

Planning Board Item III – GENERAL PUBLIC HEARING INFORMATION (Z19-10)

General Rezoning Application Z19-10

Request: To rezone property parcel 212549 (part of) from the (R-1) Single Family Limited and (C-3) General Commercial Zoning Districts w/ (CH) Corridor Highway and (US) Urban Standards Overlays to the (C-3) General Commercial Zoning District w/ (CH) Corridor Highway and (US) Urban Standards Overlays

Applicant(s): BEATY and UNION LLC

Property Owner(s): BEATY and UNION LLC

Mailing Address of Applicant: 6428 Wilkinson Blvd., Suite 128, Belmont, NC 28012

Site Information and Description of Area

General Location: 4531 Beaty Rd. (Gastonia)

Parcel ID(s): 212549 (part of)

Total Property Acreage: 13.56 ac

Acreage for Map Change: 3.14 ac

Current Zoning District(s): (R-1) Single Family Limited, (C-3) General Commercial, (C-1) Light Commercial, (CH) Corridor Highway Overlay, (US) Urban Standards Overlay

General Area Zoning District(s): (R-1) Single Family Moderate, (C-3) General Commercial, (C-1) Light Commercial, (CH) Corridor Highway Overlay, (US) Urban Standards Overlay

Zoning District Information

Current Zoning District:

(R-1) Single Family Limited – The purpose of this district is to accommodate single family site built and modular construction. 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.

(C-3) General Commercial – The C-2 Highway Commercial district is primarily 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.

(CH) Corridor Highway Overlay District – The purpose of the CH District is to preserve and enhance the streetscape along designated corridor highways in Gaston County. A CH District may exist along the entire length of a roadway or along any identifiable segment of a roadway. Any CH District initially established shall contain a minimum length of at least one thousand (1,000) linear feet as measured along one side of a designated corridor highway. The CH District shall consist of all lots fronting on the corridor highway for a depth of two hundred-fifty (250) feet as measured from the centerline of the corridor highway (for a total width of five hundred (500) feet), unless otherwise indicated the Zoning Map. Although such corridor highways may vary in character, particular aspects of development along those roads raise common concerns and should be managed in a consistent way in order to preserve and enhance the streetscape.

(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-3) General Commercial – (see description above)

(CH) Corridor Highway Overlay – (see description above)

(USO) Urban Standards Overlay – (see description above)

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 preservation of open space; 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 / Rural Center

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 14, 2019

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, 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

Phone: (704) 866-3195

Mailing Address: P.O. Box 1578, Gastonia, N.C. 28053-1578

Fax: (704) 866-3966

GENERAL REZONING APPLICATION

Application Number: **Z 19-10**

Applicant ☒

Planning Board (Administrative) ☐

Board of Commission (Administrative) ☐

ETJ ☐

A. *APPLICANT INFORMATION

Name of Applicant: BEATY and UNION LLC

(Print Full Name)

Mailing Address: 6428 Wilkinson Blvd., Suite 128, Belmont, NC 28012

(Include City, State and Zip Code)

Telephone Numbers: (980)297-1033

(Area Code) Business

(Area Code) Home

Email: prafullapatel@att.net

** 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: BEATY and UNION LLC

(Print Full Name)

Mailing Address: 6428 Wilkinson Blvd., Suite 128, Belmont, NC 28012

(Include City, State and Zip Code)

Telephone Numbers: (980)297-1033

(Area Code) Business

(Area Code) Home

Email: prafullapatel@att.net

C. PROPERTY INFORMATION

Physical Address or General Street Location of Property: 4531 Beaty Rd. (Gastonia)

Parcel Identification (PID): 212549 (part of)

Acreage of Parcel: 13.56 +/- Acreage to be Rezoned: 3.14 +/- Current Zoning: (R-1)(C-3)(CH)(US)

Current Use: Residential Proposed Zoning: (C-3)(CH)(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.

Phyllis E. Peter
Signature of Property Owner or Authorized Representative

06/27/2019
Date

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

OFFICE USE ONLY

Date Received: 06/27/19

OFFICE USE ONLY

Application Number: 219-10

OFFICE USE ONLY

Fee: \$500.00

Received by Member of Staff: SP
(Initials)

Date of Payment: 06/27/19

Receipt Number: 1NU00008727

☒ 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.



