

Town of Dallas
Agenda
November 9, 2021
6:00 PM
BOARD OF ALDERMEN
Rick Coleman, Mayor

Allen Huggins

Frank Milton

Darlene Morrow

Jerry Cearley, Mayor Pro-Tem

E. Hoyle Withers

<u>ITEM</u>	<u>SUBJECT</u>	<u>Page</u>
1.	Invocation and Pledge of Allegiance to the Flag	
2.	Approval of Agenda with Additions Or Deletions	
3.	Approval of Minutes	
	A. October 12 th Regular Meeting and October 26 th Work Session	2
4.	Recognition of Citizens: Time set by Mayor	
	A.	
5.	Consent Agenda (to be acted on collectively, unless removed for further discussion)	
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8.	New Business	
	A. Request to Use Franklin Gym – Monarch Media	104
9.	Manager’s Report	
10.	Closed Session: To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. NCGS §143-318.11(3).	

MINUTES FOR BOARD OF ALDERMEN MEETING

October 12, 2021

6:00 PM

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

The following staff members were present: Maria Stroupe, Town Manager; Nolan Groce, Development Services Director; Sarah Hamrick, Town Clerk; Jonathan Newton, Finance Director; Earl Withers, III, Fire Chief; Robbie Walls, Police Chief; JJ Robbins, Public Works Supervisor; Doug Huffman, Electric Director; Brandon Whitener, Recreation Director; 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.

Mayor Coleman asked if there were any additions or deletions to the agenda. Alderman Withers made a motion to discuss the parking on S. Gaston St. and stated several private driveways have been blocked and causing cars to wreck and asked the Police Chief to look at the situation. Alderman Huggins made a motion to approve the agenda and the addition as presented, seconded by Alderwoman Morrow, and carried unanimously.

Alderman Huggins made a motion to approve the minutes from the September 14, 2021 regular meeting, and the September 28, 2021 Work Session; seconded by Alderman Milton; and carried unanimously.

Recognition of Citizens:

Ms. Starletta Hairston, 407 W. Main St., apologized for the lateness of the second order of the 9/11 Coins and thanked the Board for their support.

Mr. Mike Fields, 1333 Philadelphia Church Rd., asked that we use the Town's Digital Sign to acknowledge the Town employees for all their achievements this year.

Mr. Jeremiah Doster, 103 N. Holland St., stated his concerns of drivers speeding and running stop signs near his Restaurant.

Consent Agenda:

Item 5A was a Proclamation for Public Power Week. October 3-9, 2021 is designated as Public Power Week in order to promote the value of public power in our community, and to recognize and support the Electric Department in their operations (Exhibit 5A-1).

Item 5B was a Budget Amendment for two unexpected expenses. The first budget amendment is to appropriate funds for the purchase of a side-arm mower to be used to cut areas that are difficult for our employees to access safely. The cost of the side-arm mower apparatus is \$7,000 and will be charged to the Street Department. The budget amendment will be balanced using Fund Balance Appropriated in

the General Fund. The second amendment is to appropriate funds for the purchase of water from Two Rivers during the recent water tank and clearwell maintenance. The FY21-22 budget provided for 3 weeks of purchase water for scheduled maintenance. The maintenance ended up taking more than 6 weeks due to several unanticipated items encountered during the maintenance process. The additional cost of water purchased is projected to be \$124,208 charged to Water/Sewer Department. Fund Balance Appropriated In the Water/Sewer Fund will be used to balance the amendment (Exhibit 5B, 1-2). Alderwoman Morrow made a motion to approve the Consent Agenda as presented, seconded by Alderman Milton, and carried unanimously.

New Business:

Item 8A was a request for the Gaston County Toy Run for Kids. Gary Buckner, on behalf of the Gaston County Toy Run for Kids Organization, is requesting to hold the annual Holiday charity motorcycle ride to provide toys for Christmas to underprivileged children in Gaston County. This year's event will be held on Saturday, December 4th beginning at 11:45 p.m. and ending at approximately 12:45 pm. The estimated attendance is 800 to 1400 motorcycles and trucks. The ride will enter into Town on East Main St. and travel to the Ingles grocery store parking lot where they will hand out toys. The group will then leave the parking lot, turn left on West Trade St., travel to the Dallas Bessemer City Highway, proceed and out of town. The group is requesting that 4 trash cans and 2 porta-jons be placed at the west end of the Ingles parking lot on the grass, along with 4 portable barricades (Exhibit 8A, 1-8). Alderman Withers made a motion to approve the event based on the submitted application, seconded by Alderwoman Morrow, and carried unanimously.

Item 8B was a request from the Gaston County Museum, for the Dia de Muertos Event. The Gaston County Museum is requesting to hold a Dia de Muertos event on Saturday, October 30, 2021. The event will be a festival to be held in front of the Museum as a free public celebration of Dia de Muertos. The event would be held from 3:00 pm to 10:00 pm with an estimated attendance of 125 people. There will be music, dancing, crafts, food trucks, and family fun with the goal of bringing communities together. The Museum is requesting that the 100 block of W. Main St. be closed from 3:00 pm until 7:45 pm, at which time the event will transition to the backyard of the Museum. They are requesting 2 trash cans, but have committed to having Museum Staff responsible for all area clean-up (Exhibit 8B, 1-6). Alderman Huggins made a motion to approve the event based on the submitted application, seconded by Alderman Milton, and carried unanimously.

Item 8C is for the Finger Irrevocable Trust Annexation. An Annexation petition, 2021-04, was submitted June 15, 2021, by Rosemary Finger Routszong Trustee of Property Owner, Marilyn S. Finger Irrevocable Trust. The Petition includes three parcels, #303651, #170287, and #169122, no address assigned, located near Shepards Way Dr. The petitioner is requesting annexation as part of a Conditional Zoning District, CD R-5, for the development of a potential single-family detached subdivision. The parcels are currently located outside of the Town of Dallas and are considered contiguous. The 2003 Land Use Map highlights these parcels for new residential development (Exhibit 8C, 1-10). The Planning Board recommended the requested conditional rezoning, CD R-5. At the August 10, 2021 Board of Aldermen meeting, staff was directed to investigate the sufficiency of the annexation petition and the petition has been deemed sufficient. The Board approved the Public Hearing for the Board of Aldermen meeting on November 9, 2021. Alderman Milton made a motion to approve the date of the Public Hearing, seconded by Alderman Huggins, and carried unanimously.

Item 8D was for the Rhyne Annexation. An Annexation Petition, 2021-05, was submitted June 16, 2021, by Helen Rhyne, Property Owner of parcel #169184, no address assigned, located off of Dallas High Shoals Hwy. The petitioner is seeking annexation into the Town as a Conditional Zoning District CD R-5, for a potential single-family detached subdivision. The parcel is currently located outside of the Town of Dallas and is considered non-contiguous. The 2003 Future Land Use Map highlights this parcel for new residential development (Exhibit 8D, 1-8). The Planning Board recommended approval of requested conditional rezoning, CD R-5. At the August 10, 2021 Board of Aldermen meeting, staff was directed to investigate the sufficiency of the annexation petition and the petition has been deemed sufficient. The Board approved the Public Hearing for the Board of Aldermen meeting on November 9, 2021. Alderman Withers made a motion to approve the date of the Public Hearing, seconded by Alderman Milton, and carried unanimously.

Item 8E was for the Rosewood Drive Annexation. An Annexation Petition, 2021-03, was submitted June 10, 2021, by William M. Moore and Seagle Holdings LLC on behalf of Property Owners, Jerry and Lynn Campbell. The property located at 1028 Rosewood Dr., further identified as Gaston County Parcel #171850, is considered contiguous to Town limits. The petitioners are requesting annexation as Conditional Zoning District, CD R-6 residential, for the development of a single-family detached subdivision. The 2003 Land Use Map highlights this parcel as residential agricultural (Exhibit 8E, 1-11). The Planning Board recommended approval of the rezoning, CD R-6. At the July 13, 2021 Board of Aldermen meeting, staff was directed to investigate the sufficiency of the annexation petition and the petition has been deemed sufficient. The Board approved the Public Hearing for the Board of Aldermen meeting on November 9, 2021. Alderman Huggins made a motion to approve the date of the Public Hearing, seconded by Alderwoman Morrow, and carried unanimously.

Item 8F was concerning the Retiree Insurance Coverage Policy. Currently, retirees are not provided any insurance coverage upon retirement, regardless of years of service or age. This topic was brought to the Board of Aldermen in 2012. Attached are the minutes from the July and August 2012 meetings for review. On September 8th, the Administration Committee of the Board of Aldermen discussed the Town's policy on providing retirees insurance coverage when retiring before Medicare eligible age. The topic was referred from the Committee to a discussion by the full Board at the September 26th Work Session. It was determined at the Work Session to bring the topic for potential action to the next Board of Aldermen meeting. Attached is the current policy, a proposed revised policy, current/projected retiree information, and projected costs over the next 3 years (Exhibit 8F, 1-4). Alderman Withers made a motion to approve the new Insurance Policy, seconded by Alderwoman Morrow, and carried unanimously.

Item 8G was concerning the Food Truck Update. A meeting is scheduled with the associated parties concerning Dallas' Food Truck Ordinance. An update including information from the meeting and subsequent discussion will be held to determine next steps (Exhibit 8G, 1-2). No action taken.

Ms. Stroupe gave a Manager's Report, noting that the Trick or Treat on the Square will be held on October 31st, 2021. The Manager noted that The Veterans Day event will be held on November 12th, 2021 at 10 a.m., weather permitting for outside. The Manager stated there would be a Candidate Forum on Tuesday, October 19th, 2021 at 6 pm. at the Courthouse. The Manager also noted that She and the Finance Manger will be attending ARPA Fund classes over the next 2 weeks to learn about the uses for the funds to be compliant.

Alderman Withers made a motion to adjourn, seconded by Alderman Huggins, and carried unanimously.
(7:14)

Rick Coleman, Mayor

Sarah Hamrick, Town Clerk

MINUTES FOR BOARD OF ALDERMEN WORK SESSION
October 26, 2021
5:00 PM

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

The following Staff members were present: Nolan Groce, Development Services Director; Sarah Hamrick, Town Clerk; Robbie Walls, Police Chief; Maria Stroupe, Town Manager; Bill Trudnak, Public Works Director; Earl Withers, III, Fire Chief; 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.

The Mayor asked if there were any additions or deletions to the agenda. Alderman Milton added Item 3C to discuss the Town's infrastructure. Alderman Withers added Item 3D to discuss his concerns with the loud music coming from some of the downtown restaurants. Alderman Withers made a motion to approve the agenda, seconded by Alderman Cearley, and carried unanimously.

New Business:

Item 3A Parking on S. Gaston St.

At the October 12th Board of Aldermen meeting, a concern was raised about parking along the street and line of sight on S. Gaston St. There are currently 160 parking spaces along S. Gaston St. with many of these spaces too close to intersections and driveways, based on standard parallel parking dimensions. Each space should be 25' long, 15' from driveways and/or intersections, and 10' from hydrants on either side. Town staff has reviewed the situation and has recommended to reconfigure the parking spaces along S. Gaston St. to meet standard parallel parking dimensions. This would result in a loss of approximately 50-55 parking spaces, but leaving approximately 105 spaces. Staff has also recommended to modify the parking ordinance to no longer allow parking of box trucks or box trailers in street parking. Staff believes these recommendations will result in safer conditions along S. Gaston St. for residents and motorists. The Board agreed to bring back this discussion in the November Board of Aldermen meeting.

Item 3B Update on ARPA Funds

On March 11, 2021, the American Rescue Plan Act (ARPA) was enacted, which included \$350B for Coronavirus State & Local Fiscal Recovery. The Town of Dallas expects to receive \$1,528,791.64 in total funds that are broken into two dispersments of \$764,395.82. The first dispersment was received in July 2021, with the second

dispersment to be received in the summer of 2022. Attached is some information to date concerning ARPA funds. Currently, there is Interim Guidance from the U.S. Treasury; but the Final Guidance on requirements and use has still not been issued (Exhibit 3B, 1-4). Moving forward, Dallas' first priority will be getting up-to-date policies in place to facilitate usage of the funds once the final decisions are made. There is time to explore how to best use the funds to return the best value for the citizens. No action was taken at this time.

Item 3C Town Infrastructure

Alderman Milton had questions concerning the Town's infrastructure, such as will there be a need in the near future to replace any water and sewer lines or any pump stations, to keep up with the growth in the Town. The Town Manager stated that some water lines had already been replaced and the electric grid had been replaced. The Town Manager also stated that the Town has applied for grants to have some waste water and sewer lines replaced and a pump station on Dallas-Stanley Highway is in the process of being replaced.

Item 3D Loud Music from Downtown Restaurants

Alderman Withers stated there has been very loud music coming from some of the downtown restaurants and disturbing some citizens at night. The Board asked that Chief Walls speak to the restaurant owners to see if they can lower the noise level. Chief Walls also suggested that he could talk to other neighboring towns to see what their noise ordinances were.

Alderman Withers made a motion to adjourn, seconded by Alderman Cearley, and carried unanimously. 5:53 pm.

Rick Coleman, Mayor

Sarah Hamrick, Town Clerk

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Gaston County 175th Anniversary Proclamation

AGENDA ITEM NO. 5A

MEETING DATE: 11/9/2021

BACKGROUND INFORMATION:

Gaston County is celebrating its 175th Anniversary in December. In coordination with the City of Gastonia, the County will host an event celebrating the anniversary on the afternoon of December 21, 2021 at the Rotary Pavilion. Further information concerning the celebration will be distributed closer to that time.

Attached is a proclamation recognizing the 175th Anniversary of Gaston County.

MANAGER RECOMMENDATION: Approve the proclamation celebrating the 175th Anniversary of Gaston County as presented.

BOARD ACTION TAKEN:

Gaston County 175th Anniversary Proclamation

WHEREAS, Gaston County will celebrate its 175th Anniversary on December 21, 2021; and

WHEREAS, Gaston County was first inhabited by Cherokee and Catawba Indians, and was later settled by German, Scotch Irish, and English immigrants, and now has a population of nearly 228,000 residents from a multitude of backgrounds; and

WHEREAS, Gaston County is now the ninth largest county population-wise in the State of North Carolina; and

WHEREAS, Gaston County has added more than 46,000 residents to its population since the County celebrated its Sesquicentennial in 1996; and

WHEREAS, The North Carolina General Assembly split Gaston County from Lincoln County to allow for smaller and more localized government; and

WHEREAS, Gaston County's original seat was in Dallas and was moved to Gastonia 110 years ago following a vote by its residents; and

WHEREAS, Gaston County has, through visionary leadership, diversified its economy and built upon the strengths of its citizens to grow a strong manufacturing base with good paying, long-lasting jobs; and

WHEREAS, Gaston County has a proud history with a bright and prosperous future; and

WHEREAS, all of Gaston County's 14 municipalities and their residents are invited to participate in the celebration.

NOW, THEREFORE, BE IT PROCLAIMED, that the Town of Dallas Board of Aldermen join with Gaston County in celebration of its 175th Anniversary to be celebrated in a ceremony on December 21, 2021, at the Rotary Pavilion in Gastonia, along with other events marked by an official 175th Anniversary Seal to celebrate the occasion, and encourage all citizens to join the celebrations.

Adopted this the 9th day of November, 2021.

Rick Coleman, Mayor

Attested by:

Sarah Hamrick, Town Clerk

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Budget Amendment – Parking Restriping on S. Gaston St.

AGENDA ITEM NO. 5B

MEETING DATE: 11/9/2021

BACKGROUND INFORMATION:

At the October 26th Work Session, the Board discussed options for parking on S. Gaston St. to address safety concerns that were originally raised at the October 12th Board of Aldermen Meeting. There are currently 160 parking spaces along S. Gaston St. with many of these spaces too close to intersections and driveways, based on standard parallel parking dimensions. Each space should be 25' long, 15' from driveways and/or intersections, and 10' from hydrants.

Staff made the following recommendations:

- Reconfigure the parking spaces along S. Gaston St. to meet standard parallel parking dimensions. This would result in a loss of approximately 50-55 parking spaces, but leaving approximately 105 spaces.
- Modify the parking ordinance to no longer allow parking of box trucks or box trailers in street parking.

The projected cost of reconfiguring the parking spaces is \$20,270.

After discussion the Board requested that a proposed ordinance change and budget amendment be brought for action. The budget amendment is required because this project was not included in the approved FY21-22 budget.

Attached is a budget amendment in the amount of \$20,270 to make the proposed reconfiguration of parking spaces.

Due to publishing issues with the newspaper, a revised ordinance will be presented at the December 14th Board of Aldermen meeting.

MANAGER RECOMMENDATION: Approve the budget amendment to reconfigure parking spaces on S. Gaston St. as presented.

BOARD ACTION TAKEN:

**Town of Dallas
Budget Amendment**

Date: November 9, 2021

Action: Street - Line Painting

Purpose: To Appropriate Funds to Reconfigure Parking Spaces on S. Gaston St.

Number: STR-002

Fund	Dept	Line Item	Item Description	Original Amount	Amended Amount	Difference
10	3999	0000	Fund Balance Appropriated	\$292,256	\$312,526	\$20,270
10	5600	4504	Contr Services: Line Painting	\$4,000	\$24,270	\$20,270

Approval Signature
(Town Manager)

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: YFKO LLC Annexation

AGENDA ITEM NO. 6A

MEETING DATE: 11/9/2021

BACKGROUND INFORMATION:

An Annexation Petition, 2021-02, was submitted May 6, 2021, by William Gillespie Jr., managing member of YFKO LLC, property owner of Gaston County Parcel #304617.

2.50 acres of the existing 2.75-acre parcel are located within the Town of Dallas. The annexation petition will annex the remaining 0.25 acres. The existing portion within Town limits is currently zoned R-6, Multi-Family Residential, which is the requested zoning, pending annexation of the 0.25 acres.

The annexation and rezoning hearings have been advertised as required by State Statute and Town Ordinance in the Gaston Gazette 10/28 and 11/4, on site, and via first class mail to all property owners within five hundred (500) feet.

MANAGER RECOMMENDATION: Approve the annexation request as presented.

BOARD ACTION TAKEN:

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF DALLAS,
NORTH CAROLINA (Annexation PID# 304617)**

WHEREAS, the Board of Aldermen of the Town of Dallas has been petitioned under G.S. 160A-31 to annex the contiguous area described below; and,

WHEREAS, the Board of Aldermen has directed the Town Clerk to investigate the sufficiency of the petition; and,

WHEREAS, the Town Clerk has certified the sufficiency of the petition and public hearing on the question of this annexation was held at the Fire Department Community Room at 6:00 pm on November 9, 2021, after due notice; and,

WHEREAS, the Board of Aldermen finds the petition meets the requirements of G.S. 160A-31:

NOW THEREFORE BE IT ORDAINED, by the Board of Aldermen of the Town of Dallas, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Dallas as of November 9, 2021:

That certain tract or parcel of land situated, lying, and being in the Dallas Township, Gaston County, North Carolina, and being more particularly described as follows:

BEGINNING at an iron pin set, located in the southern margin of the right of way of Robinson-Clemmer Road, said iron being located directly south +/- and across Robinson-Clemmer Road from the center line of Alder Ridge Way in Alder Ridge Subdivision as it intersects with Robinson-Clemmer Road as show on PG 75 page 65 in the Gaston County Register of Deeds and thence from said iron S 29-45-36 W 74.56' to a new iron pin set, said iron pin being the beginning point of this description; thence S 56-44-03 E 329.15' to an iron pin set; thence N 71-04-57 W 267.34' to an iron pin set; thence N 13-21-55 W 96.48' to the place of beginning, containing 0.25 acres.

Section 2. Upon and after November 9, 2021, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the Town of Dallas and shall be entitled to the same privileges and benefits as other parts of the Town of Dallas. Said territory shall be subject to municipal taxes according to G.S. 160A-31.

Section 3. The Mayor of the Town of Dallas shall cause to be recorded in the office the Register of Deeds of Gaston County, and in the office of the Secretary of State at Raleigh, North Carolina an accurate map of annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required G.S. 163-288.1.

Adopted this 9th day of November, 2021.

ATTESTED:

Rick Coleman, Mayor

Sarah Hamrick, Town Clerk

Re: Annexation (PID# 304617)

2021-02

TOWN OF DALLAS, NORTH CAROLINA

PETITION FOR ANNEXATION

PETITION NUMBER: _____

Contiguous

Non-Contiguous

DATE: _____

FEE: \$500.00

Current Property Use: R-6 Requested Zoning: R-6

Planned Property Use: SINGLE FAMILY RESIDENTIAL

To the Board of Aldermen of the Town of Dallas:

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

Robinson Clemmer Rd, DALLAS, NC 28034, further identified as
parcel ID # 304617, be annexed to the Town of Dallas.

Print owner name(s) and information: YFKO L.L.C.

Name William Gillespie Jr. Phone 704-868-9703

Address PO BOX 550442 GASTONIA, NC 28055-0442

Name _____ Phone _____

Address _____

CONTACT: Name MICHAEL DICKSON Phone 704-678-5658

Address 548 DEERWOOD DR. GASTONIA, N.C. 28054

Attachments included with Petition:

1. Legal description (as noted in property deed)
2. Letter outlining reasons for annexation request
3. List of Abutting Property Owners
4. Survey or Plat suitable for recordation
5. \$500 Fee

Owner's Signature: [Signature] Manager Date: 3-30-2021

Owner's Signature: _____ Date: _____

Owner's Signature: _____ Date: _____

Received By: [Signature] Nolan Grace Date: 5-6-2021

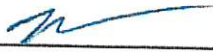
Reasons for Request of Annexation of PID# 304617

To whom it may concern:

The subject parcel has been recombined and currently has approximately .25 (point two five) acres outside and approximately 2.5 (two point five) acres inside the town limits of Dallas. Our desire is to have the portion currently located outside of the towns jurisdiction to be annexed in so that zoning will run concurrent to the larger portion of the subject parcel. Our intention is to be able to work exclusively with Town of Dallas for future development of this parcel. Our overall goal at this time is to have the subject parcel annexed and zoned for single family detached dwellings.

Best Regards,

YFKO LLC

By:  _____

Title: Manager

Date: 3-30-2021

Type: CONSOLIDATED REAL PROPERTY
Recorded: 12/29/2020 3:55:37 PM
Fee Amt: \$166.00 Page 1 of 3
Revenue Tax: \$140.00
Gaston, NC
Susan S. Lockridge Register of Deeds

BK 5186 PG 1698 - 1700

NORTH CAROLINA GENERAL WARRANTY DEED

Revenue Tax: \$ 140.00
Parcel Identifier No. 225234 & 225231 Verified by _____ County on the _____ day of _____ 20____
By: _____
Mail/Box for Grantee: _____
This instrument was prepared by: Hance & Hance, 317 South Street Gastonia, NC 28052 (202571)
Brief description for the Index: **NO TITLE SEARCH REQUESTED OR PERFORMED**
THIS DEED made this 29th day of December, 2020, by and between
GRANTOR GRANTEE

Alders Ridge, LLC
a NC limited liability company
936 Dr. Martin Luther King Jr Way STE 1D
Gastonia, NC 28054

YTKO, LLC
a NC limited liability company
936 Dr. Martin Luther King Jr Way STE 1D
Gastonia, NC 28054

Enter in appropriate block for each Grantor and Grantee name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

This designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, parcel of land or condominium unit situated in the City of _____ Dallas _____ Township, _____ Gaston _____ County, North Carolina and more particularly described as follows:

See Exhibit "A" attached and incorporated herein by reference.

