

Planning Board Item II – GENERAL PUBLIC HEARING INFORMATION (Z18-09)
Board of Commissioners / Planning Board Public Hearing Date October 23, 2018

General Rezoning Application Z18-09

Request: To rezone property parcel 139199 from the (CD/RMF) Conditional District / Residential Multi Family Zoning District to the (RMF) Residential Multi Family Zoning District

Applicant(s): Taylor Davis

Property Owner(s): C & C Investments, L.L. Ratchford Family LP

Mailing Address of Applicant: 5 Legacy Park Road, Greenville, S.C. 29607

Site Information and Description of Area

General Location: Between E Hudson Blvd and Neal Hawkins Rd

Parcel ID: 139199

Total Property Acreage: 27.015 ac

Acreage for Map Change: 27.015 ac

Current Zoning District(s): (CD/RMF) Conditional District / Residential Multi Family

General Area Zoning District(s): (RS-12) Single Family 12, 000 SQ FT, (CU/R-2) Conditional Use / Single Family Moderate, (RS-8) Single Family 8,000 SQ FT, (C-3) General Commercial, (I-U) Industrial Urban, (CD/O-M) Conditional District / Office Medical

Zoning District Information

Current Zoning District:

(CD/RMF) Conditional District / Residential Multi Family – The Conditional Zoning (CD) District process allows for the establishment of certain uses that, because of their nature or scale, have particular impacts on both the immediate area and the community as a whole. The development of these uses cannot be predetermined or controlled by general district standards. In order to accommodate these uses, this Section establishes the conditional zoning district process. The process for approval of a CD Zoning District is explained in Section 5.16.5. The rezoning of any parcel of land to a CD district shall be a voluntary process initiated by the property owner or his authorized agent. Any area rezoned to a CD district shall be in general compliance with the goals, objectives and implementation strategies of the adopted Comprehensive or Land Use plan and all other plans and regulations officially adopted by the Board of Commissioners. The review process established in this Section provides for the accommodation of such uses by a reclassification of property into a CD district, subject to specific conditions (which may exceed those that would otherwise be required for the use in question), which ensure compatibility of the use with the enjoyment of neighboring properties and in accordance with the general plans of development of the County. A conditional zoning district is not intended for securing early zoning for a proposal.

Once a property has been rezoned to a CD district, it shall be referenced with the letters “CD” in front of the name of the applicable general zoning district listed in Section 6.2. Thus, a property rezoned to a C-2 Conditional District shall appear on the Zoning Map as “CD/C-2”.

(RMF) Residential Multi Family – The purpose of this district is intended primarily as a residential district for the location of single family, two family and multi family dwellings along with their customary accessory uses so as to establish areas where development patterns are somewhat denser than surrounding areas. In order to ensure that developments are well planned and compatible with adjoining residential uses, density levels of development in excess of six (6) units per acre are allowed subject to the issuance of a Conditional Use Permit (CUP) by the Board of Adjustment. This district should have access to public or community water and sewer utilities.

Proposed Zoning District:

(RMF) Residential Multi Family – The purpose of this district is intended primarily as a residential district for the location of single family, two family and multi family dwellings along with their customary accessory uses so as to

establish areas where development patterns are somewhat denser than surrounding areas. In order to ensure that developments are well planned and compatible with adjoining residential uses, density levels of development in excess of six (6) units per acre are allowed subject to the issuance of a Conditional Use Permit (CUP) by the Board of Adjustment. This district should have access to public or community water and sewer utilities.

Comprehensive Land Use Plan (Small Area District)

Area 4: The Garden Gaston / Southeast Gaston (Belmont, Cramerton, and surrounding area)

Key issues for citizens in this area include road improvements and better connectivity to other areas of the County and throughout the region; another bridge crossing the Catawba River; increased walkability and connectivity between communities; continued coordination amongst local government agencies; and maintaining enhanced quality of life.

