

# GASTON COUNTY REZONING APPLICATION (REZ-23-08-02-00158)

## STAFF REPORT

APPLICATION SUMMARY	
<b>Request:</b>	
To conditionally rezone the property from the (R-1) Single Family Limited Zoning District to the (CD/RS-8) conditional zoning district.	
<b>Applicant(s):</b>	<b>Property Owner(s):</b>
Paul Shriver Thomas Springs	Thomas Worth Springs III Howard F Walls Revocable Trust Westview LTD Hollyday Havens LLC
<b>Parcel Identification (PID):</b>	<b>Property Location:</b>
180092 181214 181225 199264 202690 210290 225889 312830 *312831  <i>*PID 312831 – Is included in the site plan, however, because it is within the municipal and zoning limits of the City of Mount Holly, the County cannot rezone it</i>	Access to the site is off of Catawba Ave. in Mount Holly – the site is just outside of the city limits
<b>Total Property Acreage:</b>	<b>Acreage for Map Change:</b>
Approx. 135.67 acres	Approx. 135.67 acres
<b>Current Zoning:</b>	<b>Proposed Zoning:</b>
(R-1), (RS-12), with (US) overlay	(CD/RS-8) with (US) overlay
<b>Existing Land Use:</b>	<b>Proposed Land Use:</b>
Vacant	Planned Residential Development

COMPREHENSIVE LAND USE PLAN
<b>Area 3: Riverfront Gaston / Northeast Gaston</b>
Key issues for citizens in this area include: preservation of open space, road improvements and better connectivity, increased job opportunities, maintaining the rural “feel” of the area, and increased commercial opportunities
<b>Comprehensive Plan future Land Use:</b>
Suburban Development – these areas envision significant single-family residential areas that exist around commercial pockets representing a standard suburban center. Suburban centers can also include multi-family houses and support services as well.
<b>Staff Recommendation:</b>
Application, as presented, is consistent with the Comprehensive Land Use Plan.

## UTILITIES AND ROAD NETWORK INFRASTRUCTURE

### Water/Sewer Provider:

Private Systems

### Road Maintenance:

Catawba Ave. is owned and maintained by the North Carolina Department of Transportation (NCDOT) – all proposed internal roads have been reviewed by the NCDOT. Final approval for road designs would be completed during construction review.

### Technical Review Committee (TRC) comments provided by Gaston Lincoln Cleveland Metropolitan Planning Organization (MPO)

The site plan was sent to the TRC at the initial submission and after the site plan had received approval for presentation purposes from the Planning and Zoning department.

- A copy of the GCLMPO's standard letter has been included in the staff packet.
- GEMS – increase in units will lead to an increase in call volume and need for resources
- Watershed Administrator – Site has been reviewed and it was determined that watershed regulations are being met with the current design as the proposed density is not exceeding two dwelling units per acre

## ANALYSIS, RELIEFS, AND CONDITIONS OF APPROVAL

Regulation	Required	Proposed
Section 8.1.11	A.1 – served by a public or community water and sewer system	The development team has proposed an internal and private water and sewer system to be maintained by a private utility company. The general location of the utilities infrastructure is shown on the site plan. An exhibit on what is being proposed has been included for review.
	A.2 Density – The Conditional District max density allowed for the (RS-8) zoning district is 8 dwelling units to the acre	The applicant is proposing 1.85 du/a with a total of 251 lots
	A.3 – Max height is three stories and not to exceed 45'	No relief is being requested for max building height
	A.4 – Allowed/Required Housing Types – Each PRD must contain at least two housing types	The applicant has proposed a mix of two housing types: single-family detached and single-family attached (townhomes)
	A.5- Gross Acreage – required three acres, except 5 acres are required in the (R-1), (R-2), and (R-3) districts	Gross acreage requirement has been met
	A.6 – Open Space – at least 20% of the gross acreage of the PRD shall be open space  30% of COS shall be improved	The site plan shows 60.99% open space which equals 85.36 acres dedicated toward active and passive open space

