

RESOLUTION TITLE: ZONING MAP CHANGE: Z21-07 WILSON FAMILY RENTALS LLC (APPLICANT); PROPERTY PARCEL: 169183 (PART OF), LOCATED AT DALLAS HIGH SHOALS HWY., DALLAS, NC, **REZONE FROM THE (R-1) SINGLE FAMILY LIMITED ZONING** DISTRICT WITH (US) URBAN STANDARDS OVERLAY TO THE (C-3) GENERAL COMMERCIAL ZONING DISTRICT WITH (US) URBAN STANDARDS OVERLAY

a County Zoning Ordinance was adopted on April 24, 2008 and a public hearing was held WHEREAS. on March 23, 2021 by the County Commission, to take citizen comment into a map change application, as follows:

Tax Parcel Number(s):	169183 (part of)
Applicant:	Wilson Family Rentals LLC
Owner(s):	Wilson Family Rentals LLC
Property Location:	Dallas High Shoals Hwy.
Request:	Rezone Parcel 169183 (part of) from the (R-1) Single Family
	Limited Zoning District with (US) Urban Standards Overlay to the
	(C-3) General Commercial Zoning District with (US) Urban
	Standards Overlay

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: 169183 (part of), located at Dallas High Shoals Hwy., Dallas, NC, from the (R-1) Single Family Limited Zoning District with (US) Urban Standards Overlay to the (C-3) General Commercial Zoning District with (US) Urban Standards Overlay on March 8, 2021 based on: staff recommendation; and the request is reasonable and in the public interest and the request is in accordance with the County's Comprehensive Land Use Plan. The proposed rezoning is in the Rural Center future land use plan. Rural Center areas can serve a commercial purpose and can be anchored by a rural market, allowing for residential homes and business to be closer to the roadway. The use, going from (R-1) to (C-3) will make the subject parcel commercial in nature, which is consistent within the immediate vicinity.

> Vote: Unanimous Second: Hurst Motion: Vinson Aye: Ally, Fallon, Harris, Hollar, Horne, Houchard, Hurst, Vinson Nay: None Absent: Brooks, Sain 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 conject copy of action												
taken by the Board of Commissioners as follows:												
NO.	DATE	M1	M2	CBrown	AFraley	BHovis	KJohnson	TKeigher	TPhilDeck	Worleys, Vote		
2021-071	03/23/2021	RW	BH	Α	Α	Α	A	Α	АВ	· A		
DISTRIBU Laserfiche												

Zoning Map Change: Z21-07 Wilson Family Rentals LLC (Applicant); Property Parcel: 169183 (part of), Located at Dallas High Shoals Hwy., Dallas, NC, Rezone from the (R-1) Single Family Limited Zoning District with (US) Urban Standards Overlay to the (C-3) General Commercial Zoning District with (US) Urban Standards Overlay Page 2

- NOW, THEREFORE, BE IT RESOLVED that the County Commission, upon consideration of the map change application, public hearing comment and recommendations 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 rezoning is in the Rural Center future land use plan. Rural Center areas can serve a commercial purpose and can be anchored by a rural market, allowing for residential homes and business to be closer to the roadway. The use, going from (R-1) to (C-3) will make the subject parcel commercial in nature, which is consistent within 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: 169183 (part of), 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.

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Tom Keigher, Chairman Gaston County Board of Commissioners

Clerk to the Board

General Rezoning Application (Z21-07) STAFF REPORT

APPLICATION SUMMARY

Request:								
To rezone property from the (R-1) Single Family Limited Zoning District with (US) Urban Standards Overlay to the (C-3)								
General Commercial Zoning District with (US) Urban Standards Overlay								
Applicant: Property Owner(s):								
Wilson Family Rentals LLC	Wilson Family Rentals LLC							
Parcel Identification (PID):	Property Location:							
169183 (part of)	Dallas High Shoals Hwy. (Dallas)							
Total Property Acreage:	Acreage for Map Change:							
12.82 ac	10.76 ac							
Current Zoning:	Proposed Zoning:							
(R-1)(C-3)(US)	(C-3)(US)							
Existing Land Use:	Proposed Land Use:							
Vacant / Undeveloped	Commercial							

COMPREHENSIVE LAND USE PLAN

Area 2: North 321 Gaston / North Central Gaston

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; more transportation alternatives; preservation of agriculture and maintaining the rural "feel" of the community; and, steer development towards existing infrastructure and areas immediately surrounding towns and cities.

