

**Planning Board Item II- GENERAL PUBLIC HEARING INFORMATION (Rezoning – Z16-02)**

**Board of Commissioners/Planning Board Public Hearing Date May 24, 2016**

**General Rezoning Application-Z16-02 for Parcels 199895, 204552 & 139717**

**Request:** To rezone parcel number 199895, 204552 and the 139717 (portion of) from the (CD/C-1, CD/O-M and RS-12) Zoning Districts to (C-3) General Commercial Zoning District

**Applicant:** AGSC/Charles Gray-Manager

**Property Owner:** AGSC

**Mailing Address of Applicant:** 936 Dr. Martin Luther King Jr. Way, Suite 1D, Gastonia, NC 28054

**Site Information and Description of Area:**

**General Location (see attached map):** Hudson Blvd and Forbes Road

**Tax Parcel Number(s):** 199895, 204552 and 139717 (portion of)

**Township:** Gastonia Township

**Current Use of Property:** vacant/undeveloped

**Total Acreage in Parcel(s):** 13.27 acres

**Acreage for Map Change:** 199895 (7.98 acres), 204552 (1.23 acres) and 139717 (portion of) (3.51 acres)

**Current Zoning District(s):** CD (Conditional Zoning Districts), C-1 (Light Commercial), OM (Medical Office): and RS-12 (Single Family 12,000 square feet)

**General Area Zoning Districts:** CD (Conditional Zoning Districts), C-1 (Light Commercial) and OM (Medical Office) RS-12 (Single Family 12,000 square feet), RMF (Residential Multi Family)

**General/Adjacent Land Use(s):** Residential, assisted living facility, undeveloped property, City of Gastonia City Limits

**Zoning District Information:**

**Current Zoning District(s):**

**CONDITIONAL ZONING (CD) DISTRICTS**

The Conditional Zoning (CD) District process allows for the establishment of certain uses that, because of their nature or scale, have particular impacts on both the immediate area and the community as a whole. The development of these uses cannot be predetermined or controlled by general district standards. In order to accommodate these uses, this Section establishes the conditional zoning district process. The process for approval of a CD Zoning District is explained in Section 5.16.5. The rezoning of any parcel of land to a CD district shall be a voluntary process initiated by the property owner or his authorized agent. Any area rezoned to a CD district shall be in general compliance with the goals, objectives and implementation strategies of the adopted Comprehensive or Land Use Plan and all other plans and regulations officially adopted by the Board of Commissioners. The review process established in this Section provides for the accommodation of such uses by a reclassification of property into a CD district, subject to specific conditions (which may exceed those that would otherwise be required for the use in question), which ensure compatibility of the use with the enjoyment of neighboring properties and in accordance with the general plans of development of the County. A conditional zoning district is not intended for securing early zoning for a proposal. Once a property has been rezoned to a CD district, it shall be referenced with the letters "CD" in front of the name of the applicable general zoning district listed in Section 6.2. Thus, a property rezoned to a C-2 Conditional District shall appear on the Zoning Map as "CD / C-2".

**CD/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.

**CD/OM MEDICAL OFFICE**

The OM district is designed to accommodate medically oriented uses that lie in close proximity to Gaston Memorial Hospital or other existing or planned community medical facilities in the County. In order to serve the general public better, complementary uses (doctors' offices, medical supply shops, pharmacies, etc.) are encouraged to locate near these medical facilities. Uses that are non-medically related are generally excluded for this zoning district so as to not compete for space that could otherwise be developed for medically related uses. Given the relative small amount of land suitable for such zoning, uses which predominate in other zoning districts (i.e., residences, non-medically related retail uses) are not allowed in the O-M district.

**RS-12 SINGLE FAMILY 12,000 SQUARE FEET**

The purpose of the RS-12 District is primarily for the development of single family residential with a standard minimum lot size of twelve thousand (12,000) square feet. This district is generally found in the Urban Standards Overlay (USO) district and is served by public or community water and sewer utility. Higher densities than this is normally allowed and a variety of different residential types may be accommodated through Planned Residential Developments (PRD), Infill Residential Developments and Traditional Neighborhood Developments (TND) and / or through the satisfaction of certain performance design and construction.

**Proposed Zoning District:**

**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.

**STAFF COMMENTS:**

Property was previously under City of Gastonia ETJ, before being relinquished in 2012.

