

GASTON COUNTY REZONING APPLICATION (Z22- 12)

STAFF REPORT

APPLICATION SUMMARY

Request:

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

Applicant(s):

Steven Davidson

Property Owner(s):

Robert Bennett Jr.

Parcel Identification (PID):

175088

Property Location:

107 Henderson Street

Total Property Acreage:

.98

Acreage for Map Change:

.98

Current Zoning:

(R-1) Single Family Residential with (US) Urban Standards Overlay and (CH) Corridor Highway Overlay

Proposed Zoning:

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

Existing Land Use:

Residential and Non-conforming Commercial

Proposed Land Use:

Residential and Commercial

COMPREHENSIVE LAND USE PLAN

Northeast Riverfront Gaston

The northeast riverfront area of Gaston County has high numbers of transportation along Highway 27 and NC 16. The Lucia community is noted as a place that has potential for suburban development that supports travelers along NC Business 16. There is a large area that has been forecasted as suburban development and there is a gateway center just west of the Mount Holly city lines. 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, increased job opportunities, maintaining the rural “feel” of the area, and increased commercial opportunities.

Comprehensive Plan future Land Use: Gateway Center

Gateway centers are meant to capture the attention of people entering the County for various purposes. These areas are specifically located along major transportation routes and carry the weight of introducing travelers to the County through the look, feel, and signage in the area.

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

Technical Review Committee (TRC) comments provided by Gaston Lincoln Cleveland Metropolitan Planning Organization (MPO)
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There are no funded transportation improvement projects in the immediate vicinity of the site on the STIP. The CTP includes a proposed extension of NC 273 to HWY 16. The proposed extension is shown between Johnson St. and Henderson St. There is also a proposed intersection improvement project at NC 273/Lucia Riverbend HWY on the MPO's MTP as an unfunded project.
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STAFF SUMMARY

Prepared By: Jamie Mendoza Kanburoglu, Long Range Planner
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The subject property has a pre-existing commercial building on the rear of the lot. The building was noted as a non-conforming commercial building when the County placed a residential zoning district on the lot. Rezoning this parcel would bring the lot into compliance. Any future use would still be required to go through a full site plan review with the zoning and building inspectors. Staff is of the opinion that the application as presented is consistent with the vision of the Comprehensive Land Use Plan and that the proposed use is in harmony with the surrounding area as there are several existing, smaller commercial sites nearby.
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PLANNING BOARD RECOMMENDATION

Scheduled Meeting Date: April 4, 2022
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The Planning Board unanimously recommended approval of the request as presented as it is consistent with the Comprehensive Land Use Plan and rezoning the parcel would bring the existing commercial structure into compliance with the correct zoning.

Attachments: Application, Uses allowed in C-1, Maps



GASTON COUNTY Department of Building & 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**

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

A. *APPLICANT INFORMATION

Name of Applicant: Steven Davidson
(Print Full Name)
Mailing Address: 225 N. Centurion Ln., Mount Holly, NC 28120
(Include City, State and Zip Code)
Telephone Numbers: 704-774-6360
(Area Code) Business (Area Code) Home
Email: carstonparts1@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: Ronald Keith Bennett Jr
(Print Full Name)
Mailing Address: 161 Griffin St Stanley N.C. 28164
(Include City, State and Zip Code)
Telephone Numbers: 704-363-3116
(Area Code) Business (Area Code) Home
Email: Mrroaldking33@aol.com

C. PROPERTY INFORMATION

Physical Address or General Street Location of Property: 107 Henderson St.
Mount Holly, NC 28120
Parcel Identification (PID): 175088
Acreage of Parcel: _____ +/- Acreage to be Rezoned: _____ +/- Current Zoning: _____
Current Use: _____ Proposed Zoning: _____