Comprehensive Plan future Land Use:

Rural Center – Rural centers are those rural community areas that serve a specific purpose for the immediate area. These can be civic-oriented, anchored by a church, a community center, historic structures, etc. Or these areas can also serve a commercial purpose, anchored by a rural market, small sore, gas station, community daycare centers, related small businesses, etc. These areas exist where transportation and communities exist to support these services.

Staff Recommendation:

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

AREA SALES DATA		
Sales Summary (Valid Sales from January 2017):		Source: Gaston County Tax Department
Total Number of Sales: 11 Total Value of Sales: \$1.14 m Low Sale	High Sale	Average Sale
\$7,000	\$325,000	\$56,500



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

Highlights from the comments did not include any significant projects in the immediate area. (See attached)

STAFF SUMMARY

Prepared By: Sarah Carpenter Penley, Senior Planner

This property is located in a mixed use area of the north central region of the county. The location is primarily residential in nature with business and commercial uses scattered along the 321 Business corridor.

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

Scheduled Meeting Date: March 8, 2021

Meeting Summary / Points of Discussion: Staff provided Board members with a history of the property, which included that the parcel is currently vacant and undeveloped. It presents as a parcel with "split zoning", with two different zoning districts located on the property. With this application, the property owner is seeking to consolidate the zoning from two zoning districts into one for the entirety of the parcel.

Discussion and questions by Board members included uses on adjacent properties, to which staff referred to aerial and zoning maps used in presentation to confirm single-family residential and commercial uses along the 321 Business corridor. Clarification was also made that the parcel was zoned as two different districts with (C-3) General Commercial being located along the portion with road frontage and (R-1) Single Family Limited being located along the remainder. Questions were focused around similar parcels with zoning patterns that mimicked the same split zoning as the applicant.

A question was posed as to the intended use, if known, by the applicant. Staff responded that the applicant did indicate the use of mini warehouse storage.

The Board unanimously <u>voted to approve</u> the application, with a vote of (8) to (0), based upon the following statement of consistency:

The proposed rezoning is in the Rural Center future land use plan. Rural Center areas can serve a commercial purpose and can be anchored by a rural market, allowing for residential homes and business to be closer to the roadway. The use, going from (R-1) to (C-3) will make the subject parcel commercial in nature, which is consistent within the immediate vicinity.

Board members in attendance: Ally, Fallon, Harris, Hollar, Horne, Houchard, Hurst, Vinson Board members absent: Brooks, Sain

