

GASTON COUNTY REZONING APPLICATION REZ-24-09-20-00192

STAFF REPORT

APPLICATION SUMMARY

Request:

To rezone the property from the (R-1) Single Family Limited Zoning District with the (US) overlay to the Conditional (RS-8) zoning district with the (US) overlay

Applicant(s):

Century Communities Southeast LLC

Property Owner(s):

Multiple, see applications

Parcel Identification (PID):

169881, 169933, 169880, 169883, 169934, 169945,
169884, 169878, 169879

Property Location:

On Dallas Stanley Hwy between Evans Lake Rd. and Kiser Dairy Rd.

Total Property Acreage:

49.64 acres

Acreage for Map Change:

49.64 acres

Current Zoning:

(R-1) Single Family Limited with (US) Overlay

Proposed Zoning:

CD/(RS-8) Conditional District with (US) overlay

Existing Land Use:

Vacant/undeveloped (existing structures will be removed as they have fallen into disrepair)

Proposed Land Use:

Planned Residential Development (PRD) – Single Family Home Subdivision – up to 138 lots

COMPREHENSIVE LAND USE PLAN

Small Area 2: North 321 Gaston / North Central Gaston

Key issues for citizens in this area include: preservation of open space, road improvements and better connectivity, more transportation alternatives, preservation of agriculture and the maintaining the rural “feel” of the community, steering development towards existing infrastructure and areas immediately surrounding towns and cities

Comprehensive Plan Future Land Use: Rural

Rural areas are characterized as having plenty of open space along with farmstead style housing and agribusiness. Residential homes are located on large lots and are setback from the road they front upon. This is the default designation for the County.

Staff Recommendation:

Although the request is for a planned residential development in the form of a single-family subdivision in a designated rural area, the application, as presented, is consistent with the Comprehensive Land Use Plan because the site is just outside of the Dallas city limits and can gain access to public water and sewer systems. The development plan retains the natural ponds on the site and pushes the lots towards this inside of the site plan, leaving a buffer between the new homes and the neighboring properties. This development plan also meets goal 6 of the Comprehensive Land Use Plan: “Improve the image of Gaston County both to current and potential residents, focus on retaining and increasing the population of young professionals.” as it will provide housing options to the young professionals and young families in Gaston County. The plan also meets Goal 7 as it emphasizes the importance of our natural resources by retaining and protecting the natural environments and ponds already on the site. Staff is supportive of this request because of the proposed density, the layout of the development, and the proposed common open spaces.

UTILITIES AND ROAD NETWORK INFRASTRUCTURE

Water/Sewer Provider:

A will serve letter has been provided by the Town of Dallas to supply the development with water and sewer.

Road Maintenance:

Dallas Stanley Hwy., Evans Lake Rd. and Kiser Dairy Rd. are all owned and maintained by the North Carolina Department of Transportation. Internal roads within the proposed subdivision are proposed to be designed and built to NCDOT's road standards and the developer will petition for the roads to be turned over to NCDOT for maintenance. If NCDOT does not accept the roads, the roads will be the responsibility of the development's Home Owner's Association.

Technical Review Committee (TRC) comments

A letter from the MPO has been included in the agenda packet for this case. There are projects identified in the vicinity of this site.

Gaston Emergency Services asked that a note be made that the development will increase the load of EMS call volume relative to available resources. GEMS estimates 312 calls per thousand population.

Comments from the Natural Resources department have been included in the site plan revisions.

Gaston County Schools provided a letter stating they are prepared to meet the demands of a growing student population in Gaston County.

Public Information Meetings

The applicant's team hosted two (2) public information meetings as required by the UDO. A copy of the questions asked by those in attendance has been included in the agenda packet along with a sign in sheet showing who attended the meeting.

ANALYSIS, RELIEFS, AND CONDITIONS OF APPROVAL

Regulation	Required	Proposed
Section 8.1.11	A.1 – served by a public or community water and sewer system	The Town of Dallas has agreed to provide the development with water and sewer utilities
	A.2 Density – The Conditional District max density allowed for the (RS-8) zoning district is 8 dwelling units to the acre	The applicant is proposing 2.73 dwelling units per acre
	A.3 – Max height is three stories and not to exceed 45'	The applicants are proposing one or two story homes
	A.4 – Allowed/Required Housing Types – Each PRD must contain at least two housing types	Relief Requested – The applicant has proposed that the development only have one housing type: single-family detached residential buildings
	A.5- Gross Acreage – required three acres, except 5 acres are required in the (R-1), (R-2), and (R-3) districts	Gross acreage requirement has been met
	A.6 – Open Space – at least 20% of the gross acreage of the PRD) shall be open space	20% of the gross acreage of the site is 9.928 acres

	30% of COS shall be improved	<p>The site plan shows 22.32 acres of open space which is roughly 44% of the site overall</p> <p>3 acres of the COS will be improved open space: walking path, proposed park with playground equipment, benches, and active open space</p>
	A.7 – requirement for the Conditional Rezoning process	This is the process for this application
	A.8 – Off-street parking – Administrator’s Discretion	<p><i>Proposed Condition</i> - Staff has proposed a condition requiring parking signage throughout the development to be reviewed during construction review.</p> <p>Development team has proposed driveways made of hard-surface and each dwelling unit shall have a minimum 2-car driveway</p> <p>*The planning board recommended the addition of a condition of approval that would require a minimum of a 2-car garage for each new home</p>
	<p>A.9 – Screening – A minimum Tye B screening is required at the fringes of the PRD</p> <p>“fringes” – typically the closest area of the PRD to the rest of the community</p>	<p>A majority of the development is surrounded by common open space – a Type A buffer is being proposed between the homes that in the development and any existing residential and commercial uses.</p> <p>The existing vegetation will be retained as part of the open space and buffers</p>
	A.10 – Sidewalk, Curb, and Gutter	The development is proposing to have sidewalk, curb, and gutter that will need to be approved by and constructed to NCDOT’s standards
Lot Standards	<p>(RS-8) Lot requirements: Min. lot size: 8,000 sqft. Front: 30’ Side: 7’ Rear: 20’</p>	<p><i>Relief Requested</i> – 6,600 sqft min. lot size with the following setbacks:</p> <p>Front: 20’</p>