		Active open spaces proposed include a walking trail, amenity center with pool and playground, and a sports field
	A.7 – requirement for the Conditional Rezoning process	This is the process for this application
	A.8 – Off-street parking – Administrator’s Discretion	<p><b>Proposed Condition</b> - Staff has proposed a condition requiring parking signage throughout the development to be reviewed during construction review.</p> <p>Development team has proposed driveways made of hard-surface and each dwelling unit shall have a minimum 2-car driveway in addition to a garage</p> <p>An additional condition has been proposed by the development team that states the garages will not project more than two feet in front of the front door and will have windows, paneling, carriage style design and other treatments</p>
	<p>A.9 – Screening – A minimum Tye B screening is required at the fringes of the PRD</p> <p>“fringes” – typically the closest area of the PRD to the rest of the community</p>	The site plan has a mix of 25’ to 50’ undisturbed buffer areas along the perimeter of the development site
	<b>A.10 – Sidewalk, Curb, and Gutter</b>	<p>The development is proposing to have sidewalk, curb, and gutter that will need to be approved by and constructed to NCDOT’s standards</p> <p>Road typicals can be found on page 2 of the site plan</p>
Lot Standards	<p><b>(RS-8) Lot requirements:</b>  Min. lot size: 8,000 sqft.  Front: 30’  Side: 7’  Rear: 20’</p>	<p><b>Relief Requested –</b></p> <p>Multiple Lot Widths:</p> <ul style="list-style-type: none"> <li>- 22’ wide for townhomes</li> <li>- 52’-62’ wide for detached homes</li> </ul> <p>Proposed Lot Size: 6,000 sqft.</p>

		<p>Front: 20'</p> <p>Rear: 25'</p> <p>Side: 6' with an additional 10' for corner lots</p> <p>Road Frontage: Applicant is requesting a minimum of 35' road frontage for single family lots and 22' for townhome lots.</p> <p>Note: The minimum lot width will still need to be established at the front setback line.</p>
Architecture	<p><i>*Note – General statutes prohibit local governments from applying any regulations relating to “building design elements” to structures that are subject to the North Carolina Residential Cod for one- and two-family dwellings unless the regulations are voluntarily consented to by the owners</i></p>	<p>The proposed architecture and design notes will all be treated as reliefs as the supplemental regulations for Planned Residential Developments have notes regulations for materials, roof pitch, porch size building facades, and garage locations</p> <p>The applicant has proposed a mix of materials for the facades of the homes. Aluminum and vinyl are excluded as a proposed siding material but may be used for trim, windows/doors or overhangs.</p>
Traffic Impact Analysis	<p>The UDO requires that a traffic impact analysis be completed if a project is expected to add 1 more than 1,000 vehicles per day to the road network.</p>	<p>The applicant’s team had a TIA completed in October of 2023. Please note that is when this rezoning case was originally applied for. The delay in presenting the case was due to staff requesting more information on the proposed utility system.</p> <p>The TIA had two conclusions for mitigation: 100’ internal protected stem along access #1 on W. Catawba Ave. along with a single lane roundabout at access #2 – both have been included in the site plan</p>
Road Construction	<p>All roads shall be built to NCDOT standards and reviewed and inspected by NCDOT.</p>	<p>All roads in this project have been reviewed and approved by NCDOT. During construction review, the road specifications will be sent back to</p>

