

Planning Board Item II – GENERAL PUBLIC HEARING INFORMATION (Z19-06)
Board of Commissioners / Planning Board Public Hearing Date May 28, 2019

General Rezoning Application Z19-06

Request: To rezone property parcels 165874 and 226902 from the (R-1) Single Family Limited Zoning District to the (C-1) Light Commercial Zoning District

Applicant(s): Locust Investments LLC

Property Owner(s): Locust Investments LLC

Mailing Address of Applicant: 3120 Latrobe Drive, Suite 270, Charlotte, NC 28211

Site Information and Description of Area

General Location: 1168 Miles Rd., Dallas, NC

Parcel ID(s): 165874, 226902

Total Property Acreage: .72 acres

Acreage for Map Change: .72 acres

Current Zoning District(s): (R-1) Single Family Limited

General Area Zoning District(s): (R-1) Single Family Limited, (R-2) Single Family Moderate, (RS-20) Residential 20,000 sq ft

Zoning District Information

Current Zoning District:

(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.

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 uses which attract persons from outside the neighborhood or which attract large numbers of passing motorists.

Comprehensive Land Use Plan (Small Area District)

Area 2: North 321 Gaston/North Central Gaston (High Shoals, Dallas, and surrounding area)

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; more transportation alternatives; and, preservation of agriculture and maintaining the rural “feel” of the community.

Comprehensive Plan Future Land Use: Rural

It is staff’s opinion that the request *is not consistent* with the Comprehensive Land Use Plan. However, the existing use, as presented to staff by the applicant, is an effort to bring the property into compliance from a non-conforming use, which would be supported.

Technical Review Committee (TRC)

The request was reviewed by the TRC for comment and general compliance with applicable regulations and provisions. The TRC 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), County Fire Marshall, et cetera, which review all land use proposals and site plans requiring Planning Board approval and/or public hearing process.

Notification

Notice of public hearing was advertised in the Gaston Gazette in accordance with County policy.

Zoning Sign Placement

May 17, 2019

Information Attached

Rezoning application; zoning district uses (current and proposed); vicinity map, aerial map, zoning/subject area maps, and adjacent property map with property owner list.

Transportation Planning Information

Provided by Gaston Cleveland Lincoln Metropolitan Planning Organization (GCLMPO)

Staff Contact

Sarah Carpenter Penley, Development Services Planner, (704)866-3530 or sarah.penley@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: Z 19-06

Applicant ☒

Planning Board (Administrative) ☐

Board of Commission (Administrative) ☐

ETJ ☐

A. *APPLICANT INFORMATION

Name of Applicant: Locust Investments LLC / Fred Wagner III
(Print Full Name)

Mailing Address: 3120 Latrobe Drive Ste 270 Charlotte NC 28211
(Include City, State and Zip Code)

Telephone Numbers: 704-661-2472
(Area Code) Business (Area Code) Home

Email: fred.wagner@eventys.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: Locust Investments LLC / Fred Wagner III
(Print Full Name)

Mailing Address: 3120 Latrobe Drive Ste 270 Charlotte NC 28211
(Include City, State and Zip Code)

Telephone Numbers: 704-661-2472
(Area Code) Business (Area Code) Home

Email: fred.wagner@eventys.com

C. PROPERTY INFORMATION

Physical Address or General Street Location of Property: 1168 Miles Road
Gastonia NC

Parcel Identification (PID): 165874

Acreage of Parcel: .63 +/- Acreage to be Rezoned: .63 +/- Current Zoning: R1

Current Use: assembly of goods Proposed Zoning: C1

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: _____ Telephone: _____
(Area Code) (Area Code)

Parcel: _____ Parcel: _____
(If Applicable) (If Applicable)

(Signature)

(Signature)

See Reverse Side For Completion of Additional Sections

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) 165874 hereby give Locust Investment (Name of Applicant) consent to execute this proposed action.

X [Signature]
(Signature)

X 4-11-2019
(Date)

(Signature)

(Date)

I, Christina Parker, a Notary Public of the County of Mecklenburg State of North Carolina, hereby certify that Fred A. Wagner III personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and notarial seal, this the 11th day of April, 2019.

[Signature]
Notary Public Signature

July 01, 2022
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.

