# **Town of Dallas**

# Agenda

# March 8, 2022

### 6:00 PM

# **BOARD OF ALDERMEN**

# Rick Coleman, Mayor

Sam	Martin		Frank Milton
Darle	ene Morrow	Jerry Cearley, Mayor Pro-Tem	E. Hoyle Withers
<u>ITEM</u>	SUBJECT		Page
1.	Invocation and Pledge	of Allegiance to the Flag	
2.	Approval of Agenda v	vith Additions Or Deletions	
3.	<b>Approval of Minutes</b>		
	A. February 8th Regula	ar Meeting, February 22 <sup>nd</sup> Work Session, an	d February 28th Strategic
	Planning Meeting		2
4.	<b>Recognition of Citizen</b>	s: Time set by Mayor	
	A. SHARP Awards Pre	sentation	
5.	Consent Agenda (to be	e acted on collectively, unless removed for t	further discussion)
	A. Budget Amendmer	t for Economic Development	10
	B. Budget Amendmer	t Accepting SCIF Grant	13
6.	Public Hearings		
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	A. Easter Egg Hunt Sp	ecial Event Application	66
	B. Promised Land 5K	Special Event Application	73
9.	Manager's Report		
10.	Closed Session: To dis	cuss matters relating to the location or exp	ansion of industries or
	other businesses in the	e area served by the public body. NCGS §14	<del>1</del> 3-318.11(4)

### MINUTES FOR BOARD OF ALDERMEN MEETING

#### February 8th, 2022

#### 6:00 PM

The following elected officials were present: Mayor Coleman, Alderman Cearley, Alderman Milton, Alderman Martin, Alderman Withers, and Alderwoman Morrow.

The following staff members were present: Maria Stroupe, Town Manager; Nolan Groce, Development Services Director; Earl Withers, III, Fire Chief; Sarah Hamrick, Town Clerk; Jonathan Newton, Finance Director; Robbie Walls, Police Chief; Bill Trudnak, Public Works Director; Doug Huffman, Electric Director; Brian Finnegan, Planner; and Tom Hunn, Town Attorney.

Mayor Coleman called the meeting to order at 6:00pm.

Mayor Coleman opened with the Invocation and the Pledge of Allegiance to the Flag.

#### Approval of Agenda:

Alderman Cearley made a motion to set the night's agenda, seconded by Alderman Milton, and carried unanimously.

#### **Approval of Minutes:**

Alderman Martin made a motion to approve the minutes from the January 11<sup>th</sup> Board of Aldermen Meeting. Alderwoman Morrow seconded the motion and it was carried unanimously.

#### **Recognition of Citizens:**

The Mayor opened the floor to the Recognition of Citizens. There was no response.

#### Consent Agenda:

Item 5A Proclamation of Black History Month

Black History Month is an annual celebration of achievements by black Americans and a time for recognizing the central role of African Americans in U.S. history. The event grew out of "Negro History Week", the brainchild of noted historian Carter G. Woodson and other prominent African Americans. President Gerald R. Ford officially recognized Black History Month in 1976, calling upon the public to 'seize the opportunity to honor the too-often neglected accomplishments of black Americans in every area of endeavor throughout our history". Since 1976, every U.S. president has officially designated the month of February as Black History Month. Other countries around the world, including Canada and the United Kingdom, also devote a month to celebrating black history. A proclamation is attached recognizing February as Black History Month (Exhibit 5A-1). Alderman Milton thanked the Staff for creating the Proclamation and read it aloud to those in attendance.

Item 5B Budget Amendment to Accept and Appropriate NCLM Safety Grant Award

The Dallas Police Department applied for, and received, the North Carolina League of Municipalities (NCLM) Safety Grant. This grant is a 50/50 match for projects or items that improve the safe operations of local governments.

The Police Department proposed to upgrade the outdoor lighting at the Police Department building to enhance safety around the building at night. The scope of work is to include:

Removing 8 existing wall fixtures and replacing them with new 5000K LED fixtures.

Removing 3 existing recessed light fixtures at the front entrance and replacing them with new 5000K LED fixtures.

The total cost of the project is \$3,270.00. NCLM will cover 50% of the cost, or \$1,635.00. Attached is a budget amendment accepting the grant funds from the NCLM and appropriating for the expense of the lighting upgrade project (Exhibit 5B-1). Alderman Milton made a motion to approve the Proclamation and the Budget Amendment, seconded by Alderman Cearley and carried unanimously.

#### **Public Hearings:**

There were no Public Hearings scheduled.

#### **Old Business:**

There was no Old Business to conduct.

#### **New Business:**

Item 8A Historic Boundary Increase

In March 2018, the Board of Aldermen approved a CLG grant application to complete an architectural resurvey of Dallas' National Historic District. Through this process, Dallas also received a CLG grant to pursue a National Historic District Boundary Increase. On January 18<sup>th</sup>, a public information meeting was held with consultant Dan Pezzoni and the State Historic Preservation Office (SHPO). Attached are maps outlining the current district boundary and the proposed increased boundary, along with a timeline of the process (Exhibit 8A,1-3). This was informational only and no motion was made.

Item 8B Special Events Request-TSMI, Inc.

A Special Events Application has been received from Tim Sutton Ministries International, Inc. to hold a Spring Family Fun Fest May 18, 19, and 20, 2022 from 6:00 pm to 9:00 pm on the Court Square. This event would be open to the public and would include live music and free gifts. They are not requesting any road closures, but are requesting trash receptacles and use of power. Anticipated attendance would be 200+ per night. Attached is the application for review, as well as flyers used to publicize previous events held by this organization (Exhibit 8B, 1-7). The Board agreed that the event should be for only one day and the applicant can choose which location in

Town that they want to hold the event. Alderman Cearley made a motion to approve the application, seconded by Alderwoman Morrow, and carried unanimously.

Item 8C Special Events Request-Off the Streets Program, Inc.

A Special Events Application has been received from Off the Streets Program, Inc. to hold a Hygiene for the Homeless Annual Bike Show 2022 on Saturday, June 4, 2022 from 10:00 am to 1:00 pm the 100 block of N. Holland St. The event would be open to the public and would include live music, a motorcycle show, and possibly vendors. The purpose of the event is to raise awareness of the emerging opioid epidemic and its effects on the community. Hygiene products will be collected for the homeless population. They are requesting that the 100 block of N. Holland St. be closed from 8:00 am until 2:00 pm. They are also requesting 10 trash receptacles and use of power. Estimated attendance would be 500. The application is attached for review (Exhibit 8C, 1-5). Alderman Milton made a motion to approve the event, seconded by Alderman Cearley, and carried unanimously.

Item 8D Special Events Request-Dallas Minister's Association

A Special Events Application has been received from the Dallas Minister's Association to hold a Dallas Hope event on Sunday, May 15, 2022 (rain date of May 22, 2022) from 5:00 pm to 7:30 pm at Cloninger Park. The event would be open to the public and would include live music and possibly food trucks. The purpose of the event is to hold a community worship service and time of community fellowship. They are requesting trash receptacles and use of power. There are no road closures requested. Attendance is estimated to be 200+. The application is attached for review (Exhibit 8D, 1-6). Alderman Cearley mad a motion to approve the event, seconded by Alderman Martin, and carried unanimously.

Item 8E Gaston County Intergovernmental & Interagency Task Force on Homelessness

In May of 2021, an Intergovernmental and Interagency Task Force on Homelessness in Gaston County (Task Force) was formed. The Task Force was comprised of representatives from local government and area agencies in order to determine the challenges and gaps associated with addressing homelessness in Gaston County. Dallas' representative on the Task Force was Town Manager, Maria Stroupe. The Task Force met monthly through November 2021 and through their work developed a report identifying challenges, focus areas, and recommendations for immediate action.

Recommendations for immediate action were:

- Accept the Task Force Written Report
- Provide short-term emergency housing assistance for Gaston County residents facing housing insecurity as a result of the COVID-19 pandemic (\$250,000)
- Task the County Manager to establish a County-wide Homelessness Prevention Committee
  - Pursue long-term public-private partnerships to fund affordable housing development

The County Board of Commissioners voted on January 11, 2022 to accept the report and approved the recommendations as presented. More information will be forthcoming as action is taken on the recommendations (Exhibit 8E-1). This was for informational purposes only and no motion was made.

Item 8F Audit Report for FY 20-21

A representative with the Lowdermilk-Church Audit Firm presented the audit for the 20-21 fiscal year. Alderman Cearley made a motion to approve the audit, seconded by Alderman Martin, and carried unanimously.

#### Manager's Report:

Ms. Stroupe informed the Board of up-coming events.

#### **Closed Session:**

At this time, Alderman Withers made a motion to go into Closed Session, seconded by Alderman Cearley, and carried unanimously (7:31).

No action was taken. Alderman Milton made a motion to go out of Closed Session, seconded by Alderman Cearley, and carried unanimously.

Alderwoman Morrow made a motion to adjourn the Board of Aldermen Meeting, seconded by Alderman Cearley, and carried unanimously (8:52).

Rick Coleman, Mayor	Sarah Hamrick, Town Clerk

#### MINUTES FOR BOARD OF ALDERMEN WORK SESSION February 22, 2022 5:00 PM

The following elected officials were present: Mayor Coleman, Alderman Cearley, Alderwoman Morrow, Alderman Milton, Alderman Withers, and Alderman Martin.

The following Staff members were present: Maria Stroupe, Town Manager; Nolan Groce, Development Services Director; Sarah Hamrick, Town Clerk; Robbie Walls, Police Chief; Jonathan Newton, Finance Director; Bill Trudnak, Public Works Director; Doug Huffman, Electric Director; Brian Finnegan, Planner; and Brandon Whitener, Recreation Director.

Mayor Coleman called the meeting to order at 5:00 pm.

The Mayor then opened with the Pledge of Allegiance to the Flag.

At this time, the Mayor asked if there were any changes to be made to the agenda. Alderman Cearley motioned to approve the agenda as presented, seconded by Alderman Withers, and carried unanimously.

#### **New Business:**

Item 3A Road Signs for Alder Ridge Subdivision

At the December 14, 2021 Board of Aldermen Meeting, Ms. Dufour of 2021 Red Leaf Court requested that the Board consider placing "Children Playing" and "Speed Limit" signs on her street in the Alder Ridge Subdivision. The Board requested that a discussion be held at the January work session on this topic. The January work session was cancelled due to lack of a quorum. The Board discussed to have the Street Department put up speed limit and children at play signs at the front entrance of the Subdivision.

### Item 3B Public Attendance at Board Meetings

For the last several months, as numbers were increasing at alarming rates, public attendance at Board meetings and work sessions have been limited to virtual access only in the interest of public safety. Over the last few weeks, COVID-19 numbers are dropping in both Gaston County and North Carolina. This discussion will determine whether to reopen Board meetings and work sessions to the public, under what conditions to reopen, and a timetable for reopening. The Board discussed, for the next month to limit the number of in-person attendance, continue to check temps, and make mask optional (Exhibit 3B, 1-8).

# Item 3C Zoning Map Amendment-River Rock Capital Partners

A Zoning Map Amendment (rezoning) application was submitted by authorized agent Sean Cullen, on behalf of the property owners of Gaston County Parcels # 171277, 171214, and 306161. The request is to Conditionally Rezone the property from B-2, Highway Business, to CD R-6, Multi-Family, for the development of a 99-unit, ranch-style apartment complex. A

detailed staff report, as well as proposed conditions and allowances, are provided in the agenda packet. Representatives from River Rock Capital presented the Board with slides and information concerning the zoning (Exhibit 3C, 1-13).

### Item 3D Davis Hills Preliminary Plat

A subdivision permit application and construction drawings were received August 5, 2021 by Shaun Gasparini. The subdivision, known as Davis Hills, is located off of Dallas Stanley Highway and consists of 87 single family detached lots. Staff has reviewed several submittals for the Davis Hills Subdivision and are ready to give conditional approval. The project construction drawings meet industry standards, as well as zoning conditions of approval. This project is a major subdivision, 50+ homes, and requires preliminary plat approval from the Board of Aldermen. At their December 2021 meeting, the Planning Board unanimously recommended approval of the preliminary plat. Once the preliminary plat is approved and all necessary approvals are received, the developer can begin site work (Exhibit 3D, 1-12).

# Item 3E Text Amendment Request-Parking

A Petition for Text Amendment was submitted October 25, 2021 by Denis Blackburne with Woda Cooper Development, Inc. The requested change is to §153.042 Off Street Parking Requirements, to reduce the minimum required parking spaces for affordable housing developments from 2 parking spaces per dwelling unit, to 1.75 spaces per dwelling unit. Affordable housing is defined as developments financed by Low Income Housing Tax Credits (LIHTC) allocated by the NC Housing Finance Agency. After reviewing the request, Staff also recommended the requested parking reduction also apply to age-restricted housing and dwellings in multi-family projects reserved for low to moderate income (LMI) persons. The Planning Board reviewed the text amendment at their November 18, 2021 meeting. After discussion of the requested text amendment, recommended approval of the text amendment as presented with the consistency statement provided by staff (Exhibit 3E, 1-4).

# Item 3F Text Amendment Request -Permitted Uses Chart

A Petition for Text Amendment was submitted November 19, 2021 by James Melvin IV. The request is to Chapter 153, Zoning Code, Appendix C: Permitted Uses Chart. The petitioner requests the use of "event venue" be added as a special use in the B-3: Central Business, Zoning District. Staff recommends expanding the request to add "event venue" as a special use in the B: Central Business, B-3P: Central Business Perimeter, B-2: Highway Business, and B-1: Neighborhood Business Zoning Districts. After review and discussion, the Planning Board also included the I-2 District in the text amendment. The text amendment request was unanimously recommended for approval by the Planning Board at their December 2021 meeting.

