023 Meeting Minutes

Mr. Dickson stated the product is a one-story, arts and crafts style architecture, including either one or two-bedroom units. Mr. Dickson reiterated there are no three-story units because they had a lot of pushback on three-story units. Mr. Dickson stated each unit will include individually fenced backyards, be pet friendly, and have 10-foot ceilings. He stated there is an optional technology package. Mr. Dickson stated it will be a gated community, with full perimeter fencing, so there won't be drive-through traffic. He stated there would be a connection to the proposed greenway project. Mr. Dickson stated the proposal is a walkable setting, where you'll park and walk to your unit. He stated every unit will not have front door parking, but there will be some garages as an option that will not be associated directly with their unit. Mr. Dickson stated there will also be community car charging stations and central amenity packages, including a pool, fitness area, and central gathering area. Mr. Dickson discussed the current economic state in the City of Gastonia, limited housing options, and his proposal to provide an affordable alternative. This concluded Mr. Dickson's presentation, and he stated he was available for any questions should the board have any.

Chair Ferguson asked the board if there were any questions for the applicant. Commissioner Harris asked Mr. Dickson what style of home the duplexes would be considered. Mr. Dickson responded that they are arts and crafts, to make the buildings feel more homey and like a neighborhood, as opposed to a bland, straight wall rental unit. Commissioner Harris stated he looked at material details in the plans but needed more clarification on what type of material would be used. Mr. Dickson stated he would defer to Mr. McCauley on the architectural materials.

Chair Ferguson recognized Mark McCauley at 11330 Vanstory Drive, Huntersville, NC. Mr. McCauley stated the style of the home will be a board and batten, including a variety of colors. Commissioner Harris asked the applicant(s) what kind of road improvements they are looking at on Beaty and Beacon. Chair Ferguson recognized Katie Bradley at 610 East Morehead St, Charlotte, NC. Ms. Bradley responded saying there is a required left turn lane into the site at each entrance on Beaty Road. She stated another recommendation was at the intersection of Kendrick and Beaty Road which includes installing a turn lane there, however, there is an existing city project to install a roundabout that would appease that recommendation.

Commissioner Harris asked Mr. Dickson what the proposed rent prices would be for this project. Mr. Dickson responded the units would be based at market rate and somewhere in the \$1,500 range, but the one-bedroom would certainly be less than the two-bedroom. Discussion ensued on affordable housing. Commissioner Harris asked Mr. Dickson if the property was located in either the 100 or 500-Year Floodplain. Ms. Bradley presented a site plan and pointed out the areas of the property situated in the Flood Hazard Overlay. She stated all of their proposed buildings are located outside the overlay. Ms. Bradley stated a majority of the natural open space is within the Flood Hazard Overlay.

Mr. Thompson stated, if he is not mistaken, the 100 and 500-year Floodplain is depicted on the rezoning map. He stated in most cases, development is not allowed in the floodplains, but there are some limited cases where you can. Ms. Bradley stated the only development they would have in the floodplain is the Greenway, which is typical.

Commissioner Chapman asked Ms. Bradley when she anticipated the City of Gastonia to complete the roundabout project. Rusty Bost, Director of Development Services, responded that the roundabout is a North Carolina Department of Transportation (NCDOT) project, not a City of Gastonia project. He stated the project is not on NCDOT's five-year stint at this time, but they're going through a scoring process to identify projects that they will fund over the next five years. Mr. Bost stated if the project does not score well, it will probably be three to four years at the very earliest that roundabout would be completed, but probably closer to the seven through eight-year horizon.

With there being no further questions for staff, Chair Ferguson recognized Tim Connor at 3200 Beaty Rd, Gastonia, NC. Mr. Connor discussed erosion occurring in the creek at the bottom of Beaty Road and expressed his concerns about the creek widening. Mr. Connor mentioned a rezoning project on Beaty from two years ago that has not started construction and discussed his concern for the project in question following suit. Mr. Connor stated heavy rains floods the creek, causing runoff into the road, his backyard, and the retention pond, which spreads red mud. Discussion ensued over the surrounding businesses in the areas and the stormwater impact this development would have.

Commissioner Harris asked the applicant(s) if they had a community meeting. Mr. Dickson stated they held a community meeting at City Church, and two people attended.

With there being no further comment or questions, Chair Ferguson asked for the wishes of the board. Commissioner Stewart moved to approve the request as presented with the statement of consistency and reasonableness. Chair Ferguson clarified that Commissioner Stewart's motion is a motion of recommendation. Commissioner Armstrong seconded the motion. Discussion ensued over the board's

Gastonia Planning Commission

August 3, 2023 Meeting Minutes

purview regarding stormwater and affordable housing. With there being no further discussion, the motion of recommendation was unanimously passed 5-0.

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

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

Chair Ferguson recognized Jason Thompson, Planning Director, for staff presentation. The rezoning map was displayed. Mr. Thompson reiterated his previous statements in regards to different residential building types and configurations developing in the City of Gastonia. He stated unlike the previous application which consisted of duplexes being located on a single lot, this proposal consists of two duplexes on four separately deeded lots. Mr. Thompson stated this type of development is the byproduct of the Planning Staff's code work. The Future Land Use Map was presented and Mr. Thompson stated it indicated residential use for this property, thus making this proposal consistent with the Comprehensive Plan. The site plan was presented. Mr. Thompson stated the driveway access is to the rear of the building, and not fronting onto the street. Mr. Thompson stated staff is recommending approval of the request as it has been presented, and he is available to answer any questions.

Commissioner Harris asked Mr. Thompson, in the paved area, how much square footage triggers stormwater. Mr. Thompson responded he believes the threshold is 20,000 square feet of new impervious surface for stormwater requirements to kick in.

With there being no further questions for staff, Chair Ferguson recognized Dirk Nelson Tanis Jr. at 2016 Lake Forest Dr. Fort Mill, South Carolina. Mr. Tanis stated he believed this development is targeting the missing middle. Mr. Tanis stated the property in question is approximately a half mile from I-85. He stated he likes the option of being able to individually deed the units because he can sell them as single-family homes, and that will bring down the price points. Mr. Tanis discussed other townhome projects he has developed in the area. Elevations were presented. Mr. Tanis clarified that the units presented are duplexes, but based on the configurations, they could resemble townhomes. He stated the cost to build currently is high, but ultimately, it's on builders and developers to determine what's worth it. Mr. Tanis stated the townhomes will be between 1,400 and 1,450 square feet, and a price point somewhere between \$265,000 and \$300,000. Mr. Tanis stated this is a good compromise on pricing considering the current housing market. Mr. Tanis stated the renderings may only show black and white, but he will be using quality materials. Mr. Tanis discussed other projects he has in the City of Gastonia and discussed the materials he typically uses. Mr. Tanis stated he was available for questions.

Commissioner Chapman asked Mr. Tanis what he planned to do regarding a tree canopy between his property and the railroad. Mr. Tanis responded typically, the trees situated over a road, foundation, or any type of infrastructure will be trimmed about 25 feet up, and trimmed out at least 15 feet from where that infrastructure is located. Mr. Tanis stated he has already had to remove a retaining wall sitting along the north side of the property, plus several big trees that are overhanging on Modena Street. He stated if there's an issue with the canopy, he will speak with Engineering and Two Rivers Utilities for improvements.

With there being no further questions for Mr. Tanis, Chair Ferguson asked for the wishes of the board. Commissioner Chapman moved to approve the hearing with a special note to the tree canopy on the north side of the property. Chair Ferguson asked Commissioner Chapman for clarity on her motion, and if the motion included an additional condition. Commissioner Chapman responded "Yes", adding a condition that the tree canopy is existent and not completely demolished.

Mr. Tanis asked Commissioner Chapman if she was requesting screening between the two properties. Commissioner Chapman responded "Yes". She also asked Mr. Tanis for his opinion on the recommendation. Mr. Tanis responded as far as buffering, screening, and tree canopies he is okay with that. Mr. Tanis discussed a current development he is involved in off of New Hope Road, and having to install additional plantings as a buffer. Chair Ferguson asked staff for their input on the proposed condition. The site plan was presented. Mr. Lineberger responded that there was a water line easement on the northern side of the property, and staff generally wouldn't want trees planted on top of that.

Mr. Graham stated the applicant has to agree to any additional conditions the board may want to add. He stated, that after consulting with Mr. Thompson over the size of the property, there are no buffer requirements in the ordinance. Mr. Graham stated if the board chooses to add a condition as to what type of buffer they want, he recommended going with something similar to what is already in the

Gastonia Planning Commission August 3, 2023 Meeting Minutes

ordinances. He stated he would defer to Mr. Thompson as to what might be appropriate for this site. Mr. Graham stated however, the board would have difficulty imposing a large buffer requirement because of the nature of the site. Chair Ferguson asked Mr. Graham if there would be any issues, with setting any kind of precedents on requiring a buffer where the zoning ordinance wouldn't require it. Mr. Graham responded he did not believe there would be any issues because this is a conditional rezoning.

Commissioner Stewart asked Mr. Thompson if there were residents on both sides of the property. Mr. Thompson responded "Yes". Mr. Thompson stated you typically wouldn't see buffer requirements on lots of this size. He stated part of the goal of changing the standards, was to allow for some diversity of dwelling units within neighborhoods and do what we can to have them blend in. Mr. Thompson stated, as a suggestion based on what he's experienced in similar situations, is to maybe add a couple of street trees. He stated in terms of requiring a buffer between adjacent lots, it's the board's prerogative should the applicant agree to the condition. Mr. Thompson stated street trees along Modena Street might be a better option. Commissioner Chapman responded additional street trees would suffice.

