

Bessemer City Planning Board

The Bessemer City Planning Board met in regular session on Monday, December 2nd, 2024 at 6:00 PM in the Council Chambers of City Hall.

Members Present:

Chairperson, Bruce Absher, Board Members: Pamela Gladney, Bryan Hoffman, Wendy Burgess, Constantine “Manny” Tsambouniery and Linda Willis. City Staff Present: City Manager, Joshua Ross, and City Clerk, Hydeia Hayes. Board member Charlene Hill was absent.

Call to Order and Determination of a Quorum

Chairperson Absher called the Planning Board meeting to order and confirmed that a quorum was present (6/7).

Adoption of the Agenda

By motion of Bryan Hoffman and unanimous vote, the agenda was adopted with no revisions.

Planning Board Action Item

By motion of Constantine “Manny” Tsambouniery and unanimous vote, minutes from the November 4th, 2024 Planning Board meeting were adopted with no revisions.

Urban Residential Conditional District (UR-CD) Rezoning Request 06-2024 Yellow Jacket Lane

City Manager Josh Ross addressed the Board regarding the rezoning application. This rezoning was previously approved by the Board earlier this year. However, the developer, Kent Olson, Development Solution Group LLC, would like to resubmit and have the natural gas component removed from the reliefs and conditions. Mr. Olson instead will be making a one-time payment of \$25,000 to the Bessemer City Fire Department.

The property requested for zoning map amendment is assigned by the Gaston County Tax Mapping Department with PID#151678 totaling 6.26 acres zoned Urban Residential- Conditional District (UR-CD). The intent of the property owner is to be subdivided into a 63 townhomes major subdivision.

Planning Board Member, Pamela Gladney inquired about the purpose of the developer’s intent of removing the natural gas condition. Mr. Kent informed Mrs. Gladney that he did not attend the Planning Board meeting where the project’s relief and conditions were agreed to. Mr. Olson expressed a misunderstanding with his staff and City staff on the meaning of the condition. Mr. Olson believes the agreement was to offer natural gas; however, City staff’s understanding from prior meeting was that DSG, LLC would pay for all natural gas installation, which is why it is included in the Relief and Conditions as such. Additionally, once this condition was realized Mr. Olson investigated the feasibility of adding natural gas. However, the cost was not economically feasible. Also, Mr. Olson informed the Board that in prior developments, the natural gas provider would handle the installation. However, as Bessemer City is its own gas distributor, this responsibility would be on the developer or builder.

City Manager, Josh Ross informed the Board that the project's reliefs and conditions would be signed by the developer and Mayor Smith once approved by City Staff. A signed Reliefs and Conditions Agreement will ensure no future misunderstandings between the City and applicants.

By motion of Linda Willis and unanimous vote, the rezoning request for property located at tax parcel #151678 was recommended to be presented to City Council for consideration at their next Regular Meeting in December 2024.

Areas of Relief and Conditions of Approval
CD 06-2024 | Yellow Jacket Lane Townhomes (PID 151678)

1. The proposed development shall follow the requirements of the City of Bessemer City Land Development Code with the added **Relief (R)** of:
 - a. Acres- Allowing the development for multifamily use on one lot that is excess of three (3) acres (LDC 2.8.C). The development shall be on a 6.26 acre parcel (PID 151678).
 - b. Density- Allowing for an excess of eight (8) units per acre, which is more than the density limits as permitted in the LDC (LDC 3.2.A.E.) The development shall not exceed ten (10) units per acre and 63 units.
 - c. Open Space- Relief of the open space requirement. LDC 4.8.B. requires 1/35 of an acre per dwelling unit be dedicated to open space, no less than 2 acres. The development is proposing 1.5 acres of open space.
 - d. Relief from front setback requirements provided in section 3.2.A of the Bessemer City Land Development Code.
2. The following **Conditions (C)** will be applied to the development and agreed to by the developer with the vote of the City of Bessemer City Council to approve the rezoning:
 - a. Offset Residential Units- the developer shall offset units at the intersection of M.L. Kiser Road and Besstown Road.
 - b. Pay in Lieu- the developer shall pay \$25,000 to the City for the following purpose:
 - i. Funding for the new Bessemer City Fire Department
 - ~~c. Developer will commit to servicing the project with Natural Gas utility service, the developer will be financially responsible for the infrastructure expansion.~~
3. All other multifamily design standards stated within the City of Bessemer City Land Development Code shall be followed.
4. The developer shall extend the City of Bessemer City water and sewer to and within the site, at their expense. The development will be served by City utilities: water and sewer.
5. All off-site utility easements, if necessary to provide utilities to the site, must be obtained by the developer, at their expense, prior to approval of construction plans, issuance of permits, or commencement of construction.
6. Conditional Zoning approval is valid for a period of twenty-four (24) months from the date of approval.

Urban Residential- Conditional District (NR-CD) 05-2024| North 12th Street | Parkview Commons

City Manager Josh Ross addressed the Board regarding the rezoning application. Kenny Draffen of Bluepoint Properties, LLC is requesting a rezoning application for a 9.8-acre parcel of land currently zoned Neighborhood Residential (NR) to Urban Residential- Conditional District (UR-CD). The intent of the property owner is to develop this site as a Major Subdivision, Parkview Commons (41 multifamily townhomes).

