

Planning Board Item II- GENERAL PUBLIC HEARING INFORMATION (Rezoning – Z16-07)
Board of Commissioners/Planning Board Public Hearing Date September 27, 2016

General Rezoning Application-Z16-07 for Parcel 173473

Request: To rezone parcel number 173473 from the (R-1) Single Family Limited Zoning District w/CH and US Overlays to (C-1) Light Commercial Zoning District w/CH and US Overlays

Applicant: Yarber Inc., (John and Andy Yarber)

Property Owner: Sarah Jenkins

Mailing Address of Applicant: PO Box 909, Denver, NC 28037

Site Information and Description of Area:

General Location (see attached map): 14740 Lucia Riverbend Hwy, Stanley, NC 28164

Tax Parcel Number(s): 173473

Township: Riverbend Township

Current Use of Property: residential

Total Acreage in Parcel(s): 0.9 acres

Acreage for Map Change: 0.9 total acres

Current Zoning District(s): (R-1) Single Family Limited Zoning Districts, CH and US Overlay

General Area Zoning Districts: (R-1) Single Family Limited Zoning Districts, (R-2) Single Family Moderate (C-1) Light Commercial, (C-3) General Commercial (CH Overlay) Corridor Highway Overlay District (USO) Urban Standards Overlay District

General/Adjacent Land Use(s): Residential and Commercial

Zoning District Information:

Current Zoning District(s):

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.

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 on 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.", 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-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.

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 on 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.", 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.

STAFF COMMENTS: It is staff's opinion the request is consistent with the Comprehensive Plan.

COMPREHENSIVE PLAN:

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

Key Issues: Wildlife habitats, availability of water, sewer, etc., adequate roads and road system, greenways, parks, and recreation facilities

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 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: September 16, 2016

MAIL NOTIFICATION:

Notice of the hearing was sent to adjacent property owners on September 16, 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, adjacent property owner's map

TRANSPORTATION PLANNING INFORMATION:

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

STAFF CONTACT:

Ron Smith, Development Services Planner (704-866-3072), email: 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: **Z16-07**

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

A. *APPLICANT INFORMATION

Name of Applicant: Yarber Inc (John & Andy Yarber)
(Print Full Name)
Mailing Address: PO Box 909 Denver, NC 28037
(Include City, State and Zip Code)
Telephone Numbers: 704.483.3183 704.577.7614 (John)
(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: Sarah Jenkins
(Print Full Name)
Mailing Address: 223 Holly Circle 28120 Mt. Holly
(Include City, State and Zip Code)
Telephone Numbers: _____
(Area Code) Business (Area Code) Home

C. PROPERTY INFORMATION

Physical Address or General Street Location of Property: 14740 Lucia Riverbend Hwy
Stanley NC 28164
Parcel Identification (PID): 173473
Acreage of Parcel: .9 +/- Acreage to be Rezoned: .9 +/- Current Zoning: R-1 w/ CH & US Overlay
Current Use: Residential Proposed Zoning: C-1 Office Use w/ CH & US Overlay

D. PROPERTY INFORMATION ABOUT MULTIPLE OWNERS

Name of Property Owner: _____	Name of Property Owner: _____
Mailing Address: _____ (Include City, State and Zip Code)	Mailing Address: _____ (Include City, State and Zip Code)
Telephone: _____ (Area Code)	Telephone: _____ (Area Code)
Parcel: _____ (If Applicable)	Parcel: _____ (If Applicable)
_____ (Signature)	_____ (Signature)

AA

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) 173473 hereby give Yarber Inc. John & Andy Yarber consent to execute this proposed action.
(Name of Applicant)

Sarah B Jenkins
(Signature)

8/16/16
(Date)

(Signature)

(Date)

I, Dawn Marie Urbanowicz, a Notary Public of the County of Gaston State of North Carolina, hereby certify that Sarah B. Jenkins personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and notarial seal, this the 16th day of August, 2016.

