

## **PLANNING BOARD**

**Council Chambers**

**Monday, January 06, 2025 at 6:00 PM**

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### **AGENDA**

#### **Call to Order and Determination of a Quorum**

#### **Adoption of the Agenda**

#### **Planning Board Action Item**

*The following items will be presented for discussion and recommendations:*

1. Approval of minutes from the December 2, 2024 meeting
2. CD 05-2024 Urban Residential- Conditional District (NR-CD) | North 12th Street | Parkview Commons

#### **Board of Adjustment Action Item**

3. None

#### **Informational Items**

4. CD 05-2024 Application Packet, Staff Report, and Draft Documents

#### **Old/New Business**

#### **Adjourn**

## **Bessemer City Planning Board**

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

### **Members Present:**

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

### **Call to Order and Determination of a Quorum**

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

### **Adoption of the Agenda**

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

### **Planning Board Action Item**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **Areas of Relief and Conditions of Approval**

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

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

**Old/New Business**

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

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

**Adjourn**

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

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Bruce Absher, Chairperson

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Hydeia Y. Hayes, City Clerk

**City of Bessemer City, North Carolina**  
**General Rezoning Staff Report**  
**CD 05-2024 | N. 12<sup>th</sup> Street | Parkview Commons**  
 Planning Board Agenda Item December 2<sup>nd</sup>, 2024  
 City Council Agenda Item January 13, 2025

**Applicant:**

Bluepoint Properties, LLC (Engineering- McKim and Creed, Inc.; Kenny Draffen)

**Request:**

To review and make a recommendation on the rezoning of a 9.8-acre parcel of land currently zoned Neighborhood Residential (NR) to Urban Residential- Conditional District (UR-CD). The intent of the property owner is developing this site as a Major Subdivision, Parkview Commons (41 multifamily-townhomes).

**Background Information:**

The property requested for zoning map amendment is assigned by the Gaston County Tax Mapping Department with PIDs#120283 and 120286. The property is currently owned by Gregory and Sanra Loyd.

City staff met virtually with Mr. Kenny Draffen and other partners of McKim and Creed, Inc. to discuss Parkview Commons. The property is currently zoned as Neighborhood Residential (NR) and does not permit multifamily development. The applicant is requesting the zoning change from Neighborhood Residential (NR) to Neighborhood Residential- Conditional District (NR-CD).

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

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

**Staff Recommendation:**

Approve rezoning as requested with conditions in “Conditions and Relief for CD 05-2024”.

**Exhibits:**

Parkview Commons (PIDs 120283 & 120286) Rezoning Application Packet

**Recommended Effective Date: January 13, 2025**

**PLAN CONSISTENCY & STATEMENT OF REASONABLENESS ZONING MAP AMENDMENT**  
**CD 05-2024 | N. 12<sup>th</sup> Street | Parkview Commons**

December 9, 2024

Pursuant to North Carolina General Statute (NCGS) §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 Parcel included with development application RZ 03-2024 within the City limits of Bessemer City, North Carolina as noted and depicted on the proposed Official Zoning Map.

Said zoning change is consistent with the goals and values established by the City Council adopted in 2023.

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.

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.

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 is are consistent with the existing adjacent land uses as designated on the official land use map.

The proposed map amendments would not be detrimental to the city and ETJ.

The physical conditions that make the rezoning reasonable provide residential growth opportunities with new development in areas that are currently limited due to current zoning. 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 is reasonable and in the public's interest.

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

Approved and adopted this the 13<sup>th</sup> day of January 2025.

(ATTEST)

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

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

(APPROVED AS TO FORM)

