



RESOLUTION TITLE: ZONING MAP CHANGE: REZ-22-09-15-00128, APPALOOSA REAL ESTATE PARTNERS, LLC (APPLICANT); PROPERTY PARCEL: 192178 AND A PORTION OF 192169, LOCATED ON SOUTH POINT ROAD, BELMONT, NC, REZONE FROM (R-1) SINGLE FAMILY LIMITED WITH (US), (SV), AND (CH) OVERLAYS TO THE (C-3) GENERAL COMMERCIAL WITH (US), (SV), AND (CH) OVERLAYS

WHEREAS, a County Zoning Ordinance was adopted on April 24, 2008 and a public hearing was held on January 24, 2023 by the County Commission, to take citizen comment into a map change application, as follows:

Tax Parcel Number(s): 192178 and a portion of 192169
Applicant(s): Appaloosa Real Estate Partners, LLC
Owner(s): Harbor Inn/Brevard LLC
Property Location: South Point Road, Belmont
Request: Rezone from (R-1) Single Family Limited with (US), (SV), and (CH) Overlays to the (C-3) General Commercial with (US), (SV), and (CH) Overlays

public hearing comments are on file in the Commission Clerk's Office as a part of the minutes of the meeting; and,

WHEREAS, the Planning Board recommended approval of the map change for parcel ID 192178 and a portion of 192169 located on South Point Rd., Belmont, NC, from (R-1) Single Family Limited with (US), (SV), And (CH) Overlays to the (C-3) General Commercial with (US), (SV), and (CH) Overlays on January 9, 2023 based on: staff recommendation; and the request is reasonable and is in the public interest and the request is in accordance with the County's Comprehensive Land Use Plan. The proposed use is consistent with the vision and goals of the Comprehensive Land Use Plan (CLUP) as the future land use for this area is suburban development. Suburban development areas consist of single-family residential areas that exist around commercial pockets. The rezoning of this property from residential to commercial is harmonious with the existing commercial zones and uses in the immediate vicinity.

Motion: Sadler Second: Houchard Vote: Unanimous
Aye: Crane, Harris, Horne, Houchard, Sadler, Vinson
Nay: None
Absent: Brooks, Hurst, Magee
Abstain: None

DO NOT TYPE BELOW THIS LINE

I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows:

NO.	DATE	M1	M2	CBrown	CCloninger	AFrale	BHovis	KJohnson	TKelgher	RWorley	Vote
2023-002	01/24/2023	RW	AF	A	A	A	A	A	A	A	U

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A=AYE, N=NAY, AB=ABSENT, ABS=ABSTAIN, U=UNANIMOUS

Zoning Map Change: REZ-22-09-15-00128, Appaloosa Real Estate Partners, LLC (Applicant); Property Parcel: 192178 and a Portion of 192169, located on South Point Road, Belmont, NC, Rezone from (R-1) Single Family Limited with (US), (SV), and (CH) Overlays to the (C-3) General Commercial with (US), (SV), and (CH) Overlays

Page 2

NOW, THEREFORE, BE IT RESOLVED by the Gaston County Board of Commissioners, upon consideration of the map change application, public hearing comment and recommendation from the Planning Board and Planning staff, finds:

- 1) The map change request is consistent with the County's approved Comprehensive Land Use Plan. The proposed use is consistent with the vision and goals of the Comprehensive Land Use Plan (CLUP) as the future land use for this area is suburban development. Suburban development areas consist of single-family residential areas that exist around commercial pockets. The rezoning of this property from residential to commercial is harmonious with the existing commercial zones and uses in the immediate vicinity.

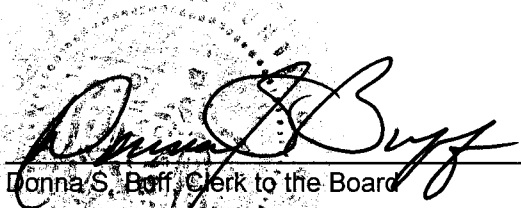
The Commission considers this action to be reasonable and in the public interest, based on: Planning Board recommendation and compatibility with existing land uses in the immediate area. Therefore, the map change request for Property parcel: 192178 and a portion of 192169, is hereby approved, effective with the passage of this Resolution.