Mr. Graham stated he sees no issue with that additional condition, and the condition to plant one or two street trees on the property is sufficient. Chair Ferguson asked Commissioner Chapman how many additional street trees she would recommend. Commissioner Chapman responded one for each duplex, so two additional trees. Chair Ferguson asked Mr. Tanis if he was willing to agree to the condition of adding two street trees.

Mr. Tanis responded he did not mind, however, he asked the board to consider possible sight line regulations, and if there is any preference on location. Mr. Tanis stated his concerns with street trees blocking the view and accessing the right of way. Commissioner Stewart responded there is a sight line requirement in the ordinance, and that staff could inform him of the exact section of the ordinance. Mr. Thompson stated if the condition is approved, the Planning staff could coordinate with the City Arborist for some recommendations on species and placement to be given to the applicant. Mr. Tanis expressed his concerns with the proposed street trees and underground infrastructure such as sewer lines. Discussion ensued over Mr. Tanis's concerns.

With there being no further discussion, Chair Ferguson restated the motion on the floor, to approve the request with the additional condition that two street trees be planted on the property. Mr. Graham recommended specifying the motion to approve with an additional condition that two trees be planted in a location in the front yard, and of a species approved by the City Arborist.

Commissioner Chapman amended her motion to approve with the additional condition that two street trees be planted at a location in the front yard and consist of a species approved by the city arborist. Commissioner Harris seconded the motion. Chair Ferguson asked the board if there was any discussion before she took the vote. Commissioner Stewart asked Mr. Tanis where the power was coming into the units and if it would be overhead or underground. Mr. Tanis responded the power would be overhead. Commissioner Stewart stated the board has to be very careful when proposing the condition of additional street trees because they have to consider power lines, sewer lines, water lines, and other things. Mr. Thompson stated the code language, as it relates to trees, acknowledges what Commissioner Stewart had previously mentioned. Discussion ensued over Commissioner Chapman's motion to approve with the additional condition.

Mr. Graham stated there's a difference of opinion amongst the board as to whether they want to add this condition, so he recommended the board reach a consensus before voting. Chair Ferguson stated she is not in favor of the additional condition because she believes it is an unnecessary constraint on a developer. She stated she would be in favor of approving the hearing as presented. Commissioner Stewart stated he would also be in favor of approving the hearing as presented. Discussion ensued over the board's decision.

Commissioner Chapman withdrew her motion. Commissioner Harris withdrew his second.

With there being no further discussion, Commissioner Stewart moved to approve the hearing as presented. Commissioner Armstrong seconded the motion. The motion was unanimously passed 5-0.

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

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

Gastonia Planning Commission August 3, 2023 Meeting Minutes

Chair Ferguson opened the public hearing and recognized Jason Thompson, Planning Director, for the purpose of staff presentation. Mr. Thompson stated this proposal is a conditional zoning change to facilitate and accommodate an adaptive reuse of this property. The staff report was presented. Mr. Thompson stated this property was constructed as a grocery store anchored shopping center, and was a Bi-Lo grocery store for many years, which closed about five years ago. The site plan was presented. Mr. Thompson stated the request is to convert a good portion of the space there into a charter school. He stated the City of Gastonia had a similar situation in the past with the Piedmont Community Charter School, which was converted from an old Winn-Dixie grocery store. Mr. Thompson stated that Little Caesars is proposed to remain. Elevations were presented. An example of another Movement Charter School that already exists was presented. The Future Land Use Map was presented and Mr. Thompson stated it indicated commercial for the subject property. Mr. Thompson stated schools are for the most part, allowed in all zoning districts. The staff's proposed conditions were presented. Mr. Thompson stated there's a buffer requirement that is indicated along the rear property line just behind the Westfall neighborhood. Mr. Thompson discussed some of the surrounding property's current uses. He stated staff is recommending approval, and he is available for any questions.

Commissioner Harris asked Mr. Thompson if this was the same Movement School seen at 2701 Freedom Drive, in Charlotte. Mr. Thompson responded "Yes".

With there being no further questions for Mr. Thompson, Chair Ferguson recognized Ty Shaffer and Garrett McNeil at 101. North Tryon Street, Charlotte, NC. Mr. Shaffer stated he is a lawyer with Robinson Bradshaw, and they are representing Movement School. Mr. Shaffer gave an overview of the request and the site. He stated, as staff noted, that the site is a little over seven acres on Davis Park Road, right at the intersection with West Hudson Boulevard, and was formerly used as a Bi-Lo grocery store. An aerial map and street view of the site was presented. Mr. Shaffer stated Movement School is proposing to refit the center anchor tenant of the building. He stated in August 2022, this site was rezoned to the C-2 CD (Highway Commercial Conditional District) to accommodate the drive-thru for the Little Caesars, and previously the site was zoned C-1 (Light Commercial). Mr. Shaffer stated that the school use would have been permitted by right under C-1. He stated the request was to amend this conditional district to permit a school on the property. The site plan was presented. Mr. Shaffer stated the site plan amendment is pretty much identical, but a major difference in the amendment is the different conditions proposed. He stated Movement School is not only seeking to allow the use of K-3, but also wants to include a transitional kindergarten (Pre-Kinderdarten, or Pre-K). Mr. Shaffer stated the plans are very similar, but there's some additional detail about traffic flows, so you can get an idea of carpool pickup and drop-off would work for Movement School, including Little Caesars who will stay, and the Chinese restaurant that will also likely stay in the short term.

Mr. Shaffer stated one of the proposed conditions from staff had recommended that the future land uses be limited to C-1 uses. He stated if that were approved, the Little Caesars with a Driveway would immediately become a legal non-conforming use. Mr. Shaffer stated his partner, John Carmichael, worked with staff today to reword that condition to state that the land use be limited to uses allowed in the C-1 and the C-2 zoning district, with the only exception being the drive-thru Little Caesars. Mr. Shaffer presented the East Way Campus Movement in Charlotte and stated the elevations for this campus were submitted with the rezoning plan. He stated in the elevations being presented, the Gastonia site would look substantially similar to what Movement School has done at the Charlotte location and other surrounding areas.

Mr. McNeil stated he is representing Movement Resources, which is the entity that is looking to do this redevelopment on the site, and he is also a board member for Movement Charter Schools. Mr. McNeil stated this will be their sixth site. Mr. McNeil discussed other Movement Schools locations. Mr. McNeil stated they use a lot of metrics to determine the kind of site suitability that would work for Movement. He stated Movement School serves a demographic of students in West Charlotte and East Charlotte that historically has been underserved, and they outperform their peer schools right now by three times the rate on standardized test scores. Mr. McNeil stated Movement School offers free breakfast, free lunch, free transportation within five miles of their schools, mental health services for our families, and they have a school nurse and psychologists on site.

Commissioner Harris asked Mr. McNeil what model they use in their student's grade progression. Mr. McNeil discussed in further detail the services Movement School offers, including the educational model they have developed for their students. Mr. McNeil presented a letter, from the Melvin family who live across the street, stating their support of the project.

Commissioner Harris asked Mr. McNeil if there are play areas proposed to be in the green space area outside. Mr. McNeil responded "Yes", they would probably incorporate play areas in the southeast corner of the property.

Gastonia Planning Commission August 3, 2023 Meeting Minutes

Commissioner Harris asked Mr. Shaffer if there was a community meeting held. Mr. Schaffer responded yes, and three people attended with positive feedback. Mr. Shaffer stated the community meeting report is in the rezoning application. Mr. McNeil stated a representative from Mattamy Homes, who is developing 480 homes behind the property, attended the community meeting and they were ecstatic about the opportunity. He stated that Mattamy Homes would try to incorporate Movement Schools in their marketing materials. Mr. McNeil stated before Movement School decides to develop in a community, they conduct a lot of surveys with families within the community where they think the children would possibly attend.

Commissioner Harris asked Mr. McNeil how they conducted their surveys. Mr. McNeil responded they have done a little bit of everything to conduct surveys, which includes using Facebook, mailings, and occasionally hand-to-hand.

With there being no further questions, Chair Ferguson asked for the wishes of the board. Commissioner Stewart moved to approve the rezoning request as presented, with a statement of consistency and reasonableness. Commissioner Harris seconded the motion. Mr. Thompson reminded the board of the additional condition proposed to be included with the request. Discussion ensued over the additional condition.

Commissioner Stewart amended his motion to include the additional condition that the land use be limited to the uses allowed in the C-1 and C-2 zoning districts, including the drive-thru Little Caesars. Commissioner Harris seconded the motion. With there being no further discussion, the motion was unanimously passed 5-0.

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

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

Chair Ferguson announced that item number five has been tabled to the September 7th Gastonia Planning Commission meeting.

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

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

Chair Ferguson stated the Gastonia City Council will be holding a Public Hearing on the Annexation and Assignment of Zoning request at the September 5th, 2023 meeting.

Chair Ferguson opened the public hearing and recognized Jason Thompson, Planning Director, for the purpose of staff presentation. Mr. Thompson stated the rezoning request is an annexation and assignment of zoning. An aerial image of the property was displayed. Mr. Thompson stated the property is approximately 6.15 acres. He stated the property is currently zoned RS-8 in Gaston County's jurisdiction. Mr. Thompson stated the proposal is to rezone to RS-8 (Residential 8,000 Square Foot Lots) in the City's jurisdiction. The Future Land Use Map was presented and Mr. Thompson stated the it indicated residential use for the property, and that staff is recommending approval of this request as presented.

With there being no questions for Mr. Thompson, Chair Ferguson recognized Apostle Greta Moses at 1030 Hipp Road, Charlotte, North Carolina. Ms. Moses stated she is the Senior Pastor of Greater New Mills Chapel Church. She stated she has been in search of new grounds for her church, which led her to this property off of Goble Street. Ms. Moses stated Greater New Mills Chapel partnering with the Presbyterian Church located around the corner of the subject property. She stated part of her church's vision is to include some senior housing on the property, specifically for the senior mothers in the church to have a place to stay without having to worry about rent.

