

GASTON COUNTY REZONING APPLICATIONS

REZ-23-01-06-00137

STAFF REPORT

APPLICATION SUMMARY	
Requests:	
REZ-23-01-06-00137: (Industrial Site) -	
Applicant(s):	Property Owner(s):
Riverbend Preserve LLC	Riverbend Preserve LLC
Parcel Identification (PID):	Property Location:
Portion of 202649	NC 16 and Killian Rd.
Total Property Acreage:	Acreage for Map Change:
Parcel ID 202649 total acreage according to tax records is 309.73 acres	108.87 acres (indicated by applicant)
Current Zoning:	Proposed Zoning:
(R-1) Single Family Limited with (SH) Special Highway and (US) Urban Standards overlays	(CD/I-2) Conditional General Industrial
Existing Land Use:	Proposed Land Use:
Vacant and undeveloped	Industrial

COMPREHENSIVE LAND USE PLAN
Area 3: Riverfront Gaston / Northeast Gaston
<p>This area has the potential for suburban development. The region is unique in that there are high numbers of trips along Highway 27 and NC 16; however, travelers either continue into Lincoln County or into other areas of Gaston County. There are pockets of rural communities and then the comprehensive land use plan envisioned this specific area (the project area) to consist of suburban development.</p> <p>Key issues for citizens in this area include: the 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.</p>
Comprehensive Plan Future Land Use: Suburban Development
<p>The Suburban Development future land use envisions a significant presence of single-family residences that exist around commercial pockets representing a standard suburban center. This typically looks like subdivisions built around services for these communities.</p>
Comprehensive Land Use Goals:
<p>This rezoning meets the following goals of the Comprehensive Land Use Plan:</p> <p>Goal 3: Improve energy, water, and telecommunication throughout Gaston County. This development/request meets Goal 3 of the CLUP as the provision of utilities from Lincoln County into Gaston County meets the objectives of this goal.</p> <p>Objectives include:</p> <ul style="list-style-type: none">• Target funding for utilities to strategic areas where the return on investment will be the greatest• Provide utilities in underserved areas to help increase improvement momentum.

Goal 4: Enhance quality of life to absorb growth while focusing on commercial and community resources, walkability, and agricultural preservation.

This development/request meets Goal 4 of the CLUP as the development of industrial and commercial uses near residential uses meet the objectives of this goal. The CLUP states that the County seeks to encourage resources being expanded into the unincorporated areas of the County to support the overall health and well-being of the County. Examples of this include creating different types of neighborhoods to suit different residents and creating better quality communities instead of just increasing quantity.

Objectives include:

- Set aside quality commercial areas along corridors for development to reduce pressure on sensitive natural resources areas
- Work to create a network of walkable communities that can support each other economically

Goal 5: Foster communication and collaboration among the leadership of municipalities and the County to coordinate strategic investments.

This development/request meets Goal 5 of the CLUP as the coordination with Lincoln County that will take place as a result of this development meets the objectives of Goal 5.

Objectives include:

- Encourage a county-wide partnership to support local and regional initiatives
- Take a regional approach to updating utilities for EPA requirements, maintenance needs, and expansion
- Municipalities working together with Gaston County to target areas for development

Goal 7: Emphasize the importance of our natural resources through highlighting natural environments and encouraging the use of environmental recreation.

This development/request meets Goal 7 of the CLUP as the developer/applicant is proposing large buffers and protective measures for the existing natural resources on the lot. They have also agreed to work with the Carolina Thread Trail to create a portion of the trail within the proposed development.

Goal 8: Increase economic development throughout the County by supporting municipalities and improving viable job opportunities.

The provision of space for industrial and commercial uses in the overall development site meet the objectives of goal 8 as the uses will allow for an increase in economic development and provide new job opportunities for Gaston County residents.

Staff Recommendation:

Staff finds that the application, as presented, is consistent with the goals and future land use designation listed in the Comprehensive Land Use Plan. Staff has provided a list of recommended conditions of approval for consideration by the Board of Commissioners.