- 2) The County Manager is authorized to make necessary notifications in this matter to appropriate parties.



Chad Brown, Chairman
Gaston County Board of Commissioners

ATTEST:



Donna S. Buff, Clerk to the Board

GASTON COUNTY REZONING APPLICATION (REZ-22-09-15-00128)

STAFF REPORT

APPLICATION SUMMARY

Request:

To rezone the property from the (R-1) Single Family Limited Zoning District with (US), (SV), and (CH) overlays to the (C-3) General Commercial Zoning District with (US), (SV), and (CH) overlays.

Applicant(s):

Appaloosa Real Estate Partners, LLC

Property Owner(s):

Harbor Inn/Brevard LLC

Parcel Identification (PID):

192178 and a portion of 192169

Property Location:

South Point Road, Belmont

Total Property Acreage:

12.394 acres

Acreage for Map Change:

6

Current Zoning:

(R-1) Single Family Limited with (US), (SV), and (CH) overlays

Proposed Zoning:

(C-3) General Commercial with (US), (SV), and (CH) overlays

Existing Land Use:

Vacant

Proposed Land Use:

General Commercial

COMPREHENSIVE LAND USE PLAN

Area 4:

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 the enhanced quality of life

Comprehensive Plan Future Land Use: Suburban Development

Suburban Development areas consist of significant single-family residential areas that exist around commercial pockets. Suburban centers are larger than rural centers and tend not to serve a significant civic or commercial purpose aside from immediate neighborhood needs.

Staff Recommendation:

The application, as presented, is consistent with the Comprehensive Land Use Plan.

UTILITIES AND ROAD NETWORK INFRASTRUCTURE

Water/Sewer Provider:

Private well / private septic

Road Maintenance:

North Carolina Department of Transportation

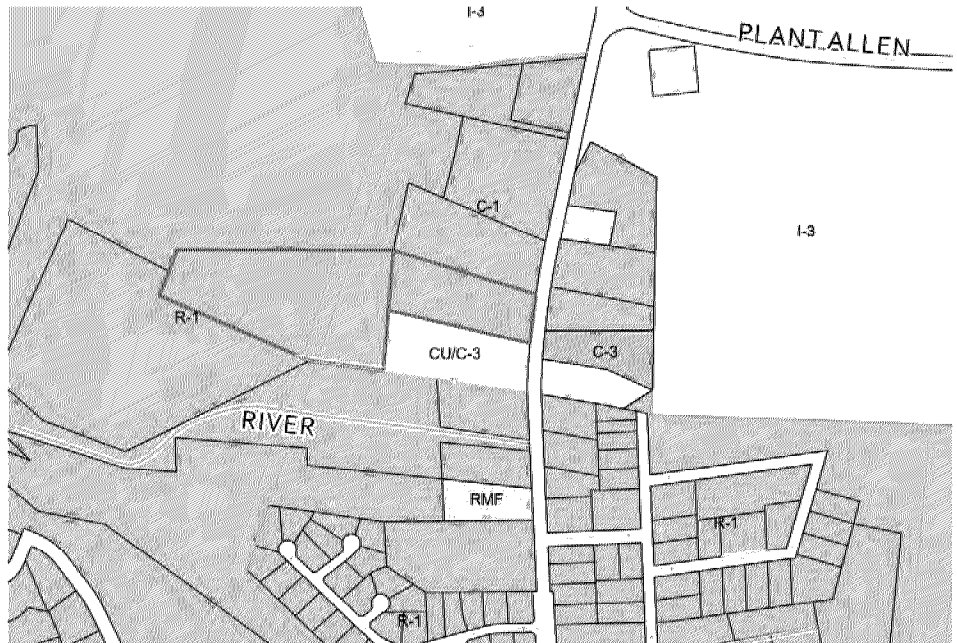
Technical Review Committee (TRC) comments provided by Gaston Lincoln Cleveland Metropolitan Planning Organization (MPO)

A copy of the comments provided by the GCLMPO has been included in the staff report.