D. PROPERTY INFORMATION ABOUT MULTIPLE OWNERS

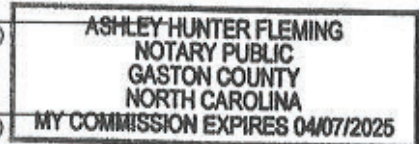
Name of Property Owner: _____	Name of Property Owner: _____
Mailing Address: _____	Mailing Address: _____
_____ (Include City, State and Zip Code)	_____ (Include City, State and Zip Code)
Telephone: _____ (Area Code)	Telephone: _____ (Area Code)
Parcel: _____ (If Applicable)	Parcel: _____ (If Applicable)
_____ (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) 175088 hereby give Steven Davidson consent to execute this proposed action.
(Name of Applicant)

Ronald Keith Bennett Jr
(Signature)

3-30-22
(Date)



(Signature)

(Date)

I, Ashley Hunter Fleming, a Notary Public of the County of Gaston State of North Carolina, hereby certify that Ronald Keith Bennett Jr. personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and notarial seal, this the 30th day of March, 2022.

Ashley Hunter Fleming
Notary Public Signature

4-7-25
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.

Ronald Keith Bennett Jr
Signature of Property Owner or Authorized Representative

3-30-22
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: _____ Application Number: _____ Fee: _____

Received by Member of Staff: _____ Date of Payment: _____ Receipt Number: _____
(Initials)

☐ 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.

X = Permitted use by right | CD = Conditional Zoning required | E = Existing use subject to limitations | SP = Special Use Permit required | s = Supplemental regulations listed in addition to X, CD, E, SP

