

Town of Dallas Planning Board Meeting

Agenda

Thursday, July 18, 2019

To be held at Fire Station Community Room at 6:30 pm

The following agenda is proposed:

- 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 to the Flag
- 5.** Announcements/Introductions
- 6.** Approval of Agenda with Additions or Deletions
- 7.** Approval of Minutes- June 20, 2019
- 8.** New Business
 - a) Rezoning Recommendation Request: Ridge Street
 - b) Annexation Zoning Request: Ollie Way
- 9.** Other business
- 10.** Adjournment

MINUTES

Town of Dallas

PLANNING BOARD

Meeting of June 20, 2019

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

The following members were present: Curtis Wilson-Chair, Glenn Bratton- Co-Chair, Tim Farris, John Beaty, John O' Daly, Alternate Reid Simms, and Alternate Gene Brown

Members absent: Eric Clemmer, David Jones

Also present: Tiffany Faro-Director of Development Services, Johnny Denton-Town Engineer, Wade McLamb- business owner, Greg Dimmer- developer

There was an invocation lead by Chairman Wilson and pledge of allegiance.

Approval of Agenda: A motion by John Beaty was made and seconded by Glenn Bratton to approve the agenda for this meeting, and the motion was adopted unanimously.

Approval of Minutes: A motion by Tim Farris was made and seconded by Reid Simms to approve the minutes for May 2019, and the motion was adopted unanimously.

Old Business:

1) EVM Signs and Other Sign Regulations

Staff introduced this agenda item- following up from the discussion at the previous Planning Board meeting in May. A proposed text amendment was presented that was based on model ordinances provided by Mr. McLamb and adjusted by Staff. Discussion was held related to the types of uses and messaging possible on signage, including size restrictions, time cutoffs, distances between signage, existing sign upfits, etc. Tim Farris made a motion to approve the text amendment provided by Staff with the addition of sight triangle requirements for location, a maximum size of 50 SF for detached signs, a max. size for attached signs based on 20% of the building width x 10', and the removal of a specified distance between EVM signage with the following consistency statement:

The proposed updates to the EVM signage ordinance are consistent with the 2003 Future Land Use Plan's goal to plan for aesthetically pleasing and pedestrian friendly commercial corridors outside of the downtown area, while ensuring that land uses abutting residential development are compatible with the scale, intensity and overall character of existing and planned neighborhoods. This text amendment is therefore deemed reasonable and in the public's best interest in order to update our ordinances to match current technological advancements and accommodate the needs of our business community, while protecting the overall character and appearance of the Town.

Glenn Bratton seconded the motion, and it was approved unanimously.

New Business:

2) Waiver Request: Carpenter Street Subdivision

Staff presented a waiver request submitted by Greg Dimmer for the possible development of a lot to be purchased off of E Carpenter Street (Parcel ID#132692). Applicant spoke to the Board regarding his desire to subdivide the lot into 5 single family lots, which would be classified as a minor subdivision required to meet all of the Town’s development standards. He stated he was willing to do that, but would like to request a waiver for curb and gutter in order to reduce costs and because none of the surrounding area has curb and gutter in place. Applicant shared that if he had to put curb and gutter, the project may not be feasible financially, and he would just subdivide the lot into 3 lots- making it an exempt subdivision not required to meet the Town’s development standards. Town Engineer shared that Public Works has had drainage issues on this street, and has planned improvements for the opposite side in the next year- and because of this did not recommend approval of the waiver. After lengthy discussion back and forth, applicant agreed to improve the current ditch line, dedicate 10’ of additional utility easement to the Town for future improvements, and extending the planned sidewalk to the corner of Ben Rich if the waiver was granted. John Beaty made a motion to approve with the conditions outlined above, seconded by Tim Farris, and approved by all except Glenn Bratton.

3) Conditional Use vs. Conditional Zoning

Staff presented information regarding both types of conditional zoning approvals, and let the Planning Board know that currently the only option in Town ordinances is Conditional Use. The Board requested that staff explore the addition of Conditional Zoning to the Zoning Code, and then bring back more information and a recommendation.