Gaston County North Carolina

Vicinity Map

Z19-10

Legend

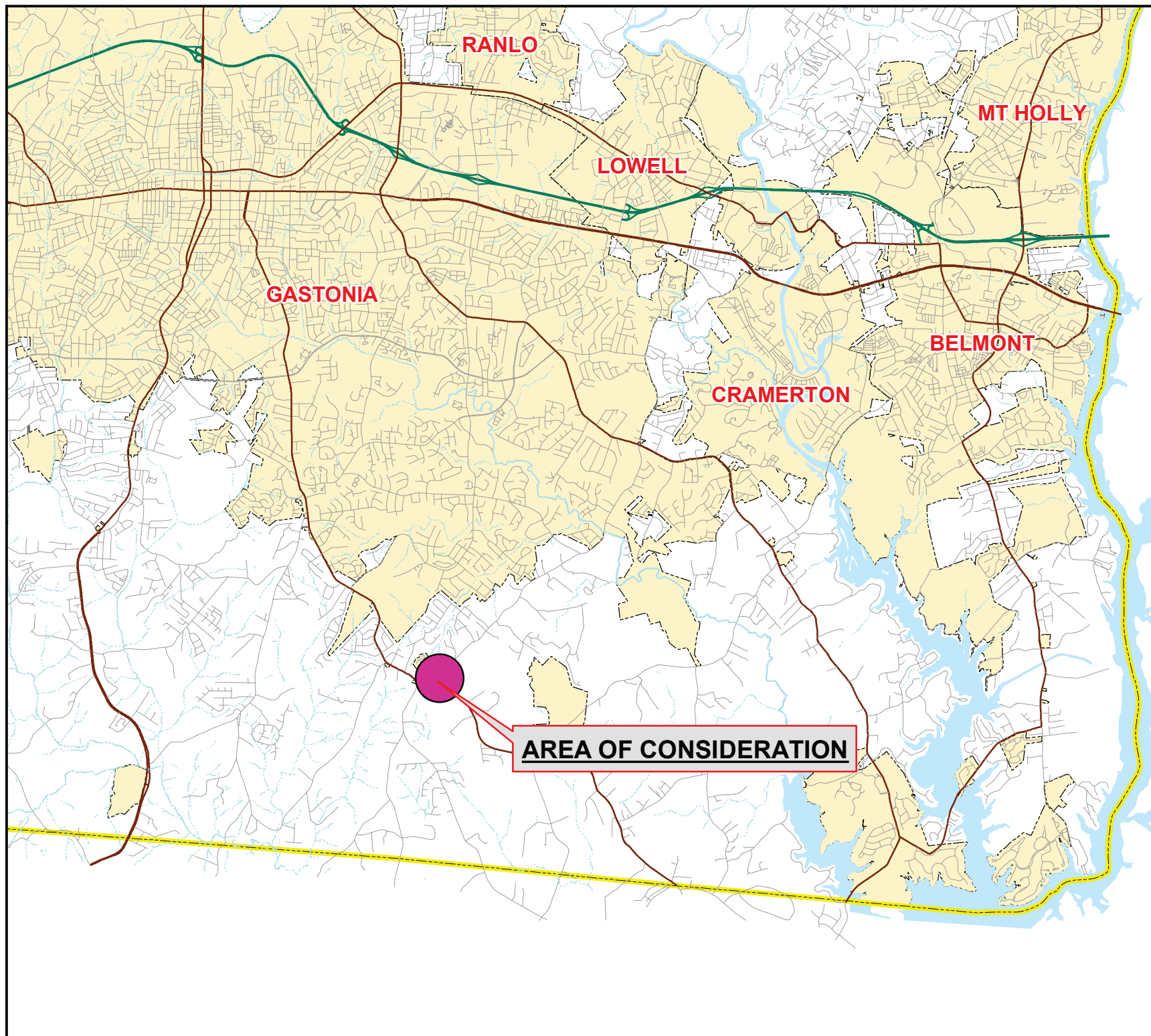
- Minor Roadways
- Major Roadways
- Area of Consideration
- Municipalities

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.



0 1
Miles





Gaston County Overview Map

2018 Pictometry

Z19-10

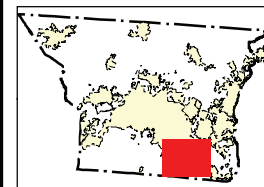
Legend



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.