Attachments: MPO Comments, Proposed Uses, Maps

		GAST	'ON		ע Y	epartment of Buildin	ig & D	evelopmei	nt Service		
GAST	DN COUNTY	Street Addre Mailing Add				astonia, North Carolina 28 1, N.C. 28053-1578	8052	Phone: (704 Fax: (704	,		
GE	NERA	L REZONI	NG A	PPLICATION	I	Application Num	ber:	21-07			
Арр	licant 🔀	Plannin	g Board	f (Administrative)	ן	Board of Commission (Ac	iministr	ative)	etj 🗌		
Α.		ICANT INFO		TION Family Rentals LL	.C						
	Mailing /	Address: F	² . O. B	ox 1422, Gastonia,	ili ili matan ki ni ili di pop gana saang ag		1999-1999 - 1999 -				
	Telepho	ne Numbers:	(704	4)747-5031 (Area Code) Business		ude City, State and Zip Code)	(Area C	ode) Home	sayaanaa ahaa ahaa ahaa ahaa ahaa ahaa ah		
****	Email: _	wilsonfamil	ybuild	ers@gmail.com							
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В.		R INFORMA	<u>TION</u>			Same					
	Name of Owner: Same (Print Full Name)										
	Mailing Address: (Include City, State and Zip Code)										
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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 Appli	icant)
(Signature)	(Date)
(Signature)	(Date)
I, State of North Carolina, hereby certify that	, a Notary Public of the County of
	wedged the due execution of the foregoing instrument.
	day of, 20,
Notary Public Signature	Commission Expiration
(I/We), also agree to grant permission to allow employe reasonable hours for the purpose of making Zoning Re	ees of Gaston County to enter the subject property during eview.
wastewater disposal system (septic tank). Though a so	does not guarantee that the property will support an on site il analysis is not required prior to a general rezoning submittal xists that the soils may not accommodate an on site wastewater hoices/uses unless public utilities are accessible.
If the application is not fully completed, this will can please return the completed application to the Plan County Administrative Building located at 128 West	use rejection or delayed review of the application. In addition, ning and Development Services Department within the t Main Avenue, Gastonia, NC 28052.
APPLICATIO	ON CERTIFICATION
	mer/authorized representative, hereby certify that the tion and any applicable documents is true and accurate.
Signature of Property Owner or Authorized Repres	centative 2/3/21
	a zoning permit. All requirements must be met within the UDO.
OFFICE USE ONLY OF	FFICE USE ONLY OFFICE USE ONLY
Date Received: 02/03/2021 Applicat	tion Number: Fee:\$500
Received by Member of Staff: <u>SCP</u> Date of Pay (Initials)	ment:Receipt Number:INV-00022847
X COPY OF PLOT PLAN OR AREA MAP	X COPY OF DEED X PAYMENT OF FEE
Date of Staff Review:	
Planning Board Review: 03/08/2021 Review:	ecommendation: Date:
Commissioner's Decision:	

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.



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

То:	Sarah Carpenter Penley, Senior Planner, Subdivision Administrator, Gaston
	County Planning & Development Services
From:	Julio Paredes, Planner
Date:	March 8, 2021
Subject:	Z21-07 - GCLMPO Rezoning Review

Thank you for the opportunity to provide comments on a proposed rezoning located within the Gaston-Cleveland-Lincoln Metropolitan Planning Organization (GCLMPO) planning area. My comments are based on review of the site in accordance with the adopted Comprehensive Transportation Plan (CTP), the adopted 2045 Metropolitan Transportation Plan (MTP), and the current State Transportation Improvement Program (STIP).

The proposed rezoning is located along Dallas High Shoals Highway (Dallas). PID: 169183. 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. Neither the GCLMPO 2045 MTP nor Highway CTP include any future improvements on any streets adjacent to the subject property.
- 3. Please note that for 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.

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

C3 GENERAL COMMERCIAL

(1) Uses allowed by right:

ABC Store; Amusement & Sporting Facility, indoor; Amusement Arcade; Animal Grooming Service for household pet, indoor kennels; Art Gallery; Auction House; Auditorium, Assembly Hall, Amphitheater, Community Center, <500 seats; Bail Bond; Baseball Hitting Range; Billiard Parlor; Bowling Lanes; Building Material & Lumber Sales; Business Services; Check Cashing Establishment, closed 12AM to 5AM; Cleaning & Maintenance Service; College / University; Contractor's Office & Operation Center; Crematorium; Day Care Center, Accessory; Distribution / Wholesale / Storage Operation; 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, 0-9,999sqft GFA; Food Store, 10,000+sqft GFA; Funeral Homes; Furriers; Game Room; Glass & Mirror Shop; Grooming Services; Gunsmith, Gun & Ammunition Sales; Hardware Store; Health Club, Spa Gymnasium (principle use); Heavy, Industrial, Farm Equipment Sales / Service; Laboratories – Dental, Medical; Lawn & Garden Center; Library; Medical Offices, 0-49,999sqft GFA; Medical Offices, 50,000-99,999sqft GFA; Monument Sales; Moving & Storage Facilities; Museum; Offices, excluding Medical, 0-49,999sqft GFA; Offices, excluding Medical, 50,000-99,999sqft GFA; Personal Business Services; Photo Finish Laboratory; Post Office; Recycling Deposit Station, accessory; School for the Arts; Sign Shop; Theater, indoor movie; Upholstery Shop; Warehouse, 0-99,999sqft GFA; Warehouse, 100,000+sqft GFA

