Planning Board Item III- GENERAL PUBLIC HEARING INFORMATION (Rezoning – Z17-02)

Board of Commissioners/Planning Board Public Hearing Date February 14, 2017

General Rezoning Application-Z17-02 for Various Parcels

Request:	This is a request to rezone Parcel Number 155288 from the (C-3) General Commercial Zoning District to (C-1) Light Commercial Zoning District
Applicant:	C&D 2, LLC. (Diane M. Baldwin)
Property Owner:	C&D 2, LLC. (Diane M. Baldwin)
Mailing Address of Applicant:	119 Chestnut Lane, Gastonia, NC 28052

Site Information and Description of Area:

General Location:	460 Freedom Mill Road, Gastonia, NC 28052
Tax Parcel Number(s):	155288
Township:	Crowder's Mountain
Current Use of Property	Commercial
Total Acreage in Parcel(s):	1.8 acres
Acreage for Map Change:	1.8 acres
Current Zoning District(s):	(C-3) General Commercial
General Area Zoning Districts:	(C-3) General Commercial, (R-1) Single Family Limited, (US0) Urban Standards Overlay.
General/Adjacent Land Use(s):	residential, general commercial

Zoning District Information:

Current Zoning District(s):

C-3 GENERAL COMMERCIAL

The C-3 District is intended to accommodate the broadest array of commercial uses of all the commercial zoning districts, some of which are not allowed in any of the other commercial zoning districts. Like the C-2 district, the C-3 district is intended to accommodate the community's larger and most intense commercial developments (outside of the central business district) and is generally located within the Urban Standards Overlay District.

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.

2035 COMPREHENSIVE LAND USE PLAN:

Small Area Districts:

Southwest (Scenic Gaston) Key issues: open space preservation, road improvements and better connectivity, low to moderate growth, repurpose vacant buildings and facilities, increase commercial opportunities along major thoroughfares

STAFF COMMENTS: It is staff's opinion the request is consistent with the Comprehensive Land Use Plan.

TECHNICAL REVIEW COMMITTEE (TRC):

Request was reviewed by TRC for comment and general compliance with applicable regulations and provisions. The Technical Review Committee 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); Fire Marshall, etc. which reviews all land use proposals and site plans requiring Planning Board approval, and/or public hearing process.

NOTIFICATION:
Newspaper advertisement of public hearing was advertised in Gaston Gazette in accordance with County policy.

ZONING SIGN PLACED ON PROPERTY: February 3, 2017

MAIL NOTIFICATION:
Notice of the hearing was sent to adjacent property owners on February 3, 2017. Comments, if any, from the notification will be provided during public hearing.

INFORMATION ATTACHED:
Rezoning application (copy), proposed zoning district list of uses; vicinity map, zoning/subject area maps, aerial maps

TRANSPORTATION PLANNING INFORMATION:
Provided by GCLMPO (Gaston, Cleveland, Lincoln Metropolitan Planning Organization)

STAFF CONTACT:
Ron Smith, Development Services Planner (704) 866-3072), ron.smith@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 17 - 02

Applicant [X] Planning Board (Administrative) [ ] Board of Commission (Administrative) [ ] ETJ [ ]

A. *APPLICANT INFORMATION

Name of Applicant: C&D 2, LLC. (Diane M. Baldwin)
(Print Full Name)

Mailing Address: 119 Chestnut Lane, Gastonia, NC 28052
(Include City, State and Zip Code)

Telephone Numbers: 704-214-1214
(Area Code) Business (Area Code) Home

If the applicant and property owner(s) are not the same individual or group, the Gaston County Zoning Ordinance requires written consent form 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 as Applicant
(Print Full Name)

Mailing Address: _____
(Include City, State and Zip Code)

Telephone Numbers: _____
(Area Code) Business (Area Code) Home

C. PROPERTY INFORMATION

Physical Address or General Street Location of Property: 460 Freedom Mill Road, Gastonia, NC 28052

Parcel Identification (PID): #155288

Acreage of Parcel: 1.8 ac. +/- Acreage to be Rezoned: 1.8 ac. +/- Current Zoning: C-3

