

## CITY COUNCIL REGULAR MEETING

City Council Chambers

Monday, September 09, 2024 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.*

#### Special Presentations

- 1. Oath of Office - Deputy Police Chief:** Mayor Smith will administer the oath of office to Deputy Police Chief.

**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.*

- 2. Public Comment Acknowledgment:** City Manager, Josh Ross will provide clarity on items mentioned during public comment, if needed.

**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.*

- 3. Approval of Minutes:** City Council will consider adopting the Regular Meeting minutes of the August 12th, 2024 meeting.
- 4. Approval of Minutes:** City Council will consider adopting the Work Session Meeting minutes of the August 27th, 2024 meeting.
- 5. Street Closure - Trunk or Treat:** City administration is requesting the temporary closure of the 100 Block of West and East Virginia Avenue for the Halloween Trunk or Treat event on Saturday, October 26th, 2024.

#### Business Items

- 6. Proclamation- Dyslexia Awareness Month:** Council will consider adopting a proclamation recognizing October 2024 as Dyslexia Awareness Month.
- 7. Proclamation- Domestic Violence Awareness Month:** Council will consider adopting a proclamation recognizing October 2024 as Domestic Violence Awareness Month.



8. **Public Hearing for Rezoning Request-** City Council will hold a public hearing to hear public comment regarding a rezoning request from Development Solutions Group for property located at tax parcels #151640, #151644, and #151645 (35.77 acres) from Neighborhood Residential & Rural to Neighborhood Residential Conditional District to accommodate the development of a single-family residential community that will consist of 93 single family units.
9. **Ordinance Amending Zoning Map-** City Council will consider approving an ordinance regarding a zoning map amendment for property located at tax parcels #151640, #151644, and #151645 (35.77 acres) from Neighborhood Residential & Rural to Neighborhood Residential Conditional District to accommodate the development of a single-family residential community that will consist of 93 single family units.
10. **Public Hearing -Text Amendment (Chapter 75 Traffic Codes):** City Council will hold a public hearing to hear public comment regarding a text amendment to Chapter 75 of the City Code, to change the intersection of Arc Street and Costner Drive to a 4-way-stop.
11. **Ordinance for Text Amendment:** City Council will consider adopting an ordinance to amend Chapter 75 of the City Code, to change the intersection of Arc Street and Costner Drive to a 4-way-stop.

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

**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**





*Oath of Office  
Deputy Police Chief  
City of Bessemer City  
North Carolina*

I, **Christopher S. Vaughn**, do solemnly swear that I will support the Constitution of the United States, so help me God.

I, **Christopher S. Vaughn**, do further solemnly swear that I will be faithful and bear true allegiance to the State of North Carolina and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said state, not inconsistent with the Constitution of the United States, to the best of my ability, so help me God.

I, **Christopher S. Vaughn**, do further swear that I will well and truly execute the duties of the Office of Deputy Police Chief for the City of Bessemer City, North Carolina according to the best of my skill and ability, according to the law, so help me God.

This the 9<sup>th</sup> Day of September, 2024.

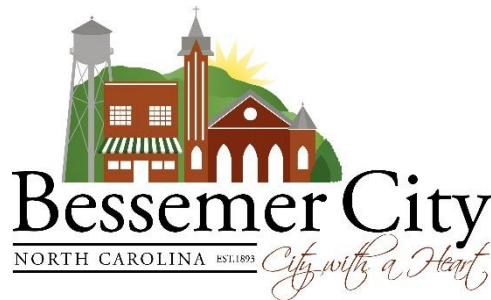
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Christopher S. Vaughn, Dep. Police Chief

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Becky S. Smith, Mayor





## CITY COUNCIL REGULAR MEETING

City Council Chambers

Monday, August 12, 2024 at 7:00 PM

### MINUTES

#### Members Present

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

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

Mayor Smith called the meeting to order. Council member, Nellie Floyd led the audience in prayer. Mayor Smith led the audience in the Pledge of Allegiance.

#### Adjustment and Approval of the Agenda

By motion of Brenda Boyd and unanimous vote, the August agenda was approved with no revisions.

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

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

- Phillip Scates of 416 Sunset Drive: Mr. Scates addressed the Board regarding the City's new tax rate. Mr. Scates addressed Mayor Smith and City Manager Ross last year after the adoption of the budget, and was assured that the City needed every dollar of the revaluation. Mr. Scates spoke of the American Dream, he built his home at the age of 18. With the new tax increase to 55 cent, his house taxes and insurance cost \$450 a month. By his calculations, the City is receiving a 65% increase compared to last year's rate. It is not hard to budget, he used to serve as a manager at Winn Dixie. If the city is in financial trouble, city officials should plan better.

#### Consent Agenda

The following items on the Consent Agenda were unanimously approved by motion of Donnie Griffin:

1. **Approval of Minutes:** City Council will consider adopting Regular Meeting minutes of the July 8, 2024 meeting.
2. **Approval of Minutes:** City Council will consider adopting Work Session Meeting minutes of the July 30, 2024 meeting.
3. **Temporary Street Closure - 3rd 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 3rd Annual Brew & Que Festival on Friday, September 20th and Saturday, September 21st, 2024.



### **Establish a Public Hearing - Rezoning Request (Development Solutions Group)**

By motion of Michael Brooks and unanimous vote, City Council will hold a public hearing on Monday, September 9th, 2024 at 7:00 PM to hear public comment regarding a rezoning request for property located at tax parcels #151640, #151644, and #151645 (35.77 acres) from Neighborhood Residential (#151645) and Rural (#151644 & 151640) to Neighborhood Residential Conditional District to accommodate the development of a single-family residential community that will consist of 93 single family units, with the intent to voluntarily annex tax parcels 151640 and 151644 into the Bessemer City limits.

### **Establish a Public Hearing - Text Amendment (Chapter 75 Traffic Codes)**

By motion of Brent Guffey and unanimous vote, City Council will hold a public hearing Monday, September 9th, 2024 at 7:00 PM to hear public comment regarding a text amendment to Chapter 75 of the City Code, to change the intersection of Arc Street and Costner Drive to a 4-way-stop.

### **9/11 Proclamation:**

Mayor, Becky S. Smith read the 9/11 Proclamation aloud and declared September 11, 2024 as a day of remembrance in Bessemer City. All present were encouraged to engage in programming honoring those in the 9/11 attack on the twin towers.

By motion of Nellie Floyd and unanimous vote, the proclamation was adopted. A copy of the proclamation is available at City Hall.

### **Resolution - Stormwater Planning Grant**

By motion of Brent Guffey and unanimous vote, City Council approved a resolution accepting a NC Department of Environmental Quality LASII planning grant in the amount of \$340,000 for stormwater. These funds will be utilized to access the City's stormwater plans and maintain the MS4 permit.

### **Award Lead & Copper Engineering Services**

Slade Harvin, with Harvin Engineering PLLC addressed City Council regarding the Lead & Copper study. Mr. Harvin commended city staff for applying for NC Department Environmental Quality SRF grant funds. The city's initiative to apply for funds secured a 90% grant with principal forgiveness to cover a state mandated project. An inventory of infrastructure has been mandated by the EPA and the State to check public and private pipelines. The fieldwork is projected to take about six months. Once this is complete, customers will be notified of any issues so that they can be corrected. The weather will determine the length of the project. Conducting this study is part of a federal and state mandate.

By motion of Michael Brooks and unanimous vote, the lead and copper engineering services contract was awarded to Harvin Engineering PLLC in the amount of \$760,000.

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

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

- Budget Amendment: By motion of Allen Hook and unanimous vote, the budget amendment regarding a Fire Department grant received in the amount of \$25,022.01. This is a 50/50 matching grant for turn out gear.
- Budget Amendment: By motion of Brent Guffey and unanimous vote, the budget amendment regarding a general fund transfer in the amount of \$14,000. This was needed to purchase additional water meters.



- General: Mr. Ross introduced Hannah Dove, a 2024-2025 UNC Lead fellow partnering with the City for a year. Ms. Dove will be housed in the administration department but will assist with other departmental tasks. Additionally, tonight is Nathan Hester's last City Council meeting. Mr. Hester's last day with the City is Friday, August 16<sup>th</sup>. He will become the Town Manager for the town of Taylorsville.

### **Council General Discussion**

Mayor Smith opened the floor for Council general discussion. Council Members, Allen Hook inquired about the Edgewood Road intersection. Mr. Ross informed him that NCDOT has been contracted multiple times. Council Member, Brent Guffey inquired about the Gibson Branch Creek at Stinger Park. Council member, Donnie Griffin inquired about several DOT intersections and the sidewalks along Highway 161 by Whiskey Mill.

### **Adjournment**

Being no further business to come before the board, by motion of Brenda Boyd and unanimous vote, the meeting was adjourned at 7:36 PM.

