

# GASTON COUNTY REZONING APPLICATION (REZ-25-05-13-00228)

## STAFF REPORT

### APPLICATION SUMMARY

**Request:**

To rezone the property from the (R-1) Single-Family Limited Zoning District with (US) Urban Standards Overlay to the (CD/C-1) Light Commercial Conditional District with (US) Urban Standards Overlay.

**Applicant(s):**

TKC Land Development II, LLC

**Property Owner(s):**

Christian Valencia

**Parcel Identification (PID):**

142861 & 142862

**Property Location:**

Lewis Road, Gastonia

**Total Property Acreage:**

1.44 acres

**Acreage for Map Change:**

1.44 acres

**Current Zoning:**

(R-1) Single-Family Limited with (US) Urban Standards Overlay

**Proposed Zoning:**

(CD/C-1) Light Commercial Conditional District with (US) Urban Standards Overlay

**Existing Land Use:**

Vacant

**Proposed Land Use:**

Retail

### COMPREHENSIVE LAND USE PLAN

**Area 5: Scenic Gaston/Southwest Gaston**

Key issues for citizens in this area include: preservation of open space, road improvements and better connectivity to other areas of the County, preservation of existing conditions while allowing low to moderate growth, repurpose vacant buildings and facilities for new economic opportunities, and increased commercial opportunities along existing major thoroughfares.

**Comprehensive Plan Future Land Use: Rural Community**

Rural communities are areas in the largely rural areas where there is a number of residential buildings on smaller lots, built closer to the roadway. Driving through these areas, you feel like you are in a neighborhood. These areas may not serve a purpose other than providing homes, but still maintain a neighborhood look and feel.

**Staff Recommendation:**

Application, as presented, is consistent with the Comprehensive Land Use Plan, as it will increase commercial opportunities along existing thoroughfares and serve the surrounding residential areas.

### 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)

The request went before the Gaston County TRC on Wednesday, September 3<sup>rd</sup>, and received “no comments” from the following departments:

- Building Inspections
- EMS

Environmental Health stated that the applicants would need to apply for well and septic permits.

Natural Resources stated that sediment and erosion control, as well as post-construction stormwater plans, will need to be submitted for review. This department also noted that the project will be high-density and will require a primary stormwater control measure for stormwater treatment.

According to NCDOT’s State Transportation Improvement Program (STIP), there are no funded transportation improvement projects in the immediate vicinity of the site. However, the Comprehensive Transportation Plan (CTP) identifies recommended bicycle facility improvements along Lewis Road, though these improvements are currently unfunded. The GCLMPO letter is included as an attachment to the staff packet.

### STAFF SUMMARY

#### Prepared By: Peyton Wiggins, Planner II

This property is located at the corner of Lewis Road and Holly Hills Drive in Gastonia, within the southwest region of the county. Together, the subject parcels total 1.44 acres and are currently vacant. The applicants are requesting approval to establish a retail store on the site.

According to the submitted site plan, the proposal includes the construction of a 10,640-square-foot Dollar General retail store. The proposed building meets all required setbacks, and the site complies with the general buffer requirements outlined in Chapter 11 of the UDO. Parking is provided in both the front and side yards. Additional site features include a designated dumpster location, a monument sign, and a loading area for store operations.

If approved, planning staff recommends the following condition of approval be applied, as presented:

- A recombination plat must be processed prior to the issuance of the zoning permit.

#### General Applicable Ordinance Sections

| UDO Section                             | Proposal  |
|---|---|
| Section 2.7 – Definitions               | <b>Retail</b> – a building, property, or activity the principal use or purpose of which the retail sale of goods, products, or merchandise directly to the consumer. Such a retail establishment shall not be classified as a “Retail” use, if listed elsewhere in the Table of Uses in this Ordinance. Examples of excluded uses include: restaurants and convenience stores, etc.   |
| Section 6.2.3 – Commercial Districts    | (C-1) Light Commercial – This district accommodates 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 relatively small in size and designed to be compatible and integrated with adjoining residential neighborhoods. This zoning district was not created to accommodate retail uses that attract persons from outside the neighborhood or attract large numbers of passing motorists. |
| Section 6.5 – Conditional District (CD) | The Conditional District (CD) zoning process allows for the establishment of specific uses that, because of their nature or scale, have particular impacts on both the immediate area and the community as a whole. Any area rezoned to a (CD) district shall be in general compliance with the goals, objectives, and implementation strategies of the adopted Comprehensive   |

|                             |  |
|-----------------------------|--|
|                             | Land Use Plan and all other plans and regulations officially adopted by the Board of Commissioners. This review process 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), to ensure compatibility of the use with the enjoyment of neighboring properties and in accordance with the general plans of development of the County. |
| Section 7.5 – Table of Uses | The proposed use for this site includes “Retail,” which is allowed in the proposed underlying zoning district of (C-1) Light Commercial.   |

