

## CITY COUNCIL REGULAR MEETING

City Council Chambers

Monday, August 08, 2022 at 7:00 PM

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### AGENDA

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

**Adjustment and Approval of the Agenda** — *Items will only be added or removed with the approval of the Mayor and City Council.*

**Request to Speak/Opportunity for Public Comment** — *This is an opportunity for members of the public to express items of interest to the Mayor and City Council. This is not a time to respond or take action. Any necessary action will be taken under advisement. Speakers are asked to use proper decorum and to limit comments to no more than three minutes.*

**Consent Agenda** — *The items of the Consent Agenda are adopted on a single motion and vote, unless the Mayor and City Council wish to withdraw an item for separate vote and/or discussion.*

1. **Approval of Minutes:** City Council will consider adopting the Regular Meeting minutes of the July 11th, 2022.
2. **Approval of Minutes:** City Council will consider adopting the Work Session Meeting minutes of the July 26th, 2022.
3. **Street Closure - 1st Annual Brew & Que Festival:** City administration is requesting the temporary closure of the 100 Block of West Virginia, East Virginia, West Pennsylvania Avenue, and the 100 Block of North and South 12th Street for the 1st Annual Brew & Que Festival on Friday, October 14th and Saturday, October 15th, 2022.

#### Business Items

4. **9/11 Proclamation:** Council will consider adopting a proclamation recognizing September 11th as a day of service and remembrance.
5. **Resolution- Clean Water State Revolving Fund Loan Acceptance: Project No. CS370763-03:** City Council will consider approving a resolution regarding sewer line replacements and upgrades to the Vantine Pump Station.
6. **Resolution - Approving the Sale of Beer:** City Council will consider adopting a resolution that would permit the sale of Beer at the 1st Annual Brew & Que Festival.
7. **Establish Public Hearing - Eastwood Homes:** City Council will consider establishing a public hearing on Monday, September 12th at 7:00 PM to hear public comment regarding rezoning request from Eastwood Homes for property located at tax parcels #304904, #306573, #306572,

#306571, #306570, and #306569 from Rural (R) to Urban Residential Conditional District (URCD).

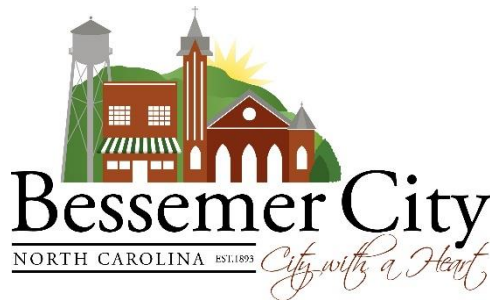
- 8. Resolution Directing City Clerk to Investigate a Petition for Voluntary Annexation:** City Council will consider a resolution directing the City Clerk to investigate a petition received from Development Solutions Group regarding property located at the following parcel- #202266.
- 9. Establish Public Hearing - Petition for Voluntary Annexation (Arc St):** City Council will consider holding a public hearing to hear public comment regarding a voluntary annexation petition from Development Solutions Group for property located at tax parcel #202266 (7.196 acres) on Monday, September 12th, 2022 at 7:00 PM.
- 10. Resolution Directing City Clerk to Investigate a Petition for Voluntary Annexation:** City Council will consider a resolution directing the City Clerk to investigate a petition received from the City of Bessemer City regarding property located at the following parcels- #306555, #151628, #223258, #156697, #156702. These parcels are owned by the City, but are not in the City limits.
- 11. Establish Public Hearing -City of Bessemer City:** City Council will consider establishing a public hearing on Monday, September 12th, 2022 at 7:00 PM to hear public comment regarding a voluntary annexation petition received from the City of Bessemer City regarding property located at the following parcels- #306555, #151628, #223258, #156697, #156702. These parcels are owned by the City, but are not in the City limits.
- 12. Public Hearing - Arc St:** City Council will hold a public hearing to hear public comment regarding a rezoning request from Development Solutions Group for property located at tax parcel #202266 (7.05 acres), from Rural (R) to Urban Residential (UR).
- 13. Ordinance for Zoning Map Amendment:** City Council will consider adopting an ordinance to amend the zoning map of the City of Bessemer City to include Tax Parcel #202266 (7.05 acres) as Urban Residential (UR).
- 14. Public Hearing - Sunset Drive:** City Council will hold a public hearing to hear public comment regarding a major subdivision for property located at tax parcel #121008.
- 15. Resolution- Sunset Drive:** City Council will consider adopting a resolution approving the Sunset Avenue major site plan for property located at tax parcel #121008.
- 16. Public Hearing - Lennar Homes:** City Council will hold a public hearing to hear public comment regarding a major subdivision for property located at tax parcel #307413.
- 17. Resolution- Lennar Homes:** City Council will consider adopting a resolution approving the Lennar Homes major site plan for property located at tax parcel #307413.

## **City Manager's Report**

### **18. Budget Amendment**

**Council General Discussion** — *This is an opportunity for the Mayor and City Council to ask questions for clarification, provide information to staff, request staff to report back, or place a matter on a future agenda.*

**Adjourn**



## CITY COUNCIL REGULAR MEETING

City Council Chambers

Monday, July 11, 2022 at 7:00 PM

### MINUTES

#### Members Present

Mayor, Becky S. Smith, Council Members: Brent Guffey, Kay McCathen, Brenda Boyd, Dan Boling, Donnie Griffin and Joe Will were all present. City Manager, James Inman and City Attorney, Dan O'Shea were present as well.

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

Mayor Smith called the meeting to order. First Wesleyan Church Pastor, Matt Mitchell led the audience in prayer. Mayor Smith led the audience in the Pledge of Allegiance.

#### Adjustment and Approval of the Agenda

By motion of Kay McCathen and unanimous vote, the June agenda was approved with the following revisions:

- Remove Item #18/#19
  - o **Public Hearing- Economic Development Grant (Project Trim):** City Council will hold a public hearing to hear public comment regarding an Economic Development Incentive for Project Trim.
  - o **Resolution - Project Trim Project Incentive:** City Council will consider approving an Economic Incentive for Project Trim after hearing those present at the public hearing.

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

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

- Alan Fowler of 433 Besstown Rd: Mr. Fowler addressed Council regarding his concerns about the Water Plant, City landscaping, and speeding along his road.

#### Consent Agenda

The following items on the Consent Agenda were unanimously approved by motion of Dan Boling:

- **Approval of Minutes:** City Council will consider adopting the Regular Meeting minutes of the June 13th, 2022.
- **Approval of Minutes:** City Council will consider adopting the Work Session Meeting minutes of the June 28th, 2022.

#### Establish Public Hearing:

City Staff is requesting the establishment of a public hearing for Council to hear comments from citizens regarding a rezoning request from Development Solutions Group for property located at tax parcel #202266 (7.05 acres), from Urban Residential (UR) and Rural (R) to Urban Residential Conditional District (URCD).



By motion of Donnie Griffin and unanimous vote, a public hearing regarding the rezoning request from Development Solutions Group will be held on Monday, August 8, 2022 at 7:00PM in Council Chambers. Public notice will be given per NC General Statutes.

**Establish Public Hearing:**

City Staff is requesting the establishment of a public hearing for Council to hear comments from citizens regarding a major subdivision for property located at tax parcel #121008.

By motion of Donnie Griffin and unanimous vote, a public hearing regarding a major subdivision will be held on Monday, August 8, 2022 at 7:00PM in Council Chambers. Public notice will be given per NC General Statutes.

**Establish Public Hearing:**

City Staff is requesting the establishment of a public hearing for Council to hear comments from citizens regarding a major subdivision for Lennar Homes regarding property located off of Costner School Rd. Parcel Number #307413.

By motion of Dan Boling and unanimous vote, a public hearing regarding a major subdivision for Lennar Homes will be held on Monday, August 8, 2022 at 7:00PM in Council Chambers. Public notice will be given per NC General Statutes.

**Public Hearing –Petition for Voluntary Annexation (Lennar Homes):**

City Council held a public hearing regarding a petition for voluntary annexation received from Lennar Homes regarding property located off of Costner School Rd. Parcel Number #307413.

By motion of Dan Boling and unanimous vote, the public hearing regarding the petition for voluntary annexation was opened at 7:08 PM.

Mayor Smith asked if there was anyone present to speak in favor of the petition for voluntary annexation. There was none.

Mayor Smith asked if there was anyone present to speak in opposition of the petition for voluntary annexation. There was none.

By motion of Brenda Boyd and unanimous vote, the public hearing regarding the petition for voluntary annexation was closed at 7:09 PM.

**Ordinance for Zoning Map Amendment:**

City Planner, Nathan Hester addressed Council regarding the petition for voluntary annexation. Parcel #307413 is a combination of the previous parcels #220086, #151795, and #30559. Parcels #220086 and #151795 are already in the City limits. Parcel #305559 was previously zoned I-2 in Gaston County. With this annexation, this parcel will be zoned Urban Residential (UR).

By motion of Donnie Griffin and unanimous vote, the zoning map amendment regarding the extension of the Bessemer City corporate limits to include property located at Parcel #307413 was approved. A copy of this ordinance is on file at City Hall. This zoning map was adopted along with the plan consistency and statement of reasonableness. The requested rezoning is reasonable and consistent with the Bessemer City Planning & Economic Development Comprehensive Land Use Vision.

## Public Hearing- City Code of Ordinance: Chapter 93 Animals

By motion of Brenda Boyd and unanimous vote, the public hearing was opened at 7:23 PM.

Mayor Smith asked if there was anyone to speak in favor of the text amendment. The following individuals came forth:

- **Pamela Gladney of 502 E Ohio Avenue:** Ms. Gladney informed the Board that she is a member of the honeybee association. She has been a beekeeper since 2015, and she supports the changes regarding honeybee keeping. Ms. Gladney is also in support of the changes regarding chickens. She stated that many citizens already have chickens.
- **Tiffany Botts of 606 E. Iowa Avenue:** Ms. Botts addressed Council regarding her support for the text amendment to allow chickens in the City limits. She has lived here since 2015, and there are many benefits to having chickens.

Mayor Smith asked if there was anyone to speak in opposition of the text amendments. There was none.

By motion of Brenda Boyd and unanimous vote, the public hearing to consider the text amendments was closed at 7:23 PM.

### Ordinance- for Text Amendment:

City Planner, Nathan Hester addressed Council regarding the proposed text changes. These changes will be made to the City Code of Ordinances and the Land Development Code (LDC). These changes include a limit of 4 chickens and 5 honeybee hives. These are regulated be a minimum tract of land.

Other changes listed are as follows: The production of plants and animals useful to man, including but not limited to: forages and sod crops; grains and seed crops; dairy animals and dairy products, poultry and poultry products; rheas, ostrich, emu, livestock, including beef cattle, sheep, swine, llamas, horses, ponies, [NOTE: Horses and ponies must be raised commercially on a horse farm for the purpose of sale to qualify as an “agricultural use” and are distinct from riding stables or boarding facilities, which do not quality as an “agricultural use”], mules, or goats or any mutations or hybrids thereof, including the breeding and grazing of any or all of such animals; bees and apiary products; fur animals; trees and forest products; fruits of all kinds, including nuts; vegetables; nursery, floral and ornamental products; or lands devoted to a soil conservation or forestry management program. In addition, an “agricultural use” shall also include land used as pasture or in the commercial production of fish hatcheries or aquaculture. An “agricultural use” shall also include the keeping of livestock for commercial or noncommercial purposes. Livestock includes but is not limited to poultry and hoofed animals such as cattle, horses, swine, goats, and sheep. Also included in this definition of agricultural uses are agricultural accessory buildings, and sales of agricultural products grown or raised on the premises. Not included in this definition are the commercial slaughtering of animals for marketing and farm tenant dwellings. Other uses which shall not be deemed as “agricultural uses” include (i) zoos and (ii) kennels. For the purposes of this Code, “agricultural uses” are divided into three classes:

- **Agricultural Uses, Class I:** Low impact, residentially compatible, accessory agricultural uses, such as community and backyard gardens, bee keeping, chicken coops / hen keeping, and similar uses.
- **Agricultural Uses, Class II:** The growing of all agricultural and horticultural products (e.g., corn, soybeans, cotton), nurseries, and commercial greenhouses. Riding academies, riding corrals and tracks, and boarding stables; any other animal husbandry use, except that listed herein as a Class III use. Any Class I use as a principal use or exceeding the standards allowed for a Class I use.

- Agricultural Uses, Class III: Dairy barns; high-density cattle pens; stock yards; poultry houses; manure storage; hog parlors; hog and rabbit meat production centers

## 2.8.V. Agricultural Uses

### Class I

1. Chicken (Hen) Keeping. Where the minimum lot size meets or exceeds seven thousand (7,000) square feet, up to four (4) hens are allowed subject to meeting standards below and following Chapter 93 of the Code of Ordinances.
  - a. Hens are permitted on lots with single-family detached dwelling units only.
  - b. Hens must be kept in a coop and pen, or portable chicken tractors, and such coops and enclosures may not include residential structures or garages. All hens must be secured in the chicken coop during non-daylight hours.
  - c. Chicken coops, pens, and tractors (whether stationary or moveable) must be located in rear yards only (behind the line formed by the back wall of the residence.)
  - d. A minimum setback of fifteen (15) feet is required from the side and rear property lines.
  - e. The coop and pen must be closer to the chicken owner's primary residential unit than neighboring residential unit.
  - f. No more than eight (4) hens are permitted on any lot within the municipal limits of Bessemer City. Roosters are prohibited and shall not be considered a Class I agricultural use.
  - g. All aspects of keeping chickens shall be personal and noncommercial. No sales of rendered eggs shall be permitted on the property.

Beekeeping. All Bessemer City regulations for the act of domestic beekeeping have been adopted in accordance with Article 8 of Chapter 160A and subsection 106-645 Article 55 of the North Carolina General Statutes and The North Carolina Bee and Honey Act of 1977.

The City encourages domestic beekeeping as a hobby, but beekeeping at a scale that is indicative of a production process shall be operated as an agriculture operation (Class II) and located on suitable lands, not as an accessory use. Domestic beekeeping shall be permitted as an accessory use and shall only occur in accordance with the following requirements:

- h. Beekeeping shall only be allowed on properties with single-family, detached units only.
- i. The maximum number of hives allowed on properties within the City limits shall be no more than five (5) hives per lot.
  - (1) No hive shall be established or kept within fifteen (15) feet of any property line.
  - (2) A constant and adequate on-site source of freshwater shall be provided and shall be located closer to the hive than any water source on adjacent property.

- (3) The hives shall be placed at ground level or otherwise securely attached to an anchor or stand.

#### Other

1. Agricultural sales which include products grown elsewhere, or goods processed or manufactured on site, shall be considered a retail use.
2. Any agricultural sales shall require the provision of on-site parking spaces.
3. Class III uses are not permitted.

Animal Kennel – An indoor or outdoor place where more than five (5) dogs or other domesticated animals are groomed, bred, boarded, trained, kept, and/or sold either as a principal use or an accessory to a residential use.

Pet Services – An indoor facility for grooming (shampooed, clipped, etc.), boarding, retail sales, or other services provided to small animals, typically considered as household pets. Examples include a doggy daycare or a pet spa. For the purpose of this definition, animals shall exclude horses, cattle, swine, sheep, goats, geese, or fowl. All animal activities at this facility will be compliant with the North Carolina Animal Welfare Act.

