

**Planning Board Item III – GENERAL PUBLIC HEARING INFORMATION (Z20-13)**

**General Rezoning Application Z20-13**

Request: To rezone property parcel 222327 from the (R-3) Single Family General Zoning District with (US) Urban Standards Overlay to the (C-1) Light Commercial Zoning District with (US) Urban Standards Overlay

Applicant(s): Gary Dewayne Briggs

Property Owner(s): Gary Dewayne Briggs

Mailing Address of Applicant: 660 Dallas Bessemer City Hwy., Dallas, NC 28034

**Site Information and Description of Area**

General Location: 660 Dallas Bessemer City Hwy. (Dallas)

Parcel ID(s): 222327

Total Property Acreage: 1.51 ac

Acreage for Map Change: 1.51 ac

Current Zoning District(s): (R-3) Single Family General, (US) Urban Standards Overlay

General Area Zoning District(s): (R-1) Single Family Limited, (R-3) Single Family General, (C-1) Light Commercial, (C-3) General Commercial, (I-2) General Industrial, (US) Urban Standards Overlay

**Zoning District Information**

**Current Zoning District:**

**(R-3) Single Family General** – The purpose of this district is to accommodate single family site built and modular construction and double-wide manufactured home placement and single-wide manufactured home placement. The minimum lot size allowed in this district will be dependent on the provision of public or community water and sewer facilities. Although areas may be served with such utilities, most of these areas are located beyond existing or anticipated utility service coverage areas. The minimum lot size for residential uses in this district is therefore larger than in other residential zoning districts.

**(USO) Urban Standards Overlay District** – Areas of the County which are located outside their corporate limits and/or municipal Extra Territorial Jurisdiction (ETJ) but where the provision of public water and sewer services can reasonably be expected to occur over the next 10-15 years, have been designated as the “Urban Standards Overlay District”.

Accordingly, standards for development, more akin to those that traditionally are found in urban areas, as opposed to rural areas, are called for. Standards addressed, but not limited to: building design, off-street parking, road, lot and subdivision standards.

**Note:** If any portion of the subject property is within the USO, then the entire property shall be developed in accordance with USO standards.

**Proposed Zoning District:**

**(C-1) Light Commercial** – The C-1 Light Commercial District is designed to accommodate a large variety of retail uses designed to meet the needs of individual neighborhoods, or other relatively small geographic areas. Stores and shopping complexes are therefore relatively small in size and are designed to be compatible and integrated with adjoining residential neighborhoods. This zoning district is not intended to accommodate retail uses which attract persons from outside the neighborhood or which attract large numbers of passing motorists.

**(USO) Urban Standards Overlay District** – (as described above)

### **Comprehensive Land Use Plan (Small Area District)**

#### **Area 5: Scenic Gaston / Southwest Gaston**

Key issues for citizens in this area include preservation of open space; road improvements and better connectivity to other areas of the County; preservation of existing conditions while allowing low to moderate growth; repurpose vacant buildings and facilities for new economic opportunities; and, increased commercial opportunities along existing major thoroughfares.

Comprehensive Plan Future Land Use: Rural

It is staff's opinion that the request *is consistent* with the Comprehensive Land Use Plan.

### **Technical Review Committee (TRC)**

The request was reviewed by the TRC for comment and general compliance with applicable regulations and provisions. The TRC is made up of various technical land use reviewing agencies such as North Carolina Department of Transportation (NCDOT), Environmental Health, Gaston Cleveland Lincoln Metropolitan Planning Organization (GCLMPO), County Fire Marshall, et cetera, which review all land use proposals and site plans requiring Planning Board approval and/or public hearing process.

### **Notification**

Notice of public hearing was advertised in the Gaston Gazette in accordance with County policy.

### **Zoning Sign Placement**

August 10, 2020

### **Information Attached**

Rezoning application; zoning district uses (current and proposed); vicinity map, aerial map, zoning/subject area maps, and adjacent property map with property owner list.