Dawn Marie Urbanowicz
Notary Public Signature

DAWN MARIE URBANOWICZ
Notary Public
Gaston County, NC
My Comm. Exp. 10/23/19

(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.

AA Sarah B Jenkins
Signature of Property Owner or Authorized Representative

8/16/16
Date

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

OFFICE USE ONLY

OFFICE USE ONLY

OFFICE USE ONLY

Date Received: 8-16-16

Application Number: 216-07

Fee: \$ 500.00

Received by Member of Staff: 8-16-16
(Initials)

Date of Payment: 8-16-16

Receipt Number: _____

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.

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:

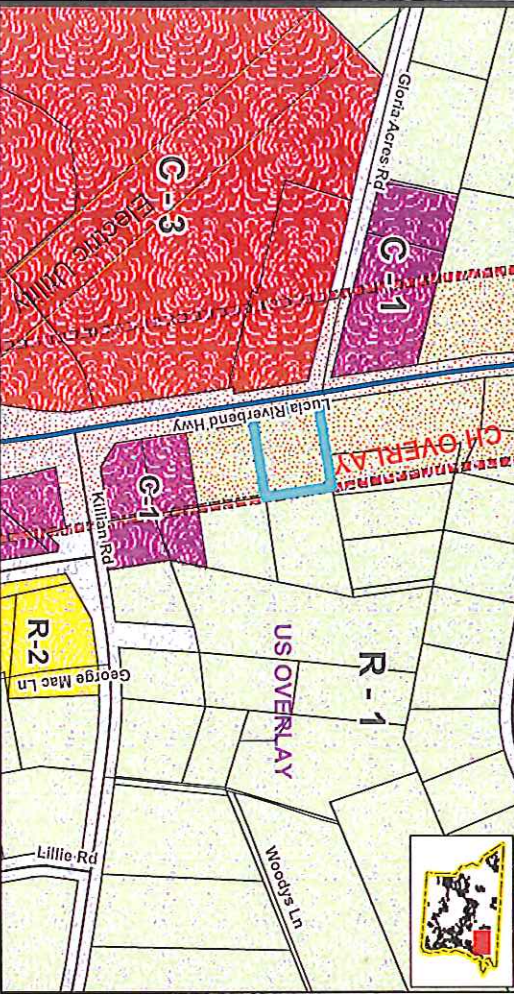
Multi Family Development; Planned Residential Development (PRD); Planned Unit Development (PUD); Residential Infill Development; Traditional Neighborhood Development (TND)

(8) By Special exception: None

(9) By Special exception with supplemental regulations:

Family Care Home

FOR DISPLAY PURPOSES ONLY - NOT TO BE USED FOR CONVEYANCE



GASTON COUNTY ZONING REVIEW MAP

Applicant: Z16-07
 Tax Id: 173-473
 Existing Zoning: R-1 w/ CH & US Overlay
 Single Family Limited w/ Corridor Highway Overlay
 Urban Standards Overlay
 Proposed Zoning: C-3 w/ CH & US Overlay
 General Commercial w/ Corridor Highway Overlay
 Urban Standards Overlay

ZONING REVIEW MAP

- Area of Consideration
- R-1 Single Family Limited
- R-2 Single Family Moderate
- C-1 Light Commercial
- C-3 General Commercial