#### **2.8.EE Kennels**

1. Outdoor kennel space must be at least four hundred (400) feet away from residential or mixed-use property lines.
2. Kennels shall be designed to buffer all noise audible to surrounding properties. Noise from the dog or cats will not substantially interfere with an abutting occupant's use and peaceful enjoyment of the property.
3. Any odor or unsanitary conditions caused by the dogs or cats will not substantially interfere with an abutting occupant's use and peaceful enjoyment of the property. There is no evidence that the dogs or cats pose any health problems or disease exposure for abutting occupants.
4. Outdoor structures must meet all applicable setback requirements and are not permitted to be located to the front of front building line of the primary structure. When in use with the primary structure, the outdoor structure shall be subordinate in height, footprint, and proportion to the primary structure on the site, and shall be compatible with the principal structure in terms of roof form, materials, and color.
5. More than five dog runs or other dog-related structures or any combinations thereof shall not be permitted if the structures can be seen from an abutting occupant's property in a residentially zoned district.
6. Subject to any additional regulations noted in Chapter 93 of the Animal Code of Ordinances

Removing both definitions for *Bona fide Farms* and *Farm, Bona fide* from Section 10.1 and only having the definition listed in Section 10.2.

By motion of Dan Boling and unanimous vote, the proposed text changes to Chapter 93 of the City Code of Ordinance were adopted.

**Public Hearing- City Code of Ordinance: Chapter 150 Buildings & Minimum Housing Regulation**

By motion of Dan Boling and unanimous vote, the public hearing was opened at 7:25 PM.

Mayor Smith asked if there was anyone to speak in favor of the text amendment. There was none.

Mayor Smith asked if there was anyone to speak in opposition of the text amendment. There was none.

By motion of Dan Boling and unanimous vote, the public hearing to consider the text amendment was closed at 7:26 PM.

**Ordinance for Text Amendment- City Code of Ordinance: Chapter 150 Buildings & Minimum Housing Regulation**

City Planner, Nathan Hester informed City Council that several changes were needed to bring the City Code of Ordinances in to compliance with General Statute 160D. Among these changes were regulations regarding the process to evaluate vacant buildings and dilapidated housing.

By motion of Brent Guffey and unanimous vote, the ordinance regarding text amendments to Chapter 150 was adopted.

**Public Hearing- City Code of Ordinance: Chapter 130.10 Camping**

By motion of Donnie Griffin and unanimous vote, the public hearing was opened at 7:28 PM.

Mayor Smith asked if there was anyone to speak in favor of the text amendment. The following individuals came forth:

Mayor Smith asked if there was anyone to speak in opposition of the text amendment. There was none.

By motion of Dan Boling and unanimous vote, the public hearing to consider the text amendment was closed at 7:29 PM.

**Ordinance for Text Amendment- City Code of Ordinance: Chapter 130.10 Camping**

City Planner, Nathan Hester informed City Council that this is a new chapter. The purpose and intent of this chapter is to regulate tents in the City right of way. No one shall be permitted to set up a tent structure on City owned land or right of way. As this shall constitute a public nuisance.

By motion of Donnie Griffin and unanimous vote, the ordinance regarding text amendments to Chapter 130.10 were adopted.

**Public Hearing- City Code of Ordinance: Chapter 120 Mobile Vending**

By motion of Brent Guffey and unanimous vote, the public hearing was opened at 7:37 PM.

Mayor Smith asked if there was anyone to speak in favor of the text amendment. The following individuals came forth:

Mayor Smith asked if there was anyone to speak in opposition of the text amendment. There was none.

By motion of Donnie Griffin and unanimous vote, the public hearing to consider the text amendment was closed at 7:38 PM.

### **Ordinance for Text Amendment- City Code of Ordinance: Chapter 120 Mobile Vending**

City Planner, Nathan Hester informed City Council that this is a new chapter. The purpose and intent of this chapter is to regulate mobile vending units in the highway commercial overlay. Mobile Vending will not be permitted in the residential districts, or 100 feet of a restaurant. Mobile Vending permits will be approved by the City Manager or his designee.

By motion of Joe Will and unanimous vote, the ordinance regarding text amendments to Chapter 120 were adopted. Per City Council, the City Manager or his designee will only be permitted to approve a mobile vending permit.

### **Public Hearing – Trinity Capital Advisors Project Incentive:**

City Council held a public hearing regarding a grant for the Trinity Capital Advisors Project Incentive.

By motion of Dan Boling and unanimous vote, the public hearing regarding the Trinity Capital Advisors project incentive was opened at 7:41 PM.

Mayor Smith asked if there was anyone present to speak in favor of the redevelopment revitalization project incentive. There was none.

Mayor Smith asked if there was anyone present to speak in opposition of the redevelopment revitalization project incentive. There was none.

By motion of Kay McCathen and unanimous vote, the public hearing regarding the redevelopment revitalization project incentive was closed at 7:43 PM.

### **Resolution- Trinity Capital Advisors Project Incentive**

Donny Hicks of the Gaston County EDC, addressed Council regarding the Trinity Capital Advisors Project Incentive. Mr. Hicks informed Council that the Gaston County Commissioners have approved the same resolution at its meeting. Mr. Hicks also expressed his support of the resolution.

By motion of Donnie Griffin and unanimous vote, the resolution was adopted. A copy is on file at City Hall

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

Director of Administration, Josh Ross, addressed Council regarding the following:

- Board Vacancies: City Staff has received several applications to fill two Board vacancies. There is one vacancy on the Downtown Development Board and the Planning & Zoning Board of Adjustments. By general consensus, City Council will meet with the applicants at the July 2022 Work Session.
- General: The Water Plant Project continues to move forward. The Stinger Park Project is still on schedule to be complete by October 2022. We have a lot of growth going on in the City.

### **Council General Discussion**

Mayor Smith opened the floor for Council general discussion. Council member, Dan Boling inquired about the speed limit sign by City Hall Annex and Whiskey Mill. He stated that both signs were removed.

Council member, Brent Guffey commended City Staff on their dedication. Council member, Joe Will inquired about sending a letter to NCDOT regarding the signal study going on at 12<sup>th</sup> and Virginia Avenue.

**Adjournment**

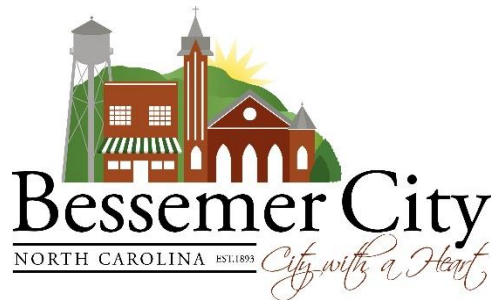
Being no further business to come before the board, by motion of Brent Guffey and unanimous vote, the meeting was adjourned at 8:00 PM.

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Becky S. Smith, Mayor

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Hydeia Y. Hayes, City Clerk



## CITY COUNCIL WORK SESSION

City Council Chambers

Tuesday, July 26, 2022 at 3:00 PM

### MINUTES

#### **Call to Order**

Mayor Becky S. Smith called the meeting to order.

#### **Members Present**

Mayor, Becky S. Smith, Council Members: Joe Will, Kay McCathen, Brenda Boyd, Dan Boling, and Donnie Griffin were all present. Council Member: Brent Guffey was absent. City Manager, James Inman and department heads was present as well. A quorum was present.

#### **Board Applications**

Mayor & Council met with the following applicants who applied to serve on an appointed Board:

- Michelle Inman (Planning & Zoning Board of Adjustments)
- Peter Feldman (Planning & Zoning Board of Adjustments)
- Katie Cox (ABC Board)

#### **Department Head Reports**

Bessemer City department heads gave reports on their department's status:

Josh Ross, Director of Administration- Mr. Ross addressed Council regarding the newsletter, annexing City owned property, and the Land Development Code. The City owns 5 or 6 parcels that are not in the City limits. In order to provide emergency services and have jurisdiction over these parcels, they will need to be annexed in to the City. These parcels will be placed on the August Regular agenda to be annexed in September. Due to COVID, the price of the monthly newsletter has increased substantially. City Staff would like to propose that this operation be brought in house.

By general consensus, the City newsletter will be printed in house and placed at various locations throughout the City. However, the City will maintain the ability to place single inserts in the bill.

Mr. Ross addressed Council regarding some communications received from local builders about the Land Development Code (LDC). It has come to City Staff's attention that some residents and builders have questions regarding the new LDC.

By general consensus, the City will hold an educational Town Hall meeting to inform the public of the new LDC changes and answer any questions.

JoD Franklin, Parks and Recreation Director- Mr. Franklin addressed Council regarding the upcoming Hall of Fame banquet and revenue at the City Swimming Pool. The City has made over \$100,000 and seen over



13,000 patrons since we opened for the season. The Hall of Fame banquet will be held Saturday, July 30<sup>th</sup> at 5 PM at the First Wesleyan Church.

Jamie Ramsey, Assistant City Manager- Mr. Ramsey addressed Council regarding upgrades at the water plant and the new AEDs the Fire Department received. The AEDs have been working well, and all of the Firemen have completed their CPR training.

Nathan Hester, City Planner – Mr. Hester addressed Council regarding a new retail strategy, the 1<sup>st</sup> Annual Brew & Que Festival, the Lennar Major Subdivision, and the Eastwood Project. City Staff is working with a Retail Coach to recruit businesses to the downtown area. The Retail Coach will conduct a study and inform Staff about which businesses would be most successful. The Brew & Que Festival will be held on Saturday, October 15<sup>th</sup> from 12 Noon until 9:30 PM. The Eastwood Homes project will hold a public hearing at the September Regular City Council meeting, and the Lennar Subdivision will be discussed at the August Regular meeting.

Charlie Harbin, Fire Chief – Mr. Harbin addressed Council regarding the upcoming Fire inspection. Next week City Staff will completion an inspection of the ladders, pumps, and etc.

Diane Jenkins, Finance Director – Ms. Jenkins addressed Council regarding the Finance Officers conference and the Workers Comp. and City Finance audit. Ms. Jenkins is also still working with Tyler technologies to establish the service kiosk that Council voted for at their annual retreat.

Tom Ellis, Police Chief- Chief Ellis addressed Council about ongoing investigations, the SRO program at the Middle School, and the departments increasing service call volume.

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

City Manager, James Inman addressed Council regarding the following:

- General: We are seeing an uptick in the homeless population. Please be aware, City Staff will enforce the Camping Ordinance adopted by City Council at the last Regular meeting.

### **Council General Discussion**

Mayor Smith opened the floor for Council general discussion. Council member, Kay McCathen inquired about citizens receiving calls from a third party. She was informed that this is probably a scam.

### **Adjourn**

Being no further business to come before the board, the meeting was adjourned at 4:55 PM by motion of Donnie Griffin and unanimous vote.

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Becky S. Smith, Mayor

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Hydeia Y. Hayes, City Clerk



## ORDINANCE

### -TEMPORARY STREET CLOSURE FOR 1<sup>ST</sup> ANNUAL BREW & QUE

**WHEREAS**, the City of Bessemer City wishes to provide recreational entertainment for the citizens of Bessemer City; and

**WHEREAS**, the City of Bessemer City understands the importance of hosting such entertainment in the downtown central business district of Bessemer City; and

**WHEREAS**, the City of Bessemer City acknowledges that a special event requires rerouting traffic and providing safety measures for citizens attending said events; and

**WHEREAS**, the City of Bessemer City wishes to host its 1<sup>st</sup> Annual Brew & Que Festival in downtown Bessemer City along Highway 274 (East and West Virginia Avenue), the 100 Block of South and North 12<sup>th</sup> Street, and the 100 Block of West Pennsylvania Avenue on Friday, October 14<sup>th</sup> and Saturday, October 15<sup>th</sup> from the hours of 8am to 11pm;

**NOW THEREFORE BE IT ORDAINED** by the City Council of Bessemer City pursuant to the authority granted by G.S. 20-169 that they do hereby declare a temporary road closure during the days and times set forth below on the following described portion of a State Highway System route:

**Dates:** Friday, October 14<sup>th</sup> and Saturday, October 15, 2022.

**Times:** 8am-11pm

**Route Description:** 100 Block of East Virginia Avenue and 100 Block of West Virginia Avenue (Highway 274), 100 Block of South 12<sup>th</sup> Street, 100 Block of North 12<sup>th</sup> Street, and the 100 Block of West Pennsylvania Avenue

Adopted by City Council this 8<sup>th</sup> Day of August, 2022

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Becky S. Smith, Mayor

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Hydeia Y. Hayes, City Clerk



**PROCLAMATION**  
**SEPTEMBER 11<sup>TH</sup> DAY OF SERVICE & REMEMBRANCE**

**WHEREAS**, on September 11, 2001, terrorists attacked the United States leading to the tragic death of thousands of innocent United States citizens and other citizens from 90 different countries and territories; and

**WHEREAS**, in response to the attacks in New York City, Washington D.C. and Shanksville, Pennsylvania, firefighters, police officers, emergency medical technicians, physicians, nurses, military personnel, and other first responders immediately and without concern for their own well-being rose to service, in a heroic attempt to protect the lives of those still at risk, consequently saving thousands of men and women; and

**WHEREAS**, in the days, weeks and months following the attacks, thousands of people in the United States and other nations spontaneously volunteered to help support the rescue and recovery efforts, braving both physical and emotional hardship; and

**WHEREAS**, hundreds of thousands of brave men and women continue to serve every day, having answered the call to duty as members of our nation's armed forces with thousands having given their lives, or been injured to defend our nation's security and prevent future terrorist attacks; and

**WHEREAS**, since September 11, 2011, more than 15,000 North Carolina National Guardsmen from Manteo to Murphy have mobilized-and deployed across the globe, leaving family, employers and friends; and

**WHEREAS**, North Carolina has been called the most military friendly state in the nation, and its citizens continue to support our brave men and women in uniform and the veterans that came before them; and

**WHEREAS**, the entire nation witnessed and shared in the tragedy of 9/11 and in the immediate aftermath of the September 11 attacks became unified under a remarkable spirit of service and compassion that inspired and helped heal the nation; and

**WHEREAS**, in the years immediately following the September 11, 2001 attacks, the U.S. Bureau of Labor Statistics documented a marked increase in volunteerism among citizens in the United States; and

**WHEREAS**, families of 9/11 victims, survivors, first responders, rescue and recovery workers, and volunteers called for Congress to pass legislation to formally authorize the establishment of September 11 as an annually recognized "National Day of Service Remembrance", and for the President of the United States to proclaim the day as such;

**NOW, THEREFORE**, I, Mayor Becky S. Smith and the City Council do hereby proclaim September 11th, 2022 as a "Day of Service and Remembrance" and urge all citizens to commit to community service on this day and an ongoing basis.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the seal of the City of Bessemer City to be affixed on this 8th day of August 2022.

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**Becky S. Smith, Mayor**

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**Hydeia Y. Hayes, City Clerk**

COBC-GOVBOD-2022-2023 P 1



**RESOLUTION  
ACCEPTANCE OF CLEAN WATER REVOLVING LOAN AND GRANT**

**WHEREAS**, The North Carolina Clean Water revolving Loan and Grant Act of 1987 has authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, and water supply systems, water conservation projects, and

**WHEREAS**, the North Carolina Department of Environmental Quality has offered a State Revolving Loan in the amount of \$1,850,000.00 for the construction of the Vantine Pump Station and Sewer Replacements, and

**WHEREAS**, the City of Bessemer City intends to construct said project in accordance with the approved plans and specifications,

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BESSEMER CITY:**

That the City of Bessemer City does hereby accept the State Revolving Loan of \$1,850,000.00.