Use	C-1	Use	C-1	Use	C-1
Bus and Train Terminal, Passenger	SPs	Restaurant	Xs	Fraternal & Service Organization Meeting Facility (non- or not- for profit), 0 - 9,999sqft GFA	Xs/SPs
Baseball Hitting Range	X	School, Vocation	SPs	Fraternal & Service Organization Meeting Facility (non- or not- for profit), 10,000+sqft GFA	Xs/SPs
Farm Supply Store, with outdoor storage	X	Special Events Facility	Xs	Funeral Homes	X
Farm Supply Store, without outdoor storage	X	Special Events Facility, Accessory	Xs	Furriers	X
Dwelling, Manufactured Home Class C	Es	Telecommunication Antennae & Equipment Buildings	Xs	Game Room	X
Dwelling, Manufactured Home Class D	Es	Wood Waste Grinding Operation	SPs	Glass & Mirror Shop	X
Manufactured Home Park	Es	Paint Ball / Laser Tag Facility	Xs	Golf Course; Golf Driving Range; Golf Miniature	Xs
Transit Station	SP	Restaurant, within other facilities	Xs	Grooming Services	X
Automobile, Truck, Boat, Motorcycle, Manufactured Home, Recreational Vehicle Sales and Rental	Xs	Planned Unit Development (PUD)	Xs/CDs	Group Home	SPs
Flea Market, Indoor	Xs	Auction House	Xs/SPs	Gunsmith, Gun & Ammunition Sales	X
Flea Market, Outdoor	SPs	Automobile Service Station / Automobile, Truck Sales, Accessory	Xs/SPs	Hardware Store	X
Telecommunication Tower & Facilities	SPs	Club, Private (without Adult Entertainment)	Xs/SPs	Health and Behavioral Care Facility	Xs/SPs
Farmers Market	SPs	Lounge / Nightclub	Xs/SPs	Health Club, Spa, Gymnasium (principal use)	X
Building Material and Lumber Sales	X	Park	Xs/SPs	Home Occupation, Customary	Xs
Business Services	X	Restaurant, with drive thru	Xs/SPs	Home Occupation, Rural	Xs
Contractor's Office	X	ABC Store	X	Hotel or Full Service Hotel	SPs
Contractor's Office and Operation Center	X	Amusement and Sporting Facility, Indoor (unless use specifically listed)	X	Laundromat, Closed 12AM to 5AM	Xs
Day Care Center, Accessory	X	Amusement and Sporting Facility, Outdoor	SPs	Laundromat, Open Up to 24 hrs	SPs
Essential Services Class 1	X	Amusement Arcade	X	Library	X
Essential Services Class 4	X	Animal Grooming Service for household pet (indoor kennels)	X	Maternity Home	Xs/SPs
Financial Institution (excluding principal use ATMs)	X	Animal Hospital (Outdoor kennel)	SPs	Multi Family Development	Xs/ CDs
Laboratories - Dental, Medical	X	Animal Hospital, (Indoor kennel)	Xs/SPs	Museum	X
Medical Offices, 0-49,999sqft GFA	X	Art Gallery	X	Nursery (Garden)	Xs
Medical Offices, 50,000-99,999sqft GFA	SP	Assisted Living Center	SPs	Nursing Home, Rest Home	Xs
Offices, Excluding Medical, 0-49,999sqft GFA	X	Auditorium /Assembly Hall / Amphitheater / Community Center, 500 or more seats	SPs	Personal Business Services	X