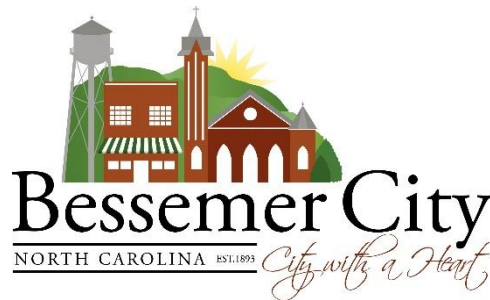
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Becky S. Smith, Mayor

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Hydeia Y. Hayes, City Clerk





## CITY COUNCIL WORK SESSION

City Council Chambers

Tuesday, August 27, 2024 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: Brenda Boyd, Donnie Griffin, Nellie Floyd, Michael Brooks, Brent Guffey and Allen Hook were present. City Manager, Josh Ross and department heads were present as well. A quorum was present.

#### **Department Head Reports**

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

JoD Franklin, Parks and Recreation Director- Mr. Franklin addressed Council regarding upcoming Parks and Recreation programs and events. The Brew & Que Festival will be held Saturday, September 21<sup>st</sup>, 2024, Touch a Truck will be held on Wednesday, September 24<sup>th</sup>, 2024, and a 9/11 Service in front of City Hall at 8:30 AM. Mr. Franklin indicated that the 2024 pool season went well and ended on Sunday, August 11<sup>th</sup>. City Staff met last week to begin a capital plan for the swimming pool renovations in the spring 2024.

Public Safety Director, Tom Ellis- Mr. Ellis addressed the Council regarding police department auditor visits, service calls, and School Resource Officers (SRO). The fire department had over 41 calls this month, and the police department had 716. Code Enforcement Officers are working well and handling their caseload well. The City's fleet department is handling recalls and general maintenance issues.

Hydeia Hayes, City Clerk & Human Resources Director- City Clerk & Human Resources Director, Hydeia Hayes the new UNC Lead Fellow, Hannah Dove who has joined the City for a year. Ms. Hayes also noted annual City Manager review discussion and the Labor Day Holiday closure. City Hall will be closed Monday, September 2<sup>nd</sup>, 2024 and trash services will be delayed one day.

#### **Public Safety Capital Improvement Discussion**

City Manager, Josh Ross addressed the Board about improvement concepts to utilize the \$2.15 million federal grant for a new police and fire station. Staff had hoped that additional proceeds would be received. However, a plan is being devised now to utilize funds. Light discussion was held amongst City Council and City Manager Ross.

At this time, the plan includes the following:

- Sell the Annex
- Move finance staff to City Hall



- Move City Council meetings to the AFCC
- Build a new Fire Department
- Renovate old Fire Department into new Police Department
- Police Department moves into old Fire Department

### **Tryon Community Water Line Project**

City Staff will be meeting with Gaston County representatives next week to further discuss the water line project. The County is using ARPA funds to install a 5-mile-long waterline from Bessemer City to the Tryon community. Gaston County will be covering connection and meter cost for Tryon community residents to connect to the water line. City Council may want to change the fee schedule and system development fees to entice outside residents to connect. City Staff will present Council with various options to entice new customers to connect to the line.

### **Sunset Ridge Subdivision Project Review**

City Council will hold a public hearing at the September 2024 Regular Meeting regarding a rezoning request for property located at tax parcels #151640, #151644, and #151645 (35.77 acres) from Neighborhood Residential (#151645) and Rural (#151644 & 151640) to Neighborhood Residential Conditional District to accommodate the development of a single-family residential community that will consist of 93 single family units, with the intent to voluntarily annex tax parcels 151640 and 151644 into the Bessemer City limits. The Planning Board previously heard this request at their August 5<sup>th</sup> meeting and recommended approval of the request to City Council. However, on August 19<sup>th</sup> the developer contacted City staff regarding a change in relief request and conditions. Thus, this will be heard at the Planning Board meeting next week. Once the Planning Board meets again and provide a recommendation, the project will be placed on the Council's September 9<sup>th</sup> agenda for a public hearing and possible adoption.

### **Community Branding Project Update Review**

The community branding project is underway. City staff, city committee volunteers, and the consultant have met twice to brainstorm different concepts. A formal presentation will be made to City Council once drafts have been obtained. City staff seeks to include public input in this governance rebrand. Survey data and interviews are also being used in this process.

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

City Manager, Josh Ross informed Council that city staff is working to address the PFAS concerns. City staff is working to apply for grant funds to study the presence of PFAS in the City's water supply. City staff will come before City Council with a resolution permitting staff to complete the grant application. Additionally, City Staff is working to apply for a grant to improve the 11<sup>th</sup> Street underpass. Staff and Central School students have a desire to have an art expression tunnel here. Remaining RC2 grant funds will be used to redesign the City's website during the community branding project. City staff is exploring options with NCDOT regarding a "2023 & 2024 Dixie Youth Champions" signs placed at entrance signs to the City.

### **Council General Discussion**

Mayor Smith opened the floor for Council general discussion Council member, Michael Brooks informed Council that the ABC store is doing well. The store has seen a 29% increase in sales. Council member, Brent Guffey inquired about a street sign at Bess Road. Council member, Donnie Griffin inquired about Stinger Park engineering and bidding guidelines.

### **Adjourn**



Being no further business to come before the board, by motion of Michael Brooks and unanimous vote the meeting was adjourned at 4:31 PM.

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Becky S. Smith, Mayor

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Hydeia Y. Hayes, City Clerk





## ORDINANCE REQUEST TO TEMPORARILY CLOSE STREET

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

**WHEREAS**, the City of Bessemer City understands the importance of allowing 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 a Trunk of Treat Event along the:

- 100 Block of West and East Virginia on Saturday, October 26<sup>th</sup>, 2024 from 10:00 AM-12:00 PM

**NOW THEREFORE BE IT ORDAINED** by the City Council of Bessemer City pursuant to the authority granted by N.C.G.S. 160A-296.4 that they do hereby declare a temporary road closure during the days and times set forth below on the following described City Street:

Dates: Saturday, October 26<sup>th</sup>, 2024

Times: 8:00 AM - 2:00PM

Route Description: 100 Block of West and East Virginia Avenue with proper barricades and traffic control (temporary use)

Adopted by City Council on this 9<sup>th</sup> day of September, 2024.

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Becky S. Smith, Mayor

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Hydeia Y. Hayes, City Clerk





**PROCLAMATION DECLARING OCTOBER 2024  
DYSLEXIA AWARENESS MONTH**

**WHEREAS**, dyslexia is a language-based learning disability, that affects approximately one in five people, regardless of race, gender, age, or socioeconomic status; and

**WHEREAS**, neurological in origin, dyslexia affects the way the brain processes information, and is characterized by difficulties with reading, writing and spelling despite normal intelligence; and

**WHEREAS**, those with dyslexia benefit greatly from specialized assistance from highly trained teachers, multi-sensory learning programs and individualized instruction; and

**WHEREAS**, early identification, alternative instruction and extra support from friends, family and teachers can contribute to the success dyslexic students enjoy in the classroom, in life and, later on, in employment.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Bessemer City that October 2024 is Dyslexia Month in Bessemer City, North Carolina.

Adopted this the 9<sup>th</sup> Day of September, 2024.

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Becky S. Smith, Mayor

Attest:

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Hydeia Y. Hayes, City Clerk





**PROCLAMATION DECLARING OCTOBER 2024  
DOMESTIC VIOLENCE AWARENESS MONTH**

**Whereas**, 1 in every 3 teenagers, 1 in every 4 women, and 1 in every 6 men will experience domestic violence during their lifetime; and

**Whereas**, approximately 15.5 million children are exposed to domestic violence every year; and

**Whereas**, when a family member is abused, it can have long-term damaging effects on the victim that also leave a mark on family, friends, and the community at large; and

**Whereas**, the problem of domestic violence is not confined to any group or groups of people, but crosses all economic, racial, gender, educational, religious, and societal barriers, and is sustained by societal indifference; and

**Whereas**, the crime of domestic violence violates an individual’s privacy, dignity, security, and humanity due to the systematic use of physical, emotional, sexual, psychological, and economic control and/or abuse; and

**Whereas**, it is important to recognize the compassion and dedication of the individuals who provide services to victims of domestic violence and work to increase public understanding of this significant problem; and

**Whereas**, local programs, state coalitions, national organizations, and other agencies nationwide are committed to increasing public awareness of domestic violence and its prevalence, and to eliminating it through prevention and education; and

**Whereas**, the United States President and Congress as well as other federal agencies have expressed a commitment to eliminating domestic violence both nationally and internationally; and

**Whereas**, our Nation has a moral obligation to work to prevent domestic violence and to address its brutal and destructive effects;

**Now, therefore**, I, Mayor Becky S. Smith and the City Council do hereby proclaim the month of October 2024 as Domestic Violence Awareness Month and urge all citizens to actively participate in activities and programs designed to work towards the elimination of domestic violence.