That the City of Bessemer City does hereby give assurance to the North Carolina Department of Environmental Quality that all items specified in the loan offer, Section II- Assurance will be adhered to.

That James Inman, City Manager, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurance as contained above; and to execute such other documents as may be required in connection with the application.

That the City of Bessemer City has substantially complied or will comply with all Federal, State and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining hereto.

Adopted this the 8<sup>th</sup> Day of August, 2022 at Bessemer City, North Carolina.

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Becky S. Smith, Mayor

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Hydeia Y. Hayes, City Clerk



**A RESOLUTION FOR THE CITY OF BESSEMER CITY TO ALLOW FOR THE  
TEMPORARY VENDING OF BEER AND/OR WINE UNDER SPECIFIC GUIDELINES  
AND REGULATIONS DURING SPECIAL EVENTS**

**WHEREAS,** The City of Bessemer City, Code of Ordinances, Title 11 Business Regulations 112.04, prohibits any person to possess malt beverage and/or unfortified wine on public streets, alleys, or parking lots which are temporarily closed to regular traffic for special events, unless the governing body adopts a resolution making other provisions for the possession of malt beverages and/or unfortified wine at the special event;

**WHEREAS,** The City of Bessemer City would like to permit the sell of beer/wine at the 1st Annual Brew & Que Festival which will be on Saturday, October 15<sup>th</sup> from 12:00PM-9:30PM; and

**WHEREAS,** Council wishes to allow for the vending and responsible consumption of beer and/or wine under certain conditions, contained herein during limited hours during the permitted event; and

**WHEREAS,** Council wishes to prohibit the sale and /or consumption of liquor during the permitted event; and

**WHEREAS,** Council believes the regulations contained herein are appropriate; and

**WHEREAS,** Council believes that the specific regulations contained herein balance health and safety concerns of citizens with the desire to promote responsible use of alcoholic beverages; and

**WHEREAS,** nothing contained in this Resolution is intended to waive other laws and regulations applicable to the sale and consumption of alcohol within City Limits; and

**WHEREAS,** this Resolution is intended to allow the sale and consumption of beer and wine only, pursuant to these specific regulations and is not intended to amend or expand the City of Bessemer City Code or any other applicable law or regulation beyond the scope of the particulars of this Resolution or beyond the hours of the permitted event; and

**WHEREAS,** this Resolution is not a waiver of any State, County or local requirement for a permit; and this Resolution shall not establish precedent nor shall it apply to any event other than the times indicated above.

**BE IT FURTHER RESOLVED** that the City Council of the City of Bessemer City intends for the Bessemer City Crisis Center to uphold the restrictions set within this Resolution.

Adopted this the 8<sup>th</sup> day of August, 2022

\_\_\_\_\_  
Hydeia Y. Hayes, City Clerk

\_\_\_\_\_  
Becky S. Smith, Mayor



# City of Bessemer City

A RESOLUTION SETTING A PUBLIC HEARING ON THE QUESTION OF A ZONING MAP AMENDMENT (TAX ID PARCEL #304904, #306573, #306572, #306571, #306570, #306569)

WHEREAS, the applicant, Eastwood Homes, is requesting a Zoning Map Amendment to rezone Tax Parcels #304904, #306573, #306572, #306571, #306570, and #306569 from Rural to Urban Residential Conditional District.

WHEREAS, the city has accepted the application and desires to set a Public Hearing on the same in accordance with the requirements of the Bessemer City LDC (Land Development Code)

BE IT THEREFORE RESOLVED that a Public Hearing be set for September 12, 2022 at 7:00 PM in the Bessemer City Council Chambers.

BE IT FURTHER RESOLVED that staff shall provide legal notice of this Hearing in accordance with the LDC.

ADOPTED THIS THE 8<sup>th</sup> DAY OF August, 2022.

---

Becky S. Smith, Mayor

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Hydeia H. Hayes, City Clerk

FILE#: ZA 03-2021

COBC-GOVBOD-2022-2023 R 3



## **CERTIFICATION OF SUFFICIENCY**

To the City Council and Mayor of Bessemer City, North Carolina:

I, Hydeia Y. Hayes, City Clerk, do hereby certify that I have investigated the petition attached hereto and have found the following findings:

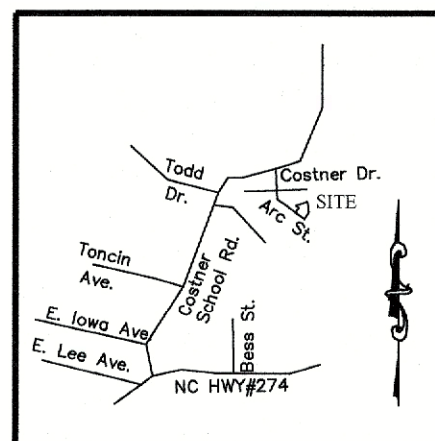
- Said petition is signed by all owners of real property lying in the area described therein, in accordance to N.C.G.S. 160A-58.1
- The petition contains an adequate property description of the area proposed for annexation.
- The area described in the petition is contiguous to the City primary corporate limits, as defined by G.S. 160A-31.

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Bessemer City, this 8<sup>th</sup> day of August, 2022

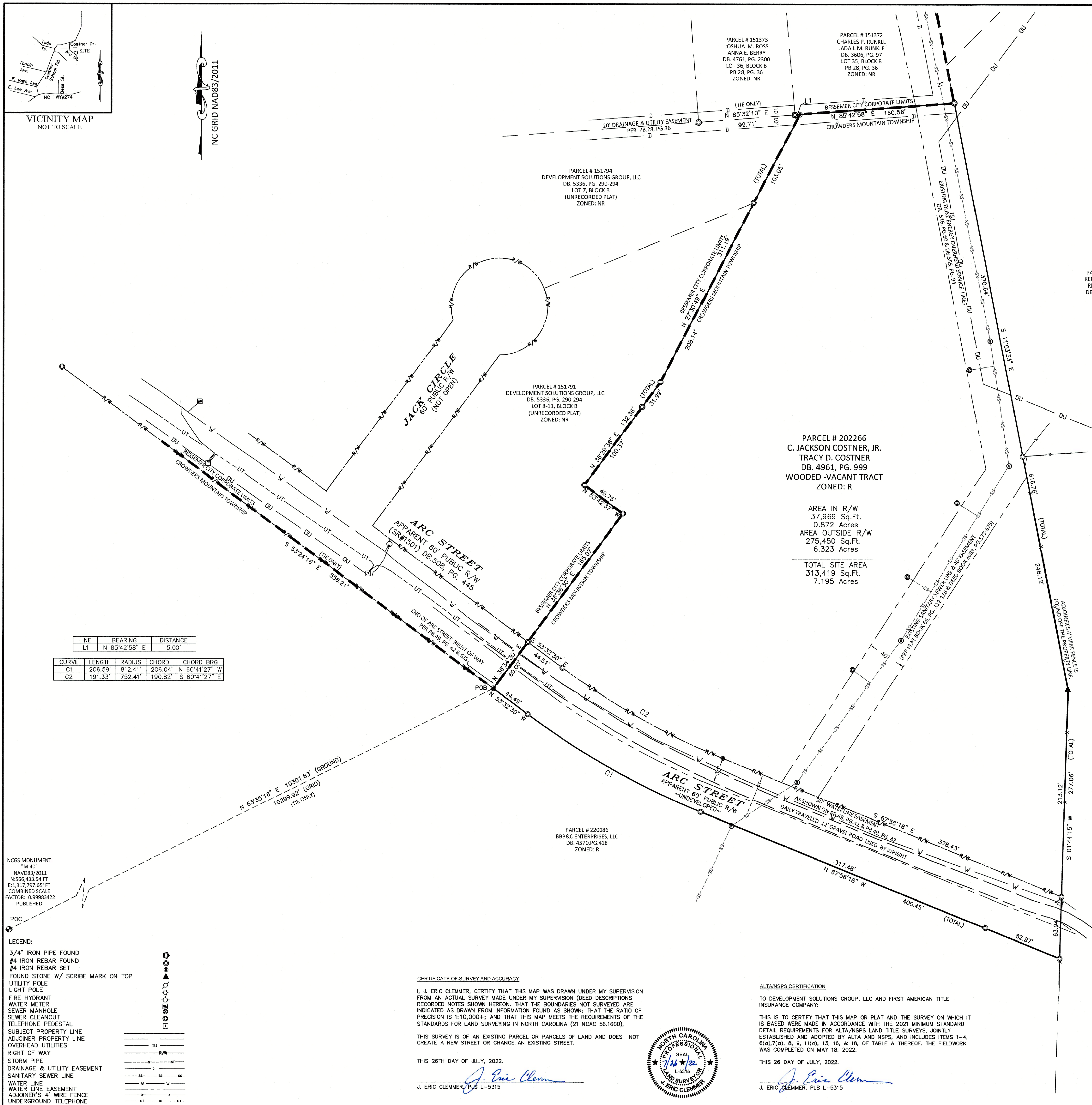
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Hydeia Y. Hayes, City Clerk



VICINITY MAP  
NOT TO SCALE

NC GRID NAD83/2011

FIRST AMERICAN TITLE COMPANY  
COMMITMENT NO. 22-2036  
SCHEDULE B, PART II  
COMMITMENT DATE: JULY 22, 2022 AT 8:00 AM

1. ANY DEFECT, LIEN, ENCUMBRANCE, ADVERSE CLAIM, OR OTHER MATTER THAT APPEARS FOR THE FIRST TIME IN THE PUBLIC RECORDS OR IS CREATED, ATTACHED, OR IS DISCLOSED BETWEEN THE COMMITMENT DATE AND THE DATE ON WHICH ALL OF THE SCHEDULE B, PART I - REQUIREMENTS ARE MET. (NOT A SURVEY MATTER)
2. TAXES FOR THE YEAR 2022 AND SUBSEQUENT YEARS, NOT YET DUE AND PAYABLE. (NOT A SURVEY MATTER)
3. EASEMENT(S) TO DUKE POWER COMPANY RECORDED IN BOOK 516, PAGE 60; AND BOOK 555, PAGE 94, GASTON COUNTY REGISTRY. (BLANKET EASEMENT FOR ELECTRIC SERVICE & EQUIPMENT MAINTENANCE)
4. WATERLINE RIGHT OF WAY TO CITY OF BESSEMER CITY RECORDED IN PLAT BOOK 49, PAGE(S) 42, GASTON COUNTY REGISTRY. (SHOWN HEREON)
5. ANY DISCREPANCY, CONFLICT, ACCESS, SHORTAGE IN AREA OR BOUNDARY LINES, ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OVERLAP, SETBACK, EASEMENT OR CLAIM OF EASEMENT, RIPARIAN RIGHT, AND TITLE TO LAND WITHIN ROADS, WAYS, RAILROADS, WATERCOURSES, BURIAL GROUNDS, MARSHES, DREDGED OR FILLED AREAS OR LAND BELOW THE MEAN HIGHWATER MARK OR WITHIN THE BOUNDS OF ANY ADJOINING BODY OF WATER, OR OTHER ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY A CURRENT INSPECTION AND ACCURATE AND COMPLETE LAND SURVEY OF THE LAND. (NOT A SURVEY MATTER)

## LEGAL DESCRIPTIONS PER TITLE COMMITMENT

LOCATED IN THE TOWN OF BESSEMER CITY, IN CROWDERS MOUNTAIN TOWNSHIP, IN GASTON COUNTY AND BEING THAT PROPERTY THAT D. RUSH COSTNER AND WIFE, PEGGY L. COSTNER CONVEYED TO MARY COSTNER AND C. JACKSON COSTNER BY DEED FILED APRIL 24, 2002 IN BOOK 3443 PAGE 51. FURTHER BEING ALL OF TRACT II THAT THE DEVISEES' OF MARY SUE VAN DYKE COSTNER CONVEYED THEIR ONE-HALF UNDIVIDED INTEREST TO TRACY D. COSTNER BY QUITCLAIM DEED FILED FEBRUARY 19, 2018 IN BOOK 4961 PAGE 999.

## SURVEY NOTES:

1. TIE TO NCGS MONUMENT SHOWN HEREON. NC GRID COORDINATES AS SHOWN HEREON ARE BASED UPON GPS OBSERVATIONS UTILIZING NCGS' NETWORK RTK SYSTEM WITH A TRIMBLE R8 AND ARE REFERENCED TO THE NAD 83(NSRS 2011) DATUM. COMBINED FACTOR: 0.99983422. ALL DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES (US SURVEY FOOT) UNLESS OTHERWISE NOTED.
2. SUBJECT PROPERTY IS CURRENTLY ZONED R. CONSULT WITH GOVERNING AGENCY FOR PREVAILING LAND DEVELOPMENT AND ZONING REQUIREMENTS PRIOR TO DESIGN OR CONSTRUCTION OF ANY IMPROVEMENTS. NO ZONING REPORT SUPPLIED BY THE CLIENT.
3. THE SUBJECT PROPERTY IS NOT LOCATED IN A FEMA FLOOD PLAIN PER FEMA PANEL NO.#3710352700J EFFECTIVE DATE 09/28/2007.
4. ARC STREET & JACK CIRCLE ROAD RIGHT OF WAY WIDTHS BASED UPON ADJOINING PROPERTIES INFORMATION AS FOUND IN THE GASTON COUNTY PUBLIC REGISTRY. THE RIGHT OF WAY DEDICATION DOCUMENTS WERE NOT PROVIDED FOR ANY OF THE PROPERTIES SHOWN HEREON.
5. NO PROPOSED CHANGES IN STREET RIGHT OF WAY LINES, OR EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.
6. THIS BOUNDARY SURVEY IS BASED ON EXISTING PHYSICAL EVIDENCE OBSERVED ON THE DATE OF THE FIELD SURVEY. NO TITLE SEARCH DONE BY TIDEMARK OR PROVIDED BY CLIENT AT TIME OF SURVEY.
7. AREA BY COORDINATE COMPUTATION. TOTAL SITE AREA IS 313,419 SQ. FT. OR 7.195 ACRES.
8. DATE OF FIELD SURVEY 5/13/2022 TO 5/18/2022.
9. THE UTILITIES SHOWN ARE PER OBSERVED EVIDENCE IN THE FIELD AT THE TIME OF SURVEY. NO NC811 OR PRIVATE S.U.E. LOCATE REPORT PROVIDED BY CLIENT.
10. SUBJECT PARCEL PID NUMBER: 202266.
11. NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.
12. NO OTHER ENCROACHMENTS EXIST OTHER THAN THE ONES SHOWN HEREON.
13. THE PROPERTY SURVEYED HEREON IS THE SAME AS THE PROPERTY DESCRIBED IN FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. 22-2036 WITH AN EFFECTIVE DATE OF JULY 22, 2022 AND THAT ALL EASEMENTS, COVENANTS AND RESTRICTIONS REFERENCED IN SAID TITLE COMMITMENT OR APPARENT FROM A PHYSICAL INSPECTION OF THE SITE OR OTHERWISE KNOWN TO ME HAVE BEEN PLOTTED HEREON OR OTHERWISE NOTED AS TO THEIR EFFECT ON THE SUBJECT PROPERTY.

14. SURVEY PERFORMED FOR : DEVELOPMENT SOLUTIONS GROUP, LLC

11121 CARMEL COMMON BLVD.  
SUITE #360  
CHARLOTTE, NC 28226  
704-543-0760

## REFERENCES:

- 1) DEED BOOK 5315 PG.1421, PLAT BOOK 28, PG. 36. PLAT BOOK 49, PG. 41 & 42.