Other Business and Adjournment:

Tim Farris made a motion to adjourn, seconded by John O’Daly, and approved unanimously.

Respectfully Submitted,

Approved:

Tiffany Faro, Development Services Director

Glenn Bratton, Co- Chairman

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Rezoning Request- Ridge St

AGENDA ITEM NO. 8B

MEETING DATE: 7/18/2019

BACKGROUND INFORMATION:

Wilson Family Builders has recently purchased a lot on South Ridge Street, and submitted a rezoning request to change the lot from R-8 to R-6.

The current zoning's min. lot width only allows the property to be subdivided into 2 lots. This rezoning would allow for up to 3 lots to be created.

5 abutting lots on Pine Street are already zoned R-6, and our 2003 Future Land Use Plan notes that this lot is intended for higher density residential development.

Applicant would like to build 3 new single family residences at this location.

All changes to our current land use map require the approval of a consistency statement. This statement, if approved, will accompany the applicant's rezoning application.

STAFF RECOMMENDATION:

BOARD ACTION TAKEN:

TOWN OF DALLAS
REZONING APPLICATION

(check one)

Traditional Conditional Zoning (CZ) Conditional Use District (CUD)

Location of Property: South Ridge St

Lot Size: .69 acre Current Zone/ Use: empty Parcel ID# 132895

Name of Owner: Wilson Family Builders Inc / Heritage Builders

Address of Owner: P.O. Box 1422 Gastonia NC 28053

Owner Phone #: 704 547-5031 Email: wilsonfamilybuilders@gmail.com

The undersigned hereby respectfully requests that the Dallas Planning Board, pursuant to the provisions of the Dallas Zoning Code, Article VII, and in compliance with NCGS 160A-387, recommend to the Dallas Board of Aldermen, a Zoning Classification change from

R-8 to R-6 On the following described property:

no assigned address, FURTHER IDENTIFIED AS PARCEL ID # 132895

I certify that all the information provided in this application is accurate to the best of my knowledge, information and belief.

Mark Wilson
Signature of applicant

6/16/19
Date

[Signature]
Development Services Director

6/20/19
Date

Rezoning Application Fee is \$500.
Checks to be made payable to the Town of Dallas.

NOTES:

1. APPARENT SOURCE OF TITLE:
 LOTS 16-23 (BLOCK "A") OF J.P. HOFFMAN PROPERTY RECORDED IN
 PLAT BOOK 1 PAGE 52. (GASTON COUNTY REGISTER OF DEEDS)
 PARCEL ID#132895 (TBD S. RIDGE STREET)

2. AREA CALCULATED BY COORDINATE GEOMETRY METHOD.
 TOTAL LOT "A" AREA 10,000 sqft/0.229 acres
 TOTAL LOT "B" AREA 10,000 sqft/0.229 acres
 TOTAL LOT "C" AREA 10,000 sqft/0.229 acres

3. SUBJECT TO DALLAS R-B ZONING REGULATIONS.

4. MINIMUM LOT AREA 8,000 SF
 MINIMUM LOT WIDTH 60'
 MINIMUM SETBACK 30'
 MINIMUM SIDE YARD 8'
 MINIMUM REAR YARD 30'

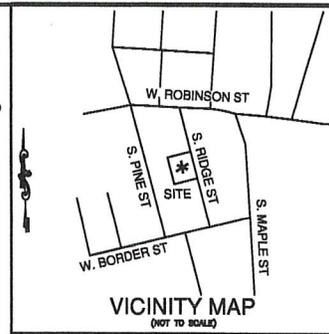
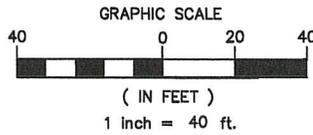
5. THIS PARCEL MAY BE SUBJECT TO EASEMENTS AND/OR R/W'S
 EITHER RECORDED OR IMPLIED. A COMPLETE AND FULL TITLE SEARCH
 WAS NOT PERFORMED FOR THIS SURVEY.