Current Use: Was a Restaurant now Storage/Shop Proposed Zoning: C-1

D. PROPERTY INFORMATION ABOUT MULTIPLE OWNERS

Name of Property Owner: _____
Mailing Address: _____
(Include City, State and Zip Code)
Telephone: _____ (Area Code)
Parcel: _____ (If Applicable)
(Signature)

Name of Property Owner: _____
Mailing Address: _____
(Include City, State and Zip Code)
Telephone: _____ (Area Code)
Parcel: _____ (If Applicable)
(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) _____ 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.

Diane McCuen Baldwin — *Signature of Property Owner or Authorized Representative*

1-10-17 — *Date*

OFFICE USE ONLY ***OFFICE USE ONLY*** ***OFFICE USE ONLY***

Date Received: 1-10-2017 Application Number: Z17-02 Fee: $500.00

Received by Member of Staff: DT (Initials) Date of Payment: 1-10-17 Receipt Number: _____

- [x] COPY OF PLOT PLAN OR AREA MAP
- [ ] NOTARIZED AUTHORIZATION
- [x] COPY OF DEED
- [x] 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 most 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.

C1 LIGHT COMMERCIAL

(1) Uses allowed by right:

ABC Store; Amusement & Sporting Facility, indoor; Amusement Arcade; Animal Grooming Service for household pet, indoor kennels; Art Gallery; Auditorium, Assembly Hall, Amphitheater, Community Center, <500 seats; Baseball Hitting Range; Building Material & Lumber Sales; Business Services; Check Cashing Establishment, closed 12AM to 5AM; Cleaning & Maintenance Service; Contractor's Office & Operation Center; Day Care Center, Accessory; Dwelling, Single Family; Electric, Heating, Air conditioning, Ventilating, Plumbing Supplies & Equipment Sales; Essential Services Class 1; Essential Services Class 4; Exterminators Office; Farm Supply Store, with outdoor storage; Farm Supply Store, without outdoor storage ; Financial Institution (excluding principal use ATMs); Food Pantry; Food Store, 0-9,999 sqft GFA; Funeral Homes; Furriers; Game Room; Glass & Mirror Shop; Grooming Services; Gunsmith, Gun & Ammunition Sales; Hardware Store; Health Club, Spa Gymnasium (principle use); Laboratories – Dental, Medical; Lawn & Garden Center; Library; Medical Offices, 0-49,999sqft GFA; Monument Sales; Museum; Offices, excluding Medical, 0-49,999sqft GFA; Personal Business Services; Photo Finish Laboratory; Post Office; Recycling Deposit Station, accessory; School for the Arts; Sign Shop; Upholstery Shop

(2)Uses allowed by right with supplemental regulations:

Animal Hospital, indoor kennel; ATM (Automated Teller Machine); Auction House; Automobile Hobbyist; Automobile Repair Shop; Automobile Service Station; Automobile, Truck , Boat, Motorcycle, Manufactured Home, Recreational Vehicle Sales & Rental; Bed and Breakfast Inn; Bona Fide Farms; Car Wash, Self Service; Church / Place of Worship; Club, private (without adult entertainment); Convenience Store, closed 12AM to 5AM; Day Care Center Class A; Day Care Center Class B; Day Care Center Class C; Dwelling, Mixed Use; Dwelling, Two Family; Essential Services Class 2; Family Care Home; Flea Market, indoor; Flex Space; Food Catering Facility; Fraternal & Service Organization Meeting Facility (non- or not- for profit), 0-9,999sqft GFA; Fraternal & Service Organization Meeting Facility (non- or not- for profit), 10,000+ sqft GFA; Golf Course, Golf Driving Range, Golf Miniature; Health & Behavioral Care Facility; Home Occupation, Customary; Home Occupation, Rural; Landfill, Beneficial Fill; Laundromat, closed 12AM to 5AM; Lounge / Nightclub; Machine, Metal, Wood Working, Welding Shop; Manufactured Goods, class 1; Maternity Home; Multi Family Development; Nursery (Garden); Nursing Home, Rest Home; Paint Ball Facility; Park; Parking Lot; Planned Residential Development (PRD); Planned Unit Development (PUD); Private Residential Quarters (PRQ); Produce Stand; Recreation Center & Sports Center; Recycling Deposit Station, principle use; Residential Infill Development; Restaurant; Restaurant, with drive thru; Restaurant, within other facilities; Retail, 0-24,000sqft GFA; School, Elementary & Middle (public / private); School, Senior High (public / private); Shopping Center, 0-24,999 sqft GFA; Shopping Center, 25,000-49,999 sqft GFA; Stadium; Swimming Pool, Sales, Service & Supplies; Telecommunication Antennae & Equipment Buildings; Traditional Neighborhood Development (TND)