X [Signature]
Signature of Property Owner or Authorized Representative

[Date]
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: 4/15/19

OFFICE USE ONLY

Application Number: 219-06

OFFICE USE ONLY

Fee: \$500.00

Received by Member of Staff: SCP
(Initials)

Date of Payment: 4/15/19

Receipt Number: 000682-0002

☒ COPY OF PLOT PLAN OR AREA MAP
☒ NOTARIZED AUTHORIZATION

☒ COPY OF DEED
☒ PAYMENT OF FEE

Date of Staff Review: _____

Date of Public Hearing: 05/28/19

Planning Board Review: _____

Recommendation: _____

Date: _____

Commissioner's Decision: _____

Date: _____

Resolution 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.



GASTON COUNTY

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(Include City, State and Zip Code)
Telephone Numbers: 704-661-2472
(Area Code) Business (Area Code) Home
Email: fred.wagner@eventys.com

C. PROPERTY INFORMATION

Physical Address or General Street Location of Property: Miles Road, Gastonia NC
Parcel Identification (PID): 226902
Acreage of Parcel: .09 +/- Acreage to be Rezoned: .09 +/- Current Zoning: R1
Current Use: empty Proposed Zoning: C1

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: _____	Telephone: _____
(Area Code)	(Area Code)
Parcel: _____	Parcel: _____
(If Applicable)	(If Applicable)
(Signature)	(Signature)

See Reverse Side For Completion of Additional Sections

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X Fred A. Wagner III
(Signature)

X 4-11-2019
(Date)

(Signature)

(Date)

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Christina Parker
Notary Public Signature

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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.



Gaston County North Carolina

Vicinity Map

Z19-06

Legend

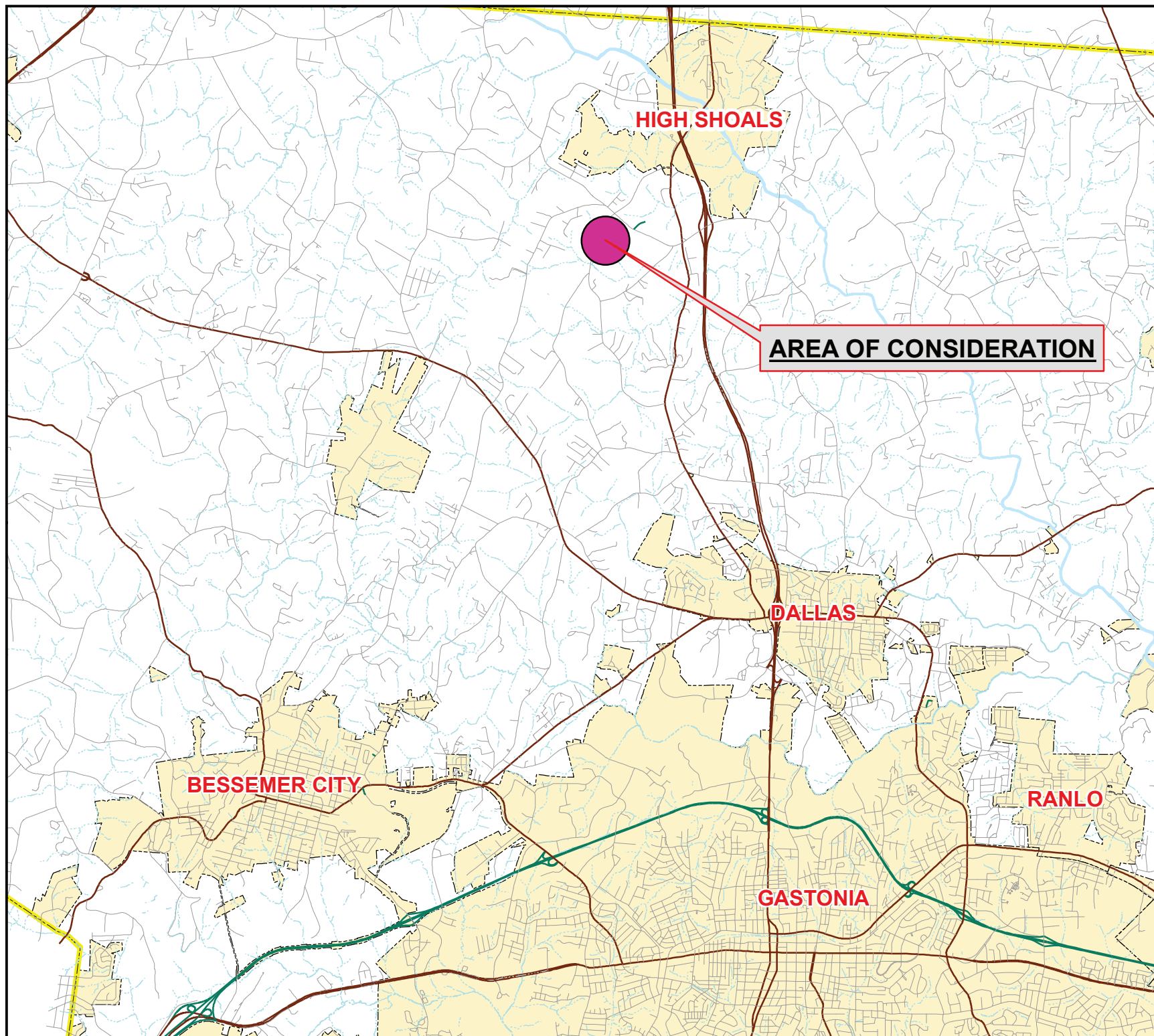
- Minor Roadways
- Major Roadways
- Area of Consideration
- Municipalities

