



## CITY COUNCIL REGULAR MEETING

City Council Chambers

Monday, July 08, 2024 at 7:00 PM

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### MINUTES

#### Members Present

Mayor, Becky S. Smith, Council Members: Brenda Boyd, Brent Guffey, Donnie Griffin, Nellie Floyd, Michael Brooks and Allen Hook were all present. City Manager, Josh Ross and City Attorney, David Smith were present.

#### Call to Order, Prayer, Pledge of Allegiance

Mayor Smith called the meeting to order. Christie Brown, Associate Pastor at Shepherd's Grove Holiness Church led the audience in prayer. Mayor Smith led the audience in the Pledge of Allegiance.

#### Adjustment and Approval of the Agenda

By motion of Brent Guffey and unanimous vote, the July agenda was approved with no revisions.

#### Request to Speak/Opportunity for Public Comment

Mayor Smith opened the floor for public comment. The following came forth:

- Aaron Grosdider of 517 Costner School Rd: Mr. Grosdider addressed the Board regarding Stinger Park finances and City vehicles. Mr. Grosdider would like for City vehicles to have numbers on them, so that employee trucks can be identified by community members. The Gaston Gazette ran an article on the Stinger Park debt payments. The City will pay \$1,000 a day for the next 40 years to afford it. City Staff should seek to be more transparent and truthful.
- David Lutz of 408 N. 12<sup>th</sup>: Mr. Lutz addressed the Board regarding Stinger Park, financial issues, and trash collection. Mr. Lutz stated that the City could aid its financial struggles by selling Stinger Park. The park is nice, however, the City cannot afford the maintenance and operation costs at this time. Instead, City Council has raised taxes and passed the cost on to the citizens of Bessemer City. Mr. Lutz also noted that trash collection fees were too high.

#### Consent Agenda

The following items on the Consent Agenda were unanimously approved by motion of Brenda Boyd:

1. **Approval of Minutes:** City Council will consider adopting Regular Meeting minutes of the June 10, 2024 meeting.
2. **Approval of Minutes:** City Council will consider adopting Work Session Meeting minutes of the June 25, 2024 meeting.
3. **Approval of Minutes:** City Council will consider adopting the Special Meeting minutes of the June 28, 2024 meeting.

**Public Hearing- Rezoning Request (City Center)**

Per the June 2024 Regular City Council meeting, City Council advertised a public hearing to hear public comment regarding a rezoning request for property located at tax parcels #121595, 121596, 121597 (0.8 acres) from City Center (CC) to City Center Conditional District (CCCD) to accommodate the development of a multifamily townhome community consisting of 19 units.

Development Services Officer, Nathan Hester addressed the Board regarding the preliminary site plan for the development includes three parcels of land located within the incorporated limits of Bessemer City and are assigned Gaston County Tax Parcel ID’s 121595, 121596, 121597. The project site is approximately 0.80 acres and is currently vacant. The project parcels are surrounded by two public right of ways, E. Virginia Avenue (Highway 274) and N. 8th St. E. Virginia Ave. The applicant is proposing to develop the project site into a multifamily townhome community that will consist of 19 three-story units with rear loaded parking garages. The architectural features of the townhome units will be comprised of full masonry materials, windows, and guttering that the developer proposes to be complimentary of the Osage Mill historic rehabilitation project. The developer has designed this product specifically for this project.

Current regulations within section 2.7.B and 2.8.C of the Bessemer City Land Development Code state that residential uses are not permitted by right within the City Center (CC) zoning district and no more than eight residential units per acre may be developed for residential development projects. The purpose of the application by the developer for a conditional district is to request relief from the Bessemer City Land Development Code regulations to rezone the specific project site to allow for residential land use that exceeds the maximum density requirement. The Bessemer City Land Development Code, section 2.8.C., also states that multifamily residential structures must be comprised of 60% masonry materials and have no garage access from the fronting street. The applicant has applied to construct a townhome community with 100% exterior masonry materials with rear loaded garage access.

Proposal: The Applicants have submitted a City Center Conditional District application proposing to develop a townhome residential community on three parcels of land within the City Center (CC) zoning district. A summary of the proposal is as follows:

| <i>Parcels</i>         | <i>Site Area</i> | <i>Watershed</i> | <i>Existing Use</i> | <i>Proposed Use</i>               | <i>Number of Units</i> | <i>Maximum Density</i> | <i>Proposed Density</i> | <i>Required Open Space</i> | <i>Proposed Open Space</i> |
|------------------------|------------------|------------------|---------------------|-----------------------------------|------------------------|------------------------|-------------------------|----------------------------|----------------------------|
| 121595, 121596, 121597 | 0.80             | N/A              | Vacant              | Residential Multifamily/ Townhome | 19                     | 8                      | 19                      | 0                          | 0                          |

The lots site are proposed as 20’ x 85’ for 1,700 sqft. The required setbacks and proposed setbacks are depicted in the following table:

|          | Front | Side             | Rear | Corner |
|----------|-------|------------------|------|--------|
| Required | 0’    | 0’               | 0’   | 0’     |
| Proposed | 11’   | 0’ between units | 54’  | 11’    |

Roads: The proposal for the site involves the construction of sidewalks, to include curb and gutter, along all public right of ways surrounding the project site. There will be two driveway access points constructed to allow motor vehicular access to the rear parking areas of the townhome units from N. 8th St.