Add "event venue" as a special use gives the Town greater discretion and consideration of the use's location, design, and methods of operation to address the impacts of the proposed use and surrounding development. A special use permit must be approved by the Board of Adjustment prior to Town Staff issuing permits. All Zoning text amendment approvals must reference or

include a statement of plan consistency. A draft consistency statement has been provided (Exhibit 3F, 1-4). The Board discussed to vote at the Public Hearing in March.

Item 3G Text Amendment Request-Height in Residential Districts

Appendix B: YARD AND HEIGHT REQUIREMENTS FOR BUSINESS DISTRICTS has an allowance "D" which states: "Buildings used wholly or in part for residential purposes 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." The Planning Board reviewed this allowance and considered it for inclusion in Appendix A: YARD AND HEIGHT REQUIREMENTS FOR RESIDENTIAL DISTRICTS at their November and December 2021 regular meetings. After discussion and modification to the language, the text amendment was unanimously approved. The proposed text amendment is attached, along with neighboring jurisdictions' height requirements for comparison (Exhibit 3G, 1-9).

Alderwoman Morrow made a motion to adjourn, seconded by Alderman Cearley, and carried unanimously (6:03).

Rick Coleman, Mayor	Sarah Hamrick, Town Clerk

#### MINUTES FOR BOARD OF ALDERMEN STRATEGIC PLANNING MEETING February 28, 2022 12:00 PM

The following elected officials were present: Mayor Coleman, Alderman Cearley, Alderwoman Morrow, Alderman Milton, Alderman Withers, and Alderman Martin.

The following Staff members were present: Maria Stroupe, Town Manager; Nolan Groce, Development Services Director; Robbie Walls, Police Chief; Jonathan Newton, Finance Director; Bill Trudnak, Public Works Director; Doug Huffman, Electric Director; Earl Withers, Fire Chief; and Brandon Whitener, Recreation Director.

Mayor Coleman called the meeting to order at 12:00 pm and made opening remarks concerning the upcoming budget process.

Ms. Stroupe went over current budget information and cost increases that are being experienced by Dallas due to rising inflation that will impact the FY 2022-23 budget.

Discussion was held concerning priorities in employee compensation, equipment purchases, and potential projects. These discussions provide the framework for the Finance Director and Town Manager to form a proposed FY 2022-23 budget.

The meeting was adjourned at 3:25 pm.

Rick Coleman, Mayor	Sarah Hamrick, Town Clerk

# TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION					
DESCRIPTION: Economic Development Funding Budget Amendment					
AGENDA ITEM NO. 5A MEETING DATE: 3/8/2022					
BACKGROUND INFORMATION:					
In FY2013 the Economic Development Fund was established and a formula approved to contribute monies from the Electric Fund to the Economic Development Fund in a consistent manner.					
Attached is the funding calculation for FY2022, based on the approved audit for FY2021.					
MANAGER RECOMMENDATION: Approve the budget amendment, as presented.					
BOARD ACTION TAKEN:					

# Economic Development Funding Calculation FY 2021-22

Approved Revenue Budget (FY 21-22)	\$8,330,248.00	**Less Electric Sales Tax and Coal Ash
(Less-) Budgeted General Fund Transfer	\$895,733.00	-
Sub-Total	\$9,225,981.00	
40% of Sub-Total	\$3,690,392.40	
Unrestricted Net Position (FY 20-21)	\$4,789,079.00	
(Less-) 40% of Sub-Total	(\$3,690,392.40)	
Available Funds	\$1,098,686.60	•
12.5% of Available Funds	\$137,335.83	

# **Town of Dallas Budget Amendment**

Date:

March 8, 2022

Action:

Electric Department

Purpose: To Appropriate Funds for Economic Development Funding per Policy

Number:

EL-002

Fund	Dept	Line Item	Item Description	Original Amount	Amended Amount	Difference
30	3999	0000	Fund Balance Appropriated	\$173,141	\$310,477	\$137,336
30	8500	9315	Contrib to Economic Dev	\$0	\$137,336	\$137,336
33 33	3900 8500	0000 7500	Contribution From Elec. Fund CO: Land, Construction	\$0 \$282,604	\$137,336 \$419,940	\$137,336 \$137,336

# TOWN OF DALLAS, NORTH CAROLINA

#### REQUEST FOR BOARD ACTION

DESCRIPTION: SCIF Grant Budget Amendment	
AGENDA ITEM NO. 5B	MEETING DATE: 3/8/202

#### BACKGROUND INFORMATION:

In the 2021 Appropriations Act (SL-2021-180) approved by the North Carolina General Assembly, the Town of Dallas was appropriated a \$100,000 State Capital and Infrastructure Fund (SCIF) Directed Grant as follows: "Provides a grant to the Town of Dallas for repairs and renovation of downtown facilities.". This is a direct grant that does not require any matching funds.

All required documentation, policies, planned scope of work, and estimated budget have been submitted to the NC Office of State Budget and Management (OSBM). Subsequently, OSBM generated a SCIF Grant Agreement that has been signed and executed by both the Town and OSBM.

The planned use of the SCIF grant funds is to assist toward the cost of renovating 208 N. Holland St. for the purpose of moving the Development Services Department into that building. This move will facilitate the functions of the Development Services Department, enhance their ability to interact with potential and/or current businesses and developers, and support growth in Dallas.

Attached is a budget amendment to accept the grant funds and appropriate them for the stated use.

MANAGER RECOMMENDATION: Approve the budget amendment, as presented.

**BOARD ACTION TAKEN:** 

# **Town of Dallas Budget Amendment**

Date:

March 8, 2022

Action:

**Development Services** 

Purpose: To Accept and Appropriate SCIF Grant Funds to Renovate 208 N. Holland St.

Number:

ED-001

		Line		Original	Amended	
Fund	Dept	Item	Item Description	Amount	Amount	Difference
90	3390	0000	Grant Revenue (SCIF)	\$0	\$100,000	\$100,000
90	9000	0400	Professional Service	\$0	\$12,000	\$12,000
90	9000	3500	Furnishings	\$0	\$8,000	\$8,000
90	9000	7500	Cap Outlay: Construction	\$0	\$80,000	\$80,000

# TOWN OF DALLAS, NORTH CAROLINA

#### REQUEST FOR BOARD ACTION

DESCRIPTION: Resolution Designating 5.25 acres for Economic Development Purposes

AGENDA ITEM NO. 6A

MEETING DATE: 3/8/2022

# **BACKGROUND INFORMATION:**

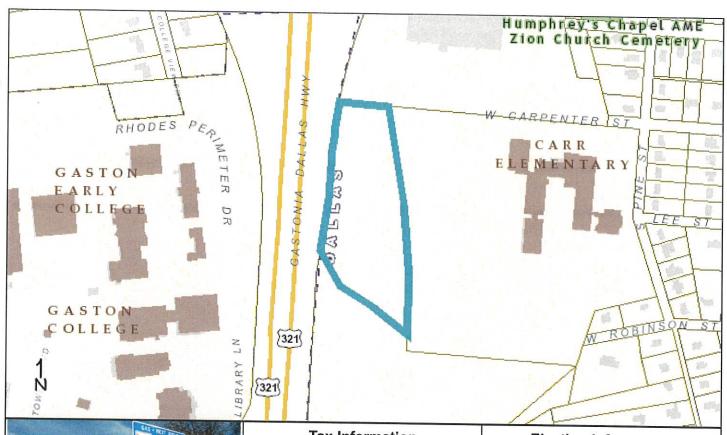
Pursuant to the provisions of NCGS §158-7.1, the Town is considering designating property owned by the Town of Dallas to be held for economic development purposes.

The property consists of 5.25 acres, No Assigned Address, located adjacent to US Hwy 321 and Carr Elementary School. The property was donated to the Town on or about December 30, 2008. The property is to be held to expand, enhance, and develop business prospects in the Town of Dallas. The Town believes this designation will stimulate the local economy, increase taxable property, increase the business prospects of the Town, and will likely have a significant effect on said prospects.

Attached is a resolution outlining the Town's desire to designate this parcel to be held for Economic Development and/or Community purposes.

MANAGER RECOMMENDATION: Approve the resolution to designate 5.25 acres of Townowned property to be held for economic development and/or community development purposes, as presented.

**BOARD ACTION TAKEN:** 





# **Primary Property Address**

NO ASSIGNED ADDRESS

#### Tax Information

PARCEL #: 212805 PIN #: 3547758841

**CURRENT OWNERS: DALLAS TOWN OF** MAILING ADDRESS: 210 N HOLLAND ST,

DALLAS, NC 28034-1625

NBHD #: DA029

NBHD NAME: CAROMONT W TRADE TOWNSHIP: DALLAS TOWNSHIP LEGAL DESC: . 13 090 004 00 000

#### **Tax Information**

**DEED BOOK: 4442 PAGE: 0783** 

**DEED RECORDING DATE: 12/30/2008** 

**SALES AMOUNT: \$0** PLAT BOOK: PAGE: STRUCTURE TYPE: YEAR BUILT: 0 VACANT: IMPROVED

**SQUARE FOOTAGE:** 0

BASEMENT: NO

BED: 0 BATH: 0 HALF-BATH:

MULTI-STRUCTURES: NO

ACREAGE: 5.25

TAX DISTRICT: TOWN OF DALLAS **VOLUNTARY AG DISTRICT: NO** 

PROPERTY USE: EXEMPT

#### Tax Values

MARKET LAND VALUE: \$120,660 MARKET IMPR. VALUE: \$4,240 MARKET VALUE: \$124,900 FARM DISCOUNT: NO **EXEMPTION: YES** 

**TAXABLE VALUE: \$0** 

#### **Election Information**

PRECINCT NAME: DALLAS I

POLLING PLACE: HOLY COMUNION

LUTHERAN CHURCH

POLLING ADDRESS: 103 W. CHURCH ST

WARD #:

CONGRESS REPRESENTATIVE: TED BUDD

CONGRESSIONAL DISTRICT: 13 HOUSE REPRESENTATIVE: KELLY E. **HASTINGS** 

**HOUSE DISTRICT: 110** 

**SENATOR: KATHY HARRINGTON** 

**SENATE DISTRICT: 43** 

#### Parcel Information

CITY LIMITS: DALLAS

ETJ: NOT IN ETJ

POLICE DISTRICT: DALLAS

FIRE DISTRICT: DALLAS

FLOOD:

LOCAL WATERSHED: LONG CREEK

**CENSUS TRACT: 309.01** 

Disclaimer: The information provided is not to be considered as a legal document or description. The map & parcel data is believed to be accurate, but Gaston County does not guarantee its accuracy. Values shown are as of January 1, 2019. - Document created for printing on 3/1/2022

# Resolution Designating 5.25 Acres (No Address Assigned) for Economic Development and/or Community Development Purposes

WHEREAS; the property, known as Gaston County Parcel #212805, located at No Address Assigned, Dallas, North Carolina ("the property") was originally donated to the Town on or about December 30, 2008, and;

WHEREAS; the Town does not intend to use the property for Town purposes and the Town intends to hold he property from this day forward for Economic Development Purposes and/or Community Development Purposes; and;

WHEREAS; pursuant to N.C.G.S. 158-7:1 the property, specifically described below, is to be held for Economic Development Purposes and/or Community Development, and;

Beginning at a 1" pipe, said pipe being located South 48 degrees 28 minutes 55 seconds West a distance of 1722.13 feet from NC Grid Monument "Hopeman", "Hopeman" being located North 84 degrees 44 minutes 43 seconds West a distance of 2005 39 feet from NC Grid Monument Dallas ; thence running, adjoining the lands of the Gaston County Board of Education, Gaston County Deed Book 668 Page 438, South 09 degrees 32 minutes 28 seconds East a distance of 386:42 feet to a 1" pipe; thence continuing South 04 degrees 01 minutes 59 seconds East a distance of 299.65 feet to a rebar; thence continuing South 01 degrees 09 minutes 06 seconds West a distance of 224.27 feet to an iron pin set; thence three (3) new lines, dividing the lands of Advantage Investment Group LLC, Gaston County Deed Book 4087, Page 764, as follows: 1) North 51 degrees 29 minutes 34 seconds West a distance of 179,04 feet to an iron pint set; 2) North 58 degrees 40 minutes 41 seconds West a distance of 154 17 feet to an iron pin set; 3) North 29 degrees 17 minutes 47 seconds. West a distance of 158 80 feet to a rebar in the right-of-way of US Hwy #321, a control access highway; thence running with said right-of-way the following three (3) courses and distances: 1) North 08 degrees 59 minutes 27 seconds East a distance of 208.07 feet to a right-of-way monument; 2) North 03 degrees 52 minutes 39 seconds East a distance of 193.82 feet to a right-of-way monument; 3) an arc to the right with a radius of 2176.83 an arc length of 192.84, and a chord North 08 degrees 03 minutes 36 seconds East and a distance of 192.77 feet to a rebar; thence running, adjoining the lands of Ingles Markets Inc., Gaston County Deed Book 4297 Page 1969, South 85 degrees 27 minutes 06 seconds East a distance of 197.48 feet to the point and place of beginning. Parcel #212805 Deed Book 4442 Page 783

WHEREAS; the Town has duly authorized and the Board of Aldermen conducted a Public Hearing to consider whether to designate the property that will not be used by the Town located at No Assigned Address, Dallas, NC to be held for Economic Development Purposes, and/or Community Development Purposes, and;

WHEREAS; in the opinion of the Town of Dallas Board of Alderman this purposed designation of the property will stimulate the local economy, increase taxable property, and increase business prospects of the Town.

