

# General Rezoning Application (Z21-09)

## STAFF REPORT

### APPLICATION SUMMARY

**Request:**

To rezone property from the (R-1) Single Family Limited Zoning District with (US) Urban Standards and (CH) Corridor Highway Overlays to the (C-1) Light Commercial Zoning District with (US) Urban Standards and (CH) Corridor Highway Overlays

**Applicant:**

David Ward and Cait Moreland

**Property Owner(s):**

Margaret Emma Waggoner

**Parcel Identification (PID):**

190294

**Property Location:**

1806 South Point Rd. (Belmont)

**Total Property Acreage:**

9.9 ac

**Acreage for Map Change:**

9.9 ac

**Current Zoning:**

(R-1) Single Family Limited with (US) Urban Standards and (CH) Corridor Highway Overlays

**Proposed Zoning:**

(C-1) Light Commercial with (US) Urban Standards and (CH) Corridor Highway Overlays

**Existing Land Use:**

Residential / Single Family

**Proposed Land Use:**

Animal Hospital, (Indoor Kennel)

### COMPREHENSIVE LAND USE PLAN

**Area 4: The Garden Gaston / Southeast Gaston**

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 enhanced quality of life.

**Comprehensive Plan future Land Use:**

Suburban Development – consists of significant single-family residential areas that exist around commercial pockets representing a standards suburban center. Typically, this would resemble subdivisions built around services for those communities. Suburban centers can also include multi-family houses and support services as well. These centers are larger than the rural centers and tend to not serve a significant civic or commercial purpose, aside from immediate neighborhood needs.