		<p>Rear: 20'</p> <p>Side: 6' with an additional 10' for corner lots</p>
Architecture	<p><i>*Note – General statutes prohibit local governments from applying any regulations relating to “building design elements” to structures that are subject to the North Carolina Residential Cod for one- and two-family dwellings unless the regulations are voluntarily consented to by the owners</i></p>	<p>The proposed architecture and design notes will all be treated as reliefs as the supplemental regulations for Planned Residential Developments have notes regulations for materials, roof pitch, porch size building facades, and garage locations</p> <p>The following language is included on the site plan: Building materials used on the principal buildings may be singular or a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block, and or vertical, horizontal, shake style, or similar vinyl. The front of the home shall have a mix of two (2) materials</p> <p>The front porches will be a minimum, of 4' (UDO requires 8') in depth and there will be 5:12 pitched roofs (UDO requires pitches that vary from 6:12 – 12:12), with the exception of the roofs over the front porches (2:12)</p> <p>*The Planning Board recommended a condition of approval that would exclude vinyl from the list of allowed building materials with the exception that it can be used for trimming and soffits.</p>
Traffic Impact Analysis	<p>The UDO requires that a traffic impact analysis be completed if a project is expected to add 1 more than 1,000 vehicles per day to the road network. There is not a requirement that any mitigation efforts be completed.</p>	<p>The applicant's team has completed a TIA and is agreeing to construct the infrastructure changes that have been approved by NCDOT.</p> <p>Proposed: Left turn lane into the neighborhood on Dallas Stanley Hwy. with 100' of storage as required by NCDOT</p>

Road Construction	All roads shall be built to NCDOT standards and reviewed and inspected by NCDOT.	All roads in this project have been reviewed and approved by NCDOT. During construction review, the road specifications will be sent back to NCDOT for final approval prior to construction and then reviewed during construction as well. Prior to signing off on final plats, staff will require a letter from NCDOT stating that they have reviewed and approved the design and construction of the roads.
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Proposed Conditions of Approval

1. All proposed streets shall be built to NCDOT standards and petitioned to be turned over to NCDOT for maintenance upon completion. If NCDOT does not accept the roads, then all roads will be recorded as private roads with maintenance to be overseen and executed by the development's homeowners, a homeowner's association, or the development team. All roads are to be maintained to a level that ensures public safety at all times.
2. All site improvements (utilities, streets, sidewalks, and identified traffic mitigation infrastructure) shall be completed, inspected, and approved by the necessary agencies prior to a final plat being approved and executed. Infrastructure may be bonded in order to receive approval on a final plat, however water and sewer infrastructure are not subject to bonding and must be installed, inspected, and approved by the necessary agencies prior to the final plat being signed. All necessary utility lines and infrastructure shall be under-ground and their easements shall be shown on the final plat.
3. All roads, driveways, and sidewalks shall be paved. Gravel may not be used for driveways and roads/streets. The Administrator may approve a gravel for the proposed walking trail and access drives if needed for utilities or right-of-way/easement access to identified open space areas and ponds shown on the site plan.
4. The Developer shall apply for and acquire all required permits from NCDOT and other state and local permits.
5. The Development shall establish a Homeowner's Association and submit the Covenant's Codes and Restrictions document to the County's Planning and Zoning staff for review prior to recording the associated documents. Once the CCRs any other pertinent documents have been recorded, the developer shall provide the recording information to staff for reference.
6. All designated open space areas, ponds, street lighting, signage, easement accesses, etc. shall be maintained by the Homeowner's Association.
7. The Administrator shall be allowed to approve minor changes to the site plan during the construction review process so long as the changes are minor in nature and the number of lots in the overall development are not increased.
8. Signage shall be placed throughout the community that restricts parking to one side of the road to allow for adequate access by residents, service providers, and emergency services.
9. Each lot shall have one tree planted in the front yard. All trees shall be out of the right-of-way.
10. All notes included on the site plan shall be considered conditions of approval for this development.
11. *Recommended Addition from Planning Board: Each home shall have a minimum 2-car garage in addition to a 2-car parking pad/driveway.*
12. *Recommended Addition from Planning Board: Residential neighborhood ground signs may be up to 8' tall in height, and the sign area shall be limited to 25 sqft.*
13. *Recommended Addition from Planning Board: Vinyl siding shall only be used for trimming and soffits and shall not be an approved siding material for the proposed homes.*

PLANNING BOARD MEETING DATE

The Planning Board met on February 3, 2025 and recommended approval (7-1) of the request with the added conditions listed above as they found it to be consistent with the goals of the Comprehensive Land Use Plan.

Attachments: Applications, Landowner Agreements, Approved Site Plan, Maps Traffic Impact Analysis and Technical Appendix, Dallas North Loop Functional Design, Public Information Meeting Notes and Sign-in Sheet, GCLMPO Letter, Gaston County School Board Letter