With there being no questions for Ms. Moses, Chair Ferguson asked for the wishes of the board.

Commissioner Stewart moved to approve the rezoning request as presented with the statement of consistency and reasonableness. Commissioner Harris seconded the motion. With there being no discussion, the motion was unanimously approved 5-0.

Gastonia Planning Commission August 3, 2023 Meeting Minutes

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

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

Chair Ferguson opened the public hearing and recognized Jason Thompson, Planning Director, for the purpose of staff presentation. The zoning map was displayed. Mr. Thompson stated the general rezoning request is from I-U (Urban Industrial) to I-2 (General Industrial). Mr. Thompson stated there is an existing facility on the property that has been there for numerous years, but he will let the applicant elaborate on that detail. He stated their proposal is to do some expansion of their current use. Mr. Thompson stated the way the code has been structured, this request requires a change to the I-2 zoning district. He states when dealing with a general rezoning request, the board has to consider all uses allowed in that district. Mr. Thompson stated the site is pretty much developed out, and if he is not mistaken, the applicant is trying to facilitate an interior expansion of their land use activities. Mr. Thompson discussed the North American Industry Classification System and how it relates to the property's current land uses and their classifications. Mr. Thompson stated staff is recommending approval of this request as presented. Chair Ferguson discussed the allowed uses between I-2 and I-3 zoning districts.

With there being no questions for Jason, Chair Ferguson recognized Terry Brooks at 127 Bounty Lane, Gastonia, NC. Mr. Brooks stated he is the president of the Industrial Electroplating Company. He stated the company was founded in 1971, and they have been on Linwood Road for 52 years now. Mr. Brooks stated they don't manufacture any product, but they perform a service for our customers by applying a coating on their parts. Mr. Brooks stated the company's Zinc plate, heat coat, and powder coat parts were sent to them by their customers. Mr. Brooks stated they are a critical supplier to Daimler and Freightliner trucks because they coat many of the parts on their trucks. Mr. Brooks stated he believes, that to continue to meet their growing demand for powder coating, they must increase our capacity with a new powder line. He stated they have one powder line, but it's not keeping up with their suppliers.

With there being no questions for Mr. Brooks, Chair Ferguson recognized Scott Curtis at 5425 Old Town Lane, Gastonia, NC. Mr. Curtis stated this property has been expanded out, and there is nowhere else to go. He stated they have a storage building on the property where they are proposing this additional powder line. Mr. Curtis stated they would be doing the line at 321, not 323, but it is the same kind of line. Mr. Curtis stated the property was originally a house, which later turned into a beauty salon they bought out, and eventually expanded out. Mr. Curtis stated this proposal would also increase the number of jobs in the business.

With there being no questions for Mr. Curtis, Chair Ferguson recognized Eric Riley who resides in Gastonia, NC. Mr. Riley thanked Maddy Gates, Senior Planner, for her assistance in the application. The property was presented on Google Maps. Mr. Riley stated they constructed the building at 320 Linwood Road either two or three years ago with the intent that if the opportunity presented itself, they would be able to accommodate an additional treatment line. He stated the building was permitted as a storage warehouse at the time it was constructed. A street view of the property was presented. Mr. Riley stated the entire building is surrounded by parapet walls, and with this proposed powder line, there will be venting that would go through the roof. He stated if this line goes in, there won't be any smells or noise, and no one would know this line even exists. Mr. Riley stated this structure was built with these intentions in mind. Mr. Riley discussed how well the properties have been maintained. Mr. Riley discussed Freightliner's projected trucks to be built within the next five years and discussed the necessity of the new powder line.

Commissioner Chapman expressed her gratitude for the company remaining in the City of Gastonia for many years while being limited on the small square footage. With there being no questions for Mr. Riley, Chair Ferguson asked for the wishes of the board.

Commissioner Chapman moved to approve the request as presented with the statement of consistency and reasonableness. Commissioner Armstrong seconded the motion. With there being no discussion, the motion was unanimously approved 5-0.

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

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

Chair Ferguson recognized Jason Thompson, Planning Director, for staff's presentation. The rezoning map was displayed. Mr. Thompson stated the rezoning request to neighborhood commercial. Mr.

Gastonia Planning Commission August 3, 2023 Meeting Minutes

Thompson stated the Comprehensive Land Use Plan recommends commercial for the property, so this proposal remains consistent. Mr. Thompson discussed the reasons why some applicants request to down zone. He explained the concept of Pyramid Zoning and stated the City of Gastonia does not have pyramid zoning. Mr. Thompson stated the applicant may be requesting to down zone to the C-1 zoning district because some of the lighter commercial uses that are not permitted in the C-3 zoning district. Mr. Thompson stated staff is recommended approval, and he is available for any questions should the board have any.

With there being no questions for Mr. Thompson, Chair Ferguson recognized Ms. Diana Giel at 315 Main St, Pineville NC. Ms. Giel stated the down zoning request is because her husband is a Chiropractor and they intended to use to property as an office. She stated it was not financially feasible to meet the ordinance requirements for the chiropractor's office, so she is requesting the zoning change so the property can be used as her son's future home. With there being no questions for Ms. Giel, Chair Ferguson asked for the wishes of the board.

Commissioner Stewart moved to approve the request as presented with the statement of consistency and reasonableness. Commissioner Harris seconded the motion. With there being no further discussion, the motion was unanimously passed 5-0.

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

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

The zoning map was presented. Mr. Thompson stated surrounding zoning designations include residential, commercial, and office uses. Mr. Thompson stated, that based on the surrounding zoning designations, staff has no reservations on the request and is recommending approval. He stated he was available for questions should the board have any.

With there being no questions for Mr. Thompson, Chair Ferguson recognized Jacob Hickman at 912 Union Road, Gastonia, NC. Mr. Hickman stated the rezoning request is to open a Disc Golf shop. He stated he has been playing the sport for 13 years. Mr. Hickman stated the City of Charlotte has a membership of 1,200 Disc Golfers and the City of Gastonia has around 200 in the club. Mr. Hickman stated there are five courses located between the City of Gastonia and Belmont. Mr. Hickman discussed the Disc Golf Shop that recently opened in the downtown area of Gastonia. He stated the sport has been expanding all over the Charlotte-Metro area, and this region is the place to be for Disc Golf.

With there being no questions for Mr. Hickman, Chair Ferguson asked for the wishes of the board. Commissioner Chapman moved to approve the request as presented with the statement of consistency and reasonableness. Commissioner Stewart seconded the motion. With there being no further discussion, the motion was unanimously passed 5-0.

Item 10: Other Business

Mr. Thompson stated the City is in a little bit of delay concerning items going to the City Council, but there is no delay regarding development projects. Mr. Bost gave an update on the staff changes in the Engineering Department.

Item 11: Adjournment

With there being no further discussion, Commissioner Stewart moved to close the meeting. Commissioner Harris seconded the motion. The motion was unanimously passed 5-0. The meeting adjourned at 7:15 PM.

Respectfully submitted,

Jalen Nash, Planning Technician

Kristie Ferguson, Chairwoman

**PUBLIC HEARING
STAFF REPORT**

File # 202300179

GPC Hearing Date: September 7, 2023

OWNER(S): William Todd Ledford, Michael Scott Rhyne, & Linda W. Poole

APPLICANT: Kent Olson

PROPOSED ZONING ACTION: Rezoning from RLD (Gaston County & City) to PD-RRDD (City)

LOCATION: Located on Fairview Drive, north of Chespark Drive (PIDs: 135710, 135711, 135712)

TRACT SIZE: Approximately 31.78 acres (total area size)
Approximately 10.56 acres (area to be annexed)

WARD: County to 4 (City)

EVALUATION:

Site Description and Background

The subject property includes three tax parcels (135710, 135711, & 135712) that are currently split between the City of Gastonia's jurisdiction and Gaston County's jurisdiction. The total area size of all three parcels is 31.78 acres. Of the total area size, 10.56 acres is located in Gaston County's jurisdiction and has been requested to be annexed into the City of Gastonia. An annexation petition has been filed by the applicant, and both the annexation and assignment of zoning requests will be heard by the Gastonia City Council on September 19, 2023. The subject property is located on the southern side of Fairview Drive, north of Chespark Drive. All three tax parcels are vacant and wooded.

The subject request is from Gaston County RLD (Residential Low Density) and City of Gastonia RLD (Residential Low Density) to City of Gastonia PD-RRDD (Planned Development – Revised Residential Development District). PD-RRDD is requested to facilitate the development of a single-family residential community consisting of a maximum of 93 dwelling units. The overall site density is 2.94 dwelling units per acre. All single-family dwellings in the development are proposed to be front loaded with a minimum width of 56' by a minimum depth of 90'. There are two access points into the site, both proposed off of Fairview Drive where sidewalk and other street improvements will be required. Along the frontage, the applicant has proposed a landscaping berm to screen rear yards along Fairview Drive. A 25-foot Type C buffer will be required along the eastern and western property lines which abut single-family residential uses and zoning.

The development includes approximately 4 acres of common open space including a centrally located amenity area and a park square towards the southern section of the site. The applicant has submitted conceptual elevations which include a variety of one-story and two-story units.

Proposed zoning conditions:

1. Development shall be generally consistent with the attached site plan including a maximum of 93 single-family dwelling units.
2. Construction shall be generally consistent with character and details as depicted in the submitted elevations and architectural standards. Construction materials should include 33% brick, stone or other types of masonry products on the front elevation for every dwelling unit.
3. Street cross-sections, ingress and egress points, intersections and parking locations to be finalized during the subdivision review process. All sub-250' radius curves, skewed and off-set intersections shall be reviewed and approved by the Engineering and Fire Departments and must meet AASHTO standards.