STAFF SUMMARY

Prepared By: Jamie Mendoza Kanburoglu, Long Range Planner

This property is in the southern portion of the County on South Point Rd. in Belmont. It is located in a traditional commercial pocket. Existing commercial uses on South Point Rd. include storage spaces, landscape businesses, industrial, and convenience store.



The proposed zoning district is in line with what is envisioned by the Comprehensive Land Use Plan. This section of South Point Rd is already a natural commercial pocket in the center of a heavy residential portion of the county.

If approved, any uses allowed in the (C-3) General Commercial Zoning District would be permitted in accordance with standards and regulations as adopted in the Gaston County Unified Development Ordinance (UDO).

PLANNING BOARD RECOMMENDATION	
<p>1. Recommendation: The Planning Board recommends that the Board of Selectmen approve the proposed rezoning of the property from R-1 to R-2.</p> <p>2. Justification: The property is currently zoned R-1, which is a single-family residential zone. The proposed rezoning to R-2 is justified because the property is located in an area that is zoned R-2, and the rezoning is consistent with the Comprehensive Zoning Ordinance.</p> <p>3. Comments: The Planning Board has reviewed the proposed rezoning and has found that it is consistent with the Comprehensive Zoning Ordinance. The Planning Board has also reviewed the comments of the public and has found that they are consistent with the Comprehensive Zoning Ordinance.</p>	<p>4. Recommendation: The Planning Board recommends that the Board of Selectmen approve the proposed rezoning of the property from R-1 to R-2.</p> <p>5. Justification: The property is currently zoned R-1, which is a single-family residential zone. The proposed rezoning to R-2 is justified because the property is located in an area that is zoned R-2, and the rezoning is consistent with the Comprehensive Zoning Ordinance.</p> <p>6. Comments: The Planning Board has reviewed the proposed rezoning and has found that it is consistent with the Comprehensive Zoning Ordinance. The Planning Board has also reviewed the comments of the public and has found that they are consistent with the Comprehensive Zoning Ordinance.</p>

The Planning Board met in a regular session on January 9, 2023, and unanimously recommended approval of this request based on the following:

The proposed use is consistent with the vision and goals of the Comprehensive Land Use Plan (CLUP), as the future land use for this area is suburban development. Suburban development areas consist of single-family residential areas that exist around commercial pockets. The rezoning of this property from residential to commercial is harmonious with the existing commercial zones and uses in the immediate vicinity.

Attachments: Application, GCLMPO Review Letter, list of uses Allowed in (C-3), Survey of Zoning Area, Maps

Post Office Box 1748
Gastonia, North Carolina 28053
Phone (704) 866-6980

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

Memorandum

To: Jamie Mendoza Kanburoglu, Director of Planning and Zoning/
Building & Development Services
From: Julio Paredes, Planner
Date: Dec 7, 2022
Subject: GCLMPO Rezoning Review – South Point Rd - REZ-22-09-15-00128

Thank you for the opportunity to provide comments on a proposed rezoning within the Gaston-Cleveland-Lincoln Metropolitan Planning Organization (GCLMPO) planning area. My comments are based on review of the site plan in accordance with the adopted Comprehensive Transportation Plan (CTP), the 2050 Metropolitan Transportation Plan (MTP), and the current State Transportation Improvement Program (STIP).

The site is located at South Point Rd (Belmont). Parcel ID# 192178 and portion of 192169. On behalf of the GCLMPO, I offer the following comments:

1. According to the 2020-2029 STIP, there are no funded transportation improvement projects in the immediate vicinity of this site.
2. A proposed unfunded Boulevard Improvement to South Point Rd is included in the MPO's CTP. The typical cross section for a four-lane divided road involves a minimum of 100 ft. right-of-way. The existing right-of-way along South Point Rd is 60 ft.

The CTP does not include specific transportation projects or improvement schedules, but instead represents the status or completeness of the comprehensive transportation system that may be required to support anticipated growth and development.