Offices, Excluding Medical, 50,000-99,999sqft GFA	SP	Auditorium /Assembly Hall / Amphitheater / Community Center, Less than 500 seats	X	Planned Residential Development (PRD)	Xs/CDs
Post Office	X	Bed and Breakfast Inn	Xs	Private Residential Quarters (PRQ)	Xs
Recycling Deposit Station, accessory	X	Billiard Parlor	SP	Produce Stand	Xs
Sign Shop	X	Body Piercing Establishment and Tattoo Parlor	SPs	Recreation Center and Sports Center	Xs
Electric, Heating, Air Conditioning, Ventilating, Plumbing Supplies & Equipment Sales	X	Brew Pub	X	Residential Infill Development	Xs/CDs
Photo finish Laboratory	X	Car Wash, Self Service	Xs/SPs	Retail, 0-24,999sqft GFA	Xs
Lawn and Garden Center	X	Cleaning & Maintenance Service	X	Riding Stables	SPs
Monument Sales	X	College / University	SP	Rodeo / Accessory Rodeo	SPs
ATM (Automated Teller Machine)	Xs	Conference / Retreat / Event Center	X	School for the Arts	X
Automobile Hobbyist	Xs	Day Care Center, Class A	Xs	School, Elementary & Middle (public & private)	Xs
Bona Fide Farms	Xs	Day Care Center, Class B	Xs	School, Senior High (public & private)	Xs
Church / Place of Worship	Xs	Day Care Center, Class C	Xs	Shopping Center, 25,000-49,999sqft GFA	Xs
Convenience Store, Closed 12AM to 5AM	Xs	Dwelling, Mixed Use	Xs	Shopping Center, 0-24,999sqft GFA	Xs
Convenience Store, Open up to 24 hours	SPs	Dwelling, Single Family	X	Small House Community	SP
Essential Services Class 2	Xs	Dwelling, Two Family	Xs	Stadium	Xs/SPs
Flex Space	Xs	Exterminators Office	X	Swimming Pool, Sales, Service & Supplies	Xs
Machine, Metal, Wood Working, Welding Shop	Xs	Family Care Home	Xs/SPs	Tourist Home	X
Manufactured Goods, Class 1	Xs	Food Catering Facility	Xs/SPs	Traditional Neighborhood Development (TND)	Xs/CDs
Mini-Warehouse	SPs	Food Pantry	X	Upholstery Shop	X
Parking Lot	Xs	Food Store, 0-9,999sqft GFA	X		
Recycling Deposit Station, principal use	Xs	Food Store, 10,000+sqft GFA	SP		

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: Jamie Kanburoglu, Long Range Planner Building and Development Services
From: Julio Paredes, Planner
Date: March 29, 2022
Subject: 107 Henderson, Mounty Holly – Rezoning Request- GCLMPO Site Plan Review

Thank you for the opportunity to provide comments on a proposed rezoning within the Gaston-Cleveland-Lincoln Metropolitan Planning Organization (GCLMPO) planning area. My comments are based on review of the site plan in accordance with the adopted Comprehensive Transportation Plan (CTP), the 2050 Metropolitan Transportation Plan (MTP), and the current State Transportation Improvement Program (STIP).