(3)Uses allowed with a conditional use permit:

Billiard Parlor; College / University; Food Store, 10,000+ sqft GFA; Medical Offices,50,000-99,999sqft GFA; Offices, excluding Medical, 50,000-99,999sqft GFA; Transit Station

(4)Uses allowed with a conditional use permit, with supplemental regulations:

Amusement & Sporting Facility, Outdoor; Animal Hospital, indoor kennel; Animal Hospital, outdoor kennel; Assisted Living Center; Auction House; Auditorium, Assembly Hall, Amphitheater, Community Center, 500 or more seats; Automobile Service Station; Body Piercing Establishment & Tattoo Parlor; Bus & Train Terminal, Passenger; Car Wash, Self Service; Club, Private (without adult entertainment); Convenience Store, open up to 24 hrs; Farmers Market; Flea Market, Outdoor; Food Catering Facility; Fraternal & Service Organization Meeting Facility (non- or not- for profit), 0-9,999sqft GFA; Fraternal & Service Organization Meeting Facility (non- or not- for profit), 10,000+ sqft GFA; Group Home; Health & Behavioral Care Facility; Hotel or Full Service Hotel; Laundromat, open up to 24 hrs; Lounge / Nightclub; Maternity Home; Mini-Warehouse; Park; Restaurant, with drive thru; Riding Stables; Rodeo / Accessory Rodeo; School, Vocation; Stadium; Telecommunication Tower & Facilities; Wood Waste Grinding Operation

(5) Existing Use subject to supplemental regulations:

Dwelling, Manufactured Home Class C; Dwelling, Manufactured Home Class D; Manufactured Home Park

(6) By Conditional Zoning: None

(7) By Conditional Zoning with supplemental regulations:

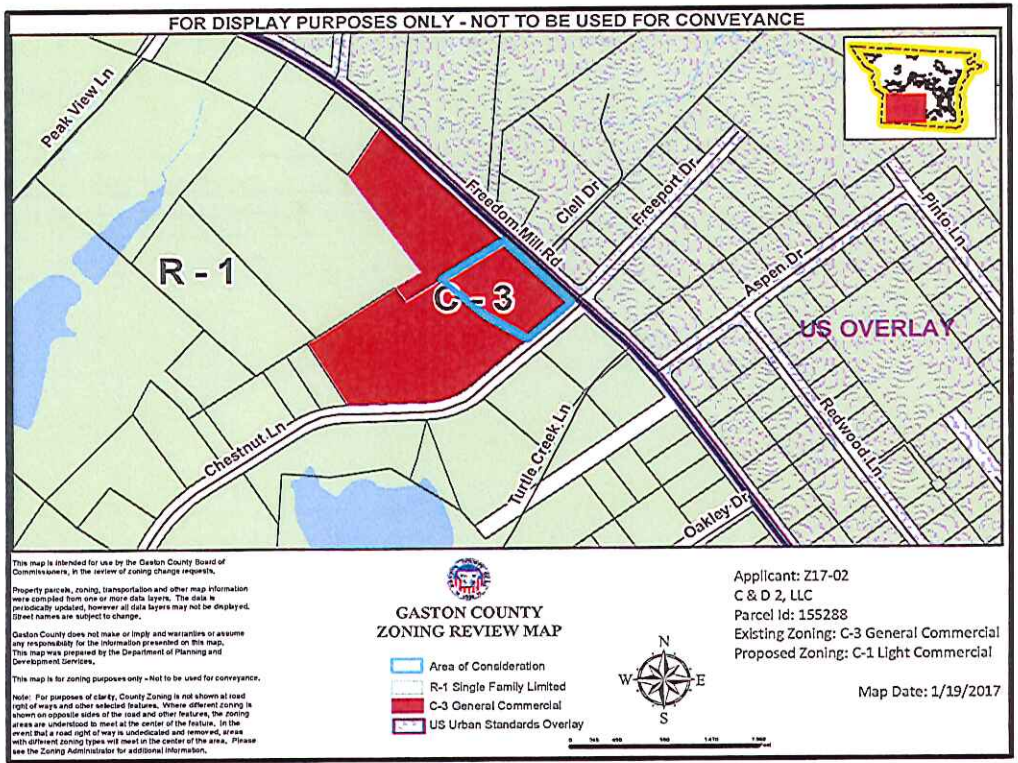
Multi Family Development; Planned Residential Development (PRD); Planned Unit Development (PUD); Residential Infill Development; Traditional Neighborhood Development (TND)