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

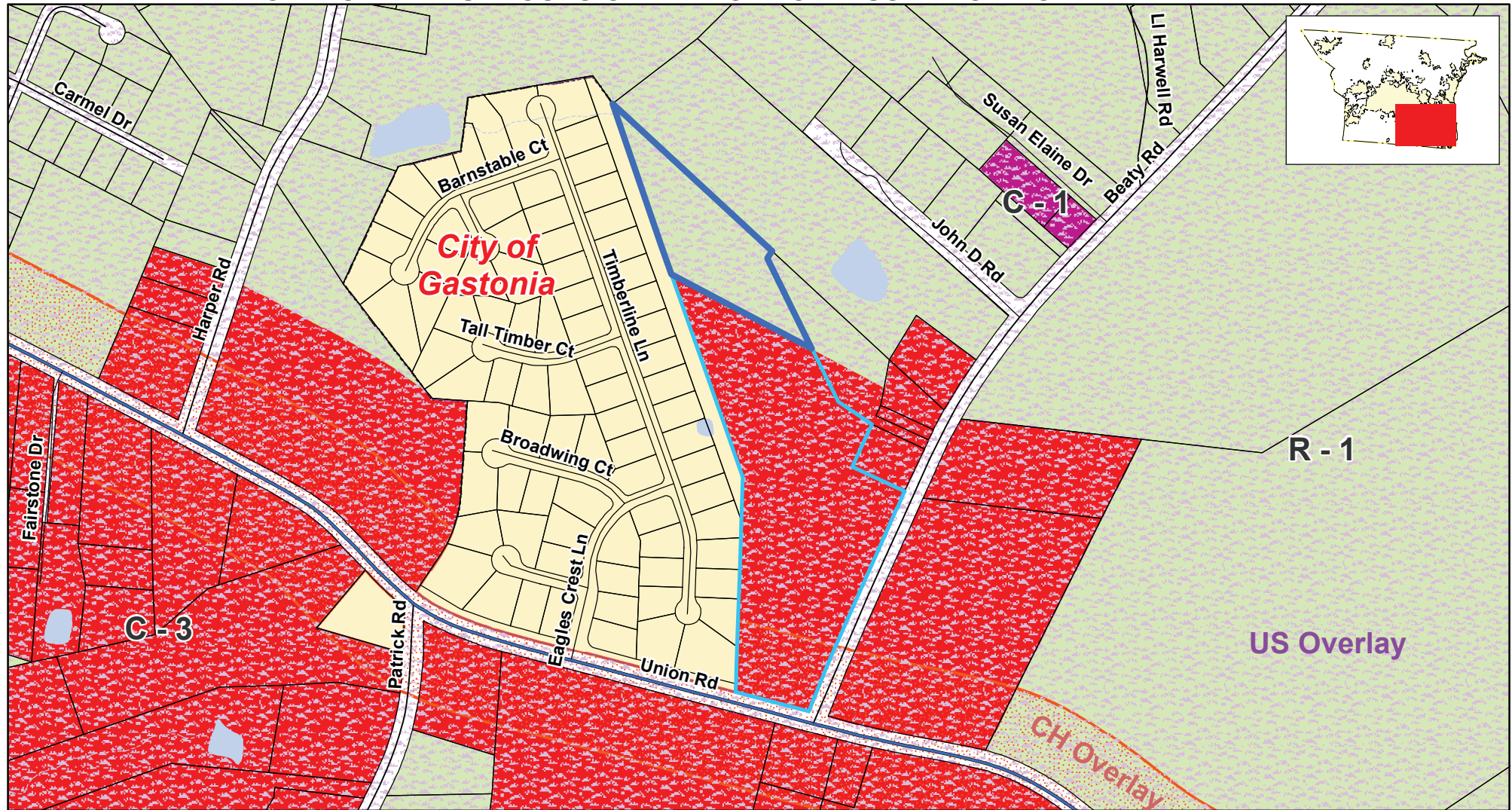
This map is for zoning purposes only - Not to be used for conveyance.

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



0 190 380
Feet

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.