The property hereinabove described was acquired by Grantor by instrument recorded in Book _____ page _____
All or a portion of the property herein conveyed _____ includes or does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Book 85 page 41

EXHIBIT "A"

BEGINNING at an iron set in the southern margin of Robinson Clemmer Road, the same being the northwestern corner of Lot 1, Block D, of Briarwood Subdivision as the same is shown in Plat Book 25 at Page 45 in the Gaston County Public Registry; thence with the western lines of Lots 1-4 of said subdivision, the following eight (8) courses and distances: 1) S 30-38-18 W 33.84 feet; 2) S 34-20-10 W 43.51 feet; 3) S 36-37-36 W 53.72 feet; 4) S 40-29-29 W 52.94 feet; 5) S 43-26-59 W 53.52 feet; 6) S 46-29-59 W 53.52 feet; 7) S 49-51-30 W 52.68 feet; 8) S 53-26-56 W 56.68 feet to a point, a common corner with Sowell (Deed Book 4747 at Page 2104); thence with the line of Sowell, N 56-44-03 W 42.30 feet to a 1/2" rebar found; thence, N 56-44-03 W 96.76 feet to an iron set; thence N 71-04-57 W 267.34 feet to an iron set; thence N 13-21-53 W 96.48 feet to an iron set; thence N 29-43-36 E 74.56 feet to an iron set in the southern margin of Robinson Clemmer Road; thence with the margin of the road, with the arc of a curve to the left having a radius of 984.67 feet, an arc distance of 250.79 feet, a chord bearing of S 79-57-51 E 216.22 feet to a point in the margin of the road; thence N 89-18-23 E 192.13 feet to a point in the margin of the road; thence N 88-34-17 E 218.36 feet to the point and place of beginning and containing 2.75 acres, more or less, according to a survey for Alders Ridge, LLC by Ledford & West dated July 6, 2016, the same being recorded in Plat Book 85 at Page 41 in the Gaston County Public Registry.

The foregoing is a combination of that parcel conveyed to Alders Ridge, LLC by deed recorded in Book 4913 at Page 215 and the remainder of that tract conveyed to Alders Ridge, LLC by deed recorded in Book 4731 at Page 1796, all in the Gaston County Public Registry.

UNOFFICIAL

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

Basements, Easements and Right of Way of Record. Ad Valorem Taxes for Current Year.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

By: Alders Ridge, LLC (Entity Name) Print/Type Name: _____ (SEAL)

Print/Type Name & Title: William W. Gillespie, Jr. Manager Print/Type Name: _____ (SEAL)

By: _____ Print/Type Name & Title: _____ Print/Type Name: _____ (SEAL)

By: _____ Print/Type Name & Title: _____ Print/Type Name: _____ (SEAL)

State of _____ - County or City of _____

I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that execution of the foregoing instrument for the purposes therein expressed, personally appeared before me this day and acknowledged the due _____ day of _____ 20____

My Commission Expires: _____ (Affix Seal) _____ Notary Public Notary's Printed or Typed Name

State of _____ - County or City of _____

I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that execution of the foregoing instrument for the purposes therein expressed, personally appeared before me this day and acknowledged the due _____ day of _____ 20____

My Commission Expires: _____ (Affix Seal) _____ Notary Public Notary's Printed or Typed Name

State of North Carolina - County or City of Gaston

I, the undersigned Notary Public of the County or City of Gaston and State aforesaid, certify that William W. Gillespie, Jr. personally came before me this day and acknowledged that he is the Manager of Alders Ridge, LLC a North Carolina or corporation/limited liability company/general partnership/limited partnership (unless through the implications), and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this 21 day of December, 2020

My Commission Expires: _____ (Affix Seal) _____ Notary Public Notary's Printed or Typed Name

Ashley S. Ballard
NOTARY PUBLIC
Gaston County
North Carolina
My Commission Expires August 11, 2024

Ashley S. Ballard
Notary Public
Notary's Printed or Typed Name

The first legal description is of the new parcel PID 304617 which has been recombined as a single parcel.

I believe that the second description is of only the old, smaller parcel that was and is still located outside of the city limits even though it is now a portion of a parcel inside the city limits.

BEGINNING at an iron set in the southern margin of Robinson Clemmer Road, the same being the northwestern corner of Lot 1, Block D, of Briarwood Subdivision as the same is shown in Plat Book 25 at Page 45 in the Gaston County Public Registry; thence with the western lines of Lots 1-4 of said subdivision, the following eight (8) courses and distances: 1) S 30-38-18 W 33.84 feet; 2) S 34-20-10 W 43.51 feet; 3) S 36-57-36 W 53.72 feet; 4) S 40-29-29 W 52.94 feet; 5) S 43-26-59 W 53.52 feet; 6) S 46-29-59 W 53.52 feet; 7) S 49-51-30 W 52.68 feet; 8) S 53-26-56 W 56.68 feet to a point, a common corner with Sowell (Deed Book 4747 at Page 2104); thence with the line of Sowell, N 56-44-03 W 42.30 feet to a ½" rebar found; thence, N 56-44-03 W 96.76 feet to an iron set; thence N 71-04-57 W 267.34 feet to an iron set; thence N 13-21-55 W 96.48 feet to an iron set; thence N 29-45-36 E 74.56 feet to an iron set in the southern margin of Robinson Clemmer Road; thence with the margin of the road, with the arc of a curve to the left having a radius of 984.67 feet, an arc distance of 250.79 feet, a chord bearing of S 79-57-51 E 216.22 feet to a point in the margin of the road; thence N 89-18-25 E 193.18 feet to a point in the margin of the road; thence N 88-34-17 E 218.36 feet to the point and place of beginning and containing 2.75 acres, more or less, according to a survey for Alders Ridge, LLC by Ledford & West dated July 6, 2016, the same being recorded in Plat Book 85 at Page 41 in the Gaston County Public Registry.

Old Parcel:

Beginning at an iron pin set, located in the southern margin of the right of way of Robinson-Clemmer Road, said iron being located directly south +/- and across Robinson-Clemmer Road from the center line of Alder Ridge Way in Alder Ridge Subdivision, as it intersects with Robinson-Clemmer Road, as shown on PB 75 page 65 in the Gaston County Register of Deeds and thence from said iron S29-45-36W 74.56' to a new iron pin set, said iron pin being the beginning point of this description; thence S56-44-03E 329.15 to an iron pin set; thence N71-04-57W267.34 to an iron pin set; thence N13-21-55W 96.48' to the place of beginning, containing 0.25 acres.

Abutting Parcels

PID# 225233 & 225232
James R. Sowell & Theresa V. Howell
209 Robinson Clemmer Rd
Dallas, NC 28034

PID# 172404
Rhonda R. Hughes
303 Brlarwood Circle
Dallas, NC 28034

PID# 172405
Jaclyn P. Zapf
1107 Larkspur Lane
Dallas, NC 28034

PID# 172406
Katie H. Peefer
1109 Larkspur Lane
Dallas, NC 28034

PID# 172407
Karen Van Pelt & Others
2818 Tryon Courthouse Rd.
Bessemer City, NC 28016

PID# 206754
Sean Simpkins & Simone Hutton
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PARCELS ACROSS ROBINSON CLEMMER

PID# 216068
Donna Baldwin
5000 Broadleaf Ct.
Dallas, NC 28034

PID# 216069
Progress Residential Borrower 11 llc
PO Box 4090
Scottsdale, AZ 85261

PID# 216070
Progress Residential Borrower 6 llc
PO Box 4090
Scottsdale, AZ 85261

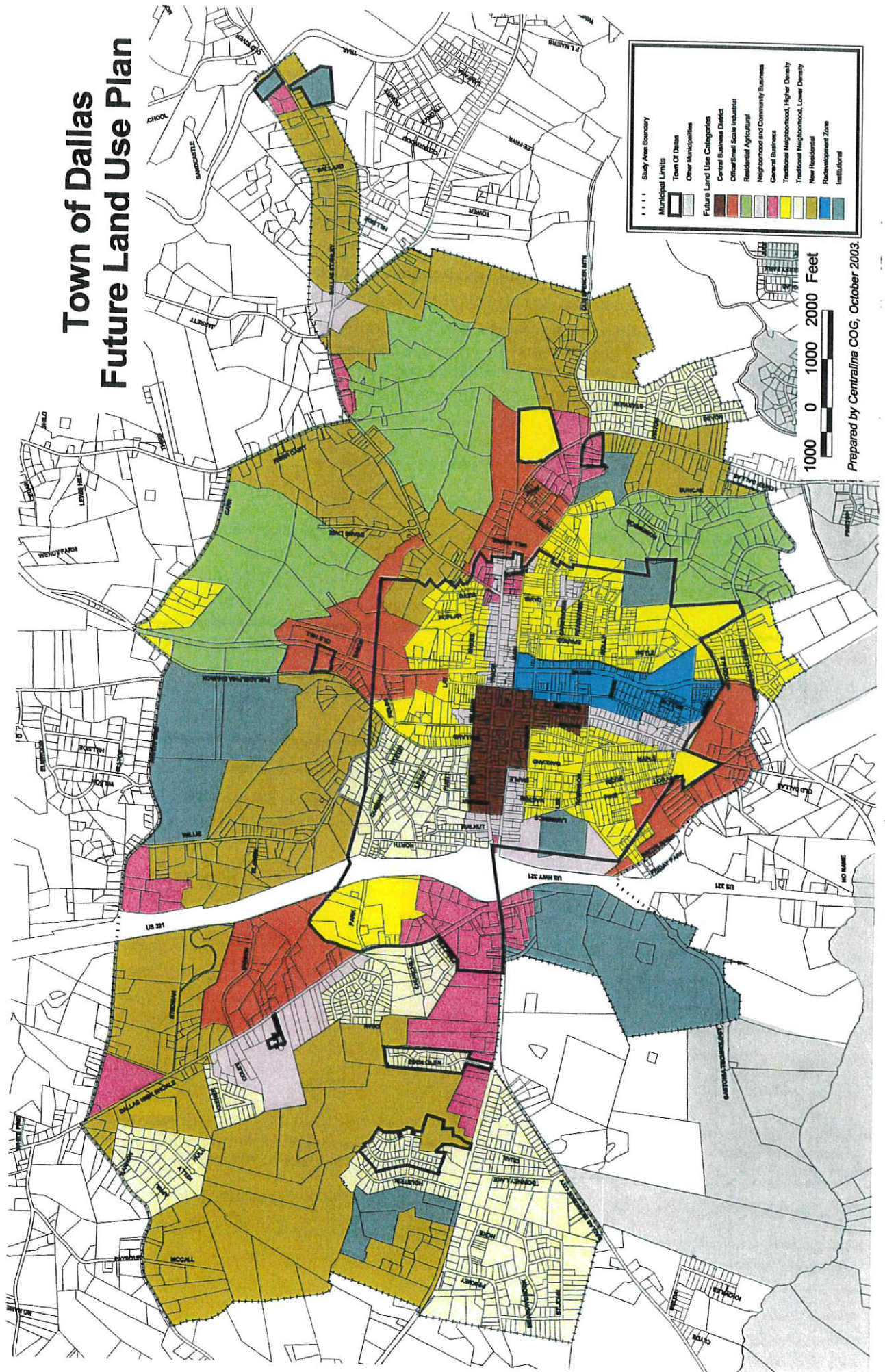
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PID# 216073
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Dallas, NC 28034

PID# 220505
James Hill
5044 Broadleaf Ct
Dallas, NC 28034

Town of Dallas Future Land Use Plan



TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: YFKO LLC Rezoning

AGENDA ITEM NO. 6B

MEETING DATE: 11/9/2021

BACKGROUND INFORMATION:

A Rezoning Application, 2021-02, was submitted May 6, 2021, by William Gillespie Jr., managing member of YFKO LLC, property owner of Gaston County Parcel #304617.

The rezoning request is to rezone 0.25 acres to R-6, Multi-Family Residential. Currently, 2.50 of the 2.75 acres is zoned R-6, Multi-Family Residential. This rezoning will remove the split-zoning which currently exists.

The Planning Board reviewed the rezoning request and unanimously recommended approval of the rezoning to R-6, Multi-Family Residential.

All Zoning Map amendments must include a statement of plan consistency, which is attached. Also, attached, is a rezoning ordinance for approval.

MANAGER RECOMMENDATION: Approve the rezoning request and accompanying resolution, as presented.

BOARD ACTION TAKEN:

**AN ORDINANCE ADOPTING A ZONING MAP AMENDMENT/REZONING PETITION IN
THE TOWN OF DALLAS (PID# 304617)**

WHEREAS, YFKO LLC submitted an application for a zoning map amendment to Rezone Gaston County Parcel ID# 304617 from Single Family, RS-8 (Gaston County), to Multi-Family Residential, R-6 (Town of Dallas), for future development of the property; and,

WHEREAS, the public hearing for this map amendment has been noticed in compliance with the North Carolina General Statutes; and,

WHEREAS, the Town of Dallas Planning Board has reviewed the Rezoning petition and voted unanimously (6-0) to recommend approval of the petition, finding it neither consistent nor inconsistent with the 2003 Land Use Plan, and,

WHEREAS, the Town of Dallas Board of Aldermen held the public hearing on November 9, 2021, and after the hearing, made the following finding:

The proposed zoning map amendment to Parcel #304617 is neither consistent nor inconsistent with the 2003 Land Use Plan's map designation, because this parcel was not in the study area, but it abuts property designated as Traditional Neighborhood, Higher Density, and supports an increased demand for housing in light of Dallas' current and anticipated growth and is therefore deemed reasonable and in the public's best interest as the zoning map amendment aligns with the 2003 Land Use Plan's recommendation for new residential to be clustered so as to preserve open space and heighten pedestrian accessibility.

NOW THEREFORE BE IT ORDAINED, by the Board of Aldermen of the Town of Dallas, North Carolina, that the petitioner, is granted approval of the above-referenced Rezoning request effective November 9, 2021 and that the official zoning map of the Town be amended to reflect this adopted change of parcel #304617.

Should any provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof which is specifically declared to be invalid and unconstitutional.

Adopted this 9th day of November, 2021.

ATTESTED:

Rick Coleman, Mayor

Sarah Hamrick, Town Clerk

Re: Annexation (PID# 304617)

2021-02

TOWN OF DALLAS, NORTH CAROLINA

PETITION FOR ANNEXATION

PETITION NUMBER: _____

Contiguous

Non-Contiguous

DATE: _____

FEE: \$500.00

Current Property Use: R-6 Requested Zoning: R-6

Planned Property Use: SINGLE FAMILY RESIDENTIAL

To the Board of Aldermen of the Town of Dallas:

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

Robinson Clemmer Rd, DALLAS, NC 28034, further identified as
parcel ID # 304617, be annexed to the Town of Dallas.

Print owner name(s) and information: YFKO L.L.C.

Name William Gillespie Jr. Phone 704-868-9703

Address PO BOX 550442 GASTONIA, NC 28055-0442

Name _____ Phone _____

Address _____

CONTACT: Name MICHAEL DICKSON Phone 704-678-5658

Address 548 DEERWOOD DR. GASTONIA, N.C. 28054

Attachments included with Petition:

1. Legal description (as noted in property deed)
2. Letter outlining reasons for annexation request
3. List of Abutting Property Owners
4. Survey or Plat suitable for recordation
5. \$500 Fee

Owner's Signature: [Signature] Manager Date: 3-30-2021

Owner's Signature: _____ Date: _____

Owner's Signature: _____ Date: _____

Received By: [Signature] Naim Grace Date: 5-6-2021

Reasons for Request of Annexation of PID# 304617

To whom it may concern:

The subject parcel has been recombined and currently has approximately .25 (point two five) acres outside and approximately 2.5 (two point five) acres inside the town limits of Dallas. Our desire is to have the portion currently located outside of the towns jurisdiction to be annexed in so that zoning will run concurrent to the larger portion of the subject parcel. Our intention is to be able to work exclusively with Town of Dallas for future development of this parcel. Our overall goal at this time is to have the subject parcel annexed and zoned for single family detached dwellings.

Best Regards,

YFKO LLC

By:  _____

Title: Manager

Date: 3-30-2021

Type: CONSOLIDATED REAL PROPERTY
Recorded: 12/29/2020 3:05:37 PM
Fee Amt: \$168.00 Page 1 of 3
Revenue Tax: \$140.00
Gaston, NC
Susan S. Lockridge Register of Deeds
BK 5186 PG 1698 - 1700

NORTH CAROLINA GENERAL WARRANTY DEED

Revenue Tax: \$ 140.00
Parcel Identifier No. 225234 & 225231 Verified by _____ County on the _____ day of _____ 20____
By _____
Mail/Box No: Graites
This instrument was prepared by: Hance & Hance, 317 South Street, Gaston, NC 28052 (704) 771-1111
Brief Description for the Index: NO TITLE SEARCH REQUESTED OR PERFORMED
THIS DEED made this 29th day of December, 2020, by and between
GRANTOR GRANTEE

Aldon Ridge, LLC
a NC limited liability company
936 Dr. Martin Luther King Jr Way STE 1D
Gaston, NC 28034

YFKO, LLC
a NC limited liability company
936 Dr. Martin Luther King Jr Way STE 1D
Gaston, NC 28034

Enter in appropriate block for each Grantor and Grantee name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has said by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, parcel of land or condominium unit situated in the City of Dallas Township, Gaston County, North Carolina and more particularly described as follows:

See Exhibit "A" attached and incorporated herein by reference.

The property hereinabove described was acquired by Grantor by instrument recorded in Book _____ page _____
All or a portion of the property herein conveyed _____ includes or X does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Book 85 page 41.

Page 1 of 2

NC Bar Association Form No. 3 © 1976, Revised © 1977, 2002, 2013
Printed by Agreement with the NC Bar Association ~ 1981

This standard form has been approved by:
North Carolina Bar Association ~ NC Bar Form No. 3

submitted electronically by "Hance & Hance, PA"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Gaston County Register of Deeds.

EXHIBIT "A"

BEGINNING at an iron set in the southern margin of Robinson Clemmer Road, the same being the northwestern corner of Lot 1, Block D, of Briarwood Subdivision as the same is shown in Plat Book 25 at Page 45 in the Gaston County Public Registry; thence with the western lines of Lots 1-4 of said subdivision, the following eight (8) courses and distances: 1) S 30-38-18 W 33.84 feet; 2) S 34-20-10 W 43.51 feet; 3) S 36-37-36 W 53.72 feet; 4) S 40-29-29 W 52.94 feet; 5) S 43-26-39 W 53.52 feet; 6) S 46-29-39 W 53.52 feet; 7) S 49-51-30 W 52.68 feet; 8) S 53-26-56 W 56.68 feet to a point, a common corner with Sowell (Deed Book 4747 at Page 2104); thence with the line of Sowell, N 56-44-03 W 42.30 feet to a 1/2" rebar found; thence, N 56-44-03 W 96.76 feet to an iron set; thence N 71-04-57 W 267.34 feet to an iron set; thence N 13-21-55 W 96.48 feet to an iron set; thence N 29-45-36 E 74.56 feet to an iron set in the southern margin of Robinson Clemmer Road; thence with the margin of the road, with the arc of a curve to the left having a radius of 984.67 feet, an arc distance of 250.79 feet, a chord bearing of S 79-57-51 E 216.22 feet to a point in the margin of the road; thence N 89-18-23 E 193.18 feet to a point in the margin of the road; thence N 88-34-17 E 218.36 feet to the point and place of beginning and containing 2.79 acres, more or less, according to a survey for Alders Ridge, LLC by Ledford & West dated July 6, 2016, the same being recorded in Plat Book 83 at Page 41 in the Gaston County Public Registry.

The foregoing is a combination of that parcel conveyed to Alders Ridge, LLC by deed recorded in Book 4913 at Page 215 and the remainder of that tract conveyed to Alders Ridge, LLC by deed recorded in Book 4731 at Page 1706, all in the Gaston County Public Registry.

UNOFFICIAL

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

Basements, Restrictions and Right of Way of Record. Ad Valorem Taxes for Current Year.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

By: Alders Ridge, LLC (Entity Name) Print/Type Name: _____ (SEAL)

Print/Type Name & Title: William W. Gillespie, Jr. Manager Print/Type Name: _____ (SEAL)

By: _____ Print/Type Name & Title: _____ Print/Type Name: _____ (SEAL)

By: _____ Print/Type Name & Title: _____ Print/Type Name: _____ (SEAL)

State of _____ County or City of _____ I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that execution of the foregoing instrument for the purposes therein expressed. personally appeared before me this day and acknowledged the due Witness my hand and Notarial stamp or seal this _____ day of _____ 20_____

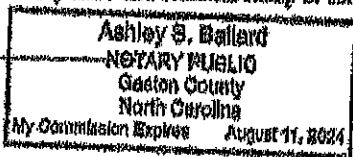
My Commission Expires: _____ (Affix Seal) _____ Notary Public Notary's Printed or Typed Name _____

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My Commission Expires: _____ (Affix Seal) _____ Notary Public Notary's Printed or Typed Name _____

State of North Carolina County or City of Gaston I, the undersigned Notary Public of the County or City of Gaston and State aforesaid, certify that William W. Gillespie, Jr. Manager of Alders Ridge, LLC personally came before me this day and acknowledged that he is the Manager of Alders Ridge, LLC a North Carolina or corporation/limited liability company/general partnership/limited partnership (as applicable), and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this 29 day of December, 2020.

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PID# 216073
David Scott Hannah II
5020 Broadleaf Ct.
Dallas, NC 28034

PID# 220505
James Hill
5044 Broadleaf Ct
Dallas, NC 28034

DEED NORTH D4721196 1704

NOTES:

- SURVEY BASED ON PHYSICAL EVIDENCE
- ALL POINTS LOCATED OTHER THAN AS SHOWN
- PROPERTY LINES NOT SHOWN
- UNRECORDED EASEMENTS NOT OBSERVED
- NO TITLE SEARCH PERFORMED
- ALL EASEMENTS SHOWN ARE AS SHOWN
- PLOTTED EASEMENT LINES DESCRIBED ON SURVEY
- LEGEND
- G IRON NAIL
- P IRON SET
- L UNMARKED POINT

NORTH CAROLINA, GASTON COUNTY

THE COUNTY CLERK OF GASTON COUNTY HAS REVIEWED THIS DEED AND CERTIFICATE OF RECORDATION IS AFFIRMED HEREIN ALL THE STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____

CHAIN	BEARS	DETERMINED
1.1	3.370581	121.1
1.2	3.423210	121.1
1.3	3.475839	121.1
1.4	3.528468	121.1
1.5	3.581097	121.1
1.6	3.633726	121.1
1.7	3.686355	121.1
1.8	3.738984	121.1
1.9	3.791613	121.1
1.10	3.844242	121.1
1.11	3.896871	121.1
1.12	3.949500	121.1
1.13	4.002129	121.1
1.14	4.054758	121.1
1.15	4.107387	121.1
1.16	4.160016	121.1
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1.19	4.317903	121.1
1.20	4.370532	121.1
1.21	4.423161	121.1
1.22	4.475790	121.1
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1.24	4.581048	121.1
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1.27	4.738935	121.1
1.28	4.791564	121.1
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1.92	8.158200	121.1
1.93	8.210800	121.1
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1.96	8.368600	121.1
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2.00	8.579000	121.1

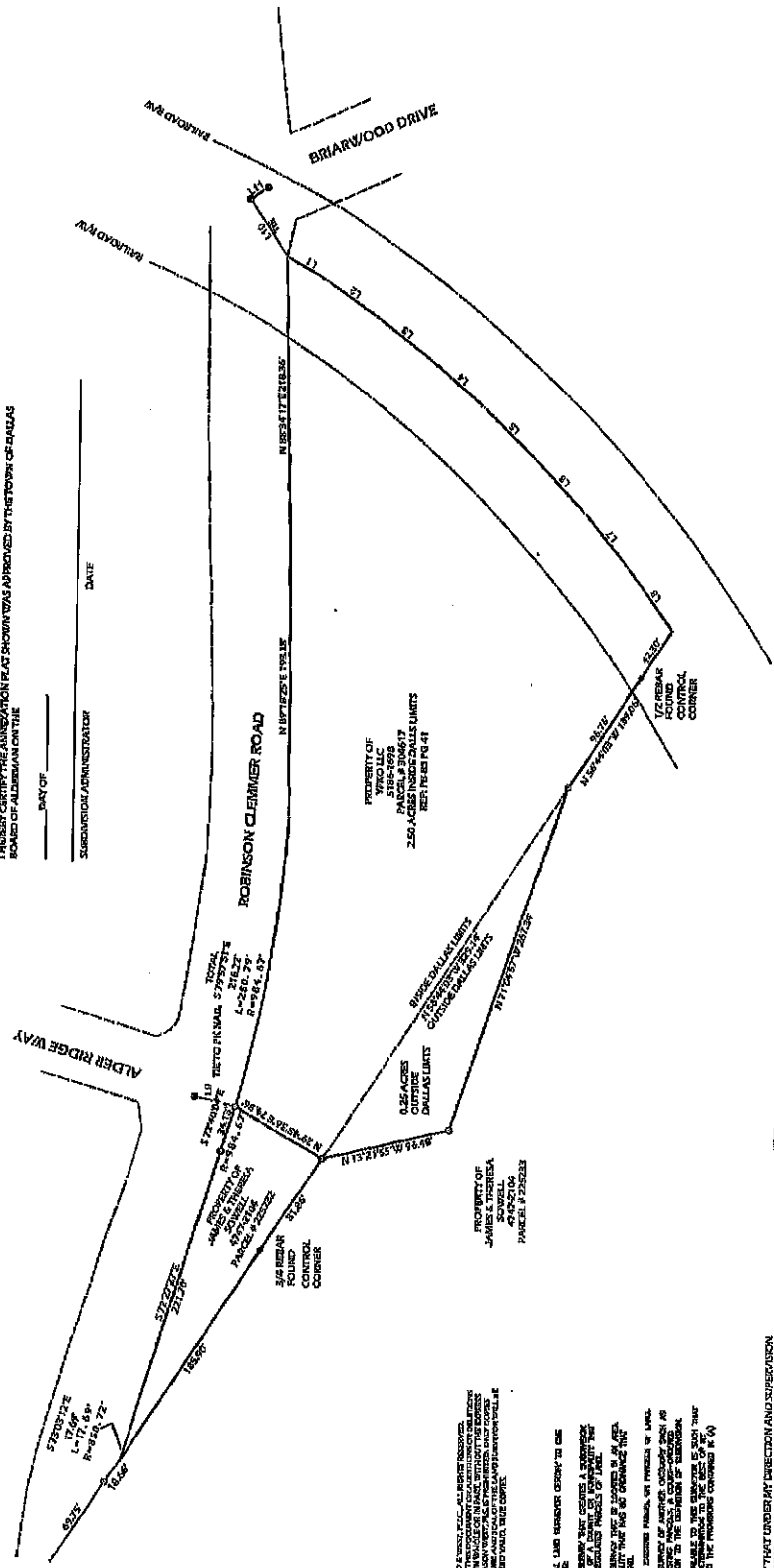
I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, WHICH IS LOCATED IN THE JURISDICTION AND CONTROL OF THE COUNTY OF GASTON, NORTH CAROLINA, AND THAT I HEREBY ADAPT THIS PLAN OF ANNEAMENT WITH MY BEST CONSCIENCE TO THE BOUNDARIES, SETBACK LINES, AND IMPROVE ALL TREES, WALKS, FENCES, AND OTHER UTILITIES AND EGRESS TO PUBLIC OR PRIVATE USE AS NOTED.