6. NO PORTION OF THIS PARCEL LIES WITHIN A COMMUNITY OR FEMA
 FLOOD ZONE PER FIRM #3710354700J DATED SEPTEMBER 28, 2007.

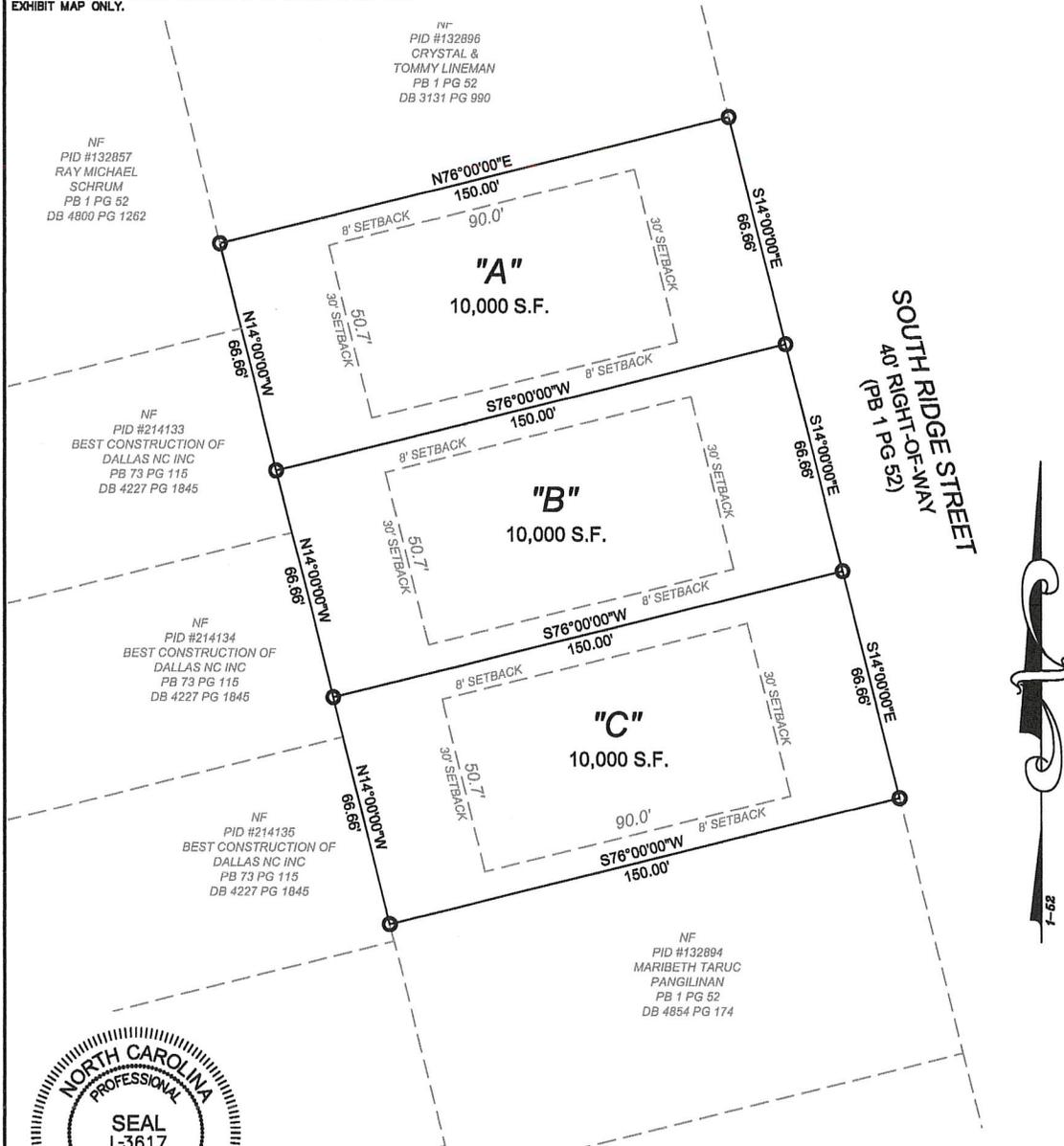
7. UNLESS SIGNED AND SEALED, THIS MAP IS NOT FOR SALES AND/OR
 CONVEYANCES AND IS NOT INTENDED TO BE RECORDED. THIS IS AN
 EXHIBIT MAP ONLY.

