

Town of Dallas Planning Board Meeting
Agenda
Thursday, February 16, 2023
To be held at the Fire Station Community Room at 6:30 pm

1. Call to Order
2. Roll Call of Members Present; Declaring a quorum as present
3. Invocation or Moment of Silence
4. Pledge of Allegiance
5. Announcements/Introductions
6. Approval of Agenda with Additions or Deletions
7. Approval of Minutes — November 17, 2022
8. Old Business
9. New Business
 - a. TA-2023-01 –R-6 Multi-Family Text Amendment
10. Adjournment

**Minutes
Town of Dallas
Planning Board
Meeting of November 17, 2022**

The meeting was called to order at 6:30pm by Chairman Curtis Wilson

The following members were present: Curtis Wilson — Chairman, Glen Bratton—Co-Chair, Troy Traversie, John O’Daly, Thomas Smith, and Reid Simms

Also present: Nolan Groce — Development Services Director, Brian Finnegan—Planner; Eddie Moore—McAdams; Tim Derylak, Logan Creech, and James Matheson—DR Horton

Approval of Agenda: A motion was made to approve the agenda by O’Daly, seconded by Bratton, and the motion passed unanimously

Approval of Minutes: A motion to approve the October 20, 2022 minutes as presented was made by O’Daly, seconded by Smith, and the motion passed unanimously

New Business:

A) Zoning Map Amendment Petition Z-2022-02

Finnegan presented the rezoning petition submitted by DR Horton to rezone Gaston Parcels 171929, 171930, 208606, 208607, and 222607 from RS-8 and RS-12 (currently in the Gaston County jurisdiction) to CD-R-5 if annexation petition is approved. The proposal is for 153 townhomes, with interior minimum lot dimensions of 2000 sq. ft. and 20ft lot widths, and corner lots with 4,500 sq. ft. minimum lot area and 40ft lot widths. There are two improved open space sites: a tot lot in the central southern area of the development, and a dog park along the eastern boundary. The request is for reduced parking, from 4 off street spaces per unit to 3 off street parking spaces per unit. This is shown to be met with 2 spaces per lot: one in the driveway and a single car garage. There will also be 107 supplemental parking spaces, both on street and off street in a parking lot located in the southern area of the site in the Duke utility easement, supplying the remainder of the off street spaces.

The majority of the project is located in the Multi-family Residential District on the Future Land Use Map (FLUM) in the 2030 Comprehensive Land Use Plan. A portion of the proposed site along Lower Dallas is located in the Suburban Mix-Use Center, which is a commercial mix use and does not promote strictly residential use. Whether this development is approved or denied the (FLUM) will need to be updated. Part of this project is located in a Suburban Mix-Use Center district, which is a mix use commercial district. It does not call for townhomes. If the project is denied, the FLUM should be updated to correct the multifamily district adjacent to Lower Dallas Highway changing it to Suburban Mix-Use Center to reflect the intent of the plan.

Eddie Moore gave a presentation showing the details of the proposal.

Bratton asked about lighting, and Moore explained it will have lighting and the development will have to meet the Town’s requirements.

Bratton then asked if there will be individual bins for garbage collection. Groce confirmed if the project is annexed into the Town it will receive all services the Town offers, including garbage collection.

Wilson asked about the status of the sufficiency of the annexation petition. Groce clarified that was strictly for the annexation petition. Both the annexation and rezoning petitions are run concurrently, and the sufficiency will be completed prior to the public hearing.

Traversie asked about the timeline of the widening of Lower Dallas Hwy. Groce stated right now NCDOT is planning to for R/W acquisition is planned for 2026, and build out is proposed at 2031.

Finnegan asked about the details regarding amenities discussed at the Technical Review Committee, specifically a walking trail running north from the tot lot between the rows of buildings and the outdoor activity center. Creech stated if the topography of the site allows for it they are open to putting in the walkway. There is no intent to include the outdoor activity center.