**In witness whereof**, I have hereunto set my hand and caused the seal of the City of Bessemer City to be affixed on this 9th day of September, 2024.

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

\_\_\_\_\_  
Allen Hook, Mayor ProTem, Ward 3

\_\_\_\_\_  
Michael Brooks, Ward 1

\_\_\_\_\_  
Nellie Floyd, Ward 2

\_\_\_\_\_  
Brenda Boyd, Ward 4

\_\_\_\_\_  
Brent Guffey Ward 5

(SEAL)

\_\_\_\_\_  
Donnie Griffin, Ward 6

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





132 W. Virginia Ave.  
Bessemer City, NC 28016  
(704) 629 – 5542 Ext. 1003

Item 9.

**Staff Only:**

Date Rec'd: 06/14/2024  
Rec'd by: N. Hester  
Case #: CD 02-2024

## LAND DEVELOPMENT APPLICATION FORM

1. Application Type	✓	Fee	✓	Fee
• Sketch Plan/Plat (Major Sub):		_____	• Conditional Zoning (CZ)	700.00
• Preliminary Plat (Major Sub):		_____	• Special Use Permit (SUP)	_____
• Final Plat (Major Sub):		_____	• Text Amendment	_____
• Major Site Plan		_____	• Minor Site Plan	_____
• Construction Documents:		_____	• Minor Subdivision Plat	_____
• Recombination Plat		_____	• General Rezoning	_____
• Other: _____		_____		
Fee Total:				700.00

2. Project Information	
Date of Application: <u>06/14/24</u>	Name of Project: <u>Sunset Ridge Single Family</u>
Location: <u>Sherwood Drive and N. 14th St</u>	Property Size (acres): <u>35.77</u> # of Units/Lots: <u>93</u>
Current Zoning: <u>NR and R</u>	Proposed Zoning: <u>CZ</u>
Current Land Use: <u>Single Family</u>	Proposed Land Use: <u>Single Family</u>
Tax Parcel Number(s): <u>151644, 151645 and 151640</u>	
Square Footage: <u>N/A</u>	



**3. Contact Information**

Owner, Applicant, or Developer

Development Solutions Group, LLC

Address

11121 Carmel Commons Blvd #360

City, State Zip

Charlotte, NC 28226

Telephone

704-543-0760

Email

kent@olsondevelopment.com

Agent(s) (Engineer, Architect, Etc.)

LC3 Consulting

Address

320 Inland Cove Court

City, State Zip

Clover, SC 29710

Telephone

803-415-4866

Email

kcrowe@lc3consulting.com

**4. The following items may also be required to be considered part of a complete application, please check all that apply on this list:**

- ☒ **Signed "Original" application**
- ☒ **Project Fee(s)** – See Fee Schedule
- ☒ **Written Summary/Description of Request** can be on company letterhead. Shall include requested use or uses, sq. feet of non-residential space, or density and number of units/lots for residential, or any other applicable information. For CZ's, must also describe any variations proposed from the Land Development Code
- ☒ **Property Survey** (at least one copy), including existing buildings, topography, wetlands, streams, vegetation (trees over 18" in diameter), and other natural features.
- ☒ **Site/sketch plan** (at least one copy), may contain multiple pages and must be drawn to scale by an engineer or landscape architect. Shall include locations of buildings and/or lots, streets, parking, proposed grading, landscaping/screening, open space, watershed/storm water information, associated storm water measures, and proposed utilities and lighting. Shall also include general information from adjoining lots
- ☒ **Illustrative (color) site/sketch plan** for presentation purposes with same layers as described above
- ☒ **Architectural elevations, Perspective Renderings, and Architectural Review Board Checklist** may include multiple pages and must be drawn to scale by an architect. Include all primary and accessory buildings (all building sides), an illustrative color package, and black and white w/dimensions. Other architectural elements/features of the site such as gazebos, trellis's, garden walls, retaining walls, or other items over 4-feet in height must also be included (NOT REQUIRED, BUT OPTIONAL FOR SINGLE-FAMILY RESIDENTIAL DEVELOPMENTS).
- ☒ **Illustrative (color) elevations** for presentation purposes for all items described above, as well as perspective (3D) renderings and photograph examples
- ☒ **Digital Files** of all items listed above

Last Update: 07/06/2021

Signature: Printed Name: Kent OlsonDate: 06/14/2024





June 14, 2024

Bessemer City  
132 W. Virginia Ave  
Bessemer City, NC 28016

RE: Rezoning Request

Dear Planning Board, Council and Staff:

LC3 Consulting, on behalf of Development Solutions Group, hereby requests the rezoning of parcel numbers 151644, 151645 and 151640. We request that the property be rezoned from R and NR to CZ to allow for the development of 93 single family homes as depicted on the provided rezoning drawings. One existing home is to remain and be platted separately.

The parcel is approximately 35.77 acres and we have requested a unit count of 93 units (2.6 units/acre).

We have requested to install ditch section roads instead of curb and gutter. We are proposing to install a center median along a portion of the main road as a concession for not installing the curb and gutter. We will also propose a trail to connect the eastern and western property boundaries for future tie-in from adjacent properties.

Please let me know if you need further clarification.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kyle J. Crowe", is written over a light blue rectangular background.

Kyle J. Crowe, PE





June 14, 2024

Bessemer City  
132 W. Virginia Ave  
Bessemer City, NC 28016

RE: Preliminary Traffic Analysis for Sunset Ridge Single Family Homes

Dear Planning Board, Council and Staff:

LC3 Consulting has done a preliminary analysis of the impact anticipated to the surrounding traffic for this project and have determined the following based on the current edition of the ITE:

- Proposed Trips Per Day from Development: 930
- Proposed New Trips During Peak AM: 65
- Proposed New Trips During Peak PM: 87

Due to the threshold requiring a TIA has not been met per City Code, a traffic impact study is not required.

Please let me know if you need further clarification.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kyle J. Crowe", is written over a light blue rectangular background.

Kyle J. Crowe, PE





**City of Bessemer City, North Carolina**  
**Conditional District Rezoning Staff Report**  
 Planning Board Agenda Item August 5, 2024  
 City Council Agenda Item September 9, 2024

Applicant: Development Solutions Group

Request:

To review and make a recommendation on the rezoning of three parcels of land to accommodate a single-family residential development.

Background Information:

Development Solutions Group has worked with the current property owners of Gaston County Tax Identification Numbers: 151640, 151644, and 151645 to purchase the properties and develop a single-family residential project upon the site. Parcel number 151645 is currently zoned Neighborhood Residential and is located within the city limits of Bessemer City. Parcel numbers 151644 and 151640 are currently zoned Rural (R) and are not located within the city limits of Bessemer City but are within the city's extra territorial jurisdiction. All three parcels of land are currently vacant. The applicant has applied to rezone all three parcels to Neighborhood Residential Conditional District with the intent to voluntarily annex tax parcels 151640 and 151644 into the Bessemer City limits.

The project parcels are surrounded by two public right of ways, N. 14<sup>th</sup> St. and Sherwood Dr. Both public right of ways are owned and maintained by the NCDOT. The applicant is proposing to develop the project site into a single-family residential community that will consist of 93 single family units, five public right of ways, sidewalks along one side of the right of way in certain areas, and along both sides in other areas. The community will also consist of ditch sections along both sides of the right of way to assist in the collection of stormwater runoff and a center median with street tree plantings along the main interior roadways.



Current regulations within section 4.4.N. – *Curb and Gutter* of the Bessemer City Land Development Code state that state that curb and guttering shall be installed along all newly constructed roadways within the city limits.

*Section 4.5.A. – Sidewalks, Required Locations* of the Bessemer City Land Development Code state that sidewalks shall be constructed along both sides of newly created roadways within the city limits of Bessemer City.

Section 4.6. & 3.5.D. – *Street Trees* of the Bessemer City Land Development Code states that street trees shall be installed along all newly created roadways. Applicant has proposed fifty three tree plantings along the interior street network and common open space to include the plantings within the median along certain internal roadways.

Section 3.2.A. – *Dimensional Standards for Principal Structures* states that the minimum lot size for Neighborhood Residential zoning districts shall be 12,000 saft for single family residential lots.

The purpose of the conditional zoning application is to request relief from the curb and gutter requirements to allow for ditch sections along the internal roadway network to collect stormwater. Request relief from the dimensional standards and to allow minimum lots square footage of 8,000 sqft. Request relief from the sidewalk requirements of sidewalk along both sides of the entire internal street network and to allow for sidewalks along both sides within the development where feasible.