LEGEND

--- LINES NOT SURVEYED
 R/W.....RIGHT OF WAY
 O#4 REBAR OR AS DESCRIBED



****SUPERINTENDANT TO
 VERIFY ALL DIMENSIONS
 PRIOR TO CONSTRUCTION**



THIS IS AN EXISTING PARCEL OF LAND WITHIN A MUNICIPALITY
 THAT REGULATES PARCELS OF LAND.

I CERTIFY THAT THIS MAP DRAWN UNDER MY
 SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY
 SUPERVISION (DESCRIPTION RECORDED IN DEED BOOK 4317 PAGE 2310);
 THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM
 INFORMATION IN PLAT BOOK 1, PAGE 52; THAT THE RATIO OF PRECISION
 OR POSITIONAL ACCURACY IS 1:1,000; AND THAT THIS MAP MEETS
 THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND
 SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600). THIS 19th DAY OF
 JUNE, 2019.

PRELIMINARY

REGISTERED LAND SURVEYOR

REGISTRATION # L-3617

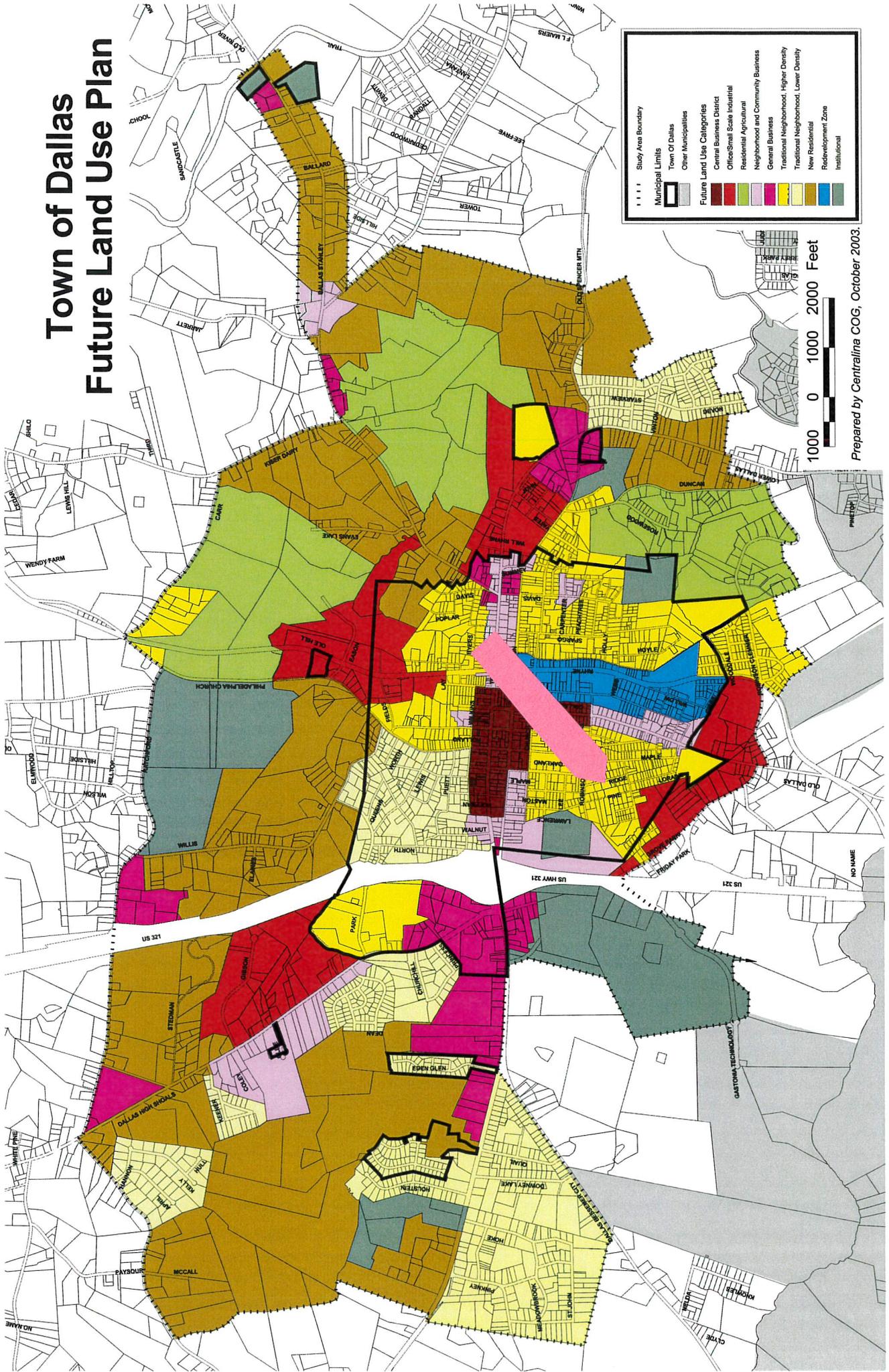
PRELIMINARY REZONING EXHIBIT
 OF
LOTS 16-23 BLOCK "A"
SOUTH RIDGE STREET
 DATE: 19 JUNE 2019 SCALE: 1"= 40'
 DALLAS, NORTH CAROLINA
 PROPERTY OWNER: HERITAGE BUILDERS & DEV. LLC
 P.O. BOX 566
 CHERRYVILLE, NC 28021-0566