Map Date: 8/30/2016



Gaston County Zoning Review Overview Map

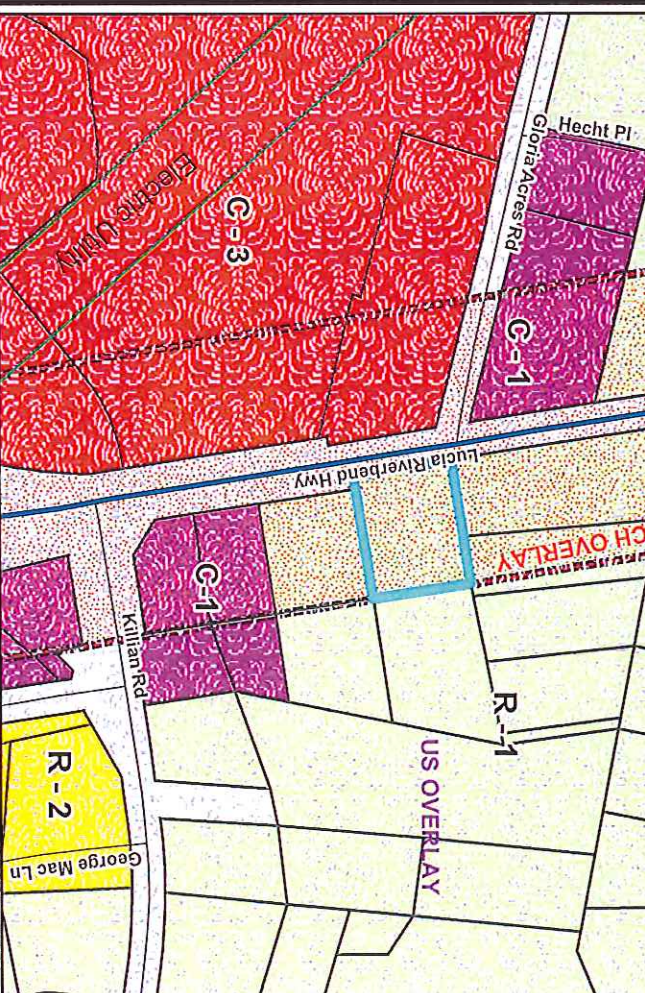
2015 Imagery
 Z 16-07

Legend

- Subject Area
- Property Parcels

Scale: 0 to 125,000 Feet

FOR DISPLAY PURPOSES ONLY - NOT TO BE USED FOR CONVEYANCE

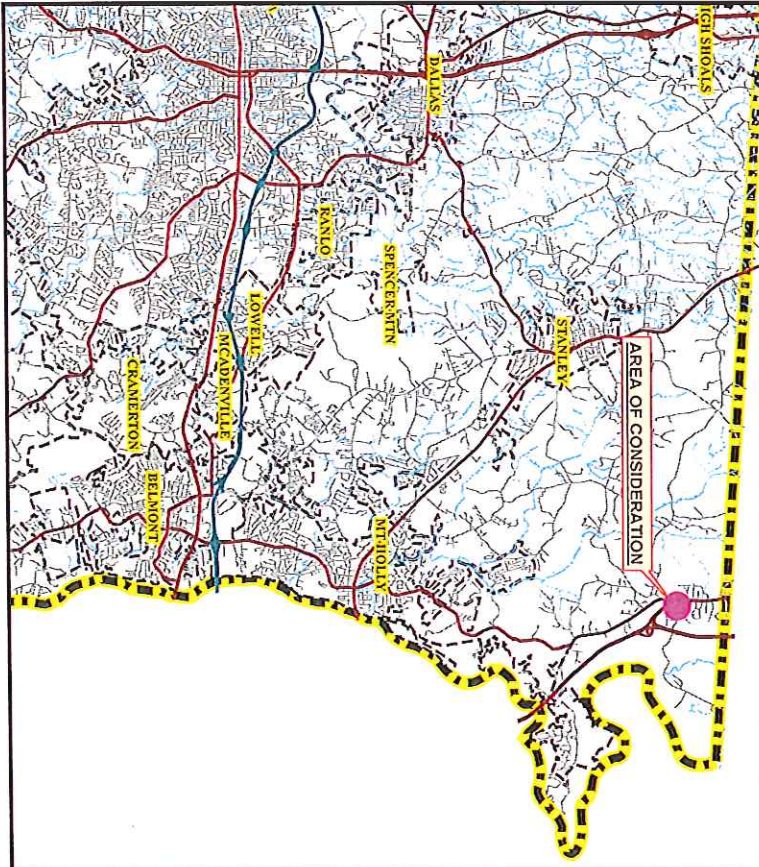


GASTON COUNTY ZONING

"Applicant: Z16-07"