4. A landscaping plan will be required during the subdivision review process for the proposed landscaping berm provided along Fairview Dr. Additionally, such landscaping along the frontage must comply with sight distance requirements.
5. In no instance shall the zoning conditions exempt a project from other development requirements.
6. Where the notes or depictions on the site plan may conflict with these conditions, the conditions shall govern.

Adjoining Properties and Land Use Trends

Adjoining properties are a combination of Gaston County's and City of Gastonia's jurisdiction and include primarily residential and industrial uses and zoning. To the south and east of the subject property is City of Gastonia I-2 (General Industrial) zoning. The I-2 properties to the east are mostly vacant and wooded, and the I-2 properties to the south consist of warehousing and distribution type uses. Directly east of the subject property is a Time Warner Entertainment communications tower zoned City of Gastonia RLD (Residential Low Density). Directly north is Gaston County and City of Gastonia single-family residential zoned RS-12 (Single-family Residential, minimum 12,000 sq. ft. lots) and Gaston County and City of Gastonia I-2 (General Industrial) consisting of Copart Gastonia. To the east is single-family residential uses consisting of the Fairview Dr. neighborhood, zoned Gaston County RLD.

Available Public Facilities

Water and sewer are available to serve the property. Additional review of utilities will occur during construction drawings.

Consistency with Adopted Plans

The Future Land Use Map in the 2025 Comprehensive Plan indicates industrial uses for the subject property. Although the Future Land Use Map recommends industrial, staff feels based upon the adjoining residential land uses and zoning, that a request for a single-family residential development would be more compatible with the surrounding properties.

Conclusion

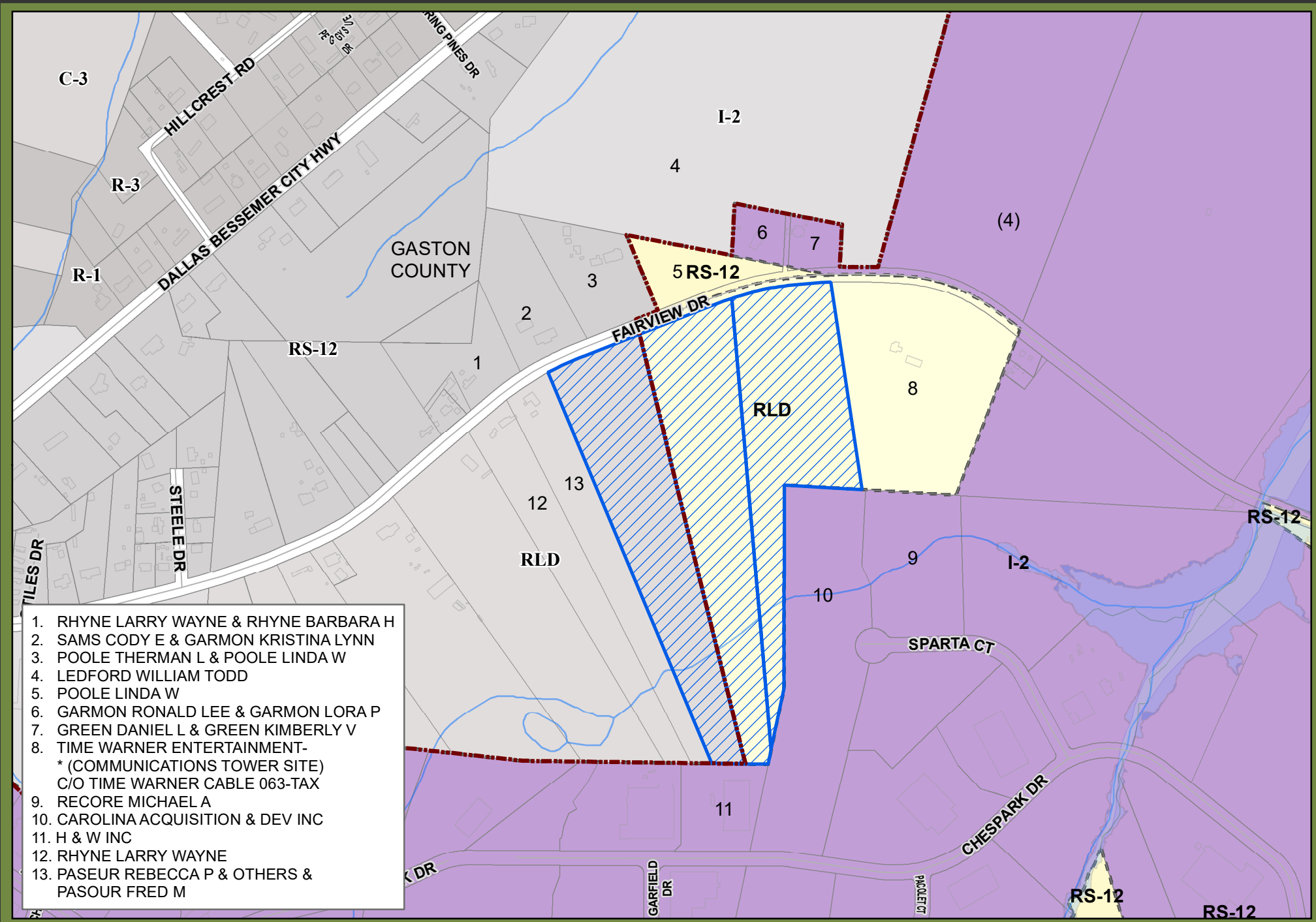
The request includes an annexation and assignment of zoning to City of Gastonia PD-RRDD to facilitate the development of a single-family residential community consisting of a maximum of 93 dwelling units. Based on the 2025 Comprehensive Plan, and existing zoning and surrounding land uses, staff feels a request for PD-RRDD is consistent and in the public interest for this area. **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. RHYNE LARRY WAYNE & RHYNE BARBARA H
2. SAMS CODY E & GARMON KRISTINA LYNN
3. POOLE THERMAN L & POOLE LINDA W
4. LEDFORD WILLIAM TODD
5. POOLE LINDA W
6. GARMON RONALD LEE & GARMON LORA P
7. GREEN DANIEL L & GREEN KIMBERLY V
8. TIME WARNER ENTERTAINMENT-
* (COMMUNICATIONS TOWER SITE)
C/O TIME WARNER CABLE 063-TAX
9. RECORE MICHAEL A
10. CAROLINA ACQUISITION & DEV INC
11. H & W INC
12. RHYNE LARRY WAYNE
13. PASEUR REBECCA P & OTHERS &
PASOUR FRED M

Applicant: Kent Olson

Owner: William Todd Ledford;
Michael Scott Rhyne;
Linda W. Poole

Planning Comm Hearing: Sept. 7, 2023

Request: RLD (Co.) & RLD (City to PD RRDD (City)

Ward: County & 4 (City)

Total Tract Size: approx. 31.78 acres

Portion To Be Annexed: approx. 10.56 ac.

Parcel ID #: 135710 (Co.), 135711, 135712

Subject Property

Legend

AP Airport	City Boundary
C-1 Light Commercial	Roads
C-2 Highway Commercial	Floodway
C-3 General Commercial	100yr Flood Zone
CBD Central Business District	500yr Flood Zone
I-U Urban Industrial	Streams
I-1 Light Industrial	Parcels
I-2 General Industrial	Buildings
I-2 General Industrial	
O-1 Office	
OLC Office/Light Commercial	
O-M Medical Office	
PD IRD Planned District Infill Res Devt	
PD PRD Planned District Planned Res Devt	
PD RRDD Planned District Revised Res Devt District	
PD PUD Planned District Planned Unit Devt	
PD TND Planned Dist Traditional Neighborhood Devt	
RLD Residential Low Density	
RS-12 Residential 12000sqft lots	
RS-8 Residential 8000sqft per lot	
R-A Rural Agricultural	
RMF Residential Multi-Family District	
SP State Park District	
TMU Transitional Mixed Use	
UMU Urban Mixed Use District	

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

Page 11
Application
PLMAC202300179

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 August 24, 2023.



1:6,000
1 inch represents 500 feet
Plot Date: August 18, 2023





CITY OF GASTONIA APPLICATION FOR PUBLIC HEARING

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

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

- Identify the request (example: rezone from RS-12 to OLC CD; etc.): _____
Rezone from Gaston County and City RLD to PD-RRDD - Single Family 56' wide front load lots

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): 135710, 135711 and 135712

- Subject property addresses: Unassinged Fairview Drive

- 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. Unoccupied, but directly accross Fairview Drive from Copart Gastonia

- 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 Linda Poole, William Ledford and Michael Rhyne

- The real property to be rezoned is owned in fee simple by _____ as evidenced in deed from (date) 10/6/22 5369, 017E, 3149 recorded in DB: _____ PG: 2005, 0526, 0999 in the Gaston County Registry

- The real property for which the above request is sought is located on the South side of Fairview Dr between Hyw 275 and I 85 having a frontage of 930 feet and depth of 1800 feet and acreage of 31.65.

- Are sewer and water available on the property? Yes

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

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

<u>Linda Poole</u>	<u>5519 Dallas High Schoals HWY</u>	<u>3322 Fairview Drive</u>
<u>3160 Fairview Drive,</u>	<u>Dallas, NC 28034</u>	<u>Gastonia, NC 28052</u>
<u>Gastonia, NC, 28052</u>		

12. Name and address of applicant: Kent Olson

Telephone #: 704-543-0760 E-mail address: kent@olsondevelopment.com

13. Interest in subject realty: Developer

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: Kent Olson

Telephone number: 704-543-0760 Email: kent@olsondevelopment.com

I, _____, certify that I have read the information provided in the public hearing information package on the _____ day of _____, 20_____.

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

DocuSigned by:
Cynthia R Ledford _____

0322C03D87484FD...
DocuSigned by:
William Todd Ledford _____

0322C03D87484FD...