By establishing the region's future transportation needs, the CTP offers an organized way to identify, and eventually prioritize, the transportation projects that may be built in the communities within the GCLMPO area.

CTP projects shown as "Needs Improvement" or "Recommended" could become a funded project in the future, part of a development project, or may never become a funded project.

3. A proposed widening improvement project at South Point Rd is included in the MPO's MTP as an unfunded project.

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4. The CTP shows bicycle facilities improvements along South Point Rd.
5. Please note that for any site plan that requires a driveway permit on an NCDOT roadway, or is adjacent to NCDOT roadways, the property owner/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.

Uses Allowed in the C-3 Zoning District

<small>X = Permitted use by right; CD = Conditional Zoning required; E = Existing use subject to limitations; SP = Special Use Permit required; s = Supplemental regulations listed in addition to</small>	
Use	C-3
Dwelling, Manufactured Home Class C	Es
Dwelling, Manufactured Home Class D	Es
Manufactured Home Park	Es
Abattoir Class 1	SP
Abattoir Class 2	SP
Aircraft Sales & Service	SP
Essential Services Class 3	SP
Offices, Excluding Medical, 100,000-199,999sqft GFA	SP
Offices, Excluding Medical, 200,000+sqft GFA	SP
Theater, outdoor movie	SP
Transit Station	SP
Check Cashing Establishment, Open Up to 24 hrs	SP
Marina, Commercial	SP
School, Elementary & Middle (public & private)	SP
School, Senior High (public & private)	SP
Septic Tank Cleaning Service	SP
Zoo	SP
Truck Stop	SP
Railroad Terminal & Yard	SP
Amusement Park	SP
Bus and Train Terminal, Passenger	SPs
Airport, Airstrip, Freight & Flying Service	SPs
Animal Kennel	SPs
Race Track, Large	SPs
Solid Waste & Septic Tank Vehicle Storage Facility	SPs
Telecommunication Tower & Facilities	SPs
Tower and/or Station, Radio & Television Broadcast	SPs
Animal Shelter	SPs
Farmers Market	SPs
Contractor's Office and Equipment / Storage Yard	SPs
Amusement and Sporting Facility, Outdoor	SPs
Animal Hospital (Outdoor kennel)	SPs
Auditorium /Assembly Hall / Amphitheater / Community Center, 500 or more seats	SPs
Camping and Recreational Vehicle Park	SPs
Continuing Care Facility	SPs
Correctional Facility	SPs
Motel	SPs
Retail, 100,000+sqft GFA	SPs
Rodeo / Accessory Rodeo	SPs
Shopping Center, 100,000+sqft GFA	SPs
Baseball Hitting Range	X
Farm Supply Store, with outdoor storage	X
Farm Supply Store, without outdoor storage	X
Business Services	X
Contractor's Office	X
Contractor's Office and Operation Center	X
Day Care Center, Accessory	X
Distribution / Wholesale / Storage Operation	X
Essential Services Class 1	X
Essential Services Class 4	X
Financial Institution (excluding principal use ATMs)	X
Heavy, Industrial, Farm Equipment Sales and Services	X
Laboratories - Dental, Medical	X
Medical Offices, 0-49,999sqft GFA	X
Medical Offices, 50,000-99,999sqft GFA	X
Offices, Excluding Medical, 0-49,999sqft GFA	X
Offices, Excluding Medical, 50,000-99,999sqft GFA	X
Post Office	X
Recycling Deposit Station, accessory	X