### **Transportation Planning Information**

Provided by Gaston Cleveland Lincoln Metropolitan Planning Organization (GCLMPO)

### **Staff Contact**

Sarah Carpenter Penley, Senior Planner, (704)866-3530 or [sarah.penley@gastongov.com](mailto:sarah.penley@gastongov.com)



# GASTON COUNTY

Department of Planning & Development Services

Street Address: 128 W. Main Avenue, Gastonia, North Carolina 28052  
Mailing Address: P.O. Box 1578, Gastonia, N.C. 28053-1578

Phone: (704) 866-3195  
Fax: (704) 866-3966

## GENERAL REZONING APPLICATION

Application Number: Z 20-13

Applicant ☒ Planning Board (Administrative) ☐ Board of Commission (Administrative) ☐ ETJ ☐

### A. \*APPLICANT INFORMATION

Name of Applicant: Gary Dewayne Briggs

(Print Full Name)

Mailing Address: 660 Dallas Bessemer City Hwy., Dallas, NC 28034

(Include City, State and Zip Code)

Telephone Numbers: (704)913-9130

(Area Code) Business

(Area Code) Home

Email:

\* If the applicant and property owner(s) are not the same individual or group, the Gaston County Zoning Ordinance requires written consent form from the property owner(s) or legal representative authorizing the Rezoning Application. Please complete the Authorization/Consent Section on the reverse side of the application.

### B. OWNER INFORMATION

Name of Owner: Same

(Print Full Name)

Mailing Address:

(Include City, State and Zip Code)

Telephone Numbers:

(Area Code) Business

(Area Code) Home

Email:

### C. PROPERTY INFORMATION

Physical Address or General Street Location of Property: 660 Dallas Bessemer City Hwy. (Dallas)

Parcel Identification (PID): 222327

Acreage of Parcel: 1.51 +/- Acreage to be Rezoned: 1.51 +/- Current Zoning: (R-3)(US)

Current Use: Residential

Proposed Zoning: (C-1)(US)

### D. PROPERTY INFORMATION ABOUT MULTIPLE OWNERS

Name of Property Owner:

Name of Property Owner:

Mailing Address:

Mailing Address:

(Include City, State and Zip Code)

(Include City, State and Zip Code)

Telephone:

(Area Code)

Telephone:

(Area Code)

Parcel:

(If Applicable)

Parcel:

(If Applicable)

(Signature)

(Signature)



## E. AUTHORIZATION AND CONSENT SECTION

(I/We), being the property owner(s) or heir(s) of the subject property referenced on the **Gaston County Rezoning Application** and having authorization/interest of property parcel(s) \_\_\_\_\_ hereby give \_\_\_\_\_ consent to execute this proposed action.  
(Name of Applicant)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

I, \_\_\_\_\_, a Notary Public of the County of \_\_\_\_\_ State of North Carolina, hereby certify that \_\_\_\_\_ personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and notarial seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public Signature

\_\_\_\_\_  
Commission Expiration

(I/We), also agree to grant permission to allow employees of Gaston County to enter the subject property during reasonable hours for the purpose of making **Zoning Review**.

Please be advised that an approved general rezoning does not guarantee that the property will support an on site wastewater disposal system (septic tank). Though a soil analysis is not required prior to a general rezoning submittal and/or approval, the applicant understands a chance exists that the soils may not accommodate an on site wastewater disposal system thus adversely limiting development choices/uses unless public utilities are accessible.

If the application is not fully completed, this will cause rejection or delayed review of the application. In addition, please return the completed application to the Planning and Development Services Department within the County Administrative Building located at 128 West Main Avenue, Gastonia, NC 28052.

## APPLICATION CERTIFICATION

(I/We), the undersigned being the property owner/authorized representative, hereby certify that the information submitted on the subject application and any applicable documents is true and accurate.

  
Signature of Property Owner or Authorized Representative

9-3-2020  
Date

Note: Approval of this request does not constitute a zoning permit. All requirements must be met within the UDO.

### OFFICE USE ONLY

### OFFICE USE ONLY

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Date Received: 08/03/2020 Application Number: Z20-13 Fee: \$500.00

Received by Member of Staff: SCP Date of Payment: 08/04/20 Receipt Number: INV-00017820  
(Initials) #001646-0001

- ☒ COPY OF PLOT PLAN OR AREA MAP  
☐ NOTARIZED AUTHORIZATION

- ☒ COPY OF DEED  
☒ PAYMENT OF FEE

Date of Staff Review: \_\_\_\_\_ Date of Public Hearing: 08/25/2020

Planning Board Review: \_\_\_\_\_ Recommendation: \_\_\_\_\_ Date: \_\_\_\_\_

Commissioner's Decision: \_\_\_\_\_ Date: \_\_\_\_\_

### Mission Statement

Gaston County seeks to be among the finest counties in North Carolina. It will provide effective, efficient and affordable services leading to a safe, secure and healthy community, an environment for economic growth, and promote a favorable quality of life.