The site is located at 107 Henderson St, Mount Holly, NC 28120. Parcel ID# 175088. 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. The GCLMPO Highway CTP includes a proposed extension of NC 273 (Mountain Island Highway) to Hwy 16. The proposed extension is shown between Johnson St. and Henderson St.

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.

3. A proposed Intersection Improvement project at NC 273/Lucia Riverbend Hwy is included in the MPO's MTP as an unfunded project. This project was submitted for funding during the most recent round of NCDOT Prioritization, but will not receive funding at this time.

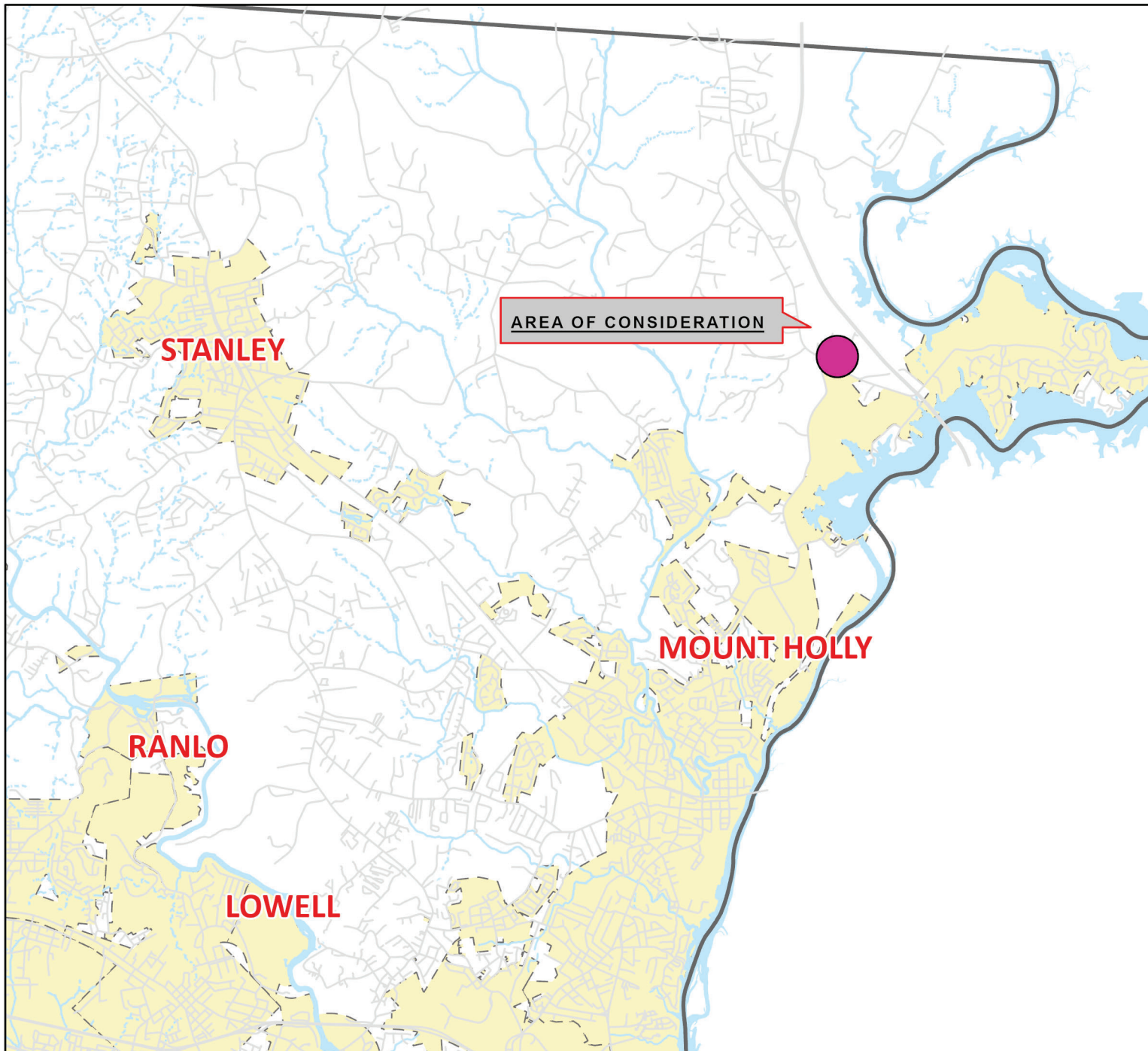


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Gastonia, North Carolina 28053
Phone (704) 866-6980

150 South York Street
Gastonia, North Carolina 28052
Fax (704) 869-1960