Sign Shop	X
Warehouse, 0-99,999sqft GFA	X
Warehouse, 100,000+sqft GFA	X
Electric, Heating, Air Conditioning, Ventilating, Plumbing Supplies & Equipment Sales	X
Photo finish Laboratory	X
Crematorium	X
Lawn and Garden Center	X
Monument Sales	X
Auction House	X
ABC Store	X
Amusement and Sporting Facility, Indoor (unless use specifically listed)	X
Amusement Arcade	X
Animal Grooming Service for household pet (indoor kennels)	X
Art Gallery	X
Bail Bond	X
Billiard Parlor	X
Bowling Lanes	X
Brew Pub	X
Check Cashing Establishment, Closed 12AM to 5AM	X
Cleaning & Maintenance Service	X
College / University	X
Conference / Retreat / Event Center	X
Exterminators Office	X
Food Pantry	X
Food Store, 10,000+sqft GFA	X
Furriers	X
Game Room	X
Glass & Mirror Shop	X
Grooming Services	X
Gunsmith, Gun & Ammunition Sales	X
Hardware Store	X
Health Club, Spa, Gymnasium (principal use)	X
Library	X
Museum	X
Personal Business Services	X
School for the Arts	X
Theater, indoor movie	X
Upholstery Shop	X
Moving & Storage Facilities	X
Building Material and Lumber Sales	X
Auditorium /Assembly Hall / Amphitheater / Community Center, Less than 500 seats	X
Food Store, 0-9,999sqft GFA	X
Funeral Homes	X
Automobile Repair Shop / Automobile, Truck Sales, Accessory	Xs
Automobile, Truck, Boat, Motorcycle, Manufactured Home, Recreational Vehicle Sales and Rental	Xs
Flea Market, Indoor	Xs
Flea Market, Outdoor	Xs
Automobile Body Shop / Automobile, Truck Sales, Accessory	Xs
ATM (Automated Teller Machine)	Xs
Automobile Hobbyist	Xs
Bona Fide Farms	Xs
Church / Place of Worship	Xs
Convenience Store, Closed 12AM to 5AM	Xs
Convenience Store, Open up to 24 hours	Xs
Electronic Gaming Operation	Xs
Essential Services Class 2	Xs
Flex Space	Xs
Machine, Metal, Wood Working, Welding Shop	Xs
Manufactured Goods, Class 1	Xs
Military Reserve Center	Xs

Mini-Warehouse	Xs
Parking Lot	Xs
Portable Toilet Service	Xs
Recycling Deposit Station, principal use	Xs
Restaurant	Xs
School, Vocation	Xs
Special Events Facility	Xs
Special Events Facility, Accessory	Xs
Telecommunication Antennae & Equipment Buildings	Xs
Telecommunication Tower, Freestanding Monopole, up to 199.9ft	Xs
Wood Waste Grinding Operation	Xs
Paint Ball / Laser Tag Facility	Xs
Assisted Living Center	Xs
Automobile Detail Shop	Xs
Breweries (including micro breweries and cideries)	Xs
Car Wash, Automatic	Xs
Cemetery	Xs
Charitable Service Facility	Xs
Country Club	Xs
Day Care Center, Class B	Xs
Day Care Center, Class C	Xs
Dwelling, Mixed Use	Xs
Golf Course; Golf Driving Range; Golf Miniature	Xs
Health and Behavioral Care Facility	Xs
Hotel or Full Service Hotel	Xs
Laundromat, Closed 12AM to 5AM	Xs
Laundromat, Open Up to 24 hrs	Xs
Maternity Home	Xs
Nursery (Garden)	Xs
Nursing Home, Rest Home	Xs
Produce Stand	Xs
Race Track, Small	Xs
Recreation Center and Sports Center	Xs
Retail, 0-24,999sqft GFA	Xs
Retail, 25,000-49,999sqft GFA	Xs
Retail, 50,000-99,999sqft GFA	Xs
Shopping Center, 25,000-49,999sqft GFA	Xs
Shopping Center, 50,000-99,999sqft GFA	Xs
Shopping Center,0-24,999sqft GFA	Xs
Swimming Pool, Sales, Service & Supplies	Xs
Tire Sales, new or used	Xs
Restaurant, within other facilities	Xs
Adult Establishments	Xs
Planned Unit Development (PUD)	Xs/CDs
Automobile Service Station / Automobile, Truck Sales, Accessory	Xs/SPs
Automobile Towing and Wrecker Service / Automobile, Truck Sales, Accessory	Xs/SPs
Bus Charter Service	Xs/SPs
Club, Private (without Adult Entertainment)	Xs/SPs
Commercial Vehicle and Truck Storage	Xs/SPs
Firing Range, Indoors, principal use	Xs/SPs
Lounge / Nightclub	Xs/SPs
Park	Xs/SPs
Restaurant, with drive thru	Xs/SPs
Animal Hospital, (Indoor kennel)	Xs/SPs
Car Wash, Self Service	Xs/SPs
Food Catering Facility	Xs/SPs
Fraternal & Service Organization Meeting Facility (non- or not-for profit), 0 - 9,999sqft GFA	Xs/SPs
Fraternal & Service Organization Meeting Facility (non- or not-for profit), 10,000+sqft GFA	Xs/SPs
Stadium	Xs/SPs