**COMPREHENSIVE PLAN:**

Small Area Districts: Southeast Area of the Comprehensive Plan Strategy Map.

Key Issues: Farmland, availability of water, sewer, etc, retaining existing businesses

It is staff's opinion the request is consistent with the Comprehensive 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 Board of Commissioner approval, 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:** May 13, 2016

**MAIL NOTIFICATION:**

Notice of the hearing was sent to adjacent property owners on May 13, 2016. Comments, if any, from the notification will be provided during public hearing.

**INFORMATION ATTACHED:**

Rezoning application (copy), proposed zoning district list of uses; zoning review map, subject area map, aerial map, vicinity map, and adjacent property owner's map.

**TRANSPORTATION PLANNING INFORMATION (attached):**

Provided by GCLMPO (Gaston, Cleveland, Lincoln Metropolitan Planning Organization)

**STAFF CONTACT:**

Ron Smith, Development Services Planner (704-866-3072), email: [ron.smith@gastongov.com](mailto: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 16-02

Applicant ☐ Planning Board (Administrative) ☐ Board of Commission (Administrative) ☐ ETJ ☐

### A. \*APPLICANT INFORMATION

Name of Applicant: A65C - Charles Gray/Manager  
(Print Full Name)  
Mailing Address: 936 Dr. Martin Luther King Jr Way Suite 111  
Gastonia NC 28053  
(Include City, State and Zip Code)  
Telephone Numbers: 704 718 7344  
(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 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: A65C  
(Print Full Name)  
Mailing Address: 936 Dr. Martin Luther King Jr Way Suite 111  
Gastonia NC 28053  
(Include City, State and Zip Code)  
Telephone Numbers: 704 718 7344  
(Area Code) Business (Area Code) Home

### C. PROPERTY INFORMATION

Physical Address or General Street Location of Property: Hudson Blvd & Forbes Rd  
Gastonia NC  
Parcel Identification (PID): 199895 204552 139717 # part of  
13.27 13.27 13.27  
13.27 13.27 13.27  
Acreage of Parcel: 13.27 +/- Acreage to be Rezoned: 13.27 +/- Current Zoning: CD/C-1, RS12  
Current Use: Vacant Proposed Zoning: C-3

### 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: _____	Telephone: _____
(Area Code)	(Area Code)
Parcel: _____	Parcel: _____
(If Applicable)	(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) ABSC hereby give ABSC (Name of Applicant) consent to execute this proposed action.

Charles A. Snyder  
(Signature)

4-7-16  
(Date)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

I, Cassandra A Snyder, a Notary Public of the County of Gaston State of North Carolina, hereby certify that Charles Gray, Manager ABSC personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and notarial seal, this the 7 day of April

Cassandra A Snyder  
Notary Public Signature

2/2/2017  
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.

Charles A. Snyder  
Signature of Property Owner or Authorized Representative

4-7-16  
Date

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

### OFFICE USE ONLY

Date Received: 4-8-16

### OFFICE USE ONLY

Application Number: 16-7000002

### OFFICE USE ONLY

Fee: 500.00

Received by Member of Staff: AT  
(Initials)