# Resolution Designating 5.25 Acres (No Address Assigned) for Economic Development and/or Community Development Purposes

NOW, THEREFORE BE IT RESOLVED, by the Board of Aldermen of the Town of Dallas, North Carolina, as follows:

That the Town of Dallas does not intend to use the property located No Address Assigned, Dallas, NC, specifically described below, for Town purposes. That said property located at No Address Assigned, Dallas, NC shall be held for Economic Development Purposes and/of Community Development.

No Address Assigned, Dallas NC property is specifically described as:

Beginning at a 1" pipe, said pipe being located South 48 degrees 28 minutes 55 seconds West a distance of 1722.13 feet from NC Grid Monument "Hopeman", "Hopeman" being located North 84 degrees 44 minutes 43 seconds West a distance of 2005,39 feet from NC Grid Monument; "Dallas"; thence running, adjoining the lands of the Gaston County Board of Education, Gaston County Deed Book 668 Page 438, South 09 degrees 32 minutes 28 seconds East a distance of 386.42 feet to a 1" pipe; thence continuing South 04 degrees 01 minutes 59 seconds East a distance of 299.65 feet to a rebar; thence continuing South 01 degrees 09 minutes 06 seconds West a distance of 224.27 feet to an iron pin set; thence three (3) new lines, dividing the lands of Advantage Investment Group LLC, Gaston County Deed Book 4087 Page 764, as follows: 1) North 51 degrees 29 minutes 34 seconds West a distance of 179.04 feet to an iron pint set; 2) North 58 degrees 40 minutes 41 seconds West a distance of 154.17 feet to an iron pin set; 3) North 29 degrees 17 minutes 47 seconds West a distance of 158 80 feet to a rebar in the right-of-way of US Hwy #321, a. control access highway, thence running with said right of way the following three (3) courses and distances: 1) North 08 degrees 59 minutes 27 seconds East a distance of 208.07 feet to a right-of way monument; 2) North 03 degrees 52 minutes 39 seconds East a distance of 193.82 feet to a right of way monument; 3) an arc to the right with a radius of 2176.83 an arc length of 192,84, and a chord North 08 degrees 03 minutes 36 seconds East and a distance of 192.77 feet to a rebar; thence running, adjoining the lands of Ingles Markets Inc., Gaston County Deed Book 4297 Page 1969, South 85 degrees 27 militates 06 seconds East a distance of 197 48 feet to the point and place of beginning Parcel #212805 Deed Book 4442 Page 783. The said property contains 5.25 acres.

Adopted this the 8th day of March, 2022.

Rick Coleman, Mayor

Attested by:

Sarah Hamrick, Town Clerk

# TOWN OF DALLAS, NORTH CAROLINA

# REQUEST FOR BOARD ACTION

DESCRIPTION: Zoning Map Amendment – Rive	er Rock Capital Partners
AGENDA ITEM NO. 6B	MEETING DATE: 3/8/2022
BACKGROUND INFORMATION:	
A Zoning Map Amendment (rezoning) application Cullen, on behalf of the property owners of Gasto 306161. The request is to Conditionally Rezone to CD R-6, Multi-Family, for the development of a 9	n County Parcels # 171277, 171214, and he property from B-2. Highway Business, to
A detailed staff report, as well as proposed conditing agenda packet.	ons and allowances, are provided in the
MANAGER RECOMMENDATION: Approve the	e Zoning Map Amendment, as presented.
BOARD ACTION TAKEN:	

# Staff Report

Zoning Map Amendment Request: 2021-05

Property Owners/Applicants: Mark & Pamela Huffstetler, Eric & Sheila Bumgarner

Authorized Agent: Sean Cullen, River Rock Capital Partners

Current Zoning: B-2, Highway Business

**Proposed Zoning: CD R-6** 

**Property Location:** Subject site is located in the area of 1302/1304 Dallas Cherryville Highway; West of the Walmart Neighborhood Market, East of Eden Glen, and North and East of North Gaston Church of God,

Gaston County Parcel ID: 171277, 171214, 306161

**Request:** The applicant is requesting a Conditional Rezoning for the development of a 99 dwelling unit multi-family site. The site features 33 buildings consisting of 3 attached ranch style units. While the community is 55+ age targeted, it is not age restricted.

**Staff Analysis:** The subject site consists of three parcels. Two of the existing parcels contain single family detached homes. One remains wooded area. Site conditions as follows:

- Existing stream running south to north on western side of the site
- Flood zone just north of the site
- Proposed connection to Dallas Cherryville Highway and Sunnyfield Ct.
- Dog Park and natural walking path proposed as on-site amenities

Town staff have had ongoing meetings and discussion with River Rock Capital Partners and Kimley Horn regarding the development of the subject site. Based on the proposed project, staff recommend the developer request a conditional rather than conventional rezoning. The project features a unique product that not does currently exist in Town – ranch style multifamily housing. The project would offer a unique living style for a variety of ages. Project includes sidewalks throughout the development, a dog park, landscaping buffers, street trees, and a natural walking trail.

**Traffic:** Trip generation has been provided based on the ITE Land Use – Multifamily Housing Mid-Rise (Apartments). 99 dwelling units are expected to generate 538 daily trips, 34 in the AM Peak hour and 44 in the PM Peak hour. Based on the trip generation, a Traffic Impact Analysis is not required for this project.

**Parking:** Two off-street spaces are required per dwelling unit. For this project, 198 spaces are required. Per the site plan, 202 parking spaces are provided. Based on vertical sections, the Mendoza plan offers one-car garages. During the PIM, the developer stated that interior units would have one-car garages and corner units would have two-car garages. This was confirmed during Planning Board review.

**Comprehensive Land Use Plan:** The proposed land use is inconsistent with the 2003 Comprehensive Land Use Plan's map designation as General Business. Abutting property to the north is identified as New Residential.

**Staff Recommendation:** The proposed conditional zoning district is the appropriate classification for a project of this nature and location. The proposal offers additional housing that is not currently available in Dallas. The site location allows convenient access to nearby amenities; while providing open space and internal amenities. Conditions should be agreed upon so that the proposal is a proper fit for the area. Appendix A has been provided by staff as the proposed conditions. Those listed have been agreed upon by the Town and Developer. The Planning Board unanimously recommended approval of the zoning map amendment.

#### **TOWN OF DALLAS**

# REZONING APPLICATION

Approximate northeast corner of Dallas Cherryville Hwy & Dallas Bessemer City Hwy Location of Property: (see parcel IDs and property owner addresses) 1. 171277 & PIN # 3547484093 Lot Size: 21.25 AC Current Zone/ Use: B-2 2. 171214 & PIN # 3547473323 Parcel ID# 3, 171212 & PIN # 3547481193 Mark & Pamela Huffstetler 2. Eric & Shella Bumgarner Name of Owner: 3. Eric & Shella Bumgarner 1. 1302 Dallas Cherryville Hwy, Dallas, NC 28034 2. 1304 Dallas Cherryville Hwy, Dallas, NC 28034 Address of Owner: 2. 1304 Dailas Ghonyviii Owner Phone #: 704-718-6199 Email: ReichungAente@reloud.com
704-913-5252 PAMSMONEY@CLARTER. NET 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 On the following described property: (Parcel IDs denoted above) , FURTHER IDENTIFIED AS PARCEL ID # \_\_\_\_\_\_. I certify that all the information provided in this application is accurate to the best of my knowledge, Information and belief. Signature of applicant ( **Development Services Director** Date

Rezoning Application Fee can be found on the Town of Dallas' fee schedule.

Checks to be made payable to the Town of Dallas.

# **TOWN OF DALLAS**

# **REZONING APPLICATION**

Location of Property:	Approximate northeast corner of (see parcel IDs and property ow	Dallas Cherryville i- ter addresses)	wy & Dalfas Bessemer City Hwy					
Lot Size: 21.25 AC	_ Current Zone/ Use: _	B-2	1. 171277 & PIN # 384748409; 2. 171214 & PIN # 384747332; Parce) ID# <u>3. 171212 &amp; PIN</u> # 354748 <u>1</u> 199					
Name of Owner: 2. Er	302 Dallas Cherryville Hwy, Dallas, N	C 28034 C 28034						
	718-6199 913-5252	Email:	ericbumgarner@ich smoweyocharter. Wet	ad. com				
recommend to the Da	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							
D*Z	_ to	_On the follow	ring described property:					
(Parcel IDs den	oted above) FUR	THER IDENTIF	IED AS PARCEL ID #					
I certify that all the info information and belief.	rmation provided in this a	pplication is acc	urate to the best of my knowledge,					
Signature of applicant			10-28-2021 Date					
Development Services	Director	·	Date					

Rezoning Application Fee can be found on the Town of Dallas' fee schedule.

Checks to be made payable to the Town of Dallas.

# ADJACENT PROPERTY OWNERS TO NOTIFY (This Section is for Staff Use)

Parcel ID#	Owner Name	Mailing Address		
3547471220	North Gaston Church of God	PO Box 1035, Dallas, NC 28034-1035		
3547378375	Angela Salgado	1400 A Dallas Cherryville Hwy, Dallas, NC 28034		
3547379605	Yvette Bessent/Harold Grier	1524 Eden Glen Dr, Dallas, NC 28034		
3547379715	Elizabeth McConnell	1528 Eden Glen Dr, Dallas, NC 28034		
3547379807	Tristan & Kelly Howsare	1532 Eden Glen Dr, Dallas, NC 28034		
3547389210	Jeffrey & Emily Comer	1124 Miles Rd, Dallas, NC 28034		
3547389652	Doris Baker/Daniel Sprenkle	1205 Springhill Ct, Dallas, NC 28034		
3547389983	Donna Thompson	1720 Eden Glen Dr, Dallas, NC 28034		
3547488847 3547493158 3547488496	Robert & Yvonne Finger	129 Kingstree Dr. Dallas, NC 28034		
		PO Box 8050 Mail Stop 0555, Bentonville, AR 72712		

### OFFICE USE ONLY

Date of Planning Board Hearing:	Approved?
Date of Board of Aldermen Meeting:	Approved?

Eric & Shella Bumgarner 11225 Windy Grove Rd, Charlotte, NC 28278

Let this letter serve as formal notice I/we, <u>Seit Sheila Elling and an</u> owner of (address /304 Dalla Charagerile 1964), further identified as Gaston County parcel(s) 384743323 & 3547481193, give consent to act as the authorized agent(s) for the Conditional Rezoning request in the Town of Dallas.

Signature

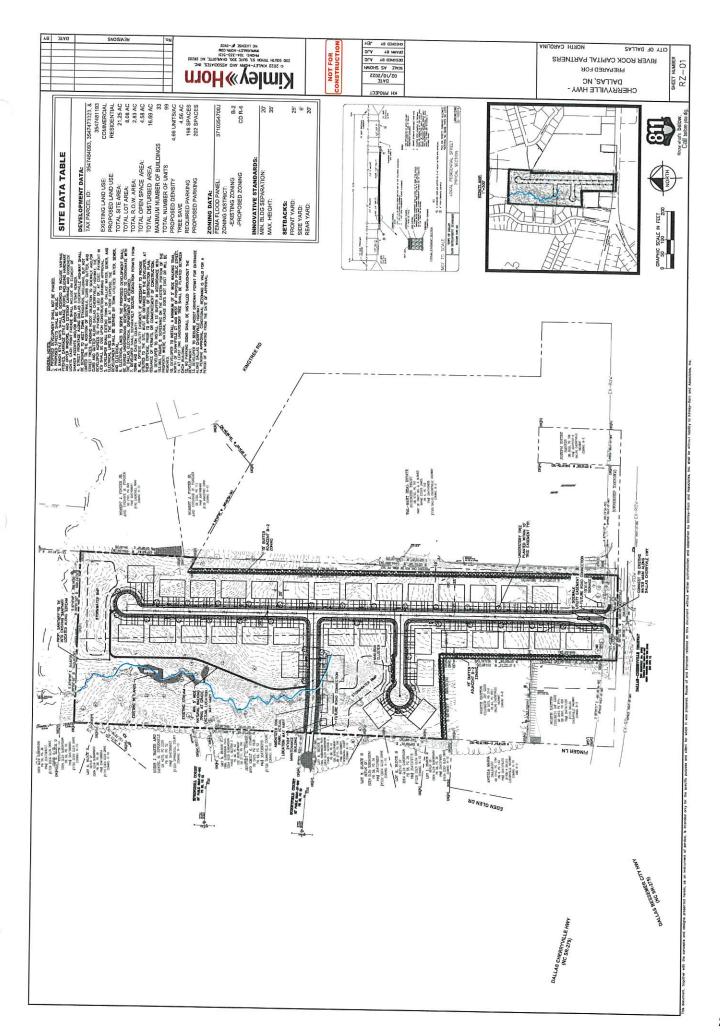
10/26/2021

Mark & Pamela Huffstetler 1302 Dallas Cherryville Hwy Dallas, NC 28034

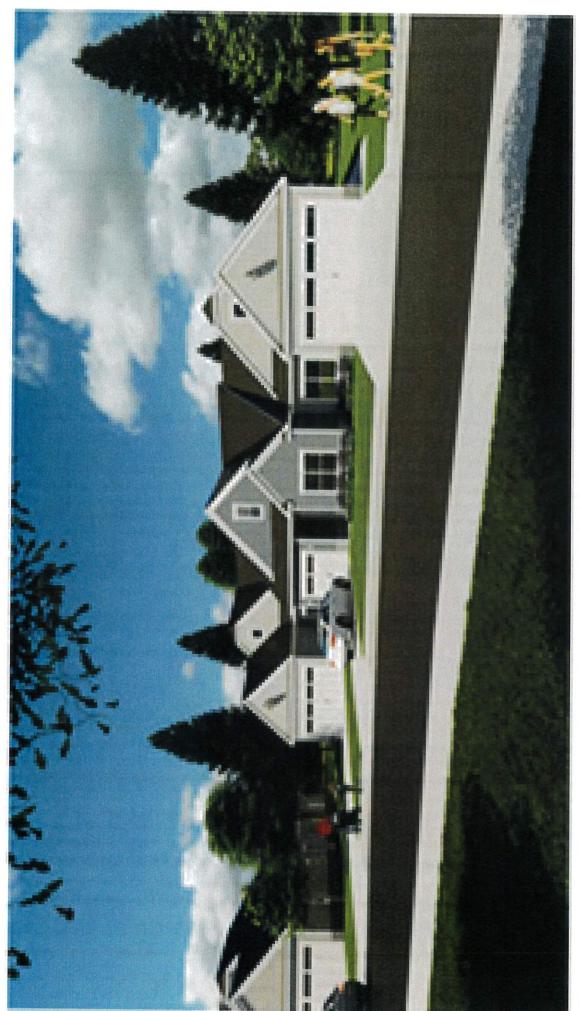
Let this letter serve as formal notice I/we, Mark + Pamela   +uff5+eff owner of (addr 302 Dallas Cherniu IIe. Huggfurther identified as Gaston County parcel(s) 3547484083 gi consent to act as the authorized agent(s) for the Conditional Rezoning request in the Town of Dallas	
and the additionated agencies for the Conditional Rezoning request in the Town of Dallac	