Wilson asked about restricting subletting and if there will be an HOA. Matheson explained there will be an HOA with restrictive covenants, but he is hesitant to include a blanket restriction on renting the units and suggests capping the number of units that can be rented or sublet out.

Logan stated they received no pushback during the community meeting and the people were excited about the extension of utilities in the area.

Traversie asked about the screening buffer on the east. Moore stated it would be wider than the required because there is existing foliage and they are currently planning on leaving the existing trees for that part of the development.

Smith asked for clarification of the power line location. Derylak clarified it runs east-west along the south of the site.

Moore showed the NCDOT plan for the road widening, including the “Michigan lefts” and that the houses along the western side of this portion of the road will be acquired and demolished by NCDOT.

Since Traversie is the agent for this property he recused himself from the vote prior to final deliberation and the motion.

A motion was made by Smith to recommend approval of the rezoning petition as presented with the following statements of consistency and reasonableness:

STATEMENTS OF CONSISTENCY AND REASONABLENESS FOR REZONING APPROVAL

The proposed development falls into two categories shown on the 2030 Future Land Use Map (FLUM): Multifamily Residential and Suburban Mixed-Use Center. Although a portion is shown as future commercial, the majority is within the Multifamily Residential district, which allows for townhomes, therefore the development is technically consistent with the 2030 Comprehensive Land Use Plan and reasonable to approve. The Future Land Use Map should be updated to reflect the decision.

The motion was seconded by Bratton, and the motion passed unanimously.

Adjournment

Having no further business, a motion to adjourn was made by Bratton, seconded by Simms, and the motion passed unanimously. The meeting adjourned at 7:15pm.

Brian Finnegan, Development Services Director

Curtis Wilson, Chairman

DRAFT

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Text Amendment to Remove Multifamily from the R-6 Zoning District & Update R-5

AGENDA ITEM NO.

MEETING DATE: 02/16/2023

BACKGROUND INFORMATION:

At the January 24th, 2023 work session staff was directed by the Board of Aldermen to review the permitted uses in R-6 to promote uniformity within the historic town center.

Attached is a recommend change to the permitted uses for R-6, removing multifamily as a by right development. There is also a proposed change to R-5, adding multifamily as a by right use, as well as updating the single family attached minimum lot standards to reflect current industry trends.

STAFF RECOMMENDATION: Send recommendation to approve the text amendment to the Board of Aldermen

BOARD ACTION TAKEN:

APPENDIX A: YARD AND HEIGHT REQUIREMENTS FOR RESIDENTIAL DISTRICTS

<i>Zone</i>	<i>Minimum Lot Area (Sq. Ft.)</i>	<i>Minimum Lot Area Per Dwelling Unit (Sq. Ft.)</i>	<i>Minimum Lot Width (In feet)</i>	<i>Minimum Front and Rear* Yard Depth (In feet)</i>	<i>Individual Minimum Side Yard Depth (In feet)</i>	<i>Minimum Side Yard Depth (In feet)*</i>	<i>Maximum Building Height</i>
<i>Zone</i>	<i>Minimum Lot Area (Sq. Ft.)</i>	<i>Minimum Lot Area Per Dwelling Unit (Sq. Ft.)</i>	<i>Minimum Lot Width (In feet)</i>	<i>Minimum Front and Rear* Yard Depth (In feet)</i>	<i>Individual Minimum Side Yard Depth (In feet)</i>	<i>Minimum Side Yard Depth (In feet)*</i>	<i>Maximum Building Height</i>
R-8	8,000	8,000 single 6,000 1st unit 3,000 additional unit each	70	30	8	8	35 feet
R-6	6,000	6,000 single 5,000 1st unit 2,500 additional unit each	60	25	6	6	35 feet
R-5	5,500 **	5,500 ** ** 500 SF per attached side Multifamily 5,000 1st unit 2,500 additional unit each	50	25***	6	6	35 feet

RMF		15,000 1st unit 3.500 additional unit each		45	45	45	35 feet
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* An additional ten feet shall be required to the requirements listed above on all side yards which abut a public or private street (corner lots)

** ~~Attached housing shall be exempt from side yard setback requirements, and may reduce lot width by 5 feet for each attached side. Further reduction may be permitted through conditional zoning. Attached buildings to include 3 or more units are only allowed with conditional approval regardless of zoning designation.~~ Attached housing shall be exempt from side yard setback requirements, and single lots shall have a minimum required width of 20 feet with no required side setback and a minimum required lot area of 1500 square feet. Exterior units shall have a minimum lot width of 30 feet and a minimum required lot area of 2100 square feet.