#### Proposed Features

| UDO Section  | Required  | Proposed  |
|--|---|---|
| Section 7.5 – Table 7.1-4(A) – Commercial Zoning Districts | The following setbacks are required for the underlying (C-1) zoning district: <ul style="list-style-type: none"> <li>- Front: 30 ft</li> <li>- Side: 10 ft / 30 ft (if abutting a residential zoning district)</li> <li>- Rear: 20 ft / 30 ft (if abutting a residential zoning district)</li> </ul>        | The proposal meets or exceeds all required setbacks for the proposed zoning district.   |
| Section 8.2.32 – Retail                                    | This section outlines the supplemental regulations for the Retail use.  | No listed supplemental regulations apply to a retail establishment within this zoning district or this size. Therefore, the applicant, by default, meets the supplemental regulations for the proposed use. |
| Section 11.3.2 – Buffer yard requirements                  | Screening and buffering shall be required under the following situations:<br>When a lot is: <ul style="list-style-type: none"> <li>- In a commercial district and abuts a lot in a residential district, screening must be provided on the commercial lot in the form of a Type D Screen/Buffer.</li> </ul> | The applicants are complying with all buffer yard requirements by installing a Type D buffer – option 1 - along the side and rear property lines.   |

#### Public Information Meetings (PIMs)

The applicant advertised and held two public information meetings as required by Section 5.16 of the UDO. The meetings were held on August 6<sup>th</sup> from 9 a.m. to 11 a.m. and August 7<sup>th</sup> from 12:30 p.m. to 1:30 p.m. No members of the public attended either meeting. This case has also been added to the Planning & Zoning Current Cases page on [engagegaston.com](http://engagegaston.com).

#### FIRST PLANNING & ZONING BOARD MEETING - OCTOBER 6, 2025

The Planning Board considered this request at its regular meeting on October 6<sup>th</sup> and voted to continue the case to the November meeting. The Board requested that the applicant provide detailed stormwater, photometric, planting, and utility plans to provide additional information necessary for a recommendation.

| P&Z Board Request           | Applicant's Action  |
|-----------------------------|---|
| Stormwater Plan             | The applicants are proposing a subsurface stormwater management facility under the drive aisle along the southern portion of the site, adjacent to Holly Hills Drive.   |
| Photometric Plan            | The applicants have submitted a comprehensive photometric plan illustrating the proposed site lighting layout. The plan includes a combination of wall-pack fixtures and a single pole-mounted fixture. This information has been included as an attachment to the staff report   |
| Planting & Landscaping Plan | Within the revised site plan, Sheet 2 provides a more detailed exhibit of the proposed landscaping and buffer areas, further illustrating compliance with the Type D, Option 3 buffer requirements.   |
| Utility Plan                | The applicants have identified the proposed septic field area on the site plan along the northern property line. As this represents the intended location, staff has included a condition of approval requiring final placement to be coordinated with Environmental Health prior to the issuance of any permits. If approved, this condition would allow flexibility if the septic field area needs to be adjusted based on perc test results. |

#### Requested Area of Relief

| UDO Section                         | Required   | Proposed  |
|-------------------------------------|--|---|
| Section 10.5 – Parking Requirements | <p>1.27 – One space per 250 square feet</p> <p>Spaces Required: 43</p> | <p>Spaces Provided: 32</p> <p>The applicants are requesting a reduction in the number of required parking spaces for the proposed retail store to accommodate other site features, including the proposed septic field and enhanced buffer area. In lieu of the required 43 spaces, the applicants propose to provide 32 spaces. This request is supported by Dollar General Corporate, and a letter of support has been included as an attachment to the staff report.</p> |

#### Revised Conditions of Approval

1. A recombination plat must be processed prior to the issuance of the zoning permit.
2. *The proposed septic field location may be adjusted during construction document review as needed. Final placement shall be coordinated with and approved by Gaston County Environmental Health and must be finalized prior to the issuance of the zoning permit.*

#### SECOND PLANNING & ZONING BOARD MEETING – NOVEMBER 17, 2025

The Planning & Zoning Board met again on November 17<sup>th</sup>, 2025, and recommended approval of the request by a unanimous 9 to 0 vote based on:

- This is a reasonable request and in the public interest; and
- It is consistent with the goals of the comprehensive land use plan as it will allow increased commercial opportunities along existing thoroughfares, as envisioned by the Scenic Gaston small area plan.