Signature

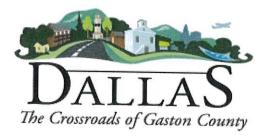
Date







3-UNIT ATTACHED RANCH HOME RENDERING



# Written Consent for Zoning Conditions

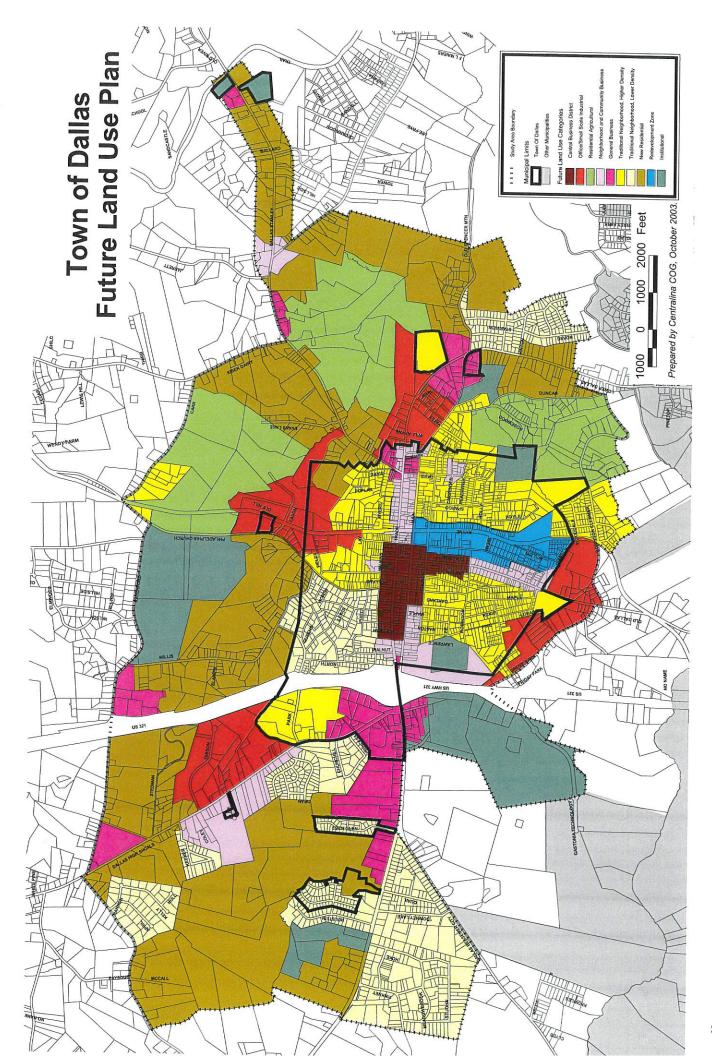
The petitioner hereby expressly consents to all zoning conditions listed in this report and attached to this as Exhibit A:				
ATTEST:				
Authorized agent/property owner	Date			
Print Name				
Authorized agent/property owner	Date			
Print Name				

# Exhibit A Areas of Relief and Conditions of Approval

- 1. The proposed development shall be in compliance with the requirements of the Dallas code of ordinances with the added relief of:
  - a. No relief requested at this time
- 2. Ranch style units shall be designed to include varying pitches, carriage style garage doors, including hardware and upper windows, and exterior carriage and gooseneck lights. Each front façade shall include an element of shaker accents and/or brick or stone veneer.
- 3. Street frontage along Dallas Cherryville Highway Dr. shall be designed to meet Town Standards, including, but not limited to, the addition of sidewalk, curb and gutter, and street trees. Pending NCDOT objection to sidewalk and/or curb and gutter along Dallas Cherryville Highway, the Developer agrees to payment in lieu of, at cost. Payment in lieu shall be due upon construction drawing approval.
- 4. Developer to secure driveway permit for entrance from NCDOT
- 5. Developer shall extend Town of Dallas' water, sewer, and electrical lines to the site, at their expense. The development will be served by Town utilities: water, sewer, and electric.
- Electrical lines to serve the development shall be buried under-ground. Developer agrees to coordinate with the Dallas Electrical Department as required.
- 7. Developer shall separately secure demolition permits from Town and Gaston County.
- 8. 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.
- 9. Conditional Zoning approval is valid for a period of 24 months from the date of approval.

### Items Added at Planning Board Meeting

- 10. Developer to install a 15' buffer in accordance with 153.063, figure 5: screening, on the eastern portion of the property where natural foliage does not exist or will be removed.
- 11. Developer to install a natural walking trail/path, a minimum of 5' wide, north of Sunnyfield Ct., west of the proposed roadway.
- 12. Developer to install an outdoor community area/dog park with fenced area, seating, and landscaping.
- 13. At least one understory tree shall be planted between each building in the 10' treescape easement.
- 14. No Parking signs shall be installed throughout the development



# TOWN OF DALLAS, NORTH CAROLINA

### REQUEST FOR BOARD ACTION

NEQUEST FOR BOARD ACTION					
DESCRIPTION: Text Amendment Request – Parking Requirements					
AGENDA ITEM NO. 6C MEETING DATE: 3/8/2022					
BACKGROUND INFORMATION:					
A Petition for Text Amendment was submitted October 25, 2021 by Denis Blackburne with Woda Cooper Development, Inc. The requested change is to §153.042 Off Street Parking Requirements, to reduce the minimum required parking spaces for affordable housing developments from 2 parking spaces per dwelling unit, to 1.75 spaces per dwelling unit. Affordable housing is defined as developments financed by Low Income Housing Tax Credits (LIHTC) allocated by the NC Housing Finance Agency.					
After reviewing the request, Staff also recommended the requested parking reduction also apply to age-restricted housing and dwellings in multi-family projects reserved for low to moderate income (LMI) persons.					
The Planning Board reviewed the text amendment at their November 18, 2021 meeting. After discussion of the requested text amendment, recommended approval of the text amendment as presented with the consistency statement provided by staff.					
MANAGER RECOMMENDATION: Approve the requested text amendment, as presented.					
BOARD ACTION TAKEN:					

Town of Dallas 210 N. Holland Street Dallas, NC 28034 704-922-3176

# **Petition for Text Amendment**

	Name of Applicant Woda Cooper Development, Inc. (Contact: Denis Blackburne)					
	Address of Applicant 500 S. Front Street, 10th Floor, Columbus, OH 43215					
	Contract Information: Tel	ephone (912) 224-2169	<sub>Email</sub> dblackburne@	wodagroup.co	m	
			e Text We request reducing the			
affordal			unit to 1.75 parking spaces p			
he nun	nber of parking spaces for	or such developments in other	er jurisdictions. Affordable hou	using would be de	fined as	
			(LIHTC) allocated by NC Ho			
	6 19 0 1 (N#P	Paragrah 15	53.042 Off Street Parking	Requirements	s	
	Specific Section(s) # Req	uested Change T didgitali Te	JOINTE ON CHOCK CHANNING	, resquirement		
	our/my knowledge, in agree to pay for adver	nformation, and belief. Furtising costs associated with bleted in full and the requir	his application is accurate arthermore, by signing this in this petition. We/I undersed fee paid for acceptance.  October 18, 2021	request, we/I		
	Signature of Ap		Date			
	Fee: \$ 500 plu	s advertising costs.				
	OFFICE USE ONLY Accepted as complete:	10/25/2021	Date	2		
	Action: On the P	lanning Board recommended th	at this petition be: Approved □  Denied □	<b>-</b>		
	On	the Board of Aldermen held a F	Public Hearing concerning this re	equest. By vote		
	of the Board they:		Approved □	Denied		

# § 153.042 OFF-STREET PARKING REQUIREMENTS.

- (A) In all business and industrial zones, except the P-3 zone which is specifically exempt form the provisions of this section, there shall be provided, at the time of the erection of any building or structure, or at ne time any principal building or structure is enlarged or increased in capacity by adding dwelling units, guest rooms, seats or floor area, permanent off-street parking space in the amount specified in this section.
- (B) In all residential and office and institutional zones, there shall be provided, at the time of the erection of any building or structure, or at the time any principal building or structure is enlarged or increased in capacity adding dwelling units, guest rooms, seats or floor area, or before conversion of any building or structure from one zoning use to another, permanent off-street parking space in the amount specified in this section.
- (C) The off-street parking space required by this section shall be permanent open space and shall not be used for any other purpose. Wheel stops or curb shall be provided where necessary to prevent any vehicle from encroaching on adjacent property, on any street right-of-way or on the area within ten feet of such right-of-way as specified in division (F) below.
- (D) The required parking space for any number of separate uses may be combined in one lot but the required space assigned to one use may not be assigned to another for use during the same hours.
- (E) Parking spaces maintained in connection with an existing use at the time of the adoption of this chapter up to the number required by this chapter shall be continued and may not be counted as serving a new structure or addition thereto.
- (F) No portion of any street right-of-way or of any area within ten feet of such right-of-way line shall be considered as fulfilling or partially fulfilling the off-street parking requirements of this section.
- (G) Except for dwelling units, if the parking space required by this section cannot be reasonably provided on the same lot on which the principal use is conducted, such space may be provided on another lot separated therefrom by not more than 400 feet, provided such lot is located in a zone in which such a use is permitted.
- (H) Each application for a building permit or certificate of occupancy shall include information as to the location and dimensions of off-street parking space, if required and the means of ingress and egress between such space and a street or alley. This information shall be in sufficient detail to enable the Building Inspector to determine whether or not the requirements of this section are met.
- (I) The certificate of occupancy for the use of any building, structure or land where off-street parking space is required shall be withheld by the Building Inspector until provisions of this section are fully met.
- (J) In accordance with the foregoing provisions, off-street parking space shall be provided and permanently maintained for the following uses in the number indicated:
- (1) Auditoriums, theaters, churches and other places of assembly. One space for each 21 square feet of seating area in main place of assembly.
- (2) Convenience type grocery stores. One space for each 100 square feet of gross floor area, provided that any fractional result will require an additional whole space.
- (3) *Dwellings*. Two spaces for each dwelling unit; any fractional result will require and require an additional whole space. This shall not apply to age restricted housing, dwellings in multi-family projects reserved for low to moderate income (LMI) persons, or affordable housing developments which are financed by Low Income Housing Tax Credits (LIHTC) allocated by the NC Housing Finance Agency. These projects shall have a minimum of 1.75 spaces per dwelling unit. Fractional results require an additional whole space. Documentation must be provided to receive such a reduction.
- (4) Golf courses and country clubs. One space for each 200 square feet of gross floor area. or one space for each acre of real estate, whichever will provide the greatest number of spaces.
- (5) Hotels. One space for each two rooms, plus additional space as required for other uses within the hotel.

- (6) Hospitals. Two spaces for each bed, not including bassinets, provided that any fractional result will require an additional whole space.
- (7) Industrial manufacturing and wholesale uses. One space for each employee, based on the maximum number of employees on one shift which the plant or building is designed to employ.
- (8) Motels and tourist homes. One space for each room or unit to be rented, plus additional space as required for other uses within the motel or tourist home.
- (9) Nursing homes. For chronic or convalescent patients and homes for the aged and infirm. One space for each bed, provided that any fractional result will require an additional whole space.
- (10) Occupations, customary home. One space for each 200 square feet of gross floor area devoted to the particular customary home occupation, in addition to the normal off-street parking spaces required of a dwelling. Such parking space or spaces shall be located in the rear yard, screened from view of adjacent residential properties, and connected to the access street by paved driveway. Every person connected with or utilizing the services of a customary home occupation shall use the parking spaces provided in the rear yard only, and the owner of the dwelling shall be responsible for requiring such use.
- (11) Other business or service uses. Not otherwise referred to herein. One space for each 400 square feet of gross floor space.
- (12) Retail business and office uses. One space for each four hundred (400) square feet of gross floor space.
  - (13) Rooming and boardinghouses, fraternities. One space for each room to be occupied.
- (14) Schools. Three spaces for each room used for administrative offices or class instruction or one space for each six seats in the auditorium or other places of assembly or facilities available to the public, whichever is greater, in elementary schools and junior high schools and the equivalent private or parochial schools. Five spaces for each room used for administrative offices or class instruction or one space for each five seats in the auditorium or other places of assembly or facilities available to the public, whichever is greater, in senior high schools, trade and vocational schools, colleges and universities. One space for each adult attendant in day nurseries, day-care centers and preschool kindergartens.
  - (15) Swimming pools. One space for each 200 square feet of swimming pool area.
  - (16) Tennis courts. Eight spaces for each unit.