*** Rear setback may be reduced by 5 feet at the discretion of Town Staff if requested to accommodate a larger front setback for parking purposes only. Further reduction may be permitted through conditional zoning.

**** Buildings may exceed 35 feet in height. But for each five feet or fraction thereof of additional height above 35 feet, each yard shall be increased five feet over the minimum requirements. Any height above 45 feet may only be approved through conditional zoning.

§ 153.026 R-8 AND R-6 ZONES: MULTI- FAMILY RESIDENTIAL.

Within the R-8 and R-6 zones as shown on the zoning map, incorporated by reference in § [153.021](#), the following regulations shall apply.

(A) *Permitted uses.* Refer to the Permitted Uses Chart ([Appendix C](#)).

(B) *Lot areas and width, yards and building height requirements.* The requirements set forth in [Appendix A](#): Yard and Height Requirements in Residential Districts and [Appendix B](#): Yard and Height Requirements in Business Districts shall govern.

(C) *Off-street parking.* Off-street parking shall be provided by all uses as required in § [153.042](#).

(D) *Signs.* The requirements set forth in the sign regulations, §§ [153.080](#) through [153.087](#), shall apply.

§ 153.022 R-15, R-12 AND R-10 R-10, and R-6 ZONES: SINGLE-FAMILY RESIDENTIAL.

Within the R-15, R-12 and R-10 R-10, and R-6 zones as shown on the zoning map of the town, incorporated by reference in § 153.021, the following regulations shall apply.

APPENDIX C: PERMITTED USES CHART

	Residential								Office	Business					Industrial
	R-15	R-12	R-10	R-8	R-6	R-5	RMF	RMF-H	O&I-1	BC-1	B-1	B-2	B-3	B-3P	I-2
<p>X: Permitted by right (Supplemental regulations may apply - check town ordinances)</p> <p>S: Special Use Permit (Supplemental regulations may apply - check town ordinances)</p>															
Permitted Uses (any use not specified below is eligible to apply for conditional zoning approval)															
RESIDENTIAL															
Single-family dwellings (attached)						X									
Single-family dwellings (detached)	X	X	X	X	X	X									
Manufactured/mobile homes					X	X									
Trailer camps/mobile home parks					X										
Multi-family residential				X	X	X	X	X			S	S	S	S	

STATEMENTS OF CONSISTENCY AND REASONABLENESS **FOR** TEXT AMENDMENT ADOPTION

The proposed text amendment to the R-6 zoning district is inconsistent with the 2030 Comprehensive Land Use Plan. Existing R-6 zoning districts are located within the Mix Use Neighborhood and Urban Neighborhood categories, which calls for a multiple housing options built at a higher density. However, the amendment preserves the architecture in historic residential areas and encourages higher density is areas of new growth. It is therefore a reasonable amendment and in the Town's best interest.

STATEMENTS OF CONSISTENCY AND REASONABLENESS **AGAINST** TEXT AMENDMENT ADOPTION

The proposed text amendment to the R-6 zoning district is inconsistent with the 2030 Comprehensive Land Use Plan. Existing R-6 zoning districts are located within the Mix Use Neighborhood and Urban Neighborhood categories, which calls for a multiple housing options built at a higher density. This amendment would restrict the housing diversity in these areas and is therefore an unreasonable request and not in the Town's best interest.

Statement Adopted: _____

Curtis Wilson, Chairman

Date