# Gaston County North Carolina

## Vicinity Map

Z20-13

### Legend

- Minor Roadways
- Major Roadways
- Area of Consideration
- Municipalities

Although strict accuracy standards have been employed in the compilation of this map, Gaston County does not make or imply any warranties or assume any responsibility for the information presented on this map or its use.

This map may not be used or otherwise used for trade or commercial purposes without the expressed written consent of Gaston County, in accordance with North Carolina General Statute 132-10.



0 1  
Miles

**AREA OF CONSIDERATION**

**DALLAS**

**RANLO**

**BESSEMER CITY**

**GASTONIA**





## Gaston County Overview Map

2019 Orthophoto

Z20-13

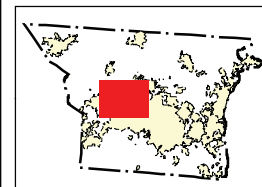
### Legend



Subject Area



Property Parcels



This map is intended for use by the Gaston County Board of Commissioners, in the review of mhp expansion requests.

Property parcels, zoning, transportation and other map information were compiled from one or more data layers. The data is periodically updated, however all data layers may not be displayed. Street names are subject to change.

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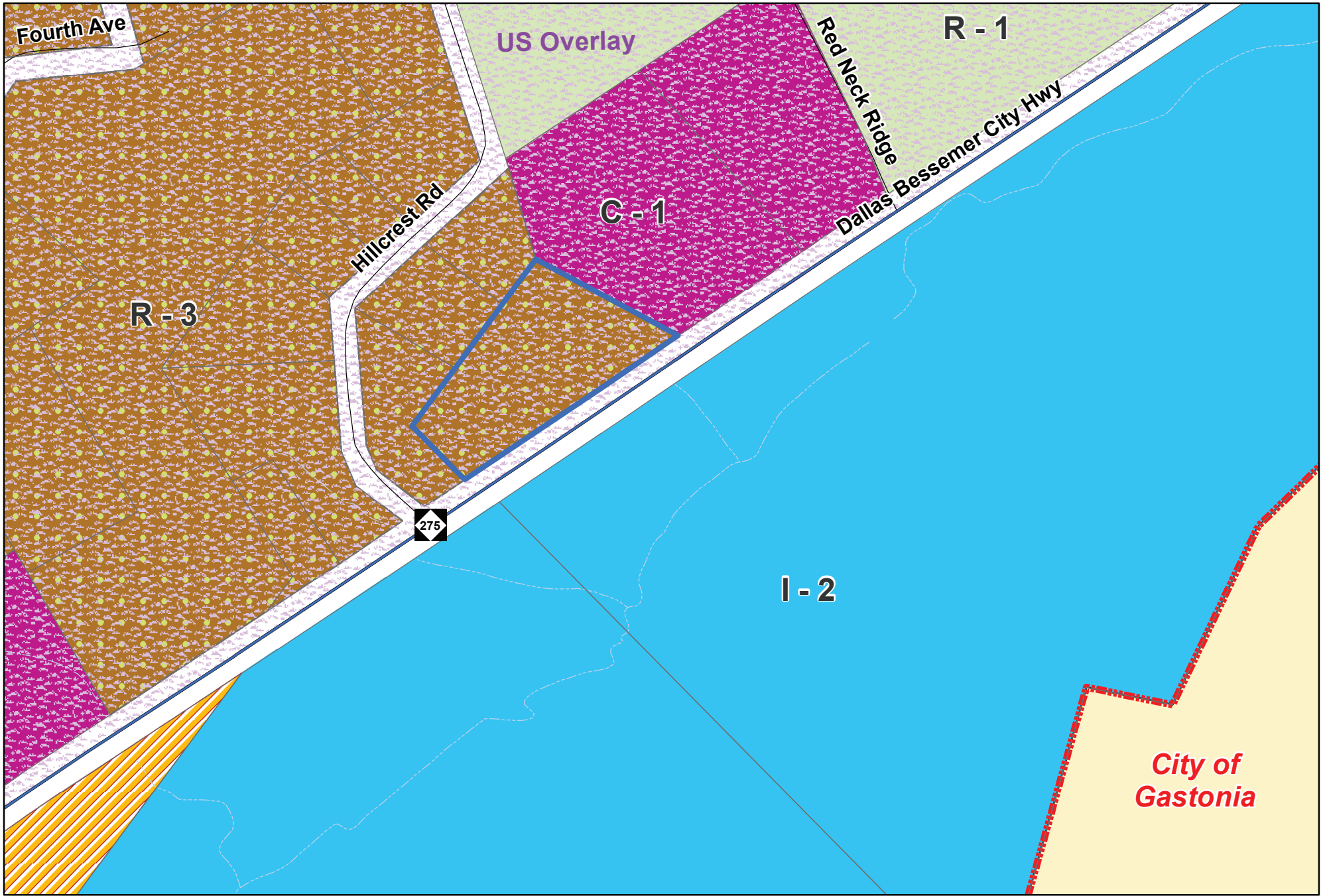
This map is for zoning purposes only - Not to be used for conveyance.