Subject Area

- R-1 Single Family Limited
- R-2 Single Family Moderate
- C-1 Light Commercial
- C-3 General Commercial
- US Urban Standards Overlay



Gaston County North Carolina

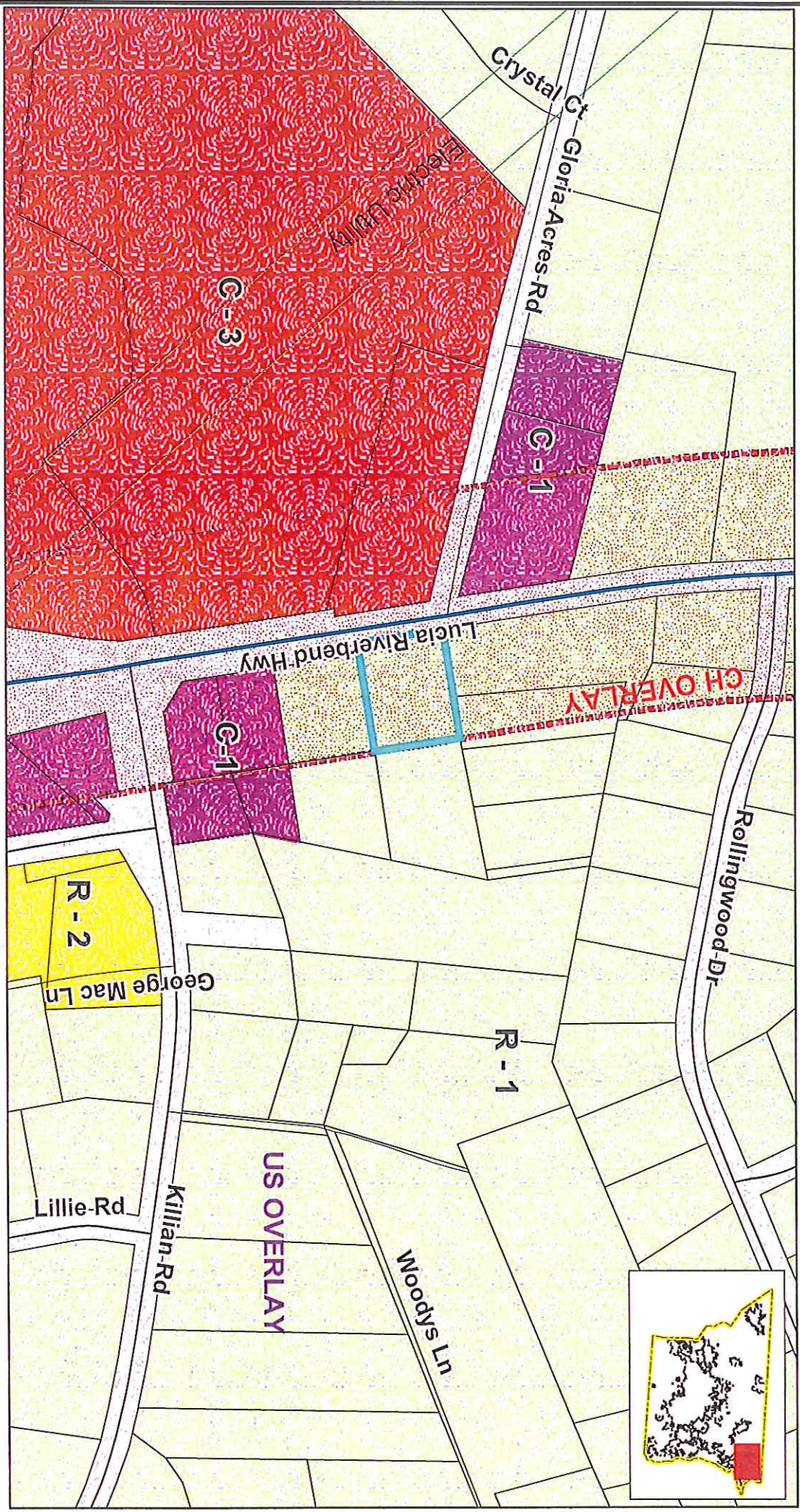
Vicinity Map

Legend

- Major Waterways
- Major Roadways
- Area of Consideration
- Municipalities

Scale: 0 to 1 Miles

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 warrants or assume any responsibility for the information presented on this map. This map was prepared by the Department of 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 undedicated and removed, areas with different zoning types will meet in the center of the area. Please see the Zoning Administrator for additional information.



**GASTON COUNTY
ZONING REVIEW MAP**

- Area of Consideration
- R-1 Single Family Limited
- R-2 Single Family Moderate
- C-1 Light Commercial
- C-3 General Commercial



Applicant: Z16-07
Tax Id: 173473
Existing Zoning: R-1 w/CH & US Overlay
Single Family Limited w/
Corridor Highway Overlay
Urban Standards Overlay


Proposed Zoning: C-3 w/ CH & US Overlay
General Commercial w/
Corridor Highway Overlay
Urban Standards Overlay