12. Name and address of applicant: Kent Olson

Telephone #: 704-543-0760 E-mail address: kent@olsondevelopment.com

13. Interest in subject realty: Developer

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: Kent Olson

Telephone number: 704-543-0760 Email: kent@olsondevelopment.com

I, _____, certify that I have read the information provided in the public hearing information package on the _____ day of _____, 20_____.

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

DocuSigned by:

Michael Scott Rhynes

136B2E9F4004424...

**PUBLIC HEARING
STAFF REPORT**

File # 202200289

GPC Hearing Date: September 7, 2023

OWNER(S): Doris B. Stewart

APPLICANT: Doris B. Stewart

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

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

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

WARD: County to 4 (City)

EVALUATION:

Site Description and Background

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

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

Adjoining Properties and Land Use Trends

Adjoining properties are a combination of Gaston County’s jurisdiction and City of Gastonia’s jurisdiction. To the north of the property, there is Gastonia C-3 and Gaston County I-2 consisting of a church and a single-family residence. To the east, the properties are zoned City of Gastonia I-2 consisting of several warehousing, manufacturing and distribution-type uses along Industrial Pike Road. Directly south are two previous zoning approvals. The first is an April, 1999 C-3 CD approval for a mixed used site consisting of a hotel, restaurant, retail and other commercial uses which has not been developed (File 353-99). The second approval is a September, 2021 C-3 CD approval for a climate controlled storage facility (File 202100261). Further south are two vacant tax parcels zoned Gaston County and City of Gastonia I-2. Property to the west, is zoned City of Gastonia I-2 and consists of the Delta Drive Industrial Park.

Available Public Facilities

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

Consistency with Adopted Plans

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

Conclusion

The request includes an annexation and assignment of zoning to City of Gastonia C-3. Based on the 2025 Comprehensive Plan, and existing zoning and surrounding land uses, staff feels a general rezoning to C-3 is consistent and in the public interest for this area. **Staff recommends that the request be approved as presented.**

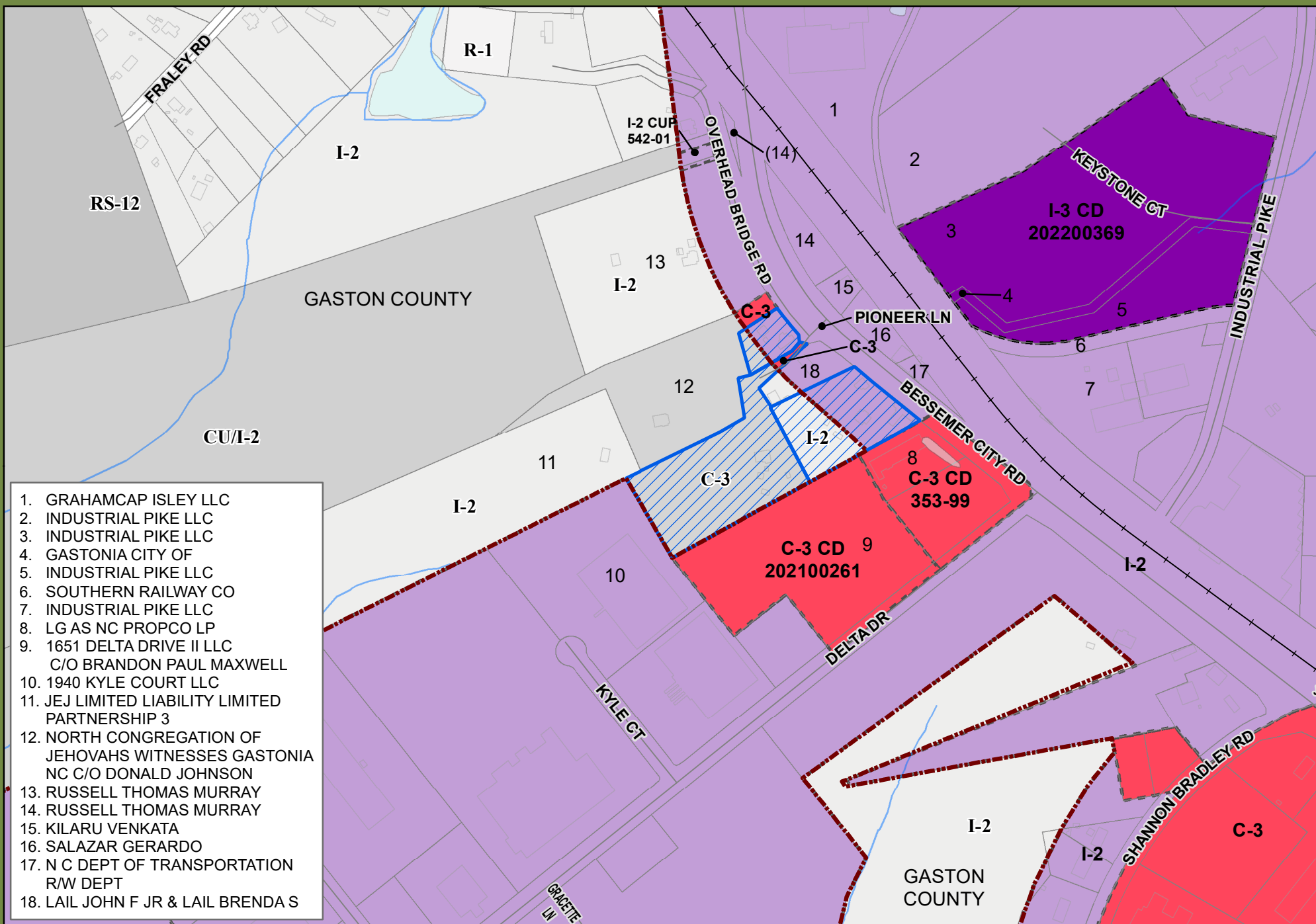


Maddy Gates, MURP
Senior Planner

Statement of consistency and reasonableness (motion to approve): *The proposed zoning is consistent with the 2025 Comprehensive Plan and will result in the potential development of a commercial use. The Planning Commission considers an affirmative vote to be reasonable and in the public's interest.*

Statement of consistency and reasonableness (motion to deny):

The Planning Commission considers an affirmative vote to not be reasonable and to not be in the public interest.



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

Applicant: Doris B. Stewart
Owner: Doris B. Stewart
Planning Comm Hearing: Sept. 7 2023
Request: C-3, I-2 (Co.) & C-3, I-2 (City)
to C-3 (City)
Ward: County & 4 (City)
Total Tract Size: approx. 5.4838 acres
Total Tract Size to be Annexed: 4.6108 ac.
Parcel ID #: 220029, 206267, 135857

Subject Property

Legend

	AP Airport		City Boundary
	C-1 Light Commercial		Roads
	C-2 Highway Commercial		Railroad
	C-3 General Commercial		Streams
	CBD Central Business District		Lakes
	I-U Urban Industrial		Parcels
	I-1 Light Industrial		Buildings
	I-2 General Industrial		
	I-2 General Industrial		
	O-1 Office		
	OLC Office/Light Commercial		
	O-M Medical Office		
	PD IRD Planned District Infill Res Devt		
	PD PRD Planned District Planned Res Devt		
	PD RRDD Planned District Revised Res Devt District		
	PD PUD Planned District Planned Unit Devt		
	PD TND Planned Dist Traditional Neighborhood Devt		
	RLD Residential Low Density		
	RS-12 Residential 12000sqft lots		
	RS-8 Residential 8000sqft per lot		
	R-A Rural Agricultural		
	RMF Residential Multi-Family District		
	SP State Park District		
	TMU Transitional Mixed Use		
	UMU Urban Mixed Use District		

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

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

Application
PLMA202200289

I, Julia Baker-Granata, hereby certify that all mail notices, in the absence of fraud, were mailed to all affected and adjoining property owners on August 24, 2023.



1:4,800
1 inch represents 400 feet
Plot Date: August 17, 2023



AMENDED
CITY OF GASTONIA APPLICATION FOR PUBLIC HEARING

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

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

- 1. Identify the request (example: rezone from RS-12 to OLC CD; etc.): Voluntary annexation of portions of subject property not already in City of Gastonia; rezone all of subject property to C-3. SEE PREVIOUSLY FILED APPLICATIONS NUMBERED PLANX202100499 (annexation) and PLMA202200289. Fees have been paid and an annexation map submitted.
Please Note: Before applying for a rezoning, applicants are advised to determine if their property is subject to private deed restrictions to be sure the intended use of the property is allowed. The City of Gastonia neither keeps records of, enforces, nor overrules private deed restrictions.
2. Gaston County Tax Identification Number(s): 206267, 220029, and 135857
3. Subject property addresses: 2057 Overhead Bridge Road, 1533 Pioneer Lane, and 2019 Bessemer City Road
4. In order for our staff to place the rezoning signs on the property, please describe what is on the subject property and or adjacent properties (example: a white frame house is located on the property; the property is vacant with Business 'x' located on the east side). Staff will erect the signs approximately 15 days prior to the meeting. Brown frame house, brick house, and white frame house
5. Complete legal description by metes and bounds of said realty is attached to the application (a copy of the deed is sufficient). Previously submitted; city staff has annexation map describing properties.
6. In order to be familiar with the subject property the City staff may need to walk the property. Do we have the property owner's permission to do so? Yes
7. The real property to be rezoned is owned in fee simple by Doris B. Stewart and Doris Beaman Stewart Living Trust as evidenced in deed from (date) recorded in DB: 5132 1128 4549 PG: 1325 in the Gaston County Registry File No. 16 E 619 Clerk of Superior Court
8. The real property for which the above request is sought is located on the west side of Bessemer City Road between Overhead Bridge Rd. and Delta Drive having a frontage of ~410 feet and depth of ~890 feet and acreage of 6.08.
9. Are sewer and water available on the property? Yes
10. The tax sheets for all persons or firms that own the subject land and land adjacent to or within 100 feet of all sides, including property across the street, from the property for which the request is sought are attached. (Note: When measuring the 100-foot distance, street rights-of-way shall not be included in the measurement.)
11. If the applicant does not own the property sought to be rezoned, the names and addresses of the legal owners are listed below. The owner's names and their addresses are recorded in the Gaston County Tax Office. (Use additional sheets of paper if necessary).