OWNER _____ DATE _____

PROPERTY ADMINISTRATOR _____ DATE _____

SUBMISSION ADMINISTRATOR _____ DATE _____

I HEREBY CERTIFY THE ANNEAMENT PLAN SHOWN WAS APPROVED BY THE TOWN OF DALLAS BOARD OF ALDERMEN ON THE _____ DAY OF _____ DATE _____



I, D. MICHAEL DICKSON, COUNTY CLERK OF GASTON COUNTY, NORTH CAROLINA, DO HEREBY CERTIFY THAT THIS DEED AND CERTIFICATE OF RECORDATION IS AFFIRMED HEREIN ALL THE STATUTORY REQUIREMENTS FOR RECORDING.

DATE _____

PRELIMINARY NO. 2021-0972



ANNEAMENT EFFECTIVE DATE _____

PROPERTY OWNER MICHAEL DICKSON

RETURN TO: MICHAEL DICKSON, COUNTY CLERK OF GASTON COUNTY, NC 28040

ADDRESS: 306677

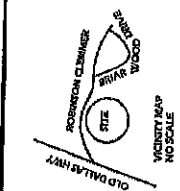
DATE: APRIL 26, 2021

BOOK: 17-447

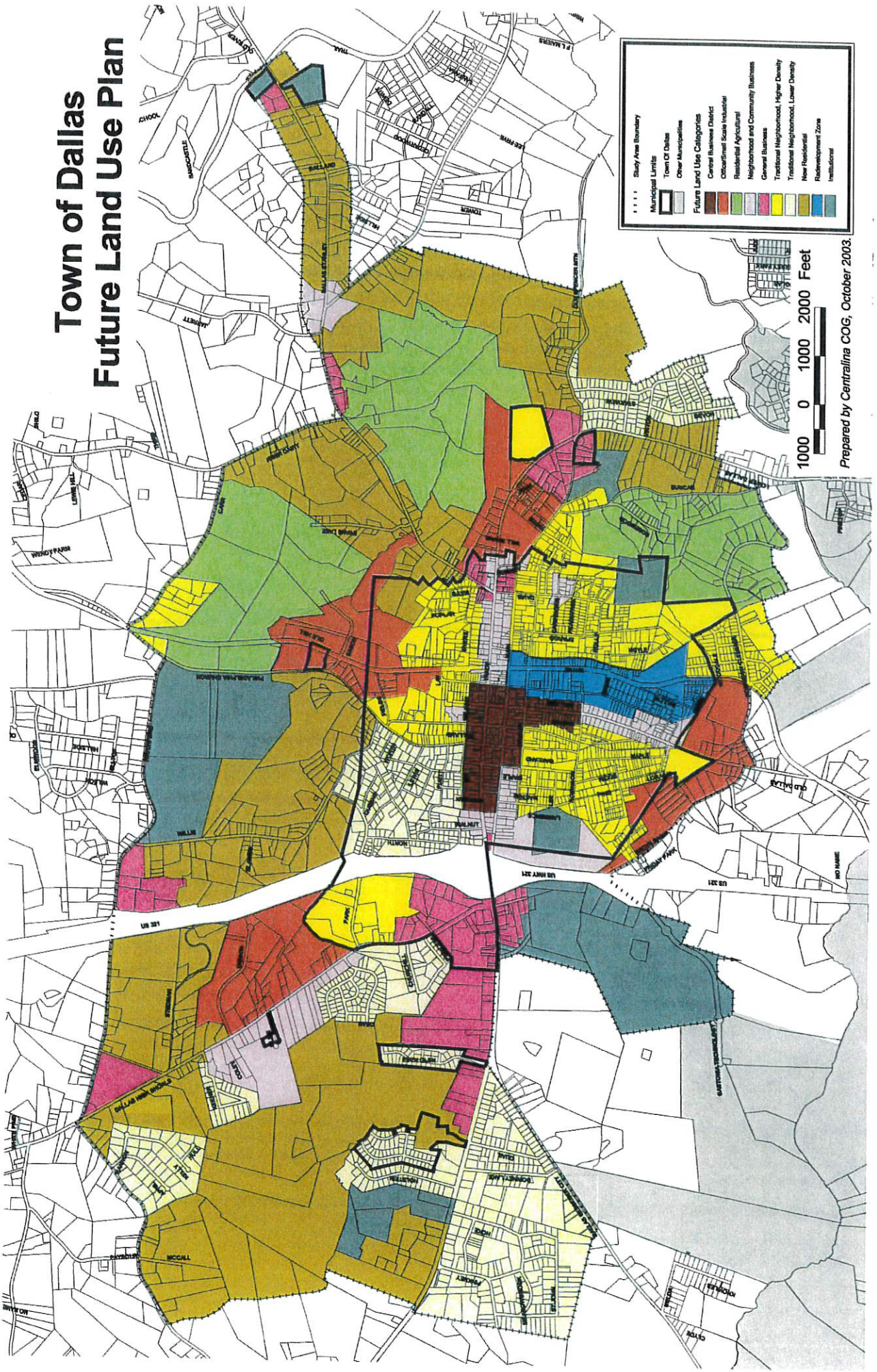
PAGE: 207

FILE: 2021-0972

AD: 2021-0972-001



Town of Dallas Future Land Use Plan



Prepared by Centralina COG, October 2003.

CONSISTENCY STATEMENT

The proposed zoning map amendment assigning parcel #304617, to R-6 Multi-Family Residential, is neither consistent nor inconsistent with the 2003 Land Use Plan's map designation, because this parcel was not in the study area, but it abuts property designated as Traditional neighborhood, Higher Density, and supports an increased demand for housing in light of Dallas' current and anticipated growth and is therefore deemed reasonable and in the public's best interest as the amendment aligns with the 2003 Land Use Plan's recommendation for new residential to be clustered so as to preserve open space and heighten pedestrian accessibility.

Curtis Wilson, Planning Board Chairman

Date

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Campbell Annexation

AGENDA ITEM NO. 6C

MEETING DATE: 11/9/2021

BACKGROUND INFORMATION:

An Annexation petition, 2021-03, was submitted June 10, 2021, by Jerry and Lynn Campbell for their property located at 1028 Rosewood Dr., further identified as Gaston County Parcel #171850. The petitioner is seeking annexation into the Town of Dallas as a Conditional Zoning District CD R-6, for a potential single-family detached subdivision.

The parcel is currently located outside of the Town of Dallas and is considered contiguous. The 2003 Land Use Map highlights this parcel as residential agricultural. The Planning Board recommends this property be rezoned to a Conditional District, CD R-6, if annexed into the Town.

The annexation and rezoning hearings have been advertised as required by State Statute and Town Ordinance in the Gaston Gazette 10/28 and 11/4, on site, and via first class mail to all property owners withing five hundred (500) feet.

MANAGER RECOMMENDATION: Approve the annexation request and accompanying resolution, as presented.

BOARD ACTION TAKEN:

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF DALLAS,
NORTH CAROLINA (Annexation PID# 171850)**

WHEREAS, the Board of Aldermen of the Town of Dallas has been petitioned under G.S. 160A-31 to annex the contiguous area described below; and,

WHEREAS, the Board of Aldermen has directed the Town Clerk to investigate the sufficiency of the petition; and,

WHEREAS, the Town Clerk has certified the sufficiency of the petition and public hearing on the question of this annexation was held at the Fire Department Community Room at 6:00 pm on November 9, 2021, after due notice; and,

WHEREAS, the Board of Aldermen finds the petition meets the requirements of G.S. 160A-31:

NOW THEREFORE BE IT ORDAINED, by the Board of Aldermen of the Town of Dallas, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Dallas as of November 9, 2021:

That certain tract or parcel of land situated, lying, and being in the Dallas Township, Gaston County, North Carolina, and being more particularly described as follows:

Tract 1:

BEGINNING at an iron in the western margin of Rosewood Drive (SR 2271), northeast corner of the property of Beverly W. Farrar as described in Book 1010 at page 259, said point of beginning being approximately 180 feet in a northerly direction from the intersection of the center lines of SR 2271 and 2272, and running thence with Farrar's line, South 61-35-19 West 324.72 feet to an iron, thence North 41-41-32 West 660.71 feet to a new iron in the southern line of the property of Jack C. Etter, thence with Etter's line South 88-17-55 East 538.40 feet to an iron, corner with Ronnie D. Smith (Book 1987 at Page 361); thence with Smith's western line South 19-50-00 East 134.24 feet to an iron; thence with Smith's southern line, North 76-01-24 East 94.91 feet to an iron in the western margin of Rosewood Drive (SR 2271); thence with the western margin of Rosewood Drive, South 12-38-51 East 225.00 feet to the point and place of Beginning; and containing 4.50 acres, more or less. The foregoing description is shown as Tract 1 on plat of survey made by Larry R. Ritter, Inc., dated May 25, 1990, revised September 3, 1997.

The foregoing property is subject to an easement and access right of way, 20' in width, running along the southern line of said property, the southern line of which is described as follows: **BEGINNING** at an iron in the western margin of Rosewood Drive, northeast corner of the property of Beverly W. Farrar as described in Book 1010 at Page 259, and running thence with Farrar's line South 61-35-19 West 324.72 feet to an iron.

Tract 2:

BEGINNING at an iron, common corner of the Grantor, Jack C. Etter (Book 1760 at Pages 702 and 704), Douglas Lepke (Book 2397 at Page 694), and Grover E. Laye (Book 1334 at Page 150), said point of Beginning being situate North 88-17-55 West 741.04 feet from an iron at the northwestern corner of the property of Ronnie D. Smith (Book 1987 at Page 361), and running thence with Etters' Southern line, South 88-17-55 East 202.64 feet to a new iron; thence South 41-41-32 East 660.71 feet to an iron, corner with Beverly W. Farrar (Book 1010 at Page 259), thence with Farrar's line, South 29-35-19 West 308.00 feet to an iron, thence with the center line of a branch, the following fourteen courses and distances: (1) South 69-51-58 West 46.76 feet; (2) South 11-26-10 West 13.81 feet; (3) South 62-05-06 West 39.21 feet; (4) South 26-03-05 West 48.16 feet; (5) South 51-55-08 West 50.73 feet; (6) South 38-55-23 West 6.50 feet; (7) South 35-46-50 West 61.97 feet; (8) South 41-04-58 West 84.62 feet; (9) South 66-02-28 West 44.60 feet; (10) South 51-47-38 West 93.11 feet; (11) South 85-23-32 West 31.91 feet; (12) South 59-37-03 West 79.29 feet; (13) North 62-17-47 West 33.44 feet; (14) South 81-32-00 West 90.00 feet; thence with the center line of another branch the following five courses and distances: (1) North 07-03-05 East 45.98 feet; (2) North 11-44-09 East 73.29 feet; (3) North 00-32-06 East 55.42 feet; (4) North 10-56-52 East 132.71 feet; (5) North 10-27-0 East 135.03 feet; thence North 74-16-40 West 11.14 feet to the point and place of Beginning, and containing 12.543 acres. The foregoing property is shown as Tract 2 on plat of survey made by Larry R. Ritter, Inc., dated May 25, 1990, revised September 3, 1997.

Together with an easement, 20' in width, for ingress and egress and regress to Rosewood Drive (SR 2271), the

southern line of said easement being described as follows: BEGINNING at an iron in the western margin of Rosewood Drive, northeast corner of the property of Beverly W. Farrar as described in Book 1010 at Page 259, and running thence with Farrar's line, South 61-35-19 West 324.72 feet to an iron.

Being a portion of the property conveyed to the Grantor by deeds recorded in Book 542 at Page 146 and Book 1878 at Page 27, Gaston County Registry. Mary Sue Cooke is also the executrix and sole devisee of the estate of Edna Smith Lineberry (see Estate File No. 97 E 996 in the Office of the Clerk of Superior Court of Gaston County). Mary Sue Cooke and Sue S. Cooke and Sue Smith Cooke and Sue S. Cook (SIC Deed Book 542, Page 146) are one and the same person.

Section 2. Upon and after November 9, 2021, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the Town of Dallas and shall be entitled to the same privileges and benefits as other parts of the Town of Dallas. Said territory shall be subject to municipal taxes according to G.S. 160A-31.

Section 3. The Mayor of the Town of Dallas shall cause to be recorded in the office the Register of Deeds of Gaston County, and in the office of the Secretary of State at Raleigh, North Carolina an accurate map of annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required G.S. 163-288.1

Adopted this 9th day of November, 2021.

ATTESTED:

Sarah Hamrick, Town Clerk

Re: Annexation (PID# 171850)

Rick Coleman, Mayor

TOWN OF DALLAS, NORTH CAROLINA

PETITION FOR ANNEXATION

PETITION NUMBER: 2021-03

Contiguous

Non-Contiguous

DATE: 6/10/21

FEE: \$500.00

Current Property Use: Residential

Requested Zoning: COND R-6

Planned Property Use: Single Family Subdivision

To the Board of Aldermen of the Town of Dallas:

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

1028 Rosewood Drive, DALLAS, NC 28034, further identified as
parcel ID # 171850, be annexed to the Town of Dallas.

Print owner name(s) and information:

Name Jerry & Lynn Campbell Phone _____

Address 1028 Rosewood Drive

Name _____ Phone _____

Address _____

Name _____ Phone _____

Address _____

Attachments included with Petition:

1. Legal description (as noted in property deed)
2. Letter outlining reasons for annexation request
3. List of Abutting Property Owners
4. Survey or Plat suitable for recordation
5. \$500 Fee

Owner's Signature: Jerry W. Campbell Date: 6/10/21

Owner's Signature: Lynn Campbell Date: 6/10/21

Owner's Signature: _____ Date: _____

Received By: Robert Green Date: 6/10/2021

CERTIFICATE OF SUFFICIENCY

To the Board of Aldermen of the Town of Dallas, North Carolina:

I, Sarah Hamrick, Town Clerk do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-31.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Dallas, this 6th Day of October 20 21.

Re: Campbell Annexation - PID 171850

Sarah Hamrick
Town Clerk

(SEAL)





June 10, 2021

Town of Dallas
Board of Aldermen
210 N Holland Street
Dallas, NC 28034

RE: *Annexation Outline Letter*

Dear Board of Aldermen,

We like to annex parcel # 171850 (see zoning map attached for reference) into the Town of Dallas to achieve the town's Conditional R-6 Zoning and also tie into the town's public utilities to supply the proposed development (see development map attached for reference also).

We greatly appreciate your consideration in this matter and look forward to your response.

Sincerely,

William M Moore
Moore & Seagle Holdings, LLC

1712 S NC 16 Business Hwy
Stanley, NC 28164
704-249-0922

BK 2708 PG 809

GASTON COUNTY NC 01/30/97
\$195.00
Real Estate Excise Tax

TIME 2:02
BOOK 2708
PAGE 809
FILED 9-30-97

FIELD 14.00
REVENUE 195.00
TOTAL 209.00
CHECK 209.00
CHANGE 25.00
14102 0001 0137

Excise Tax 195.00 Recording Time, Book and Page
Tax Lot No. Parcel Identifier No. 09/30/97 15
Verified by County on the day of 1997

Mail after recording to Grantee
This instrument was prepared by Richard D. Laws
Brief description for the Index

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 25th day of September 1997, by and between
GRANTOR GRANTEE

Mary Sue S. Cooke and husband,
Steve Cooke and Mary S. Cooke,
Executrix of the estate of Edna
Lineberry

Jerry W. Campbell and
wife, Lynn V. Campbell
1021 Rosewood Drive
Gastonia, NC 28034

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.
The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.
WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Dallas, County, North Carolina and more particularly described as follows:

TRACT 1:

BEGINNING at an iron in the western margin of Rosewood Drive (SR 2271), northeast corner of the property of Beverly W. Farrar as described in Book 1010 at Page 259, said point of Beginning being approximately 180 feet in a northerly direction from the intersection of the center lines of SR 2271 and 2272, and running thence with Farrar's line, South 61-35-19 West 324.72 feet to an iron; thence North 41-41-32 West 660.71 feet to a new iron in the southern line of the property of Jack C. Etter; thence with Etter's line South 88-17-55 East 538.40 feet to an iron, corner with Ronnie D. Smith (Book 1987 at Page 361); thence with Smith's western line South 19-50-00 East 134.24 feet to an iron; thence with Smith's southern line, North 76-01-24 East 94.91 feet to an iron in the western margin of Rosewood Drive (SR 2271); thence with the western margin of Rosewood Drive, South 12-38-51 East 225.00 feet to the point and place of Beginning, and containing 4.50 acres, more or less. The foregoing description is shown as Tract 1 on plat of survey made by Larry R. Ritter, Inc., dated May 25, 1990, revised September 3, 1997.

RECORDING FEE 14.00
REVENUE 195.00

Form No. JA 4 (1977) - from the State of North Carolina, Inc. No. 117, Technical, S. E. 2706
Printed by the State of North Carolina, Inc. 1981

The foregoing property is subject to an easement and access right of way, 20' in width, running along the southern line of said property, the southern line of which is described as follows: BEGINNING at an iron in the western margin of Rosewood Drive, northeast corner of the property of Beverly W. Farrar as described in Book 1010 at Page 259, and running thence with Farrar's line South 61-35-19 West 324.72 feet to an iron.

TRACT 2:

BEGINNING at an iron, common corner of the Grantor, Jack C. Etter (Book 1760 at Pages 702 and 704), Douglas Lepke (Book 2397 at Page 694), and Grover E. Lays (Book 1334 at Page 190), said point of Beginning being situated North 88-17-55 West 741.04 feet from an iron at the northwestern corner of the property of Ronald D. Smith (Book 1987 at Page 361), and running thence with Etter's Southern line, South 88-17-55 East 202.64 feet to a new iron; thence South 41-41-32 East 660.71 feet to an iron, corner with Beverly W. Farrar (Book 1010 at Page 259); thence with Farrar's line, South 29-35-19 West 308.00 feet to an iron; thence with the center line of a branch, the following fourteen courses and distances: (1) South 69-51-58 West 46.76 feet; (2) South 11-26-10 West 13.81 feet; (3) South 62-05-06 West 39.21 feet; (4) South 26-03-05 West 48.16 feet; (5) South 51-55-08 West 50.73 feet; (6) South 38-55-23 West 66.50 feet; (7) South 35-46-50 West 61.97 feet; (8) South 41-04-58 West 84.62 feet; (9) South 66-02-28 West 44.60 feet; (10) South 51-47-38 West 93.11 feet; (11) South 85-23-32 West 31.91 feet; (12) South 59-37-03 West 79.29 feet; (13) North 62-17-47 West 33.44 feet; (14) South 81-32-00 West 90.00 feet; thence with the center line of another branch the following five courses and distances: (1) North 07-03-05 East 45.98 feet; (2) North 11-44-09 East 73.29 feet; (3) North 00-32-06 East 55.42 feet; (4) North 10-56-52 East 132.71 feet; (5) North 10-27-04 East 135.03 feet; thence North 74-16-40 West 11.10 feet to an iron; thence North 84-55-34 West 48.00 feet to an iron, change point and place of Beginning, and containing 12.543 acres. The foregoing property is shown as Tract 2 on plat of survey made by Larry R. Ritter, Inc., dated May 25, 1990, revised September 3, 1997.

Together with an easement, 20' in width, for ingress, egress and regress to Rosewood Drive (SR 2271), the southern line of said easement being described as follows: BEGINNING at an iron in the western margin of Rosewood Drive, northeast corner of the property of Beverly W. Farrar as described in Book 1010 at Page 259, and running thence with Farrar's line, South 61-35-19 West 324.72 feet to an iron.

Being a portion of the property conveyed to the Grantor by deeds recorded in Book 542 at Page 146 and Book 1878 at Page 27, Gaston County Registry. Mary Sue Cooke is also the executrix and sole devisee of the estate of Edna Smith Lineberry (see Estate No. 97 E 996 in the Office of the Clerk of Superior Court of Gaston County). Mary Sue Cooke and Sue S. Cooke and Sue Smith Cooke and Sue S. Cooke (SIC Dead Book 542, Page 146) are one and the same person.

BK2708PG810

UNRECORDED

BK 2708PG811

The property hereinabove described was acquired by Grantor by instrument recorded in

A map showing the above described property is recorded in Plat Book page

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

UNOFFICIAL

IN WITNESS WHEREOF, the Grantee, has hereunto set her hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, this day and year first above written.

By: (Corporate Name) *Mary S. Cooke* (SEAL)
Mary S. Cooke

Attest: President *Steve Cooke* (SEAL)
Steve Cooke

Attest: Secretary (Corporate Seal) *Mary S. Cooke, EXECUTRIX OF THE*
Estate of Edna Lansberry

By: (Corporate Name) (SEAL)

Attest: President (SEAL)

Attest: Secretary (Corporate Seal) (SEAL)

USE BLACK INK ONLY

USE BLACK INK ONLY

BK2708PG812



NORTH CAROLINA,County.

I, a Notary Public of the County and State aforesaid, certify that Mary Sue S. Cooke and Steve Cooke and Mary S. Cooke Executrix of the Estate of Edna Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 25th day of September, 1987.

My commission expires: 11/1/88 W. J. Cook Notary Public

SEAL - STAMP

NORTH CAROLINA,County.

I, a Notary Public of the County and State aforesaid, certify that Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this day of 19.....

My commission expires: Notary Public

SEAL - STAMP

NORTH CAROLINA,County.

I, a Notary Public of the County and State aforesaid, certify that Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this day of 19.....

My commission expires: Notary Public

SEAL - STAMP

NORTH CAROLINA,County.

I, a Notary Public of the County and State aforesaid, certify that Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this day of 19.....