Comprehensive Plan Future Land Use: Suburban Development

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

October 12, 2018

Information Attached

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

Transportation Planning Information

Provided by Gaston Cleveland Lincoln Metropolitan Planning Organization (GCLMPO)

Staff Contact

Sarah Carpenter Penley, Development Services Planner, (704)866-3530 or 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 18-09**

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

A. *APPLICANT INFORMATION

Name of Applicant: Taylor Davis

(Print Full Name)

Mailing Address: 5 Legacy Park Road, Greenville SC 29607

(Include City, State and Zip Code)

Telephone Numbers: 864-467-1600

(Area Code) Business

864-438-5093

(Area Code) Home

Email: tdavis@nhe-inc.com

(cc: jkass@nhe-inc.com)

** 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: C & C Investments & L.L. Ratchford Family LP

(Print Full Name)

Mailing Address: 514 South Union Road, Gastonia NC 28054

(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: between East Hudson Blvd and Neal Hawkins Road

Parcel Identification (PID): 139199

Acreage of Parcel: 27.015 +/- Acreage to be Rezoned: 27.015 +/- Current Zoning: CD/RMF

Current Use: undeveloped wooded parcel Proposed Zoning: RMF

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)

See Reverse Side For Completion of Additional Sections

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) 139199

hereby give A. Taylor Davis (Name of Applicant) consent to execute this proposed action.

John T. Cashett
(Signature)
C. Donald Cann
(Signature)

8/27/2018
(Date)
8/27/2018
(Date)

I, JANICE H. HALL, a Notary Public of the County of GASTON
North Carolina, hereby certify that John T. Cashett & C. Donald Cann
personally appeared before me this day and acknowledged the due execution of the foregoing instrument.
Witness my hand and notarial seal, this the 27 day of August, 2018.

JANICE H. HALL
Notary Public Signature

11-17-2021
Commission Expiration

I 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]
Signature of Property Owner or Authorized Representative

8/28/18
Date

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

OFFICE USE ONLY

Date Received: 8/31/18 Application Number: 218-09 Fee: \$500.00

Received by Member of Staff: SP (Initials) Date of Payment: 8/31/18 Receipt Number: 18-08-31-00012

☒ COPY OF PLOT PLAN OR AREA MAP
☒ NOTARIZED AUTHORIZATION

☒ COPY OF DEED
☒ PAYMENT OF FEE

Date of Staff Review: 10/23/18 Date of Public Hearing: 10/23/18

Planning Board Review: 10/23/18 Recommendation: _____ Date: _____

Commissioner's Decision: _____ Date: _____

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) 139199

hereby give A. Taylor Davis (Name of Applicant) consent to execute this proposed action.

Rebecca R Shroff
(Signature)

9/19/18
(Date)

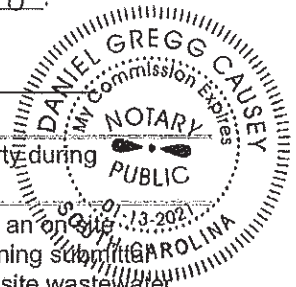
(Signature)

(Date)

I, Daniel Gregg Causey, a Notary Public of the County of Horry
State of North Carolina, hereby certify that Rebecca R Shroff
personally appeared before me this day and acknowledged the due execution of the foregoing instrument.
Witness my hand and notarial seal, this the 19th day of September, 2018.

Daniel Gregg Causey
Notary Public Signature

1-13-21
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**.

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Date Received: _____ Application Number: _____ Fee: _____

Received by Member of Staff: _____ Date of Payment: _____ Receipt Number: _____
(Initials)

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

- ☐ COPY OF DEED
☐ PAYMENT OF FEE

Date of Staff Review: _____

Date of Public Hearing: _____

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.