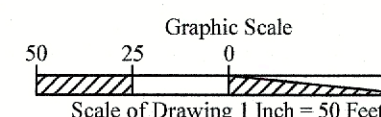
## ALTA/NSPS LAND TITLE SURVEY OF:

7.195 ACRES OF LAND BEING IDENTIFIED AS GASTON COUNTY  
PARCEL NUMBER: 202266, PER DEED BOOK 4961, PG. 999  
BEING THE SAME PROPERTY OF RECORD PER PROVIDED TITLE  
PROPERTY SITUATED IN THE ETJ OF CITY OF BESSEMER CITY,  
CROWDERS MOUNTAIN TOWNSHIP, GASTON COUNTY, NORTH CAROLINA

FIELD DATE: 5/13/2022 - 5/18/22  
PROJECT NO: 2023-0011  
DRAWN BY: JEC  
PROJECT SURVEYOR: SD  
CLIENT: DEVELOPMENT SOLUTIONS GRP.  
SHEET 1 OF 1  
SCALE: 1" = 50'  
LAST REVISED:



3556 CENTRE CIRCLE DRIVE, SUITE A  
FORT MILL, SC 29715  
OFFICE: 844.865.5263  
WWW.TIDEMARKLAND.COM  
NC FIRM C-4291





## PETITION MUST BE NOTARIZED

State of:  
County of:

North Carolina  
Mecklenburg

**Use this section for individual landowners.**

I, Ellen Hubbard [Notary's Name], a Notary Public for said County and State, do hereby certify that the landowner, Kurt Olsen <sup>Development Solutions Group</sup> [Name of Landowner], as stated on the annexation petition, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

**Use this section for all land owners that are not individuals, such as (without limitation) corporate land owners, properties held in an estate, properties held in trust, etc.**

I, Ellen Hubbard [Notary's Name], a Notary Public for said County and State, do hereby certify that Kurt Olsen [Representative for Landowner], a duly authorized representative for Development Solutions Group [Landowner], mentioned on the annexation petition as the landowner, personally came before me this day and acknowledged that he is Manager [Title] of said land owner, and acknowledged on behalf of said landowner, the due execution of the foregoing instrument.

**Use this section for all individual landowners that are having a Power-of-Attorney execute the Annexation Request.**

I, \_\_\_\_\_ [Notary's Name], a Notary Public for Said County and State, do hereby certify that, \_\_\_\_\_ [Attorney-in-Fact's Name], Attorney-in-Fact for \_\_\_\_\_, [Name of Landowner(s)] personally appeared before me this day, and being by me duly sworn, say that he/she executed the foregoing and annexed instrument for and on behalf of said Landowner(s) and that his/her authority to execute and acknowledge said instrument is contained in an instrument duly executed, acknowledged and recorded in the office of the Register of Deeds in the County of \_\_\_\_\_, State of \_\_\_\_\_, [County & State of Recording Office] on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, [Date of Recording of the Document] and that this instrument was executed under and by virtue of the authority given by said instrument granting him power of attorney. I further certify that the said Attorney-In-Fact acknowledged the due execution of the foregoing instrument for the purposed therein expressed for and on behalf of said Landowners.

Witness my hand and official seal this 4 day of August, 2022

My Commission Expires  
August 20, 2023

Ellen Hubbard  
Notary Public

My commission expires \_\_\_\_\_.

[SEAL of Notary Public]

Notary's Stamp:

**Section D** Annexation Petition**State of North Carolina, Gaston County, Petition of Annexation of Property to the City of Bessemer City, North Carolina**

**Part 1** The undersigned, being all the owners of the real property described in this application (Section C) respectfully request the annexation of said property to the City of Bessemer City, North Carolina. The petitioners understand and agree that any utilities that must be extended to the annexed area are the responsibility of the developers or successive property owners. The property to be annexed is:

☒

Contiguous to the present primary corporate limits of the City of Bessemer City, North Carolina, or

**Satellite (Not Contiguous)** to the municipal limits of the City of Bessemer City, and meets all of the requirements for NCGS §160A-58.1(b). This includes that if any portion of an area of the proposed annexation is part of a subdivision, all of the subdivision must be included.

**Part 2** NC General Statutes require petitioners of both contiguous and satellite annexations to file a signed statement declaring whether vested rights have been established in accordance with G.S.160A-385.1 or 153A-344.1 for properties subject to the petition.

Do you declare such vested rights for the property subject to this petition? Yes \_\_\_\_\_ No ☒ \_\_\_\_\_

If yes, please submit proof that vested rights have been granted by governing board. I hereby declare that my failure to disclose existence of a vested right terminates any vested right previously acquired for this property.

Signed this 1 day of August, 202022 by the owners of the property described in Section C.

**Owner's Signature(s)**

Include signatures of new owners if ownership will change during the annexation process.

Indicate if owner is signing on behalf of legal entity and in what capacity.

Print Name \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**A notary statement must be completely filled out for each signature.**

**Section E** Supplemental Information

In order for the City of Bessemer City to better serve annexation areas, now and in the future, the City requests the following information from you. Please give your best estimates where they are needed. Contact information for relative City Departments can be found at the end of the worksheet. Please indicate 'N/A' for questions on which you have no information.

<b>Acreage of Area</b>					7.196				
<b>Current Population of Area</b>					0				
<b>Current Zoning of Area</b>					R				
<b>Desired City Zoning of Area</b>					UR				
<b>Proposed Use (i.e. residential, commercial, or industrial)</b>					Residential				
<b>Estimated Total Value of Residential Units for the Proposed Development</b>									
<b>Total Proposed Number of Dwelling Units</b>					16				
<b>Type of Proposed Dwelling Units</b> (Single Family Detached, Single Family Attached, Multi-Family)					Single Family Detached				
Year 1	8	Year 2	8	Year 3		Year 4		Year 5	
<b>Estimated Total Value of Business Units for the Entire Proposed Development</b>					0				
<b>Commercial Value</b>				<b>Industrial Value</b>				<b>Other (not-for-profit) Value</b>	
<b>Proposed Number of Commercial</b>									
Year 1		Year 2		Year 3		Year 4		Year 5	
<b>Proposed Number of Industrial</b>									
Year 1		Year 2		Year 3		Year 4		Year 5	
<b>Proposed Number of Other (not-for-profit)?</b>									
Year 1		Year 2		Year 3		Year 4		Year 5	

**Section E (continued)** Supplemental Information**Street Information Public Roads**

<b>Proposed total linear mileage of roadway installed</b>					1300				
Year 1	1300	Year 2		Year 3		Year 4		Year 5	
<b>Proposed total number of non-state maintained street miles</b>									
Year 1		Year 2		Year 3		Year 4		Year 5	

**Water Information Public Water**

<b>Typical water service(s) (i.e. 3/4", 1", etc.)</b>					3/4"				
<b>Number of services installed by developer (by service type)</b>					3/4"				
Year 1	8	Year 2	8	Year 3		Year 4		Year 5	
<b>Number of services requested (by service type)</b>					3/4				
Year 1	8	Year 2	8	Year 3		Year 4		Year 5	
<b>Typical irrigation meter size(s) to be installed (i.e. 3/4", 1", etc.)</b>					3/4"				
<b>Number of Services Requested</b>									
Year 1	8	Year 2	8	Year 3		Year 4		Year 5	
<b>Estimated Mileage of Water Pipe Needed</b>									
Year 1	.12	Year 2		Year 3		Year 4		Year 5	

**Sewer Information Public Sewer and main relocation**

<b>Typical sewer service(s) (i.e. 4", 6", 8" etc.)</b>					4" for each lot, relocate ex. line				
<b>Number of services installed by developer (by service type)</b>					4"				
Year 1	8	Year 2	8	Year 3		Year 4		Year 5	
<b>Number of services requested (by service type)</b>									
Year 1	8	Year 2	8	Year 3		Year 4		Year 5	
<b>Estimated Mileage of Water Pipe Needed</b>									
Year 1	.13	Year 2		Year 3		Year 4		Year 5	

**Section E (continued) Supplemental Information****Solid Waste Data Trash collection**

<b>Number of Rollouts needed for Multi-Family Units</b>									
Year 1	0	Year 2		Year 3		Year 4		Year 5	
<b>Number of commercial units using City rollout collection</b>									
Year 1	0	Year 2		Year 3		Year 4		Year 5	
<b>Number of commercial units needing corrugated (cardboard) recycling</b>									
Year 1	0	Year 2		Year 3		Year 4		Year 5	
<b>Number of commercial units needing white paper pick-up (recycling)</b>									
Year 1	0	Year 2		Year 3		Year 4		Year 5	



## CERTIFICATION OF SUFFICIENCY

To the City Council and Mayor of Bessemer City, North Carolina:

I, Hydeia Y. Hayes, City Clerk, do hereby certify that I have investigated the petition attached hereto and have found the following findings:

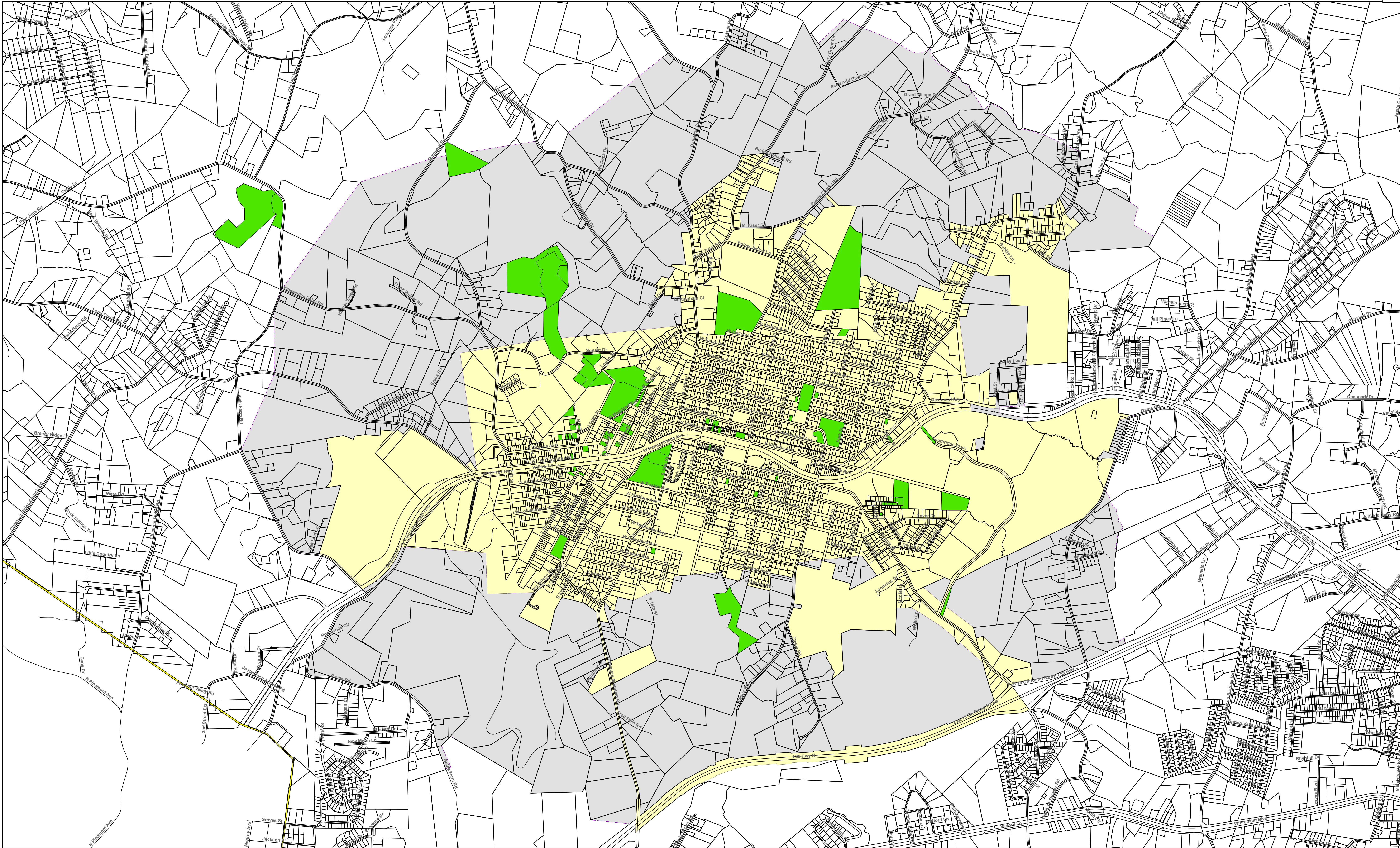
- Said petition is signed by all owners of real property lying in the area described therein, in accordance to N.C.G.S. 160A-58.1
- The petition contains an adequate property description of the area proposed for annexation.
- The area described in the petition is contiguous to the City primary corporate limits, as defined by G.S. 160A-31.

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Bessemer City, this 8<sup>th</sup> day of August, 2022

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Hydeia Y. Hayes, City Clerk

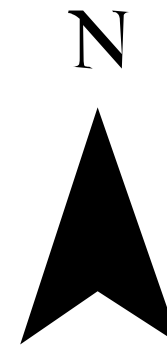
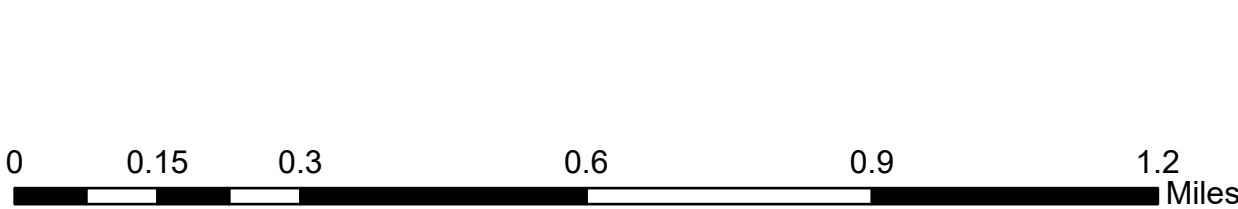




LEGEND

- BESSEMER CITY OWNED PROPERTIES
- BESSEMER CITY
- BESSEMER CITY ETJ

City of Bessemer City, North Carolina







## City of Bessemer City, North Carolina

### General Rezoning Staff Report

Planning Board Agenda Item June 6, 2022

City Council Agenda Item August 8, 2022

Applicant: Design Development Solutions

Request:

To review and make a recommendation on the rezoning of one 7.05 acres parcel of land currently zoned Rural to Urban Residential. The intent of the developer is to subdivide the land into 16 parcels to accommodate the development of single family residential housing.

Background Information:

The preliminary site plan for the development includes the extension of an established 60' right of way, the construction of two new 60' right of ways, and the subdivision of land into 16 separate parcels. Parcel # 202266 is currently vacant and abuts vacate land to the east and west that are zoned both neighborhood residential and rural.

Proposal: The applicant has submitted an application with the City of Bessemer City Planning Department requesting the rezoning of Parcel # 202266 from Rural to Urban Residential. The purpose of the rezoning is to support the subdivision of the parcel into 16 subsequent parcels for the development of single family housing. A summary of the proposal is as follows:

Parcel	Site Area	Watershed	Existing Use	Proposed Use	Number of Units	Maximum Density	Proposed Density	Required Open Space	Proposed Open Space
202266	7.05 acres	N/A	Vacant	UR-SF	16	51 6,000 sf lot	16 lots	2 acres	0.45 acres

The lots within the site are proposed to be a minimum of 6,000 sqft per lot as is consistent with section 3.2 Dimensional Standards of the City's Land Development Code for the Urban Residential zoning district. The required setbacks and proposed setbacks are depicted in the following table:

	Front	Side	Rear	Corner
Required	20'	6'	30'	20'
Proposed	20'	6'	30'	20'

**Roads:** The proposal of the site involves the extension of the existing 60' ROW labeled as Arc St. on the site plan and the construction of two right of ways within the development that will include sidewalks on both sides and green strips. All right of ways and streets will be dedicated to the city upon development completion. Primary ingress and egress from the site will be off of Arc St.