Date of Payment: 04/8/16

Receipt Number: 507

☒ COPY OF PLOT PLAN OR AREA MAP  
☒ NOTARIZED AUTHORIZATION

☒ COPY OF DEED  
☒ PAYMENT OF FEE

Date of Staff Review: \_\_\_\_\_

Date of Public Hearing: 5/28/16

Planning Board Review: \_\_\_\_\_ Recommendation: \_\_\_\_\_ Date: \_\_\_\_\_

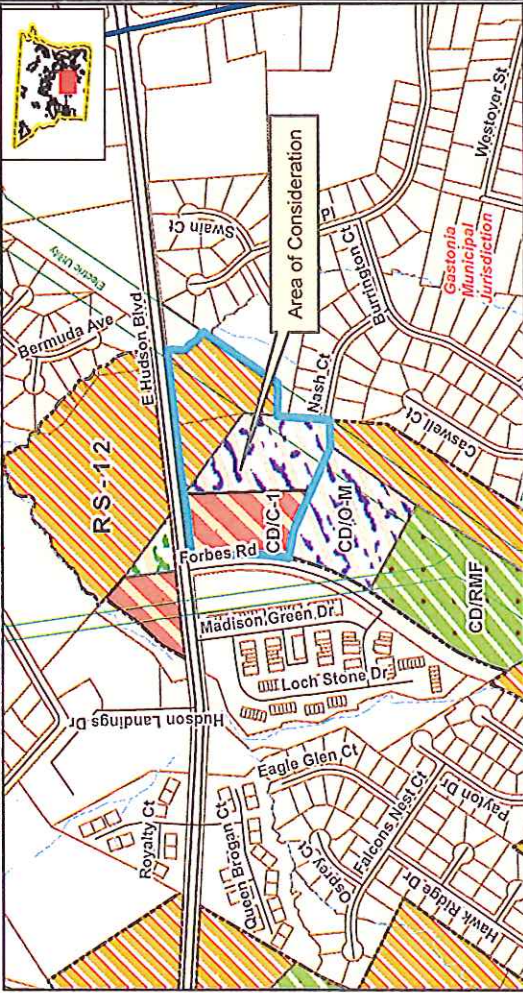
Commissioner's Decision: \_\_\_\_\_ Date: \_\_\_\_\_

### 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.



FOR DISPLAY PURPOSES ONLY - NOT TO BE USED FOR CONVEYANCE



Map is intended for use by the Gastonia County Board of Commissioners, in the review of zoning change requests. Property parcels, zoning, jurisdiction and other map information were compiled from one or more data layers. The data is provided for informational purposes only. No warranty is made as to the accuracy or completeness of the information. The map was prepared by the Department of Planning and Development Services.

**Applicant:** Z16-02  
**AGSC LLC**  
**Tax Id:** part 13971, 199895 & 204552  
**Request Re-Zoning from:** CD/C-1, CD/O-M & RS-12  
**To:** C-3 General Commercial

**GASTON COUNTY ZONING REVIEW MAP**  
City of Gastonia  
CD/C-1 Conditional District/Light Commercial  
CD/O-M Conditional District/Office Medical  
CD/RMF Conditional District/Residential Multi Family