**Proposal:** The Applicants have submitted a Neighborhood Residential Conditional District application proposing to develop a single-family residential community on three parcels of land within the Neighborhood and Rural zoning districts. A summary of the proposal is as follows:

<i>Parcels</i>	<i>Site Area</i>	<i>Watershed</i>	<i>Existing Use</i>	<i>Proposed Use</i>	<i>Number of Units</i>	<i>Maximum Density per Acre</i>	<i>Proposed Density per Acre</i>	<i>Required Open Space</i>	<i>Proposed Open Space</i>
151644, 151645, 151640	35.77	N/A	Vacant	Residential Single Family	93	8	4.5	2.6 Acres	6 Acres

The lots site are proposed to be generally 70' x 115' for 8,050 sqft. In some cases depending on roadway construction the lots could be slightly narrower or shorter but all lots will meet 8,000 sqft minimum. The required setbacks and proposed setbacks are depicted in the following table:

	Front	Side	Rear	Corner
Required	20'	12'	30'	20'
Proposed	20'	12'	30'	20'



**Roads:** The proposal for the site involves the construction of five internal roadways within the project site. There will be sidewalk along one side of all internal streets and on both sides were feasible. The developer has applied to install ditch sections along the entire internal street network to collect stormwater. A median planting strip will be constructed on three of the five internal streets. Planned roadways will be constructed to accommodate all public safety apparatuses and solid waste pickup equipment. See attached application packet for apparatus maneuverability.

**Traffic:** Per City of Bessemer City Land Development Code, no Traffic Impact Analysis study is required to be conducted due to the projected number of daily trips during peak hour travel times.

- Proposed Trips Per Day from Development: 930
- Proposed New Trips During Peak AM: 65
- Proposed Trips During Peak PM: 87

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

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

- The Public Works Director has indicated that there is City utility availability for the sites.
- A wastewater pump station will be required to be installed due to the topography of the site.
- Applicant has committed to providing Natural Gas to the project.
- Applicants will pay the water, sewer tap fees, system development fees, and will be financially responsible for the engineering and construction of utility systems within the development site.

**Stormwater Drainage:** Stormwater runoff will be managed by ditch roll sections installed along all right of ways within the project site. Stormwater runoff will also be managed by two stormwater retention ponds. The property is subject to adopted stormwater management guidelines and will have to be approved by the Gaston County Department of Natural Resources, as well as the city's third-party engineering firm.

**Open Space:** The open space requirement for the project is 2.6 acres. The applicant has proposed 2.6 acres of open space to include a walking trail along the stream within the middle of the development. The trail will stub out at the project property lines for future greenway connection. This walking trail will assist the city in providing future greenways throughout the city as proposed with the Pedestrian Plan adopted by City Council in 2022. The applicant has proposed to install benches along the trail and implementing a dog park or fire pit/small grilling area internal to the community.

**Land Use Buffer:** According to the City of Bessemer City Land Development Code section 3.5.C. no landscaping buffer is required for single family residential land uses adjacent to properties that



are existing or zoned for future single family residential land uses. The applicant is proposing a to buffer the development with common open space vegetation plantings.

Staff Recommendation:

1. Recommend that City Council rezone requested parcel to Neighborhood Residential Conditional District (CCCD).

Exhibits:

1. Sunset Ridge Application Packet.
2. Recommended Effective Date: September 9<sup>th</sup>, 2024



**RESIDENTIAL SUBDIVISION  
SHERWOOD LANE  
BESSEMER CITY, NC**

**CONCEPTUAL  
SITE PLAN**

[illegible]

DATE: APRIL 2024	
LC3 PROJ. #	
SCALE	<b>CZ.1</b> DRAWING NUMBER <b>X</b> REVISION
HORIZONTAL: 1"=80' VERTICAL: N/A	
<b>NOT FOR CONSTRUCTION</b>	

TOTAL NUMBER UNITS:	95 SINGLE FAMILY
CITY:	BESSEMER CITY
COUNTY:	GASTON
STATE:	NORTH CAROLINA
PROJECT AREA:	35.77 ACRES

## DEVELOPER:

NAME: DEVELOPMENT SOLUTIONS GROUP, LLC  
KENT OLSON  
ADDRESS: 11121 CARMEL COMMONS BLVD #360  
CHARLOTTE, NC 28226  
PHONE #: (704) 543-0760  
EMAIL: KENT@OLSONDEVELOPMENT.COM

**ENGINEER:**

NAME: LC3 CONSULTING  
KYLE CROWE, PE  
ADDRESS: 320 INLAND COVE COURT  
CLOVER, SC 29710  
PHONE #: (803) 415-4866

**NOTE: ALL PROPERTY OUTSIDE OF  
INDIVIDUAL LOTS SHALL BE COS  
AND MAINTAINED BY THE HOA**

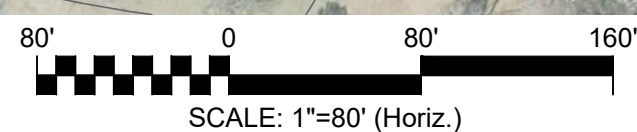
EX. PROPERTY  
BOUNDARY TO BE  
RECOMBINED

PROP. 8,000 SF  
SINGLE FAMILY LOT  
(70' X 115' TYP)  
PROP  
MONUMENTATION  
AREA

**APPROX. 2.75 ACRES  
TO BE RETAINED BY  
SELLER**

EX. PROPERTY  
BOUNDARY

INTERNAL PUBLIC ROADWAYS BE  
DITCH SECTION ROADS WITH  
SIDEWALKS ON ONE SIDE ONLY



Know what's **below**.  
**Call** before you dig.



**SUNSET RIDGE SUBDIVISION  
SHERWOOD LANE  
BESSEMER CITY, NC**

**CONCEPTUAL  
SITE PLAN**

[illegible]

DATE:	APRIL 2024
LC3 PROJ. #	DSG-0028

<p><b>SCALE</b></p> <p>HORIZONTAL:</p> <p>1"=80'</p> <p>VERTICAL:</p> <p>N/A</p>	<p><b>CZ.1</b></p> <p>DRAWING NUMBER</p> <p><b>X</b></p> <p>REVISION</p>
--	--

**NOT FOR  
CONSTRUCTION**

### SITE STATISTICS:

TOTAL NUMBER UNITS:	93 SINGLE FAMILY
CITY:	BESSEMER CITY
COUNTY:	GASTON
STATE:	NORTH CAROLINA
PROJECT AREA:	35.77 ACRES

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PHONE #: (803) 415-4866



## POTENTIAL BUILDING ELEVATION

**NOTE: ALL PROPERTY OUTSIDE OF  
INDIVIDUAL LOTS SHALL BE COS  
AND MAINTAINED BY THE HOA**

PROP. TRAIL (TYP)

## BMP

## BMP

**COS**

PROP. CENTER  
MEDIAN (TYP)

— PROP. SIDEWALK  
(TYP)

**EX. PROPERTY  
BOUNDARY TO BE  
RECOMBINED**

PROP. 8,000 SF  
SINGLE FAMILY LOT  
(70' X 115' TYP)  
- PROP  
MONUMENTATION  
AREA

N 14TH ST

**APPROX. 2.75 ACRES  
TO BE RETAINED BY  
SELLER**

EX. PROPERTY  
BOUNDARY

EX. STREAM  
W/ BUFFER

INTERNAL PUBLIC ROADWAYS BE  
DITCH SECTION ROADS WITH  
SIDEWALKS ON ONE SIDE ONLY

SHERWOOD DR

80' 0 80' 160'

SCALE: 1"=80' (Horiz.)



Know what's **below**.  
**Call** before you dig.



**RESIDENTIAL SUBDIVISION  
SHERWOOD LANE  
BESSEMER CITY, NC**

**CONCEPTUAL  
SITE PLAN**

[illegible]

DATE: APRIL 2024	
LC3 PROJ. #	
SCALE	<div style="font-size: 2em; font-weight: bold;">CZ.1</div> <div style="border-top: 1px solid black; padding-top: 5px;">DRAWING NUMBER</div> <div style="text-align: center; font-size: 1.5em; font-weight: bold;">X</div> <div style="text-align: center;">REVISION</div>
HORIZONTAL: 1"=80'	
VERTICAL: N/A	

NOT FOR  
CONSTRUCTION

23

TOTAL NUMBER UNITS:	95 SINGLE FAMILY
CITY:	BESSEMER CITY
COUNTY:	GASTON
STATE:	NORTH CAROLINA
PROJECT AREA:	35.77 ACRES

NAME: DEVELOPMENT SOLUTIONS GROUP, LLC  
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CHARLOTTE, NC 28226  
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EMAIL: KENT@OLSONDEVELOPMENT.COM

NAME: LC3 CONSULTING  
KYLE CROWE, PE  
ADDRESS: 320 INLAND COVE COURT  
CLOVER, SC 29710  
PHONE #: (803) 415-4866

**NOTE: ALL PROPERTY OUTSIDE OF  
INDIVIDUAL LOTS SHALL BE COS  
AND MAINTAINED BY THE HOA**

EX. PROPERTY  
BOUNDARY TO BE  
RECOMBINED

PROP. 8,000 SF  
SINGLE FAMILY LOT  
(70' X 115' TYP)

PROP  
MONUMENTATION  
AREA

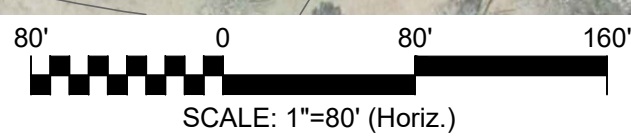
**APPROX. 2.75 ACRES  
TO BE RETAINED BY  
SELLER**

EX. PROPERTY  
BOUNDARY

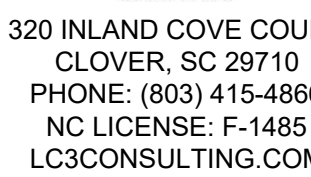
INTERNAL PUBLIC ROADWAYS BE  
DITCH SECTION ROADS WITH  
SIDEWALKS ON ONE SIDE ONLY



Know what's **below**.  
**Call** before you dig.