**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: **29**

Total Value of Sales: **\$7.32 m**

Low Sale

High Sale

Average Sale

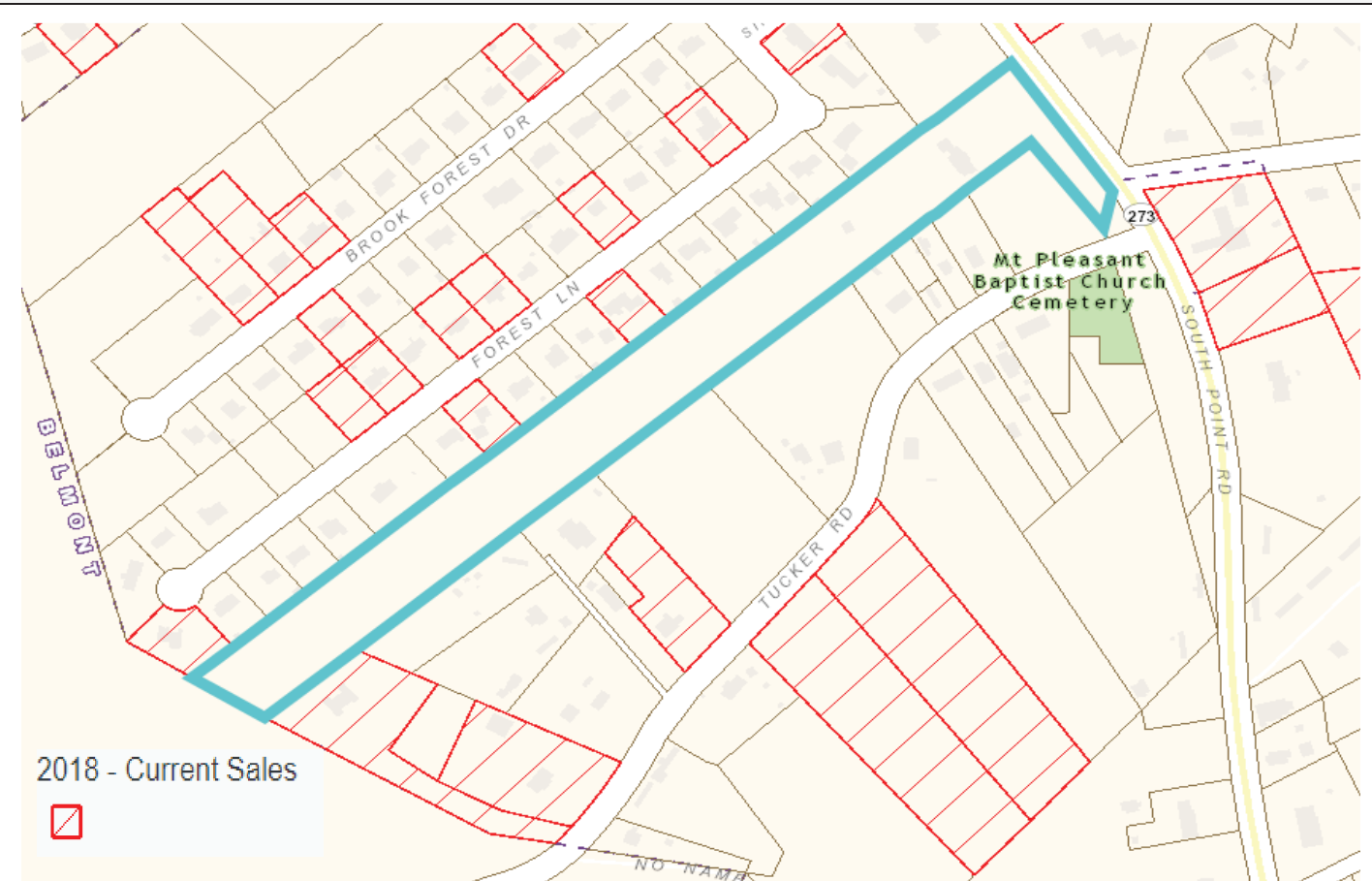
**\$70,000**

**\$422,000**

**\$236,000**

## AREA SALES MAP

Source: Gaston County Tax Department (GIS Website 2018)



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 residential area of the south eastern region of the county. The location is primarily residential in nature, with scattered commercial uses in the area and along the South Point Road corridor. Uses in the immediate vicinity include a gas station/convenience store, a landscaping business, cabinetry shop, and a church with daycare.

If approved, any uses allowed in the (C-1) Light 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: April 12, 2021**

Meeting Summary / Points of Discussion: Staff provided Board members with a history of the property, which included that the parcel is currently residential, with an existing single family residence, and undeveloped.

The applicants immediately followed staff with a brief overview and presentation, which included the proposed use of the property. A short background was given, to which the applicants revealed that Ms. Moreland is a Veterinarian seeking to open her own office, while her partner, Mr. Ward, has a background in the beer brewery business and hopes to invest in the community at a separate location once their proposed business is fully operational (if approved). Although this application is a general rezoning, the applicants indicated that they intend to erect and operate an Animal Hospital, Indoor Kennel – (Veterinary Office), if approved. A preliminary site plan (not to scale) was offered in the presentation, along with a proposed layout of the office/building.

Discussion and questions by Board members included soundproofing of the building, to which the applicants responded that an architect specializing in Animal Care facilities, was chosen for their attention to details of this nature, including soundproofing the business, so as not to disturb neighbors in the immediate vicinity. Screening and buffering were questioned, to which the applicants referred to their exhibit and explained that they intended to fully screen adjacent residential boundaries, adding fencing, if beneficial. They also indicated that they will retain as much existing mature foliage as possible.

A question was posed regarding the remaining acreage, as the site itself would only occupy approximately one (1) acre of the total 9.9 acre property. The applicants advised that they did not intend to develop the property further or expand the building. It was offered into discussion that the applicants had been seeking a one (1) acre tract for their business, however, their realtor presented them with this opportunity at an extremely reasonable cost.