SURVEY BY:
 3556A CENTRE CIRCLE
 FORT MILL, SC 29715
 (844) 865-5263



C-4291

Town of Dallas Future Land Use Plan



Prepared by Centralina COG, October 2003.



TEXT AMENDMENT CONSISTENCY STATEMENT

The proposed rezoning of Parcel ID# 132895 on S Ridge St from R-8 to R-6 consistent with the 2003 Future Land Use Plan's designation as traditional neighborhood-higher density, and the allowable uses and lot sizes in this proposed zone would ensure the preservation of neighborhood character of this area while protecting from encroachment of incompatible business and industrial uses. This rezoning request is therefore deemed reasonable and in the public's best interest in order to maximize the site for future single-family development, while protecting the overall character and appearance of the Town.

Glenn Bratton, Planning Board Co-Chairman

Date

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Annexation Request- Ollie Way

AGENDA ITEM NO. 8B

MEETING DATE: 7/18/2019

BACKGROUND INFORMATION:

NVR, Inc. and Katie Summey, owner of PID#170057 (no address assigned), is petitioning for annexation into the Town of Dallas for the development of a single family residential subdivision. This parcel is considered contiguous.

The parcel is currently located outside of Town of Dallas zoning, but is adjacent to R-10 single family residential, and is part of the 2003 Future Land Use Plan. The 2003 Future Land Use Plan highlights this specific parcel for Neighborhood and Community Business, but adjacent parcels are marked for new residential development.

The developer desires to request annexation into Town limits into the R-6 Cluster Overlay District (CDO). This zone, if approved, will require a conditional use permit (to be submitted at a later date) for all planned development activities to assure that the use in the proposed location will be consistent with the intent of the standards established in our ordinances.

On July 9th, the Board of Alderman requested the Development Services Director to determine the sufficiency of the applicant's annexation request per 160A-31.

All changes to our current land use map require the approval of a consistency statement. This statement, if approved, will accompany the applicant's petition for annexation being considered.