**DSG**  
Development  
Solutions  
Group

[illegible]

<p><b>SCALE</b></p> <p><b>HORIZONTAL:</b></p> <p>1"=80'</p> <p><b>VERTICAL:</b></p> <p>N/A</p>	<p><b>RZ.1</b></p> <p><b>DRAWING NUMBER</b></p> <p><b>X</b></p> <p><b>REVISION</b></p>
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**NOT FOR  
CONSTRUCTION**

TOTAL NUMBER UNITS:	93 SINGLE FAMILY
CITY:	BESSEMER CITY
COUNTY:	GASTON
STATE:	NORTH CAROLINA
PROJECT AREA:	35.77 ACRES

**NOTE: ALL PROPERTY OUTSIDE OF  
INDIVIDUAL LOTS SHALL BE COS  
AND MAINTAINED BY THE HOA**

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NAME: LC3 CONSULTING  
KYLE CROWE, PE  
ADDRESS: 320 INLAND COVE COURT  
CLOVER, SC 29710  
PHONE #: (803) 415-4866



Know what's **below**.  
**Call** before you dig.

G:\SHARED DRIVES\IC3 CONSULTING\PROJECTS\DEVELOPMENT SOLUTIONS GROUP\DSG-0028 (KISER)\DRAWING FILES\KISER PRELIM.DWG ---- 06/14/2024 13:20:46





LC:

CONSULTING  
320 INLAND COVE COUR  
CLOVER, SC 29710  
PHONE: (803) 415-4866  
NC LICENSE: F-1485  
LC3CONSULTING.COM

**SUNSET RIDGE SUBDIVISION  
SHERWOOD LANE  
BESSEMER CITY, NC**

## REZONING EX. CONDITIONS PLAN

DSG

Development  
Solutions  
Group[illegible]

DATE:	APRIL 2024
LC3 PROJ. #	DSG-0028

<b>SCALE</b>
<b>HORIZONTAL</b> 1"=80'
<b>VERTICAL</b> N/A

RZ.2

DRAWING NUMBER	
X	
REVISION	

**NOT FOR  
CONSTRUCTION**

25

**SITE STATISTICS:**

TOTAL NUMBER UNITS:	93 SINGLE FAMILY
CITY:	BESSEMER CITY
COUNTY:	GASTON
STATE:	NORTH CAROLINA
PROJECT AREA:	35.77 ACRES

DEVELOPER:

NAME: DEVELOPMENT SOLUTIONS GROUP, LLC  
KENT OLSON  
ADDRESS: 1121 CARMEL COMMONS BLVD #360  
CHARLOTTE, NC 28226  
PHONE #: (704) 543-0760  
EMAIL: KENT@OLSONDEVELOPMENT.COM

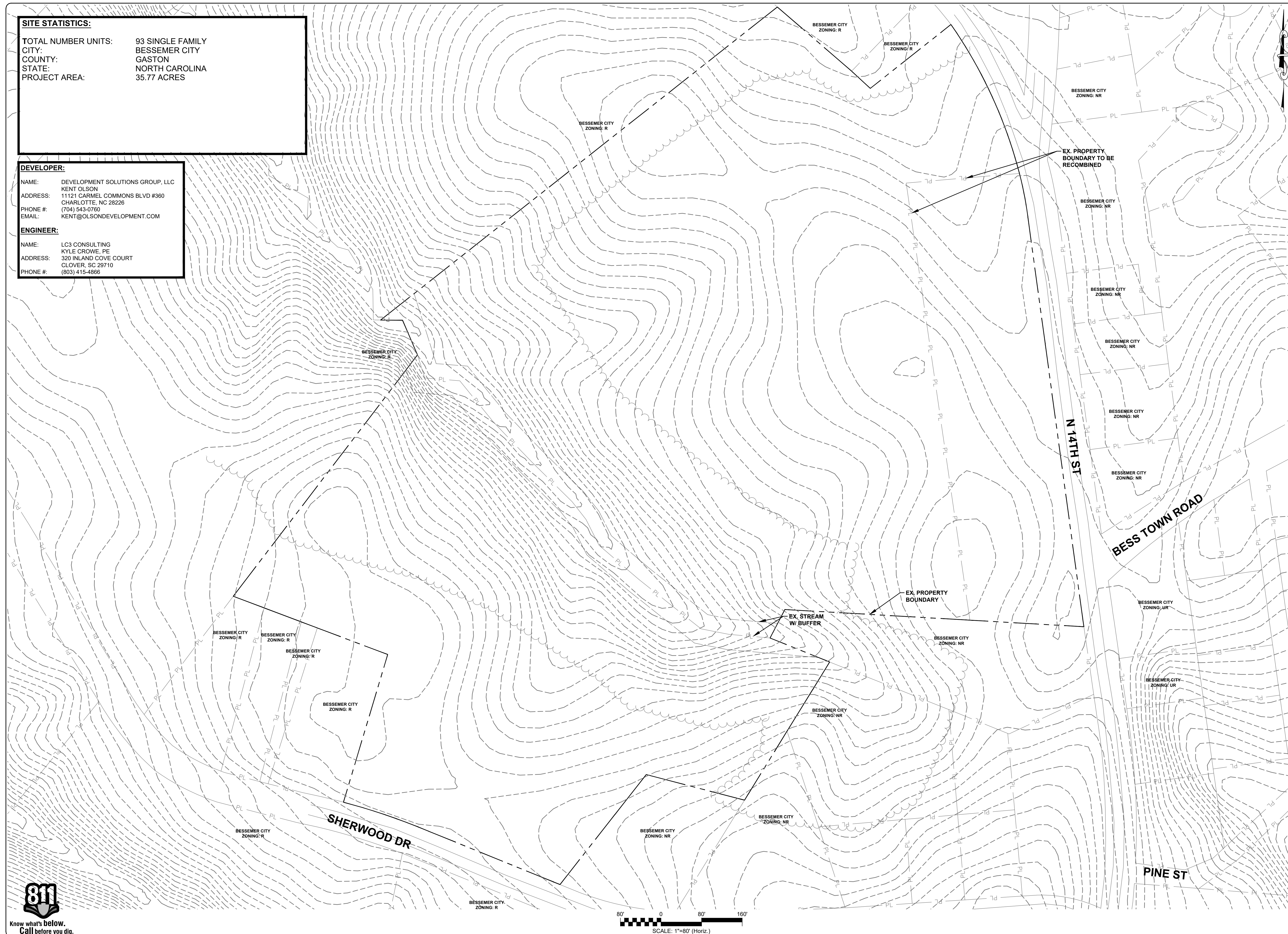
**ENGINEER:**

NAME: LC3 CONSULTING  
KYLE CROWE, PE  
ADDRESS: 320 INLAND COVE COURT  
CLOVER, SC 29710  
PHONE #: (803) 415-4866



Know what's **below**.  
**Call** before you dig.