		NCDOT for final approval prior to construction and then reviewed during construction as well. Prior to signing off on final plats, staff will require a letter from NCDOT stating that they have reviewed and approved the design and construction of the roads.
<b>Proposed Conditions of Approval</b>		
<ol style="list-style-type: none"> <li>1. All notes included in the attached site plan shall be treated as conditions of approval.</li> <li>2. All site improvements (utilities, streets, sidewalks, and identified traffic mitigation infrastructure) shall be completed, inspected, and approved by the necessary agencies prior to a final plat being approved and executed. Infrastructure may be bonded to receive approval on a final plat, however, water and sewer infrastructure are not subject to bonding and must be installed, inspected, and approved by the necessary agencies before the final plat being signed. All necessary utility lines and infrastructure shall be underground, and their easements shall be shown on the final plat.</li> <li>3. All roads, driveways, and sidewalks shall be paved. Gravel may not be used for driveways, roads or streets. The Administrator may approve gravel for the proposed walking trail and access drives if requested by the developer during construction document review.</li> <li>4. The Developer shall apply for and acquire all required permits from NCDOT, NCDEQ, Natural Resources, and other required state and local permits.</li> <li>5. The Development shall establish a Homeowner's Association and submit the Covenant's Codes and Restrictions document to the County's Planning and Zoning staff for review prior to recording the associated documents. Details of who will be responsible for maintenance of the development should the homeowner's association be dissolved shall be included in the document. Immediately upon recording the CCRs and any other pertinent documents, the developer shall provide the recording information to staff for reference.</li> <li>6. The homeowner's association shall maintain all designated open space areas, ponds, street lighting, signage, easement access, water and sewer infrastructure, etc. At no point shall the county be liable for any maintenance of any infrastructure.</li> <li>7. The Administrator shall be allowed to approve minor changes to the site plan during the construction review process so long as the changes are minor in nature and the number of lots in the overall development is not increased.</li> <li>8. Signage shall be placed throughout the community restricting parking to one side of the road to allow adequate access by residents, service providers, and emergency services.</li> <li>9. The landscape plan on sheet RZ-5 shall be built out and inspected throughout the development process. All trees shown on the landscape plan shall be bonded prior to final plat approval.</li> <li>10. Residential neighborhood signs may be ground signs or monument signs. The primary entrance sign for the development may include masonry features, landscaping, lighting, water features, or decorative pillars. Architectural designs may be incorporated to emphasize the entrance as a "gateway" into the neighborhood. All features of the primary sign, not including landscaping, shall not exceed 20' in width or 8' in height.</li> </ol>		

## STAFF SUMMARY

**Prepared By: Jamie Mendoza Kanburoglu, Director of Planning and Zoning**

This project was initially presented to staff in 2023. After several site plan reviews, staff allowed the applicant's team to host the public information meetings (PIMs). PIMS were held in April 2024 and were well-attended. The site plan being presented today is very similar to the one presented at the PIMs in 2024. The delay in bringing this case before the board was due to the staff's request for more information on the community well and private sewer system. This site plan proposes the installation and maintenance of an on-site sewer package plant by a private utility company.

A copy of the sign-in sheets has been included in the staff report. The primary concerns expressed by attendees pertained to traffic, overall density, and the approval process. Staff were in attendance for both meetings and answered procedural questions only. The meeting was a "drop-in" style meeting, and the applicant's team made themselves available to answer any questions that were related to the site plan.

This property was part of an ETJ release in 2018 (2018-01), which is why a majority of the area is not included in the future land use maps in the UDO and why a portion of the site is still located in the city limits of Mount Holly. This is also the explanation for the multiple zoning districts on the overall site. Likely, the site was already zoned similar to the County's (RS-12) zoning district, and that's why that district is what was placed on the site.

The site recently underwent the subdivision process to clarify the property lines of the subject site. The portion of the land that is within Mount Holly's zoning district remains a separate parcel. It is essential to note that this parcel has only one access point for the development. No lots are proposed for this parcel.

Staff finds that the request is consistent with the goals and vision of the comprehensive land use plan.

## PLANNING BOARD RECOMMENDATION

**The Planning Board heard this request at their May 5, 2025 and voted to recommend approval of the request 5-4. Staff asked if the members who voted in opposition of the motion would be willing to share why they voted against the motion. The following was brought up:**

- **Mt. Holly being against the project**
- **Area is congested with traffic**
- **Environmental concerns with the floodplain and wetlands being so close to the wastewater treatment site**
- **Questions about who would serve the neighborhood for emergency services**

**Staff Follow Up:** Staff did follow up with the City of Mount Holly's Planning and Zoning staff to inquire as to why the project has not gone through with the city. The staff shared that they felt the project had gotten to a point where it was ready to be presented to their City Council. They shared they stopped hearing from the development team and seemed surprised to hear that the development team had filed a rezoning application with the County.

**Public comment was not held during the Planning Board meeting. The only people to present on the case were staff and the applicant's team. Questions from the board included:**

- **Confirmation of the proposed driveway lengths**
- **Confirmation of the proposed road typicals and ownership**
- **Lots widths and road frontage for proposed lots**
- **Operational and logistical questions regarding the proposed water treatment facility**
- **What Mt. Holly was requiring architecturally for the development**
- **Amenity Center**
- **Fire protection**
- **Signage**

**Attachments: application packet, maps, site plan, sewer treatment plant exhibit, GCLMPO Letter, TIA, PIM sign-in sheets, recombination plat**