STAFF RECOMMENDATION:

BOARD ACTION TAKEN:

TOWN OF DALLAS, NORTH CAROLINA

PETITION FOR ANNEXATION

PETITION NUMBER: _____

Contiguous

Non-Contiguous

DATE: 6/24/19

FEE: \$100.00 *

** Petitioner understands there will be additional costs associated with this petition such as advertising, postage, etc. and agrees to pay these fees upon receipt of invoice(s).*

Current Property Use: R-1 Planned Property Use: Single Family

Requested Zoning: Single Family R-6 CDO Residential Single Family Cluster Overlay District

To the Board of Aldermen of the Town of Dallas:

We, the undersigned owners of real property, respectfully request that the area described as

Legal Description	Subdivision Name	Block	Lot	Deed Book	Deed Page
13 080 005 00 000					

, DALLAS, NC 28034, further identified as

parcel ID # 170057, be annexed to the Town of Dallas.

Name of petitioner/property owner: Petitioner: Nicole Frambach, NVR, INC.
Frances Summey Kirby and Samuel Thomas Summey

Mailing Address of property owner: Frances: 212 Whiteoaks Circle, Bluffton, SC 29910
Samuel: 103 Gordon Drive, Flat Rock, NC 28731

Email Address: Nframbac@nvrinc.com Phone Number: 704-887-3075

Attachments included with Petition:

1. Legal description (as noted in property deed)
2. Letter outlining reasons for annexation request
3. \$100 Fee

Applicant Signature: _____ **Date:** _____

Received By: _____ **Date:** _____



Welcoming families home
for over 65 years.

June 26, 2019

Tiffany Faro
Town of Dallas
210 N Holland St.
Dallas, NC 28034

RE: Summey Property – Dallas, NC

Dear Tiffany,

Please find attached the Annexation Application signed by the Sellers of parcel 170057, a copy of the \$100 check for the application fee, a preliminary master plan, preliminary phasing and an estimation of renderings based on our current product assumptions for the community.

Based on current yield calculations by Bohler Engineering, we are estimating that Phase 1 will entail roughly 100 lots. We estimate that upon delivery of our model lot, this should take approximately two years to sell through at 50 lots per year. Upon the completion of Phase 1, we would anticipate already having Phase 2 developed and ready for construction to continue seamlessly from one Phase to the next and continue as such as we move into the additional phases per the attached plan with a rough estimation of 2 years between the site development of each phase.

To achieve the yield and absorption that we estimate for this community, we anticipate building our Simply Ryan single family detached product on Phase 1 and bringing in our Lifestyle age targeted single family detached product into Phase 2. As we develop these two product lines, internally our objective is to do so in a way in which these two products generally act as their own separate communities while coming together to share the benefits of any amenity and any fire access requirements. To achieve this, we will continue to work closely with all interested departments from the Town of Dallas and Gaston County where applicable to determine the community needs during the site planning process.

If approved, we see this community as a basis for growth in tandem with the Apple Creek Business Park to allow for safe and affordable housing in close proximity for this growing employment base. With the forthcoming growth over those planned 318 acres, companies will find comfort in knowing that their investment in this Town is not the only one. This community will allow a coming together across age ranges to allow families with differing needs to be in the same area. This community will allow workers to come home to the Town of Dallas and reinvest in the economic growth of the area.

It is our plan to focus on these first 30 acres and 100 units with the intention of obtaining consent and creating a development plan for an additional 180 acres that will eventually be annexed and rezoned to become additional phasing of this community. As I obtain those approvals, I will be able to share more

information on the exact parcels, phasing and timing as it relates to this Phase 1 opportunity. In the meantime, I seek your consideration for the annexation and rezoning of parcel 170057 for the construction of single family detached residential units.

I appreciate your time for review and consideration of this request and am glad to share what I have available in regard to more information on this proposed development.

Thank you,

A handwritten signature in black ink, consisting of a series of connected loops and peaks, resembling a stylized 'N' or 'M'.