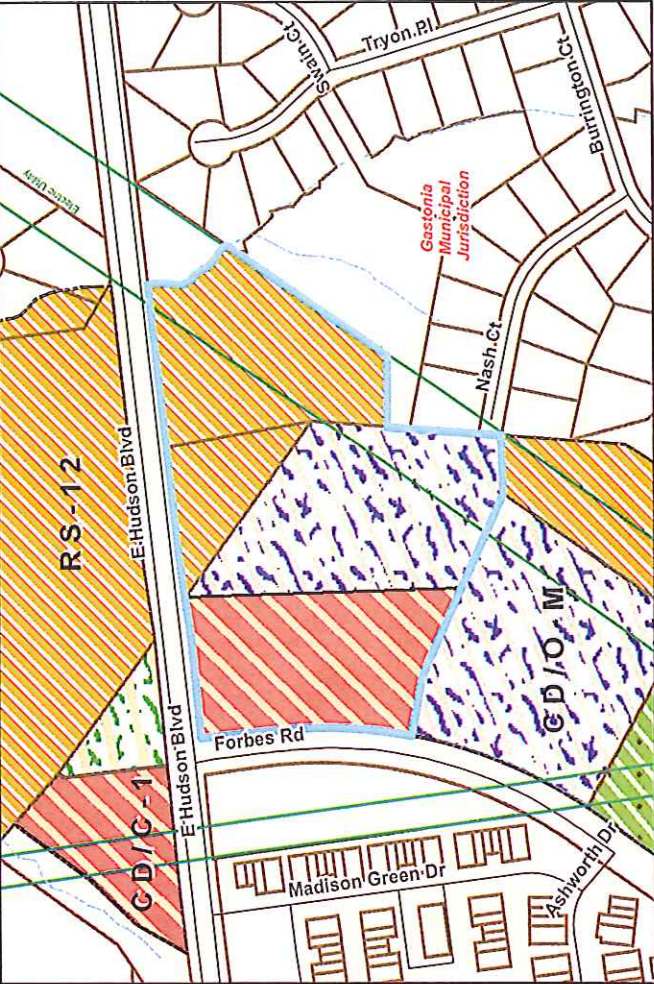
**Map Date:** 4/29/16



**Gastonia County Zoning Review Overview Map**  
2014 Aerial Imagery  
Z16-02

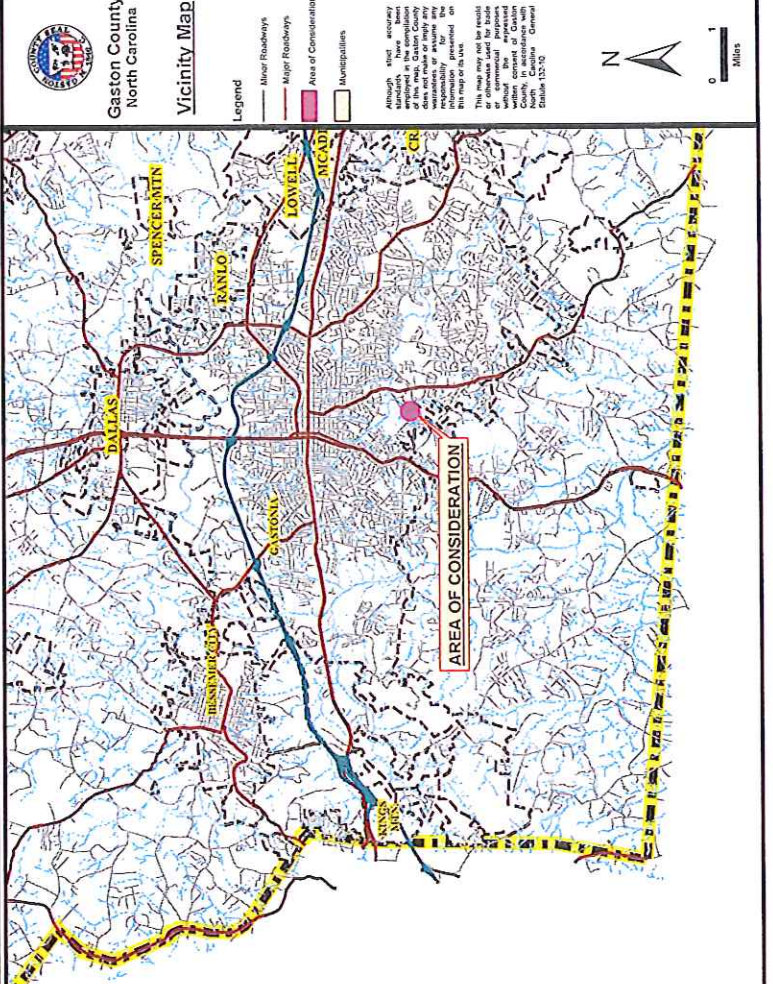
**Legend**  
Subject Area  
Property Parcels