UTILITIES AND ROAD NETWORK INFRASTRUCTURE

Water/Sewer Provider:

Public water and sewer systems will be provided by Lincoln County.

Road Maintenance:

All proposed streets shall be built to NCDOT standards and petitioned to be turned over to NCDOT for maintenance. If NCDOT does not accept the roads, all roads will be recorded as private roads with maintenance to be completed by the tenants or the development team.

NC 16 is an NCDOT-owned and maintained right-of-way.

Technical Review Committee (TRC) comments:

The following departments did not have any comments at this time:

- Building and Development Services Site Plan Review Team
- Health Department

Comments from the Natural Resources Department:

- All development will need erosion control approval and stormwater approval
- Chewacla Loam soils are on the site. This soil is generally not used for building sites, sanitary facilities, and recreational development as it is frequently flooded
- The Soil & Water Conservation District Board has concerns with the density of this development in the Mountain Island Watershed – IV – they would like to see reduced density and increased stream buffers

Planning and Zoning Staff Input: The comments from the Natural Resources Department have been addressed in the proposed conditions for each of the rezoning requests for this development.

Comments from the Gaston Cleveland Lincoln MPO:

- Letter from the GCLMPO has been included in the staff packet

Gaston County Police and GEMS:

No objections to land dedication for a potential substation.

Planning and Zoning Staff Input: The condition stating that one acre shall be given to Gaston County for the purpose of a police and/or EMS station has been left in the Overall Notes of the site plan. (Item 7)

Gaston County Fire did not have comments, however they received comments from the Fire Chief of the Lucia Riverbend Volunteer Fire Department.

Comments/Concerns from David Toomey:

- Need for another fire station
- Need 6 additional personnel
- Will need at least 1,000 gal/min. on the last fire hydrant *
- Concerns over traffic
- Poor access to the different parcels with no road upgrades
- Hydrant Placement *

Planning and Zoning Staff Input:

**These items are required by fire code and will be addressed during the construction/final site plan review if the rezoning requests are approved.*

STAFF SUMMARY

Prepared By: Jamie Mendoza Kanburoglu, Director of Planning and Zoning

Development Area A of the Riverbend Preserve project has a County Line running through the project. A majority of the industrial area is located in Lincoln County and will have access off of NC 16 on the Lincoln County Side. Lincoln County approved the rezoning of this parcel in 2022.

This project was originally brought before the county in 2019, however no action was taken on the request. Since the initial submittal, the following changes have been made:

- Enhanced water quality measures

The applicant/developer’s team advertised and held two public interest meetings as required by the UDO. The first meeting was held on-site on February 22nd from 4 pm to 6 pm. The second meeting was held on March 3rd from 6 pm to 8 pm at the Mount Holly Municipal Building. The following topics were brought up by the neighbors who attended the meetings in regard to Development Area A:

- Stormwater Runoff

- Concerns about the existing traffic on NC 16
- Rumors of the Industrial area being for Amazon (*the industrial development team was present at the first PIM and confirmed that there were no plans for Amazon to be a tenant in the Industrial development area*)
- Concerns about water being brought in from Lincoln County
- Concerns as to whether or not there will be a bike lane on NC 16 (Traffic consultant stated that this would be up to NCDOT to require)

Traffic Impact Analysis (TIA)

This project was first brought to the County in 2019. A Traffic Impact Study for the development was completed between 2019 and 2020. Lincoln County and NCDOT both accepted the study. They did not require a new study to be completed as the traffic numbers used in the original TIA were higher than what the numbers would have been if they redid the study as the newer data would have reflected traffic counts during the Covid-19 pandemic, where there was significantly less traffic. The original TIA was also completed with the original number of proposed housing units which was 1,100. The number of proposed lots has come down to 725.