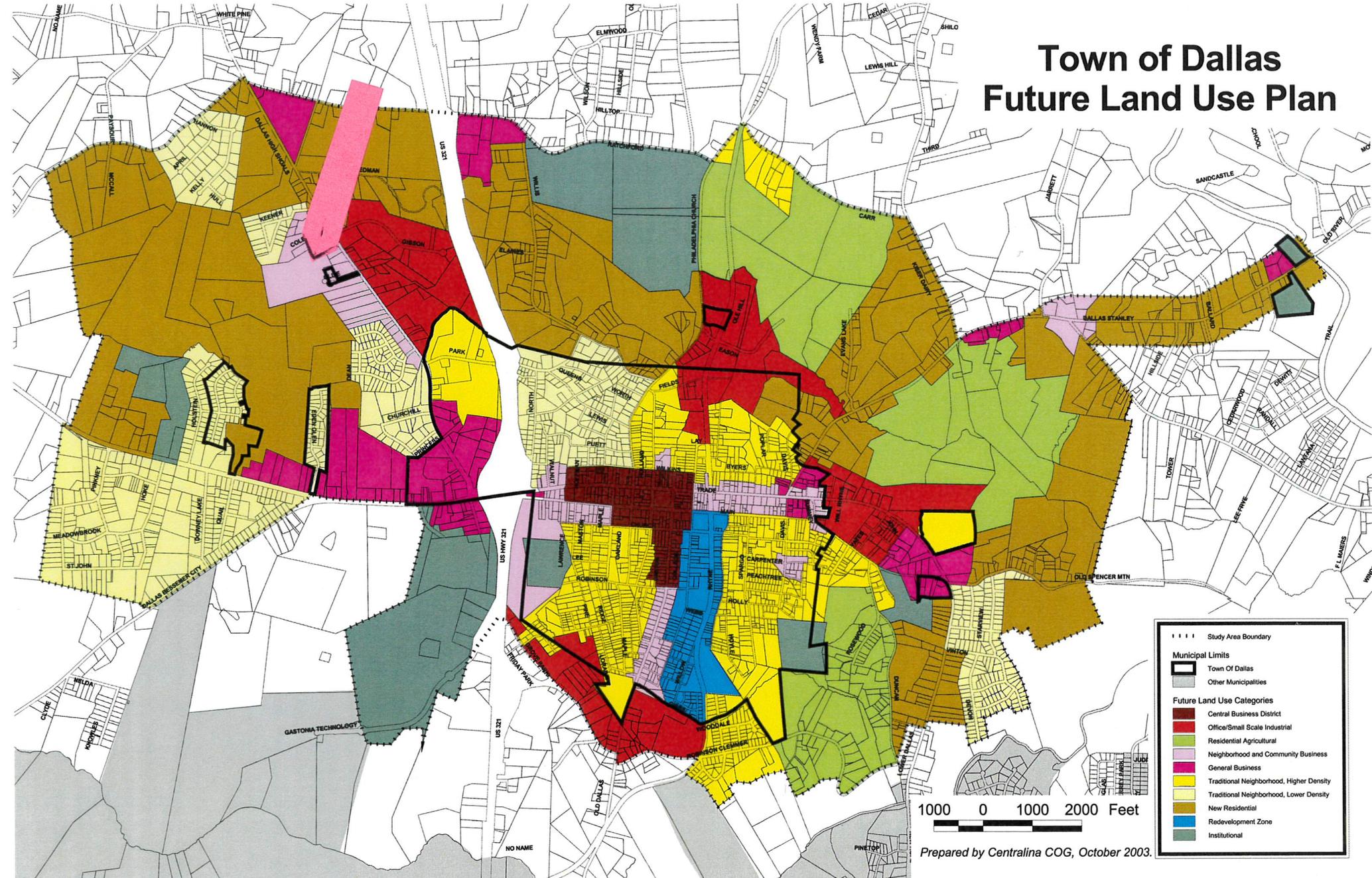
Nicole Frambach

Land Manger, NVR, Inc.