(2)Uses allowed by right with supplemental regulations:

Adult Establishments; Animal Hospital, indoor kennel; Assisted Living Center; ATM (Automated Teller Machine); Automobile Body Shop; Automobile Detail Shop; Automobile Hobbyist; Automobile Repair Shop; Automobile Service Station; Automobile, Truck , Boat, Motorcycle, Manufactured Home, Recreational Vehicle Sales & Rental; Automobile Towing & Wrecker Service; Bona Fide Farms; Car Wash, Automatic; Car Wash, Self Service; Cemetery; Charitable Service Facility; Church / Place of Worship; Club, private (without adult entertainment); Commercial Vehicle & Truck Storage; Convenience Store, closed 12AM to 5AM; Convenience Store, open up to 24 hours; Country Club; Day Care Center Class B; Day Care Center Class C; Dwelling, Mixed Use; Essential Services Class 2; Firing Range, indoors, principal use; Flea Market, indoor; Flea Market, outdoor; Flex Space; Food Catering Facility; Fraternal & Service Organization Meeting Facility (non- or not- for profit), 0-9,9999sqft 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; Hotel or Full Service Hotel; Landfill, Beneficial Fill; Landfill, LCID, minor; Laundromat, closed 12AM to 5AM; Laundromat, open up to 24 hrs; Lounge / Nightclub; Machine, Metal, Wood Working, Welding Shop; Manufactured Goods, class 1; Maternity Home; Military Reserve Center; Mini-Warehouse; Nursery (Garden); Nursing Home, Rest Home; Paint Ball Facility; Park; Parking Lot; Planned Unit Development (PUD); Portable Toilet Service; Produce Stand; Race Track, small; Recreation Center & Sports Center; Recycling Deposit Station, principle use; Restaurant; Restaurant, with drive thru; Restaurant, within other facilities; Retail, 0-24,000sqft GFA; Retail, 25,000-49.999sqft GFA; Retail, 50.000-99.999sqft GFA; School, vocational: Shopping Center, 0-24.999sqft GFA; Shopping Center, 25.000-49.999sqft GFA; Shopping Center, 50,000-99,999sqft GFA; Stadium; Swimming Pool, Sales, Service & Supplies; Telecommunication Antennae & Equipment Buildings; Telecommunication Tower, freestanding monopole, up to 199.9ft; Tire Sales, new or used; Wood Waste Grinding Operation

(3)Uses allowed with a conditional use permit:

Abattoir Class 1, Abattoir Class 2, Aircraft Sales & Service, Essential Services Class 3, Marina, Commercial, Offices, Excluding Medical, 100,000-199,999sqft GFA, Offices, Excluding Medical, 200,000+sqft GPA), School, Elementary & Middle (public & private), School, Senior High (public & private), Septic Tank Cleaning Service, Theater, outdoor movie, Transit Station, Zoo, Amusement Park, Check Cashing Establishment, open up to 24 hrs; Railroad Terminal & Yard, Truck Stop