G:\SHARED DRIVES\IC3 CONSULTING\PROJECTS\DEVELOPMENT SOLUTIONS GROUP\DSG-0028 (KISER)\DRAWING FILES\KISER PRELIM.DWG ---- 06/14/2024 13:20:48







LC:

CONSULTING  
320 INLAND COVE COURT  
CLOVER, SC 29710  
PHONE: (803) 415-4866  
NC LICENSE: F-1485  
LC3CONSULTING.COM

**SUNSET RIDGE SUBDIVISION  
SHERWOOD LANE  
BESSEMER CITY, NC**

# REZONING TOPOGRAPHIC PLAN

DSG

**Development  
Solutions  
Group**

[illegible]

DATE:	APRIL 2024
LC3 PROJ. #	DSG-0028

<p><b>SCALE</b></p> <p><b>HORIZONTAL:</b></p> <p>1"=80'</p> <p><b>VERTICAL:</b></p> <p>N/A</p>	<p><b>RZ.3</b></p> <p><b>DRAWING NUMBER</b></p> <p><b>X</b></p>
--	---

**NOT FOR  
CONSTRUCTION**

26

**SITE STATISTICS:**

TOTAL NUMBER UNITS:	93 SINGLE FAMILY
CITY:	BESSEMER CITY
COUNTY:	GASTON
STATE:	NORTH CAROLINA
PROJECT AREA:	35.77 ACRES

DEVELOPER:

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ADDRESS: 1121 CARMEL COMMONS BLVD #360  
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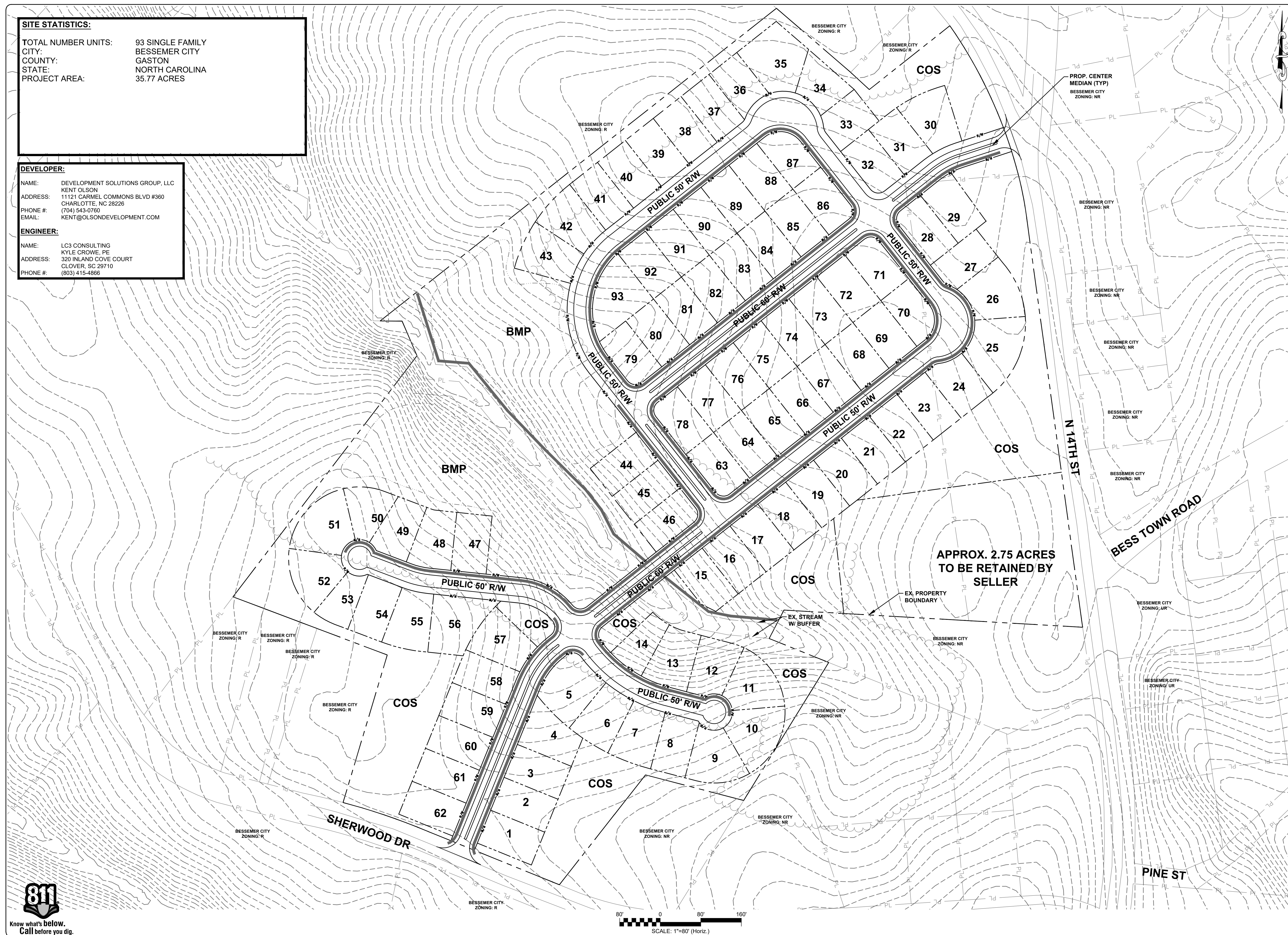
**ENGINEER:**

NAME: LC3 CONSULTING  
KYLE CROWE, PE  
ADDRESS: 320 INLAND COVE COURT  
CLOVER, SC 29710  
PHONE #: (803) 415-4866



Know what's **below**.  
**Call** before you dig.

G:\SHARED DRIVES\IC3 CONSULTING\PROJECTS\DEVELOPMENT SOLUTIONS GROUP\DSG-0028 (KISER)\DRAWING FILES\KISER PRELIM.DWG ---- 06/14/2024 13:20:53





**SUNSET RIDGE SUBDIVISION  
SHERWOOD LANE  
BESSEMER CITY, NC**

# REZONING LANDSCAPE PLAN

Development  
Solutions  
Group

DATE:	APRIL 2024
LC3 PROJ. #	DSG-0028

**NOT FOR  
CONSTRUCTION**

**SITE STATISTICS:**

DEVELOPER:

**ENGINEER:**

## PLANT SCHEDULE

LANDSCAPE NOTES:

1. ALL PLANT MATERIAL SHALL BE PER APPENDIX C, "LIST OF ACCEPTABLE TREE AND SHRUB SPECIES" OF THE BESSEMER CITY LAND DEVELOPMENT CODE.
2. BUFFER PLANTING SHALL BE PROVIDED PER SECTION 3.5.C OF THE BESSEMER CITY LAND DEVELOPMENT CODE.
3. STREET TREES PROVIDED PER SECTION 3.5.D OF THE BESSEMER CITY LAND DEVELOPMENT CODE:
  - a. (1) CANOPY TREE FOR EACH FORTY (40) LINEAR FEET OF FRONTAGE
4. FOUNDATION PLANTINGS TO BE PER SECTION 3.5.F.1 OF THE BESSEMER CITY LAND DEVELOPMENT CODE.
5. UTILITY BOXES AND HVAC UNITS SHALL BE SCREENED PER SECTION 3.5.F.2 OF THE BESSEMER CITY LAND DEVELOPMENT CODE.
6. RESIDENTIAL CANOPY TREES PROVIDED PER SECTION 3.5.F.3 OF THE BESSEMER CITY LAND DEVELOPMENT CODE.

**APPROX. 2.75 ACRES  
TO BE RETAINED BY  
SELLER**

— EX. PROPERTY  
BOUNDARY

EX. STREA  
W/ BUFFE

**BESSEMER CITY**  
**ZONING: NR**

**BESSEMER CITY**

SEMER CIT  
ONING: NR

80' 0 80' 160'

SCALE: 1"=80' (Horiz.)



Know what's **below**.  
**Call** before you dig



**SUNSET RIDGE SUBDIVISION  
SHERWOOD LANE  
BESSEMER CITY, NC**

[illegible]

DATE:	APRIL 2024
LC3 PROJ. #	DSG-0028

<p><b>SCALE</b></p> <p>HORIZONTAL: 1"=80'</p> <p>VERTICAL: N/A</p>	<p><b>RZ.5</b></p> <p>DRAWING NUMBER</p> <p><b>X</b></p> <p>REVISION</p>
--	--

**NOT FOR  
CONSTRUCTION**

**SITE STATISTICS:**

TOTAL NUMBER UNITS:	93 SINGLE FAMILY
CITY:	BESSEMER CITY
COUNTY:	GASTON
STATE:	NORTH CAROLINA
PROJECT AREA:	35.77 ACRES

## DEVELOPER:

NAME: DEVELOPMENT SOLUTIONS GROUP, LLC  
KENT OLSON  
ADDRESS: 11121 CARMEL COMMONS BLVD #360  
CHARLOTTE, NC 28226  
PHONE #: (704) 543-0760  
EMAIL: KENT@OLSONDEVELOPMENT.COM