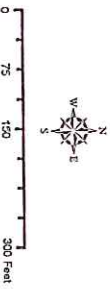
Map Date: 8/30/2016



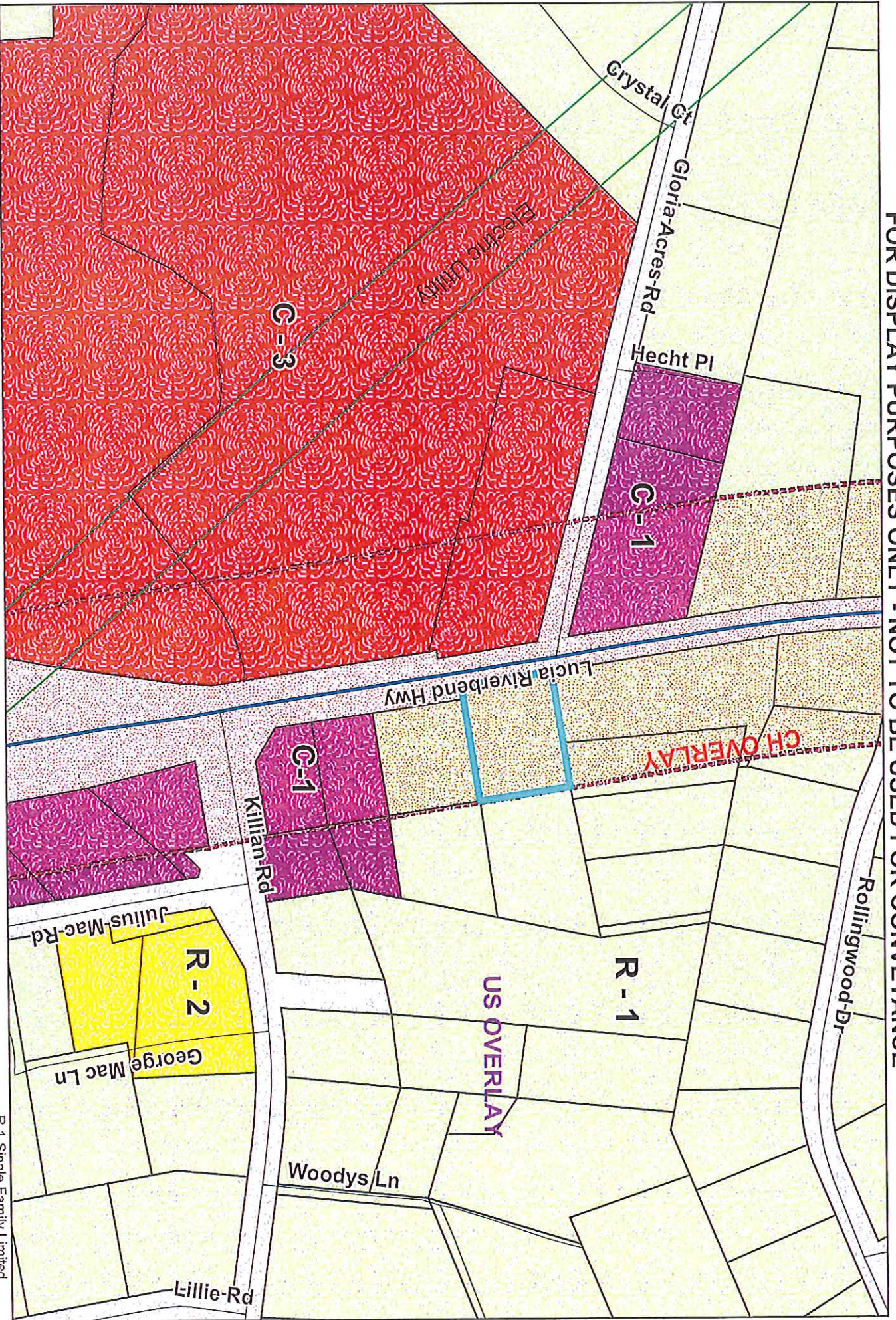
GASTON COUNTY ZONING

"Applicant: Z16-07"

 Subject Area



- R-1 Single Family Limited
- R-2 Single Family Moderate
- C-1 Light Commercial
- C-3 General Commercial
- CH Corridor Highway Overlay
- US Urban Standards Overlay



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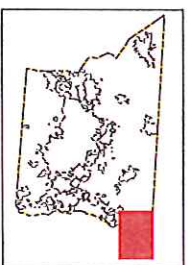