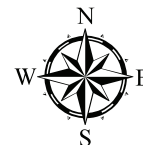
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GASTON COUNTY ZONING REVIEW MAP

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

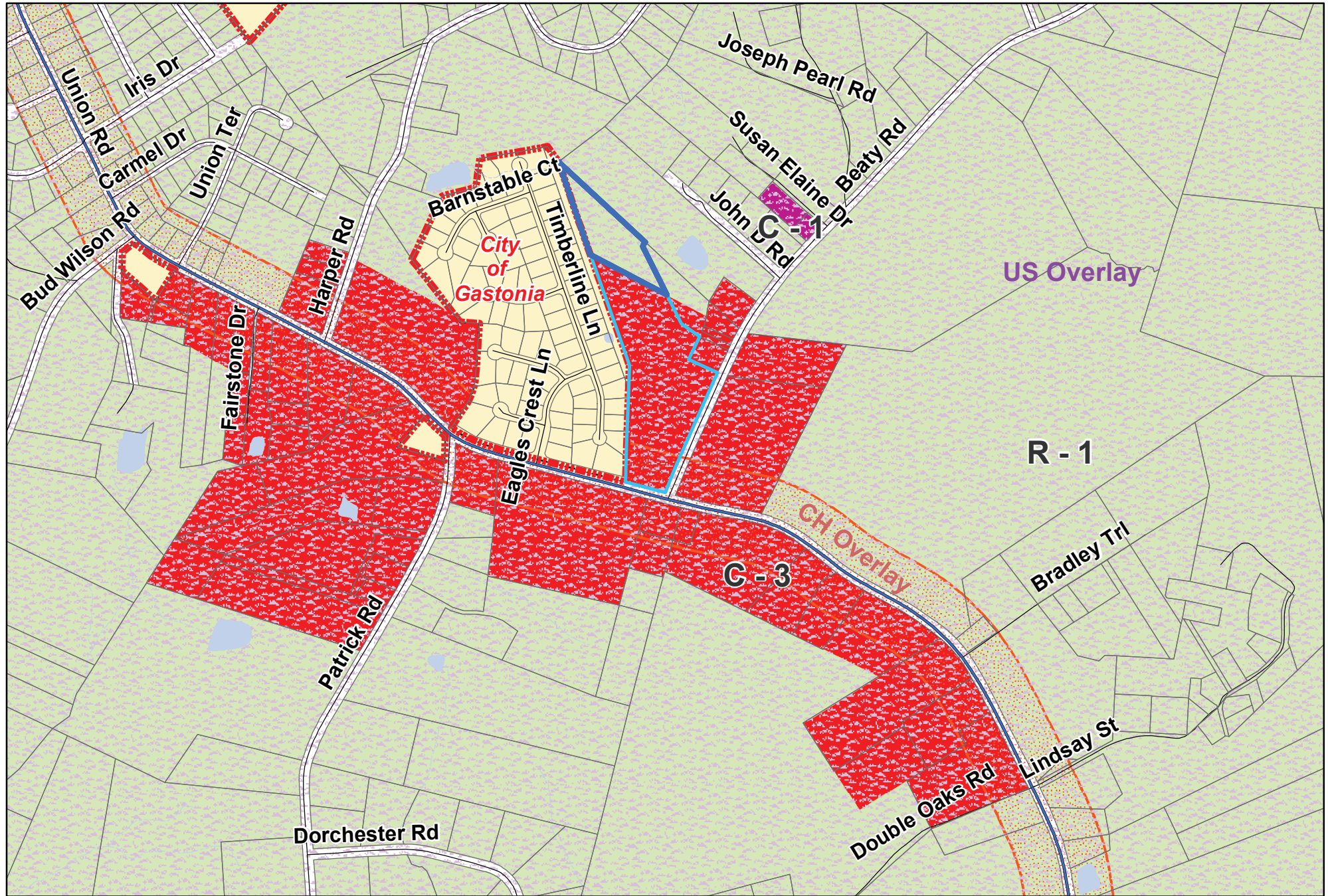


0 112.5 225 450 675 900 Feet

Applicant: Z19-10
Tax ID: 212549 (part of)
Request Re-Zoning From:
(R-1) Single Family Limited
and (C-3) General Commercial w/
(US) Urban Standards and (CH)
Corridor Highway Overlays
To: (C-3) General Commercial
w/ (US) Urban Standards and
(CH) Corridor Highway Overlays