(Ord. passed 11-3-1970; Am. Ord. passed 7-3-1972; Am. Ord. passed 2-28-2006; Am. Ord. passed 5-8-2008; Am. Ord. passed 6-11-2013)

#### **Consistency Statement**

Curtis Wilson, Chairman	Date
Ordinances guiding land use and development regulations.	
In the public's best interest in order to ensure compliance with the Toy	vn of Dallas' Code of
compliments the Town's character. The text amendment is therefore d	leemed reasonable and
the 2003 Land Use Plan in order to provide a mixture of housing choice	ents, is consistent with
The proposed update of chapter 153.042 Off Street Parking Requirements	

Date

## TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION
DESCRIPTION: Text Amendment Request - Permitted Uses Chart
AGENDA ITEM NO. 6D MEETING DATE: 3/8/2022
BACKGROUND INFORMATION:
A Petition for Text Amendment was submitted November 19, 2021 by James Melvin IV. The request is to Chapter 153, Zoning Code, Appendix C: Permitted Uses Chart. The petitioner requests the use of "event venue" be added as a special use in the B-3: Central Business, Zoning District.
Staff recommends expanding the request to add "event venue" as a special use in the B: Central Business, B-3P: Central Business Perimeter, B-2: Highway Business, and B-1: Neighborhood Business Zoning Districts. After review and discussion, the Planning Board also included the I-2 District in the text amendment. The text amendment request was unanimously recommended for approval by the Planning Board at their December 2021 meeting.
Add "event venue" as a special use gives the Town greater discretion and consideration of the use's location, design, and methods of operation to address the impacts of the proposed use and surrounding development. A special use permit must be approved by the Board of Adjustment prior to Town Staff issuing permits.
All Zoning text amendment approvals must reference or include a statement of plan consistency. A draft consistency statement has been provided.
MANAGER RECOMMENDATION: Approve the requested Permitted Uses Chart addition, as requested.
BOARD ACTION TAKEN:

# Petition for Text Amendment

Name of Applicant	James	A. Melvin	177	٠	
Address of Applicant	304W.57	# Ave Gasto	nea NC	28052	
Contract Information: Te	elephone <u>704-8</u> ]	3-6556 Email	amesm	dringe	mail.com
Requested Change(s) to	Zoning or Subdivision	Ordinance Text R	suest 1	toad	2
"event vienu.	2" 93 9 5F	recial use	in the	B.3	
central k	<u>ousiness</u>	district.			
Specific Section(s) # Req	uested Change 🖳	40.153, Zoning	inde, Appr	entic C. Per	nited Uses Chan
We/I certify that all our/my knowledge, in agree to pay for adverpetition must be comp	information providuous providuous providuous provinces provides pr	ded in this applications. Furthermore,	on is accura	ite to the best o his request, we/	ıf
Signature of App	5 IV		or acceptance  19/2/ Date		
Fee: \$ 500 plus	ndva tising costs.				
OFFICE USE ONLY Accepted as complete:	1/10/201	4 1964	<del></del>	· · · · · · · · · · · · · · · · · · ·	
Action:	17 1-17307	. Da	te		
	nning Board recomme	ended that this petition i	oe: Approved		
			Denied [		
Onth	e Board of Aldermen	held a Public Hearing c	oncerning this	Pagnart D.	
of the Board they:			Approved []	Denied	
			·		]

	Re	Residential						Offi Business				Industri al			
	R	R	R	R	R	R	RM	RM	0&I	BC	B	В	В	В	I-2
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	5	2	0								1			P	
X: Permitted by	y rig	ht (S	Supp	lem	enta	l reg	julatio	ns may	apply -	chec	k tov	vn o	rdin	ance	es)
S: Special Us	se Pe	ermi	t (Su	ıpple	emer	ıtal i	regula	tions m	ay appl	v - ch	eck	towr	ora	linar	ices)
Permitted Use	s (an	ıy us	se no	t spe	ecifi	ed b	elow is	eligibl	e to app	lv for	con	ditio	nal	zoni	ng
approval)								Ü	11	3					····B
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Services														nere de la company	
Banks and									X	Х	X	X	X	X	X
financial									21	71	Λ.	Λ	Λ	^	Λ
institutions															
Barber										X	X	X	X	X	X
shops or										Λ	Λ	^	Λ	^	Λ
beauty shops															
Dry										X	X	X	X	X	X
cleaning										71	1	1	1	Λ	Λ
establishment															
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only)															
Event Venue							-				S	S	S	S	S
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r office												11		7.	1
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homes													-		11
Laundry										X	X	X			X
pickup															••
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and															
laundromats															
Radio and										X	X	X			X
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repair shops															
Shoe repair										X	X	X	X	X	X
shops											_			n <del>sals</del>	a:a:

Tailor shops	X	X	X		X	X
Upholstery	X	X	X		X	X
shops						
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Alcoholic	X	X	X		Ι	X
beverage		1	1			1
package						
stores						
Bake shops	X	X	X	X	X	
and dairy bars						
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ries						^-

#### **Consistency Statement**

The proposed text amendment update to chapter 153 Appendix C; PERMITTED USES, is consistent with the 2003 Land Use Plan's goal to maintain and promote a vibrant and healthy downtown for a variety of retail, commercial, residential, social, and cultural institutions. The text amendment is therefore deemed reasonable and in the public's best interest.

### TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION	
DESCRIPTION: Text Amendment Request – Height in Residential Districts	
AGENDA ITEM NO. 6E MEETING DATE: 3/8/2022	<u> </u>
BACKGROUND INFORMATION:	
Appendix B: YARD AND HEIGHT REQUIREMENTS FOR BUSINESS DISTRICTS has an allowance "D" which states: "Buildings used wholly or in part for residential purposes may exceed 35 feet in height. But for each five feet or fraction thereof of additional height above 3 feet, each yard shall be increased five feet over the minimum requirements."	
The Planning Board reviewed this allowance and considered it for inclusion in Appendix A: YARD AND HEIGHT REQUIREMENTS FOR RESIDENTIAL DISTRICTS at their Novem and December 2021 regular meetings. After discussion and modification to the language, the text amendment was unanimously approved.	ber
The proposed text amendment is attached, along with neighboring jurisdictions' height requirements for comparison.	
MANAGER RECOMMENDATION: Approve the requested Height in Residential Districts to amendment, as requested.	 ext
BOARD ACTION TAKEN:	

# 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
R-5	5,500 **	5,500 ** - 500 SF per attached side	50	25***	6	6	35 feet
RMF	44:4:14	15,000 1st unit 3.500 additional unit each		45	45	45	35 feet

<sup>\*</sup> 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; Am. Ord. passed 9-10-2019)

<sup>\*\*</sup> 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.

<sup>\*\*\*</sup> Rear setback may be reduced by 5 feet at the discretion of Town Staff if requested to accommodate a larger front \*\*\*\* Publican may be permitted through conditional zoning.

<sup>\*\*\*\*</sup> 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' may only be approved through Conditional Zoning.

# APPENDIX B: YARD AND HEIGHT REQUIREMENTS FOR BUSINESS DISTRICTS

Zone	Minimum Lot Area (Sq. Ft.)	Minimum Minimum Minimum Lot Area Lot Width Front Per (In feet) and Rear Dwelling Yard Depti (In feet)		Lot Area Lot Width Per (In feet) and Dwelling Yar Unit (Sq. Ft.)		Individual Minimum Side Yard Depth (In feet)	Combined Minimum Width of Both Side Yards	Maximum Building Height
M O & I			60	25 20% of lot dept	th*	20% of lot width		Same as R-
O & I-1			60	25 20% of lot dept	th*	20% of lot width		Same as R-
A-1			A	A A*		A		A
BC-1								40.0
B-1				30 B*		В	na -	40 feet Same as R- 15
B-2				B*		В		Same as R-
B-3				B*		В		80 feet
B-3P				B*		В		80 feet
B-4				B*		В		65 feet
I-1				B*		В		D
I-2L				B*		В		Same as R-
EI-1				50 25*		20		50 feet
EX-1				C C*		С		100 feet

A For all permitted uses, the requirements of the predominant contiguous zone shall apply in this zone.

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

B None required except where the lot abuts on the side or the rear of a residential zone, then it shall have a minimum side yard of eight feet on the abutting side, and a minimum rear yard of 20 feet on the abutting rear.

C In no case shall any structure, storage area, truck loading or appurtenance, be located within 50 feet of the operator's property line. No excavation or processing shall be conducted within 100 feet of the operator's property line.

Buildings used wholly or in part for residential purposes 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.

**HEIGHT OF BUILDING.** The vertical distance from the average elevation of the finished grade along the front of the building or from the established sidewalk or street grade, whichever is highest, to the highest point of the building. In computing the height of a building the height of a basement if below the grade from which the height is measured, shall not be included.

#### § 153.008 EXCEPTIONS TO HEIGHT LIMITS.

- (A) Penthouses or roof structures for the housing of elevators stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, skylights, towers, steeples, flagpoles, chimneys, wireless masts, water tanks, silos, or similar structures may be erected above the height limits herein specified, but no penthouse or roof structure or any space above the height limit shall be allowed for the purpose of providing additional floor space for residential use.
- (B) A parapet wall or cornice may extend not more than five feet above the height limit.

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

#### 3.2 DIMENSIONAL STANDARDS

#### 3.2.A PRINCIPAL STRUCTURES

Dimensional standards for principal structures shall be applied as follows:

Table 3-1 Dimensional Standards for Principal Structures

77	Minimum Lot Area	Minimum Lot	Minimu	m Yard	Setbac	ks (feet)	Hei	ght	
Zone/Use	(square feet)	Width (feet)	Front <sup>(d)</sup>	Side	Rear	Corner	Max.	Min.	Additiona Notes
R									
Single-Family Dwellings	2 acres	80	50	15	50	50	45	20	"
Manufactured housing	2 acres	80	50	15	50	50	45	•	-
All Other Uses	43,560	100	50	25	50	50	45		(a)
NR									
Single-Family Dwellings	12,000	60	20	12	30	20	45	20	*
Duplex	16,000	90	20	12	30	20	45		
All Other Uses	43,560	100	50	25	50	50	45		(a)
UR			THE REAL PROPERTY.						
Single-Family Dwellings	6,000	50	20	6	30	20	45	20	STATE REAL PROPERTY.
Duplex	12,000	60	20	8	30	20	45		
Multi-Family (Townhouse)(e)	20,000	100	15	0	15	15	35	-	•
Multi-Family	43,560	100	30	15	30	30	45	•	•
All Other Uses	15,000	100	50	25	50	5555 <del>5</del> 5	2000	•	/45
CC			30	20	30	50	45		(a)
All Uses	None	None	0	0	0	0	50		(a)
HC							30		(9)
All Uses	5,000	70	30	10	20(0)	30	50	•	(a)
BCP	NA BALL						30		14/
Duplex	12,000	60	20	15	30	25	35		•
Multi-Family (Townhouse)(*)	20,000	100	15	10	15	20	35		
Multi-Family	43,560	100	30	20	30	30	50		•
All Other Uses	None	70	50	30	30	100,000		•	40
	VALUE OF STREET			30	30	50	50 <sup>(c)</sup>		(a)
All Uses	None	70	50	30	20 <sup>(b)</sup>	50	50 <sup>(e)</sup>		(a)

<sup>(</sup>a) There are no minimum/maximum dimensional requirements for Essential Services, Class 1 and Parks.

<sup>(</sup>b) Thirty (30) feet if abutting the R, NR, or UR districts.

<sup>(</sup>c) The maximum height of the structure may be increased to seventy-five (75) feet, provided that the structure lies 200+ feet from a residentially zoned lot.

<sup>(</sup>d) Within the Viewshed Overlay District, the front setback shall be one hundred (100) feet per Section 2.9.

<sup>(</sup>e) Dimensions reflect the total development, not an individual lot. In no case shall the density exceed eight (8) units per acre.

**Gaston County** 

	on County								
All Other Uses (4)	velopment	Traditional Neighborhood  Development (TND)	Planned Residential Development (PRD)	C Care Center, Class 8 and	Multi-family Dwellings	Two-family Dwelling: Bed and Breakfast (m)	Rooming House; Day Care Center, Class A	Single-family Dwellings; Manufactured Homes;	STANDARD
43		3-5 Stories; Refi	3 Stories		I I	85		**	70
8	3-5 Stories; Refer to Section 8.2.26(A)(Z)	3-5 Stories; Refer to Section 8.1.13(B)(3)		\$	g g	ði	The state of the s	ß	2
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£,	3-5 Stories; Refer to Section 8.2.26(A)(2)	3-5 Stories; Refer to	3 Stories	J. Vi		45	enamentalis puri la 1800 y cultura de April de Proprie	* &	RS-20
.ls.	r to Section 8.2.2	r to Section 8.1.13(B)(3)		,		£3	Philosophis and Adapt - consept (the standard conse	<b>t</b> h	<b>R</b> .2
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Schedule of District Regulations

#### Section 5.2 R-20SF Single-Family Residential District

- Permitted and Special Uses: See Article VI Table of Permitted and Special Uses.
- B. Dimension Requirements
  - Minimum Required Lot Area for a Single-Family dwelling or any nonresidential use: 20,000 (twenty thousand) square feet.
  - 2. Minimum Required Lot Width: 100 (one hundred) feet.
  - Minimum Required Front Yard: 40 (forty) feet.
  - Minimum Required Side Yards: 12 (twelve) feet except that the side yard abutting a street shall be 20 (twenty) feet.
  - Minimum Required Rear Yard: 30 (thirty) feet.
  - Maximum Lot Coverage: 25% (twenty-five percent) of total lot area.
  - Maximum Building Height: 35 (thirty-five) feet unless the minimum required front and side yards are increased 1 (one) foot for each additional 2 (two) feet in height.
  - Location of Accessory Buildings and Structures: Accessory buildings and structures shall be placed in accordance with the provisions of Section 3.11.
- C. Off-Street Parking and Loading: Off-street parking and loading shall be provided in accordance with the provisions of Article VIII.
- D. Signs: Signs shall be regulated by the provisions of Article IX.
- E. Landscape Requirements: Landscaping shall be provided in accordance with the provisions of Article X.