GASTON COUNTY
BUILDING AND DEVELOPMENT SERVICES

VICINITY MAP
REZ-22- 09-15-00128
South Point Road

Legend

- Roads
- - - Municipalities
- Subject Property

Although strict 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.



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GASTON COUNTY
BUILDING AND DEVELOPMENT SERVICES

ORTHOPHOTO MAP
REZ-22-09-15-00128

LEGEND

-  Subject Parcels
-  Property Parcels

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

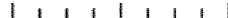
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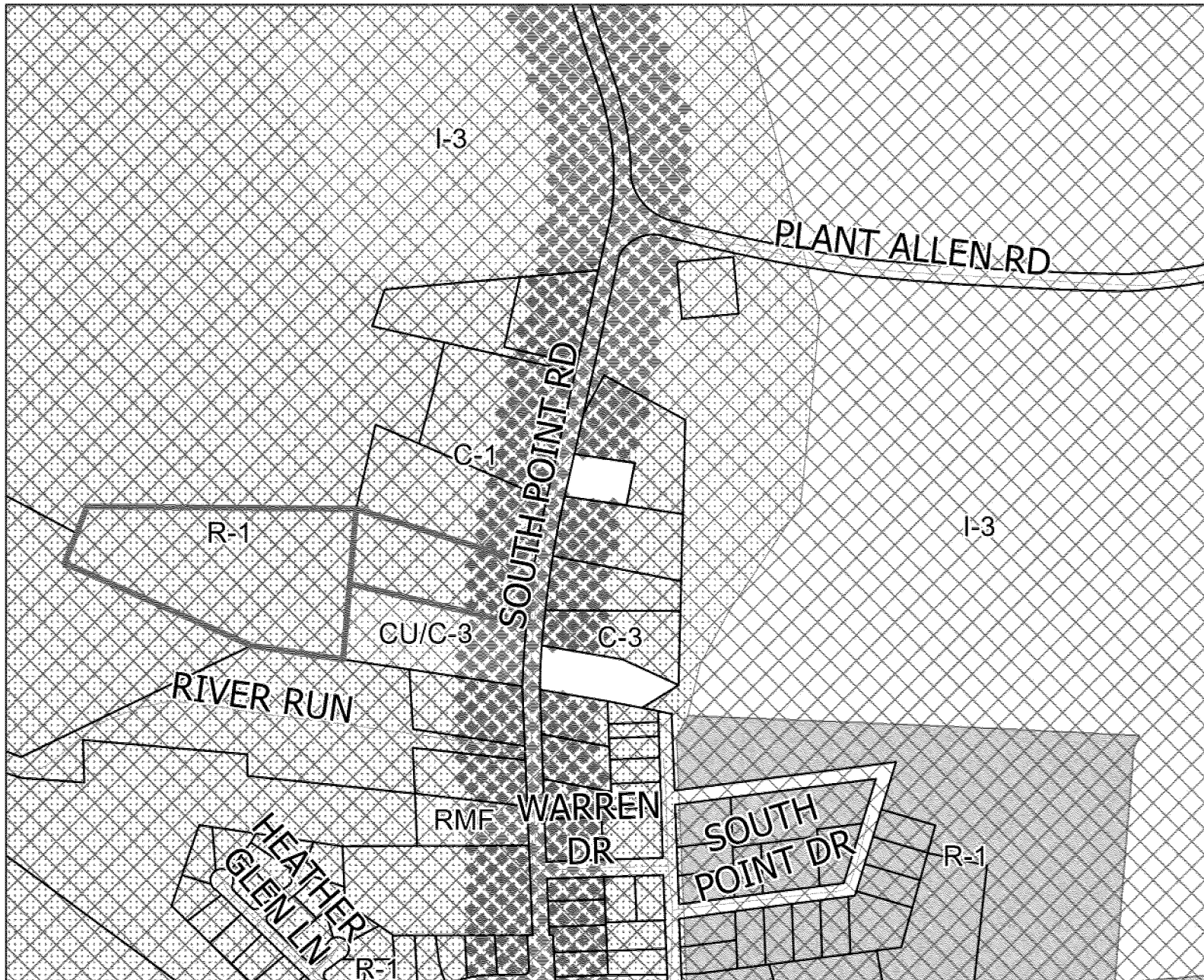
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This map is for zoning purposes only - Not to be used for conveyance.