(8) By Special exception: None

(9) By Special exception with supplemental regulations:

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.

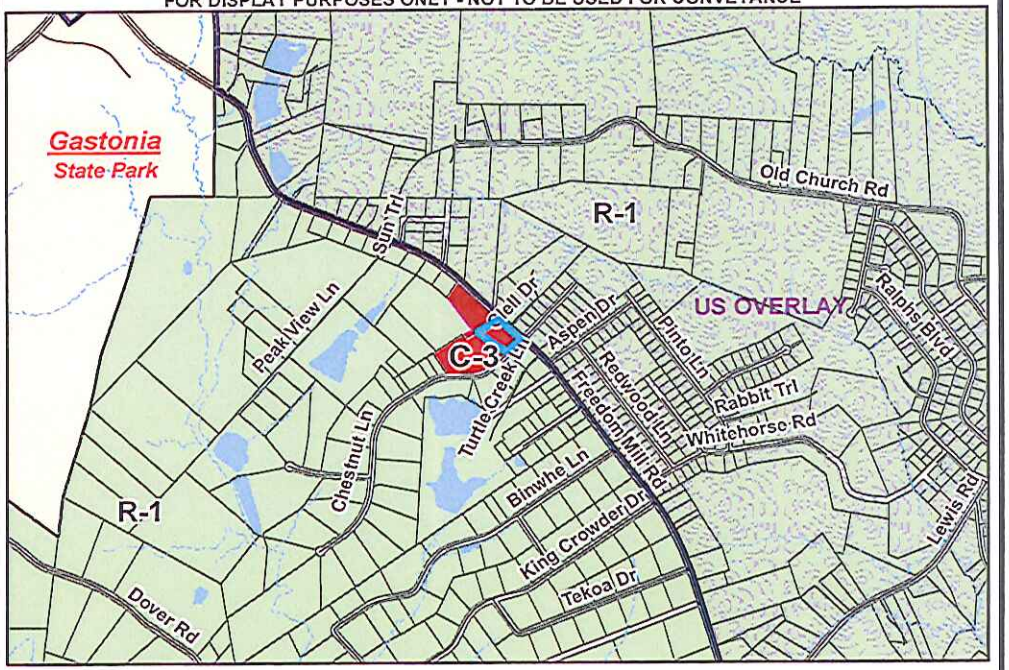
GASTON COUNTY
ZONING REVIEW MAP

- Area of Consideration
- R-1 Single Family Limited
- C-3 General Commercial
- US Urban Standards Overlay

Applicant: Z17-02
C & D 2, LLC
Parcel Id: 155288
Existing Zoning: C-3 General Commercial
Proposed Zoning: C-1 Light Commercial

Map Date: 1/19/2017

FOR DISPLAY PURPOSES ONLY - NOT TO BE USED FOR CONVEYANCE



GASTON COUNTY ZONING
"Applicant: Z17-02"