The Board unanimously voted to approve the application, with a vote of (9) to (0), based upon the following statement of consistency:

*The proposed rezoning is in the Suburban Development future land use plan. Suburban Development consists of significant single-family residential areas that exist around commercial pockets representing a standard suburban center. The use, going from (R-1) to (C-1) will make the subject parcel commercial in nature, which is consistent with the Suburban Development designation. The Overlay districts will also ensure a higher quality of standards.*

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

**Attachments: Maps, MPO Comments**



# 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** 21-09

Applicant ☒

Planning Board (Administrative) ☐

Board of Commission (Administrative) ☐

ETJ ☐

#### A. \*APPLICANT INFORMATION

Name of Applicant: David Ward & Cait Moreland

(Print Full Name)

Mailing Address: 2731 Water View Circle Gainesville GA 30504

(Include City, State and Zip Code)

Telephone Numbers: 678-936-0417

(Area Code) Business

(Area Code) Home

Email: WWard10@gmail.com

*\* 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: Margaret Emma Waggoner

(Print Full Name)

Mailing Address: P.O. Box 1501

(Include City, State and Zip Code)

Telephone Numbers: 704-813-8576

(Area Code) Business

(Area Code) Home

Email: m.e.waggoner@hotmail.com

#### C. PROPERTY INFORMATION

Physical Address or General Street Location of Property: 1806 South Point Road Belmont NC 28012

Parcel Identification (PID): 190294

Acreage of Parcel: 9.9 +/- Acreage to be Rezoned: 9.9 +/- Current Zoning: (R1)(US)(CH)

Current Use: Single Family Residential Proposed Zoning: (C1)(US)(CH)

#### 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) 1806 South Point Rd, Belmont, NC hereby give Margaret Emma Waggoner consent to execute this proposed action.

(Signature)  
(Name of Applicant)

2/19/2021  
(Date)

(Signature)

(Date)

I, J. H. Housley, a Notary Public of the County of GASTON State of North Carolina, hereby certify that MARGARET WAGGONER personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and notarial seal, this the 19 day of FEBRUARY, 2021.

(Signature)  
Notary Public Signature

1-29-2021  
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.

(Signature)  
Signature of Property Owner or Authorized Representative

2/20/2021  
(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: 02/21/2021

### OFFICE USE ONLY

Application Number: 221-09

### OFFICE USE ONLY

Fee: \$500

Received by Member of Staff: SCP

(Initials)

Date of Payment: \_\_\_\_\_

Receipt Number: \_\_\_\_\_

☒ COPY OF PLOT PLAN OR AREA MAP

☒ COPY OF DEED

☒ NOTARIZED AUTHORIZATION

☒ 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.

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:** Sarah Carpenter Penley, Senior Planner, Subdivision Administrator, Gaston County Planning & Development Services  
**From:** Julio Paredes, Planner, Gaston—Cleveland—Lincoln MPO  
**Date:** March 29, 2021  
**Subject:** Z21-09 – South Point Rd, Belmont—GCLMPO Comments

Thank you for the opportunity to provide transportation comments on a proposed rezoning within the Gaston-Cleveland-Lincoln Metropolitan Planning Organization (GCLMPO) planning area. My comments are based on review of the proposed 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 at 1806 South Point Road, Belmont, NC 28012. On behalf of the GCLMPO, I offer the following comments:

1. According to NCDOT's 2020-2029 State Transportation Improvement Program (STIP), there are no funded transportation improvement projects in the immediate vicinity of this site.
2. There are multiple proposed improvements to the transportation system around this site that are included in the MPO's Comprehensive Transportation Plan (CTP). 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.

**a. Catawba Crossings Project:**

The proposed Catawba Crossings project, currently being studied as a 4-lane boulevard from NC 279 (South New Hope Road in Gaston County) to NC 160 (Steele Creek Road in Mecklenburg County) is included in the MPO's CTP. The proposed thoroughfare is an

Post Office Box 1748  
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unfunded project at this time, but a feasibility study is currently underway. More information can be found at [www.catawbacrossings.com](http://www.catawbacrossings.com).

**b. Belmont- Mt. Holly Loop:**

The Belmont-Mt. Holly Loop is also an unfunded project that is shown on the CTP.

Currently, North-South traffic in eastern Gaston County lacks a continuous route. Traffic accessing the Interstate 85/US 29-74 corridor overwhelms the existing network causing bottlenecks and delays and disrupting the communities through which it is forced to travel. A new facility that avoids congested downtown areas will better serve traffic and improve quality of life for those living near the existing routes.