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



**Areas of Relief and Conditions of Approval**

CD 05-2024 | Parkview Commons | PIDs 120286 &amp; 120283

1. The proposed development shall follow the requirements of the City of Bessemer City Land Development Code with the added **Relief (R)** of:
  - a. Acreage- Allowing the development for multifamily use on one lot that is excess of three (3) acres (LDC 2.8.C). The development shall be on a 8.76 acre parcel (PID 120283) and a 1.01 acre parcel (PID 120286).
  - b. Setbacks- Allowing the development to have a 0' front setback for townhomes. The LDC requires a 15' front setback (LDC 3.2.A.).
  - c. Elevators- Allowing the development to not include elevators. The LDC requires elevators for multi-family structures that are three (3) stories or higher (LDC 2.8.C.9.).
2. The following **Conditions (C)** will be applied to the development and agreed to by the developer with the vote of the City of Bessemer City Council to approve the rezoning:
  - a. Recreation Features- the developer shall install a community dog park and community space pavilion
  - b. Connectivity- the developer shall install an ADA accessible pedestrian access path to Stinger Park from the new subdivision. The developer shall also engage with Gaston County Schools to install a pedestrian path up to 180 linear feet from the new subdivision to Bessemer City Primary School.
3. All other requirements and standards stated within the City of Bessemer City Land Development Code (LDC) shall be followed.
4. The developer shall extend the City of Bessemer City water and sewer to and within the site, at their expense. The development will be served by City utilities: water and sewer.
5. All off-site utility easements, if necessary to provide utilities to the site, must be obtained by the developer, at their expense, prior to approval of construction plans, issuance of permits, or commencement of construction.
6. Conditional Zoning approval is valid for a period of twenty-four (24) months from the date of approval.

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Jeff Polanco, PE  
McKim & Creed

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Becky Smith  
Mayor

November 25, 2024

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

RE: Areas of Relief - Parkview Commons

Dear Planning Board, Council, and Staff:

McKim and Creed, on behalf of Bluepoint Properties, LLC, requests rezoning parcels 120283 and 120286 from NR to UR/CD.

We are requesting relief from the following 2.8.C requirements for a residential multi-family development:

- Requirement 8: We are requesting to exceed the 3-acre lot maximum, the lot is 9.77 acres.
- Requirement 9: We are requesting to be exempt of providing elevators for three story or more townhomes.
- We are requesting to provide 0' front setbacks for the townhome buildings.

Please let us know if you need further clarification.



Jeff Polanco, PE

8020 Tower Point Drive

Charlotte, NC 28227

704.841.2583

Fax 704.841.2567

[www.mckimcreed.com](http://www.mckimcreed.com)



October 25, 2024

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

RE: Conditional Zoning - Parkview Commons

Dear Planning Board, Council, and Staff:

McKim and Creed, on behalf of Bluepoint Properties, LLC, requests a Conditional Zoning for parcels 120283 and 120286.

We are proposing a Single Family Attached subdivision of 41 townhomes located off N. 12<sup>th</sup> Street adjacent to Stinger Park. There is a known population of the endangered Dwarf Heartleaf species located on site. To protect the endangered species, we are requesting to provide Townhomes within the west portion of the site preserving the east portion of the site as a natural open space and community space with an ADA accessible pedestrian connection to Stinger Park.

Please let us know if you need further clarification.

A handwritten signature in blue ink, appearing to read "Jeff Polanco".

Jeff Polanco, PE

8020 Tower Point Drive

Charlotte, NC 28227

704.841.2588

Fax 704.841.2567

[www.mckimcreed.com](http://www.mckimcreed.com)

October 25, 2024

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

RE: Preliminary Traffic Analysis for Parkview Commons

Dear Planning Board, Council, and Staff:

McKim and Creed 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: 359
- Proposed New Trips During Peak AM: 23
- Proposed New Trips During Peak PM: 28

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

Please let us know if you need further clarification



Jeff Polanco, PE

8020 Tower Point Drive

Charlotte, NC 28227

704.841.2588

Fax 704.841.2567

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

Item 2.

**Staff Only:**

Date Rec'd: \_\_\_\_\_  
Rec'd by: \_\_\_\_\_  
Case #: \_\_\_\_\_

## LAND DEVELOPMENT APPLICATION FORM

1. Application Type	✓	<u>Fee</u>	✓	<u>Fee</u>
• Sketch Plan/Plat (Major Sub): _____			✓	1,200
• Preliminary Plat (Major Sub): _____				
• Final Plat (Major Sub): _____				
• Major Site Plan _____				
• Construction Documents: _____				
• Recombination Plat _____				
• Other: _____				
Fee Total:				1,200

**2. Project Information**

Date of Application: 10/25/24      Name of Project: Parkview Commons

Location: 1306 12th Street      Property Size (acres): 9.8      # of Units/Lots: 41

Current Zoning: NR      Proposed Zoning: CZ

Current Land Use: Single Family Residential      Proposed Land Use: Townhomes

Tax Parcel Number(s): 120283 & 120286

Square Footage: 425,581

### 3. Contact Information

Item 2.