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 used or otherwise used for trade or commercial purposes without the expressed written consent of Gaston County, in accordance with North Carolina General Statute 152-10.



0 1
Miles






Gaston County Zoning Review Overview Map

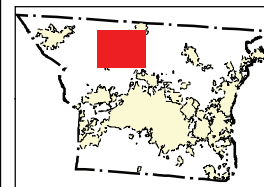
2018 Pictometry

Z19-06

Legend

 Subject Area

 Property Parcels



This map is intended for use by the Gaston County Board of Commissioners, in the review of mhp expansion 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 warranties or assume any responsibility for the information presented on this map. This map was prepared by the Department 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 underlaid and removed, areas with different zoning types will meet in the center of the area. Please see the Zoning Administrator for additional information.



0 60 120
Feet



GASTON COUNTY
Zoning Map

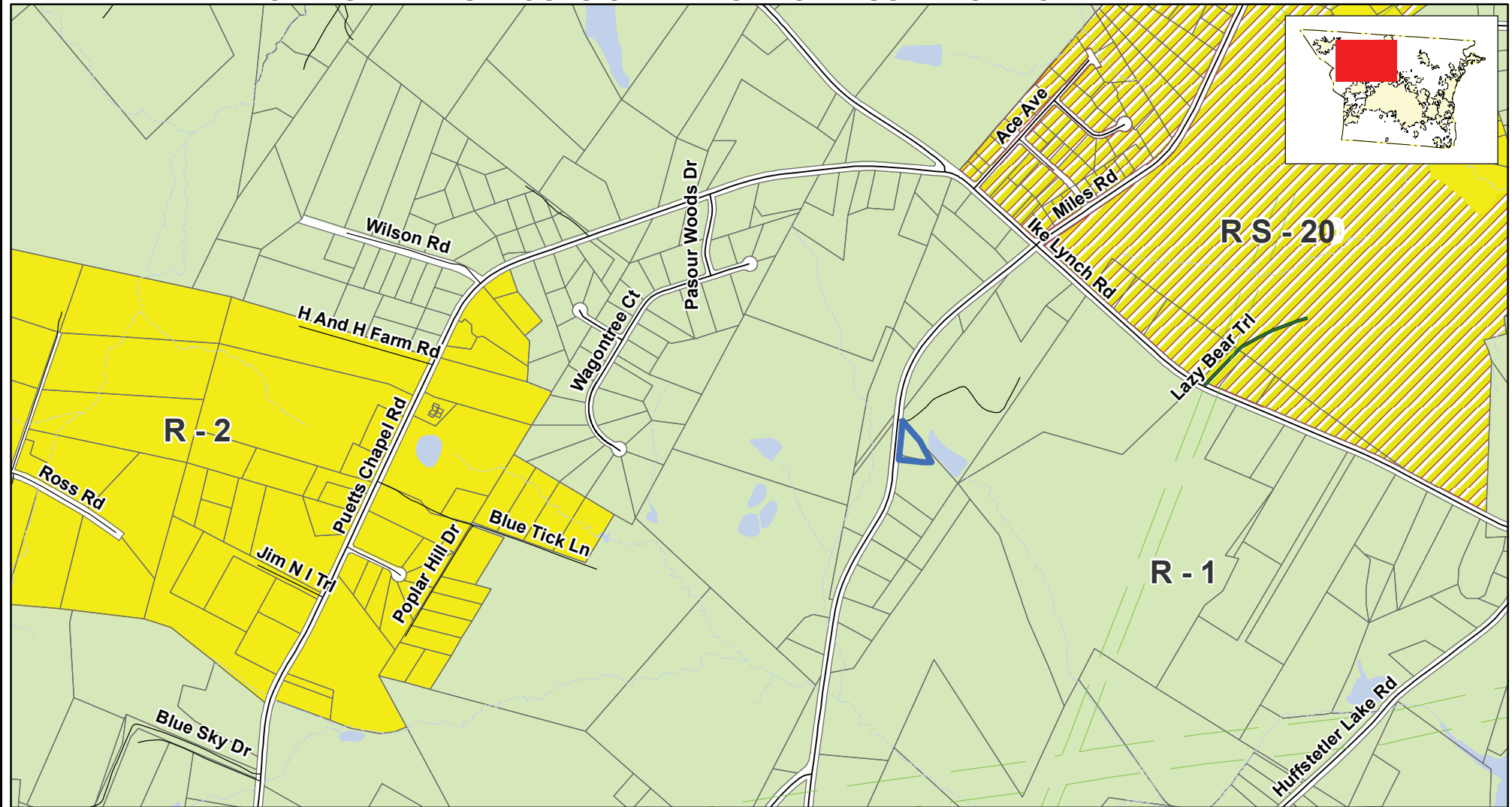
Applicant: Z19-06

 Subject Area



0 105 210 420 Feet

R-1 Single Family Limited
RS-20 Single Family 20,000 sq ft



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GASTON COUNTY ZONING REVIEW MAP

- R-1 Single Family Limited
- R-2 Single Family Moderate
- RS-20 Residential 20,000 sq ft
- Area of Consideration



0 237.5 475 950 1,425 1,900 Feet

Applicant: Z19-06
Tax ID: 165874, 226902
Request Re-Zoning
From: (R-1) Single Family Limited
To: (C-1) Light Commercial

Map Date: 05/07/2019



Z19-06 Subject and Adjacent Properties Map
See reverse side for listing of property owners

 **Subject Property**

Z19-06 Owner and Adjacent Property Listing

<u>NO:</u>	<u>PARCEL</u>	<u>OWNER NAME 1</u>	<u>OWNER NAME 2</u>	<u>ADDRESS</u>	<u>CITY</u>	<u>STATE</u>	<u>ZIP</u>