**Gaston County
Zoning Review
Overview Map**

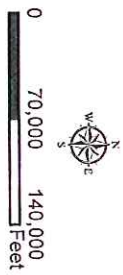
2015 Imagery

Z 16-07

- Legend**
- Subject Area
 - Property Parcels



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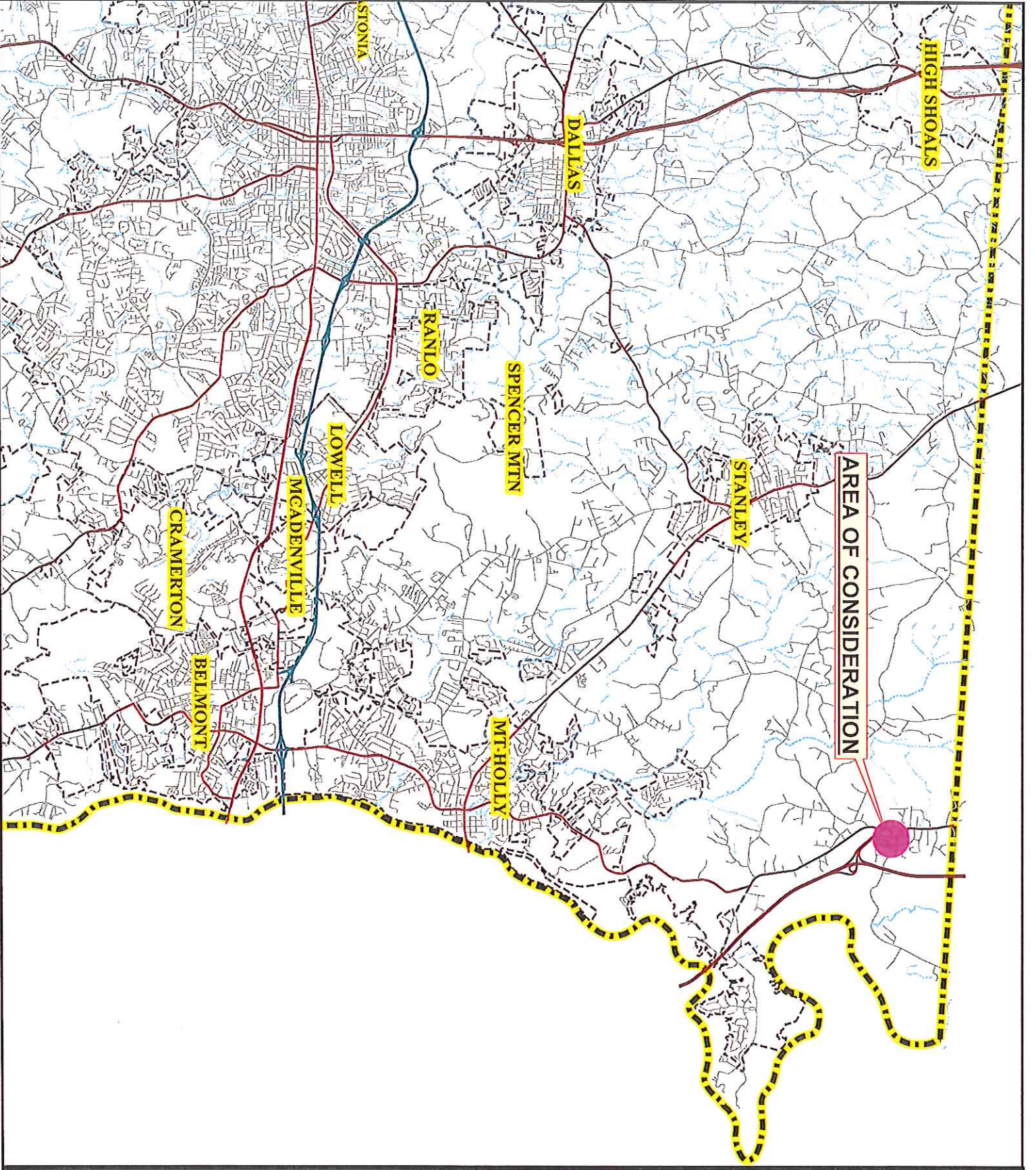
Gaston County North Carolina