**PUBLIC HEARING
STAFF REPORT**

File # 202300271

GPC Hearing Date: September 7, 2023

OWNER(S): Fallcross Construction, LLC.
APPLICANT: Shawn Badami
PROPOSED ZONING ACTION: Rezoning from C-3 to C-1
LOCATION: 802 Bessemer City Road (PID# 102935)
TRACT SIZE: Approximately 0.17 acres
WARD: 4

EVALUATION:

Site Description and Background

The subject request consists of one tax parcel (PID 102935) currently zoned C-3 (General Business). The applicant is requesting to rezone the property to C-1 (Neighborhood Business) in order to allow for a variety of smaller scale commercial, retail, and residential uses at the neighborhood level. Services in the C-1 zoning district should be compatible with the adjacent residential land uses. The subject property is located at 802 Bessemer City Road, adjacent to Graham Street and is currently vacant.

Adjoining Properties and Land Use Trends

Adjoining properties are a combination of residential and commercial land uses and zoning. To the east of the property is primarily RS-8 (Single-family Residential) zoning consisting of the Craven Street neighborhood. To the north, along Bessemer City Road, is C-3 zoning which includes two single-family residences and an automobile repair shop. To the west, across Bessemer City Road, there is a combination of commercial and residential uses including a vacant parcel zoned C-3, the Evergreen apartment complex zoned RMF (Residential Multi-family) and single-family residential consisting of the Myrtle School East neighborhood zoned RS-8. Directly south, across Graham Street, is a commercial corridor zoned C-3 along Bessemer City Road consisting of primarily single-family residential and one church.

Available Public Facilities

Water and sewer are available to serve the property.

Consistency with Adopted Plans

The Future Land Use Map in the 2025 Comprehensive Plan indicates commercial uses for the subject property, which is consistent with the zoning of adjoining properties along this section of the Bessemer City Road corridor.

Conclusion

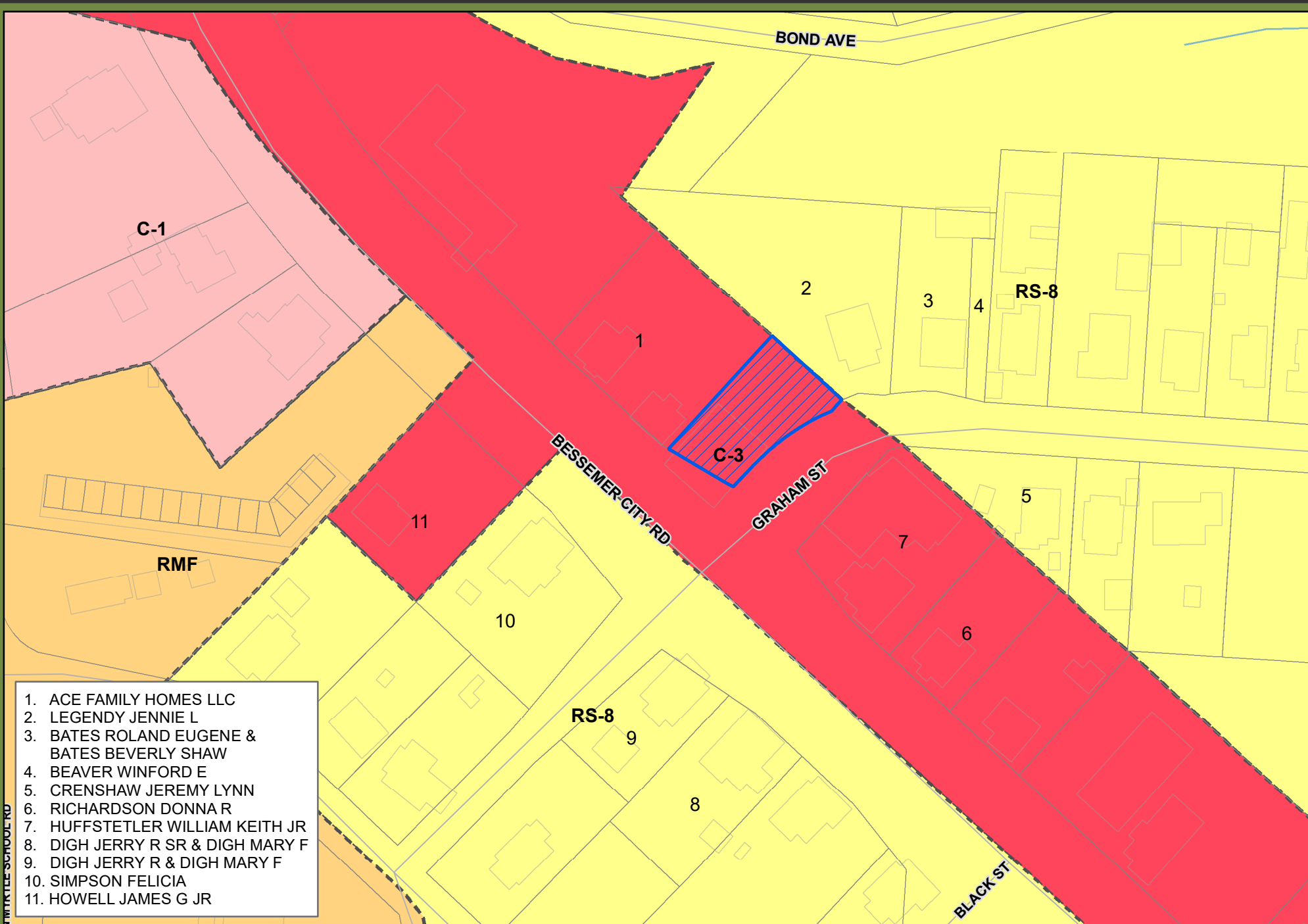
The applicant has requested a rezoning to C-1 (Neighborhood Commercial). Based on the primarily residential character of this area, surrounding land uses, and the 2025 Comprehensive Plan, staff feels a general rezoning to neighborhood commercial is consistent with the surrounding area. **Staff recommends 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 potential development of a neighborhood commercial use. The Planning Commission considers an affirmative vote to be reasonable and in the public's interest.*






























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



Applicant: Shawn Badami
Owner: Fallcross Construction LLC
Planning Comm Hearing: Sept. 7, 2023
Request: C-3 to C-1
Ward: 4
Total Tract Size: approx. 0.17 acres
Parcel ID #: 102935

 **Subject Property**

Legend

-  AP Airport
 -  C-1 Light Commercial
 -  C-2 Highway Commercial
 -  C-3 General Commercial
 -  CBD Central Business District
 -  I-U Urban Industrial
 -  I-1 Light Industrial
 -  I-2 General Industrial
 -  I-2 General Industrial
 -  O-1 Office
 -  OLC Office/Light Commercial
 -  O-M Medical Office
 -  PD IRD Planned District Infill Res Devt
 -  PD PRD Planned District Planned Res Devt
 -  PD RRDD Planned District Revised Res Devt District
 -  PD PUD Planned District Planned Unit Devt
 -  PD TND Planned Dist Traditional Neighborhood Devt
 -  RLD Residential Low Density
 -  RS-12 Residential 12000sqft lots
 -  RS-8 Residential 8000sqft per lot
 -  R-A Rural Agricultural
 -  RMF Residential Multi-Family District
 -  SP State Park District
 -  TMU Transitional Mixed Use
 -  UMU Urban Mixed Use District
-  Roads
 -  Streams
 -  Parcels
 -  Buildings


1. ACE FAMILY HOMES LLC
2. LEGENDY JENNIE L
3. BATES ROLAND EUGENE & BATES BEVERLY SHAW
4. BEAVER WINFORD E
5. CRENSHAW JEREMY LYNN
6. RICHARDSON DONNA R
7. HUFFSTETLER WILLIAM KEITH JR
8. DIGH JERRY R SR & DIGH MARY F
9. DIGH JERRY R & DIGH MARY F
10. SIMPSON FELICIA
11. HOWELL JAMES G JR

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
PLMA202300271

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 August 24, 2023.



1:1,200
 1 inch represents 100 feet
 Plot Date: August 21, 2023




CITY OF GASTONIA APPLICATION FOR PUBLIC HEARING

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

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

1. Identify the request (example: rezone from RS-12 to OLC CD; etc.): rezone from C3 to C1

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

2. Gaston County Tax Identification Number(s): 353 579 2392

3. Subject property addresses: 802 Bessemer city rd
GASTONIA, NC 28052

4. In order for our staff to place the rezoning signs on the property, please describe what is on the subject property and or adjacent properties (example: a white frame house is located on the property; the property is vacant with Business 'X' located on the east side). Staff will erect the signs approximately 15 days prior to the meeting. Subject property is vacant. The property on the north side contains a 2 one story white houses. The property on the east side of subject property contains a white bungalow house. The property south of subject contains a small business

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 Falkcross construction as evidenced in deed from (date) 6/21/2023 recorded in DB: 5417 PG: 2407 in the Gaston County Registry

8. The real property for which the above request is sought is located on the west side of Gastonia between Bessemer City and Graham having a frontage of 59.58 feet and depth of 121.7 feet and acreage of .17.