Note: For purposes of clarity, County Zoning is not shown at road right of ways and other selected features. Where different zoning is shown on opposite sides of the road and other features, the zoning areas are understood to meet at the center of the feature. In the event that a road right of way is undelineated and removed, areas with different zoning types will meet in the center of the area. Please see the Zoning Administrator for additional information.

0 80 160  
Feet



FOR DISPLAY PURPOSES ONLY - NOT TO BE USED FOR CONVEYANCE



**GASTON COUNTY**  
**Zoning Map**

Applicant: Z20-13

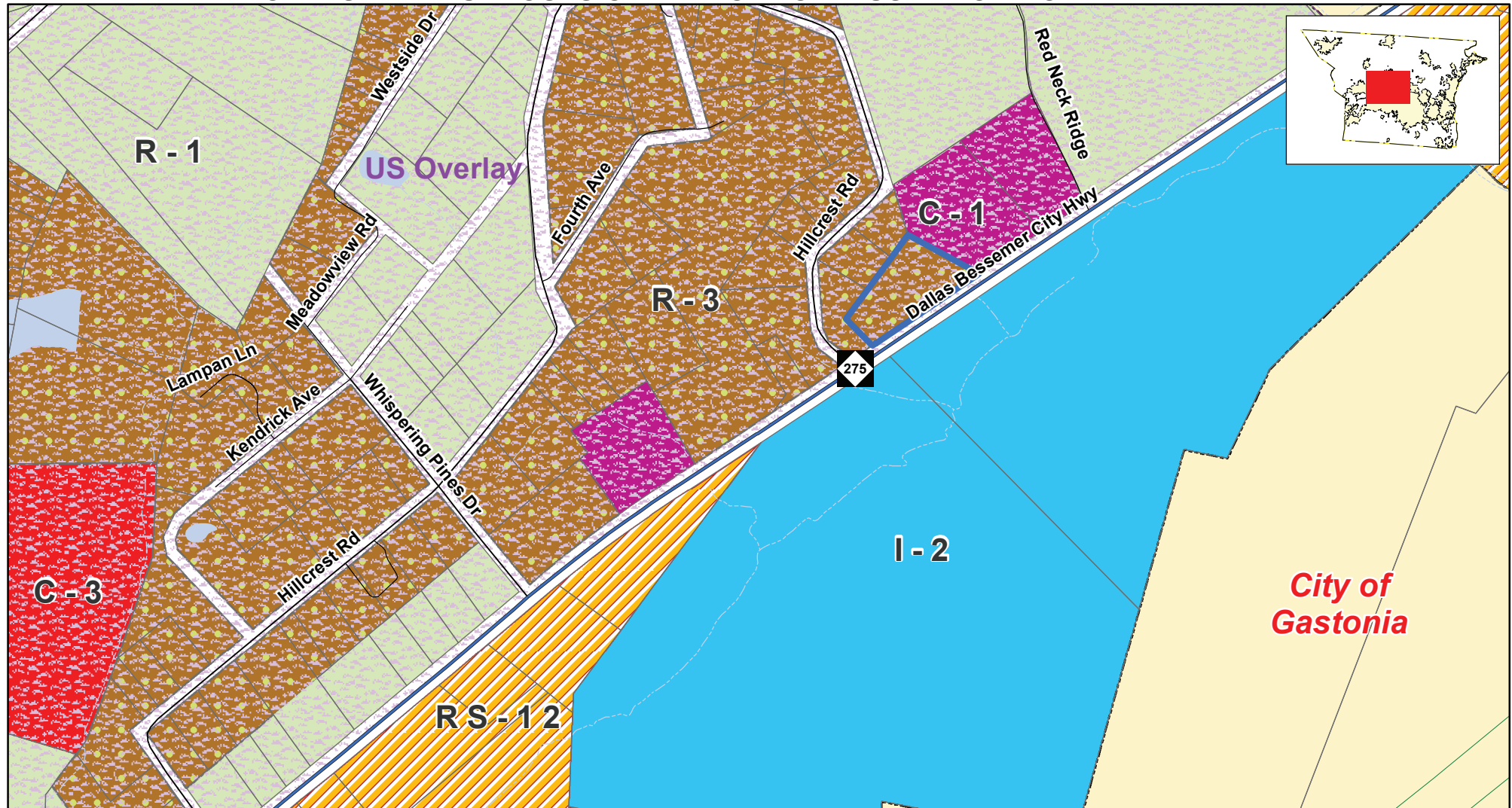
 Subject Area



0 62.5 125 250 Feet

(R-1) Single Family Limited  
(R-3) Single Family General  
(C-1) Light Commercial  
(I-2) General Industrial  
(US) Urban Standards Overlay

# FOR DISPLAY PURPOSES ONLY - NOT TO BE USED FOR CONVEYANCE



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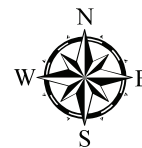
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## GASTON COUNTY ZONING REVIEW MAP

- R-1 Single Family Limited
- R-3 Single Family General
- RS-12 Single Family 12,000 sq ft
- C-1 Light Commercial
- C-3 General Commercial
- I-2 General Industrial