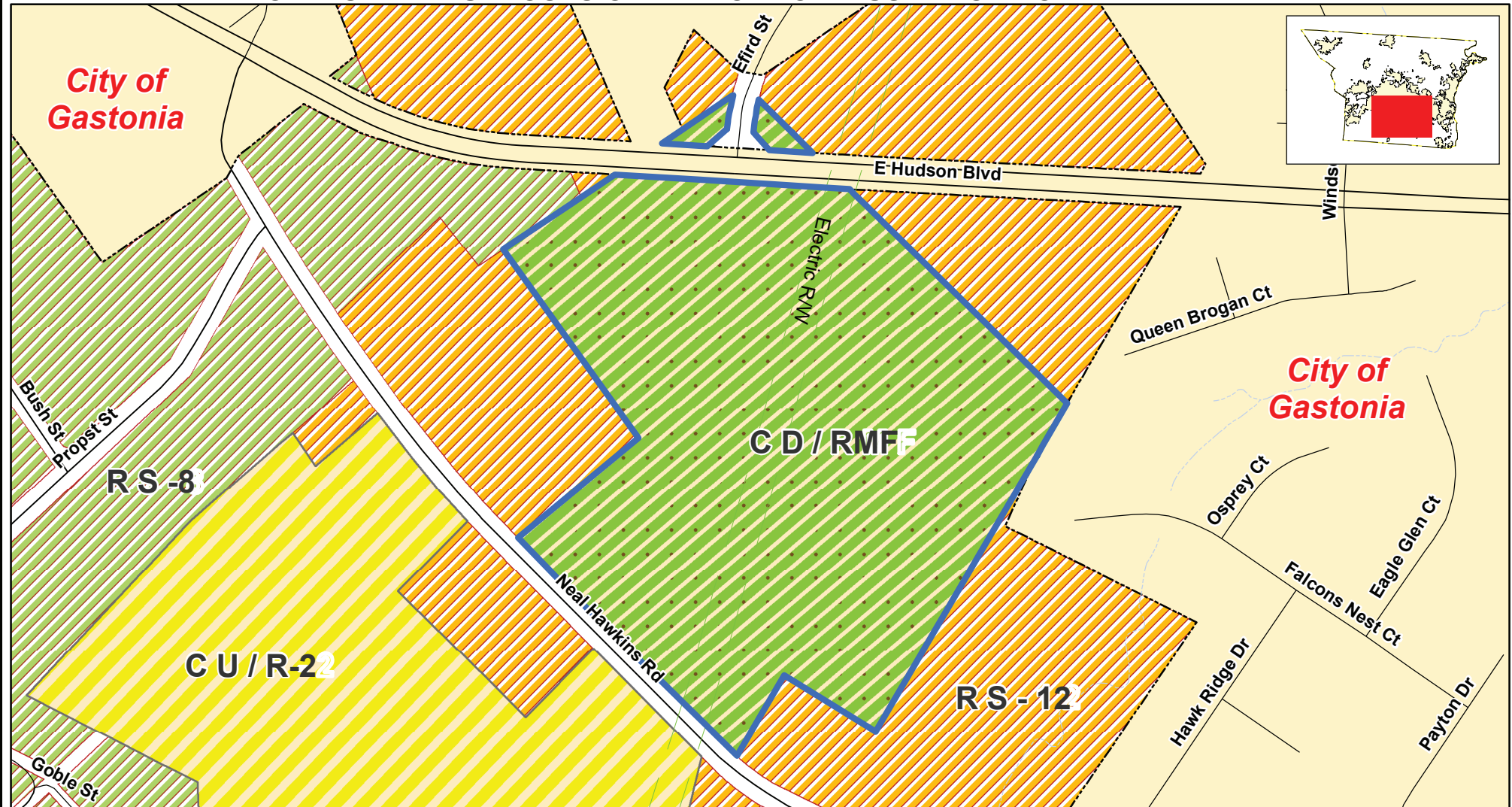
CURRENT ZONING:

(CD) CONDITIONAL ZONING DISTRICTS
The Conditional Zoning (CD) District process allows for the establishment of certain uses that, because of their nature or scale, have particular impacts on both the immediate area and the community as a whole. The development of these uses cannot be predetermined or controlled by general district standards. In order to accommodate these uses, this Section establishes the conditional zoning district process. The process for approval of a CD Zoning District is explained in Section 5.16.5. The rezoning of any parcel of land to a CD district shall be a voluntary process initiated by the property owner or his authorized agent. Any area rezoned to a CD district shall be in general compliance with the goals, objectives and implementation strategies of the adopted Comprehensive or Land Use Plan and all other plans and regulations officially adopted by the Board of Commissioners. The review process established in this Section provides for the accommodation of such uses by a reclassification of property into a CD district, subject to specific conditions (which may exceed those that would otherwise be required for the use in question), which ensure compatibility of the use with the enjoyment of neighboring properties and in accordance with the general plans of development of the County. A conditional zoning district is not intended for securing early zoning for a proposal. Once a property has been rezoned to a CD district, it shall be referenced with the letters “CD” in front of the name of the applicable general zoning district listed in Section 6.2. Thus, a property rezoned to a C-2 Conditional District shall appear on the Zoning Map as “CD / C-2”.
(RMF) RESIDENTIAL MULTI FAMILY
<u>(1) Uses allowed by right:</u> Dwelling, Single-Family; Essential Services Class 1; Recycling Deposit Station, Accessory
<u>(2) Uses allowed by right with supplemental regulations:</u> Automobile Hobbyist; Bona Fide Farms, Botanical Garden; Churches/ Place of Worship; Day Care Center, Class A; Day Care Center, Class B; Dwelling, Mixed Use; Dwelling, Two Family; Essential Services Class 2; Essential Services Class 4; Family Care Home; Flex Space; Home Occupation, Customary; Landfill, Beneficial Fill; Marina, Accessory; Multi Family Development; Park; Planned Residential Development (PRD); Planned Unit Development (PUD); Private Residential Quarters (PRQ); Produce Stand; Restaurant, within other facilities; Schools, Elementary & Middle (public & private); School, Senior High (public & private); Stadium; Telecommunication Antennae and Equipment Buildings; and Traditional Neighborhood Development (TND).
<u>(3) Uses allowed with a conditional use permit:</u> Library; Museum; Post Office; Transit Station
<u>(4) Uses allowed with a conditional use permit, with supplemental regulations:</u> Assisted Living Center; Bed and Breakfast Inn; Cemetery; Continuing Care Facility; Country Club; Day Care Center, Class B; Day Care Center, Class C; Essential Services Class 4; Fraternal & Service Organization Meeting Facility (non- or not for profit) 0-9,999 sq. ft. GFA; Golf Course, Golf Driving Range, Golf Miniature; Nursing Home, Rest Home; Park; Parking Lot; Recreation Center and Sports Center; Stadium
<u>(5) Existing Use subject to supplemental regulations:</u> Dwelling, Manufactured Home Class C; and Dwelling, Manufactured Home Class D, Manufactured Home Park.
<u>(6) By Conditional Zoning:</u> None
<u>(7) By Conditional Zoning with supplemental regulations:</u> Multi Family Development; Planned Residential Development (PRD); Planned Unit Development (PUD), Residential Infill Development; Traditional Neighborhood Development (TND)
<u>(8) By Special exception:</u> None
<u>(9) By Special exception with supplemental regulations:</u> Family Care Home

PROPOSED ZONING:

(RMF) RESIDENTIAL MULTI FAMILY
<u>(1) Uses allowed by right:</u> Dwelling, Single-Family; Essential Services Class 1; Recycling Deposit Station, Accessory
<u>(2) Uses allowed by right with supplemental regulations:</u> Automobile Hobbyist; Bona Fide Farms, Botanical Garden; Churches/ Place of Worship; Day Care Center, Class A; Day Care Center, Class B; Dwelling, Mixed Use; Dwelling, Two Family; Essential Services Class 2; Essential Services Class 4; Family Care Home; Flex Space; Home Occupation, Customary; Landfill, Beneficial Fill; Marina, Accessory; Multi Family Development; Park; Planned Residential Development (PRD); Planned Unit Development (PUD); Private Residential Quarters (PRQ); Produce Stand; Restaurant, within other facilities; Schools, Elementary & Middle (public & private); School, Senior High (public & private); Stadium; Telecommunication Antennae and Equipment Buildings; and Traditional Neighborhood Development (TND).
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<u>(8) By Special exception:</u> None
<u>(9) By Special exception with supplemental regulations:</u> Family Care Home

FOR DISPLAY PURPOSES ONLY - NOT TO BE USED FOR CONVEYANCE



This map is intended for use by the Gaston County Board of Commissioners, in the review of zoning change 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.