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ZONING REVIEW MAP REZ-22-09-15-00128

Legend

Gaston County Overlays

TYPE

- ◆◆ CH OVERLAY
- ▨ SV OVERLAY
- ✂ US OVERLAY

Gaston County UDO

ZONE TYPE

- ▨ C-1
- ▨ C-3
- CU/C-3
- I-3
- ▨ R-1
- RMF
- Parcels
- Roads
- Gaston County Line
- ▨ Subject Parcels (South Point Rd.)



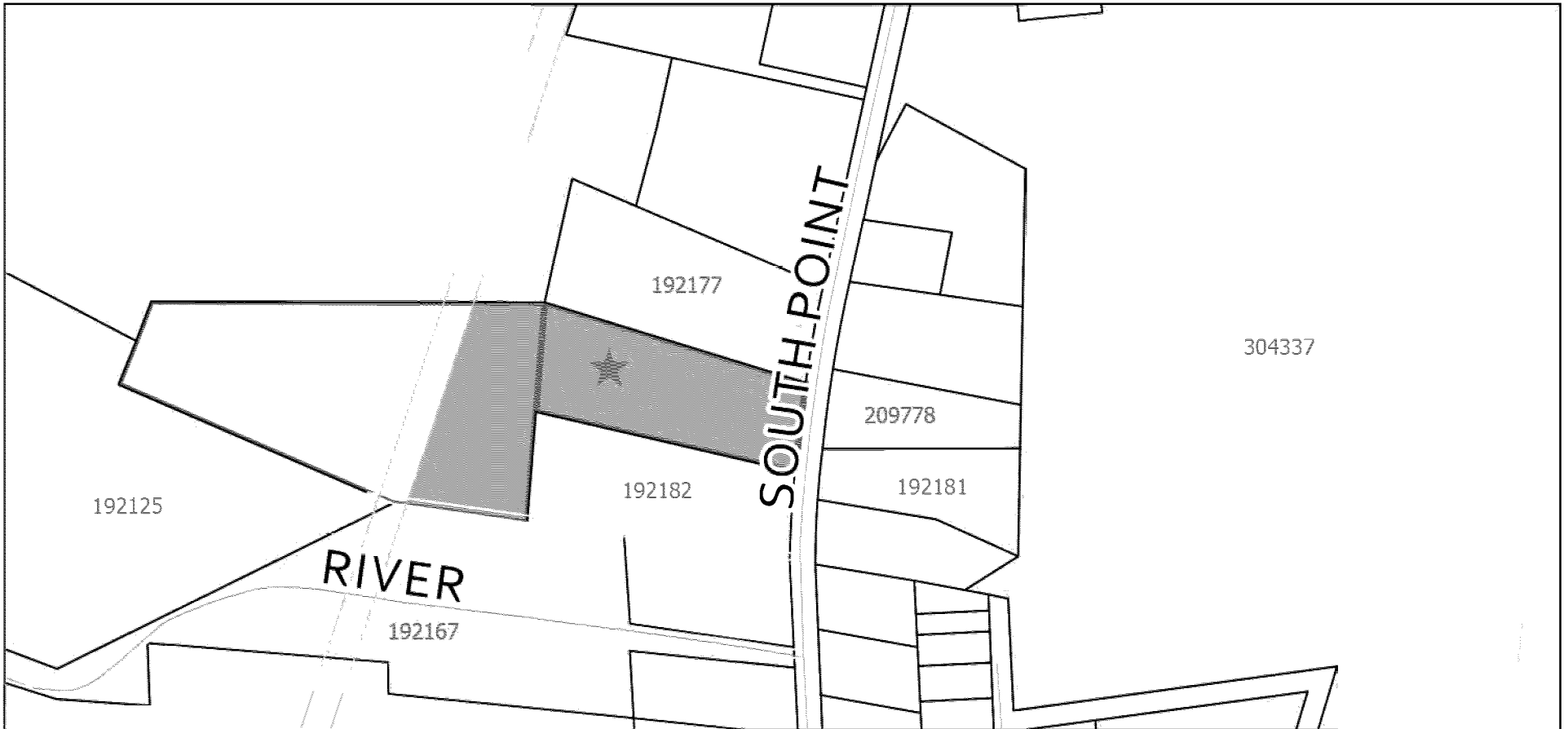
Miles

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Parcel ID 192178 and 192169 Adjacent Parcels and Property Owners

PARCEL ID	NAME	MAILING ADDRESS	CITY	STATE	ZIPCODE
192125	HARBOR INN/BREVARD LLC	301 AIRPORT ROAD SUITE 16	GREENVILLE	SC	29607
192167	HA-HOPE PROPERTIES LLC	6600 WILKINSON BLVD	BELMONT	NC	28012
192182	MURPHY DEBRA C	8430 CATAWBA COVE DR	BELMONT	NC	28012
192177	FOULK JOHN LEWIS	3317 HAWTHORNE LN	BELMONT	NC	28012
192181	CHOICE LANDSCAPING & SUPPLY	2329 SOUTH POINT RD	BELMONT	NC	28012
209778	MILLER KATHY ANN	PO BOX 1451	BELMONT	NC	28012
304337	DUKE ENERGY CORPORATION	422 S CHURCH ST	CHARLOTTE	NC	28242



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

Building and Development Services Board Action

File #: 22-548

Commissioner Worley - Building & Development Services - Zoning Map Change: REZ-22-09-15-00128, Appaloosa Real Estate Partners, LLC (Applicant); Property Parcel: 192178 and a Portion of Parcel 192169 Located on South Point Rd. in Belmont, NC, Rezone from the (R-1) Single Family Limited Zoning District with (US), (SV), and (CH) Overlays to the (C-3) General Commercial Zoning District with (US), SV, and (CH) Overlays