Area of Consideration

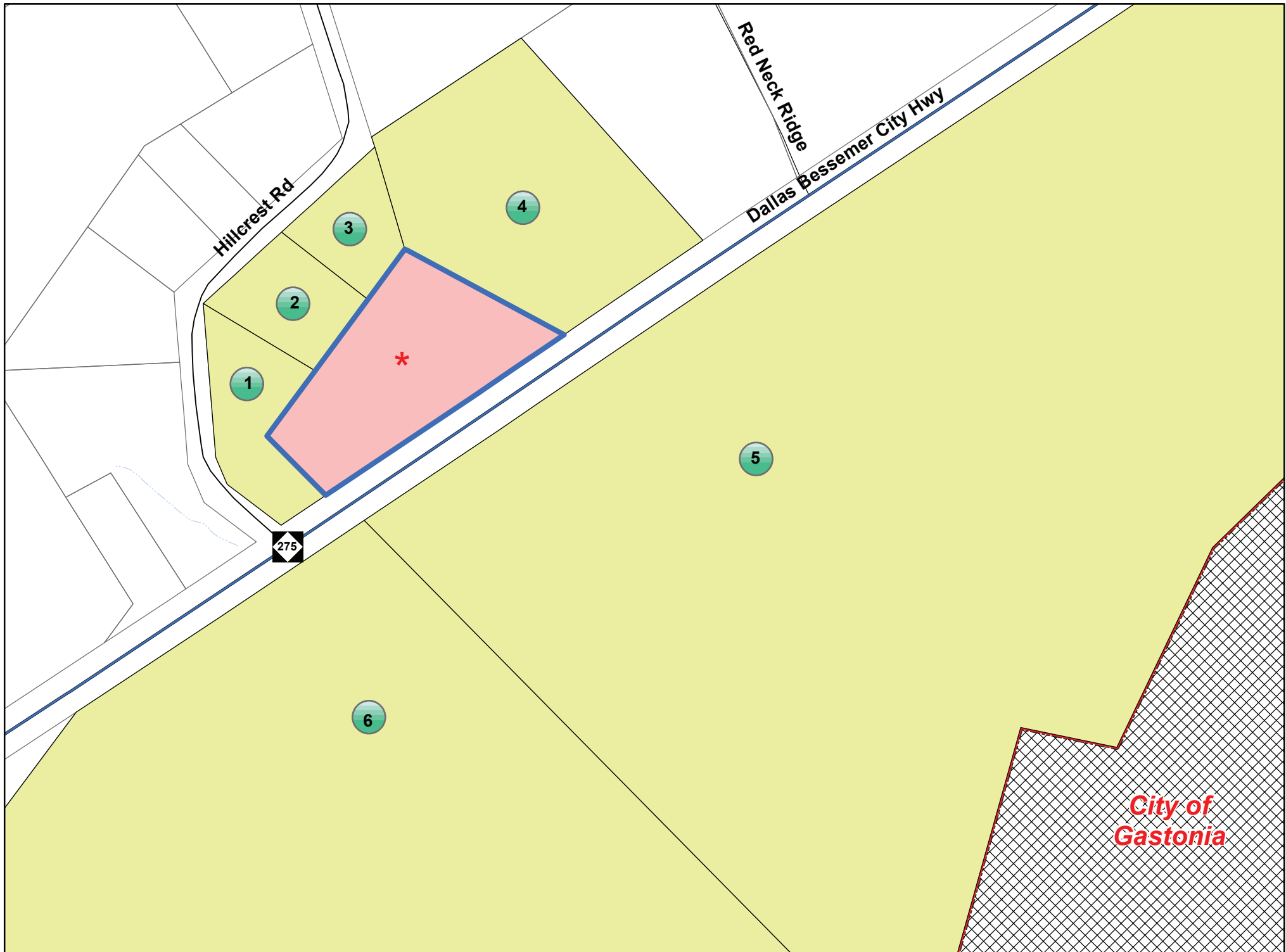


0 112.5 225 450 675 900 Feet

Applicant: Z20-13  
Tax ID(s): 222327  
Request Re-Zoning From:  
(R-3) Single Family General  
w/ (US) Urban Standards  
Overlay  
To: (C-1) Light Commercial  
w/ (US) Urban Standards  
Overlay

Map Date: 08/06/2020





**Z20-13 Subject and Adjacent Properties Map**  
See reverse side for listing of property owners

 Area of consideration

**Z20-13 Owner and Adjacent Property Listing**

| <u>NO:</u> | <u>PARCEL</u> | <u>OWNER NAME</u>         | <u>OWNER NAME 2</u> | <u>ADDRESS</u>               | <u>CITY</u>    | <u>STATE</u> | <u>ZIP</u> |
|------------|---------------|---------------------------|---------------------|------------------------------|----------------|--------------|------------|
| *          | 222327        | BRIGGS GARY DEWAYNE       |                     | 660 DALLAS BESSEMER CITY HWY | DALLAS         | NC           | 28034      |
| 1          | 135795        | CROWE CLIFTON D           |                     | 2558 HILLCREST RD            | DALLAS         | NC           | 28034      |
| 2          | 135794        | CLONINGER DOROTHY         | C/O DOROTHY COGDELL | 514 WOUNDED KNEE CIRCLE      | PEACHTREE CITY | GA           | 30269      |
| 3          | 135793        | CLONINGER DOROTHY         | C/O DOROTHY COGDELL | 514 WOUNDED KNEE CIRCLE      | PEACHTREE CITY | GA           | 30269      |
| 4          | 208647        | BRIGGS GARY DEWAYNE       |                     | 660 DALLAS BESSEMER CITY HWY | DALLAS         | NC           | 28034      |
| 5          | 222326        | COPART OF CONNECTICUT INC |                     | 14185 DALLAS PARKWAY         | DALLAS         | TX           | 75254      |