My commission expires: Notary Public

SEAL - STAMP

NORTH CAROLINA,County.

I, a Notary Public of the County and State aforesaid, certify that Secretary of a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by as its Secretary. Witness my hand and official stamp or seal, this day of 19.....

My commission expires: Notary Public

SEAL - STAMP

NORTH CAROLINA,County.

I, a Notary Public of the County and State aforesaid, certify that Secretary of a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by as its Secretary. Witness my hand and official stamp or seal, this day of 19.....

My commission expires: Notary Public

The foregoing Certificate(s) of W. J. Cook

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

W. J. Cook
W. J. Cook

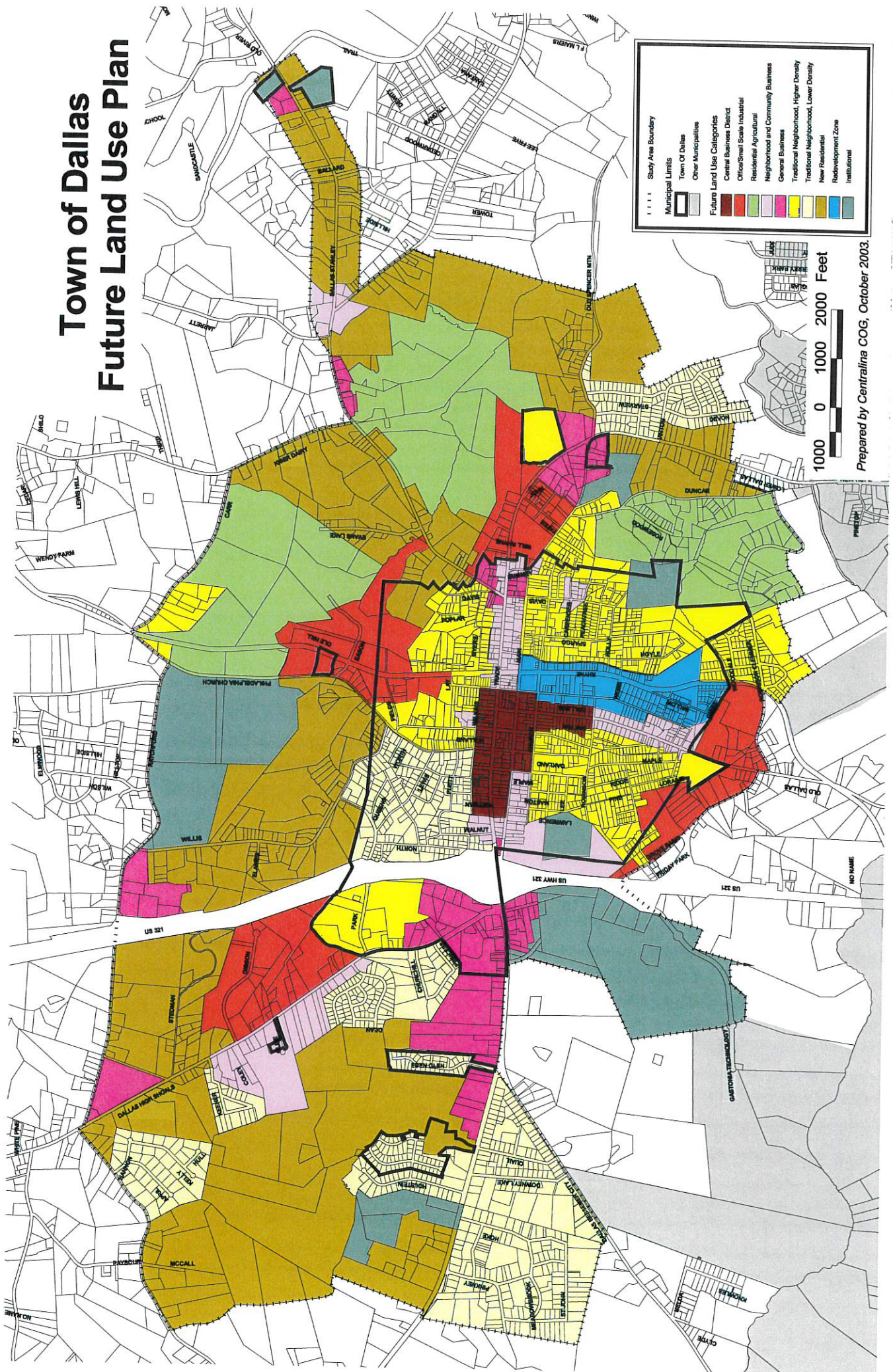
REGISTER OF DEEDS FOR Gaston COUNTY
Deputy/Assistant-Register of Deeds.

N. C. Not. Assoc. Form No. 1A 6 1977 - Approved by the State Bar of N. C. 1977, Raleigh, N. C. 27605

Abutting Property Owners List**Parcel ID#**

1	<i>Jaime A & Norma M Aristizabal</i>	171852
2	<i>Cloninger Family Properties LLC</i>	171872
3	<i>Robert O & Gail S Breest</i>	171874
4	<i>Town of Dallas</i>	132813
5	<i>Catherine Valentin-Andaluz & Edwin Andaluz</i>	300098
6	<i>Amanda P Spargo</i>	171843
7	<i>Jack C Etter</i>	203226
8	<i>Lowrance McKenny Prop LLC</i>	203227
9	<i>Robert C Smith</i>	171851

Town of Dallas Future Land Use Plan



TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Campbell Rezoning

AGENDA ITEM NO. 6D

MEETING DATE: 11/9/2021

BACKGROUND INFORMATION:

A Conditional Rezoning Application, 2021-03, was submitted by authorized agents Moore and Seagle Holdings LLC, on behalf of the property owner of 1028 Rosewood Drive, further identified as Gaston County Parcel #171850. The requested zoning is a Conditional District, Multi-Family Residential, CD R-6.

The Conditional Rezoning proposal includes 56 single family detached lots spanning across approximately 17.01 acres. The site includes 2.90 acres of tree save, 11.12 acres of disturbed area, four (4) off street parking spaces per home, and eight (8) foot side yard setbacks.

The Planning Board reviewed the conditional rezoning proposal and after discussion and modification to conditions and allowances, unanimously recommended approval of the rezoning to CD R-6.

All Zoning Map amendments must include a statement of plan consistency, which is attached. Also, attached, is a rezoning ordinance for approval.

MANAGER RECOMMENDATION: Approve the rezoning request and accompanying ordinance, as presented.

BOARD ACTION TAKEN:

AN ORDINANCE ADOPTING A ZONING MAP AMENDMENT/CONDITIONAL ZONING PETITION IN THE TOWN OF DALLAS (PID# 171850)

WHEREAS, Moore & Seagle Holdings, LLC, submitted an application for a zoning map amendment to Conditionally Rezone 1028 Rosewood Drive (Gaston County Parcel ID # 171850) from Conditional Use/Residential Low Density, CU/RLD, to a Conditional District, Multi-Family Residential, CD R-6, to allow for the development of 56 single family lots; and,

WHEREAS, the public hearing for this map amendment has been noticed in compliance with the North Carolina General Statutes; and,

WHEREAS, the Town of Dallas Planning Board has reviewed the Conditional Rezoning petition and voted unanimously (6-0) to recommend approval of the petition, finding it neither consistent nor inconsistent with the 2003 Land Use Plan; and,

WHEREAS, the Town of Dallas Board of Aldermen held the public hearing on November 9, 2021, and after the hearing, made the following finding:

The proposed zoning map amendment is technically inconsistent with the Town of Dallas Land Use Plan's map designation as residential agricultural, but is deemed reasonable and in the public's best interest as it supports an increased demand for housing in light of Dallas' current and anticipated growth and aligns with the 2003 Land Use Plan's recommendation for new residential to be clustered so as to preserve open space and heighten pedestrian accessibility.

NOW THEREFORE BE IT ORDAINED, by the Board of Aldermen of the Town of Dallas, North Carolina, that the petitioner, is granted approval of the above-referenced Conditional Rezoning request effective November 9, 2021 and that the official zoning map of the Town be amended to reflect this adopted change of parcel #171850.

Should any provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof which is specifically declared to be invalid and unconstitutional.

Adopted this 9th day of November, 2021.

ATTESTED:

Rick Coleman, Mayor

Sarah Hamrick, Town Clerk

Re: Annexation (PID# 171850)

TOWN OF DALLAS, NORTH CAROLINA

PETITION FOR ANNEXATION

PETITION NUMBER: _____

DATE: 6/10/21

Contiguous

Non-Contiguous

FEE: \$500.00

Current Property Use: Residential

Requested Zoning: COND R-6

Planned Property Use: Single Family Subdivision

To the Board of Aldermen of the Town of Dallas:

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

1028 Rosewood Drive, DALLAS, NC 28034, further identified as

parcel ID # 171850, be annexed to the Town of Dallas.

Print owner name(s) and information:

Name Jerry & Lynn Campbell Phone _____

Address 1028 Rosewood Drive

Name _____ Phone _____

Address _____

Name _____ Phone _____

Address _____

Attachments included with Petition:

1. Legal description (as noted in property deed)
2. Letter outlining reasons for annexation request
3. List of Abutting Property Owners
4. Survey or Plat suitable for recordation
5. \$500 Fee

Owner's Signature: Jerry W. Campbell Date: 6/10/21

Owner's Signature: Lynn Campbell Date: 6/10/21

Owner's Signature: _____ Date: _____

Received By: _____ Date: _____



June 10, 2021

Town of Dallas
Board of Aldermen
210 N Holland Street
Dallas, NC 28034

RE: *Annexation Outline Letter*

Dear Board of Aldermen,

We like to annex parcel # 171850 (see zoning map attached for reference) into the Town of Dallas to achieve the town's Conditional R-6 Zoning and also tie into the town's public utilities to supply the proposed development (see development map attached for reference also).

We greatly appreciate your consideration in this matter and look forward to your response.

Sincerely,

William M Moore
Moore & Seagle Holdings, LLC

1712 S NC 16 Business Hwy
Stanley, NC 28164
704-249-0922

Authorized Agent

Let this letter serve as formal notice that we, Jerry W. & Lynn Y. Campbell, owner of parcel #171850, further known as 1028 Rosewood Drive, give consent for Moore & Seagle Holdings, LLC to act as the authorized agent(s) on our behalf for the Conditional Zoning request in the Town of Dallas


Jerry W. Campbell


Lynn Y. Campbell

Date Signed: JUNE / 10th /2021

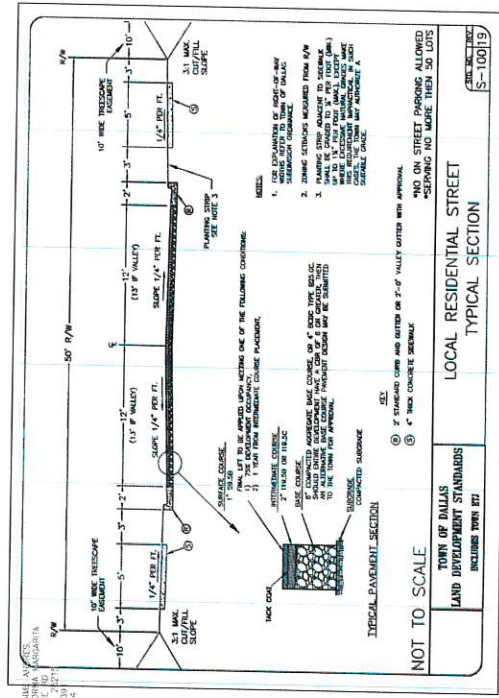
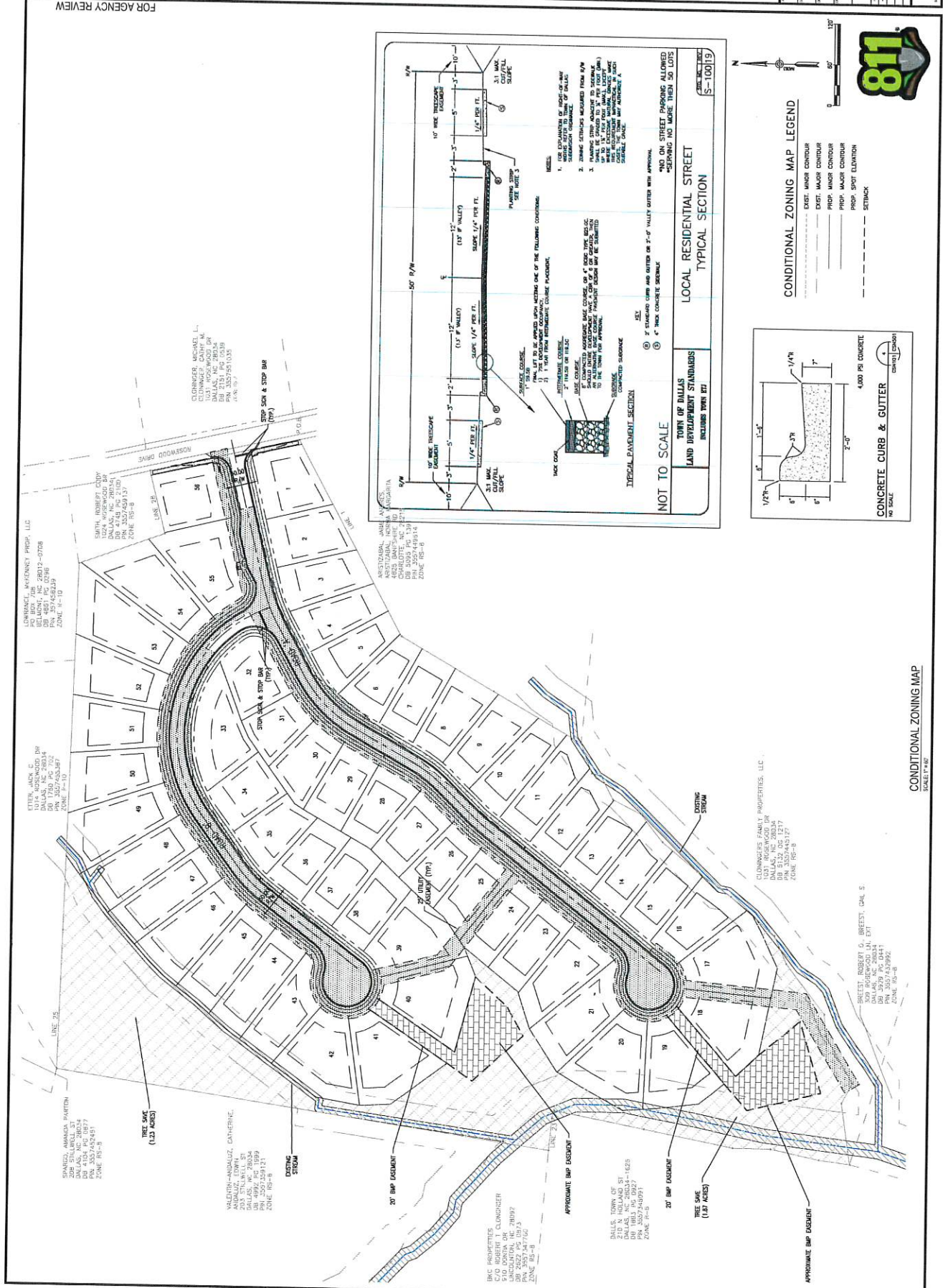


CLAYTON
ENGINEERING & DESIGN
1209 9TH AVE NE, PO BOX 2951
HICKORY, NC 28601

JERRY CAMPBELL
DALLAS TOWNSHIP, CLAYTON CO, NORTH CAROLINA
ROSEWOOD VILLAGE

PROJECT	CONDITIONAL ZONING MAP
DATE	06/02/21
DRAWN BY	EWB
CHECKED BY	WES
DATE	06/02/21
SCALE	AS SHOWN
REVISIONS	
NO.	DESCRIPTION
1	ISSUED FOR PERMIT

CSM103



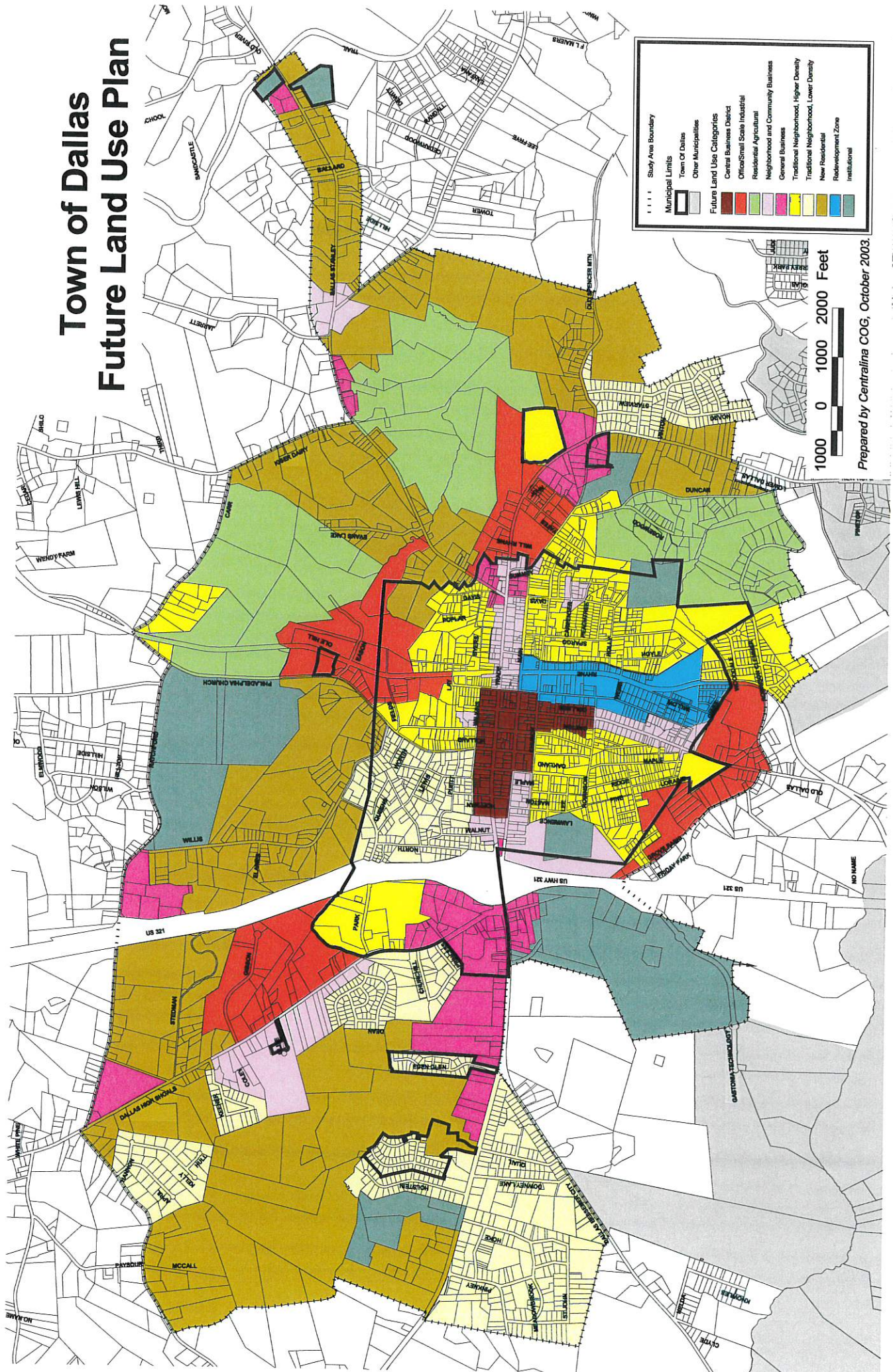
CONDITIONAL ZONING MAP LEGEND

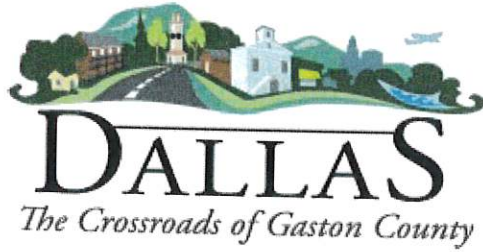
- EXIST. MAJOR CONTOUR
- EXIST. MAJOR CONTOUR
- PROP. MAJOR CONTOUR
- PROP. MAJOR CONTOUR
- PROP. SPOT ELEVATION
- RETBACK

CONCRETE CURB & GUTTER
SCALE: 1/4" = 1'-0"

THESE DRAWINGS AND THE DESIGN THEREON ARE THE PROPERTY OF CLAYTON ENGINEERING & DESIGN, P.L.L.C. AND MAY NOT BE USED IN WHOLE OR IN PART WITHOUT WRITTEN CONSENT OF THE ENGINEER, ARCHITECT AND ANY INSTRUMENTALIST SUBJECT TO LEGAL ACTION.

Town of Dallas Future Land Use 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:

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. Not requiring Town Collector Street detail from entrance on road A to intersection at road B
 - b. Rear yard setback relief from 25 feet to 10 feet on lots 1, 2, 30, 31, 32, 33, 34, 35, 56.
2. Developer to provide at least four (4) off-street parking space on each residential lot. This shall include garage space(s).
3. Development shall include minimum 8' side yard setbacks on interior lots and 18' on corner lots, with the exception of lots 18, 19, 40, and 41. These lots shall include 6' side yard setbacks to allow 20' BMP easement to be completely in common open space, to be maintained by the HOA.
4. Developer to install "no on-street parking" signs throughout development. Two per street, spaced 500 feet apart.
5. Single-Family homes shall be designed to include shaker accents and/or brick or stone veneer on front facades.
6. Street frontage along Rosewood 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 Rosewood Dr., the Developer agrees to payment in lieu of, at cost. Payment in lieu shall be due upon construction drawing approval.
7. Developer to secure driveway permit for entrance from NCDOT
8. 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.
9. Electrical lines to serve the development shall be buried under-ground. Developer agrees to coordinate with the Dallas Electrical Department as required.
10. Developer shall separately secure demolition permits from Town and Gaston County.
11. 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.
12. Conditional Zoning approval is valid for a period of 24 months from the date of approval.

CLAYTON

ENGINEERING & DESIGN

July 12, 2021

**Re: Project Information Meeting (PIM) Rosewood Development
Dallas, NC (Virtual Zoom) 6:00pm**

Attendees: William Clayton, PE – Clayton Engineering
Mike Moore – Developer
Nolan Grace – Town of Dallas
Maria Stroupe – Town of Dallas
Paul Lowrance – Attendee
Catherine Valentin-Andaluz – Attendee

Meeting was opened at 6:00 pm

1. Will Clayton welcomed all attendees and opened the meeting. A description of the project was given.
2. Nolan informed attendees that this was the first of three public meetings to be held for the zoning/annexation process.
3. The meeting was opened for questions.
4. Paul Lowrance stated that he was please that the development would be a single family development. He also asked about the possibility of neighbors being able to tie-in to public sanitary sewer. Will Clayton informed the attendees that the developer hoped to utilize public water and sewer, but the design had not progressed that far enough to know locations etc.
5. Catherine Valentin-Andaluz joined the meeting and voice her concerns on increased traffic flow, the number of parcels, and the close proximity of the project to her property. She is concerned with her animals that range free on her property. Will Clayton informed her that all necessary buffers and setbacks would be met.

The meeting was closed at approximately 6:30pm.

If you have any questions or need additional information, please feel free to call me at (828) 455-3456 or email wclayton@clayton-engineering.net.

Sincerely,

Clayton Engineering & Design, PLLC

William S. Clayton

William S. Clayton, PE
President

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Rhyne Annexation

AGENDA ITEM NO. 6E

MEETING DATE: 11/9/2021

BACKGROUND INFORMATION:

An Annexation petition, 2021-05, was submitted June 16, 2021, by Helen Rhyne, property owner of Parcel #169184, no address assigned, located off of Dallas High Shoals Hwy. The petitioner is seeking annexation into the Town of Dallas as a Conditional Zoning District CD R-5, for a potential single-family detached subdivision.

The parcel is currently located outside of the Town of Dallas and is considered non-contiguous. The 2003 Future Land Use Map highlights this parcel as residential development. The Planning Board recommends this property be rezoned to a Conditional District, CD R-5, if annexed into the Town.