The sidewalks will measure five feet (5'). The applicant has also proposed a six foot (6') planting strip along the right of ways surrounding the project site.

**Parking:** Bessemer City Land Development Code requires two parking spaces per unit minimum. The project consists of seventy-six total parking spaces to include a two-car garage, and two outside parking spaces per unit.

**Utilities – Water and Sewer:** The applicant is proposing the development to be served by City of Bessemer City Water, Sewer, and Natural Gas services.

- The Public Works Director has indicated that there is City utility availability for the sites.
- Applicants will pay the water, sewer tap fees, system development fees, and will be financially responsible for the engineering and construction of utility systems within the development site.

**Stormwater Drainage:** Stormwater runoff will be managed by curb and guttering installed along all right of ways surrounding the project site. With the exception of E. Virginia Ave. (Highway 274) which already has curb and guttering installed. Stormwater runoff will also be managed by depressed or recessed curbing within the parking areas of the project site. The property is subject to adopted stormwater management guidelines and will have to be approved by the Gaston County Department of Natural Resources, as well as the city's third-party engineering firm.

**Open Space:** There are no open space requirements for the development. The project site is located one and half blocks from a city owned and maintained recreational facility. The city's recreational facility is within walking distance of the project site and provides ample open space for the future residents of the community.

**Land Use Buffer:** According to the City of Bessemer City Land Development Code section 3.5.C. no landscaping buffer is required for residential land uses adjacent to properties that consist of office, personal services, and other residential land uses. The applicant is proposing a six foot (6') planting strip along all right of ways surrounding the development.

Light discussion amongst the Board ensued about the railroad tracks, sidewalks, emergency response ladder truck, and trash collection of this proposed development.

By motion of Allen Hook and unanimous vote, the public hearing was opened at 7:13 PM.

Mayor Smith asked if there was anyone to speak in favor of the rezoning request. The following individual came forth:

-David Tibbals of South Oak Partners, LLC: Mr. Tibbals addressed the Board regarding the development plans for the 19 brick townhomes. Per conversations with staff, this development plan is a product of City Staff recommendations and features from the Osage Mill. Thus, the final products will mirror the brick and likeness of the Osage Mill.

Mayor Smith asked if there was anyone to speak in opposition of the rezoning request. The following individual came forth:

- Courtney Womack of 517 Costner School Rd: Mrs. Womack stated that she believes Council should wait to see the full impact of other projects before allowing another town home

development to proceed. We will need to see how City infrastructure, businesses, and the education system are impacted.

By motion of Donnie Griffin and unanimous vote, the public hearing regarding the rezoning request was closed at 7:18 PM.

### **Ordinance Amending Zoning Map**

By motion of Michael Brooks and unanimous vote, the zoning map amendment was tabled to the July 2024 Work Session. At this time City Council will make a decision regarding the zoning map amendment for property located at tax parcels #121595, 121596, 121597.

### **Board Appointments**

City Clerk, Hydeia Hayes advised Mayor and City Council of an advisory board application for the Parks & Recreation Board.

By motion of Nellie Floyd and unanimous vote, Stephanie Gee was reappointed to serve on the Parks & Recreation Advisory Board. She will serve as a Board Member until June 30, 2026.

### **City Manager's Report**

City Manager, Josh Ross, addressed Council regarding the following:

- General: Osage Mill is finishing up their first set of units. They have updated photos on their website. The NC State softball tournament that we hosted this past weekend and today is going well. Per the adopted budget last month, citizens will see changes to the bulk pick up and trash collection rates. Additionally, please keep Fire Chief Gordon in your prayers as his great nephew passed away.

### **Council General Discussion**

Mayor Smith opened the floor for Council general discussion. Council Members, Michael Brooks and Donnie Griffin thanked Jamie Ramsey and his staff for cleaning up the streets and handling the paving project. Council member, Nellie Floyd thanked Jamie Ramsey and his staff for erecting a sign at A. Wayne Drive by St. James Church. Council Member, Brenda Boyd thanked the staff for their work with the State tournament, and inquired about possible debris clean up on East Boston Avenue. Council member, Brent Guffey thanked the Police Department and the public safety team for their work at Sims Park. He also inquired about the trash in the fence at the Queens local convenience store. Mayor Smith concluded the discussion by thanking City Manager Ross, Public Safety Director Ellis, and City Staff for all their hard work regarding the City annual budget. There are some individuals who are spreading falsehoods about City Staff on social media. However, everything posted on social media is not correct.

### **Adjournment**

Being no further business to come before the board, by motion of Michael Brooks and unanimous vote, the meeting was adjourned at 7:41 PM.

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Becky S. Smith, Mayor

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Hydeia Y. Hayes, City Clerk