Gaston County does not make or imply and warranties or assume any responsibility for the information presented on this map. This map was prepared by the Department of Planning and Development Services.

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 undedicated and removed, areas with different zoning types will meet in the center of the area. Please see the Zoning Administrator for additional information.



GASTON COUNTY ZONING REVIEW MAP

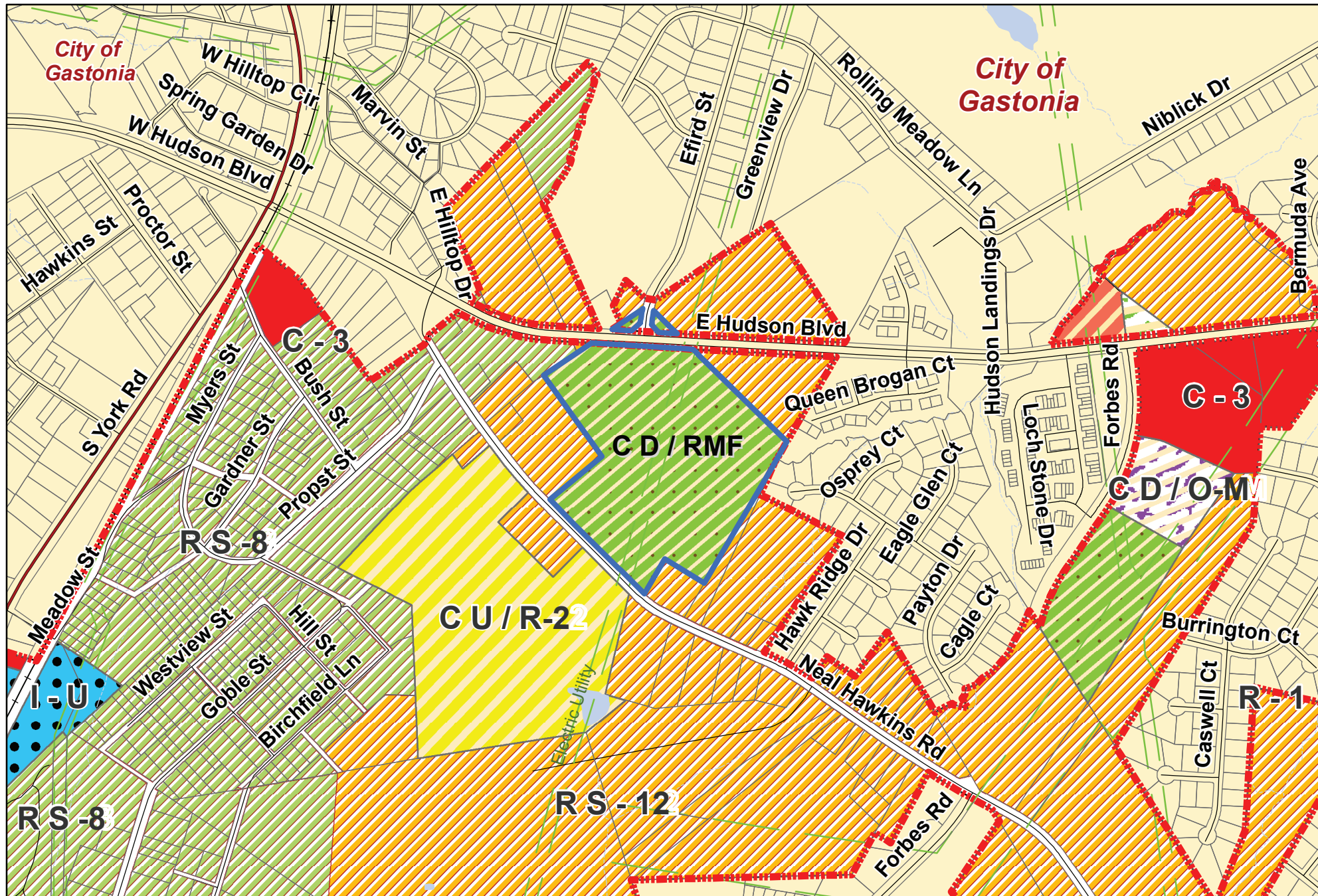
-  CD/RMF Conditional District/Residential Multi Family
-  RS-12 Residential 12,000 SQ FT
-  CU/R-2 Conditional Use/Single Family Moderate
-  RS-8 Single Family 8,000 SQ FT
-  Area of Consideration