- A five (5) foot wide sidewalk shall be constructed alongside all roadways, existing or proposed, as well as a six (6) foot green strip.

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

- Public Works Director has indicated that there is City water and sewer availability for the site but a sewer line will need to be moved at the expense of the applicant to accommodate the development.
- Applicant/Developer will pay the water, sewer tap fees, and system development fees.

**Stormwater Drainage:** Drainage will be engineered according to the best management practices at the time of construction and will be handled through a curb and gutter system located within the proposed road right-of-way as well as one storm water control measure pond. The property is subject to adopted stormwater management guidelines.

**Open Space:** Open Space requirements for the proposed site are minimum 2 acres of open space. Applicant proposes 0.45 acres of open space that contains a walking/running path around the stormwater control measure pond that connects to the internal and external sidewalks of the development. This pedestrian connectivity allows this development to connect to a future single family residential development to the south that will include a greenway trail.

**Land Use Buffer:** The preliminary site plan indicates there will be a minimum three (3) foot greenstrip along all main roadways within the residential community. The greenstrip shall have Canopy, Understory, or a combination of both. Number of trees required to be determined at the

time of permitting. Street tree planting requirements and existing vegetative landscape buffer to be utilized along street frontage and adjacent vacant land parcels.

Staff Recommendation:

1. Approve preliminary site plan as submitted.
2. Recommend that City Council rezone requested parcels to Urban Residential (UR).

Exhibits:

1. Arc St. Bessemer Application Packet.

Recommended Effective Date August 8, 2022



**AN ORDINANCE AMENDING OFFICIAL ZONING MAP OF THE  
CITY OF BESSEMER CITY.**

**WHEREAS**, after proper notification a Public Hearing was held before the Bessemer City Council on August 8, 2022 to consider a proposed amendment to the City of Bessemer City Zoning Map. On July 5, 2022 the Bessemer City Planning Board voted to recommend the City Council approve the proposed zoning map amendment.

**WHEREAS**, after a \_\_\_\_\_ vote, the City Council of Bessemer City approved a zoning map change to the Official City of Bessemer City Zoning Map reflected in application RZ 01-2022.

**NOW THEREFORE BE IT ORDAINED**, by the City Council of the City of Bessemer City, that the Official City of Bessemer City Zoning Map is amended to reflect the adopted changes as written below.

1. Tax Parcel #202266 is rezoned from Rural (R) to Urban Residential (UR).

Effective Date

This Ordinance shall become effective upon its adoption by the City Council of the City of Bessemer City, North Carolina.

Adopted by City Council this 8<sup>th</sup> Day of August, 2022.

\_\_\_\_\_  
Becky S. Smith, Mayor

\_\_\_\_\_  
Hydeia Y. Hayes, City Clerk



## City of Bessemer City, North Carolina

### Major Subdivision Staff Report

Planning Board Agenda Item August 1, 2022

City Council Agenda Item August 8, 2022

Applicant: Kevin T. Haskins

Request:

To review subdivision of 10.20 acres, PID# 121008 Deed Book 5275, Page 1424 into two lots for the purpose of a single family development.

Background Information:

Property Owner, Kevin T. Haskins, has applied to the City of Bessemer City to subdivide his 10.20 acre parcel of vacant land. The vacant lot is assigned PID# 121008 and is reference in Deed Book 5275, Page 1424 with the Gaston County Register of Deeds. The location of the land parcel is located along Sunset Dr. and is within the City of Bessemer City limits. The purpose of the project outlined by the applicant is to subdivide the lot into two acres of 4 and 6.20 acres respectively, with the intent to sell the four acre lot for single family development to a family friend.

#### Major Subdivision Requirements:

1. New Streets (public or private) are proposed? – No.
2. Entire tract to be subdivided is greater than ten acres? – Yes.
3. More than five lots will result after the subdivision is completed? – No.
4. Extension of any sewer or water system is required? – No.

Due to the project meeting one of the four requirements listed above from Section 10.1 of the City of Bessemer City Land Development Code, the subdivision is classified as a major subdivision and is subject to the statutory requirements of Chapter 160D of the NC General Statutes.

Proposal: The Applicants has submitted a Major Subdivision Preliminary Plat application proposing to subdivide a 10.2 acre tract of land into two parcels for the purpose of single family residential. A summary of the proposal is as follows:

<b>Subdivision Type</b>	<b>Number of Lots</b>	<b>Average Lot Size</b>	<b>Area in Open Space</b>	<b>Open Space Percentage</b>
Single Family Residential	2	4 Acres/6.2 Acres	N/A	N/A

The lots within the subdivision are all minimum two (2) acres as is consistent with the Land Development Code requirements of the Rural (R) Zoning District.

Roads: No new Right of Way is proposed with subdivision.

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

- Public Works Director has indicated that there is City water and sewer availability for the two lots proposed for immediate development.
- Applicants will pay the water and sewer tap fees and development fees.

Watershed: Project site is located within the Long Creek Critical II classification according to Gaston County. This restricts the buildable area to 30% an acre and is consistent with the proposed level of density by the applicant.

Open Space: Open Space not required.

Land Use Buffer: Existing vegetation to be used as a buffer to adjacent properties.

**Staff Recommendation:**

1. Approve the proposed subdivision as submitted.

**Exhibits:**

1. Preliminary Plat

REGISTER OF DEEDS CERTIFICATION  
Susan S. Lockridge  
Register of Deeds  
Gaston County, North Carolina

North Carolina, Gaston County

I, Susan S. Lockridge, Register of Deeds in and for the aforesaid county and state,  
hereby certify this to be a true copy of document which is recorded in

Book \_\_\_\_\_ Page \_\_\_\_\_

Witness my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

By: \_\_\_\_\_  
Susan S. Lockridge Register of Deeds Assistant/Deputy

State of North Carolina  
County of Gaston

I, \_\_\_\_\_ Review Officer of Gaston County,  
certify that the map or plat to which this certification is affixed meets  
all statutory requirements for recording.

Review Officer \_\_\_\_\_ Date \_\_\_\_\_

Certificate of Approval for Recording

I hereby certify that the subdivision shown hereon, to the best of my  
knowledge, is in compliance with all the Bessemer City Land  
Development Code and that this final recording plat for the  
\_\_\_\_\_ has been approved on \_\_\_\_\_

by the City for recording in the  
Office of the Gaston County Register of Deeds.

Administrator \_\_\_\_\_ Date \_\_\_\_\_

CERTIFICATION OF OWNERSHIP AND DEDICATION

I hereby certify that I am the owner of the property shown and described hereon,  
which is located in the subdivision jurisdiction of the City of Bessemer City and  
that I hereby adopt this plan of subdivision with my free consent and establish  
minimum building setback lines as noted.

Owner  
KEVIN T. HASKINS  
4616 MAPLECREST DR.  
GASTONIA, N.C.

I certify that the plat shown hereon complies with the Watershed Protection  
Regulations and is approved by the Watershed Administrator for recording in  
the Gaston County Register of Deed Office.

Watershed Administrator \_\_\_\_\_ Date \_\_\_\_\_

PROPSERY LINE ALONG STREET

COURSE	BEARING	DISTANCE
1	N 56°52' 13" E	82.19'
2	N 47°38' 12" E	100.24'
3	N 36°21' 52" E	36.19'
4	N 36°21' 52" E	63.72'
5	N 30°34' 17" E	66.10'
6	N 29°08' 46" E	68.66'

SURVEYORS CERTIFICATE OF SUBDIVISION

- YES 1. That this plot is a survey that creates a subdivision of land  
within the area of a county or municipality that has an ordinance  
that regulates parcels of land.
- NO 2. That this plot is of a survey that is located in such portions of  
a county or municipality that is unregulated as to an ordinance that  
regulates parcels of land.
- NO 3. That this plot is of a survey of an existing parcel or parcels of land.
- NO 4. That this plot is a survey of a parcel of land which is exempt by state  
and local statutes from the definition of "subdivision"
- NO 5. That the information available to the surveyor is such that I am unable  
to make a determination to the best of my professional ability as to  
provisions contained in (1) thru (4) above.
- NO 6. That this plot is a survey of an existing parcel of land heretofore  
subdivided and recorded in P.D. \_\_\_\_\_ F. \_\_\_\_\_

I, Robert T. Kelso, Professional Land Surveyor certify that this plat  
is drawn from an actual site survey under my direct supervision of the physical  
monuments which are relevant to the deeds noted, improvements, and obvious  
easements, however; unobserved easements may exist, lines not surveyed  
are drawn as noted; that the ratio of precision is as calculated as 1 : 10,000  
that this plot is drawn in accordance with N.C.G.S. 47-30 as amended.  
Witness my original hand and seal this 7th day of June, 2022.

Tom Kelso  
Land Surveyor  
P.O. Box 1583 RLS L-3145  
GASTONIA, NC 28052  
F-0893



LEGEND  
iron pin found  
iron pin set  
concrete/stone  
Right of Way  
electric service  
line not surveyed  
sewer line  
fence line  
IPF  
PS  
CM/ST  
R/W  
E  
S  
X

LONG CREEK CRITICAL II  
WATERSHED  
PROPERTY MAY BE SUBJECT TO RECORDED AND  
UNRECORDED EASEMENTS AND R/W'S NOT OBSERVED

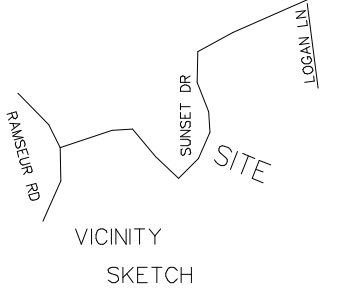
NO N.C.G.S. CONTROL WITHIN 2,000 FT

ZONED (R) WITHIN WS-0

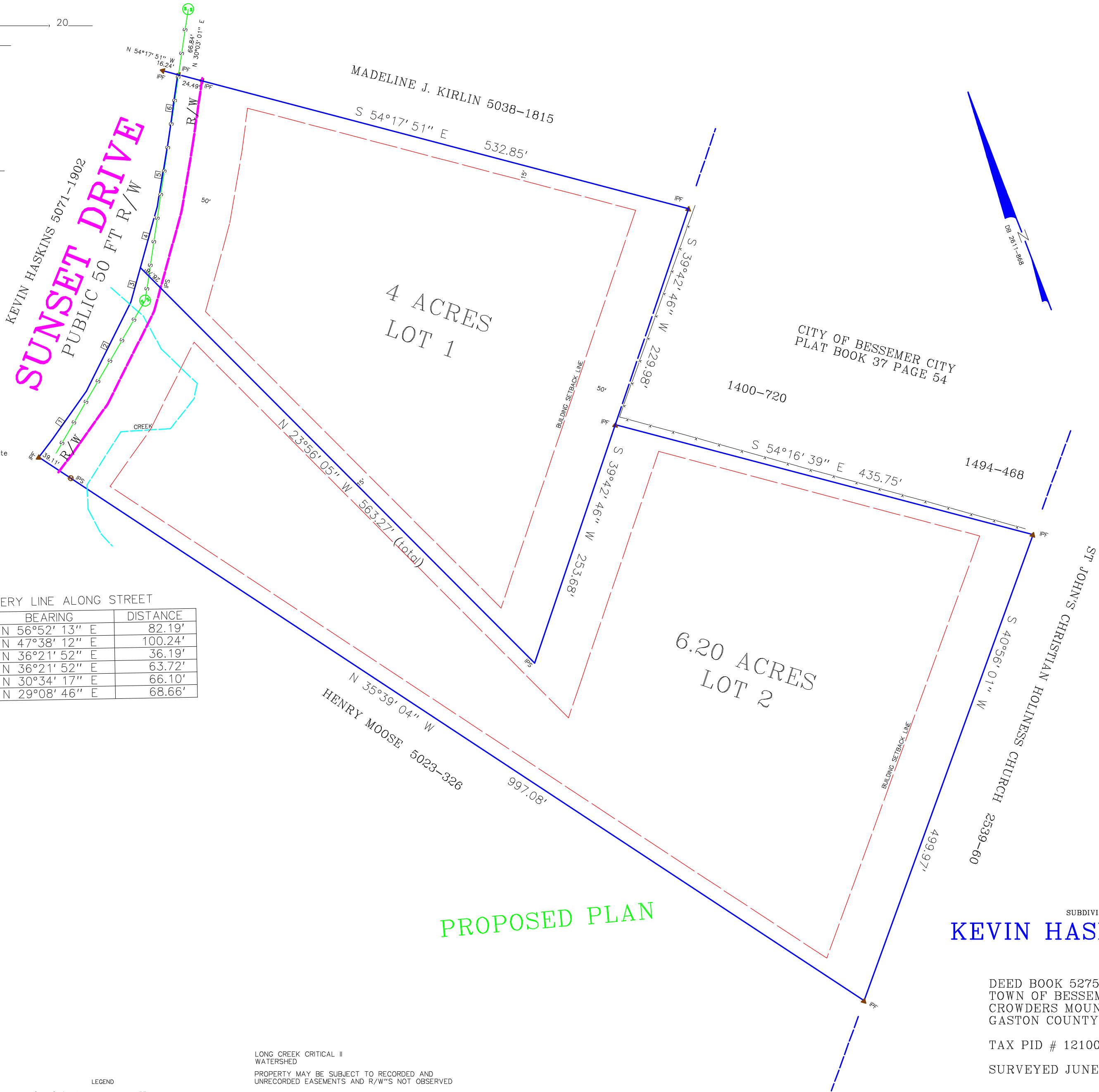
BUILDING SETBACKS  
50 FT FRONT  
15 ft side  
50 ft rear

RETURN TO :  
CITY OF Bessemer City  
132 W. Virginia Ave.  
Bessemer City, NORTH CAROLINA

1514



910



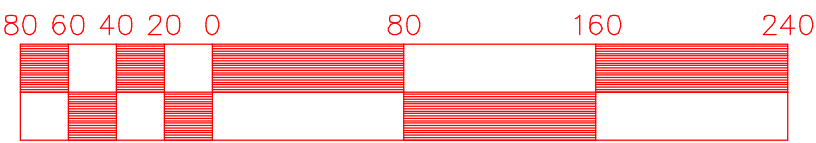
SUBDIVISION OF:  
**KEVIN HASKINS PROPERTY**

DEED BOOK 5275 PAGE 1424  
TOWN OF BESSEMER CITY  
CROWDERS MOUNTAIN TOWNSHIP  
GASTON COUNTY, N.C.

TAX PID # 121008

SURVEYED JUNE 8, 2022

OWNER:  
KEVIN T. HASKINS  
4616 MAPLECREST DR.  
GASTONIA, N.C.



Scale 1" = 80'

BC121008 NEW



**A RESOLUTION APPROVING ZONING COMPLIANCE FOR MAJOR  
SUBDIVISION WITHIN CITY OF BESSEMER CITY.**

**WHEREAS**, after proper notification a Public Hearing was held before the Bessemer City Council on August 8, 2022 to consider a proposed major subdivision. On August 1st, 2022 the Bessemer City Planning Board voted to recommend that the City Council approve the proposed major subdivision.