STAFF CONTACT

Jamie Kanburoglu - Director of Planning & Zoning - 704-862-5510

BACKGROUND

Chapter 5 of the Unified Development Ordinance requires a public hearing by the Commission, with recommendation by the Planning Board prior to consideration for final action by the Commission. Appaloosa Real Estate Partners, LLC (Applicant); Property Parcel: 192178 and a portion of parcel 192169 Located on South Point Rd. in Belmont, NC, Rezone from the (R-1) Single Family Limited Zoning District with (US), (SV), and (CH) Overlays to the (C-3) General Commercial Zoning District with (US), (SV), and (CH) Overlays. A public hearing was advertised and held on January 24, 2023 with Public Hearing comments being on file in the Board of Commission Clerk's Office. Planning Board recommendation was provided on January 9, 2023, and the Commission is requested to consider the public hearing comment, Planning Board recommendation and other pertinent information, then (approve), (disapprove) or (modify) the map change.

ATTACHMENTS

Resolution, Staff Report & Application Packet

DO NOT TYPE BELOW THIS LINE

I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows:

NO.	DATE	M1	M2	CBrown	CCLoninger	AFraley	BHovis	KJohnson	TKelghier	RWorley	Vote
2023-002	01/24/2023	RW	AF	A	A	A	A	A	A	A	U

DISTRIBUTION:

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