0 85 170 340 510 680 Feet

Applicant: Z18-09
Tax Id: 139199
Request Re-Zoning From:
CD/RMF Conditional District/
Residential Multi Family
To: RMF Residential
Multi Family

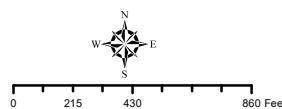
Map Date: 10/07/2018



GASTON COUNTY Zoning Map

"Applicant: Z18-09"

 Subject Area



CD/RMF Conditional District/Residential Multi Family
 CU/R-2 Conditional Use/Single Family Moderate
 RS-12 Single Family 12,000 SQ FT
 RS-8 Single Family 8,000 SQ FT
 C-3 General Commercial
 I-U Industrial Urban
 CD/O-M Conditional District/Office Medical



Gaston County North Carolina

Vicinity Map

Z18-09

Legend

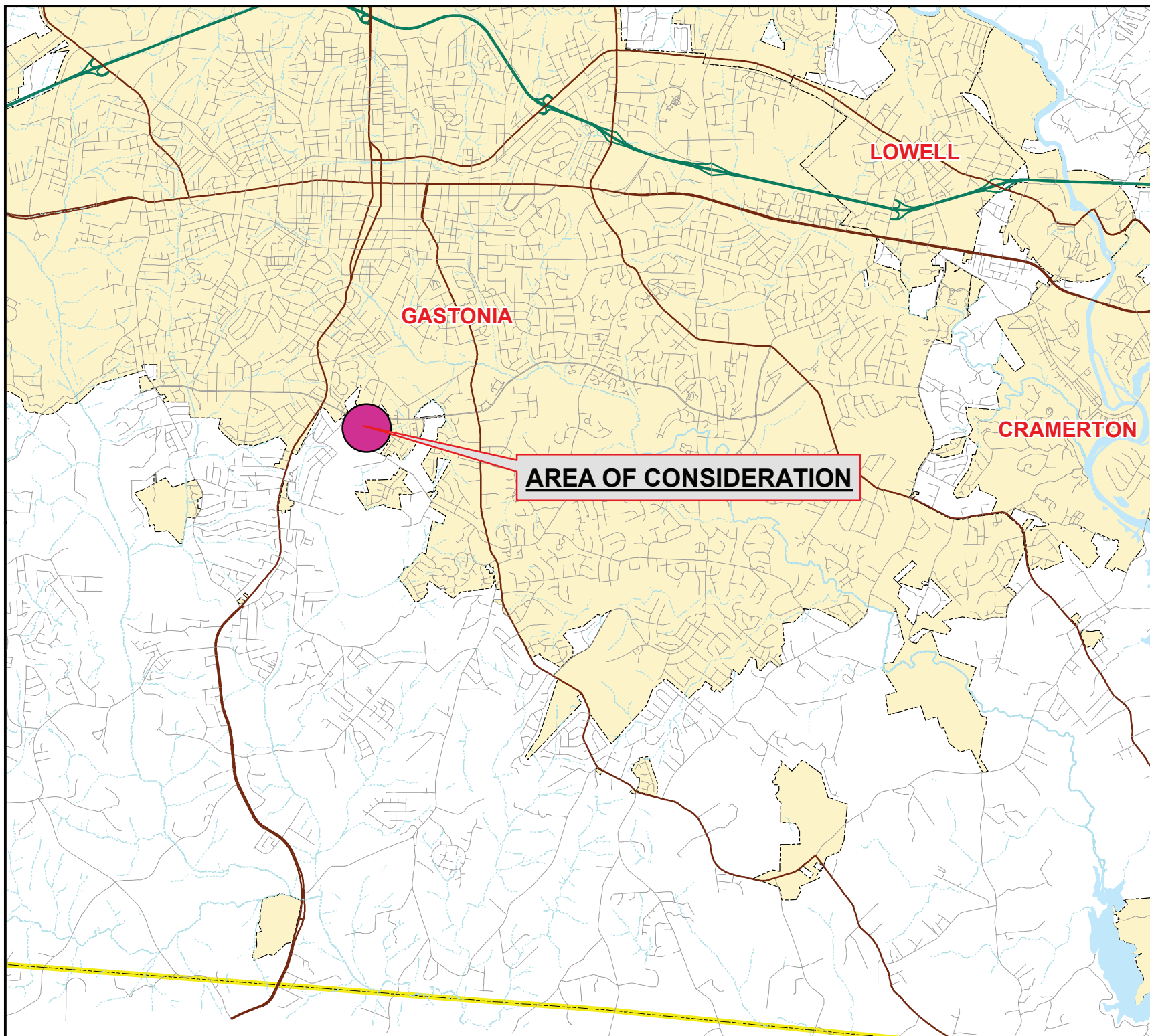
- Minor Roadways
- Major Roadways
- Area of Consideration
- Municipalities