**WHEREAS**, after a \_\_\_\_\_ vote, the City Council of Bessemer City approved a preliminary major subdivision plat reflected in application Major Subdivision-01-2022.

**NOW THEREFORE BE IT ORDAINED**, by the City Council of the City of Bessemer City that the major subdivision plat of Parcel #121008:

1. Has been reviewed and found to meet City of Bessemer City Land Development Code Zoning Regulations.

Effective Date

This Ordinance shall become effective upon its adoption by the City Council of the City of Bessemer City, North Carolina.

Adopted by City Council this 8<sup>th</sup> Day of August, 2022.

\_\_\_\_\_  
Becky S. Smith, Mayor

\_\_\_\_\_  
Hydeia Y. Hayes, City Clerk





## **City of Bessemer City, North Carolina**

### **Major Subdivision Staff Report**

Planning Board Recommendation August 1, 2022

City Council Agenda Item August 8, 2022

**Applicant:** Lennar Corporation

**Request:**

Major Subdivision application to subdivide Tax Parcel #307413 to accommodate the development of a single family residential community.

**Background Information:**

Tax Parcel 307413 was recently recombined from Tax Parcel's 151795 and 220086. The parcel was recently voluntarily annexed into the city limits of Bessemer City and is zoned Urban Residential.

Urban Residential Dimensional Standards:

Minimum Lot Area: 6,000 Square Feet

Minimum Lot Width: 50 Feet

Minimum Front Setback: 20 Feet

Minimum Side Setback: 6 Feet

Minimum Rear Setback: 30 Feet

Minimum Corner Setback: 20 Feet

Maximum Building Height: 45 Feet

Proposal: The applicants have submitted a Major Subdivision application on July 8, 2022 to develop a single family residential community on the proposed site. A summary of the proposal is as follows:

Site Development Data:

Acreage: 95.33

Tax Parcels: 307413

Existing Zoning: Urban Residential (UR)

Existing Watershed: Catawba (CAT)

Existing Uses: Vacant

Proposed Uses: Single-Family

Lots: +/- 158 (54' x 125')

Maximum Building Height: 45' (Per Bessemer City Code)

Minimum Building Height: 20' (Per Bessemer City Code)

Parking: 2 per Unit Minimum

DUA: 158 Lots/95.33 AC = 1.65 DUA

Open Space:

Required: 10% of site acreage (95.33AC) = 9.53 AC

Provided: +/- 9.62 AC

Roads: The proposal of the site involves the creation of eight (8) right of ways within the community that include streets, sidewalks on both sides, and green strips. All right of ways and streets will be dedicated to the city upon development completion. Primary ingress and egress from the site will be off of Costner School Rd (Road A). With a secondary access point of ingress and egress off of Arc St (Road B). There is a proposed future connection east of the development if future development were to become possible (Road H).

- A five (5) foot wide sidewalk is proposed to be constructed along each side of all roadways constructed.
- A three (3) foot green strip is proposed to be constructed along each side of all roadways constructed. City of Bessemer City Land Development Code requires six (6) foot wide green strip, section.

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

- Public Works Director has indicated that there is City water and sewer availability for the site.
- Applicants will pay the water, sewer tap fees, and system development fees.

Stormwater Drainage: Drainage will be engineered according to the best management practices at the time of construction and will be handled through multiple retention ponds and a curb and gutter system located within the proposed road right-of-way. The property is subject to adopted stormwater management guidelines.

Open Space: Applicant proposes approximately +/- 9.62 acres of open space with a recreational field space and proposed greenway. Greenway alignment and plans will be submitted to the City with final construction drawings.

Land Use Buffer: The Planting Plan indicates there will be a three (3) foot greenstrip along all roadways within the residential community and a combination of Class C1, B1, and A1 Landscape Buffers surrounding the development community. The greenstrip shall have Canopy, Understory, or a combination of both. Landscape buffers to include canopy, understory, shrubs, and evergreen trees.

- Applicant proposed a C1 buffer along Arc St.
- Applicant proposes a B1 buffer along rear of development.
- Applicant proposes an A1 buffer along south of development. (Existing vegetation)
- Applicant proposes combination of B1 & C1 along Costner School Rd. and abutting single family properties.

Traffic Impact: No improvements required by NCDOT to Costner School Rd. after Traffic Impact Analysis conducted by RameyKemp Associates.

#### Staff Recommendation:

Approve Major Subdivision plans as submitted.

#### Exhibits:

1. Application packet submitted by Land Design on behalf of Applicant.



MATCHLINE: SHEET C205

C203



PROP. STORM  
ESMN'T (TYP.)

BMP 2

**NOT FOR  
CONSTRUCTION**

## CREEKSIDE COTTAGES

ENNAR

BESSEMER CITY, NC

INDEX DESIGN PROJ.# 2021275

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
#	#	#
#	#	#
#	#	#
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DESIGNED BY: XX  
DRAWN BY: XX  
CHECKED BY: XX

VERT: N/A  
HORZ: 1" = 40'

### DETAILED LAYOUT PLAN

SHEET NUMBER

C204

MATCHLINE: SHEET C204



SEAL

**CREEKSIDE  
COTTAGES**

LENNAR

BESSEMER CITY, NC

LANDDESIGN PROJ.# 2021275

REVISION / ISSUANCE

[illegible]

DESIGNED BY: XX  
DRAWN BY: XX  
CHECKED BY: XX

SCALE

VERT: N/A  
HORZ: 1" = 40'

0 20' 40' 80'

SHEET TITLE

### DETAILED LAYOUT PLAN

SHEET NUMBER

C205



MATCHLINE: SHEET C205

### BMP 3

EXISTING  
FLOODPLAIN

PERENNIAL  
STREAM

50' STREAM  
BUFFER

RETA

EXIS  
PERENI

INTERMITTENT  
STREAMPERENNIAL  
STREAM

50' STREAM-  
BUFFER

**NOT FOR  
CONSTRUCTION**

**CREEKSIDE  
COTTAGES**

ENNAR

BESSEMER CITY, NC

INDOESIGN PROJ.# 2021275

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
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#	#	#
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DESIGNED BY: XX  
DRAWN BY: XX  
CHECKED BY: XX

SALE

VERT: N/A  
HORIZ: 1" = 40'

SHEET TITLE

### DETAILED LAYOUT PLAN

SHEET NUMBER

C206



GENERAL GRADING NOTES:

1. THE CONTRACTOR SHALL MAINTAIN THE SITE IN A MANNER THAT WORKMEN AND PUBLIC ARE PROTECTED FROM INJURY.
2. ALL IMPROVEMENTS SHALL BE IN ACCORDANCE WITH BESSEMER CITY STANDARDS AND SPECIFICATIONS.
3. THE CONTRACTOR SHALL IMMEDIATELY REPORT TO OWNER ANY DISCREPANCIES FOUND BETWEEN ACTUAL FIELD CONDITIONS AND CONSTRUCTION DOCUMENTS AND SHALL WAIT FOR INSTRUCTIONS PRIOR TO PROCEEDING.
4. THE PROPOSED CONTOURS AND SPOT ELEVATIONS SHOWN IN ROAD/PAVEMENT/HARDSCAPE SECTIONS ARE FINISHED ELEVATIONS INCLUDING ASPHALT/CONCRETE. PROPOSED CONTOURS AND SPOT ELEVATIONS ARE TOP OF TOPSOIL IN AREAS TO BE LANDSCAPED/SEEDED. REFER TO PAVEMENT CROSS-SECTION DATA TO ESTABLISH CORRECT SUB-BASE OR AGGREGATE BASE COURSE ELEVATIONS TO BE COMPLETED UNDER THIS CONTRACT.
5. PRIOR TO BEGINNING CONSTRUCTION THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE TO VERIFY THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED FROM ALL REGULATORY AUTHORITIES.
6. THE CITY ENGINEERING DEPARTMENT SHALL BE NOTIFIED 24 HOURS IN ADVANCE OF THE COMMENCEMENT OF CONSTRUCTION ACTIVITY.
7. ALL ELEVATIONS ARE IN REFERENCE TO THE BENCHMARK WHICH MUST BE VERIFIED BY THE GENERAL CONTRACTOR PRIOR TO GROUND BREAKING.
8. LANDESIGN SHALL NOT BE IN CONTROL, OR CHARGE OF, AND SHALL NOT BE RESPONSIBLE FOR ACTUAL CONSTRUCTION MEANS, METHODS, TECHNIQUES, PROCEDURES, OR SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK, OR FOR THE ACTS OR OMISSIONS OF CONTRACTORS OR ANY OTHER PERSONS NOT UNDER THE EMPLOYMENT OF LANDESIGN.
9. DO NOT SCALE DRAWINGS FOR ACTUAL DIMENSIONS AS IT IS A REPRODUCTION AND SUBJECT TO DISTORTION.
10. REFER TO ARCHITECTURAL PLANS FOR ACTUAL BUILDING DIMENSIONS.
11. GRADING IS UNCLASSIFIED CONTRACTOR RESPONSIBLE FOR ANY IMPORT/EXPORT NECESSARY TO DELIVER BUILDING PAD, WALKWAYS AND SITE GRADING TO FINISHED GRADES SHOWN ON APPROVED PLANS.
12. REFER TO SOIL ENGINEERING RECOMMENDATION FOR DIRECTIONS ON FILL COMPACTION AND ANY STRUCTURAL CONSIDERATIONS.
13. CONTRACTOR TO COORDINATE WITH ARCHITECTURAL PLANS AND GEOTECHNICAL REPORT TO ESTABLISH SLAB REQUIREMENTS WHEN DETERMINING FINAL GRADED PAD ELEVATIONS TO BE DELIVERED.
14. ALL FILL TO BE COMPACTED TO 98% A.A.S.H.T.O. STANDARD COMPACTION UNLESS OTHERWISE NOTED
15. PERMANENT CUT AND FILL SLOPES PLACED ON A SUITABLE FOUNDATION SHOULD BE CONSTRUCTED AT 2:1 (HORIZONTAL TO VERTICAL) OR FLATTER. PERMANENT SLOPES OF 3:1 SHOULD BE CONSTRUCTED WHERE MOWING IS DESIRABLE.
16. SITE CONTRACTOR SHALL PROTECT ALL TREES AND VEGETATION INDICATED TO REMAIN AND MAINTAIN ALL TREE PROTECTION BARRICADES.
17. TREE PROTECTION FENCE MUST BE INSTALLED BEFORE ANY DEMOLITION/CLEARING/GRADING/CONSTRUCTION, AND NOT REMOVED UNTIL AFTER FINAL INSPECTION BY LAND DEVELOPMENT STAFF.
18. EXPOSED TREE ROOTS MUST BE CLEANLY CUT WITH A SHARP PRUNING TOOL; BACKFILL ASAP TO MINIMIZE EXPOSURE TO THE AIR.
19. CONTRACTOR SHALL BLEND NEW EARTHWORK SMOOTHLY WITH EXISTING CONTOURS.
20. DENUDED/CLEARING LIMITS SHOWN ON THESE PLANS ARE APPROXIMATE. CONTRACTOR SHALL SET CLEARING LIMITS BASED ON THE MINIMUM AMOUNT OF AREA REQUIRED TO CONSTRUCT THE PROPOSED IMPROVEMENTS DEPICTED WITHIN THESE PLANS (SEE EROSION CONTROL PLANS - CHAPTER 2).
21. ALL SIDEWALKS AND HANDICAP ACCESSIBLE AREAS SHALL HAVE A 2% MAXIMUM CROSS SLOPE, PER LOCAL, STATE AND FEDERAL ADA GUIDELINES.
22. THE PURPOSE OF THE STORM DRAINAGE EASEMENT (SDE) IS TO PROVIDE STORM WATER CONVEYANCE. BUILDINGS ARE NOT PERMITTED IN THE EASEMENT AREA. ANY OTHER OBJECTS WHICH IMPEDE STORM WATER FLOW OR SYSTEM MAINTENANCE CARE ALSO PROHIBITED.
23. STORM DRAIN PIPE TO FOLLOW THE APPROVED BESSEMER CITY STANDARDS AND SPECIFICATIONS.
24. GRADING CONTRACTOR TO COMPLY WITH ALL STATE AND LOCAL SEDIMENT CONTROL AND AIR POLLUTION ORDINANCES OR RULES.
25. BEFORE ANY MACHINE WORK IS DONE, CONTRACTOR SHALL STAKE OUT AND MARK THE ITEMS ESTABLISHED BY THE SITE PLAN. CONTROL POINTS SHALL BE PRESERVED AT ALL TIMES DURING THE COURSE OF THE PROJECT. LACK OF PROPER WORKING POINTS AND GRADE STAKES MAY REQUIRE CESSATION OF OPERATIONS UNTIL SUCH POINTS AND GRADES HAVE BEEN PLACED AT NO COST TO THE OWNER.
26. GRADING CONTRACTORS SHALL NOTIFY AND COOPERATE WITH ALL UTILITY COMPANIES OR FIRMS HAVING FACILITIES ON OR ADJACENT TO THE SITE BEFORE DISTURBING, ALTERING, REMOVING, RELOCATING, ADJUSTING OR CONNECTING TO SAID FACILITIES. CONTRACTORS SHALL PAY ALL COSTS IN CONNECTION WITH THE ALTERATION OF OR RELOCATION OF THE FACILITIES. CONTRACTORS SHALL RAISE OR LOWER TOPS OF EXISTING MANHOLES AS REQUIRED TO MATCH FINISHED GRADES.
27. GRADING CONTRACTOR SHALL COOPERATE AND WORK WITH ALL OTHER CONTRACTORS PERFORMING WORK ON THIS PROJECT TO INSURE PROPER AND TIMELY COMPLETION OF THIS PROJECT.
28. THE GRADING CONTRACTOR SHALL USE WHATEVER MEASURES ARE REQUIRED TO PREVENT SILT AND CONSTRUCTION DEBRIS FROM FLOWING ONTO ADJACENT PROPERTIES. CONTRACTOR SHALL COMPLY WITH ALL LOCAL, STATE, AND FEDERAL EROSION SEDIMENT AND SILTATION ORDINANCES. CONTRACTOR SHALL REMOVE ALL TEMPORARY EROSION CONTROL STRUCTURES UPON COMPLETION OF PERMANENT DRAINAGE FACILITIES AND NOT BEFORE ALL AREAS DRAINING INTO THESE STRUCTURES ARE SUFFICIENTLY STABILIZED.
29. GRADING CONTRACTOR SHALL TAKE ALL AVAILABLE PRECAUTIONS TO CONTROL DUST. CONTRACTOR SHALL CONTROL DUST BY SPRINKLING, OR BY OTHER METHODS AS DIRECTED BY ENGINEER AND/OR OWNER'S REPRESENTATIVE AT NO ADDITIONAL COST TO OWNER.
30. CONTRACTOR SHALL REPAIR OR REPLACE IN-KIND ANY DAMAGE THAT OCCURS AS RESULT OF HIS WORK.
31. ANY GRADING BEYOND THE LIMITS OF CONSTRUCTION SHOWN ON THE GRADING PLAN IS SUBJECT TO A FINE.
32. CONTRACTOR TO COORDINATE ALL WORK WITH OTHER UTILITY INSTALLATIONS NOT COVERED IN THESE PLANS (ELECTRIC, TELEPHONE, GAS, CABLE, ETC.) AND ALLOW FOR THEIR OPERATIONS AND CONSTRUCTION TO BE PERFORMED.
33. IN ROLLING AND HILLY TERRAINS, SWEEPING OF THE STONE BASE AND/OR APPLICATION OF A TACK COAT MAY BE REQUIRED NEAR INTERSECTIONS. THESE REQUIREMENTS WILL BE ESTABLISHED BY THE INSPECTOR AND BASED ON FIELD CONDITIONS.
34. CERTIFICATION AND STREET CUT PERMITS ARE REQUIRED FOR UTILITY CUTS ON CITY STREETS. ALLOW 7 DAYS PROCESSING FOR PERMIT. FOR INFORMATION CONTACT WAXHAW ENGINEERING.
35. NON-STANDARD ITEMS (IE: PAVERS, IRRIGATION SYSTEMS, ETC.) IN THE RIGHT-OF-WAY REQUIRE A RIGHT-OF-WAY ENCROACHMENT AGREEMENT WITH THE CHARLOTTE DEPARTMENT OF TRANSPORTATION/NORTH CAROLINA DEPARTMENT OF TRANSPORTATION BEFORE INSTALLATION.
47. SIDEWALK WITHIN THE CITY'S R/W THAT REQUIRES REPLACEMENT AS PART OF THE DEVELOPMENT AND/OR STREET IMPROVEMENTS SHOULD BE PHASED IN SUCH AS WAY AS TO MINIMIZE THE DURATION OF THE SIDEWALK CLOSURE TO THE EXTENT FEASIBLE. THE DEVELOPER SHOULD MAKE EVERY ATTEMPT TO HAVE SIDEWALK REPAIRED AND REOPENED FOR PUBLIC USE WITHIN 30 DAYS OF REMOVAL.
48. ANY WORK WITHIN THE CITY'S R/W THAT REQUIRES CLOSURE OF THE SIDEWALK OR TRAVEL LANE FOR LESS THAN 30 DAYS REQUIRES A R/W USE PERMIT. TRAFFIC CONTROL PLANS FOR ANY SIDEWALK OR TRAVEL LANE CLOSURES MUST BE SUBMITTED AS PART OF THE R/W USE PERMIT REQUEST. TRAFFIC CONTROL PLANS MUST BE IN ACCORDANCE WITH WAXHAW ENGINEERING WORK AREA TRAFFIC CONTROL HANDBOOK (WATCH) AND MUST BE REVIEWED AND APPROVED. CONTRACTOR SHALL CONTACT WAXHAW ENGINEERING AT LEAST 5 BUSINESS DAYS IN ADVANCE OF BEGINNING OF WORK.
49. CONSTRUCTION STAGING WITHIN CITY R/W LASTING MORE THAN 30 DAYS REQUIRES A R/W LEASE AGREEMENT.
50. RIGHT-OF-WAY CLOSURES LONGER THAN 30 DAYS REQUIRE A R/W LEASE AGREEMENT WHICH WILL INCLUDE THE SUBMITTAL OF A TRAFFIC CONTROL PLAN. TRAFFIC CONTROL PLANS REQUIRED THROUGH A LEASE AGREEMENT MAY BE DIFFERENT FROM THE ONE REQUIRED DURING THE LAND DEVELOPMENT PLAN REVIEW AND ARE SUBJECT TO REVISIONS. THE REVISED TRAFFIC CONTROL PLANS MUST BE SUBMITTED AS PART OF THE LEASE AGREEMENT PROCESS FOR APPROVAL PRIOR TO START OF R/W CLOSURES.