The property requested for zoning map amendment is assigned by the Gaston County Tax Mapping Department with PIDs#120283 and 120286. The property is currently owned by Gregory and Sandra Loyd. City staff met virtually with Mr. Kenny Draffen and other partners of McKim and Creed, Inc. to discuss Parkview Commons. The property is currently zoned as Neighborhood Residential (NR) and does not permit multifamily development. The applicant is requesting the zoning change from Neighborhood Residential (NR) to Neighborhood Residential- Conditional District (NR-CD).

The development was originally planning a 25-unit single-family home project; however, upon discovery of endangered vegetation, Dwarf Heartleaf, the project area had to be reduced. The project area then shifted to a multifamily (townhome) development proposal of approximately half the site. The project is on more than 3 acres of land; therefore, automatically transitions to the rezoning request to not only a different district (Neighborhood Residential to Urban Residential) but also to include a conditional district as well.

The developer plans to have additional open space and community space as well as an ADA accessible pedestrian connection to Stinger Park and possibly to Bessemer City Primary School.

Light discussion was held amongst the engineer and Board members regarding a traffic impact study analysis, overflow parking, natural gas conditions, and design standards.

By motion of Bryan Hoffman and unanimous vote, this rezoning request was postponed to the January 2025 Planning Board meeting. The Board would like to see the following next month: a sample of the units to be built detailing the footprint, parking area, setback, a 20 x 20 pad that can fit 3 vehicles at each townhome unit, an overflowing parking plan with parallel parking utilizing a City public roadway, an accurate survey of the land to help determine project density.

Neighborhood Residential Conditional District (NR-CD) Rezoning Request 04-2024 610 S. Skyland Drive

City Manager Josh Ross informed the Board that this rezoning request was tabled at their last meeting in November 2024. City staff begin discussions with Five Holdings, LLC representative earlier this year. Their first proposal included two (2) single-family homes and a duplex. The Bessemer City Land Development Code (LDC) would require the duplex only at a corner lot and entrances would have to face opposite streets. The developer chose to revise their plan to include

three (3) single-family homes on a newly built street. Three (3) single family homes typically fall into a “minor subdivision” category; however, since this project will require the developer to extend a new street and utilities, the project is considered a “major subdivision” as defined in the Bessemer City Land Development Code (LDC).

The developer is seeking to rezone this property as a conditional district since major subdivision requirements would include, but are not limited to, sidewalks and a green strip on all areas of the new street. The developer is requesting Relief (R) in the Bessemer City Land Development Code (LDC) from doing sidewalks on half of the new street and no green planting strip on the entire new street. Per the Board’s direction, the developer has submitted some conditions and more details about the project. The new plans include 2 parking spaces per home, the driveway does not come to the front door, and a shed has been added to the plan.

By motion of Constantine “Manny” Tsambouniery and unanimous vote, the rezoning request for property located at tax parcels #152587 and 218801 was recommended to be presented to City Council for consideration at their next Regular Meeting in December 2024.

Areas of Relief and Conditions of Approval

CD 04-2024 | 610 S. Skyland Drive (PID 152587 and 218801)

1. The proposed development shall follow the requirements of the City of Bessemer City Land Development Code with the added **Relief (R)** of:
 - a. Sidewalks- relief from installing sidewalk on one side of newly constructed street in front of the three (3) new single-family homes. The Bessemer City Land Development Code (LDC) requires sidewalks for Major Subdivisions on all areas of new streets. (Chapter 4, Section 4.5).
 - b. Green Strips- relief from installing a six-foot (6) green strip between the sidewalk and street. The Bessemer City Land Development Code (LDC) requires a six-foot (6) greens trip between the sidewalk and road for subdivisions (Chapter 3.3.J.).
2. The following **Conditions (C)** will be applied to the development and agreed to by the developer with the vote of the City of Bessemer City Council to approve the rezoning:
 - a. Connectivity to Park- developer shall install a pedestrian path that connects to the neighboring park (Bessemer City Park- Gaston County) beside of this major subdivision.
3. All other requirements and standards stated within the City of Bessemer City Land Development Code (LDC) shall be followed.
4. The developer shall extend the City of Bessemer City water and sewer to and within the site, at their expense. The development will be served by City utilities: water and sewer.
5. All off-site utility easements, if necessary to provide utilities to the site, must be obtained by the developer, at their expense, prior to approval of construction plans, issuance of permits, or commencement of construction.
6. Conditional Zoning approval is valid for a period of twenty-four (24) months from the date of approval.

Old/New Business

City Manager, Josh Ross, updated the group on the following:

- City staff will be submitting an RFP for a third party consultant to assist with a Land Development Code (LDC) review. City staff has a list of updates derived from conversations with the Planning & Zoning Board and Mayor & City Council.
- The NC Legislature has passed a bill concerning “down zoning”. This is the practice of making a parcel of land less dense. This is not permissible.
- General discussion regarding growth and density in Bessemer City as it relates to the school system and various developers buying and rezoning property.
- In January 2025 the City will welcome Jamie Watkins onboard as the City’s Planner and Stormwater Administrator.

Adjourn

By motion of Linda Wills and unanimous vote, the meeting adjourned at 7:39 PM.

Bruce Absher, Chairperson

Hydeia Y. Hayes, City Clerk