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 152-10.



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Miles





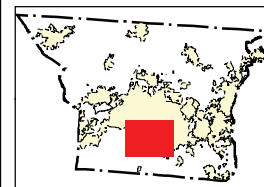
Gaston County Zoning Review Overview Map

2018 Pictometry

Z18-09

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.

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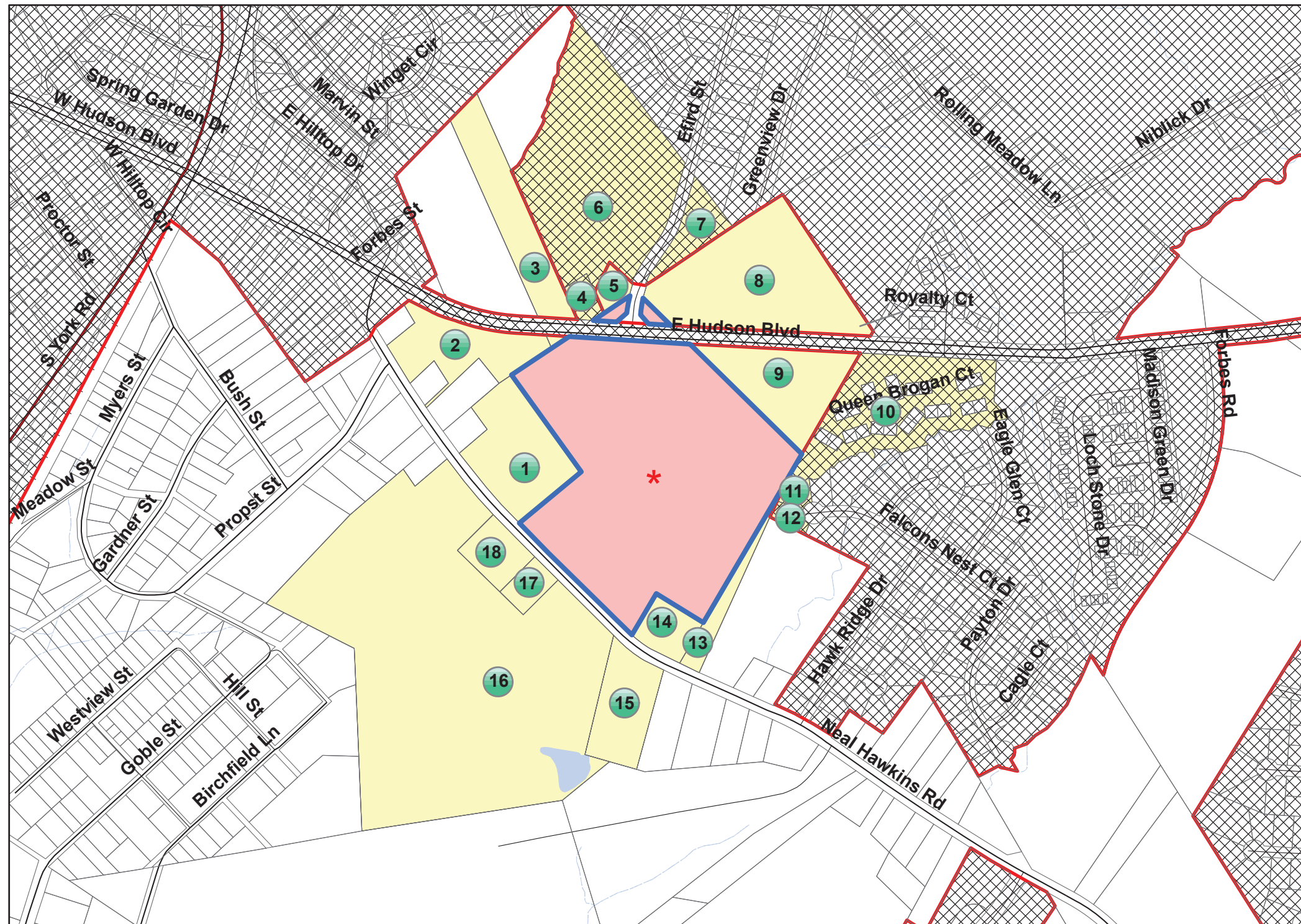
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0 150 300
Feet