#### Gastonia

Diellas, Two-Emily	Roming fours	Family Care Hornes	Manufactured Homes	Single-ternity Cwellings Attached, Two Unit	Single family Dwellings Attached	Single family Disellings		
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#### Cramerton

Each Residential zoning district states:

E. Maximum Building Height All Uses - Thirty-five (35) feet, except as provided in Section 5.9 of this Ordinance.

#### Section 5.9 Height Calculations and Exceptions

5.9.1 For purposes of this Ordinance, the height of a structure shall be the vertical Distance measured from the mean elevation of the finished grade at the front of the structure to the highest point of the structure. The maximum heights as indicated in the various districts may be exceeded for the following uses: Roof equipment not intended for human occupancy and which is accessory to the structure upon which it is placed, such as skylights, transmissions or television towers, housing for elevators, stairways, water tanks, ventilating fans, air conditioning equipment or similar equipment, steeples, spires, belfries, cupolas or chimneys; Radio and television antennae. In no case, however, may the height of any structure exceed one-hundred (100) feet.

Any structure which exceeds the prescribed maximum building height for the zoning district in which it located shall be located on the lot so that no portion of the structure is located closer to any lot line than the **5-10** 

required setback line plus the difference between the actual height of the structure and the normally allowed maximum building height in that zoning district. An example of this is as follows:

A structure is located in a lot which is located in a zoning district with required thirty-five (35) foot front, ten (10) foot side and thirty-five (35) foot rear setbacks. A church is proposed to be located on the lot. The church steeple will have a height of sixty-five feet. The maximum permitted building height in that zoning district is ordinarily thirty-five (35) feet. The setbacks for this church with a steeple of that height would therefore now be a sixty-five (65) front setback, forty (40) foot side setback and sixty-five (65) foot rear setback.

#### **Consistency Statement**

The proposed update of chapter 153 Appendix A: YARD AND HEIGHT REQUIREMENTS FOR RESIDENTIAL DISTRICTS, is consistent with the 2003 Land Use Plan in order to maintain and enhance the Town's aesthetic qualities and physical character. The text amendment is therefore deemed reasonable and in the public's best interest in order to ensure compliance with the Town of Dallas' Code of Ordinances guiding land use and development regulations.
--

Curtis Wilson, Chairman	
	Date

#### TOWN OF DALLAS, NORTH CAROLINA

#### REQUEST FOR BOARD ACTION

DESCRIPTION: Davis Hills Preliminary Plat

AGENDA ITEM NO. 7A

MEETING DATE: 3/8/2022

#### BACKGROUND INFORMATION:

A subdivision permit application and construction drawings were received August 5, 2021 by Shaun Gasparini. The subdivision, known as Davis Hills, is located off of Dallas Stanley Highway and consists of 87 single family detached lots.

Staff has reviewed several submittals for the Davis Hills Subdivision and are ready to give conditional approval. The project construction drawings meet industry standards, as well as zoning conditions of approval. This project is a major subdivision, 50+ homes, and requires preliminary plat approval from the Board of Aldermen.

At their December 2021 meeting, the Planning Board unanimously recommended approval of the preliminary plat.

Once the preliminary plat is approved and all necessary approvals are received, the developer can begin site work.

MANAGER RECOMMENDATION: Approve the preliminary plat for Davis Hills, as presented.

**BOARD ACTION TAKEN:** 

#### **APPLICATION ATTACHMENTS**

In order to be considered complete, the following must accompany each application:

- A Sketch Plan or Preliminary Plat showing proposed subdivision lines, easements, or additional changes proposed.
- 2. A non-refundable submittal fee (in cash or a check made payable) to the Town of Dallas the following rates shall apply:

\_\_\_\_ \$100 (Minor/Exempt) \_\_\_\_ \$175+\$4/lot (2-50 lots) \_\_\_\_ \$7.50/lot (50+ lots) \$653.00

#### Required after Staff Review and Comment for Approval:

A Final Plat prepared by a registered surveyor and drawn to scale not smaller than 100 feet equal to 1 inch, and be minimum of 18 inches by 24 inches in size unless each lot in the proposed subdivision is more than 3 acres in size (See additional requirements in Town of Dallas's Section 152, Subdivision Regulations).

A \$100 filing fee will also be collected at the time of final plat submission.

#### **CERTIFICATIONS**

 I HEREBY CERTIFY THAT ALL OF THE INFORMATION PROVIDED FOR THIS APPLICATION IS, TO THE BEST OF MY KNOWLEDGE, ACCURATE AND COMPLETE.

SIGNATURE OF APPLICANT

DATE

2. I, Dependable Development Inc., OWNER OF PROPERTY DB 5197, PG 5; Parcel #304841

Owner Name

Tax Map, Book, and Parcel Number

IN DALLAS, NORTH CAROLINA DO HEREBY AUTHORIZE True Homes

Applicant's Name

TO SUBMIT THIS ZONING PERMIT APPLICATION TO THE TOWN OF DALLAS ON MY BEHALF.

SIGNATURE OF PROPERTY OWNER DATE

#### § 152.058 INFORMATION TO BE CONTAINED IN OR DEPICTED ON PRELIMINARY AND FINAL PLATS.

This section shall apply to minor subdivisions, major subdivisions and PUDs.

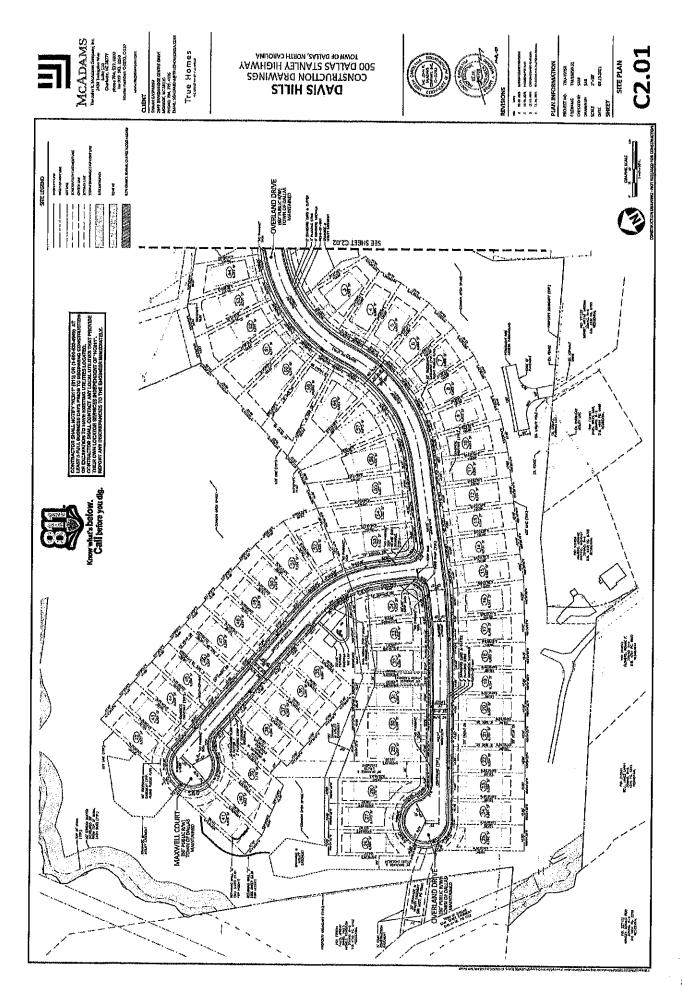
- (A) The preliminary and final plats shall depict, contain or be accompanied by the information indicated in the following table.
- (B) A "Yes" indicates that the information is required; where a "No" appears, the information shall not be required.
- (C) Preliminary plat information shall only be required for major subdivisions.

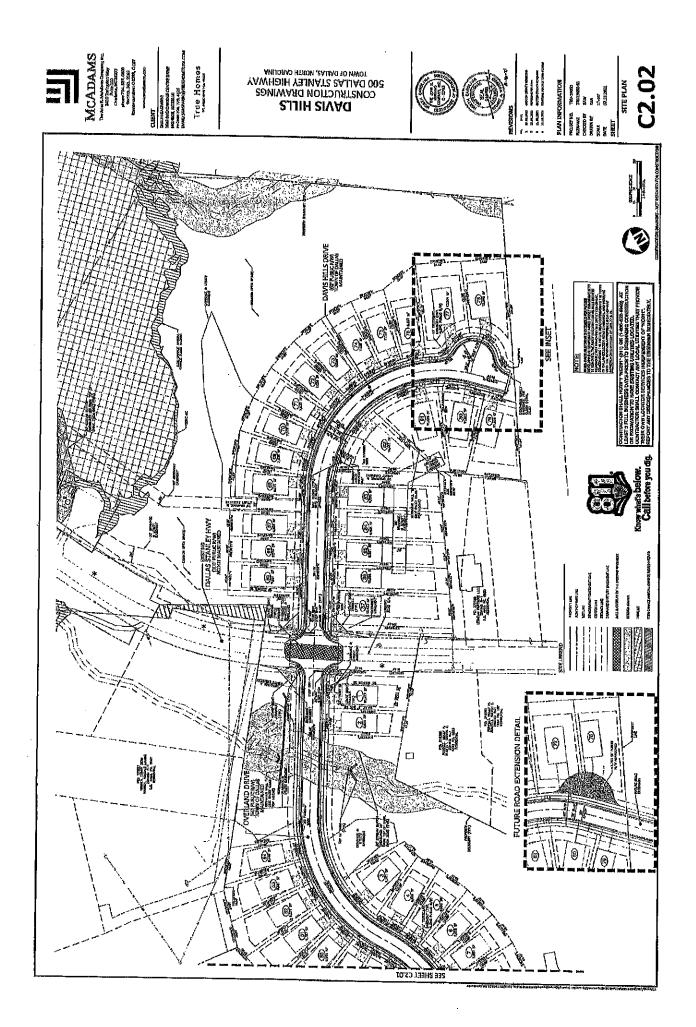
Information	Preliminary Plat	Final Plat
Information	Preliminary Plat	Final Plat
Title block containing:		
-Subdivision name	Yes	Yes
-Name of subdivider	Yes	Yes
-Location (including township, block numbers as shown on the county index map, county and state)	Yes	Yes
-Date or dates survey was conducted and plat prepared	Yes	Yes
-A bar graph, scale and north arrow	Yes	Yes
-Name, address, registration number and seal of the registered land surveyor and/or professional engineer who drew the plat	Yes	Yes
-A sketch vicinity map with north arrow showing the relationship between the proposed subdivision and surrounding area	Yes	Yes
-Corporate limits and subdivision jurisdiction lines if on the subdivision tract	Yes	Yes
-The boundaries of the tract or portion thereof to be subdivided, distinctly and accurately represented with all bearing and distances shown	Yes	No
-The exact boundary lines of the tract to be subdivided, fully dimensioned by lengths and bearings, and the location of existing boundary lines of adjoining lands	No	Yes
-The names of owners of adjoining properties	Yes	Yes
-The names of any adjoining subdivisions of record or proposed and under review	Yes	Yes
-Minimum building setback lines	Yes	Yes
-The zoning classifications, if any, of the tract to be subdivided and adjoining properties	Yes	Yes
-Existing buildings, or other structures, watercourses, railroads, bridges, culverts, cemetery plots, storm drains, both on the land to be subdivided and land immediately adjoining	Yes	Yes
-Proposed lot lines, lot and block numbers, and appropriate dimensions of each lot	Yes	Yes
-The lots numbered consecutively throughout the subdivision with exact dimensions and areas	Yes	Yes
- Marshes, swamps, rock outcrops, ponds or lakes, streams or stream beds and any other natural features affecting the site	Yes	Yes
-The exact location of any flood hazard area, floodway and floodway fringe areas from the county's FEMA maps, if applicable	Yes	Yes
The following data concerning streets:		
-Proposed streets	Yes	Yes
-Existing and platted streets on adjoining properties and in the proposed subdivision	Yes	Yes
-Street rights-of-way, locations and dimensions	Yes	Yes
-Pavement widths	Yes	Yes
-Approximate grades	Yes	Yes
-Design engineering data for all corners and curves	Yes	Yes