**ENGINEER:**

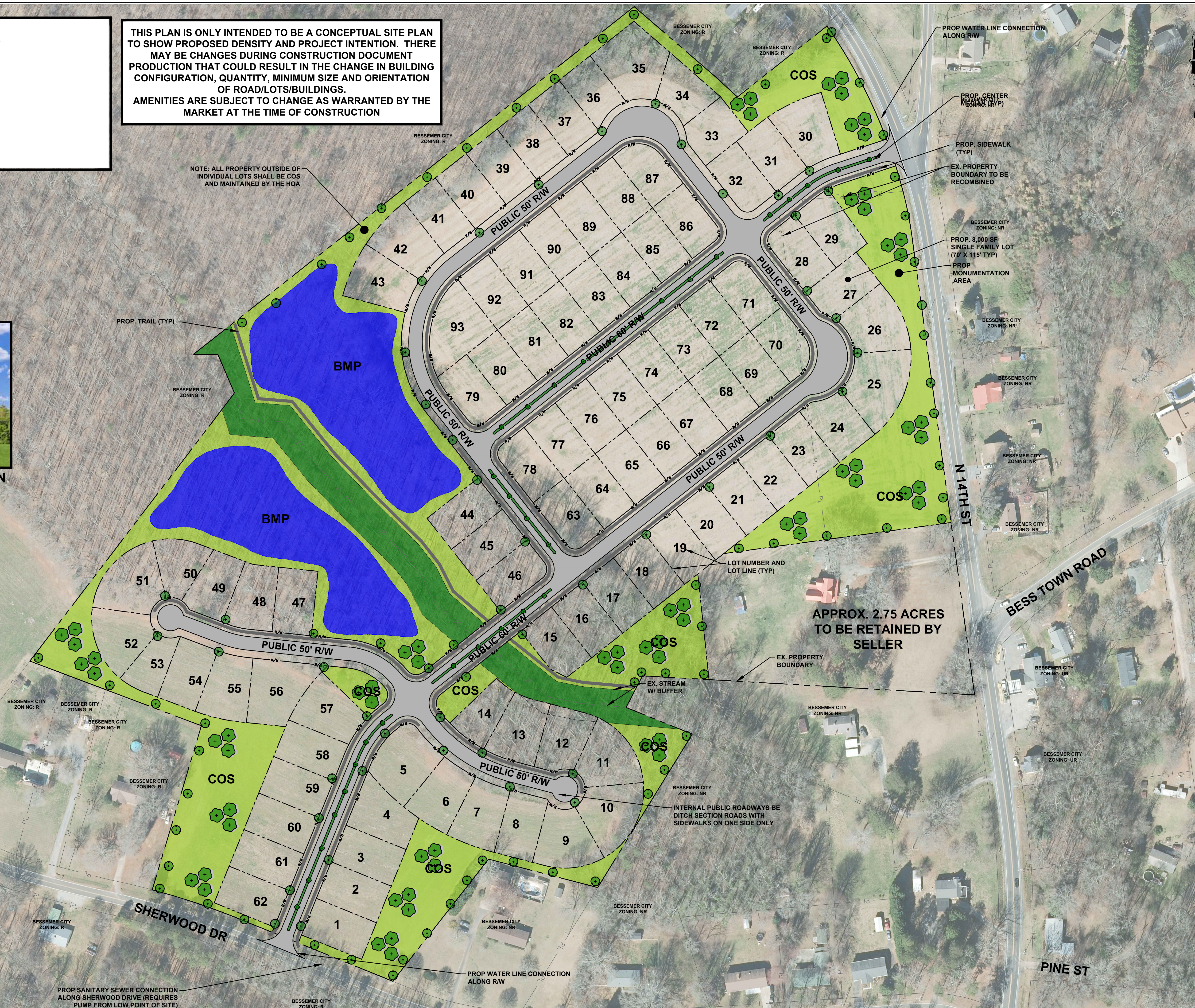
NAME: LC3 CONSULTING  
KYLE CROWE, PE  
ADDRESS: 320 INLAND COVE COURT  
CLOVER, SC 29710  
PHONE #: (803) 415-4866



## POTENTIAL BUILDING ELEVATION

**THIS PLAN IS ONLY INTENDED TO BE A CONCEPTUAL SITE PLAN TO SHOW PROPOSED DENSITY AND PROJECT INTENTION. THERE MAY BE CHANGES DURING CONSTRUCTION DOCUMENT PRODUCTION THAT COULD RESULT IN THE CHANGE IN BUILDING CONFIGURATION, QUANTITY, MINIMUM SIZE AND ORIENTATION OF ROAD/LOTS/BUILDINGS. AMENITIES ARE SUBJECT TO CHANGE AS WARRANTED BY THE MARKET AT THE TIME OF CONSTRUCTION**

**NOTE: ALL PROPERTY OUTSIDE OF  
INDIVIDUAL LOTS SHALL BE COS  
AND MAINTAINED BY THE HOA**



**PROP SANITARY SEWER CONNECTION —  
ALONG SHERWOOD DRIVE (REQUIRES  
PUMP FROM LOW POINT OF SITE)**

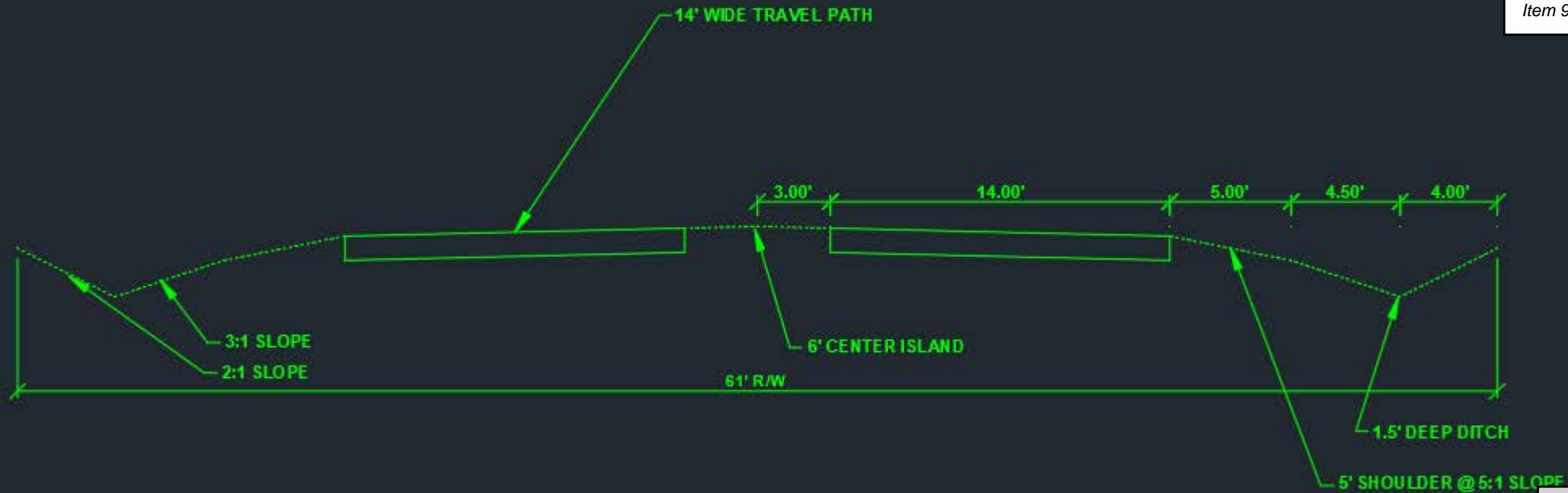
80' 0 80' 160'

SCALE: 1"=80' (Horiz.)



Know what's **below**.  
**Call** before you dig.