Z18-09 Subject and Adjacent Properties Map

See reverse side for listing of property owners

* Subject Property

Z18-09 SUBJECT AND ADJACENT PROPERTIES

<u>NO:</u>	<u>PARCEL</u>	<u>OWNER NAME 1:</u>	<u>OWNER NAME 2:</u>	<u>ADDRESS</u>	<u>CITY</u>	<u>STATE</u>	<u>ZIP</u>
*	139199	C & C INVESTMENTS	L L RATCHFORD FAMILY LP	514 S UNION RD	GASTONIA	NC	28054
1	139198	PENTACOSTAL FREE WILL BAPTIST		P O BOX 1568	DUNN	NC	28335
2	139375	ZION BAPTIST CH GASTONIA INC		2437 PROPOST ST	GASTONIA	NC	28056
3	139191	SOUTH GASTONIA CHURCH OF GOD INC		310 CAROLINA AVE	GASTONIA	NC	28052
4	139186	NEW COVENANT FELLOWSHIP CH INC		631 EFIRD ST	GASTONIA	NC	28052
5	139193	NEW COVENANT FELLOWSHIP CH INC		631 EFIRD ST	GASTONIA	NC	28052
6	205479	NEW COVENANT FELLOWSHIP CH INC		631 EFIRD ST	GASTONIA	NC	28052
7	205480	WILSON DAVID A	WILSON KATHRYN P	1417 DAVIS PARK RD	GASTONIA	NC	28052
8	207133	RICE MARION DORIS & OTHERS		202 KENSINGTON CIR	PANAMA CITY BEACH	FL	32413
9	207134	WILSON DAVID A &	BECTION FRANK P	1316 W FRANKLIN BLVD	GASTONIA	NC	28052
10	212704	WINDSOR WOODS II CONDO ASSOC		P O BOX 3718	GASTONIA	NC	28053
11	139586	BASKETT CARRIE J	BASKETT MARK A	652 FALCONS NEST CT	GASTONIA	NC	28056
12	139585	GARRETT CECIL I	GARRETT FIANE D	659 FALCONS NEST CT	GASTONIA	NC	28056
13	139551	RGP FAMILY LIMITED PARTNERSHIP		P O BOX 188	GASTONIA	NC	28053
14	139197	PEARSON LISA BUTLER	PEARSON CLINT WARREN	624 NEAL HAWKINS RD	GASTONIA	NC	28056
15	139200	NC DIST COUNCIL ASSEMBLIES OF GOD INC		P O BOX 459	SELMA	NC	27576
16	139183	NC DIST COUNCIL ASSEMBLIES OF GOD INC		P O BOX 459	SELMA	NC	27576
17	139184	HAYES MARIANNE M	THROWER TERRY	611 NEAL HAWKINS RD	GASTONIA	NC	28056
18	139179	KATELEY DAVID BRIAN	KATELEY SHELLEY	609 NEAL HAWKINS RD	GASTONIA	NC	28056