4. Please note that for any site plan that requires a driveway permit on an NCDOT roadway, or is adjacent to NCDOT roadways, the property owner/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.



GASTON COUNTY
BUILDING AND DEVELOPMENT SERVICES

VICINITY MAP Z22-12

LEGEND

- Roads
- Municipalities
- Area of Consideration

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.



0 0.5 1 Miles



ORTHOPHOTO MAP Z22-12

LEGEND

-  Subject Area
-  Property Parcels

This map is intended for use by the Gaston County Board of Commissioners, in the review of rezoning requests.

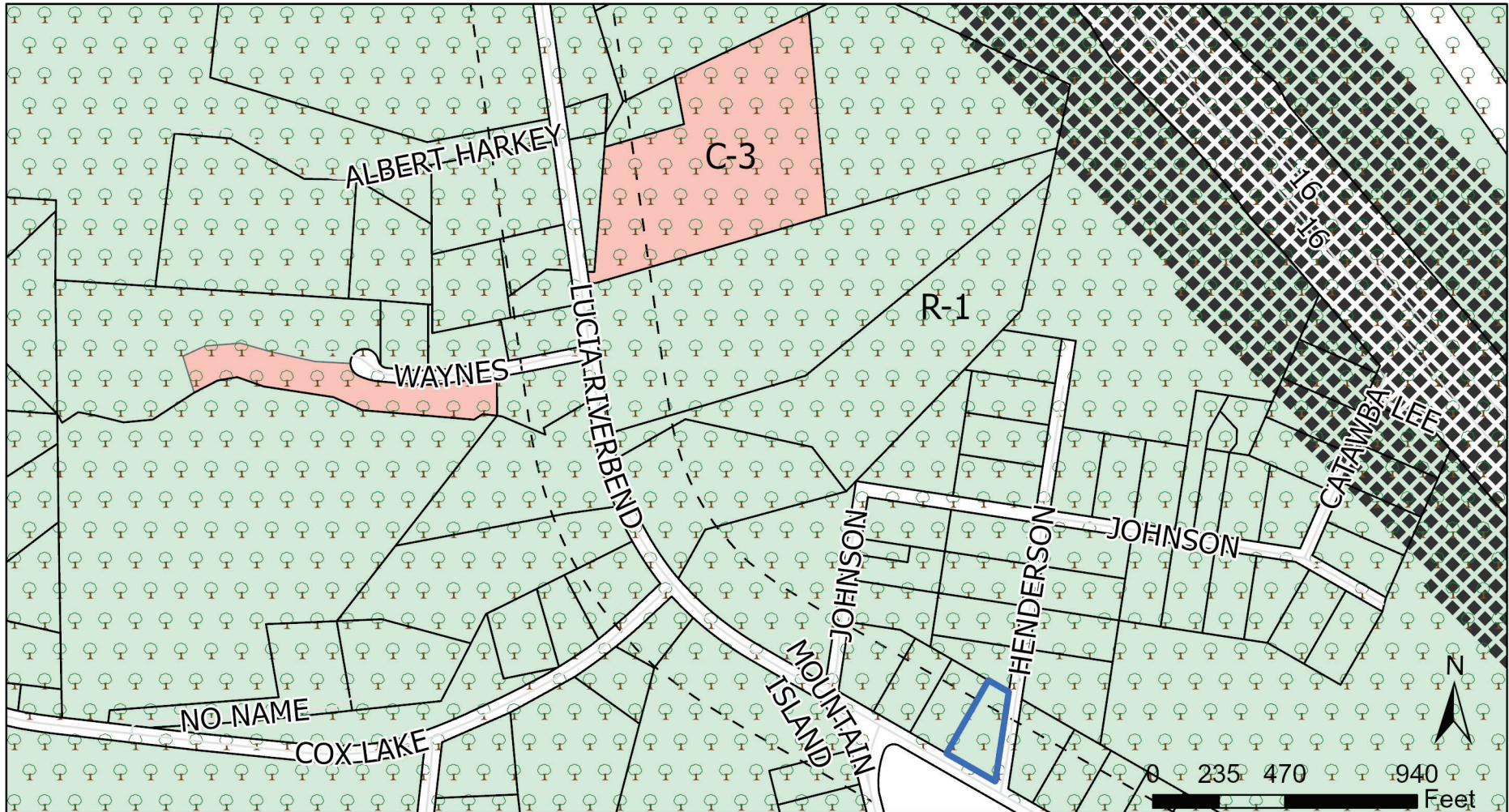
Property parcels, zoning, transportation, and other map information were compiled from one of more data layers. the data is periodically updated, however all data layers may not be displayed. Street names are subject to change.