Owner, Applicant, or Developer

Bluepoint Properties LLC

Address

913 Gulf Breeze Parkway

City, State Zip

Gulf Breeze, FL 32561

Telephone

980-326-4055

Email

brandon@theplotbuyers.com

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

McKim & Creed, Inc,

Address

8020 Tower Point Drive

City, State Zip

Charlotte, NC 28227

Telephone

704-841-2588

Email

kdraffen@mckimcreed.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).

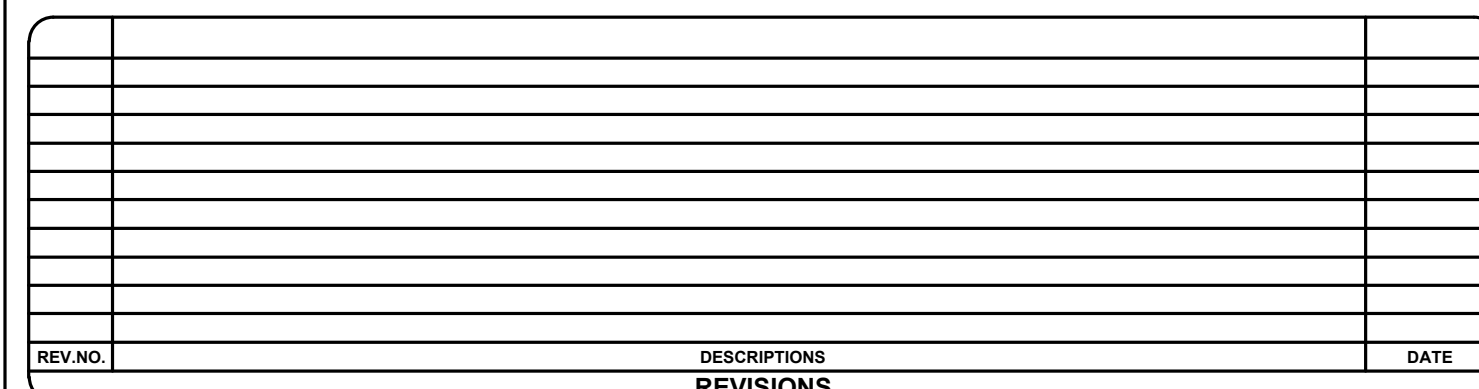
☒ **Illustrative (color) elevations** for presentation purposes for all items described above, as well as perspective (3D) renderings and photograph examples

☒ **Digital Files** of all items listed above

Last Update: 07/06/2021

Signature:  Printed Name: Brandon Jackson Date: 10/25/2024





**MCKIM & CREED**

8020 Tower Point Drive  
Charlotte, North Carolina 28227  
Phone: (704) 841-2588, Fax: (704) 841-2567

NC License# F-1222

[www.mckimcreed.com](http://www.mckimcreed.com)