FOR DISPLAY PURPOSES ONLY - NOT TO BE USED FOR CONVEYANCE



**GASTON COUNTY ZONING**  
"Applicant: Z16-02"

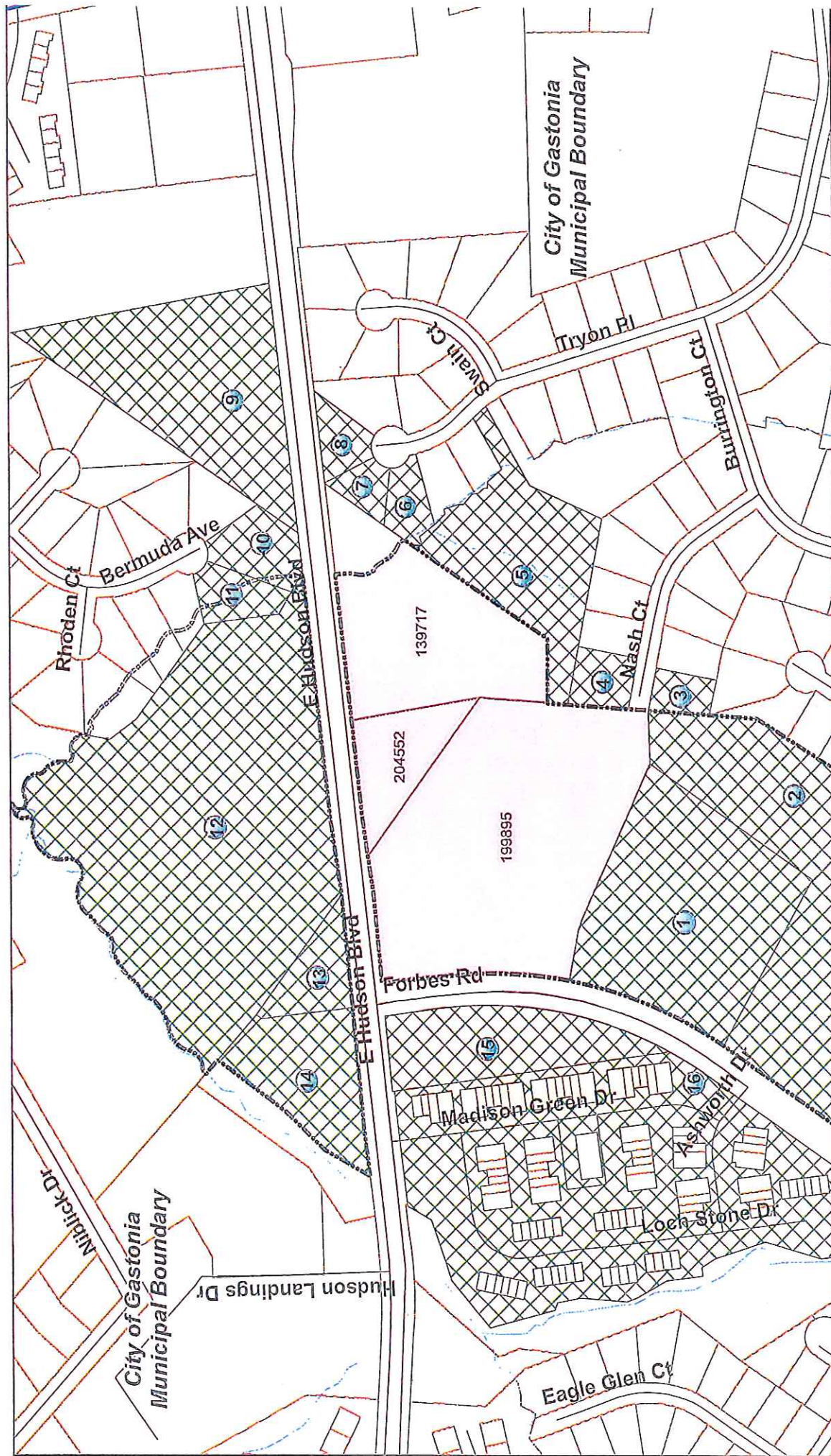
**Legend**  
Subject Area



**Gastonia County North Carolina**  
**Vicinity Map**

**Legend**  
Major Roadways  
Area of Consideration  
Municipalities





## Adjacent Owners Z16-02

NO.	PARCEL	OWNER NAME 1	OWNER NAME 2	ADDRESS	ADDRESS 2	CITY	STATE	ZIP
1	139824	AGSC LLC		C/O CASSANDRA SNYDER	936 N MARIETTA ST	GASTONIA	NC	28054
2	139825	AGSC LLC		C/O CASSANDRA SNYDER	936 N MARIETTA ST	GASTONIA	NC	28054
3	139826	AGSC LLC		C/O CASSANDRA SNYDER	936 N MARIETTA ST	GASTONIA	NC	28054
4	139827	AGSC LLC		C/O CASSANDRA SNYDER	936 N MARIETTA ST	GASTONIA	NC	28054
5	139828	AGSC LLC		C/O CASSANDRA SNYDER	936 N MARIETTA ST	GASTONIA	NC	28054
6	139829	AGSC LLC		C/O CASSANDRA SNYDER	936 N MARIETTA ST	GASTONIA	NC	28054
7	139791	JHR PROPERTIES NC LLC		139791 JHR PROPERTIES NC LLC	139791 JHR PROPERTIES NC LLC	GASTONIA	NC	28054
8	139792	WINSTON DEVELOPMENT CORP		139792 WINSTON DEVELOPMENT CORP	139792 WINSTON DEVELOPMENT CORP	GASTONIA	NC	28054
9	139793	WINSTON DEVELOPMENT CORP		139793 WINSTON DEVELOPMENT CORP	139793 WINSTON DEVELOPMENT CORP	GASTONIA	NC	28054
10	139794	WINSTON DEVELOPMENT CORP		139794 WINSTON DEVELOPMENT CORP	139794 WINSTON DEVELOPMENT CORP	GASTONIA	NC	28054
11	139795	WINSTON DEVELOPMENT CORP		139795 WINSTON DEVELOPMENT CORP	139795 WINSTON DEVELOPMENT CORP	GASTONIA	NC	28054
12	139796	WINSTON DEVELOPMENT CORP		139796 WINSTON DEVELOPMENT CORP	139796 WINSTON DEVELOPMENT CORP	GASTONIA	NC	28054
13	139797	WINSTON DEVELOPMENT CORP		139797 WINSTON DEVELOPMENT CORP	139797 WINSTON DEVELOPMENT CORP	GASTONIA	NC	28054
14	139798	WINSTON DEVELOPMENT CORP		139798 WINSTON DEVELOPMENT CORP	139798 WINSTON DEVELOPMENT CORP	GASTONIA	NC	28054
15	139799	WINSTON DEVELOPMENT CORP		139799 WINSTON DEVELOPMENT CORP	139799 WINSTON DEVELOPMENT CORP	GASTONIA	NC	28054
16	139800	WINSTON DEVELOPMENT CORP		139800 WINSTON DEVELOPMENT CORP	139800 WINSTON DEVELOPMENT CORP	GASTONIA	NC	28054