The annexation and rezoning hearings have been advertised as required by State Statute and Town Ordinance in the Gaston Gazette 10/28 and 11/4, on site, and via first class mail to all property owners withing five hundred (500) feet.

MANAGER RECOMMENDATION: Approve the annexation request and accompanying ordinance, as presented.

BOARD ACTION TAKEN:

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF DALLAS,
NORTH CAROLINA (Annexation PID# 169184)**

WHEREAS, the Board of Aldermen of the Town of Dallas has been petitioned under G.S. 160A-31 to annex the non-contiguous area described below; and,

WHEREAS, the Board of Aldermen has directed the Town Clerk to investigate the sufficiency of the petition; and,

WHEREAS, the Town Clerk has certified the sufficiency of the petition and public hearing on the question of this annexation was held at the Fire Department Community Room at 6:00 pm on November 9, 2021, after due notice; and,

WHEREAS, the Board of Aldermen finds the petition meets the requirements of G.S. 160A-31:

NOW THEREFORE BE IT ORDAINED, by the Board of Aldermen of the Town of Dallas, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Dallas as of November 9, 2021:

That certain tract or parcel of land situated, lying, and being in the Dallas Township, Gaston County, North Carolina, and being more particularly described as follows:

***BEGINNING** at a railroad spike in the paved portion of old U.S. Highway No. 321, said railroad spike being located South 28 degrees 17 minutes 28 seconds East 291.13 feet from the northernmost corner of that certain tract of land which was conveyed to Henry F. Rhyne and wife, Gertrude F. Rhyne, by E. Fritz Blankenship and wife, Evelyn Blankenship, by deed dated November, 1942 and recorded in the office of the Register of Deeds for Gaston County, North Carolina in Deed Book 434, at Page 560 and runs thence South 28 degrees 17 minutes 28 seconds East 291.14 feet to a railroad spike located in the right-of-way of old U.S. Highway No. 321; thence with the northwesterly boundary line of the property of Reuben Jerrell Stroup and wife, Blois Evans Stroup, as described in deed recorded in the abovementioned registry in Deed Book 1496, at Page 600, South 15 degrees 53 minutes 57 seconds West 306.50 feet to an existing iron pin; thence with Stroups westerly boundary line, South 29 degrees 54 minutes 18 seconds East 68.14 feet to an existing iron pin; thence with the westerly boundary lines of the property of Thomas Ewell Poston and wife, Charlotte Lee Poston, and Phyllis R. Long Mullis as described in deeds recorded in the abovementioned registry in Deed Book 1454, at Page 82 and Deed Book 334, at Page 524, respectively, South 29 degrees 45 minutes 20 seconds East 224.30 feet to an existing iron pin; thence with the westerly boundary line of the property of Lewis B. Clemmer and wife, Nollie Morton Clemmer as described in deed recorded in the abovementioned registry in Deed Book 1042, at Page 143, South 29 degrees 44 minutes 08 seconds East 75.03 feet to an existing iron pin; thence with the westerly boundary line of the property of E.M. Sartin and wife, Enda M. Sartin, as described in deed recorded in the abovementioned registry in Deed Book 1092 at Page 322, South 29 degrees 49 minutes 00 seconds East 143.84 feet to an existing iron pin; thence with the northerly boundary lines of the property of Jimmy D. Norman, Joseph P. Moffit and wife, Billie L. Moffit, Harold L. White and wife, Iris C. White, Larry K. Foster and wife, Mildred B. Foster, Mitchell B. McClure and wife, Nancy Frye McClure, and Douglas B McClure and wife, Kimberly W. McClure, as described in deed recorded in the abovementioned registry in Deed Book 1176, at page 73, Deed Book 1110, at Page 388, Deed Book 1098, at Page 540, Deed Book 1030, at Page 167, Deed Book 1060, at Page 21, Deed Book 974, at Page 132, Deed Book 870, at Page 545 and Deed Book 1450, at Page 140, respectively, South 75 degrees 08 minutes 01 seconds West 1,2365.39 feet to an existing iron pin located in the easterly boundary line of the property of Pearl J. Summey as described in deed recorded in the abovementioned registry in Deed Book 546, at Page 59; thence with Pearl J. Summey's easterly boundary line, North 18 degrees 08 minutes 14 seconds West 106.82 feet to an existing iron pin; thence with Pearl J. Summey's northerly boundary line North 80 degrees 04 minutes 28 seconds West 165 feet to and iron pin set; thence with another new line, North 13 degrees 01 minutes 33 seconds East 666.72 feet to the point of beginning and containing 12.429 acres.*

Section 2. Upon and after November 9, 2021, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the Town of Dallas and shall be entitled to the same privileges and benefits as other parts of the Town of Dallas. Said territory shall be subject to municipal taxes according to G.S. 160A-31.

Section 3. The Mayor of the Town of Dallas shall cause to be recorded in the office the Register of Deeds of Gaston County, and in the office of the Secretary of State at Raleigh, North Carolina an accurate map of annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required G.S. 163-288.1.

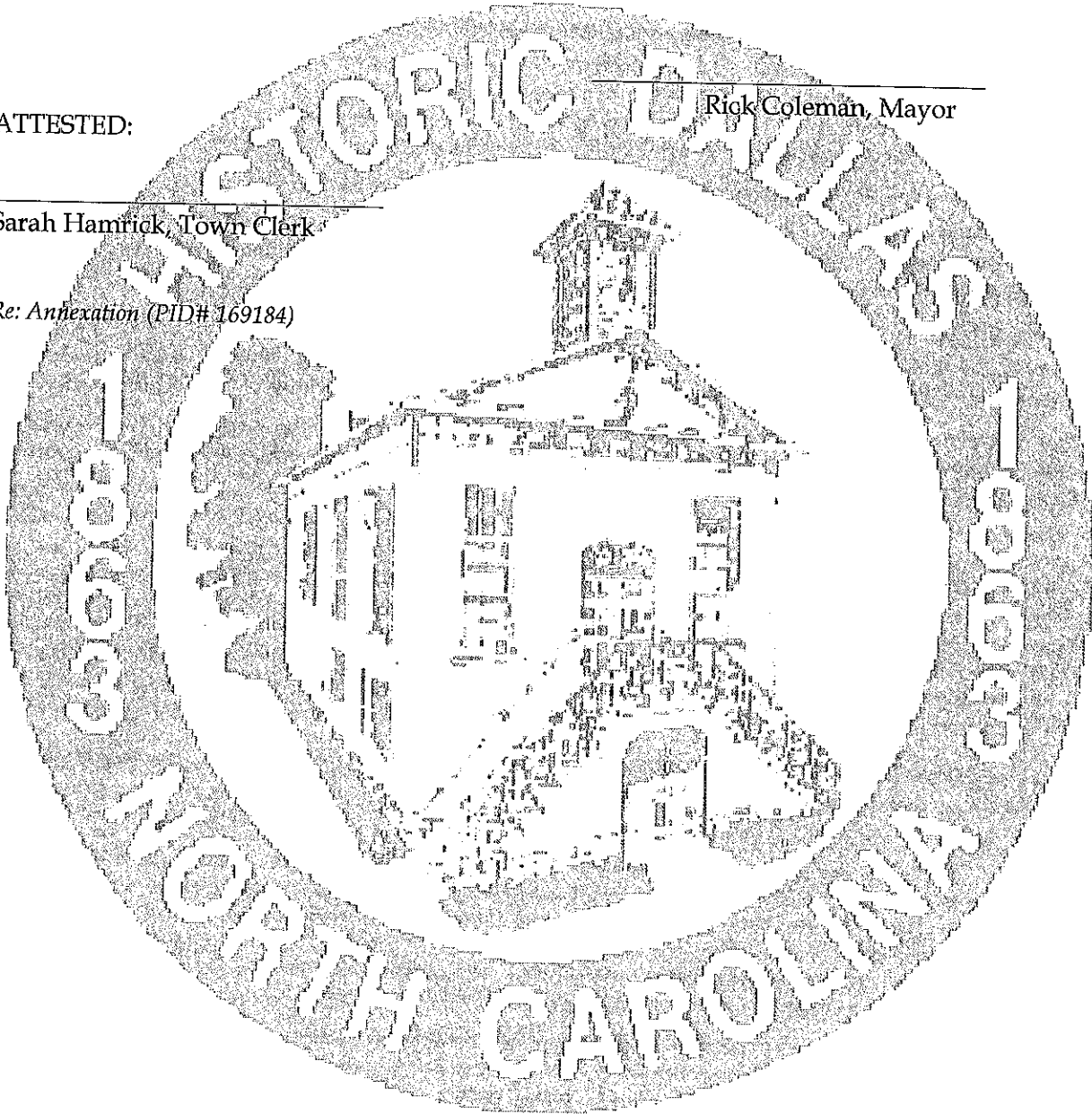
Adopted this 9th day of November, 2021.

ATTESTED:

Rick Coleman, Mayor

Sarah Hamrick, Town Clerk

Re: Annexation (PID# 169184)



TOWN OF DALLAS, NORTH CAROLINA

PETITION FOR ANNEXATION

PETITION NUMBER: 2021-05

Contiguous

Non-Contiguous

DATE: 6-15-2021

FEE: \$500.00

Current Property Use: Vacant Requested Zoning: Conditional Zoning R-5

Planned Property Use: Single Family Detached Subdivision

To the Board of Aldermen of the Town of Dallas:

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

No address assigned, DALLAS, NC 28034, further identified as

parcel ID # 169184, be annexed to the Town of Dallas.

Print owner name(s) and information:

Name Helen Rhyme Phone 704-922-3625

Address 3633 Dallas Cherryville Hwy. Dallas NC 28034

Name _____ Phone _____

Address _____

Name _____ Phone _____

Address _____

Attachments included with Petition:

1. Legal description (as noted in property deed)
2. Letter outlining reasons for annexation request
3. List of Abutting Property Owners
4. Survey or Plat suitable for recordation
5. \$500 Fee

Owner's Signature: Helen Rhyme Date: 6-16-21

Owner's Signature: _____ Date: _____

Owner's Signature: _____ Date: _____

Received By: Nolan Grook Date: 6-16-2021

CERTIFICATE OF SUFFICIENCY

To the Board of Aldermen of the Town of Dallas, North Carolina:

I Sarah Hamrick, Town Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-58.1, *et seq.*

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Dallas, this 6th Day of October 20 21.

Re: Rhyne Annexation- PID 169184

Sarah Hamrick
Town Clerk

(SEAL)



Helen P. Rhyne - Petition for Annexation
Parcel # 169184

Letter outlining reason for annexation request:

We want this piece of property (Parcel # 169184) on Dallas High Shoals Hwy. annexed into the town of Dallas for possible residential development.

Applicant Signature:



Helen P. Rhyne

Mail To: Davis A. Rhyne, Route 1, Box 286, Dallas, N.C. 28034

This instrument was prepared by: William G. Holland, Attorney at Law

WARRANTY DEED-Form WD-602

BOOK 1831 PAGE 531

Printed and for sale by James Williams & Co., Inc., Yodkinville, N. C. 27055

STATE OF NORTH CAROLINA, Gaston County.

THIS DEED, Made this 20th day of January, 1987, by and between EUGENE F. RHYNE and wife, EVALYN SUE RHYNE; and BOBBY H. RHYNE and wife, FRANCES S. RHYNE; and DAVIS A. RHYNE

of Gaston County and State of North Carolina hereinafter called GRANTOR, and DAVIS A. RHYNE and wife, HELEN P. RHYNE, as tenants by the entirety

of Gaston County and State of North Carolina, hereinafter called GRANTEE.

WITNESSETH: That the Grantor, for and in consideration of the sum of One (\$1.00) Dollar and other good and valuable considerations to him in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has given, granted, bargained, sold and conveyed, and by these presents does give, grant, bargain, sell, convey and confirm unto the Grantee, his heirs and assigns forever, as tenants by the entirety in Dallas Township Gaston County, North Carolina, described as follows:

BEGINNING at a railroad spike in the paved portion of old U.S. Highway No. 321, said railroad spike being located South 28 degrees 17 minutes 28 seconds East 291.13 feet from the northernmost corner of that certain tract of land which was conveyed to Henry F. Rhyne and wife, Gertrude F. Rhyne, by E. Fritz Blankenship and wife, Evalyn Blankenship, by deed dated November, 1942 and recorded in the office of the Register of Deeds for Gaston County, North Carolina in Deed Book 434, at Page 560 and runs thence South 28 degrees 17 minutes 28 seconds East 291.14 feet to a railroad spike located in the right-of-way of old U.S. Highway No. 321; thence with the northwesterly boundary line of the property of Reuben Jerrell Stroup and wife, Blois Evans Stroup, as described in deed recorded in the abovementioned registry in Deed Book 1496, at Page 600, South 15 degrees 53 minutes 57 seconds West 306.50 feet to an existing iron pin; thence with Stroups' westerly boundary line, South 29 degrees 54 minutes 18 seconds East 68.14 feet to an existing iron pin; thence with the westerly boundary lines of the property of Thomas Ewell Poston and wife, Charlotte Lee Poston, and Phyllis R. Long Mullis as described in deeds recorded in the abovementioned registry in Deed Book 1254, at Page 82 and Deed Book 1334, at Page 524, respectively, South 29 degrees 45 minutes 20 seconds East 224.30 feet to an existing iron pin; thence with the westerly boundary line of the property of Lewis B. Clemmer and wife, Nollie Morton Clemmer, as described in deed recorded in the abovementioned registry in Deed Book 1042, at Page 143, South 29 degrees 44 minutes 08 seconds East 75.03 feet to an existing iron pin; thence with the westerly boundary line of the property of E.M. Sartin and wife, Edna M. Sartin, as described in deed recorded in the abovementioned registry in Deed Book 1092, at Page 322, South 29 degrees 49 minutes 00 seconds East 143.84 feet to an existing iron pin; thence with the northerly boundary lines of the property of Jimmy D. Norman, Joseph P. Moffitt and wife, Billie L. Moffitt, Harold B. White and wife, Iris C. White, Larry K. Foster and wife, Mildred B. Foster, Mitchell B. McClure and wife, Nancy Frye McClure, and Douglas B. McClure and wife, Kimberly W. McClure, as described in deeds recorded in the abovementioned registry in Deed Book 1176, at Page 73, Deed Book 1110, at Page 388, Deed Book 1098, at Page 540, Deed Book 1030, at Page 167, Deed Book 1060, at Page 21, Deed Book 974, at Page 132, Deed Book 870, at Page 545 and Deed Book 1450, at Page 140, respectively, South 75 degrees 08 minutes 01 seconds West 1,265.39 feet to an existing iron pin located in the easterly boundary line of the property of Pearl J. Summey as described in deed recorded in the abovementioned registry in Deed Book 546, at Page 59; thence with Pearl J. Summey's easterly boundary line, North 18 degrees 08 minutes 14 seconds West 106.82 feet to an existing iron pin; thence with Pearl J. Summey's northerly boundary line, North 80 degrees 04 minutes 28 seconds West 165 feet to an iron pin set; thence with a new line, North 60 degrees 37 minutes 23 seconds East 1,101.88 feet to an iron pin set; thence with another new line, North 13 degrees 01 minutes 33 seconds East 666.72 feet to the point of beginning and containing 12.429 acres.

The above description by courses and distances is taken from a plat entitled "Survey Made at the Request of Gertrude F. Rhyne Est." made by John W. Lineberger, Registered Surveyor, dated July 26, 1946, on which subject property is identified as Tract No. 2, a conv of which said

Abutting Properties

PID # 170287 & 169122
Marilyn S Finger Irrevocable Trust
2701 Jackson Square,
Anderson, SC 29625

PID #169115
Jerry & Pamela Buller
110 Hull Dr.
Dallas, NC 28034

PID# 169183
Wilson Family Rentals LLC
PO Box 1422
Gastonia, NC 28053

PID #169177 & 217241
Gastonia Flea Market LLC
C/O Barnyard Flea Market-Dallas
PO Drawer 12187
Columbia, SC 29211

PID# 169187
Thomas Goodson
175 Terry Lane Dr.
Dallas, NC 28034

PID# 169188 & 169189
Jams Kidd
3723 Dallas High Shoals HWY.
Dallas, NC 28034

PID#169191
Jeffrey & Patricia Scronce
3715 Dallas High Shoals HWY.
Dallas, NC 28034

Parcel #169190
Brittany Peeler
3713 Dallas High Shoals HWY.
Dallas, NC 28034

Parcel#169218
Gita & Binita Patel
2011 Fairways Dr.
Cherryville, NC 28021

Parcel #169219
Joe & Billie Moffit
220 Keener Dr.
Dallas, NC 28034

Parcel #169221
Joseph & Skylar Garrett
226 Keener Dr.
Dallas, NC 28034

Parcel #169222
Phillip D Ammons
230 Keener Dr.
Dallas, NC 28034

Parcel #169223
Laura Quezada
322 Keener Dr.
Dallas, NC 28034

Parcel # 226034 & 169186
Mitchell & Nancy McClure
226 Keener Dr.
Dallas, NC 28034

NC GEO NORTH AND BE 2011
ALL UNRECORDED ENCUMBRANCES
COMBINED FAC/FILE 0399839751

NORTH CAROLINA, GASTON COUNTY

I, REVIEW OFFICER OF GASTON COUNTY CERTIFY THAT THE MAP OR PLAN TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL THE STATUTORY REQUIREMENTS FOR RECORDING.

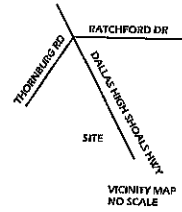
REVIEW OFFICER: _____ DATE: _____

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Ordinance of Dallas, North Carolina and that this plat has been approved by _____ on _____ for recordation in the County Deeds Office.

Subdivision Administrator _____ Date _____

I hereby certify that I am the owner of the property shown and described hereon, which is located in the Subdivision Jurisdiction of Gaston County and that I hereby adopt this plan of subdivision with my free consent and establish minimum lot size and building setback lines as noted.

Owners or Agent: _____ Date _____
HELEN RHYNE



NOTES:

- SURVEY BASED ON PHYSICAL EVIDENCE
- NO FEATURES LOCATED OTHER THAN AS SHOWN
- PROPERTY MAY BE SUBJECT TO RECORDED OR UNRECORDED EASEMENTS NOT OBSERVED
- NO TITLE SEARCH PERFORMED BY THIS FIRM.
- PROPERTY MAY OR MAY NOT BE IN A FLOOD ZONE, UNLESS SPECIFIED ON SURVEY, UPON REQUEST.
- ANY UNDERGROUND UTILITIES SHOWN CANNOT BE FULLY VERIFIED BY THIS FIRM UNLESS UNCOVERED FOR VISUAL INSPECTION.
- THE SURVEY WAS PREPARED WITHOUT THE BENEFIT OF TITLE ABSTRACT. THE SURVEYED PROPERTY IS SUBJECT TO ANY EXISTING EASEMENTS, RIGHTS OF WAY, RESTRICTIONS, SETBACK LINES, BURIED UTILITIES, PIPES, TANKS, MINERAL RIGHTS AND LANDFILLS WHETHER OR NOT SHOWN ON THIS PLAN OR WHETHER OR NOT RECORDED IN PUBLIC RECORDS.
- R/W SHOWN SUBJECT TO NC DOT VERIFICATION

LEGEND

- IRON PIN FOUND
- IRON PIN SET
- UNMARKED POINT

I, D. JASON WEST, CERTIFY THAT UNDER MY DIRECTION AND SUPERVISION THIS PLAN WAS DRAWN FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES; THAT THE RATIO OF PRECISION AS CALCULATED IS A MINIMUM OF 1:10,000; THAT THIS PLAN WAS PREPARED IN ACCORDANCE WITH GS 47-30 AS AMENDED; WITNESS MY ORIGINAL SEAL, SIGNATURE AND REGISTRATION NUMBER THIS

14 DAY OF JANUARY, 2021

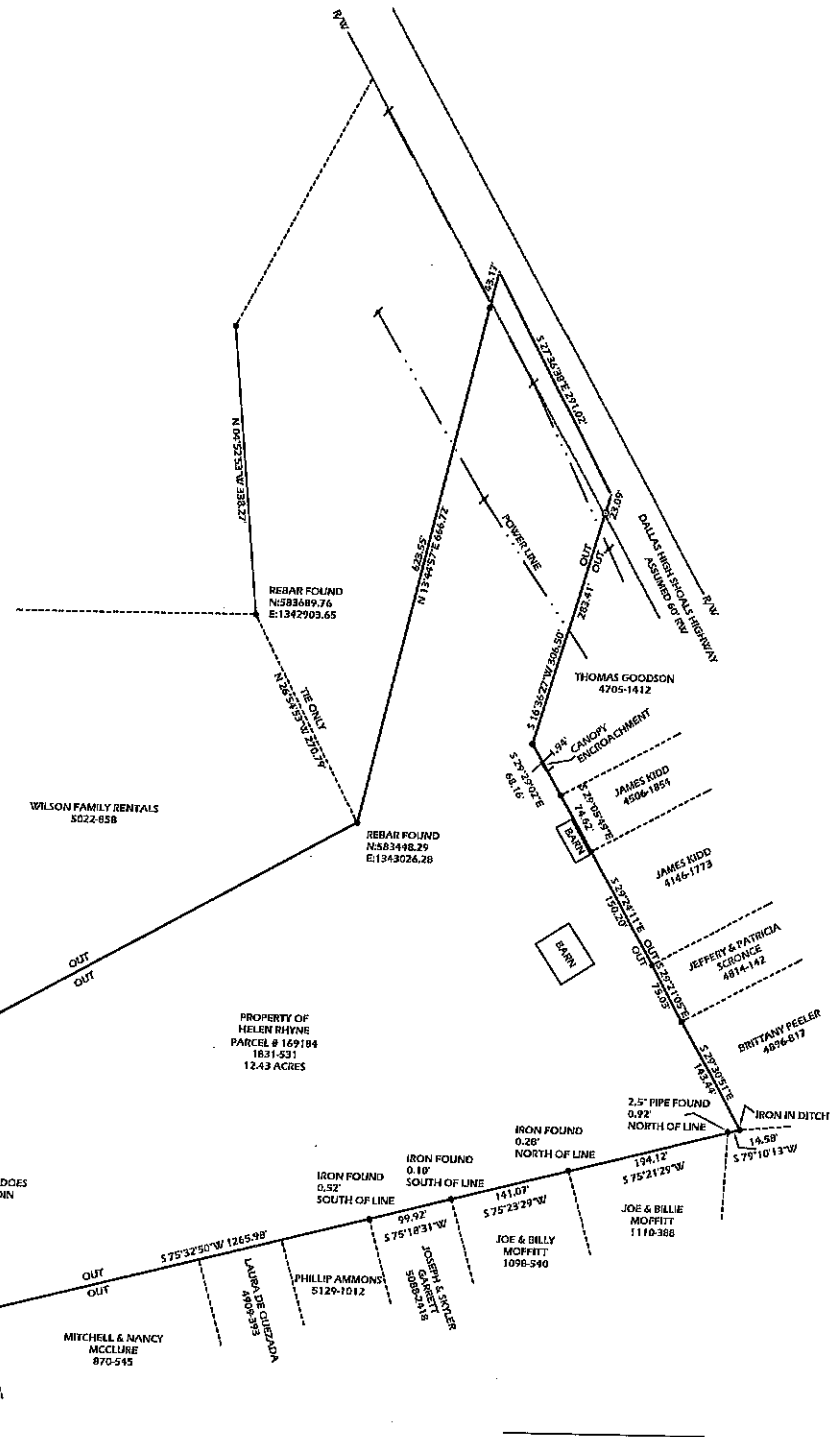
D. Jason West NCPLS L-4992



I, D. JASON WEST, PROFESSIONAL LAND SURVEYOR CERTIFY TO ONE OF THE FOLLOWING AS INDICATED:

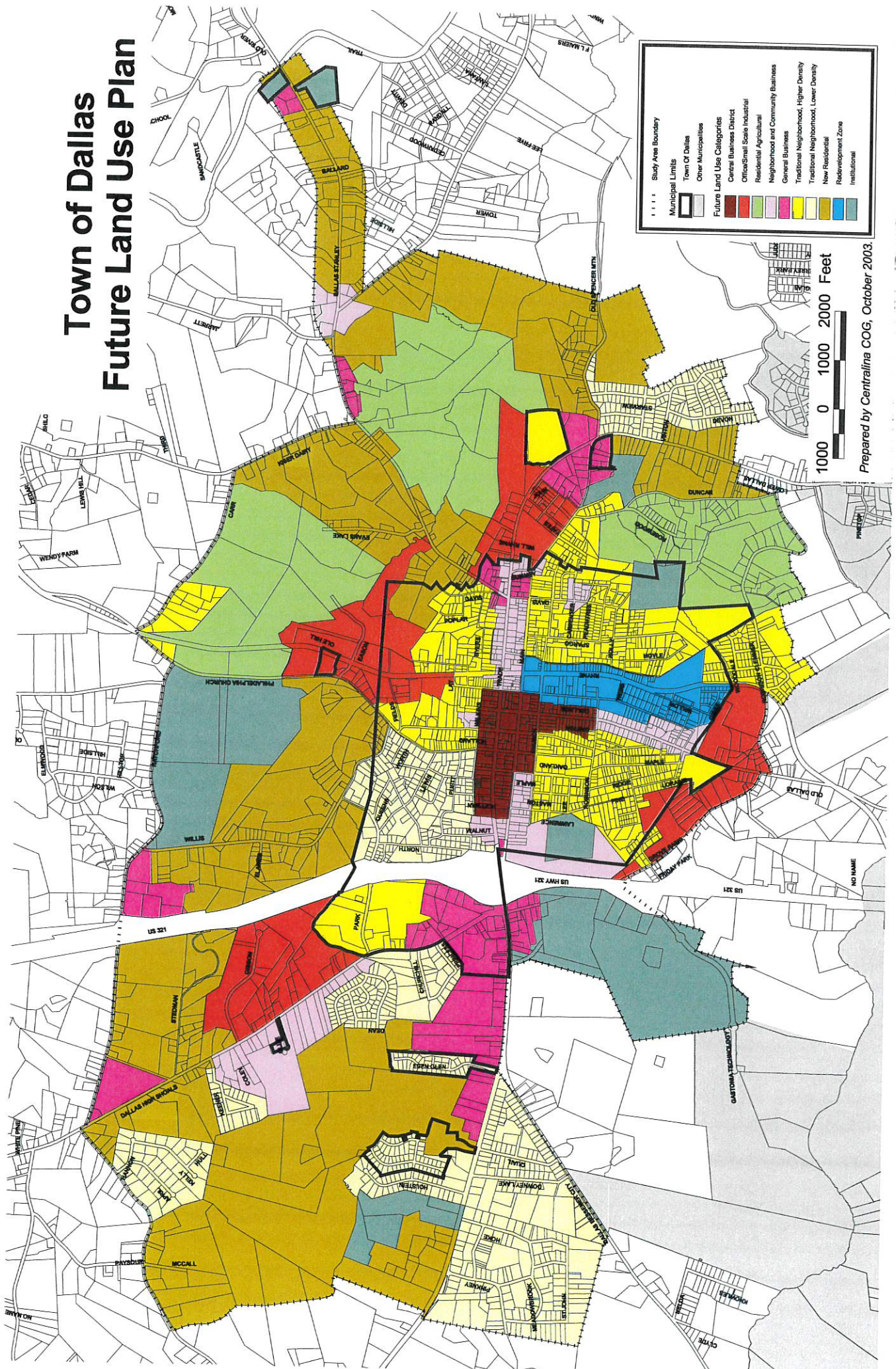
- A. THAT THIS PLAN IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
- B. THAT THIS PLAN IS OF A SURVEY THAT IS LOCATED IN AN AREA OF A COUNTY OR MUNICIPALITY THAT HAS NO ORDINANCE THAT REGULATES PARCELS OF LAND.
- C. THAT THIS PLAN IS OF AN EXISTING PARCEL OR PARCELS OF LAND.
- D. THAT THIS PLAN IS OF A SURVEY OF ANOTHER CATEGORY SUCH AS THE RECONSTRUCTION OF EXISTING PARCELS, A COURT-ORDERED SURVEY OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.
- E. THAT THE INFORMATION AVAILABLE TO THIS SURVEYOR IS SUCH THAT I AM UNABLE TO MAKE A DETERMINATION TO THE BEST OF MY PROFESSIONAL JUDGMENT AS TO THE PROVISIONS CONTAINED IN (A) THROUGH (D) ABOVE.

ANNEXATION NOTE:
DALLAS TOWN LIMITS DOES NOT CURRENTLY ADJOIN OR CROSS THIS TRACT.

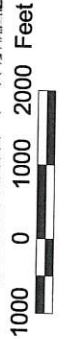


ANNEXATION EFFECTIVE DATE	
ANNEXATION PLAT 7016	
GAIL SUMMEY	
LOCATION:	DALLAS TOWNSHIP, GASTON COUNTY, NC
PARCEL ID:	769184
DATE:	JANUARY 14, 2021
SCALE:	1"=100'
DRAWN BY:	DJW
FILE:	DALLAS2020.DWG
RETURN TO:	HELEN RHYNE 3633 DALLAS CHERRYVILLE HWY DALLAS NC 28034
LEDFORD & WEST LAND SURVEYING & MAPPING, PLLC 2310 E. DOUBLE SHOALS ROAD LAWRENCE, NC 28050 704-618-8036 JWSURVEYOR@GMAIL.COM	

Town of Dallas Future Land Use Plan



---	Study Area Boundary
▭	Municipal Limits
▭	Town Of Dallas
▭	Other Municipalities
▭	Future Land Use Categories
▭	Central Business District
▭	Office/Small Scale Industrial
▭	Residential Agricultural
▭	Neighborhood and Community Business
▭	General Business
▭	Traditional Neighborhood, Higher Density
▭	Traditional Neighborhood, Lower Density
▭	New Residential
▭	Redevelopment Zone
▭	Institutional



Prepared by Centralina COG, October 2003

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Finger Irrevocable Trust Annexation

AGENDA ITEM NO. 6F

MEETING DATE: 11/9/2021

BACKGROUND INFORMATION:

An Annexation petition, 2021-04, was submitted June 15, 2021, by Rosemary Finger Routszong Trustee of property owner, Marilyn S. Finger Irrevocable Trust. The Petition includes three parcels, #303651, 170287, and 169122, no address assigned, located near Shepherds Way Dr. The petitioner is seeking annexation into the Town of Dallas as part of a Conditional Zoning District CD R-5, for a potential single-family detached subdivision.

The parcels are currently located outside of the Town of Dallas and are considered contiguous. The 2003 Future Land Use Map highlights these parcels for new residential development. The Planning Board recommends this property be rezoned to a Conditional District, CD R-5, if annexed into the Town.

The annexation and rezoning hearings have been advertised as required by State Statute and Town Ordinance in the Gaston Gazette 10/28 and 11/4, on site, and via first class mail to all property owners within five hundred (500) feet.

MANAGER RECOMMENDATION: Approve the annexation request and accompanying ordinance, as presented.

BOARD ACTION TAKEN:

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF DALLAS,
NORTH CAROLINA (Annexation PID# 303651, 170287, 169122)**

WHEREAS, the Board of Aldermen of the Town of Dallas has been petitioned under G.S. 160A-31 to annex the contiguous area described below; and,

WHEREAS, the Board of Aldermen has directed the Town Clerk to investigate the sufficiency of the petition; and,

WHEREAS, the Town Clerk has certified the sufficiency of the petition and public hearing on the question of this annexation was held at the Fire Department Community Room at 6:00 pm on November 9, 2021, after due notice; and,

WHEREAS, the Board of Aldermen finds the petition meets the requirements of G.S. 160A-31:

NOW THEREFORE BE IT ORDAINED, by the Board of Aldermen of the Town of Dallas, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Dallas as of November 9, 2021:

That certain tract or parcel of land situated, lying, and being in the Dallas Township, Gaston County, North Carolina, and being more particularly described as follows:

BEGINNING at an existing #5 rebar lying on the existing Dallas town limits and marking the southeast corner of the Ryan Dearing & wife, Christina Dearing property as described in Deed Book 4882, Page 2145 and runs thence with the Dearing property and the new Dallas town limits four (4) courses and distances as follows: (1) North 15-19-51 East 343.44 feet to an existing #5 rebar in the center of Meadow Way Drive, a 20' perpetual nonexclusive right-of-way; (2) North 73-02-02 West 281.90 feet to a point in the center of Meadow Way Drive; (3) North 85-14-22 West 92.90 feet to a point in the center of Meadow Way Drive; (4) South 70-25-09 West 41.38 feet to an existing #5 rebar in the center of Meadow Way Drive and lying on the eastern property line of the Jodie Depascale property as described in Deed Book 5157, Page 1988; thence with the Depascale property and the new Dallas town limits two (2) courses and distances as follows: (1) North 22-16-15 West 154.52 feet; (2) North 75-35-10 West 392.16 feet to an existing #4 rebar lying on the existing Dallas town limits and laying on the eastern property line of the William J. Summey & wife, Carole Rogers Summey property as described in Deed Book 1946, Page 708; thence with the Summey property and the existing Dallas town limits three (3) courses and distances as follows: (1) North 14-25-00 East 211.92 feet to a point; (2) North 13-07-44 East 1209.35 feet to a point; (3) North 13-32-55 East passing an existing 1" iron pipe at 269.84 feet a total distance of 282.75 feet to a point on the southern property line of the Rosemary F. Routzong, trustee of the Marilyn S. Finger Irrevocable Trust property as described in Deed Book 4777, Page 1938; thence with the Rosemary F. Routzong, trustee of the Marilyn S. Finger Irrevocable Trust property and the new Dallas town limits South 79-35-41 East 156.05 feet to an existing #4 rebar marking the southwest corner of the Jerry Wayne Buller and wife, Pamela A. Buller property as described in Deed Book 4825, Page 444; thence with the Buller property and the new Dallas town limits South 79-52-18 East 251.55 feet to an existing #5 rebar marking the southern corner of the Wilson Family Rentals, LLC property as described in Deed Book 5022, Page 858 and the southwestern corner of the Helen P. Rhyne property as described in Deed Book 1831, Page 531; thence with the Rhyne property and the new Dallas town limits two (2) courses and distances as follows: (1) South 79-36-46 East 164.80 feet to an existing #10 rebar; (2) South 17-43-25 East 106.77 feet to an existing 3/4" iron pipe marking the western corner of the Mitchell McClure and wife, Nancy McClure property as described in Deed Book 2832, Page 737; thence with the McClure property and the new Dallas town limits South 18-43-36 East 99.95 feet to an existing #4 rebar marking the western corner of the Steven David Morris property as described in Deed Book 4989, Page 1318; thence with the Morris property and the new Dallas town limits South 18-42-50 East 105.72 feet to an existing #5 rebar marking the western corner of the Steven David Morris property as described in Deed Book 4988, Page 707; thence with the Morris property and the new Dallas town limits South 19-45-47 East 100.06 feet to an existing #5 rebar marking the western corner of the Stephen Webber and wife, Anthea Webber property as described in Deed Book 2857, Page 292; thence with the Webber property and the new Dallas town limits South 19-43-06 East 200.20 feet to an existing #5 rebar marking the western corner of the Leslie Fay Ferguson property as described in Deed Book 4691, Page 1567; thence with the Ferguson property, the Andrew Gibbon and wife, Lesly Gibbon property as described in Deed Book 4414, Page 473, the Laura Quezada property as described in Deed Book 4718, Page 970 and the new Dallas town limits two (2) courses and distances as follows: (1) South 20-02-01 East 299.97 feet to an existing 2.5" axle; (2) South 20-26-49 East 39.95 feet to an existing 1/2" iron rod marking the western corner of the Charles Michael Brooks, et.al. property as described in Estate File 12E-1343; thence with the Brooks, et.al. property and the new Dallas town limits two (2) courses and distances as follows: (1) South 20-07-12 East 4.46 feet to an existing 2.5" axle; (2) South 36-45-37 East 197.19 feet to an existing 2.5" axle lying on the existing Dallas town limits and marking the northwest corner of the Frances Kirby and

Samuel Summey property as described in Estate File 2018-872; thence with the Kirby and Summey property and the existing Dallas town limits four (4) courses and distances as follows: (1) South 09-26-57 East 379.52 feet to an existing 3/4" iron pipe; (2) South 09-30-47 East 300.59 feet to an existing 1" pinched top iron pipe; (3) South 09-26-54 East 199.23 feet to an existing 3/4" axle; (4) South 09-11-54 East 34.45 feet to an existing 2.5" iron pipe marking the northwest corner of the Gaston Area Lutheran Foundation, Inc. property as described in Deed Book 4218, Page 2058; thence with the Gaston Area Lutheran Foundation, Inc. property and the new Dallas town limits South 09-30-31 East 365.74 feet to a point in a 36" poplar tree lying on the existing Dallas town limits and marking a corner on the northern line of the Gaston Area Lutheran Foundation, Inc. property as described in Deed Book 4633, Page 377; thence with the Gaston Area Lutheran Foundation, Inc. property and the existing Dallas town limits two (2) courses and distances as follows: (1) North 68-04-26 West 531.53 feet to an existing 4" iron pipe with a square top; (2) South 78-52-31 West 366.70 feet to the Point or Place of BEGINNING; containing 51.5552 acres of land.

Section 2. Upon and after November 9, 2021, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the Town of Dallas and shall be entitled to the same privileges and benefits as other parts of the Town of Dallas. Said territory shall be subject to municipal taxes according to G.S. 160A-31.

Section 3. The Mayor of the Town of Dallas shall cause to be recorded in the office the Register of Deeds of Gaston County, and in the office of the Secretary of State at Raleigh, North Carolina an accurate map of annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required G.S. 163-288.1

Adopted this 9th day of November, 2021

ATTESTED

Sarah Hamrick, Town Clerk

Rick Coleman, Mayor

Re: Annexation (PID# 303651, 170287, 169122)



TOWN OF DALLAS, NORTH CAROLINA

PETITION FOR ANNEXATION

PETITION NUMBER: 2021-04

Contiguous

Non-Contiguous

DATE: June 14, 2021

FEE: \$500.00

Current Property Use: Vacant Requested Zoning: Conditional Zoning - R-5

Planned Property Use: Single Family Detached Subdivision

To the Board of Aldermen of the Town of Dallas:

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

No address assigned, DALLAS, NC 28034, further identified as
parcel ID # 303651, 170287, 169122, be annexed to the Town of Dallas.

Print owner name(s) and information:

Name Rosemary Finger Routszong Phone 704-674-2170

Address 2701 Jackson Square, Anderson, SC 29625

Name _____ Phone _____

Address _____

Name _____ Phone _____

Address _____

Attachments included with Petition:

1. Legal description (as noted in property deed)
2. Letter outlining reasons for annexation request
3. List of Abutting Property Owners
4. Survey or Plat suitable for recordation
5. \$500 Fee

Owner's Signature: Rosemary Finger Routszong, Trustee
Marilyn S. Finger, Trustee Date: June 14, 2021
Trust

Owner's Signature: _____ Date: _____

Owner's Signature: _____ Date: _____

Received By: Nelson Isold Date: 6/15/2021

June 14th 2021

I, Rosemary Singer Routsong,
trustee for the Marilyn S. Singer
Irrevocable Trust, would to annex
my property in to the Town of Dallas,
to be a part of the new conditional
rezoning of the Town of Dallas.

Sincerely,

Rosemary Singer Routsong

CERTIFICATE OF SUFFICIENCY

To the Board of Aldermen of the Town of Dallas, North Carolina:

I, Sarah Hamrick, Town Clerk do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-31.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Dallas, this 6th Day of October 2021.

Re: Finger Irrevocable Trust Annexation- PID 303651, 170287, 169122

Sarah Hamrick

Town Clerk

(SEAL)



**LEGAL DESCRIPTION
PROPERTY ANNEXED INTO THE TOWN OF DALLAS
51.5552 ACRES**

That certain tract or parcel of land situated, lying, and being in the Dallas Township, Gaston County, North Carolina, and being more particularly described as follows:

BEGINNING at an existing #5 rebar lying on the existing Dallas town limits and marking the southeast corner of the Ryon Dearing & wife, Christina Dearing property as described in Deed Book 4882, Page 2145 and runs thence with the Dearing property and the new Dallas town limits four (4) courses and distances as follows: (1) North 15-19-51 East 343.44 feet to an existing #5 rebar in the center of Meadow Way Drive, a 20' perpetual nonexclusive right-of-way; (2) North 73-02-02 West 281.90 feet to a point in the center of Meadow Way Drive; (3) North 85-14-22 West 92.90 feet to a point in the center of Meadow Way Drive; (4) South 70-25-09 West 41.38 feet to an existing #5 rebar in the center of Meadow Way Drive and lying on the eastern property line of the Jodie Depascale property as described in Deed Book 5157, Page 1988; thence with the Depascale property and the new Dallas town limits two (2) courses and distances as follows: (1) North 22-16-15 West 154.52 feet; (2) North 75-35-10 West 392.16 feet to an existing #4 rebar lying on the existing Dallas town limits and laying on the eastern property line of the William J. Summey & wife, Carole Rogers Summey property as described in Deed Book 1946, Page 708; thence with the Summey property and the existing Dallas town limits three (3) courses and distances as follows: (1) North 14-25-00 East 211.92 feet to a point; (2) North 13-07-44 East 1200.35 feet to a point; (3) North 13-32-55 East passing an existing 1" iron pipe at 269.84 feet a total distance of 282.75 feet to a point on the southern property line of the Rosemary F. Routzong, trustee of the Marilyn S. Finger Irrevocable Trust property as described in Deed Book 4777, Page 1938; thence with the Rosemary F. Routzong, trustee of the Marilyn S. Finger Irrevocable Trust property and the new Dallas town limits South 79-35-41 East 156.05 feet to an existing #4 rebar marking the southwest corner of the Jerry Wayne Buller and wife, Pamela A. Buller property as described in Deed Book 4825, Page 444; thence with the Buller property and the new Dallas town limits South

79-52-18 East 251.55 feet to an existing #5 rebar marking the southern corner of the Wilson Family Rentals, LLC property as described in Deed Book 5022, Page 858 and the southwestern corner of the Helen P. Rhyne property as described in Deed Book 1831, Page 531; thence with the Rhyne property and the new Dallas town limits two (2) courses and distances as follows: (1) South 79-36-46 East 164.80 feet to an existing #10 rebar; (2) South 17-43-25 East 106.77 feet to an existing 3/4" iron pipe marking the western corner of the Mitchell McClure and wife, Nancy McClure property as described in Deed Book 2832, Page 737; thence with the McClure property and the new Dallas town limits South 18-43-56 East 99.95 feet to an existing #4 rebar marking the western corner of the Steven David Morris property as described in Deed Book 4989, Page 1318; thence with the Morris property and the new Dallas town limits South 18-42-50 East 105.72 feet to an existing #5 rebar marking the western corner of the Steven David Morris property as described in Deed Book 4988, Page 707; thence with the Morris property and the new Dallas town limits South 19-45-47 East 100.06 feet to an existing #5 rebar marking the western corner of the Stephen Webber and wife, Anthea Webber property as described in Deed Book 2857, Page 292; thence with the Webber property and the new Dallas town limits South 19-43-06 East 200.20 feet to an existing #5 rebar marking the western corner of the Leslie Fay Ferguson property as described in Deed Book 4691, Page 1567; thence with the Ferguson property, the Andrew Gibbon and wife, Lesly Gibbon property as described in Deed Book 4414, Page 473, the Laura Quezada property as described in Deed Book 4718, Page 970 and the new Dallas town limits two (2) courses and distances as follows: (1) South 20-02-01 East 299.97 feet to an existing 2.5" axle; (2) South 20-26-49 East 39.95 feet to an existing 1/2" iron rod marking the western corner of the Charles Michael Brooks, et.al. property as described in Estate File 12E-1343; thence with the Brooks, et.al. property and the new Dallas town limits two (2) courses and distances as follows: (1) South 20-07-12 East 4.46 feet to an existing 2.5" axle; (2) South 36-45-37 East 197.19 feet to an existing 2.5" axle lying on the existing Dallas town limits and marking the northwest corner of the Frances Kirby and Samuel Summey property as described in Estate File 2018-872; thence with the Kirby and Summey property and the existing Dallas town limits four (4) courses and distances as follows: (1) South 09-26-57 East 379.52 feet to an existing 3/4" iron pipe; (2) South

09-30-47 East 300.59 feet to an existing 1" pinched top iron pipe; (3) South 09-26-54 East 199.23 feet to an existing 3/4" axle; (4) South 09-11-54 East 34.45 feet to an existing 2.5" iron pipe marking the northwest corner of the Gaston Area Lutheran Foundation, Inc. property as described in Deed Book 4218, Page 2058; thence with the Gaston Area Lutheran Foundation, Inc. property and the new Dallas town limits South 09-30-31 East 365.74 feet to a point in a 36" poplar tree lying on the existing Dallas town limits and marking a corner on the northern line of the Gaston Area Lutheran Foundation, Inc. property as described in Deed Book 4633, Page 377; thence with the Gaston Area Lutheran Foundation, Inc. property and the existing Dallas town limits two (2) courses and distances as follows: (1) North 68-04-26 West 531.53 feet to an existing 4" iron pipe with a square top; (2) South 78-52-31 West 366.70 feet to the Point or Place of **BEGINNING**; containing **51.5552** acres of land.

Abutting Properties

PID # 212567 & 214259
Gaston Area Lutheran Foundation
916 S Marietta St.
Gastonia, NC 28054

PID #198469
Andrew B & Haley O Borchardt
1141 Meadow Way Dr.
Dallas, NC 28037

PID #303650
Jodie Depascale
1150 Meadow Way Dr.
Dallas, NC 28034

PID # 170286
William & Carole Summey
1506 Dallas Cherryville HWY
Dallas, NC 28034

PID #169115
Jerry & Pamela Buller
110 Hull Dr.
Dallas, NC 28034

PID #169183
Wilson Family Rentals LLC
PO Box 1422
Gastonia, NC 28053

PID #169186
Mitchell & Nancy McClure
240 Keener Dr.
Dallas, NC 28034

PID #226035 & 170151
Steven Morris
304 Keener Dr.
Dallas, NC 28034

PID #170150
Stephen & Anthea Webber
306 Keener Dr.
Dallas, NC 28034

PID #170150
Leslie Ferguson
114 Bogus Dr.
Dallas, NC 28034

PID #170148
Andrew & Lesly Gibbon
416 Poplar Springs Church Rd.
Shelby, NC 28152

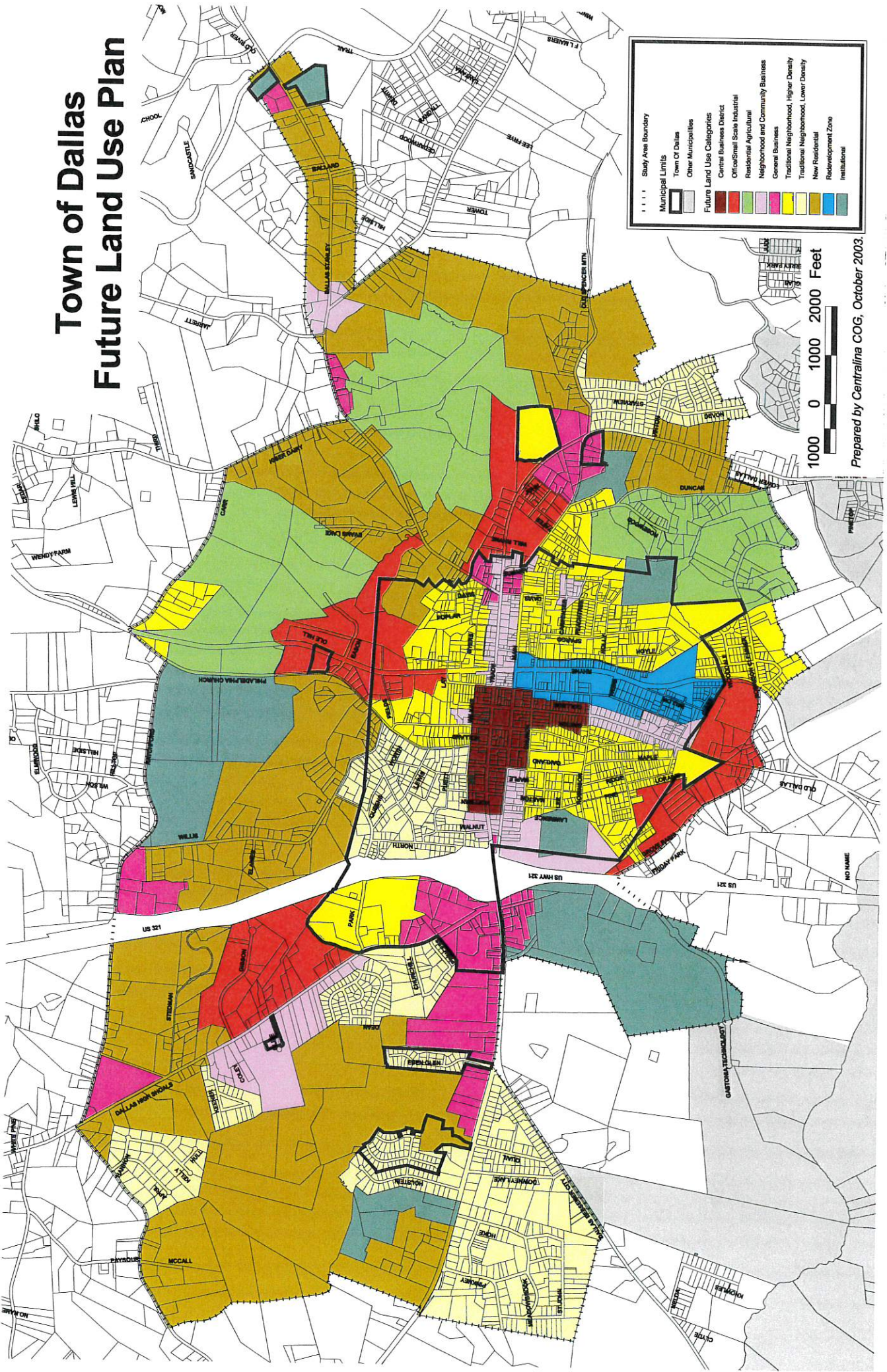
PID #220344
Laura Quezada
322 Keener Dr.
Dallas, NC 28034

PID #170143
Charles Brooks & Others
PO Box 822
Dallas, NC 28034

PID #170057
Frances Kirby & Samuel Summey
212 Whiteoaks Circle
Bluffton, SC 29910

PID #169184
Helen P. Rhyne
3633 Dallas Cherryville HWY
Dallas, NC 28034

Town of Dallas Future Land Use Plan



Prepared by Centralina COG, October 2003.