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). NIA

12. Name and address of applicant: Shawn Sadami
Telephone # 704 363 9650 -mail address: Fallcrossconstruction@gmail.com

13. Interest in subject realty: _____

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

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

- Conditional Use Permit no
- planned unit development no
- subdivision ordinance no
- Planned Residential Development no
- Other Conditional District no

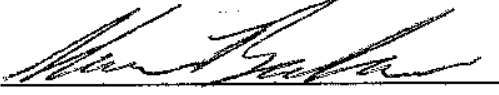
If yes, please explain _____

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

Shawn Sadami
Telephone number: 704 363 9650 Email: Fallcrossconstruction@gmail.com

Shawn Sadami certify that I have read the information provided in the public hearing information package on the 5th day of JULY, 2023.

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

 _____



MEMORANDUM

Date: Thursday, August 17, 2023

To: Michael C. Peoples, ICMA-CM
City Manager

From: Quentin T. McPhatter, ICMA-CM
Assistant City Manager

Subject: Subject hearing involves a request to amend the Zoning Map for the creation of a Franklin Sports and Entertainment (FUSE) Overlay District for PIDs (301022, 301023, 301024, 301025), amend Chapter 6 of the Unified Development Ordinance to create a new Section 6.3.8 Franklin Urban Sports and Entertainment Overlay District, and to amend Chapter 7 of the Unified Development Ordinance to create new Section 7.13 Franklin Urban Sports and Entertainment Overlay District Design and Use Standards

BACKGROUND

The construction of the nearly \$30 million Franklin Urban Sports Entertainment Complex (now known as Caromont Health Park) by the City of Gastonia was intended to serve as a transformational economic development project in an area which suffers from significant economic disinvestment. The challenging economic conditions of the location of the FUSE Facility and its adjacent parcels are indicated by the fact that these properties are located within a redevelopment area due to its blight, which has been named the West Franklin Redevelopment Area, and has a redevelopment plan which was adopted by the Gastonia City Council. One of the goals of the West Franklin Redevelopment Plan is to address blight by promoting revitalization through public-private partnerships to attract new private sector investment for the general health, welfare, and the economic well-being of Gastonia's citizens.

Therefore, the creation of a new Franklin Urban Sports and Entertainment (FUSE) Overlay District is deemed necessary to facilitate private sector investment in an area which has received significant public investment by the City of Gastonia and includes but is not limited to the construction of the FUSE facility, as well as other supporting public infrastructure.

The proposed changes to the Zoning Map and the Unified Development Ordinance (UDO) will do the following:

- Create a new Franklin Urban Sports Entertainment Overlay District which will apply to the FUSE facility and the three adjacent parcels.
- Describe the purpose and intent of a new Franklin Urban Sports and Entertainment Overlay District which will ensure that the development and uses within the district boundary are compatible with promoting the FUSE sports and entertainment complex and establishing the image of a contemporary, vibrant, pedestrian-centric, mixed use area that is harmonious with the complex, its events and the redevelopment of the properties surrounding this overlay district.
- Modify the permitted uses within the overlay district and reference the design standards which will apply to all development and/or redevelopment projects in the new FUSE Overlay District.

Amend Chapter 6 of the Unified Development Ordinance to create a new Section 6.3.8 as follows:

6.3.8 FUSE Franklin Urban Sports and Entertainment Overlay District

The purpose of the Franklin Urban Sports and Entertainment Overlay District is to ensure that the development and uses within the district boundary are compatible with promoting the FUSE sports and entertainment complex and establishing the image of a contemporary, vibrant, pedestrian-centric, mixed use area that is harmonious with the complex, its events and the redevelopment of the properties surrounding this overlay district. The City Council finds that it is desirable to implement design standards

and use limitations in order to accomplish this purpose. The City Council further finds that it is necessary to establish the Franklin Urban Sports and Entertainment Overlay District Design Guidelines for the general health and welfare and the economic well-being of Gastonia's citizens.

Amend Chapter 7 of the Unified Development Ordinance to create a new Section 7.13 as follows:

7.13 FUSE Franklin Urban Sports and Entertainment Overlay District Design and Use Standards

A. Permitted Uses.

1. The following uses from the underlying Central Business District are the only uses permitted by right within the Franklin Urban Sports and Entertainment Overlay District.

- a. Amusement and Sporting Facility, Indoor
- b. Amusement and Sporting Facility, Outdoor
- c. Brew-pub
- d. Breweries
- e. College/University (Office Space)
- f. Medical Offices, 0-24,999 sq. ft GFA
- g. Offices, Excluding Medical, 0-24,000 sq. ft GFA
- h. Offices, Excluding Medical, 25,000+ sq. ft GFA
- i. Theater, Indoor Movie

2. The following uses from the underlying Central Business District are the only uses permitted by right with supplemental regulations.

- a. Dwelling, Mixed Use
- b. Restaurant
- c. Restaurant, Within Other Facilities
- e. Retail, 0-24,999 sqft GFA
- f. Hotel
- g. Hotel, Full Service
- h. Urban Multi-Family and Mixed Use

3. The following uses from the underlying Central Business District are the only uses permitted with a Conditional Use Permit.

- a. Dwelling, Multi-Family

4. No uses other than those set forth above are permitted within the Franklin Urban Sports and Entertainment Overlay District.

B. Design Standards.

All of the Design Standards and Design Review Requirements contained within this Unified Development Ordinance in Section 7.11 Central Business District Design Standards, Section 7.6.5 Urban Standards Overlay District and Section 8.1.4 Urban Multi-family and Mixed Use Overlay shall be applicable to and govern the design of all development and re-development of the property located within the Fuse Urban Sports and Entertainment Overlay District.

CONCLUSION

If approved, these revisions create a new FUSE Overlay District for the facility and the three adjacent parcels, reference the design standards which would be applicable in the new FUSE overlay, and modify the permitted uses allowed within the new overlay. **Staff recommends approval as presented.**

Statement of Reasonableness and Consistency (motion to approve):

This ordinance is consistent with the Gastonia 2025 Comprehensive Plan, the adopted West Franklin Area Redevelopment Plan, as well as any other applicable duly adopted small area plans, and is reasonable and in the public interest because it promotes consistent and comprehensive development of the FUSE sports and entertainment complex and the private redevelopment of the surrounding properties in the West Franklin Area Redevelopment Plan, all of which promotes the health, safety, and welfare of the citizens.

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

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 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. *Amend Chapter 6 of the Unified Development Ordinance to create a new Section 6.3.8 as follows:*

6.3.8 FUSE Franklin Urban Sports and Entertainment Overlay District

The purpose of the Franklin Urban Sports and Entertainment Overlay District is to ensure that the development and uses within the district boundary are compatible with promoting the FUSE sports and entertainment complex and establishing the image of a contemporary, vibrant, pedestrian-centric, mixed use area that is harmonious with the complex, its events and the redevelopment of the properties surrounding this overlay district. The City Council finds that it is desirable to implement design standards and use limitations in order to accomplish this purpose. The City Council further finds that it is necessary to establish the Franklin Urban Sports and Entertainment Overlay District Design Guidelines for the general health and welfare and the economic well-being of Gastonia's citizens

Section 2. *Amend Chapter 7 of the Unified Development Ordinance to create a new Section 7.13 as follows:*

7.13 FUSE Franklin Urban Sports and Entertainment Overlay District Design and Use Standards

A. Permitted Uses.

1. The following uses from the underlying Central Business District are the only uses permitted by right within the Franklin Urban Sports and Entertainment Overlay District.

- a. Amusement and Sporting Facility, Indoor
- b. Amusement and Sporting Facility, Outdoor
- c. Brew-pub
- d. Breweries
- e. College/University (Office Space)
- f. Medical Offices, 0-24,999 sq. ft. GFA
- g. Offices, Excluding Medical, 0-24,000 sq. ft. GFA
- h. Offices, Excluding Medical, 25,000+ sq. ft. GFA
- i. Theater, Indoor Movie

2. The following uses from the underlying Central Business District are the only uses permitted by right with supplemental regulations.

- a. Dwelling, Mixed Use
- b. Restaurant
- c. Restaurant, Within Other Facilities
- e. Retail, 0-24,999 sqft GFA
- f. Hotel
- g. Hotel, Full Service
- h. Urban Multi-Family and Mixed Use

3. The following uses from the underlying Central Business District are the only uses permitted with a Conditional Use Permit.

a. Dwelling, Multi-Family

4. No uses other than those set forth above are permitted within the Franklin Urban Sports and Entertainment Overlay District.

B. Design Standards.

All of the Design Standards and Design Review Requirements contained within this Unified Development Ordinance in Section 7.11 Central Business District Design Standards, Section 7.6.5 Urban Standards Overlay District and Section 8.1.4 Urban Multi-family and Mixed Use Overlay shall be applicable to and govern the design of all development and re-development of the property located within the Fuse Urban Sports and Entertainment Overlay District.

Section 4. 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 5. This ordinance shall take effect and be in force from and after the date of its adoption.

Section 6. This ordinance is consistent with the purpose and intent of the Unified Development Ordinance, 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.

This the _____ day of _____, 2023.

Walker E. Reid III, Mayor

ATTEST:

Suzanne Gibbs, City Clerk

Ord23-797.docx

**PUBLIC HEARING
STAFF REPORT**

File # 202300336

GPC Hearing Date: September 7, 2023

OWNER(S): Gastonia Airline, LLC. & City of Gastonia

APPLICANT: City of Gastonia

PROPOSED ZONING ACTION: Establish the Franklin Urban Sports and Entertainment (FUSE) Overlay District

LOCATION: North of W. Franklin Boulevard, south of the Norfolk Southern Railway Line right of way and between S. Hill Street and S. Trenton Street (PIDs# 301022, 301023, 301024, 301025)

TRACT SIZE: Approximately 9.589 acres

WARD: 4

EVALUATION:

Site Description and Background

The subject request consists of four tax parcels (PIDs 301022, 301023, 301024, 301025) currently zoned CBD (Central Business District). Tax parcels 301022, 301023, 301024 are owned by Gastonia Airline, LLC and consist of the stadium parking lot and two undeveloped pads. Tax parcel 301025 is owned by the City of Gastonia and consists of the Caromont Health Park. The subject property is located north of W. Franklin Boulevard, south of the Norfolk Southern Railway Line right of way and between S. Hill Street and S. Trenton Street.