Map Date: 08/08/2019

FOR DISPLAY PURPOSES ONLY - NOT TO BE USED FOR CONVEYANCE



GASTON COUNTY Zoning Map

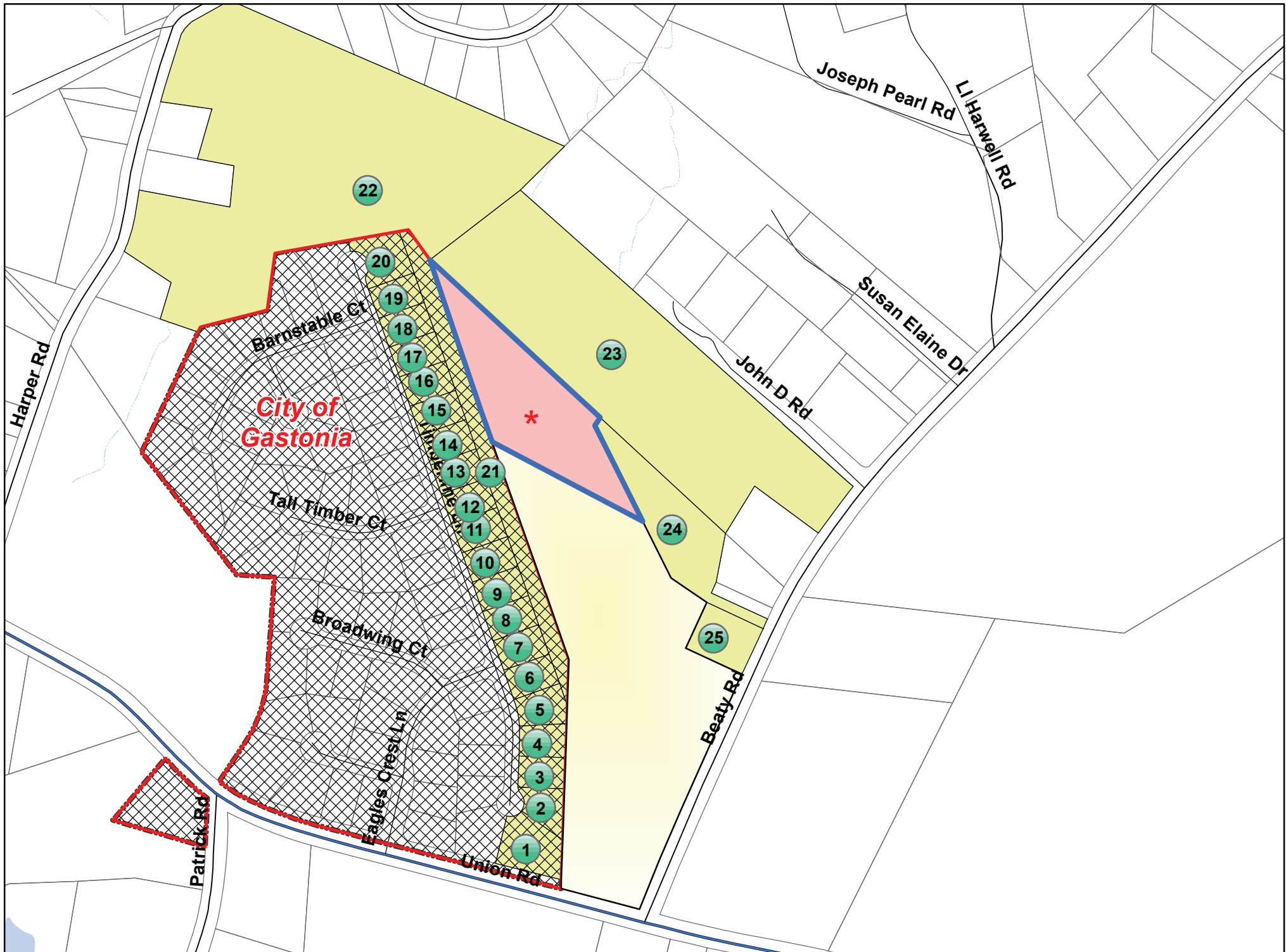
Applicant: Z19-10

 Subject Area



0 225 450 900 Feet

R-1 Single Family Limited
C-1 Light Commercial
C-3 General Commercial
US Urban Standards Overlay
CH Corridor Highway Overlay