KEY MAP

SEAL

**NOT FOR  
CONSTRUCTION**

PROJECT \_\_\_\_\_

## CREEKSIDE COTTAGES

LENNAR

— — — — —

BESSEMER CITY, NC

LANDDESIGN PROJ.# 2021275

## REVISION / ISSUANCE

[illegible]

DESIGNED BY: XX  
DRAWN BY: XX  
CHECKED BY: XX

SCALE NORTH

VERT. N/A

A circular symbol with a thick black border and a white center, containing a black arrow pointing upwards.

HORZ: 1" = 200'

\_\_\_\_\_

[illegible]

GRADING PLAN INDEX  
SHEET

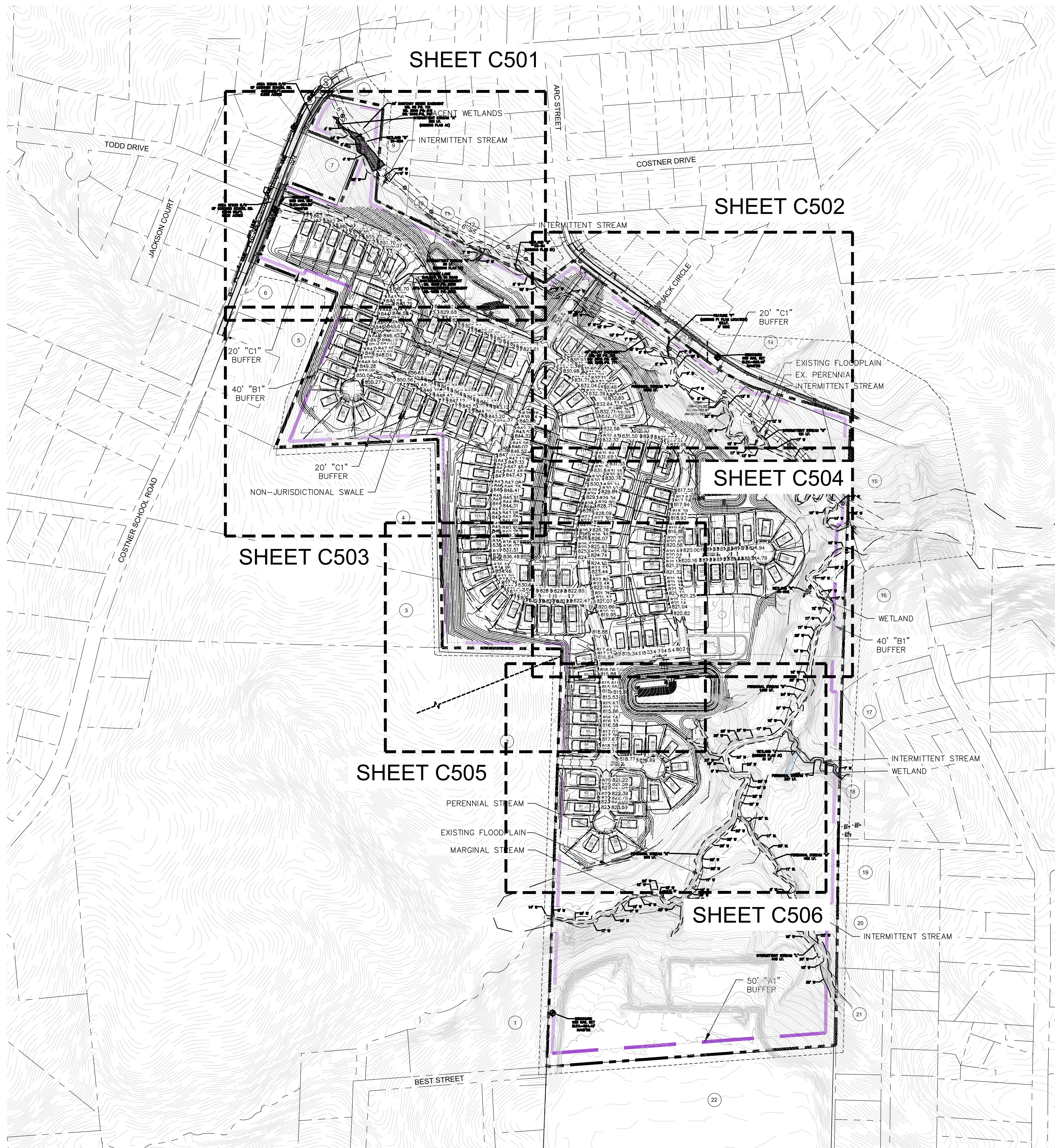
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SHEET NUMBER

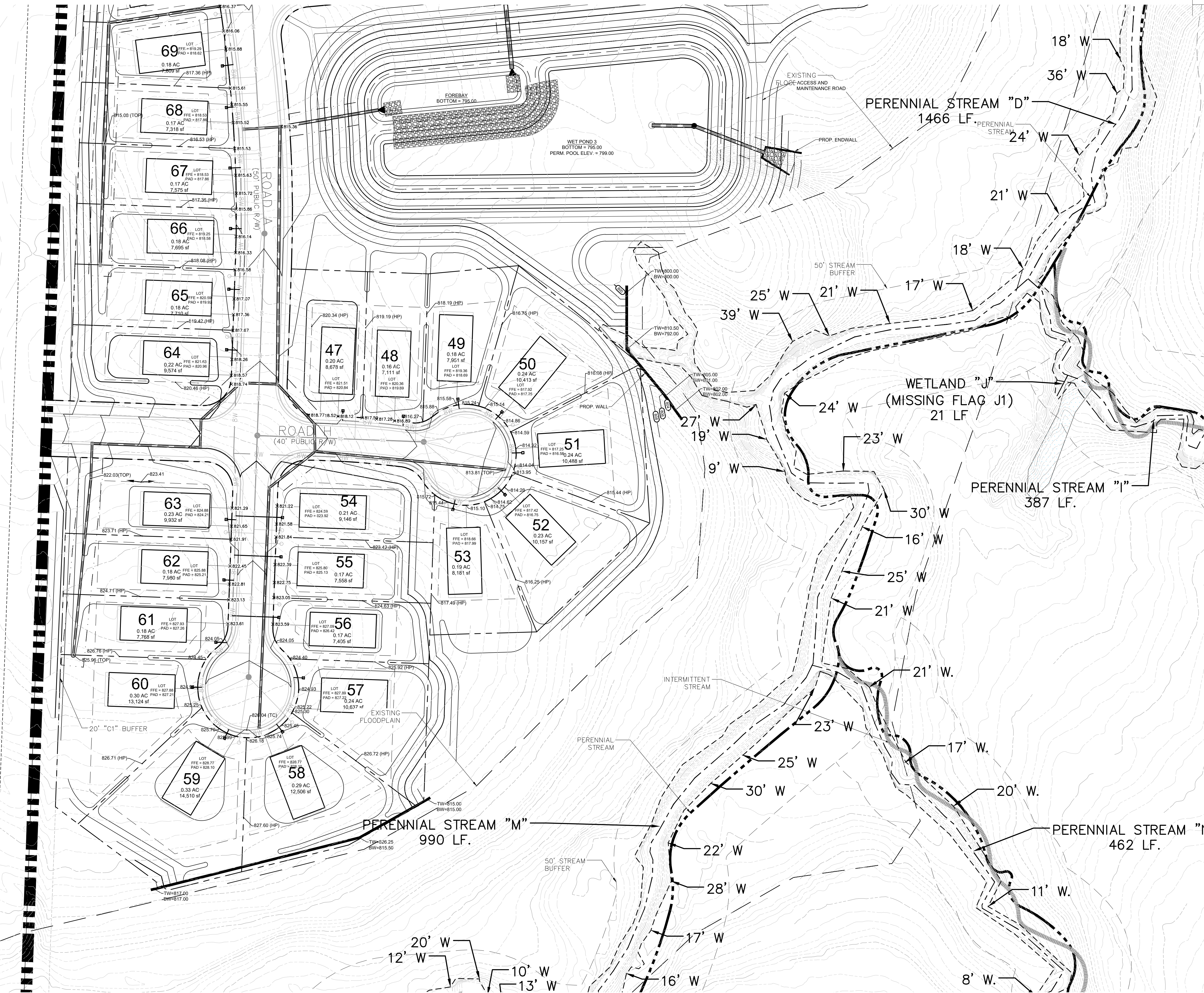
C500

# C500

44







KEY MAP

REAL

**NOT FOR  
CONSTRUCTION**

**CREEKSIDE  
COTTAGES**

LENNAR  
---  
BESSEMER CITY, NC

LANDDESIGN PROJ.# 2021275

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE

DESIGNED BY: XX  
DRAWN BY: XX  
CHECKED BY: XX

SCALE  
VERT: N/A  
HORZ: 1" = 40'  
0 20' 40' 80'

DETAILED GRADING PLAN

SHEET NUMBER

C506



KEY MAP

SEAL

NOT FOR  
CONSTRUCTION

PROJECT

CREEKSIDE  
COTTAGES

LENNAR

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BESSEMER CITY, NC

LANDDESIGN PROJ# 1021275

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE

DESIGNED BY: XX  
DRAWN BY: XX  
CHECKED BY: XX

SCALE

VERT: N/A  
HORZ: 1" = 200'

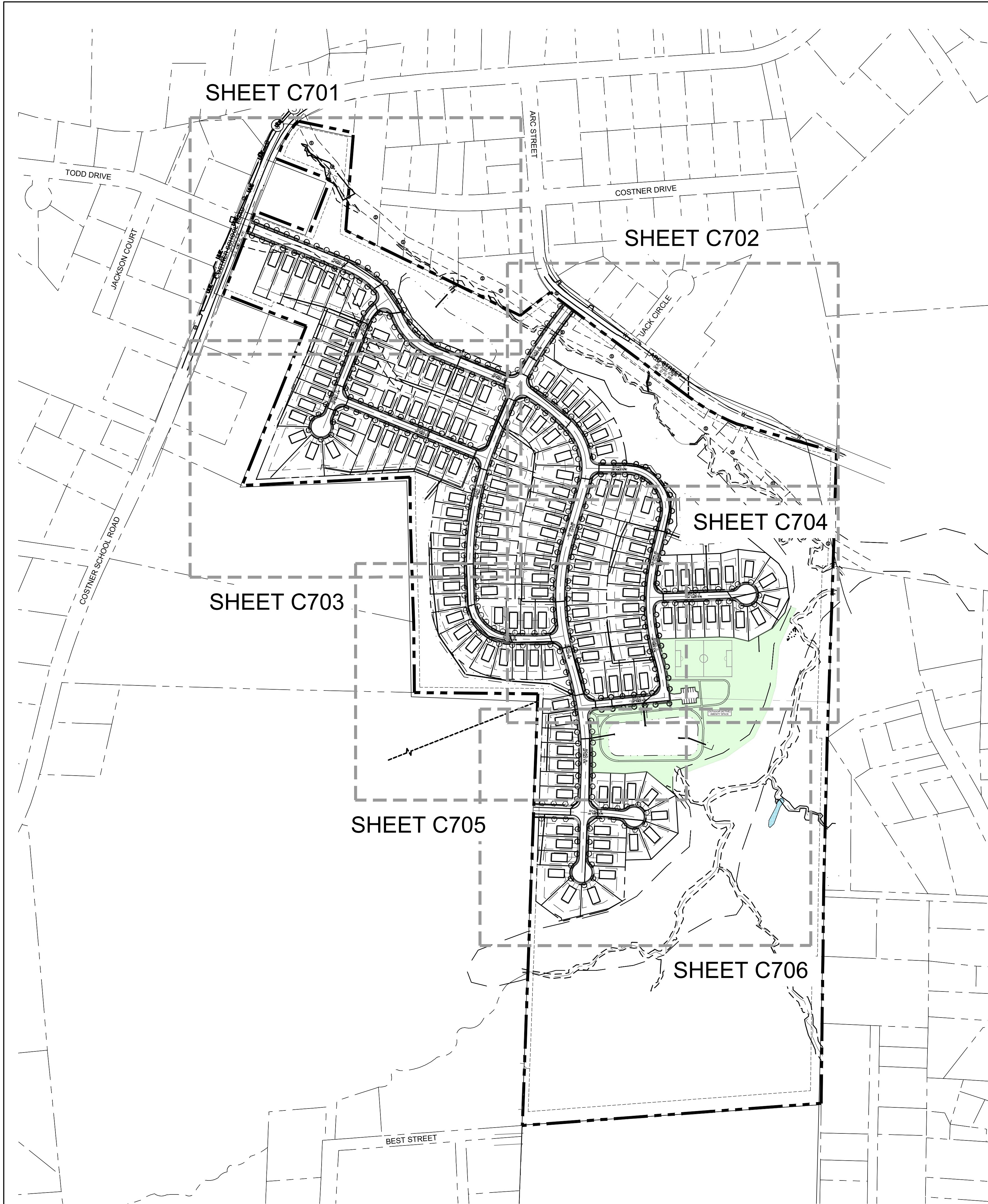
SHEET TITLE

OVERALL PLANTING PLAN

SHEET NUMBER

C700

46



STREET TREES (SEC. 3.5.D)