The MPO recently submitted the Belmont-Mt. Holly Loop project in its entirety from NC 273 (N Main Street) in Mount Holly to NC 273 (South Point Road) in Belmont as a new 4-lane boulevard facility for NCDOT's current round of prioritization. It is not likely that the project will be funded in the next STIP, but this will start the process for additional express designs/feasibility study.

The full scope of work and a detailed project timeline has not yet been established for the study, but express designs/functional designs typically consist of the following tasks:

- Basic roadway design,
- Cost estimates, and
- Screening for key resources/issues/concerns that need to be avoided, mitigates, or otherwise considered if the project moves forward into later planning stages.

**c. South Point Road Widening:**

The widening of South Point Road from R. L. Stowe Rd to Lower Armstrong Rd is included in the MPO's CTP. The MPO recently submitted the widening of South Point Rd from R. L. Stowe Rd to Henry Chapel Rd in Belmont as a 4-lane divided boulevard facility for NCDOT's current round of prioritization.

NCDOT is in the process of reviewing and calculating quantitative scores for all projects submitted across the state. This should be completed by July 30, 2021. The MPO will be holding public comment opportunities beginning later this fall for the assignment of local input points. The MPO will not know until the summer of 2022 if this project is funded.

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

## **C1 LIGHT COMMERCIAL**

### **(1) Uses allowed by right:**

ABC Store; Amusement & Sporting Facility, indoor; Amusement Arcade; Animal Grooming Service for household pet, indoor kennels; Art Gallery; Auditorium, Assembly Hall, Amphitheater, Community Center, <500 seats; Baseball Hitting Range; Building Material & Lumber Sales; Business Services; Check Cashing Establishment, closed 12AM to 5AM; Cleaning & Maintenance Service; Contractor's Office & Operation Center; Day Care Center, Accessory; Dwelling, Single Family; 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, 0-9,999 sqft GFA; Funeral Homes; Furriers; Game Room; Glass & Mirror Shop; Grooming Services; Gunsmith, Gun & Ammunition Sales; Hardware Store; Health Club, Spa Gymnasium (principle use); Laboratories – Dental, Medical; Lawn & Garden Center; Library; Medical Offices, 0-49,999sqft GFA; Monument Sales; Museum; Offices, excluding Medical, 0-49,999sqft GFA; Personal Business Services; Photo Finish Laboratory; Post Office; Recycling Deposit Station, accessory; School for the Arts; Sign Shop; Upholstery Shop

### **(2) Uses allowed by right with supplemental regulations:**

Animal Hospital, indoor kennel; ATM (Automated Teller Machine); Auction House; Automobile Hobbyist; Automobile Repair Shop; Automobile Service Station; Automobile, Truck, Boat, Motorcycle, Manufactured Home, Recreational Vehicle Sales & Rental; Bed and Breakfast Inn; Bona Fide Farms; Car Wash, Self Service; Church / Place of Worship; Club, private (without adult entertainment); Convenience Store, closed 12AM to 5AM; Day Care Center Class A; Day Care Center Class B; Day Care Center Class C; Dwelling, Mixed Use; Dwelling, Two Family; Essential Services Class 2; Family Care Home; Flea Market, indoor; Flex Space; 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; Golf Course, Golf Driving Range, Golf Miniature; Health & Behavioral Care Facility; Home Occupation, Customary; Home Occupation, Rural; Landfill, Beneficial Fill; Laundromat, closed 12AM to 5AM; Lounge / Nightclub; Machine, Metal, Wood Working, Welding Shop; Manufactured Goods, class 1; Maternity Home; Multi Family Development; Nursery (Garden); Nursing Home, Rest Home; Paint Ball Facility; Park; Parking Lot; Planned Residential Development (PRD); Planned Unit Development (PUD); Private Residential Quarters (PRQ); Produce Stand; Recreation Center & Sports Center; Recycling Deposit Station, principle use; Residential Infill Development; Restaurant; Restaurant, with drive thru; Restaurant, within other facilities; Retail, 0-24,000sqft GFA; School, Elementary & Middle (public / private); School, Senior High (public / private); Shopping Center, 0-24,999 sqft GFA; Shopping Center, 25,000-49,999 sqft GFA; Stadium; Swimming Pool, Sales, Service & Supplies; Telecommunication Antennae & Equipment Buildings; Traditional Neighborhood Development (TND)