The subject request is to establish the Franklin Urban Sports and Entertainment (FUSE) Overlay District. The purpose of this new overlay district is to facilitate private sector investment in an area which has received significant public investment by the City of Gastonia and includes but is not limited to the construction of the FUSE facility, as well as other supporting public infrastructure.

The establishment of the overlay district is coupled with an amendment to the Unified Development Ordinance (UDO) which will do the following:

- Create a new Franklin Urban Sports Entertainment Overlay District which will apply to the FUSE facility and the three adjacent parcels.
- Describe the purpose and intent of a new Franklin Urban Sports and Entertainment Overlay District which will ensure that the development and uses within the district boundary are compatible with promoting the FUSE sports and entertainment complex and establishing the image of a contemporary, vibrant, pedestrian-centric, mixed use area that is harmonious with the complex, its events and the redevelopment of the properties surrounding this overlay district.
- Modify the permitted uses within the overlay district and reference the design standards which will apply to all development and/or redevelopment projects in the new FUSE Overlay District.

Adjoining Properties and Land Use Trends

Adjoining properties are a combination of commercial and residential uses and zoning. To the east of the subject property is CBD zoning consisting of the Trenton Mill loft apartments and two redevelopment sites for the Dillinger and Dirty Bull Brewing. Directly north is the Norfolk Southern rail line right of way and the FUSE Transit Transfer Station, zoned CBD. Properties to the west of the FUSE District are zoned RS-8 (Single-family Residential) and CBD and include the Save a Lot grocery store, which closed in 2021, and single-family residential uses in the Firestone Cotton Mills

neighborhood. To the south, across W. Franklin, is UMU (Urban Mixed Use) zoning consisting of Covenant Methodist Church, Moss Drugs, and the old Gaston County Family YMCA site.

Available Public Facilities

Water and sewer are available to serve the property.

Consistency with Adopted Plans

The Future Land Use Map in the 2025 Comprehensive Plan indicates commercial uses for the subject property which is consistent along W. Franklin Boulevard.

Conclusion

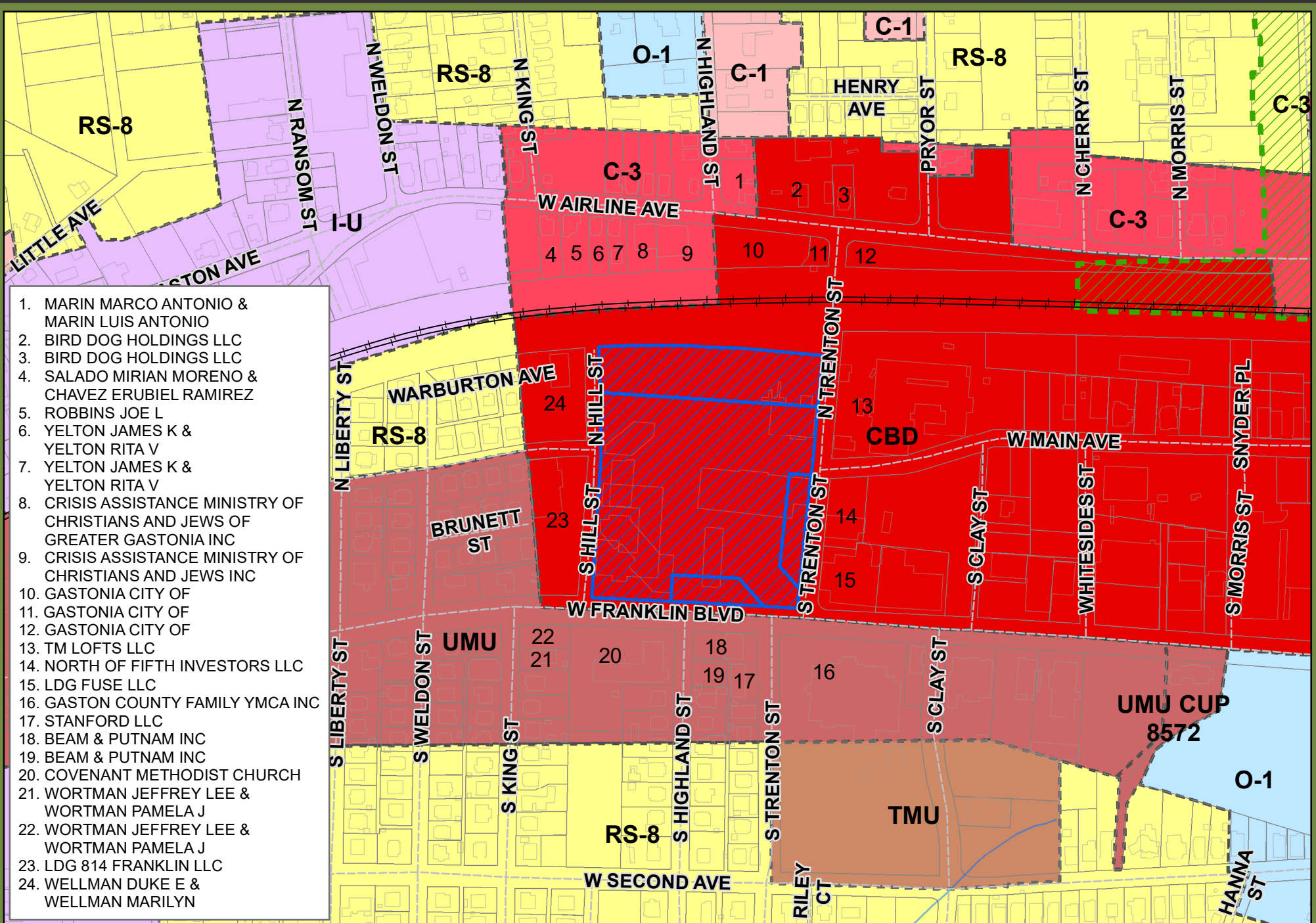
The City of Gastonia is requesting to establish the Franklin Urban Sports and Entertainment (FUSE) Overlay District. Based on the 2025 Comprehensive Plan, the West Franklin Area Redevelopment Plan and any other applicable duly adopted small area plans as well as the character of this area, and surrounding land uses and zoning, **staff recommends that the request be approved as presented.**



Maddy Gates, MURP
Senior Planner

Statement of consistency and reasonableness (motion to approve): *The proposed overlay district is consistent with the 2025 Comprehensive Plan and the West Franklin Redevelopment Plan. 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. MARIN MARCO ANTONIO & MARIN LUIS ANTONIO
2. BIRD DOG HOLDINGS LLC
3. BIRD DOG HOLDINGS LLC
4. SALADO MIRIAN MORENO & CHAVEZ ERUBIEL RAMIREZ
5. ROBBINS JOE L
6. YELTON JAMES K & YELTON RITA V
7. YELTON JAMES K & YELTON RITA V
8. CRISIS ASSISTANCE MINISTRY OF CHRISTIANS AND JEWS OF GREATER GASTONIA INC
9. CRISIS ASSISTANCE MINISTRY OF CHRISTIANS AND JEWS INC
10. GASTONIA CITY OF
11. GASTONIA CITY OF
12. GASTONIA CITY OF
13. TM LOFTS LLC
14. NORTH OF FIFTH INVESTORS LLC
15. LDG FUSE LLC
16. GASTON COUNTY FAMILY YMCA INC
17. STANFORD LLC
18. BEAM & PUTNAM INC
19. BEAM & PUTNAM INC
20. COVENANT METHODIST CHURCH
21. WORTMAN JEFFREY LEE & WORTMAN PAMELA J
22. WORTMAN JEFFREY LEE & WORTMAN PAMELA J
23. LDG 814 FRANKLIN LLC
24. WELLMAN DUKE E & WELLMAN MARILYN

Applicant: City of Gastonia
Owner: Gastonia Airline, LLC & City of Gastonia
Planning Comm Hearing: Sept 7, 2023
Request: FUSE Overlay District
Ward: 4
Total Tract Size: approx. 9.589 acres
Parcel ID #: 301022, 301023, 301024, 301025

Subject Property

Legend

	AP Airport		Railroad
	C-1 Light Commercial		Gateway
	C-2 Highway Commercial		Streams
	C-3 General Commercial		Parcels
	CBD Central Business District		Buildings
	I-U Urban Industrial		
	I-1 Light Industrial		
	I-2 General Industrial		
	I-2 General Industrial		
	O-1 Office		
	OLC Office/Light Commercial		
	O-M Medical Office		
	PD IRD Planned District Infill Res Devt		
	PD PRD Planned District Planned Res Devt		
	PD RRDD Planned District Revised Res Devt District		
	PD PUD Planned District Planned Unit Devt		
	PD TND Planned Dist Traditional Neighborhood Devt		
	RLD Residential Low Density		
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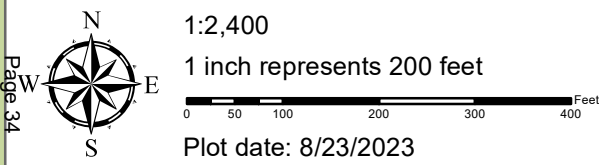
Note: For a complete elaboration of zoning classifications, see the Unified Development Ordinance or contact the City of Gastonia Planning Department at (704) 854-6652.

Page 33
Application
PLMA202300336

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 August 24, 2023.



1:4,200
 1 inch represents 350 feet
 Plot Date: August 23, 2023



PROPOSED FUSE OVERLAY DISTRICT
PLMA202300336