NO.	PARCEL	OWNER NAME 1	OWNER NAME 2	ADDRESS	ADDRESS 2	CITY	STATE	ZIP
1	139791	JHR PROPERTIES NC LLC		139791 JHR PROPERTIES NC LLC	139791 JHR PROPERTIES NC LLC	GASTONIA	NC	28054
2	139792	WINSTON DEVELOPMENT CORP		139792 WINSTON DEVELOPMENT CORP	139792 WINSTON DEVELOPMENT CORP	GASTONIA	NC	28054
3	139793	WINSTON DEVELOPMENT CORP		139793 WINSTON DEVELOPMENT CORP	139793 WINSTON DEVELOPMENT CORP	GASTONIA	NC	28054
4	139794	WINSTON DEVELOPMENT CORP		139794 WINSTON DEVELOPMENT CORP	139794 WINSTON DEVELOPMENT CORP	GASTONIA	NC	28054
5	139795	WINSTON DEVELOPMENT CORP		139795 WINSTON DEVELOPMENT CORP	139795 WINSTON DEVELOPMENT CORP	GASTONIA	NC	28054
6	139796	WINSTON DEVELOPMENT CORP		139796 WINSTON DEVELOPMENT CORP	139796 WINSTON DEVELOPMENT CORP	GASTONIA	NC	28054
7	139797	WINSTON DEVELOPMENT CORP		139797 WINSTON DEVELOPMENT CORP	139797 WINSTON DEVELOPMENT CORP	GASTONIA	NC	28054
8	139798	WINSTON DEVELOPMENT CORP		139798 WINSTON DEVELOPMENT CORP	139798 WINSTON DEVELOPMENT CORP	GASTONIA	NC	28054
9	139799	WINSTON DEVELOPMENT CORP		139799 WINSTON DEVELOPMENT CORP	139799 WINSTON DEVELOPMENT CORP	GASTONIA	NC	28054
10	139800	WINSTON DEVELOPMENT CORP		139800 WINSTON DEVELOPMENT CORP	139800 WINSTON DEVELOPMENT CORP	GASTONIA	NC	28054



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:** Ron Smith, Development Services Planner, Gaston County  
**From:** Bernie Yacobucci, Transportation Planner  
**Date:** May 6, 2016  
**Subject:** Z16-02 (AGSC)

I am extremely pleased to provide comments regarding Transportation issues for Rezoning Application Z16-02:

There are no traffic counts in this area,

There are no Metropolitan Transportation Improvement Program (MTIP) project in this area, and

There are no Comprehensive Transportation Plan (CTP) routes or 2040 Metropolitan Transportation Plan (MTP) Projects in this area.

Please feel free to contact me at [berniey@cityofgastonia.com](mailto:berniey@cityofgastonia.com) or 704-854-6604 if you have any addition questions with regard to the comments provided above.