### **(3) Uses allowed with a conditional use permit:**

Billiard Parlor; College / University; Food Store, 10,000+ sqft GFA; Medical Offices, 50,000-99,999sqft GFA; Offices, excluding Medical, 50,000-99,999sqft GFA; Transit Station

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

Amusement & Sporting Facility, Outdoor; Animal Hospital, indoor kennel; Animal Hospital, outdoor kennel; Assisted Living Center; Auction House; Auditorium, Assembly Hall, Amphitheater, Community Center, 500 or more seats; Automobile Service Station; Body Piercing Establishment & Tattoo Parlor; Bus & Train Terminal, Passenger; Car Wash, Self Service; Club, Private (without adult entertainment); Convenience Store, open up to 24 hrs; Farmers Market; Flea Market, Outdoor; 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; Group Home; Health & Behavioral Care Facility; Hotel or Full Service Hotel; Laundromat, open up to 24 hrs; Lounge / Nightclub; Maternity Home; Mini-Warehouse; Park; Restaurant, with drive thru; Riding Stables; Rodeo / Accessory Rodeo; School, Vocation; Stadium; Telecommunication Tower & Facilities; Wood Waste Grinding Operation

### **(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:**

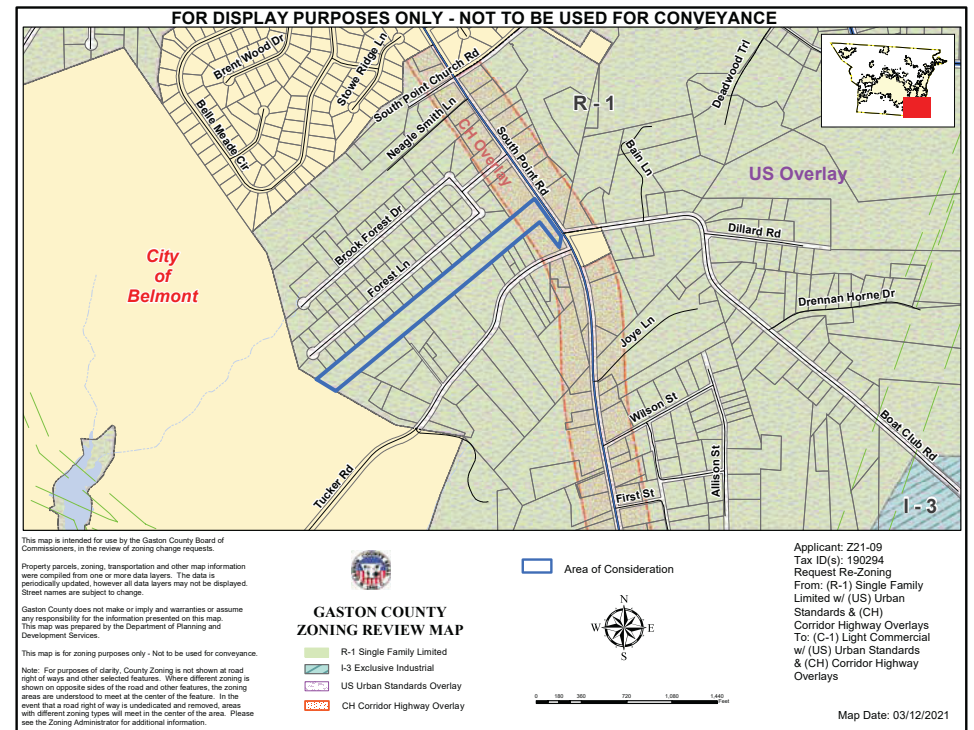
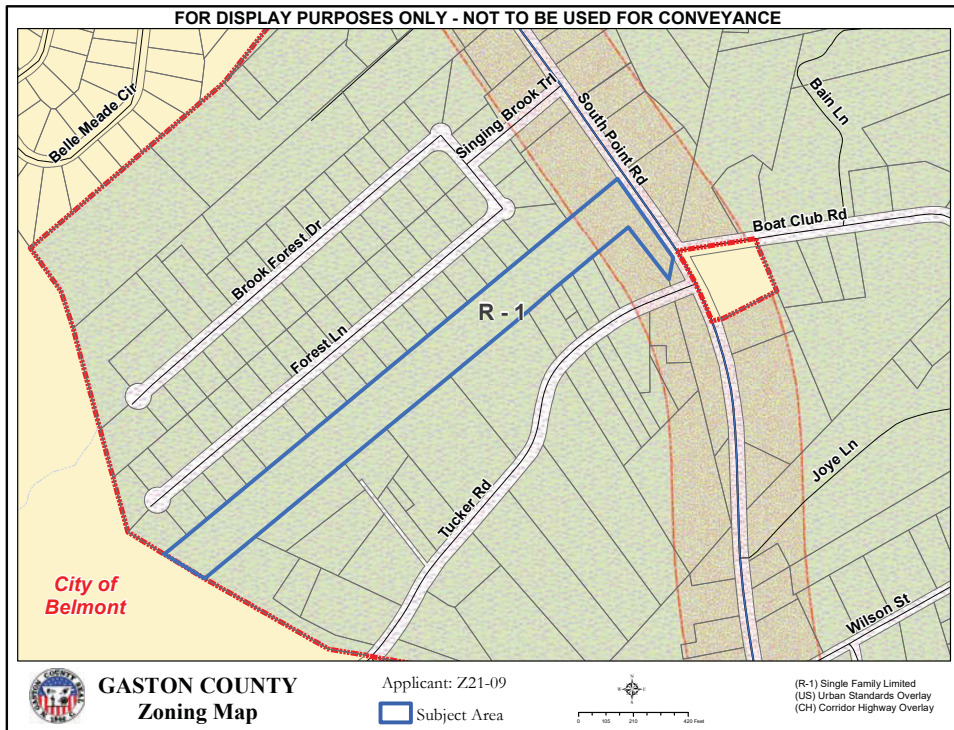
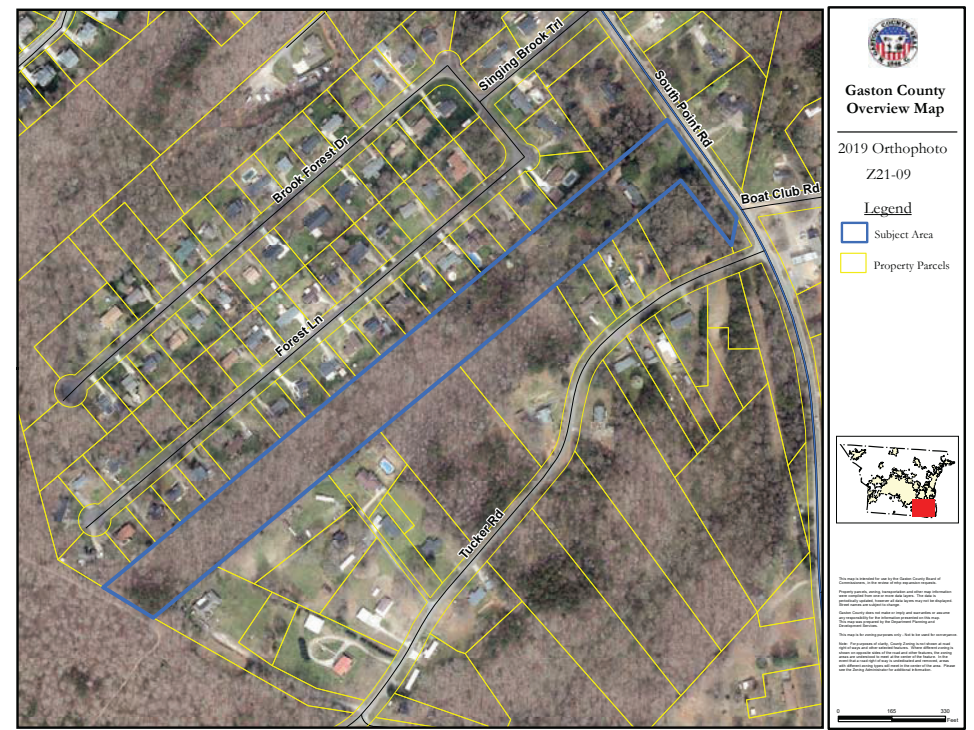
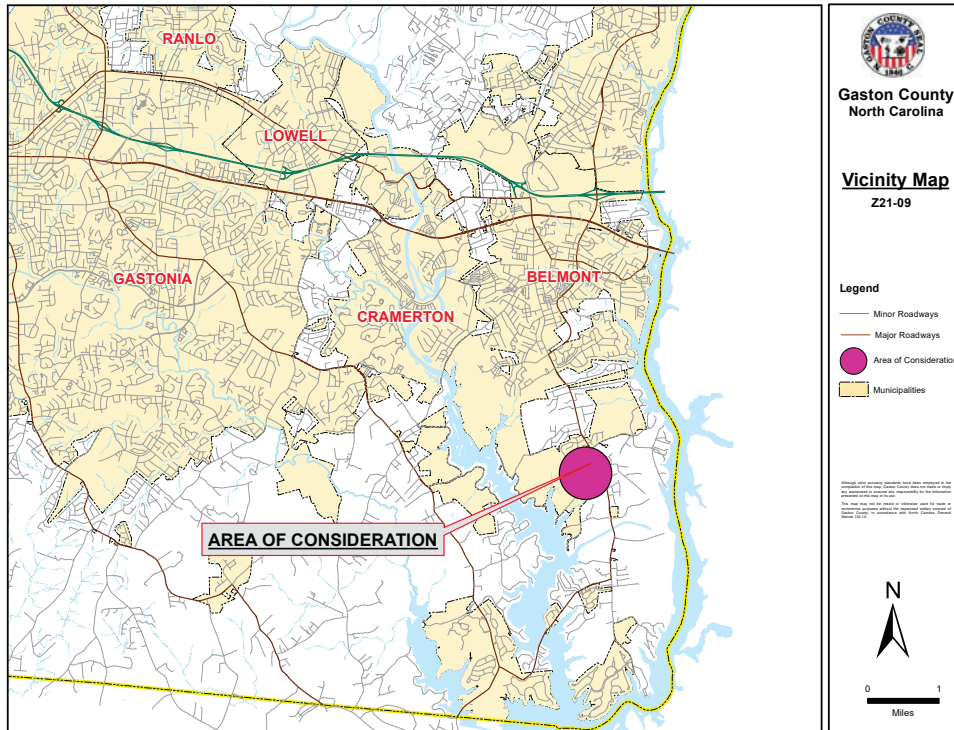
Multi Family Development; Planned Residential Development (PRD); Planned Unit Development (PUD); Residential Infill Development; Traditional Neighborhood Development (TND)