Since the NCDOT has reviewed and accepted the proposed traffic improvements, Gaston County staff did not require a new TIA to be completed. A copy of the TIA is available for review, and a rendering of the required improvements has been included in the site plan. The TIA does reflect the original site entrances that were being proposed in 2019. The access roads on Killian, east of NC 16 have been adjusted since the original TIA was completed.



Figure 1 - Access Points for East Side of the Development - the Industrial site will only have access off if NC 16 on the Lincoln County side of the County Line

Open Space

The applicant is providing more than the required amount of open space for the development as a whole.

Development Area A (to the county line):

Total Acreage: 108.87 AC
Proposed Open Space: 43.15 AC

Stormwater and Erosion Control Measures

The applicant is providing what is required for a high-density development in the Mountain Island Protected IV Watershed. If the development is not classified as high density (which will be determined during final site plan/construction document review), then the proposed measures will exceed what is required by the ordinance.

Proposed Features and Relief Requests

<u>UDO Section</u>	<u>Required</u>	<u>Proposed</u>
Section 7.5 – Bulk and Dimensional Standards	<u>Zoning District: (I-2)</u> Lot Width: 70' Front Yard Setback: 50' Side Yard setback: 20' but increased to 30' if abutting a residential lot Rear Yard Setback: 30'	All required dimensional standards will be met for the industrial and commercial uses

Section 7.6.5 - Special Highway (SH) Overlay Standards		Relief <i>may</i> be needed from Section 7.5.6 (E) for Yard Requirements of the residential lots that will be against the Special Highway Overlay. These measurements will be reviewed by staff during the final site plan and plat phase. A minimum of 75' shall be required from the road right-of-way- to the property lines of the residential areas.
Section 7.6.3 – Urban Standards (US) Overlay Standards		All standards in the (US) overlay for industrial uses will be met and reviewed during site plan review for each individual structure in Development Area A.
Section 8.1.11 – Planned Residential Development (PRD) Supplemental Regulations	<p>Open Space 20% of the gross acreage</p> <p><u>Development Area A (to the county line):</u> Total Acreage: 108.87 AC Required Open Space: 21.77 AC</p>	<p>Open Space <u>Development Area A (to the county line):</u> Total Acreage: 108.87 AC Proposed Open Space: 43.15 AC</p>
Signage – Chapter 10		Applicant will submit a separate signage package to be reviewed and approved by Building and Development Services Planning and Zoning staff during the final site plan review phase. Signage for this project may allow for up to 200 sqft. Per sign, landscape lighting, and a height up to 10' for primary/entrance signage – secondary signage for this project may allow for up to 150 sqft. Per sign, landscape lighting, and a height up to 8'

PLANNING BOARD MEETING DATE

Meeting Date: March 6, 2023

The Planning unanimously did not recommend approval of this request.

Recommended Conditions of Approval for REZ-23-01-06-00137 (Industrial Site):

1. The development shall meet all federal, state, and local codes and the requirements and conditions outlined in the attached site plan.
2. A reduced setback from Hwy NC 16 may be granted administratively for all industrial uses but shall never be less than 75'. This setback area shall be heavily landscaped or left as wooded area.
3. If the rezoning requests are approved, all impervious calculations will be required for watershed review. If high-density option is triggered, the applicant/development team will need to go before the Watershed Board for high density approval.
4. Engineered and approved by NCDOT plans for all TIA mitigation infrastructure will be required during the final site plan review phase.
5. A copy of the proposed and actual timbering plan shall be provided to Building and Development Services prior to final site plan review to allow staff the opportunity to review the limits of disturbance. If disturbance exceeded the 100' buffer from top of stream bank on each side, the developer shall restore the riparian area using native species as approved by Gaston County Natural Resources Department.
6. If the environmental site survey returns any evidence of species of special concern, then the developer shall follow all recommendations of the environmental impact study and shall obtain Wildlife Friendly Development Certification through North Carolina Wildlife Resources Commission.
7. Reword condition 11 under the Overall Notes Section on page RZ-5 to ensure that 2 and 10-year post-construction stormwater detention requirements as outlined in the NCDEQ stormwater design manual.