1 CANOPY TREE PER 40 LF OF FRONTAGE OR 1 UNDERSTORY TREE PER 30 LF OF FRONTAGE.	
ROAD A: +/- 5,758 LF TOTAL	144 CANOPY TREES REQUIRED 144 CANOPY TREES PROVIDED
ROAD B: +/- 2,876 LF TOTAL	72 CANOPY TREES REQUIRED 72 CANOPY TREES PROVIDED
ROAD C: +/- 2,027 LF TOTAL	50 CANOPY TREES REQUIRED 50 CANOPY TREES PROVIDED
ROAD D: +/- 1,075 LF TOTAL	27 CANOPY TREES REQUIRED 27 CANOPY TREES PROVIDED
ROAD E: +/- 1,038 LF TOTAL	26 CANOPY TREES REQUIRED 26 CANOPY TREES PROVIDED
ROAD F: +/- 750 LF TOTAL	19 CANOPY TREES REQUIRED 19 CANOPY TREES PROVIDED
ROAD G: +/- 458 LF TOTAL	12 CANOPY TREES REQUIRED 12 CANOPY TREES PROVIDED
ROAD H: +/- 635 LF TOTAL	16 CANOPY TREES REQUIRED 16 CANOPY TREES PROVIDED

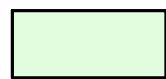
DEDICATION OF LAND (SEC. 4.8.B)

2/3 OF DEDICATED LAND SHALL BE USED FOR ACTIVE RECREATION. NO BODIES OF WATER MAY BE INCLUDED.

REQUIRED	1/35 AC / PER EACH DWELLING UNIT 1/35 AC / 162 UNITS = (201,528 SF) <b>4.62 AC</b>
PROVIDED	(203,128 SF) <b>4.66 AC</b>

LEGEND

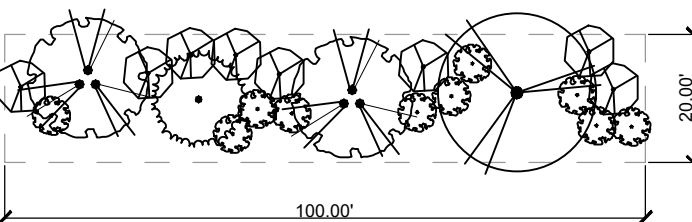
DEDICATED LAND



20' CLASS 'C1' LANDSCAPE BUFFER

20' DEPTH

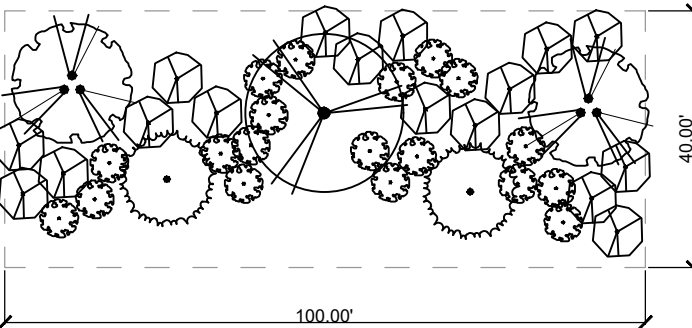
MINIMUM PLANTINGS PER 100 LF:  
1 EVERGREEN TREE  
2 CANOPY TREES  
2 UNDERSTORY TREES  
18 SHRUBS



40' CLASS 'B1' LANDSCAPE BUFFER

40' DEPTH

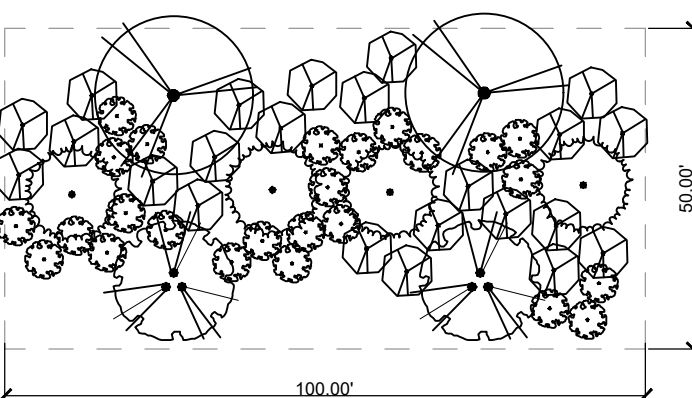
MINIMUM PLANTINGS PER 100 LF:  
2 EVERGREEN TREE  
1 CANOPY TREES  
2 UNDERSTORY TREES  
36 SHRUBS



50' CLASS 'A1' LANDSCAPE BUFFER

50' DEPTH

MINIMUM PLANTINGS PER 100 LF:  
4 EVERGREEN TREE  
2 CANOPY TREES  
2 UNDERSTORY TREES  
48 SHRUBS



PLANT SCHEDULE 20' C1 BUFFER

TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	MIN. CONT.	MIN. CAL.	MIN. HT.	REMARKS
	Aln glu	1	ALNUS GLUTINOSA	COMMON ALDER	B&B	3"		
	Cry pis	1	CRYPTOMERIA PISIFERA	CRYPTOMERIA	B&B	3"		
	Maa am2	2	MAACKIA AMURENSIS	AMUR MAACKIA	B&B	2"		
SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	MIN. CONT.	SPACING	MIN. HT.	REMARKS
	Ham vir	8	HAMAMELIS VIRGINIANA	COMMON WITCH HAZEL	#5	AS SHOWN	2-3'	
	Lon pil	10	LONICERA PILEATA	PRIVET HONEYSUCKLE	#5	AS SHOWN	2-3'	

PLANT SCHEDULE 40' B1 BUFFER

TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	MIN. CONT.	MIN. CAL.	MIN. HT.	REMARKS
	Aln glu	1	ALNUS GLUTINOSA	COMMON ALDER	B&B	3"		
	Cry pis	2	CRYPTOMERIA PISIFERA	CRYPTOMERIA	B&B	3"		
	Maa am2	2	MAACKIA AMURENSIS	AMUR MAACKIA	B&B	2"		
SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	MIN. CONT.	SPACING	MIN. HT.	REMARKS
	Ham vir	17	HAMAMELIS VIRGINIANA	COMMON WITCH HAZEL	#5	AS SHOWN	2-3'	
	Lon pil	19	LONICERA PILEATA	PRIVET HONEYSUCKLE	#5	AS SHOWN	2-3'	

PLANT SCHEDULE 50' A1 BUFFER

TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	MIN. CONT.	MIN. CAL.	MIN. HT.	REMARKS
	Aln glu	2	ALNUS GLUTINOSA	COMMON ALDER	B&B	3"		
	Cry pis	4	CRYPTOMERIA PISIFERA	CRYPTOMERIA	B&B	3"		
	Maa am2	2	MAACKIA AMURENSIS	AMUR MAACKIA	B&B	2"		
SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	MIN. CONT.	SPACING	MIN. HT.	REMARKS
	Ham vir	23	HAMAMELIS VIRGINIANA	COMMON WITCH HAZEL	#5	AS SHOWN	2-3'	
	Lon pil	25	LONICERA PILEATA	PRIVET HONEYSUCKLE	#5	AS SHOWN	2-3'	



KEY MAP

SEAL

NOT FOR  
CONSTRUCTION

CREEKSIDE  
COTTAGES

LENNAR

BESSEMER CITY, NC

LANDDESIGN PROJ.# 2021275

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE

DESIGNED BY: XX  
DRAWN BY: XX  
CHECKED BY: XX

SCALE  
VERT: N/A  
HORZ: 1" = 40'  
0 20' 40' 80'

SHEET TITLE  
PLANTING PLAN  
ENLARGEMENT

SHEET NUMBER

C704

MATCHLINE: SHEET C702

MATCHLINE: SHEET C705

OUTDOOR (ACTIVE)  
AMENITY SPACE



KEY MAP

SEAL

NOT FOR  
CONSTRUCTION

LANDDESIGN PROJ.#

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE

DESIGNED BY:  
DRAWN BY:  
CHECKED BY:

SCALE

HORIZ: 1" = 40'

SHEET TITLE

SHEET NUMBER

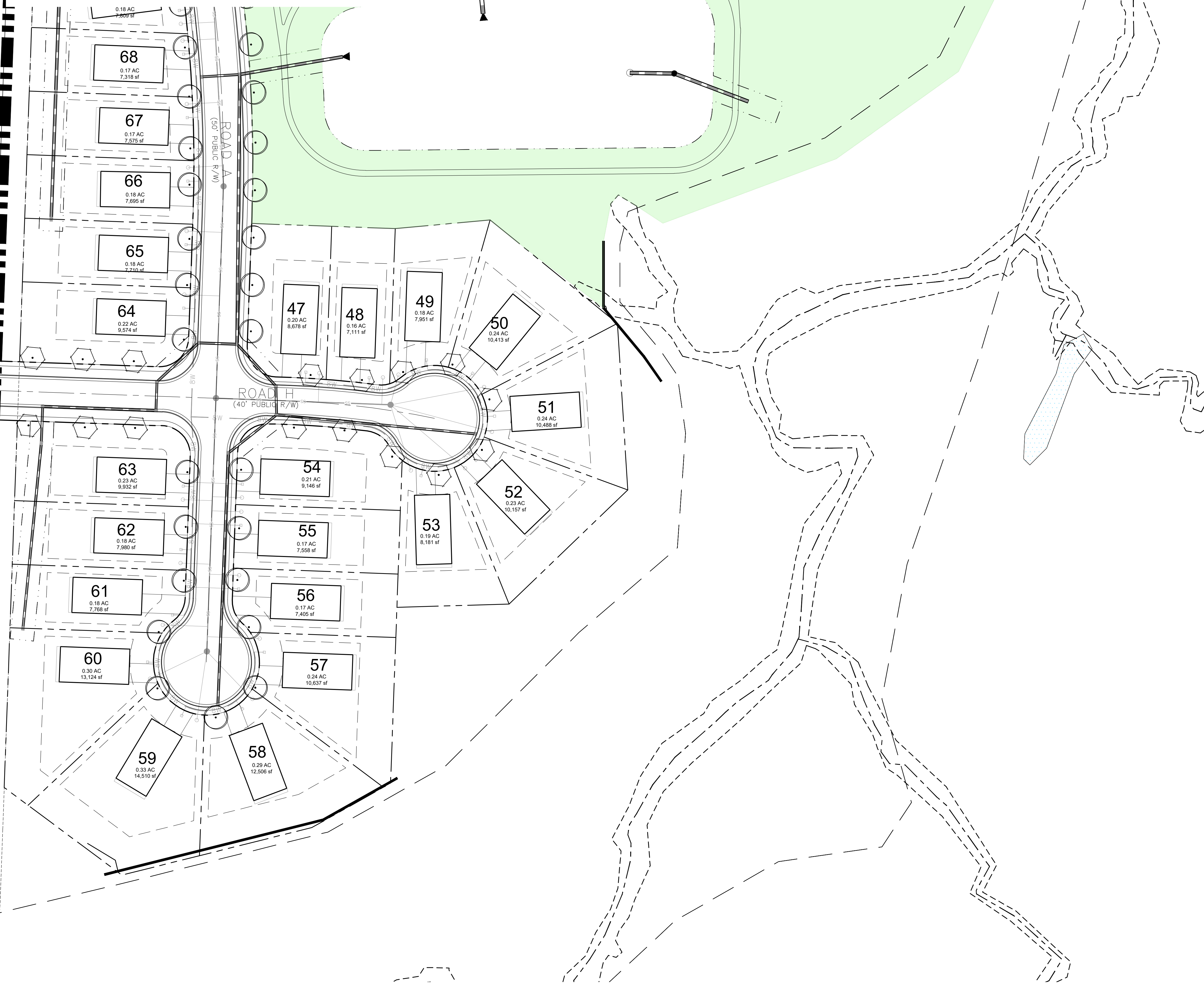
MATCHLINE: SHEET C703

MATCHLINE: SHEET C704

MATCHLINE: SHEET C706



MATCHLINE: SHEET C205



KEY MAP

SEAL

NOT FOR CONSTRUCTION

CREEKSIDE COTTAGES

LENNAR  
---  
BESSEMER CITY, NC

LANDDESIGN PROJ.# 2021275

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE

DESIGNED BY: XX  
DRAWN BY: XX  
CHECKED BY: XX

SCALE NORTH  
VERT: N/A  
HORZ: 1" = 40'  
0 20' 40' 80'

SHEET TITLE

PLANTING PLAN  
ENLARGEMENT

SHEET NUMBER

C706



**A RESOLUTION APPROVING ZONING COMPLIANCE FOR MAJOR  
SUBDIVISION WITHIN CITY OF BESSEMER CITY.**

**WHEREAS**, after proper notification a Public Hearing was held before the Bessemer City Council on August 8, 2022 to consider a proposed major subdivision. On August 1st, 2022 the Bessemer City Planning Board voted to recommend that the City Council approve the proposed major subdivision.

**WHEREAS**, after a \_\_\_\_\_ vote, the City Council of Bessemer City approved a preliminary major subdivision plat reflected in application Major Subdivision-01-2022.

**NOW THEREFORE BE IT ORDAINED**, by the City Council of the City of Bessemer City that the major subdivision plat of Parcel #307413 and all supplemental civil drawings of Major Subdivision 02-2022 application packet:

1. Have been reviewed and found to meet City of Bessemer City Land Development Code Zoning Regulations.

Effective Date

This Ordinance shall become effective upon its adoption by the City Council of the City of Bessemer City, North Carolina.

Adopted by City Council this 8<sup>th</sup> Day of August, 2022.

\_\_\_\_\_  
Becky S. Smith, Mayor

\_\_\_\_\_  
Hydeia Y. Hayes, City Clerk

## BUDGET AMENDMENT

August 8, 2022

BE IT ORDAINED by the governing body of the City of Bessemer City that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2023 as follows:

Section 1. To amend the General Fund appropriations as follows:

<u>Acct. No.</u>		<u>Debit</u>	<u>Credit</u>
100-10-4310-290	School Response Kits - PD	\$25,000	

This will result in a net increase of \$25,000 in the appropriations for the General Fund. To provide the additional revenue for the above, the following revenues will be increased.

100-00-3991-991	Fund Balance Appropriated	\$25,000
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Section 2. Copies of this budget amendment shall be furnished to the Clerk, to the Governing Board, and to the Budget Officer and the Finance Officer for their direction.

Adopted by Council, this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
Becky Smith, Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Hydeia Hayes, Clerk

\_\_\_\_\_  
Date

COBC-GOVBOB-2022-2023 O 6