| 6          | 135702        | COPART OF CONNECTICUT INC |                     | 14185 DALLAS PARKWAY         | DALLAS         | TX           | 75254      |





Post Office Box 1748  
Gastonia, North Carolina 28053  
Phone (704) 866-6837

150 South York Street  
Gastonia, North Carolina 28052  
Fax (704) 869-1960

## Memorandum

**To:** Sarah Carpenter Penley, Senior Planner, Subdivision Administrator, Gaston County Planning & Development Services  
**From:** Julio Paredes, Planner  
**Date:** August 8, 2020  
**Subject:** Z20-13 - GCLMPO Site Plan Comments

Thank you for the opportunity to provide transportation comments on a proposed site plan located within the Gaston-Cleveland-Lincoln Metropolitan Planning Organization (GCLMPO) geographic area. My comments are based on review of the proposed site plan in accordance with our adopted Comprehensive Transportation Plan (CTP) and the adopted 2045 Metropolitan Transportation Plan (MTP), and the current State Transportation Improvement Program (STIP).

1. The proposed development is located at 660 Dallas Bessemer City Hwy, Dallas, NC. PID: 303426. On behalf of the GCLMPO, I offer the following comments:
  - A. According to the 2020-2029 STIP and the 2045 MTP, there are no planned transportation improvement projects in the immediate vicinity of this development.
  - B. The GCLMPO Highway CTP does not show any future improvements on any streets adjacent to the subject properties.
  - C. Please note that any site plan that requires a driveway permit on an NCDOT roadway, or is adjacent to NCDOT roadways, the developer should work with NCDOT on any required driveway permits or any TIA requirements.

If you have any questions regarding my comments, please do not hesitate to contact me at 704-866-6980 or [juliop@cityofgastonia.com](mailto:juliop@cityofgastonia.com).