### **(8) By Special exception:** None

### **(9) By Special exception with supplemental regulations:**

Family Care Home









**Z21-09 Subject and Adjacent Properties Map**  
See reverse side for listing of property owners

 **Area of consideration**

## Z21-09 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>
*	190294	WAGGONER MARGARET EMMA		P O BOX 1501	BELMONT	NC	28012
1	201475	BELMONT #3 US 321/74 BYPASS	C/O SOUTHEAST LAND MGT LLC	2820 SELWYN AVE STE 500	CHARLOTTE	NC	28209
2	190274	MURPHY TYLER J	MURPHY DEBRA C	721 FOREST LN	BELMONT	NC	28012
3	190273	HICE JERRY ALDEN		717 FOREST LN	BELMONT	NC	28012
4	190272	BOMGAARS MICAH	BOMGAARS CAROLYN	713 FOREST LN	BELMONT	NC	28012
5	190271	ATKINS TERRY L	ATKINS DEITRA R	709 FOREST LN	BELMONT	NC	28012
6	190270	BAKER SUSAN J		705 FOREST LN	BELMONT	NC	28012
7	190269	FULP RICKY L	FULP TERESA M	621 FOREST LN	BELMONT	NC	28012
8	190268	SNUGGS JEFFERY WADE		617 FOREST LN	BELMONT	NC	28012
9	190267	WEBER JOHN PAUL	WEBER ALICE DROSINIS	613 S FOREST LN	BELMONT	NC	28012
10	190266	COSTALES JACKLUN M		609 FOREST LN	BELMONT	NC	28012
11	190265	ATKINS CHRISTOPHER M	ATKINS CONNIE	605 FOREST LANE	BELMONT	NC	28012
12	190264	CALABRITTO PHILLIP S	JOHNSON TINA A	601 FOREST LN	BELMONT	NC	28012
13	190263	RH PARTNERS OWNERCO LLC		5001 PLAZA ON THE LAKE STE 200	AUSTIN	TX	78716
14	190262	HOGGARD REBECCA HAY	HOGGARD JOHN COLIN	517 FOREST LN	BELMONT	NC	28012
15	190261	BAIN RONDA L	BAIN KATHLEEN B	P O BOX 1279	BELMONT	NC	28012
16	190260	CHELTON BRANDI MAYHEW		509 FOREST LN	BELMONT	NC	28012
17	190259	ONEILL MICHAEL THOMAS	ONEILL PATRICIA U	P O BOX 166	BELMONT	NC	28012
18	190258	GOBLE JASON B	HODGE PATRICIA L	501 FOREST LN	BELMONT	NC	28012
19	190257	ENSLEY DEBORAH P	ENSLEY RONNIE S	411 FOREST LN	BELMONT	NC	28012
20	190255	EDWARDS KHARMA B	EDWARDS COREY M	1800 SOUTH POINT RD	BELMONT	NC	28012
21	190321	ODELL ROBERT H		125 MISSOURI LN	MOUNT HOLLY	NC	28120
22	190319	JOYE STANLEY	BAILEY CYNTHIA S	1809 SOUTH POINT RD	BELMONT	NC	28012
23	190318	JOYE STANLEY		1809 SOUTH POINT RD	BELMONT	NC	28012
24	190317	VINAYAKA ENTERPRISES LLC		902 SILVERBERRY ST	GASTONIA	NC	28054
25	190313	MT PLEASANT BAPTIST CHURCH		700 EAST AVE	BELMONT	NC	28012
26	190310	REEVES JOSEPH D		833 JEFFERSON AVE	BROOKLYN	NY	11221
27	190309	FARRAR RICKEY EDWARD JR		10 BRAINERD DR	STONEY POINT	NY	10980
28	190306	ESCALERA EULALIA		122 PIONEER ST	BROOKLYN	NY	11231
29	190305	WILLIAMS JOSEPH JR		4020 TUCKER RD	BELMONT	NC	28012
30	190301	REEVES JAMES FRANKLIN SR		4028 TUCKER RD	BELMONT	NC	28012
31	190295	HAND-LEATHERS MELISSA		621 KAURI STR	WILMINGTON	NC	28411
32	190297	LEATHERS MELISSA H		5644 GARY AVE	ALEXANDRIA	VA	22311
33	191960	GALLANT SCOTT L		4066 TUCKER RD	BELMONT	NC	28012
34	191952	HOWELL GARRY STEVENS		4076 TUCKER RD	BELMONT	NC	28012
35	30235	LASSITER JOSEPH L JR	LASSITER LISA L	4048 TUCKER RD	BELMONT	NC	28012