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This map is for zoning purposes only - Not to be used for conveyance.



FOR DISPLAY PURPOSES ONLY -- NOT TO BE USED FOR CONVEYANCE



ZONING REVIEW MAP



Application Z22-12
Tax ID: 175088
Request: General Rezoning
From: (R-1) with (US) Overlay
To: (C-1) with (US) Overlay

Map Date: 03/29/2022

Gaston County Overlays

TYPE

- CH OVERLAY
- SH OVERLAY
- US OVERLAY

Gaston County UDO

ZONE TYPE

- C-3
- R-1
- Subject Property

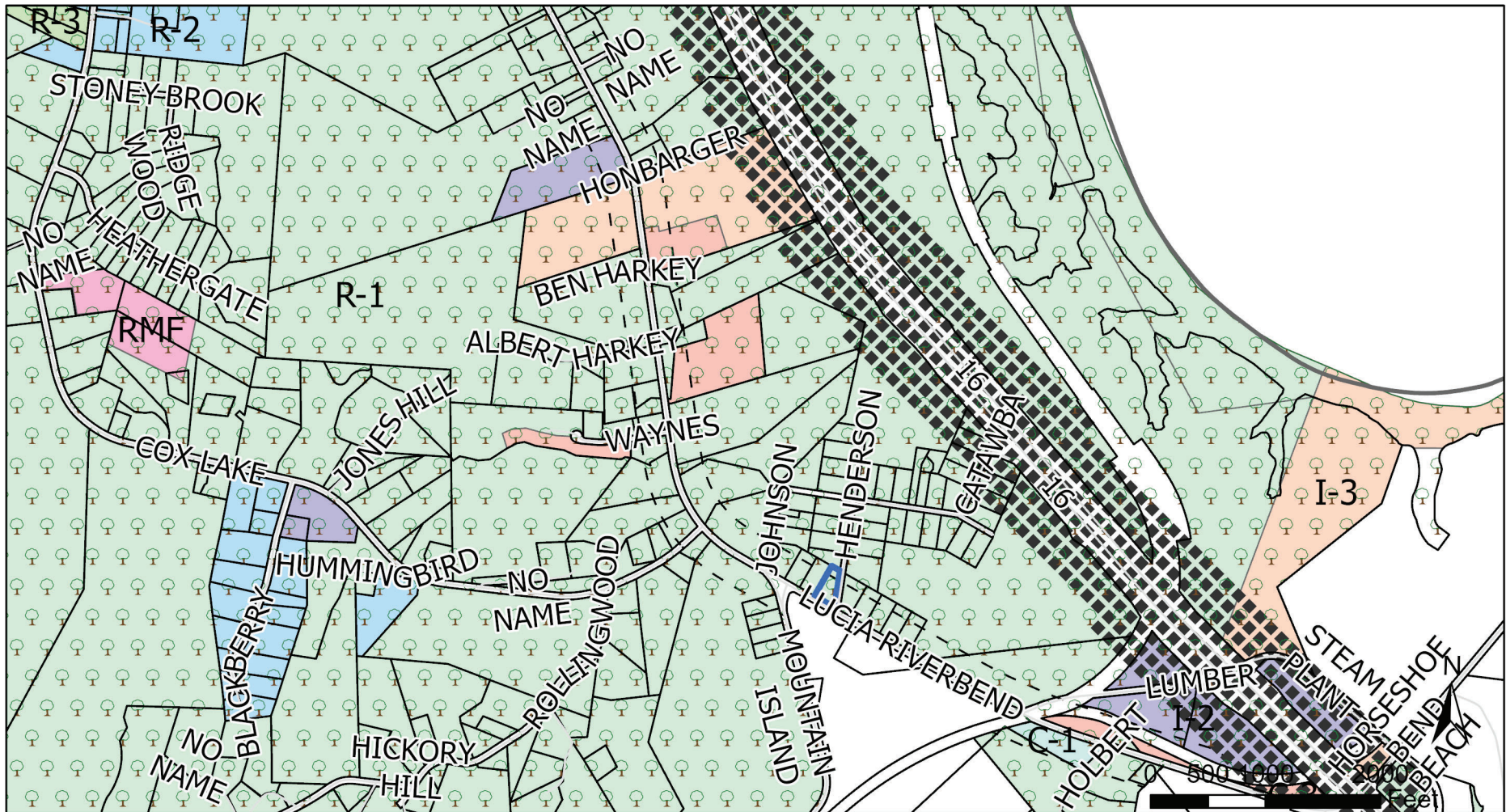
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Gaston County Overlays

TYPE

- CH OVERLAY
- SH OVERLAY
- US OVERLAY

Gaston County UDO

ZONE TYPE

- C-3
- I-2
- I-3
- R-1
- R-2
- R-3
- RMF
- Subject Property

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Z22-12 Subject and Adjacent Properties Map

See reverse side or next page for listing of property owners.

 SUBJECT PROPERTY

Z22-12 Subject and Adjacent Parcel Information

NO:	PARCEL	NAME 1	NAME 2	ADDRESS	CITY	STATE	ZIPCODE
*	175088	DOUGHERTY JOHN THOMAS		161 GRIFFIN RD	STANLEY	NC	28164
1	175094	COBB JOY ANNETTE P		116 HENDERSON ST	MT HOLLY	NC	28120
2	175089	LOFTIN CHRISTOPHER BRADLEY	LOFTIN PAMELA GRAVES	503 NIVENS COVE RD	MT HOLLY	NC	28120
3	222496	PROVIDENT DEV GROUP INC &	SAMUEL J STIGLER JR REV TRUST	6707 FARIVIEW RD SUITE B	CHARLOTTE	NC	28210
4	175087	DOUGHERTY JOHN THOMAS		161 GRIFFIN RD	STANLEY	NC	28164
5	175095	DOUGHERTY JOHN THOMAS		161 GRIFFIN RD	STANLEY	NC	28164