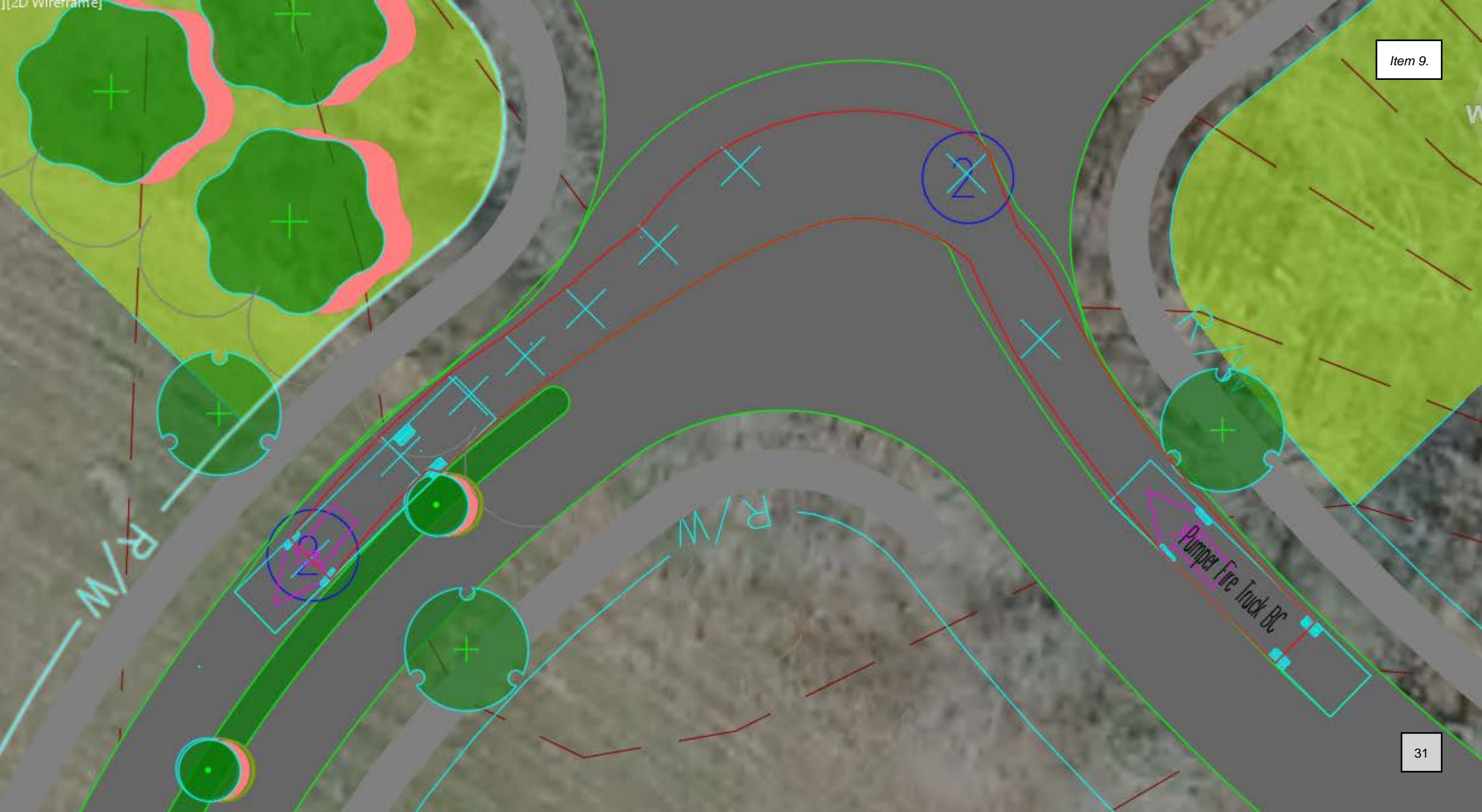














PLAN CONSISTENCY & STATEMENT OF REASONABLENESS  
ZONING MAP AMENDMENT  
September 9<sup>th</sup>, 2024

Pursuant to N.C. Gen. Stat. §160D-605 the City of Bessemer City Council hereby approves and adopts the following Plan Consistency and Statement of Reasonableness for the rezoning of the Tax Parcels included with development application CD 02-2024 within the City limits and Extra Territorial Jurisdiction of Bessemer City, North Carolina as noted and depicted on the proposed Official Zoning Map.

- 1) Said zoning change is **consistent** with the goals and values established by the City Council adopted in 2023.
  - a. The City Council created a mission and vision statement that included the following six values: 1. Accountability, 2. Ethics, 3. Community Dependability, 4. Honesty, 5. Respect, 6. Open-Mindedness. These rezoning's are consistent with these values.
  - b. The City Council created a mission and vision statement that included the following five goals: 1. Promote a desirable place to live and work that provides a healthy quality of life, 2. Ensure a safe and secure community for residents and visitors, 3. Invest in a high quality infrastructure to support a thriving and diverse economy, 4. Provide opportunities for citizen engagement and promote volunteerism, 5. Foster organizational sustainability that embraces innovation and creativity. These rezoning's are consistent with these goals.
- 2) Said rezoning is **consistent** with the City of Bessemer City 2020 Vision Plan and the City of Bessemer City Planning and Economic Development Comprehensive Land Use Vision Map adopted by the City Council in 2019. The proposed rezoning's are:
  - a. Consistent with the existing adjacent land uses as designated on the official land use map.
- 3) The proposed map amendments **would not be detrimental** to the city and ETJ.
  - a. The physical conditions that make the rezoning's reasonable are:
    - Provides Residential and Economic Development growth opportunities with new development in areas that are currently zoned to accommodate the applicable use.
  - b. Rezoning is in the best interest of the public to increase and maximize property values to provide for future infrastructure and amenities.



Therefore, the requested rezoning's are **reasonable** and **in the public interest**.

Upon a motion that the application is **consistent** with the Bessemer City Planning and Economic Development Comprehensive Land Use Vision.

Read, approved and adopted this the 9<sup>th</sup> day of September, 2024.

ATTEST

CITY COUNCIL FOR THE  
CITY OF BESSEMER CITY

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

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

APPROVED AS TO FORM

\_\_\_\_\_  
David Smith, City Attorney



# Memorandum



**To:** Bessemer City Planning Board  
**From:** Joshua Ross, MPA, City Manager *JMR*  
**Date:** August 27, 2024  
**Subject:** CD 02-2024 Project Review #2

Development Solutions Group (DSG) contacted City Staff during the week of August 19, 2024, requesting the City's consideration on additional areas of relief for their project, Sunset Ridge Major Subdivision Project as follows:

- **R Relief from Chapter 3 Design Standards, Section 3.3.F. Garage and Carports, Item 2:**
  - *Attached garages or garage buildings shall be located in the side or rear yard only. Attached garage buildings that front a public street shall be and recessed a minimum of six feet from the front façade.*

The developer requested that a condition of the following to apply to the Sunset Ridge Major Subdivision Project:

- **C Condition to Install/Provide Natural Gas Utility and Appliances**
  - *Developer shall extend City of Bessemer City natural gas, water, and sewer utilities to and through the site, to all single-family homes, at their expense. The development will be served by City utilities: natural gas, water, and sewer. The developer will upfit new homes with natural gas for heating and appliances.*

This request promoted City Council's direction, by consensus, to send this project back to the Planning Board for review prior to the Council holding a Public Hearing and voting on the rezoning request from Rural/Neighborhood Residential (R &NR) to Neighborhood Residential- Conditional District (NR-CC).

Along with this memo is a draft "Exhibit A" Areas of Relief and Condition of Approval that would be included as part of the rezoning request presented to City Council next month (September 9, 2024).





# EXHIBIT A

## Exhibit A Areas of Relief and Conditions of Approval Sunset Ridge Major Subdivision (CD-02-2024)

1. The proposed development shall follow the requirements of the City of Bessemer City Land Development Code with the added relief of:
  - a. Sidewalks- relief from installing sidewalks on both sides of new streets within the subdivision as indicated on the site plan. The Bessemer City Land Development Code (LDC) requires sidewalks on both sides of streets in Major Subdivisions (Chapter 4, Section 4.5).
  - b. Garage Setback- relief from the six-foot garage setback requirement from front facing garages on 50% of units (Chapter 3, Section 3.3).
2. The following conditions will be applied to the development and agreed to by the developer with the vote of the City of Bessemer City Council to approve the rezoning:
  - a. Design Standards- the development is required to abide by standards as follows:
    - i. Design standards as required by the property owner, including 50% brick or stone facades, pitched roofs, architectural shingles, and all other standards as required by the property owner (additional attachment)
    - ii. Upgraded doors designs on units without 6-foot setback
3. The developer is responsible for all system development fees.
4. The developer shall extend the City of Bessemer City utilities and within the site, at their expense. The development will be served by City utilities: water and sewer.
5. All off-site utility easements, if necessary to provide utilities to the site, must be obtained by the developer, at their expense, prior to approval of construction plans, issuance of permits, or commencement of construction.
6. Conditional Zoning approval is valid for a period of twenty-four (24) months from the date of approval.







PLANNING BOARD/BOARD OF ADJUSTMENT  
REQUEST FOR ACTION

AGENDA ITEM NO.: 3.b

MEETING DATE:8-5-2024

DESCRIPTION: Rezoning of Parcels #1516400, 151644, 151645 from Neighborhood Residential & Rural to Neighborhood Residential Conditional District for single-family residential development.

BACKGROUND INFORMATION: See Informational Packet.

STAFF RECOMMENDATION:

Approve development as submitted.

BOARD ACTION TAKEN:

September 2, 2024: Unanimous Approval of Planning Board with Conditions and Area of Relief (Attachment A)





**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 September 9, 2024, to consider a proposed amendment to the City of Bessemer City Zoning Map; and

**WHEREAS**, On September 3<sup>rd</sup>, 2024, the Bessemer City Planning Board voted unanimously to recommend the City Council approve the proposed zoning map amendment with conditions and areas of relief (Attachment A) for the Proposed Sunset Ridge Major Subdivision; and

**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 CD 02-2024.

---

**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 set forth in:

1. Tax Parcel #151644 from Rural (R) to Neighborhood Residential- Conditional District (NR-CC)
2. Tax Parcel #151640 from Rural (R) to Neighborhood Residential- Conditional District (NR-CC)
3. Tax Parcel #151645 from Neighborhood Residential (NR) to Neighborhood Residential- Conditional District (NRCC)

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 \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

---

Becky S. Smith, Mayor

---

Hydeia Y. Hayes, City Clerk





## AN ORDINANCE AMENDING CHAPTER 75 TRAFFIC SCHEDULE 1 OF THE CITY OF BESSEMER CITY CODE OF ORDINANCES

**WHEREAS**, after proper notification a Public Hearing was held before the Bessemer City Council on September 9, 2024 to consider a proposed amendment to the City of Bessemer City Code of Ordinances and Land Development Code.

**WHEREAS**, after a \_\_\_\_\_ vote, the City Council of Bessemer City approved a text change to the City of Bessemer Land Development Code reflected Chapter 75, Schedule I.

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

- Arc Street/Costner Drive : 4- Way -Stop

### 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 9<sup>th</sup> Day of September, 2024

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

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