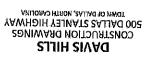
-Typical road cross sections	Yes	Yes
-Street names	Yes	Yes
-Type of streets dedication; all streets must be designated either "public" or "private". Where public streets are involved which will not be dedicated to the town, the subdivider must submit the following documents to the State Department of Transportation District Highway Office (NCDOT) for review: a complete site layout, including any future expansion anticipated; horizontal alignment indicating general curve data on site layout plan; vertical alignment indicated by percent grade and vertical curve length on site plan layout; typical section indicating the pavement design and width and the slopes, widths and details for either the curb and gutter or the shoulder and ditch proposed; drainage facilities and drainage areas	Yes	Yes
-Subdivision street disclosure statement indicating: if streets are public or private; and if private, who will maintain private streets in subdivision, and also that all lots will have right of access to any private street in the subdivision	No	Yes
-Where streets are dedicated to the public, but not accepted by NCDOT before lots are sold, a statement explaining the status of the street in accordance with § 152.074	No	Yes
-If any road is proposed to intersect with a state-maintained road, the subdivider shall apply for driveway approval as required by NCDOT's Manual on Driveway Regulations	No	Yes
The location and dimensions of all:		
-Utilities and other easements	Yes	Yes
-Parks and recreation areas with specific type indicated	Yes	Yes
-School sites (both existing and proposed)	Yes	Yes
-Areas and/or lots to be used for purposes other than residential with the purpose of each stated	Yes	Yes
-Street lights	Yes	Yes
-Street trees	Yes	Yes
-The future ownership (dedication or reservation for public use to governmental body, for owners to duly constituted homeowners' association, or for tenants remaining in subdivider's ownership) of recreation and open space lands	Yes	Yes
Site calculations including:		
-Acreage in total tract to be subdivided and area in each lot	Yes	Yes
-Total number of lots created	Yes	Yes
-Linear feet of streets in subdivision	Yes	Yes
-The name and location of any property or buildings within the proposed subdivision or within any contiguous property that is located on the U.S. Department of Interiors National Register of Historic Places	Yes	Yes
-Sufficient engineering data to determine readily and reproduce on the ground every straight or curved line, street line, lot line, right-of-way line, easement line and setback line, including dimensions, bearings or deflection angles, radii, central angles and tangent distance for the center line of curved property lines that are not the boundary lines of curved streets. All dimensions shall be measured to the nearest one hundredth of a foot and all angles to the nearest minute	No	Yes
-The accurate locations and descriptions of all survey monuments, markers and control points	No	Yes
-A copy of the erosion control plan submitted to the State Department of Natural Resources and Community Development for approval, (if applicable)	Yes	No
-A topographic map with contour intervals of no greater than five feet at a scale of no less than one inch equals 200 feet, (if applicable)	Yes	No
-A copy of the County Health Department's Soil Site Evaluation of the subdivision, (if applicable)	Yes	No

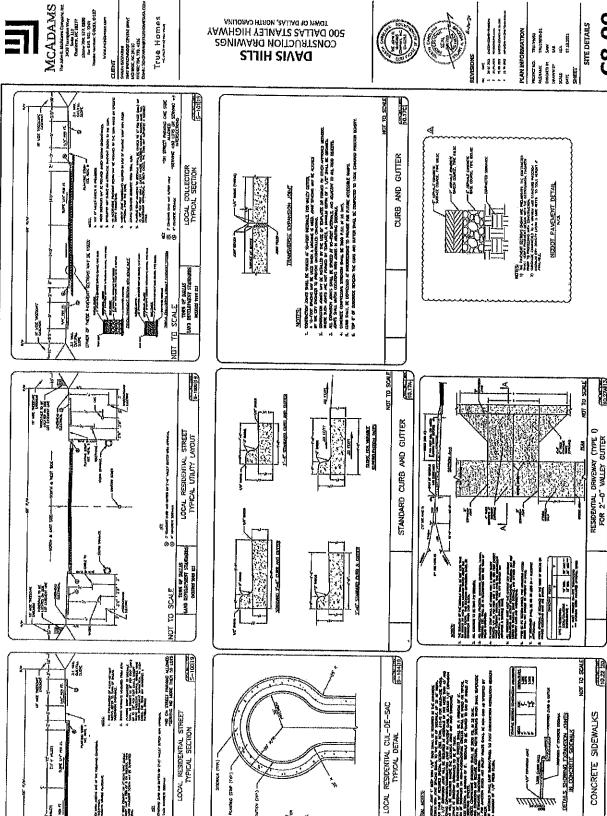
-Any additional information required as a result of changes in federal, state or local ordinances	Yes	Yes
-Septic tank disclosure statement (per § 152.075)	No	Yes

(Ord. passed 1-16-2001)









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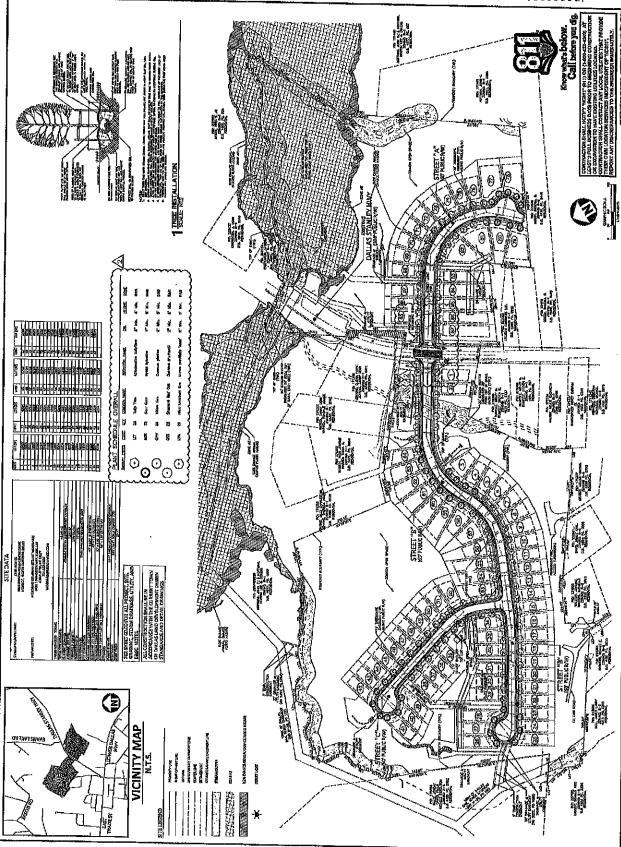
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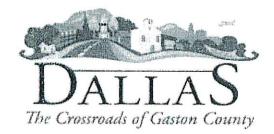
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CONSTRUCTION DRAWINGS
TOWN OF STANLEY HIGHWAY
TOWN OF DALLAS, NORTH CAROLINA



TANDSCAPE PLAN





#### Written Consent for Zoning Conditions

The petitioner hereby expressly consents to all zoning conditions listed in this report and attached to this as Exhibit A: Two amendments were made to Exhibit A during the public hearing regarding the Conditional Zoning of Parcels 131854, 216368, and 301158. Condition 17 was amended and agreed to by Town and Developer. Condition 18 was added during the hearing and agreed upon by the Town and Developer. Both amended conditions are now included in Exhibit A, which is attached to this document. On January 19, 2021, Condition 1 received a minor verbiage change for clarity. ATTEST: Authorized Agent/Property Owner Additional Property Owner(s), if needed Date Print Name

#### Exhibit A

#### Streets and Traffic:

- 1. Developer agrees to complete the Town's Traffic Impact Analysis (TIA) requirements as part of Construction Drawing approval. The findings shall be presented to the Planning Board and Board of Alderman for Information purposes if community layout will remain significantly the same. Anything other than "minor" changes as defined by ordinance will require Planning Board recommendation and Board of Alderman approval. Upon completion of the TIA, Developer, through Transportation Mitigation Agreement, agrees to all improvements recommended by the TIA, unless NCDOT funding is committed to improvement within five (5) years or NCDOT is opposed to the improvement.
- 2. Street A and Street B to be developed to the Town's collector road requirements, until the Intersection with Street C. The remaining portion of Street B and Street C shall be developed to the Town's local residential road requirements.
- 3. Street A shall be designed to include a temporary paved offset cul-de-sac and dedicated as right-of-way.
- 4. Street frontage along Dallas Stanley Highway shall be designed to meet the Town standards, including but not limited to the addition of sidewalk and street trees. Pending NCDOT objection to sidewalk along Dallas Stanley Highway, the Developer agrees to payment in Lieu of sidewalk at cost.
- 5. Developer to secure driveway permits for Streets A and B from NCDOT, and discuss what, if any, pedestrian crossing improvements may be needed to ensure residents on either side of the development have access to the community amenities as no separate amenity lot is being provided. Recommendations from NCDOT must be included on construction plans.

#### Easements:

- 6. Developer to dedicate the entire floodplain on the parcel to the Town of Dallas as an access and maintenance easement to allow for future trail development, pump station upgrades, and floodplain conservation area.
- 7. Developer agrees to maintain 20' easement on plans as shown, and reserve for a future private community trail connection once a trail is developed if desired by the HOA. Any trail or path installed in this location shall be the sole responsibility of the HOA for design, installation, and ongoing maintenance. This shall not be dedicated to the Town.

#### Open Space:

8. Developer agrees to install a 20' x16' pergola and tot lot as open space improvements toward the 20% improved open space requirement of cluster development overlay development.

- 9. Upon construction drawing approval, developer agrees to payment-in-lieu of trail construction per the formula provided in 153.072 (H)2. (Payment=\$63,236.75)
- 10. All open space, both improved and not improved, shall be maintained by the HOA, including but not limited to lighting, landscaping, signage, built features, easements, etc. No open spaces in the community shall be allowed to be subdivided or sold without written approval by the Town of Dallas.

#### Community Design Standards:

- 11. Setbacks and minimum lot sizes shall be consistent with the minimum requirements in the R-6 zone- 25' front and rear setbacks and 6' minimum side setbacks, and 6000 SF minimum lot size, except for one lot shown at 5,983.32 SF.
- 12. Lot widths may be reduced by up to 25% as part of cluster overlay development in order to promote a smaller overall development footprint and preserve additional open space. Lots must be 45' wide minimum- 47' wide or more is preferred.
- 13. Developer to provide at least 2 off-street parking spaces in addition to garage space on each residential lot.
- 14. Single family homes shall be designed to include shaker accents and/or brick or stone veneer on front facades similar to the elevations provided at the time of conditional approval. (voluntary-agreed to by developer)
- 15. Electrical lines to serve the development shall be buried under-ground. Developer agrees to coordinate with the Dallas Electrical Department as required.

#### Other:

- 16. Annexation(s) shall be finalized prior to approval of construction documents.
- 17. Construction drawings must be approved by the Town of Dallas within 12 months of Conditional Zoning approval. Prior to expiration, Developer must receive approval of extension.
- 18. 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.

# TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION
DESCRIPTION: Special Events Request – Easter Egg Hunt
AGENDA ITEM NO. 8A MEETING DATE: 3/8/2022
BACKGROUND INFORMATION:
The Gaston County Museum is requesting use of the Court Square on Saturday, April 9 <sup>th</sup> for their Annual Easter Egg Hunt. The event will begin at 10:00 am with games and the egg hunt, and conclude at 12:00 pm. They would like to begin set up during the afternoon of Friday, April 8 <sup>th</sup> to mark off the age zones for egg hunting on the Court Square.
The Museum is requesting the following assistance from the Town:
- A \$500 donation toward eggs and candy.
- Closure of West Main St. between N. Holland St. and N. Gaston St. between 9:00 am and 1:00 pm on the day of the event.
MANAGER RECOMMENDATION: Approve the Special Events request from the Gaston County Museum, as presented.
BOARD ACTION TAKEN:



#### Special Events/ Activities Application

Town of Dallas 210 North Holland Street Dallas, NC 28034-1625 (704) 922-3176 Fax: (704) 922-4701

The purpose of this application is to provide information about your event or activity in order for the Town of Dallas to best assist you. Refer to the Special Events Policy and Town of Dallas Fee Schedule for all Special Events requirements. Applicants are responsible for providing complete and accurate information on the application. The applicant is responsible for notifying the Town of Dallas of any changes. A COMPLETE application must be submitted by no later than the first Tuesday of the month for consideration at the next Board of Aldermen meeting. Events must be approved at least 14 days in advance of the event. INCOMPLETE APPLICATIONS WILL BE RETURNED.