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Little Long Creek Rezoning

AGENDA ITEM NO. 6G

MEETING DATE: 11/9/2021

BACKGROUND INFORMATION:

A Conditional Rezoning Application, 2021-04, was submitted by authorized agents Jeff Webb and Paul Pennell on behalf of the property owners of Gaston County Parcels #301017, 303651, 170286, 170287, 169184, and 169122. The requested zoning is a Conditional District, Single Family Residential, CD R-5.

The Conditional Rezoning proposal includes 529 single family detached lots spanning across 170.56. The site includes 51.58 acres of open space and 6.15 acres of amenity area. Amenity areas to include: +/- 4,550 linear ft. of natural walking rails at 8 ft. wide; two (2) parks equipped with playgrounds, open air pavilions, picnic tables, grills and benches. The development will also include street trees on both sides of the road at approximate 50 ft. intervals.

The Planning Board reviewed the conditional rezoning proposal and after discussion and modification to conditions and allowances, unanimously recommended approval of the rezoning to CD R-5.

All Zoning Map amendments must include a statement of plan consistency, which is attached. Also, attached, is a rezoning ordinance for approval.

MANAGER RECOMMENDATION: Approve the rezoning request and accompanying ordinance, as presented.

BOARD ACTION TAKEN:

AN ORDINANCE ADOPTING A ZONING MAP AMENDMENT/CONDITIONAL ZONING PETITION IN THE TOWN OF DALAS (PID# 301017, 303651, 170286, 170287, 169184, AND 169122)

WHEREAS, Jeff Webb and Paul Pennell, submitted an application for a zoning map amendment to Conditionally Rezone property (Gaston County Parcel IDs # 301017; 169122; 170287; 303651; 169184; 170286) from Single Family Residential (R-10), Single Family Limited (R-1), and General Commercial (C-3) to a Conditional District, Single Family Residential, CD R-5, to allow for the development of 529 single family lots; and,

WHEREAS, the public hearing for this map amendment has been noticed in compliance with the North Carolina General Statutes; and,

WHEREAS, the Town of Dallas Planning Board has reviewed the Conditional Rezoning petition and voted unanimously (6-0) to recommend approval of the petition, finding it neither consistent nor inconsistent with the 2003 Land Use Plan; and,

WHEREAS, the Town of Dallas Board of Aldermen held the public hearing on November 9, 2021, and after the hearing, made the following finding:

The petition is consistent with the Town of Dallas Land Use Plan's map designation as new residential, therefore is deemed reasonable and in the public's best interest as it supports an increased demand for housing in light of Dallas' current and anticipated growth and aligns with the 2003 Land Use Plan's recommendation for new residential to be clustered so as to preserve open space and heighten pedestrian accessibility.

NOW THEREFORE BE IT ORDAINED, by the Board of Aldermen of the Town of Dallas, North Carolina, that the petitioner, is granted approval of the above-referenced Conditional Rezoning request effective November 9, 2021 and that the official zoning map of the Town be amended to reflect this adopted change of parcels #301017, 303651, 170286, 170287, 169184, and 169122.

Should any provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof which is specifically declared to be invalid and unconstitutional.

Adopted this 9th day of November, 2021.

ATTESTED:

Rick Coleman, Mayor

Sarah Hamrick, Town Clerk

Re: Annexation (PID# 301017, 303651, 170286, 170287, 169184, and 169122)

R2 2021-04

TOWN OF DALLAS
REZONING APPLICATION

Location of Property: 3807 Dallas High Shoals Hwy, Dallas, NC 28034

Lot Size: 170.56 AC Current Zone/ Use: R-10, R-1, & C-3 Parcel ID# 301017, 303651, 170286, 170287, 169184, & 169122

Name of Owner: Ralph E Summey Land Holdings LLC

Address of Owner: 2608 Lakefront Drive, Belmont, NC 28012

Owner Phone #: 704-674-1454 Email: nccyclegirl56@aol.com

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

R-10 to CZ-R-5 On the following described property:

3548015104, FURTHER IDENTIFIED AS PARCEL ID # 301017.

See Pages 2-3 for additional Owner information.

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

Paul Pennell & Jeff Webb
Applicant Agents: Paul Pennell & Jeff Webb
Signature of applicant

7/1/2021
Date

Robert D. ...
Development Services Director

7/8/2021
Date

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

Checks to be made payable to the Town of Dallas.

Name of Owner: William J & Carole R Summey

Address of Owner: 1506 Dallas Cherryville HWY, Dallas, NC 28034

Owner Phone #: 704-913-1454 Email: hccyclegirl56@aol.com

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

R-10 to CZ-R-5 On the following described property:

3548111787, FURTHER IDENTIFIED AS PARCEL ID # 170286

Name of Owner: Marilyn S Finger

Address of Owner: 2701 Jackson Square, Anderson, SC 29625

Owner Phone #: 704-674-2170 Email: rroutszong@att.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

R-1 to _____ On the following described property:

3548128821, 3548220005, & 3548212115, FURTHER IDENTIFIED AS PARCEL ID # 169122, 170287, & 303651

Name of Owner: Helen P Rhyme
Address of Owner: 3633 Dallas Cherryville HWY, Dallas, NC 28034
Owner Phone #: 704-964-1162 Email: ncocylegiri56@aol.com

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

C-3 & R-1 to CZ-R-5 On the following described property:

3548239202, FURTHER IDENTIFIED AS PARCEL ID # 169184

Authorized Agent

Let this letter serve as formal notice that I, Elizabeth Ann Wilson, representative for Ralph E Summey Landholdings, Inc., owner of parcel #301017 give consent for Paul Pennell with Urban Design Partners and Jeff Webb with LGI to act as the authorized agent(s) on our behalf for the Conditional Zoning request in the Town of Dallas.



Elizabeth Ann Wilson

Date 06 / 05 / 2021

Authorized Agent

Let this letter serve as formal notice that I, Rosemary Routszong, representative for Marilyn S Finger Irrevocable Trust, owner of parcel(s) #169122; #170287; #303651 give consent for Paul Pennell with Urban Design Partners and Jeff Webb with LGI to act as the authorized agent(s) on our behalf for the Conditional Zoning request in the Town of Dallas.



Rosemary Routszong

Date June 16 / 6 / 2021

Authorized Agent

Let this letter serve as formal notice that I, Helen P Rhyne, owner of parcel #169184 give consent for Paul Pennell with Urban Design Partners and Jeff Webb with LGI to act as the authorized agent(s) on our behalf for the Conditional Zoning request in the Town of Dallas.

Helen P. Rhyne

Helen P Rhyne

Date June 16 /2021

Authorized Agent

Let this letter serve as formal notice that we, William J & Carole R Summey, owner of parcel #170286 give consent for Paul Pennell with Urban Design Partners and Jeff Webb with LGI to act as the authorized agent(s) on our behalf for the Conditional Zoning request in the Town of Dallas.



William J Summey



Carole R Summey

Date JUNE 1 06 12021



URBAN DESIGN PARTNERS
 2130 Westwood - FALGOUTS
 10000 Westwood - FALGOUTS
 10000 Westwood - FALGOUTS
 10000 Westwood - FALGOUTS

PRELIMINARY DRAWING
 PROJECT NO. 21-015

Little Long Creek SF

CONDITIONAL REZONING

SITE & UTILITY PLAN C

3807 Dallas High Shoals Hwy, Dallas, TX 75244
 LCI Homes, Inc.

NO. GAVE BY: REVISIONS
 PROJECT NO. 21-015
 DATE: 06/10/2021
 DESIGNED BY: UDP
 CHECKED BY: UDP
 SHEET NO. 25

RZ-4.0

DEVELOPMENT SUMMARY

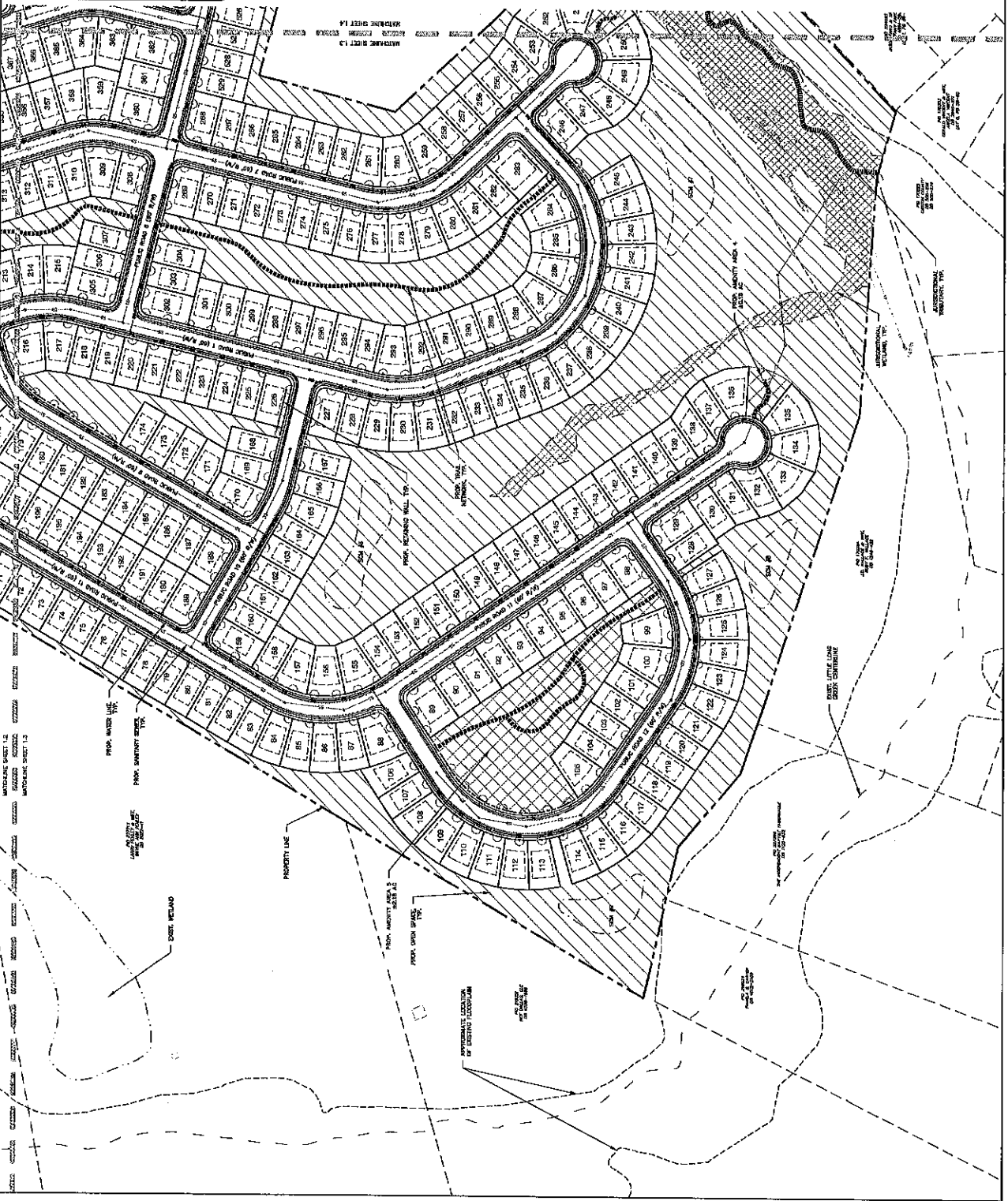
TOTAL PARCELS TO BE DEVELOPED: 1,000
 TOTAL SITE AREA: 1,000 AC (APPROX.)
 PROPOSED ZONING: R-10, R-15, C-10
 PROPOSED LOTS: SINGLE-FAMILY DETACHED
 PROPOSED DENSITY: 20 TO 25 UNITS PER ACRE
 PROPOSED LOT AREA: 500 TO 1,000 SQ. FT.
 PROPOSED LOT WIDTH: 20 TO 30 FT.
 PROPOSED LOT DEPTH: 100 TO 150 FT.
 PROPOSED LOT AREA: 500 TO 1,000 SQ. FT.
 PROPOSED LOT WIDTH: 20 TO 30 FT.
 PROPOSED LOT DEPTH: 100 TO 150 FT.

Lot No.	Area (sq. ft.)	Area (sq. ft.)	Area (sq. ft.)	Area (sq. ft.)
1	1000	1000	1000	1000
2	1000	1000	1000	1000
3	1000	1000	1000	1000
4	1000	1000	1000	1000
5	1000	1000	1000	1000
6	1000	1000	1000	1000
7	1000	1000	1000	1000
8	1000	1000	1000	1000
9	1000	1000	1000	1000
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NOTE: LOT DIMENSIONS ARE APPROXIMATE

BEFORE YOU DIG
 CALL 811
 N.C. ONE-CALL CENTER
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GRAPHIC SCALE
 1" = 100' - 100' 100'





URBAN DESIGN PARTNERS
 10000 W. HICKORY STREET, SUITE 100
 DALLAS, TEXAS 75241
 TEL: 214.343.1111
 WWW.URBANDISIGNPARTNERS.COM

LG1 Homes, Inc.
 3907 Sherman Drive
 Larchmont, NC 28020

Little Long Creek SF CONDITIONAL REZONING SITE & UTILITY PLAN D

3807 Dallas High Shoals Hwy, Dallas, NC 28034

Project No: 21-015
 Date: 08.10.2021
 Designed By: UDP
 Checked By: UDP
 Sheet No:

RZ-5.0

DEVELOPMENT SUMMARY

20171 JONES BL, TOWN, T2007, 10000 W. HICKORY ST, DALLAS, TX 75241

3807 DALLAS HIGH SHOALS HWY, DALLAS, TX 75241

3907 SHERMAN DR, LARCHMONT, NC 28020

10000 W. HICKORY STREET, SUITE 100, DALLAS, TX 75241

TEL: 214.343.1111

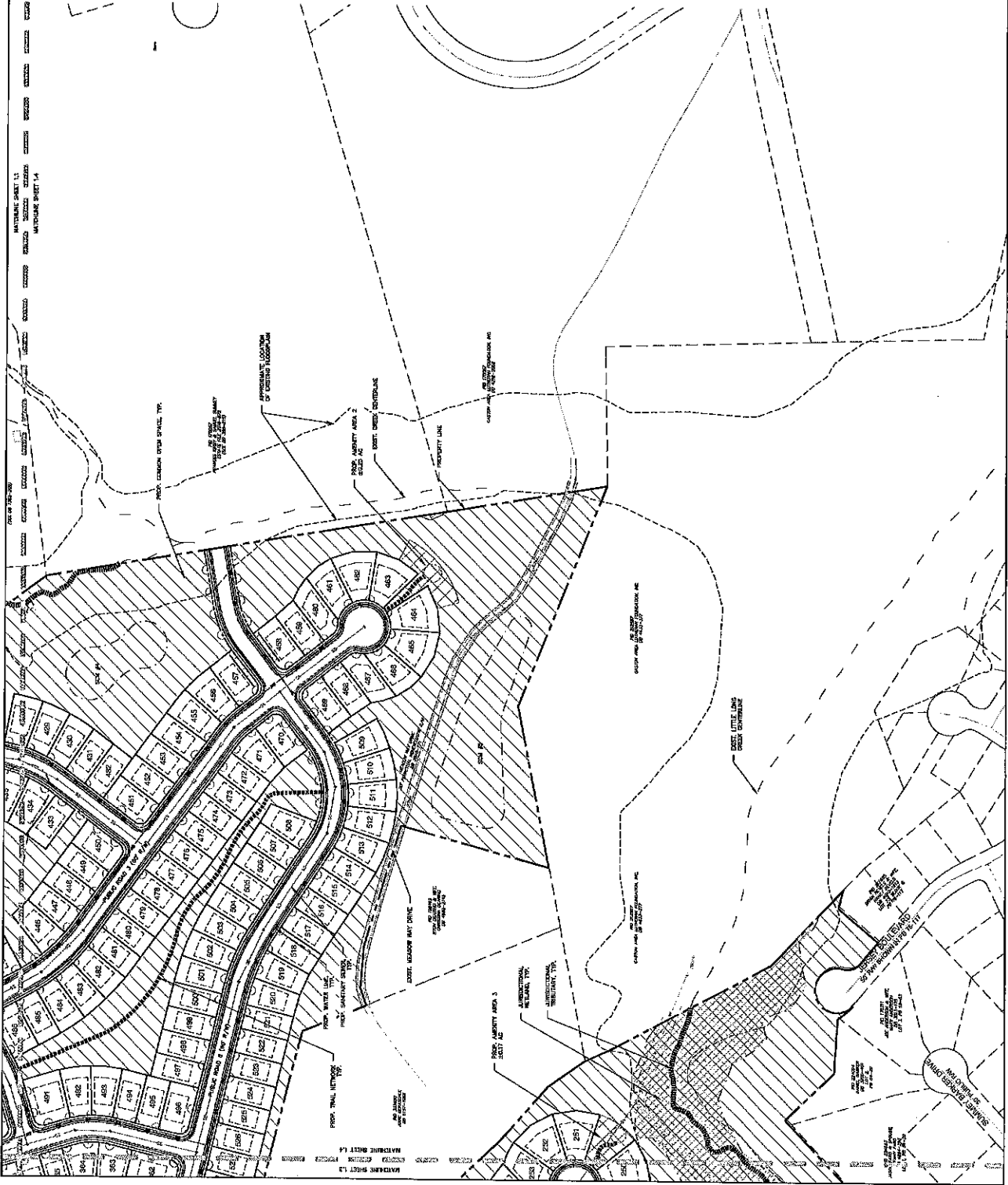
WWW.URBANDISIGNPARTNERS.COM

NO.	DATE	BY	REVISIONS
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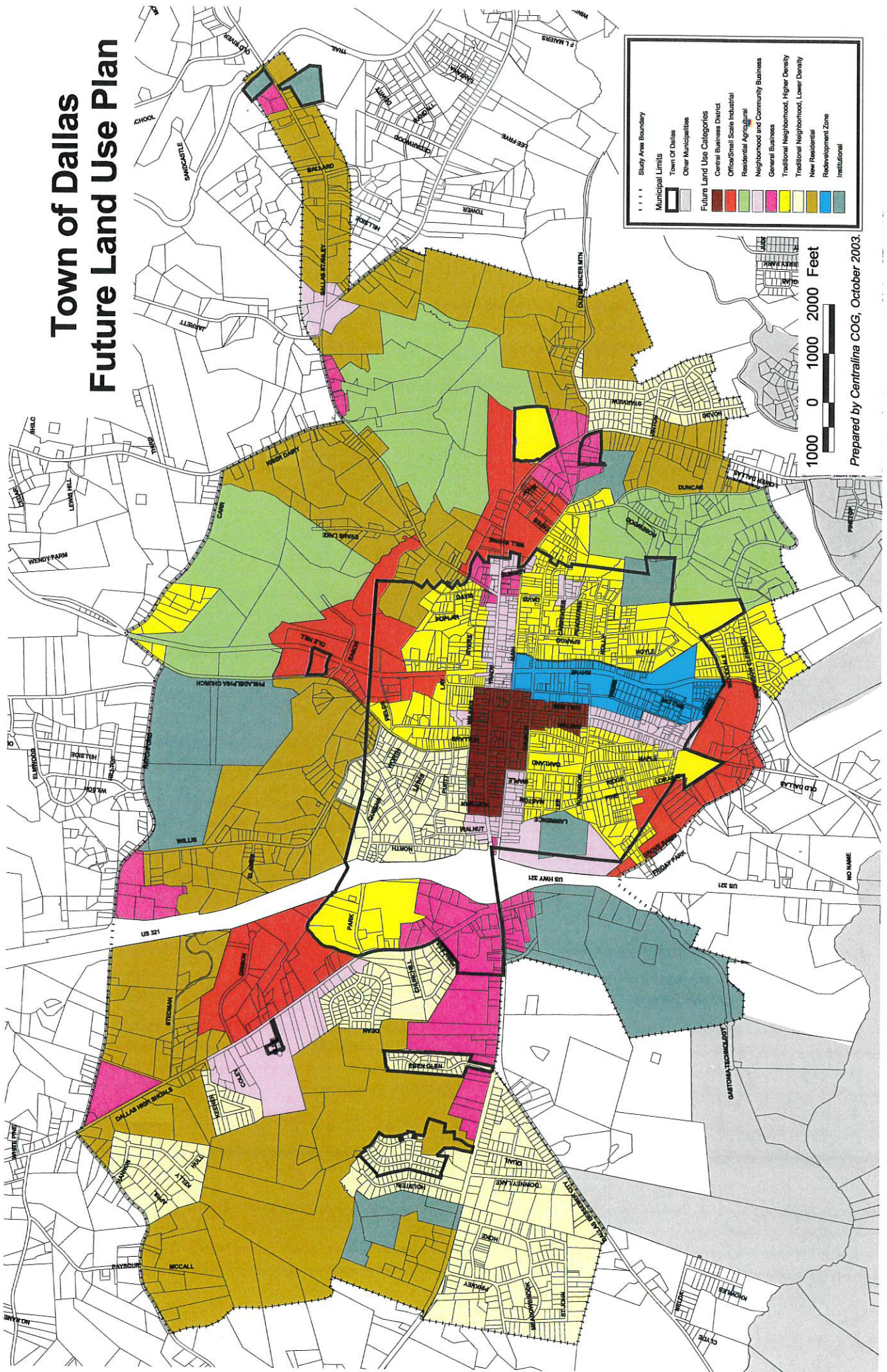
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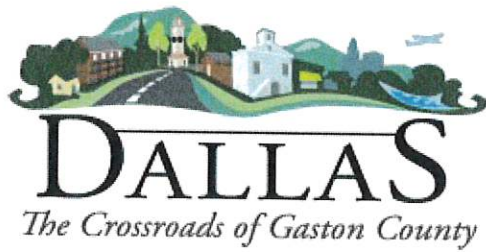
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 NC. 1-800-811-1111
 IT'S THE LAW!