*	165874	LOCUST INVESTMENTS LLC		3120 LATROBE DR STE 270	CHARLOTTE	NC	28211
*	226902	LOCUST INVESTMENTS LLC		3120 LATROBE DR STE 270	CHARLOTTE	NC	28211
1	165860	LEWIS EARL TENCH		1153 MILES RD	DALLAS	NC	28034
2	165876	JOHN DAVID CARPENTER	SHERRY JEAN H CARPENTER	1201 MILES RD	DALLAS	NC	28034
3	165862	BOBBY R HARRIS	JUANITA HARRIS	1207 MILES RD	DALLAS	NC	28034
4	214243	PAMELA F CLEMMER LIFE ESTATE	ROY G CLEMMER LIFE ESTATE	739 CHESTNUT RIDGE CHURCH RD	KINGS MOUNTAIN	NC	28086
5	226901	NOLLIE MORTON		1174 MILES RD	DALLAS	NC	28034
6	165872	ROBERT A RAY JR		PO BOX 53	HIGH SHOALS	NC	28077

Post Office Box 1748
Gastonia, North Carolina 28053
Phone (704) 866-6837

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

Memorandum

To: Sarah Penley, Development Services Planner, Gaston Co. Dept. of Planning and Devpt. Services
From: Julio Paredes, Planner, Gaston—Cleveland—Lincoln MPO
Date: May 21, 2019
Subject: Z19-06 Locust Investments LLC—GCLMPO Comments

Thank you for the opportunity to provide transportation comments on an existing site located within the Gaston-Cleveland-Lincoln Metropolitan Planning Organization (GCLMPO) geographic area. My comments are based on review of the 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).

1. The existing site is located at 1168 Miles Rd, Dallas, NC 28034
 - A. The existing site will not generate daily trips of significant concern to the adjacent roadway network.
 - B. According to the 2020-2029 STIP and the 2045 MTP, there are no planned transportation improvement projects in the immediate vicinity of this location.
 - C. The CTP does not show any future improvements on any streets adjacent to the subject properties.