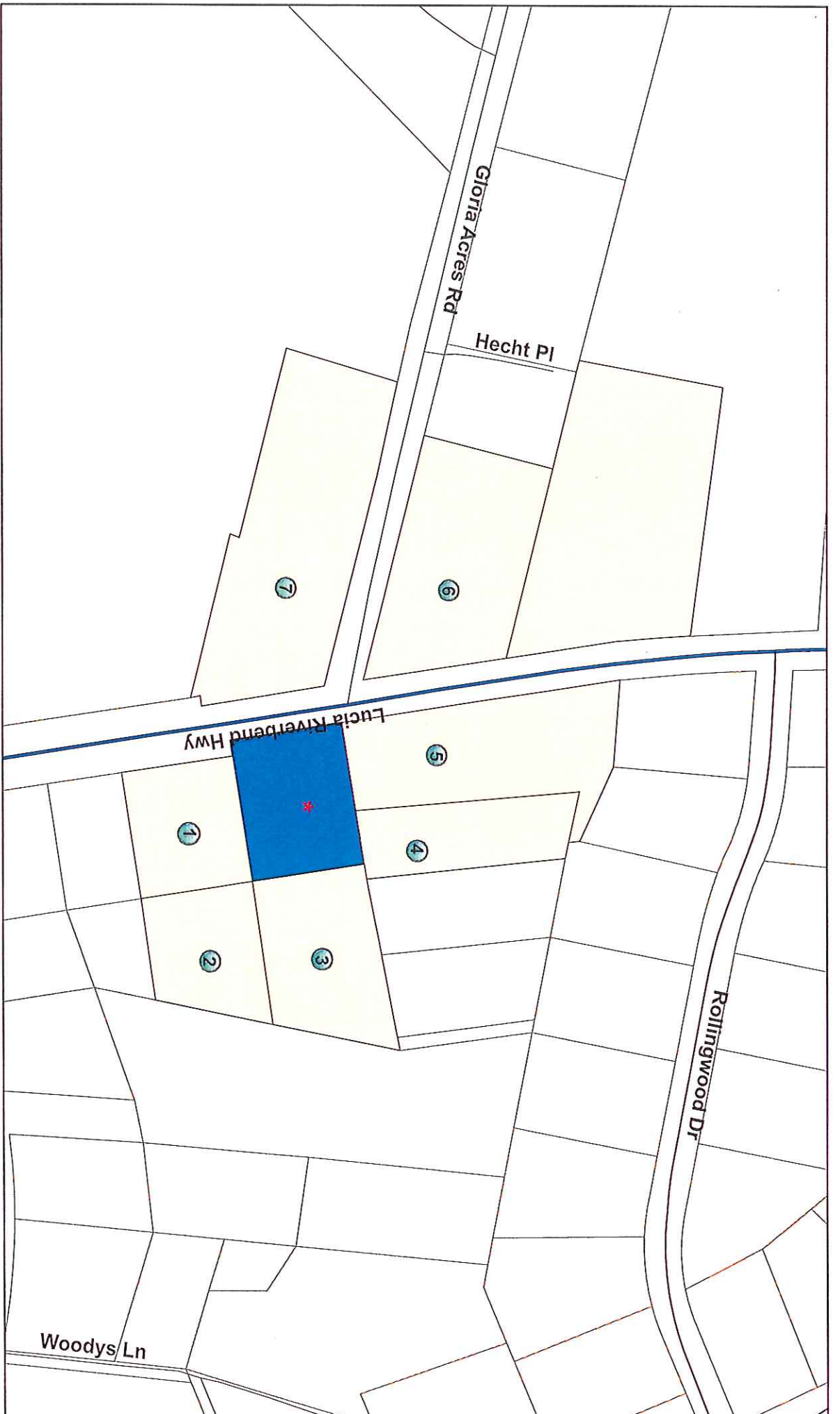
Vicinity Map

- 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 resold or otherwise used for trade or commercial purposes without the expressed written consent of Gaston County, in accordance with North Carolina General Statute 132-10.





Z16-07

NO:	PARCEL	OWNER NAME 1	OWNER NAME 2	ADDRESS	ADDRESS	CITY	STATE	ZIP
1	173473	JENKINS SARAH BISHOP		223 HOLLY CIR		MOUNT HOLLY	NC	28120-9645
2	173472	KEEVER ROGER BLAIR		14732 LUCIA RIVERBEND HWY		STANLEY	NC	28164-9761
3	173489	KEEVER ROGER BLAIR		14732 LUCIA RIVERBEND HWY		STANLEY	NC	28164-9761
4	173490	BISHOP TED LEWIS JR LIFE EST		1725 OLD HICKORY GROVE RD		MT HOLLY	NC	28120
5	173474	CASTANEA PRESBYTERIAN CHURCH		14815 LUCIA RIVERBEND HWY		STANLEY	NC	28164-0000
6	172860	CASTANEA PRESBYTERIAN CHURCH		14815 LUCIA RIVERBEND HWY		STANLEY	NC	28164-0000
7	214964	NORMAN PLANTATION INC	PATEL VASANT A	303 GASTON AVE		MOUNT HOLLY	NC	28120-0000
				14735 LUCIA RIVERBEND HWY		STANLEY	NC	28164-0000