Subject Area

- R-1 Single Family Limited
- C-3 General Commercial
- US Urban Standards Overlay

Gaston County Zoning Review Overview Map

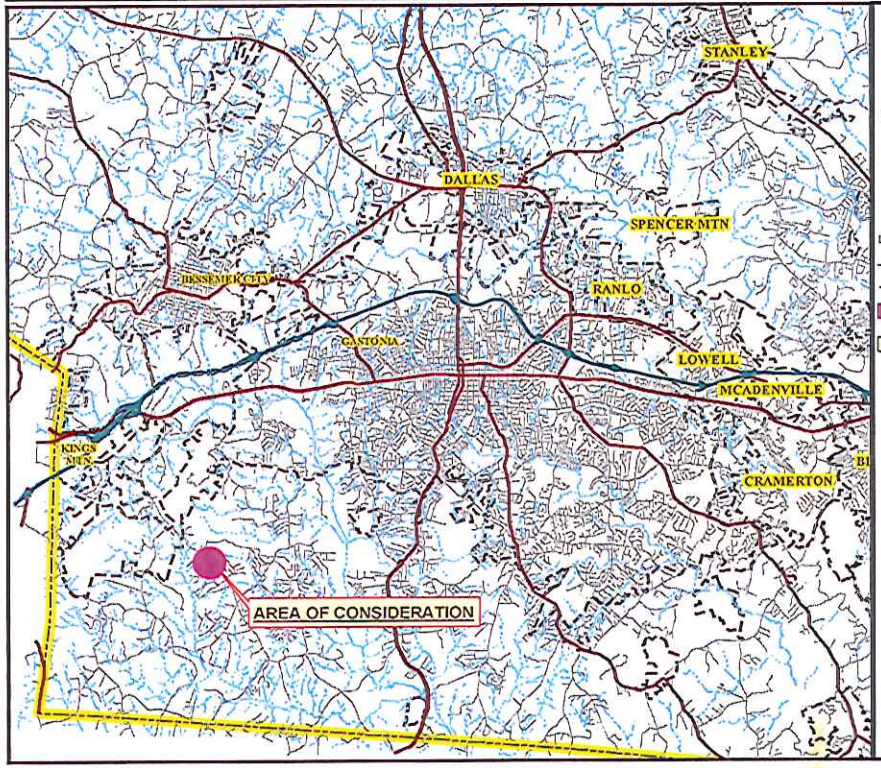
2015 Imagery

Z 17-02

Legend

- Subject Area
- Property Parcels

0 62,500' 125,000 Feet



Gaston County North Carolina

Vicinity Map

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 warrantees or assume any responsibility for the information presented on this map or its use.

This map may not be resold 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.