Town of Dallas Future Land Use Plan



1000 0 1000 2000 Feet

Prepared by Centralina COG, October 2003.

[Print](#)

Dallas, NC Code of Ordinances

§ 153.025 CLUSTER DEVELOPMENT OVERLAY DISTRICT.

A cluster development is a special use designed to allow for non-conventional developments, and mixed-use developments. The requirements for the cluster development are as follows.

- (A) Cluster developments are by conditional use permit only.
- (B) A cluster development may be developed in any residential, business or commercial zone in the town.
- (C) A minimum of five lots is required.
- (D) A lot size exemption of 75% of the minimum lot size for the zone the cluster development is to be utilized is allotted; all other requirements for that zone will apply.
- (E) Uses shall be limited to single- family detached dwellings, and related accessory uses, as described by the zoning district the development is in.
- (F) The maximum number of potential lots that may be created shall be computed by subtracting 20% of the gross area (an allowance for street right-of-ways) and by dividing the remainder by the minimum lot area requirements for the zoning district in which the development is located. This section shall apply regardless of the amount of land actually required for streets.
- (G) An amount of land at a minimum equal to the amount of reduction in lot size as determined by division (D) above shall be placed as open space within the development and each lot shall have direct access by right-of-way or easement to such open space. Such open spaces shall be held in nonprofit, corporate ownership by the owners of the lots within the development. In consideration of the purposes served by a cluster development, the title to such open space shall be preserved to the perpetual benefit of the private properties in the development and shall be restricted against private ownership for any other purposes. Twenty percent of the open space must have improvements. As an option, where the Board of Aldermen agrees, such open space may be dedicated to the town for public benefit.

(Ord. passed 8-14-2007)

§ 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.*
 - (1) Any use permitted in the R-15, R-12 and R-10 zones.
 - (2) Multiple dwellings.
 - (3) Trailer camps.
 - (4) Fraternities associated with a recognized junior or senior college.
 - (5) Customary home occupations.

(6) Manufactured/mobile homes. Must be Class A, and located in the R-6 zone only within approved mobile home parks or subdivisions.

(7) Adaptive reuse of historic building (this is subject to the issuance of a conditional use permit by the Board of Alderman in accordance with § 153.015.

(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.

(Ord. passed 11-3-1970; Am. Ord. passed 7-3-1972; Am. Ord. passed 11-13-2001; Am. Ord. passed 10-9-2018)

Cross reference:

Sign regulations schedule, see Appendix D

APPENDIX A: YARD AND HEIGHT REQUIREMENTS FOR RESIDENTIAL DISTRICTS

Zone	Minimum Lot Area (Sq. Ft.)	Minimum Lot Area Per Dwelling Unit (Sq. Ft.)	Minimum Lot Width (In feet)	Minimum Front and Rear* Yard Depth (In feet)	Individual Minimum Side Yard Depth (In feet)	Minimum Side Yard Depth (In feet)*	Maximum Building Height
R-15	15,000	15,000	100	45	15	15	35 feet
R-12	12,000	12,000	90	40	12	12	35 feet
R-10	10,000	10,000	80	35	10	10	35 feet
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
RMF		15,000 1st unit 3.500 additional		45	45	45	35 feet

		unit each				
* 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)						

(Ord. passed 11-3-1970; Am. Ord. passed 7-3-1972; Am. Ord. passed 10-11-2016)

TEXT AMENDMENT CONSISTENCY STATEMENT

The proposed annexation of Parcel ID# 170057 into Town limits as R-6 Cluster District Overlay is technically inconsistent with the 2003 Future Land Use Plan's map designation as neighborhood and community business, however, this petition is deemed reasonable and in the public's best interest as this lot abuts land designated for new residential development, supports an increased demand for housing in light of Dallas' current and anticipated growth, and aligns with the 2003 Land Use Plan's recommendation for new residential to be clustered so as to preserve open space and heighten pedestrian accessibility.

Glenn Bratton, Planning Board Co-Chairman

Date