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**PARKVIEW COMMONS  
BESSEMER CITY  
GASTON COUNTY, NC**

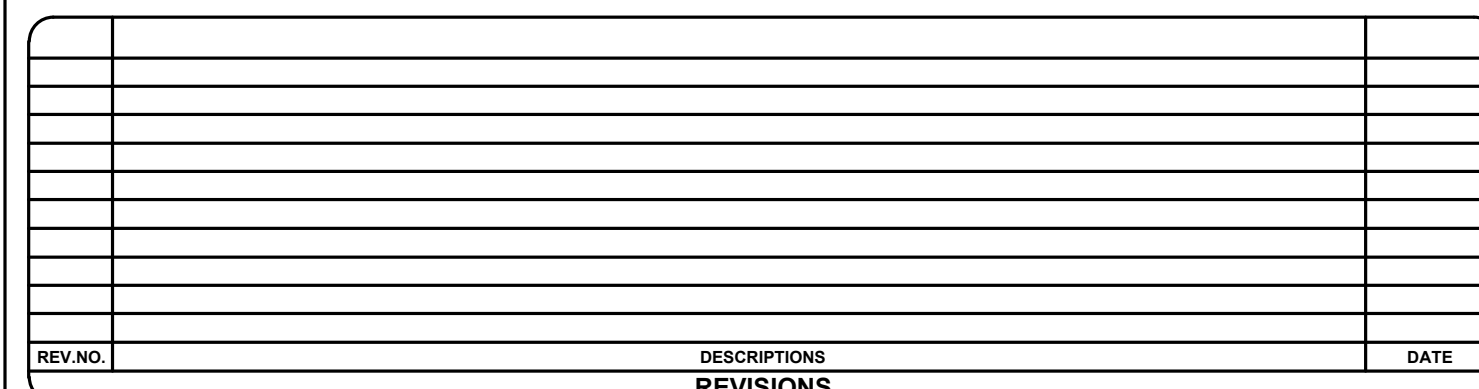
### SKETCH PLAN

DATE:	OCTOBER 2024
MCE PROJ. #	
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PROJ. MGR.	

STATUS: **PRELIMINARY DRAWING  
NOT FOR CONSTRUCTION**

SCALE	
HORIZONTAL:	
VERTICAL:	
	DRAWING NUMBER





**McKIM & CREED**

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 Charlotte, North Carolina 28227  
 Phone: (704) 841-2588, Fax: (704) 841-2567

NC License# F-1222  
[www.mckimcreed.com](http://www.mckimcreed.com)

<b>DATE:</b> <u>          OCTOBER 2024          </u>	<b>SCALE</b> <hr/> HORIZONTAL:   VERTICAL:	DRAFTING NUMBER   <hr/> REVISION
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*Item 2.*

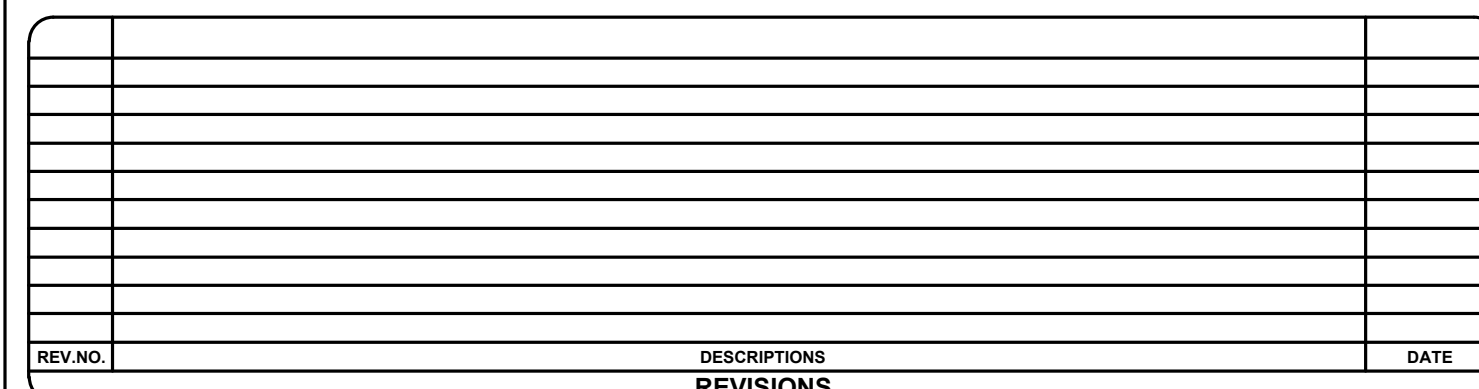
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**PARKVIEW COMMONS  
BESSEMER CITY  
GASTON COUNTY, NC**

### SKETCH PLAN

DATE:	DECEMBER 2024
MCE PROJ. #	
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DESIGNED	
CHECKED	
PROJ. MGR.	

STATUS: **PRELIMINARY DRAWING  
NOT FOR CONSTRUCTION**



<b>DATE:</b> <b>DECEMBER 2024</b>	<b>SCALE</b>	
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**STATUS:**

# PRELIMINARY DRAWING

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