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

Airport, Airstrip, Freight & Flying Service, Amusement and Sporting Facility, Outdoor, Animal Hospital (Indoor kennel) Animal Hospital (Outdoor kennel), Animal Kennel, Animal Shelter, Auditorium/Assembly Hall/Amphitheater/Community Center, 500 or more seats, Automobile Service Station, Automobile Towing and Wrecker Service, Bus and Train Terminal, Passenger, Camping and Recreational Vehicle Park, Car Wash, Self Service, Club, Private (without Adult Entertainment), Commercial Vehicle and Truck Storage, Continuing Care Facility, Correctional Facility, Farmers Market, Firing Range, Indoors, principal use, 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, Landfill, Land Clearing and Inert Debris, Lounge / Nightclub, Major, Motel, Park, Race Track, Large, restaurant, with drive thru, Retail, 100,000+sqft GFA, Rodeo/Accessory Rodeo, Shopping Center, 100,000+sqft GFA, Solid Waste & Septic Tank Vehicle Storage Facility, Stadium, Telecommunication Tower & Facilities, Tower and/or Station, Radio & Television Broadcast

(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:

Planned Unit Development (PUD),

(8) By Special exception: None

(9) By Special exception with supplemental regulations: None











Z21-07 Subject and Adjacent Properties Map See reverse side for listing of property owners



Z21-07 Owner and Adjacent Property Listing

NO:	<u> Parcel</u>	OWNER NAME	OWNER NAME 2	ADDRESS	<u>CTTY</u>	STATE	ZIP
康	169183	WILSON FAMILY RENTALS LLC		P O BOX 1422	GASTONIA	NC	28053
1	169184	RHYNE HELEN P		3633 DALLAS CHERRYVILLE HWY	DALLAS	NC	28034
2	170287	MARILYN S FINGER IRREVOC TRUST		2701 JACKSON SQUARE	ANDERSON	SC	29625
3	169122	MARILYN S FINGER IRREVOC TRUST		2701 JACKSON SQUARE	ANDERSON	SC	29265
4	169115	BUILLER JERRY WAYNE	BULLER PAMELA A	110 HULL DR	DALLAS	NC	28034
5	169116	HUFFSTETLER WILLIAM C	HUFFSTETLER CHRISTY B	105 HULL DR	DALLAS	NC	28034
6	169119	MCMILLIAN HUEY A	MCMILLAN JENNY H	117 KELLY DR	DALLAS	NC	28034
7	169120	HIGH FRANCES CHARLENE		113 KELLY DR	DALLAS	NC	28034
8	212591	EZ STORE LLC		252 WILL GREEN RD	MARSHALL	NC	28753
9	169177	GASTONIA FLEA MARKET LLC	C/O BARNYARD FLEA MARKET-DALLAS	P O DRAWER 12187	COLUMBIA	SC	29211



Gaston County

Gaston County Board of Commissioners www.gastongov.com

Building and Development Services

Board Action

File #: 21-104

Commissioner Philbeck - Building & Development Services - Zoning Map Change: Z21-07 Wilson Family Rentals LLC (Applicant); Property Parcel: 169183 (part of), Located at Dallas High Shoals Hwy., Dallas, NC, Rezone from the (R-1) Single Family Limited Zoning District with (US) Urban Standards Overlay to the (C-3) General Commercial Zoning District with (US) Urban Standards Overlay

STAFF CONTACT

Joseph B. Sciba - Director - 704-866-3970

BACKGROUND

Chapter 5 of the Unified Development Ordinance requires a public hearing by the Planning Board and Commission, with recommendation by the Planning Board prior to consideration for final action by the Commission. Wilson Family Rentals LLC (Applicant); Rezone Parcel: 169183 (part of), from the (R-1) Single Family Limited Zoning District with (US) Urban Standards Overlay to the (C-3) General Commercial Zoning District with (US) Urban Standards Overlay. A public hearing was advertised and held on March 23, 2021 with Public Hearing comments being on file in the Board of Commission Clerk's Office. Planning Board recommendation was provided on March 8, 2021, 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

				D	O NOT TYPE	E BELOW THIS	SLINE			، پر دفعانی ہے۔		
I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is errue and correct copy of acti- taken by the Board of Commissioners as follows:												of action
NO.	DATE	M1	M2	CBrown	AFraley	BHovis	KJohnson	TKeigl	ner	TPhilbeck RW	lorley	Vote
2021-071 <i>DISTRIBL</i> Laserfiche		RW	вн	A	A	Α	Α	A		AB A		U