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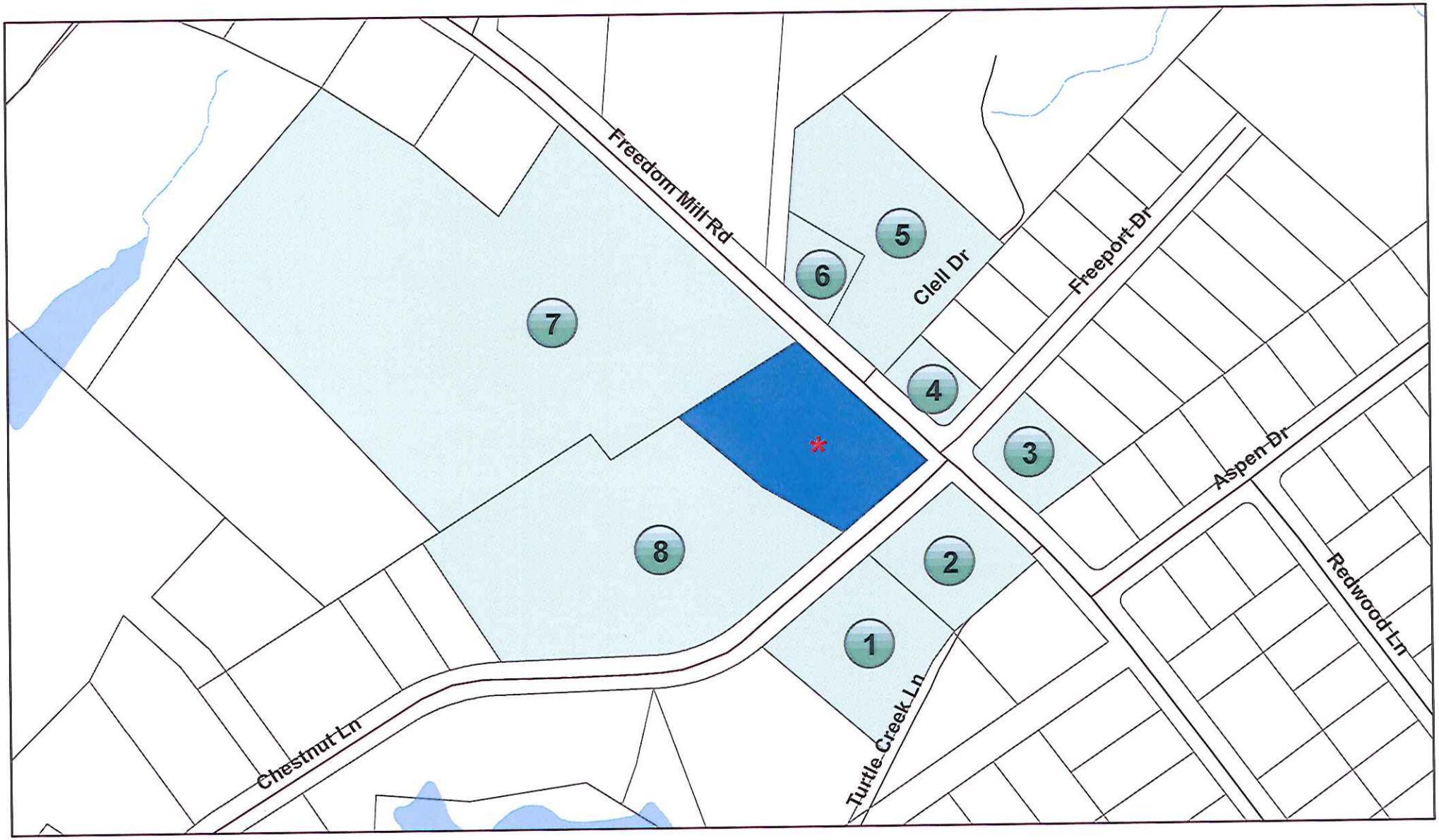

Z17-02 and Adjacent Properties

NO:	PARCEL	OWNER NAME	OWNER NAME 2	ADDRESS	CITY	STATE	ZIP
*	155288	C&D 2 LLC		119 CHESTNUT LN	GASTONIA	NC	28052-0000
1	155268	OVERTON ROGER LEE JR	OVERTON JILL WELLS	111 CHESTNUT LN	GASTONIA	NC	28052-0000
2	155267	CHAUDHARY YAQUB M	CHAUDHARY IRSHAD	11101 KEMP FORD DR	CHARLOTTE	NC	28262-0000
3	155558	MATHEWS JAMES R	MATHEWS CYNTHIA M	4318 FREEPORT DRIVE	GASTONIA	NC	28052-0000
4	155559	THOMAS LARRY A		4317 FREEPORT DRIVE	GASTONIA	NC	28052
5	155290	LANG TONY K	LANG JUNIE D	467 FREEDOM MILL RD	GASTONIA	NC	28052-0000
6	155293	LANG TONY K	LANG JUNIE D	467 FREEDOM MILL RD	GASTONIA	NC	28052-0000
7	155438	HICKS GARY DOUGLAS		454 FREEDOM MILL RD	GASTONIA	NC	28052-8534
8	210489	BADGER DAVID W	BADGER AMY L M	108 CHESTNUT LN	GASTONIA	NC	28052-7722