#### APPLICATION INFORMATION Name of Event: 2022 Easter Egg Hunt Facility Requested: Courthouse Square **Applicant Name:** Alexander Brooks Organization: Gaston County Museum Malling Address: 131 West Main Street City / State / Zip: Dallas, NC 28034 Daytime Phone: 704.922.7681 x 110 Cell: E-Mail: alexander.brooks@ga Annual Easter Egg Hunt on the Court Square; age specific areas for egg hunts Description of the Event: activities for families Does the event have a Facebook, Twitter, or other social networking page: event will be on the Museum's soc If yes, please list URL(s): gastoncountymuseum.org; Facebook/GastonCountyMuseum; Instagram/Gaston C Date (s) Requested for Event: 9-Apr **Event Start Time:** 10:00 Event End Time: 12:00 Road Closure Time Begins (if applicable): 9:00 Road Closure Time Ends: 1:00 PM Set Up Begins: day before Set Up Ends: eggs distributed morning of Preferred Date & Time of Inspection (if required): n/a **Estimated Attendance:** 200+ The Event is: Private (by invitation only) Open to General Public Describe the procedures to be used for selecting vendors and exhibitors for this event: N/A Applicant's Signature: Newarder Sebastine Heb zozz A pre-event meeting may be required and will be scheduled to include appropriate staff. The event applicant must attend the meeting.

	and Nas	/ CANG	PIESIM	EMBRAN		TURE		4
Will tents/canopies/m	nembrane st	ructures be	used? (Cir	cle one)	Yes (No)	(if no pro	ceed to next sectio	n)
# of Canoples		(fabric stru	cture that is	open withou		75% or mor	e of perimeter)	11)
# of Tents		(fabric stru	cture that is	enclosed will	h sidewalls on	more than	25% of perimeter	)
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Other type of structur *Notes*	e (provide de	scription)	<u>,                                     </u>					
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If yes, state the number	of stages, nu	ımber of ban	ds and type	of music:	······································			<del>"</del> ———
Number of stages:			Number of	Bands:				
Type(s) of music:		·					***************************************	
Indicate times of amplif		Start Time:		] .	Finish Time:			
Will sound checks be co	onducted prio	r to the even	t?		Yes	776 CONT. 10	No	
If yes, please indicate ti	mes:	Start Time:		7	- Finish Time:[		<u>.</u> 1	
* Must comply with To	wn of Dallas	general ent	tertainment	and noise o	rdinance.	<del></del>		
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Will there be any portab	le heaters?	The state of the s	Yes		No			
Will there be any deep f	at fryers?		Yes		No			
Will there be any firewor	rks, lasers, to	rches, candle	s or pyroted	hnics?		/es	No	
Will generators or electr	ical power be	used?		]Yes		No		
if yes, electrical load d in the case of extraord	ata and local inary use or	tion of conn hookups, ex	ection mus	t be provide ny apply.	d on a separa	te sheet.		
		RID		145 <u>%/@a</u> 4[(	ONS -			
Will mechanical rides	or similar att	ractions be	used? (Cir	cle one)	Yes (No)	(if no proc	ceed to next section	
f yes, company name?					7	( not bloc	TO HEAL SECTION	'
Company address:			,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,					
ist details, if any:								
**Applicants contr certificate of Insu	acting with a rance, namin	amusement ng applicant	ride compa and the To	nies are req wn of Dallas	uired to provi	de the Tov I insured o	m of Dallas with general liability	a by.
ALL rides must be insp	ected and a	proved by	The Depart	ment of Lab	or.			
The state of the s		282		)(0)[{S				
A vendor is anyone	who is servii	ng, selling, .	sampling, c	or display <u>i</u> ng	food, bevera	ges, merc	handise or serv	ices
Will the event include a	any vendors'	? (Circle on	e)	Yes / No	(if no, proces			1

L	Served	Sold	Catered	Prepared Outdoor
Oces the event include fo	od concession and/or	cooking areas?	Yes	No
f yes, please list each foo Use additional sheet if	od vendor and specify necessary)	cooking method (Gas, E	ectric, Charcoal, etc.)	Manual Richard
Vendor Name	Address	Phone Number	Cooking Method	Food Item
E	vent organizers are res <sub>i</sub>	ponsible for arranging hea	d, if necessary by the Gaston lith inspections for their eve serving, selling, sampling, o	nt.

#### EVENTESCHEDULE

Provide a detailed schedule of the event including dates and times for entertainment, activities, hours of event, start time, finish time, etc. If the event requires an extended time frame for set-up, include details with a timeline listing the times and locations where streets or public property will be impacted and when dismantling will be complete (Use additional sheet of paper if necessary)

DATE	TIME	ACTION	ADDITIONAL NOTES
4/8/2022	3:00	Will mark off the age appropriate zones for egg hunting	
4/9/2022	8:30	Will put out easter eggs; games and activities	
4/9/2022	10:00	Easter Egg Hunt begins	T William Control of the Control of
4/9/2022	12:00	Event wraps up, everything broken down and cleaned up	
**************************************			

#### SITEPLAN

Provide a detailed Site-Plan sketch of the event. Include maps, outline or diagram of the entire event venue including the names of all streets and the surrounding area. The plan should include the following information:

- Location of the event/activity on the property with approximate distances from roads, fire hydrants, existing buildings, etc.
- Location of temporary structures that will be used during the event. Must indicate size of temporary structures, distances between temporary structures and existing buildings.
- Identify how each temporary structure will be used. Example: type of vendor, food preparation, etc.
- identify location of all cooking devices and open flames; generators and fuel storage.
- Location of all fencing, barricades, or other restrictions that will impair access to and from the event or property.
- Identify all designated parking areas.

#### SERVICES

The Town of Dallas does not provide amenities such as portable toilets, sound systems, tables, chairs, tents, canopies or other equipment. The applicant is responsible for arranging and providing services such as clean up, traffic control, etc. TRASH CONTAINERS In order to determine what types of containers best suit the needs of the event, please answer the following questions: Will the event be serving/selling/distributing beverages? Yes If yes, in what containers will they come packaged in? aluminum cans glass bottles/jars plastic bottles/jugs/jars How many trash cans are you requesting for trash? **Delivery Location?** Date and Time for trash cans to be picked up? \*\*Applicants are responsible for cleaning and restoring the site after the event. Clean-up fees may be incurred due to applicant's failure to clean and/or restore the site following the event. PUBLIC PROPERTY CLEAN-UP Contracted personnel or volunteers may be used if indicated below. What is the clean-up plan for the event? Museum staff will clean up all activities and zones immediately after event. SAFETY AND SECURITY (CHECK ALL TYPES OF SECURITY USED) Stage Security Event Area Security Road Closure Security Other Overnight Security From Tol Dates & Times security will be on site: Security provided by: Number of Security Personnel: ROUTE AND TRADIC PLAN PARADE (Includes floats, vehicles, and persons) BICYCLES MARCH OR WALK (persons only) FOOT RACE VEHICLES ONLY (includes motorcycles) OTHER (Description: Number of Persons: % Children: Number of Vehicles: Vehicle Types: Number of Animals: Kinds: DESCRIBE BELOW THE EVENT ROUTE. IF THERE IS MORE THAN ONE SEGMENT TO AN EVENT, INCLUDE START AND FINISH TIMES FOR EACH SEGMENT. (Ex: A "RUN" may include a 5k, a 10k, and a Fun Run). Due to the large number of children expected, the Museum does ask that Main Street in front of the Museum be closed off the morning of the event.

#### ROAD CLOSURES

If your event involves road closures, a parade, a foot or blke race, any type of procession, or more than one location, attach a <u>Route and Traffic Plan</u>. Include the required information (listed below) and any additional information you believe applies to your event. When planning a moving route, the Dallas Police Dept. is available to assist you.

- NC and US roadways will also require approval from the NCDOT.
- The proposed route to be traveled including the requested starting and termination point. Please also clarify the directions of movement of your event.
- Routing plans for traffic. Illustrate a plan to include roads that you are requesting to be closed to vehicular or other traffic for your event. Include planned arrangements to resolve conflicts with people trying to reach businesses, their own residences, places of worship and public facilities including public transportation.
- Whether the event will occupy all or a portion of the street(s) requested for use.
- Proposed locations for barricades, signs and police/volunteers.
- The provision of twenty foot (20') minimum emergency access lanes throughout the event site.
- White temporary water base paint can be used to mark the route on the street pavement (May be purchased at common hardware stores such as Lowes Home, Home Depot, etc.).

Please Note: All road closure requests will be strictly reviewed by the Town of Dallas. Approval, denial, or moidfication of all road closure requests are at the sole discretion of the Town of Dallas. The Town has final discretion over your Route and Traffic Plan including, but not limited to the route, placement and number of all barricades, signs, and police/volunteer locations.

DO NOT ASSUME, ADVERTISE, OR PROMOTE YOUR EVENT UNTIL YOU HAVE A SIGNED PERMIT FROM THE TOWN OF DALLAS. CONFLICTS DO ARISE AND CHANGES TO THE REQUEST MAY BE NECESSARY.

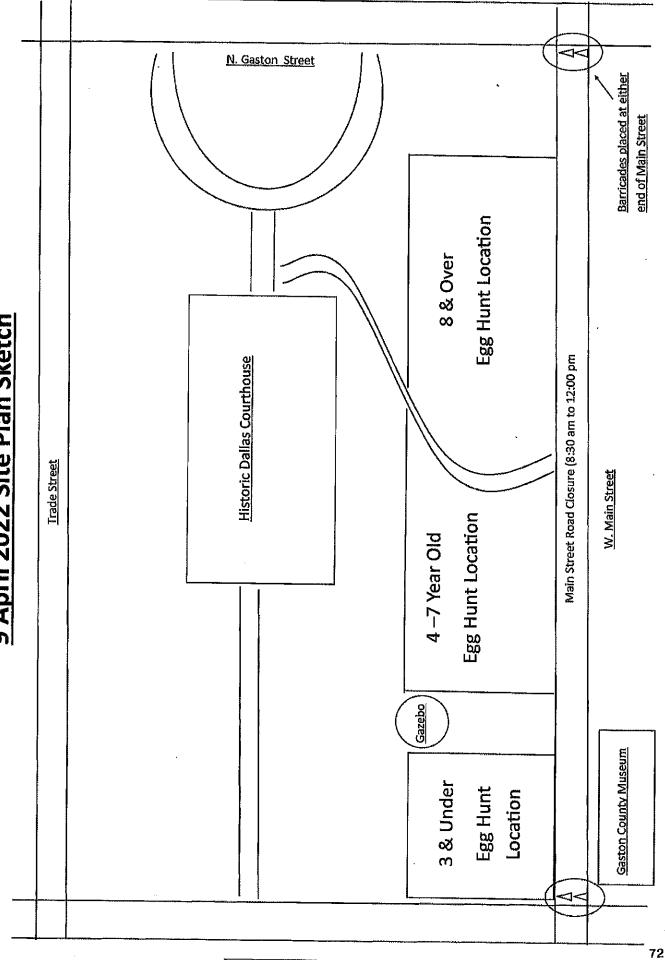
Applicant's Signature:

Date:

\*Once approved, a Special Event Fee will be assessed based on the current Town of Dallas Fee Schedule. The event fee is due and payable NO LATER THAN five (5) business days prior to the event. Events will be cancelled if fees are not paid when due.

# Easter Egg Hunt

# 9 April 2022 Site Plan Sketch



#### TOWN OF DALLAS, NORTH CAROLINA

#### REQUEST FOR BOARD ACTION

DESCRIPTION: Special Events Request - Running With the Good News 5K

AGENDA ITEM NO. 8B

**MEETING DATE: 3/8/2022** 

#### BACKGROUND INFORMATION:

A Special Events/Activities Application has been submitted by the Promised Land Baptist Church of Gastonia, NC seeking the Board's approval to conduct a 5K race in Dallas on Saturday, September 24, 2022. Set-up for the proposed race would begin at 6:00 a.m. on September 24<sup>th</sup>, with the race itself beginning at 8:00 a.m. and the event ending at 10:00 a.m. The application lists an estimated attendance of 150-200 and states that the purpose of the race is to raise funds for the church's missions. Promised Land is requesting six (6) trash cans for the event. The race will start and finish at Cloninger Park and follow the same route as their previous races. This will be the fifth year that the church has held the race in Dallas. There was not a race in 2020 or 2021 due to the COVID-19 pandemic.

MANAGER RECOMMENDATION: Approve the Special Events request from Promised Land Baptist Church, as presented.

BOARD ACTION TAKEN:

# Promised Land BAPTIST CHURCH

1024 Old Modena Street Gastonia, NC 28054 (704) 868-2364

Town of Dallas 210 N. Holland Street Dallas, NC 28034

To Maria Stroupe and Board of Aldermen:

The Town of Dallas has been so kind to allow us to host our Running With The Good News 5K in the past few years. Due to Covid and all the precautions that were involved with not having big gatherings, we did not attempt to have our 5K in 2020 and 2021.

Now that things are seeming to improve and many of the restrictions have been removed, we would once again like to host our 5K in the Town of Dallas on Saturday, September 24, 2022. The Town has been very gracious to us, and we will show our appreciation as we have tried to do in our past events. Our event is part of the Gaston County Run group, which enjoys running in your beautiful Town.

I hope you will consider allowing us to return this year on Saturday, September 24, 2022.

Thank you,

Hard Blone enslip
Harold Blankenship

Pastor



attend the meeting.

#### Special Events/ **Activities Application**

Town of Dallas 210 North Holland Street Dallas, NC 28034-1625 (704) 922-3176

Fax: (704) 922-4701

ourpose of this application is to provide information about your event or activity in order for the Town of Dallas to best a Refer to the Special Events Policy and Town of Dallas Fee Schedule for all Special Events requirements. Applicants ponsible for providing complete and accurate information on the application. The applicant is responsible for notifying of Dallas of any changes. A COMPLETE application must be submitted by no later than the first Tuesday of the sideration at the next Board of Aldermen meeting. Events must be approved at least 14 days in advance of the INCOMPLETE APPLICATIONS WILL BE RETURNED.

#### APPLICATION INFORMATION Name of Event: Facility Requested: Applicant Name: Organization: Mailing Address: City / State / Zip: Daytime Phone: E-Mail: Master bb lankership @ grail, com Description of the Event: Does the event have a Facebook, Twitter, or other social networking p If yes, please list URL(s): promised land haptist chi Date (s) Requested for Eve **Event Start Time:** 8:00 a.m. **Event End Time:** Road Closure Time Begins (if applical \$100a.m Road Closure Time Ends: 9:00 ann Set Up Begins: Set Up Ends: Preferred Date & Time of Inspection (if requir **Estimated Attendance:** The Event is: Private (by invitation only) Open to General Public scribe the procedures to be used for selecting vendors and exhibitors for this ever Applicant's Signatu Date:

A pre-event meeting may be required and will be scheduled to include appropriate staff. The even

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~	The pro	posed route	e to be tra	veled includ	ding the reque	sted start	ing and term	nation poir	nt Please
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	Routing	plans for tr	affic. Illus	trate a plan	to include roa	ds that yo	ou are reques	sting to be	closed to v
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	at comm	mporary wa	ater base	paint can b	e used to mar	k the rout	e on the stre	et pavemer	nt (May be
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