Z19-10 Subject and Adjacent Properties Map

See reverse side for listing of property owners

-  Area of consideration
-  Subject parcel

Z19-10 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>
*	212549	BEATTY AND UNION LLC		6428 W WILKINSON BLVD STE 128	BELMONT	NC	28012
1	201560	TANCRETI SHARON	TANCRETI PASQUALE	5080 TIMBERLINE LN	GASTONIA	NC	28056
2	201559	WRIGHT SOVARA G	WRIGHT TROY D	5072 TIMBERLINE LN	GASTONIA	NC	28056
3	201558	CARR MICHAEL ANTHONY	CARR WYNDALINE D	5064 TIMBERLINE LN	GASTONIA	NC	28056
4	201557	RANDOLPH RICHARD D	RANDOLPH WANDA E	5056 TIMBERLINE LN	GASTONIA	NC	28056
5	201556	SORRELS SHIRLEY GRADY		5048 TIMBERLINE LN	GASTONIA	NC	28056
6	201555	FRANKS HEATHER C	FRANKS JODY	5040 TIMBERLINE LN	GASTONIA	NC	28056
7	201554	WASSON BRENT A	WASSON CHRISTINA	5032 TIMBERLINE LN	GASTONIA	NC	28056
8	201553	KAYLOR CHARLES S	KAYLOR COURTNEY W	5024 TIMBERLINE LN	GASTONIA	NC	28056
9	201552	MINTZ FAIRBEE JONES	MINTZ JIMMY CHRISTOPHER	5016 TIMBERLINE LN	GASTONIA	NC	28056
10	201551	ANDRUSKEVITCH VICTOR LINDSEY		5008 TIMBERLINE LN	GASTONIA	NC	28056
11	201550	SCHENCK MARK B	SCHENCK SUSAN K	5000 TIMBERLINE LN	GASTONIA	NC	28056
12	201549	TAYLOR SAMUEL LANIER		4964 TIMBERLINE LN	GASTONIA	NC	28056
13	201548	WILLOUGHBY JENNIFER	WILLOUGHBY JUSTIN	4956 TIMBERLINE LN	GASTONIA	NC	28056
14	201547	ROMAN ANN MARIE	ROMAN MICHAEL D	4948 TIMBERLINE LN	GASTONIA	NC	28056
15	201546	MICHAEL JOHN ANTHONY		4940 TIMBERLINE LN	GASTONIA	NC	28056
16	201545	SMITH BEVERLY GUNN	SMITH SAMMIE ORAL	4932 TIMBERLINE LN	GASTONIA	NC	28056
17	201544	PRICE DAVID L		4924 TIMBERLINE LN	GASTONIA	NC	28056
18	201543	RILEY BILLIE S	RILEY ALVIN V III	4916 TIMBERLINE LN	GASTONIA	NC	28056
19	201542	RILEY ALVIN V	RILEY BILLIE S	4916 TIMBERLINE LN	GASTONIA	NC	28056
20	201541	EAGLES WALK SUBD HMOWNRS ASSOC		4000 HIGH CLIFF CT	GASTONIA	NC	28056
21	201570	CITY OF GASTONIA		PO BOX 1748	GASTONIA	NC	28053
22	219562	ABERNATHY LISA MARIE		1000 HARPER RD	GASTONIA	NC	28056
23	150837	BYERS BEVERLY	BYERS JAMES M	4505 BEATY RD	GASTONIA	NC	28056
24	199140	BYERS BEVERLY	BYERS JAMES M	4505 BEATY RD	GASTONIA	NC	28056
25	212550	PENSCO TRUST COMPANY		PO BOX 173859	DENVER	CO	80217

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, Gaston Co. Dept of Planning and Devpt. Services
From: Julio Paredes, Planner, Gaston—Cleveland—Lincoln MPO
Date: August 12, 2019
Subject: Beaty and Union LLC—GCLMPO Comments

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

1. The proposed development is located at 4531 Beaty Rd, Gastonia NC 28056
 - A. According to NCDOT's 2020-2029 State Transportation Improvement Program (STIP) and the 2045 MTP, there are no funded transportation improvement projects in the immediate vicinity of this project.
 - B. A proposed new 4-lane divided Boulevard Road, part of the Union – Beaty Rd. Realignment is included in the MPO's CTP. The widening of Union Rd —boulevard needs improvement (4 lane divided)— Widen the existing two-lane facility to three lanes with a portion on new location with sidewalks and bike lanes on both sides of road is included in the MPO CTP. The typical cross section for a four lane road involves a minimum of 100 ft. right-of-way. The existing right-of-way along Union Rd is 60 ft.
 - C. CTP projects shown as "Boulevard Improvement" or "Recommended" could become a funded project in the future, part of a development project, or may never become a funded project. If a project shown on the CTP becomes a funded project, NCDOT will acquire necessary right of way in compliance with 49 CRF Code of Federal Regulations as well as NC General Statutes. Note that this is a very preliminary identification of a route, which is subject to change upon further design.
 - D. 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.
 - E. Attached you can also find a roadway functional design for the Union-Beaty Road Realignment. For more information regarding any roadway functional designs please contact the GCLMP office.

GASTON-CLEVELAND-LINCOLN



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

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

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