GRAPHIC SCALE
 1" = 100'



Town of Dallas Future Land Use 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:

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. Allowing 2'-0" valley curb and gutter throughout the entire development.
2. Side yard setbacks shall be 8ft throughout the development. Corner lot side yards shall be 16ft throughout the development.
3. Street frontage along Dallas High Shoals Highway shall be developed 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, the Developer agrees to payment in lieu of, at cost. Payment in lieu shall be due upon construction drawing approval.
4. Improved open space shall include:
 - a. Approximate 4,550ft natural walking trail, to be a minimum of 8ft wide.
 - b. Two 20' x 24' open air pavilion with seating.
 - c. Two Tot lots
 - d. 10' paved access shall be provided to seating areas from cul-de-sacs at the end of proposed roads 7 and 11.
 - e. Grills and seating shall be provided at each pocket park
5. Street signs designating "no parking this side of street" to be installed throughout the development.
6. Development to include street trees on both sides of the road, approximately fifty feet apart.
7. Single Family homes shall be designed to include shaker accents and/or brick or stone veneer on front façade.
8. 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 approval by the Town of Dallas.
9. 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.

CONSISTENCY STATEMENT

The proposed zoning map amendment of Gaston County parcel #801017, 170286, 803651, 170287, 169122, and 169184 to a conditional zoning district, CD-R-5, is consistent with the 2003 Land Use Plan's map designation as New Residential, and supports an increased demand for housing in light of Dallas' current and anticipated growth and is therefore deemed reasonable and in the public's best interest as the zoning aligns with the 2003 Land Use Plan's recommendation for new residential development to be clustered so as to preserve open space and heighten pedestrian accessibility.

Curtis Wilson, Planning Board Chairman

Date

COMMUNITY MEETING REPORT

Petitioner: Owners of Parcels: 301017, 303651, 170286, 170287, 169184 & 169122

Petitioner Agent: Paul Pennell, Urban Design Partners & Jeff Webb (LGI Homes)

Petition #: 2021-04

Meeting Date: August 3, 2021

Project: Little Long Creek

Mtg. Location: Virtual Meeting, via Zoom

Meeting Time: 5:30-6:30 PM

Attendees: Reference Attachment

The Community Meeting was attended by neighboring residents, and the Petitioner's representatives.

Purpose: Presenting Rezoning Petition 2021-04 to any neighboring residents or homeowners who were in the rezoning mailer radius or who spoke to the Petitioner or Petitioner's representatives were invited.

This Community Meeting Report is being filed with the Town of Dallas Zoning and Planning pursuant to the provisions of the Town Ordinance.

Minutes: The following items were discussed:

Mr. Pennell began by introducing himself and describing the project. The proposed rezoning site plan was described as well as the design considerations that were considered with the petition. A slide showing the proposed adjacent development in conjunction with the proposed rezoning site plan was reviewed. At the end of the presentation, the rezoning timeline was reviewed.

QUESTIONS/COMMENTS BY NEIGHBORS VIA ZOOM CHAT:

1. Charlotte Moore - Meadoway Drive, trucks coming down existing gravel road which was just redone for \$4500. Will we repair road?
A: No construction work is being done at this time, only surveyors. We will investigate.
2. Paul Pennell - A copy of this presentation and a recording of this evenings community meeting will be available for public viewing at urbandesignpartners.com

Meeting Adjourned with no new questions: 6:10 pm

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Request to Use Dennis Franklin Gym – Monarch Media

AGENDA ITEM NO. 8A

MEETING DATE: 11/9/2021

BACKGROUND INFORMATION:

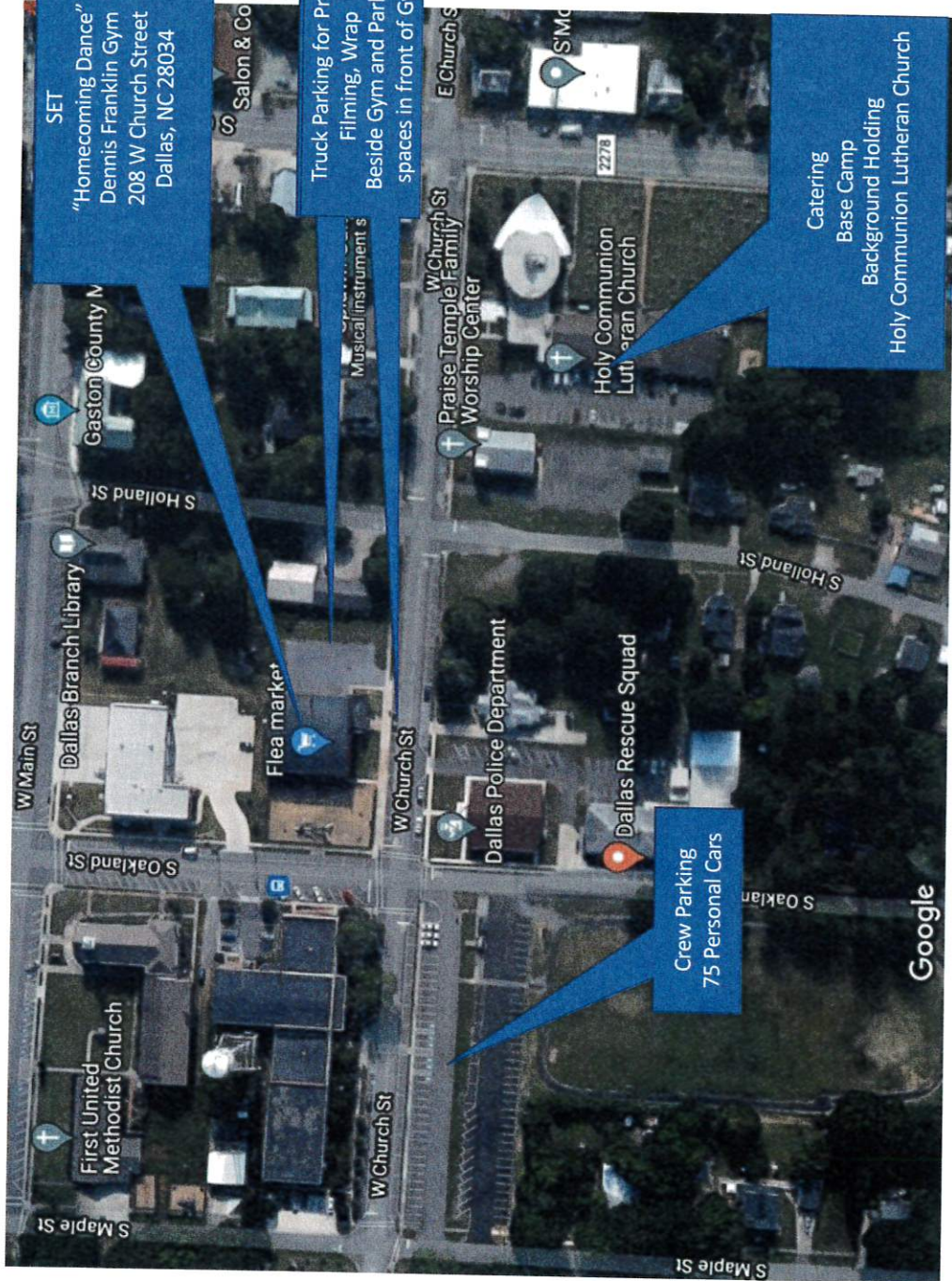
Monarch Media, a film company, has reached out requesting to use the Dennis Franklin Gym to shoot a scene in their upcoming movie, "Something Here". The scene in the Gym is a Homecoming Dance and begins as the King and Queen are announced.

Monarch Media would set up the Gym on Tuesday, November 30th; film on Wednesday, December 1st, and clean up on Thursday, December 2nd.

Attached is an overhead map of the area, including their schedule. Also, attached, is information about Monarch Media.

MANAGER RECOMMENDATION: Approve the use of Dennis Franklin Gm by Monarch Media, as presented.

BOARD ACTION TAKEN:



Something Here
 359 W Main Ave
 Gastonia, NC 28052

704.761.3022

Ellen Pfirmann
 Location Manager
 828.442.9252
eplocations@gmail.com

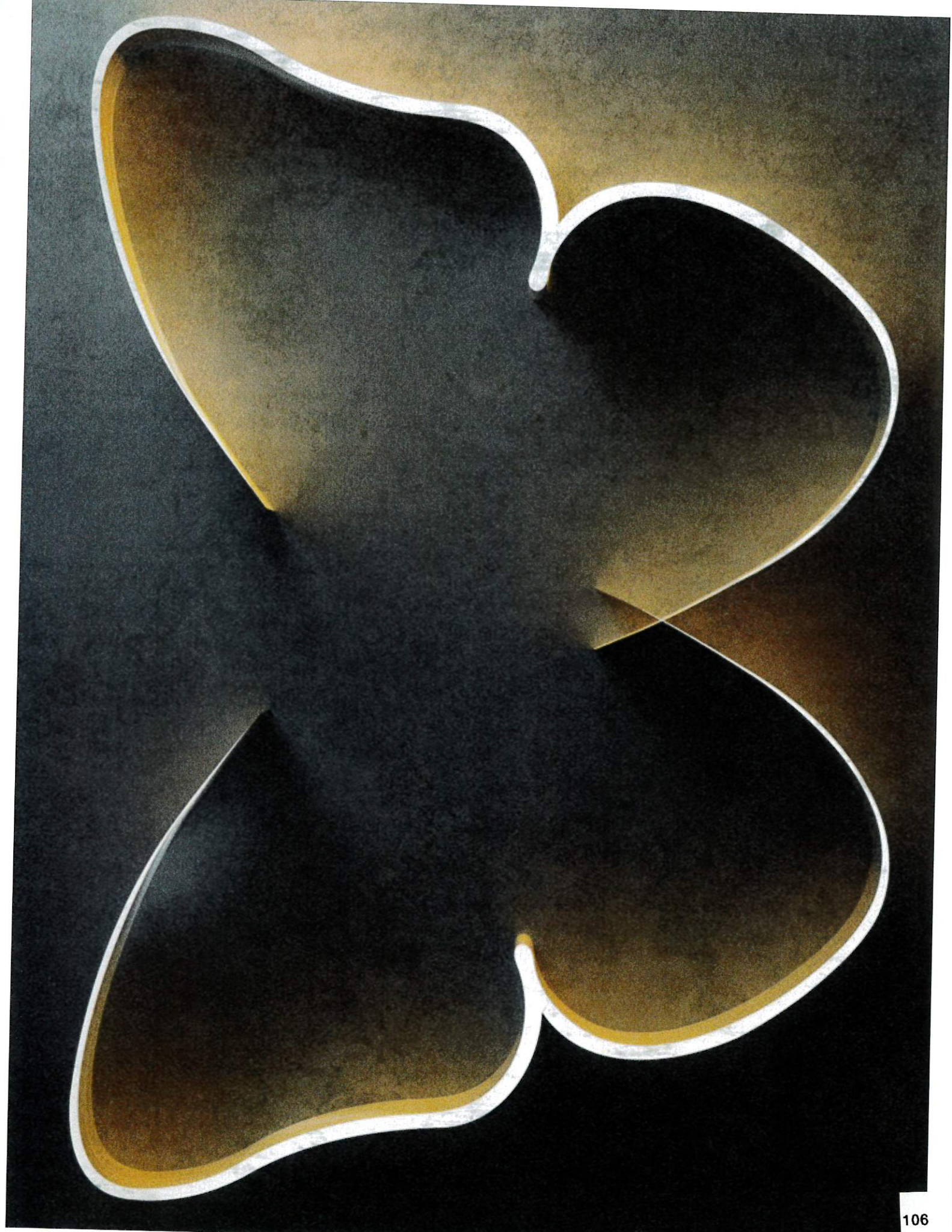
Filming 8a to 8p
 Wednesday December 1, 2021
Prep 7a to 7p
 Tuesday November 30, 2021
Wrap 7a to 7p
 Wednesday December 2, 2021

SET
 "Homecoming Dance"
 Dennis Franklin Gym
 208 W Church Street
 Dallas, NC 28034

Truck Parking for Prep,
 Filming, Wrap
 Beside Gym and Parking
 spaces in front of Gym

Catering
 Base Camp
 Background Holding
 Holy Communion Lutheran Church

Crew Parking
 75 Personal Cars

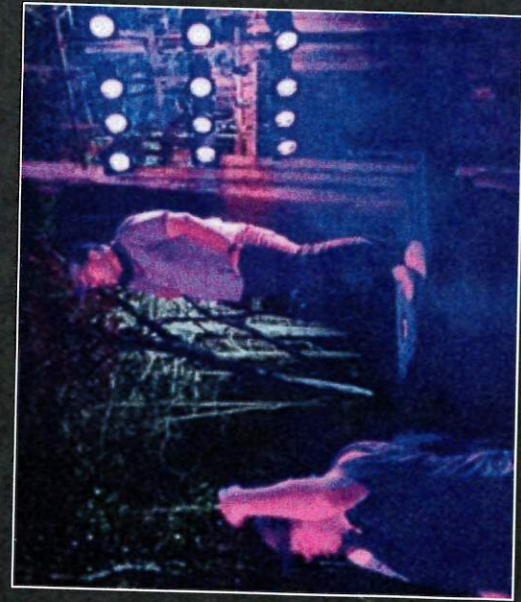




Steve Barnett

As a film producer and studio executive for over 25 years, Barnett has successfully participated in every aspect of the feature film business: development, production, financing, distribution, marketing, and business affairs. Throughout his distinguished career, Barnett has created and maintained a highly productive network of relationships at every studio, talent agency, production company and talent level within the entertainment industry. As result, Barnett has built an impressive track record of financially and creatively successful films that have generated global box office revenues in excess of \$1,000,000,000.

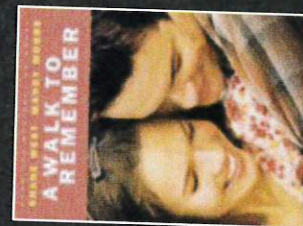
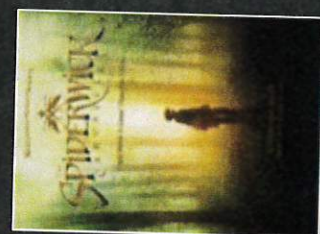
Barnett has produced, developed or supervised over 25 feature films covering all genre and budget ranges. Some of the titles Barnett has worked on are; the Warner Brothers' box office smash *300*, Paramount's family film *THE SPIDERWICK CHRONICLES*, the Frank Darabont/Stephen King horror film, *THE MIST*, to name just a few. Barnett most recently supervised the critically acclaimed political thriller *MARK FELT: THE MAN WHO TOOK DOWN THE WHITE HOUSE* starring Liam Neeson, and is in post-production on the fantasy, *COME AWAY* starring Angelina Jolie and David Oyelowo.



Barnett's interest in faith-friendly films began when he secured the film rights and developed the adaptation of the Nicolas Spark's novel *A WALK TO REMEMBER* for Warner Brothers. Since then Barnett has produced the acclaimed film *PRICELESS*, which was nominated for a Grammy Award and *KLOVE* Award and, under the Monarch banner, is currently in post-production on the first faith-friendly musical, *A WEEK AWAY*, which was bought by Netflix and will be released March 26th, 2021.

Barnett is currently, Partner/CEO of Monarch Media, where he manages the film development, production and financing of a robust slate of feature film and television projects.

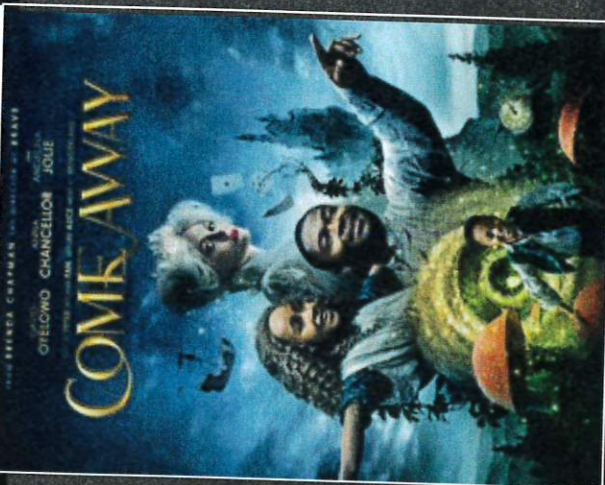
BARNETT FILMOGRAPHY



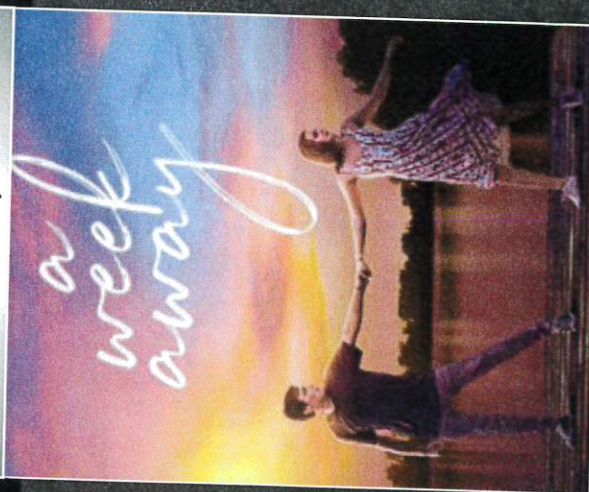
- A Gentleman's Game (Executive Producer)
- Tears of the Sun (Executive)
- Intolerable Cruelty (Executive)
- Isn't She Great (Executive)
- A Walk to Remember (Executive)
- What a Girl Wants (Executive)
- Cat Woman (Executive)
- Godsend (Executive)
- Timeline (Executive Producer)
- Land of the Dead (Executive Producer)
- 300 (Co-Producer)
- Spiderwick Chronicles (Co-Producer)
- Full of It (Producer)
- Piranha 3D (Executive)
- The Mist (Executive)
- The Longshots (Executive)
- Diary of the Dead (Executive Producer)
- The Marine (Executive)
- Legendary (Executive Producer)
- The Chaperone (Executive Producer)
- Knucklehead (Executive Producer)
- Priceless (Producer)
- Mark Felt (Executive)
- Just Getting Started (Executive Producer)
- Come Away (Executive Producer)
- A Week Away (Producer)

Global Box Office revenues
\$1,216,102,673

Recently released



March 26th, 2021



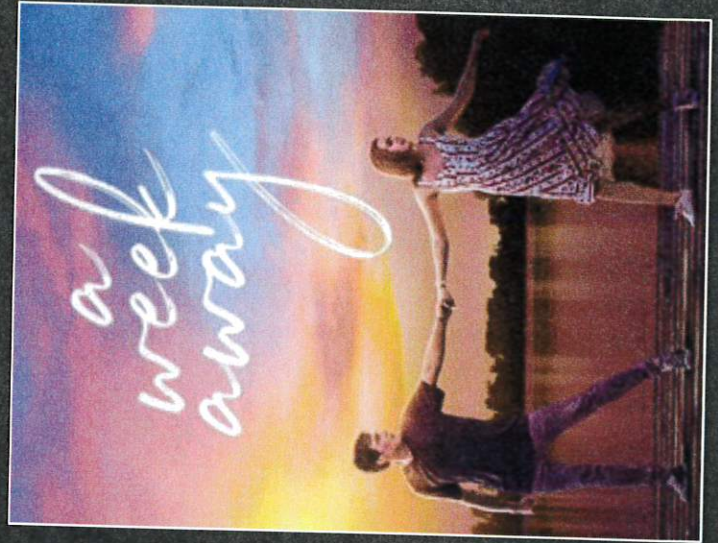
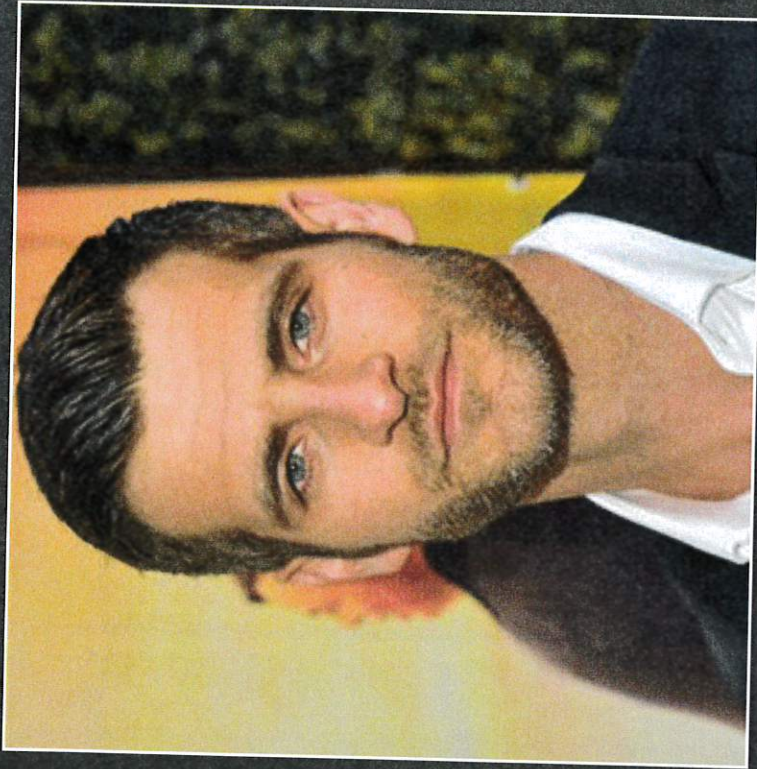
Alan Powell

Actor/writer/producer/musician Alan Powell is the co-founder and a principle of Monarch Media, a film and television production company based in Los Angeles. In his role at Monarch, he produced and co-wrote the screenplay for family musical "A Week Away," which Netflix will release in 2021. He is also producing the Chris Pratt comedy "The Black Belt," based on the Black List screenplay by Randall Green; an untitled country musical with award-winning duo Florida Georgia Line; military thriller "Havoc," hailing from South Korean filmmaker Byung-gil Jung; musical "The Road to Bethlehem," which is the directorial debut of Adam Anders ("The Prom"); and "Do the Birds Still Sing in Hell?," based on the acclaimed biography of a British WWII soldier and prisoner of war.

As an actor, Powell has worked in both feature films and television series. He was a series regular on the ABC military drama, "Quantico," and starred as an aspiring country singer in Samuel Goldwyn Films' "The Song."

The multihyphenate, whose background includes founding the band Anthem Lights and subsequently founding the band's own music label, also co-wrote the music for the Netflix musical "A Week Away."

He currently resides in Los Angeles, with his wife and six children.



Vicky Patel

Producer and philanthropist Vicky Patel is a co-founder and principle of Monarch Media, a film and television production company based in Los Angeles.

In her role at Monarch, she executive produced the family musical "A Week Away," which Netflix will release in 2021. She is also executive producing the Chris Pratt comedy "The Black Belt," based on the Black List screenplay by Randall Green; an untitled country musical with award-winning duo Florida Georgia Line; military thriller "Havoc," hailing from South Korean filmmaker Byung-gil Jung; musical "The Road to Bethlehem," which is the directorial debut of Adam Anders ("The Prom"); and "Do the Birds Still Sing in Hell?," based on the acclaimed biography of a British WWII soldier and prisoner of war.

Patel is a dedicated supporter of Alzheimer's Disease and brain science research through her ongoing work with the Alzheimer's Association. Her personal commitment to finding a cure for the disease and supporting burdened Alzheimer's caregivers is a personal one, with her father having died from the disease a decade ago.

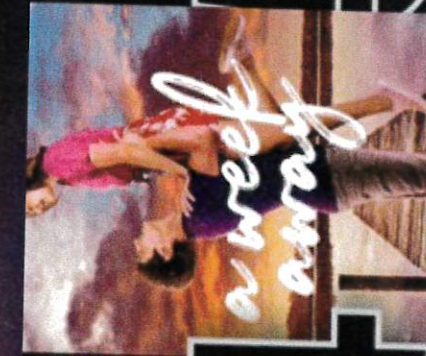
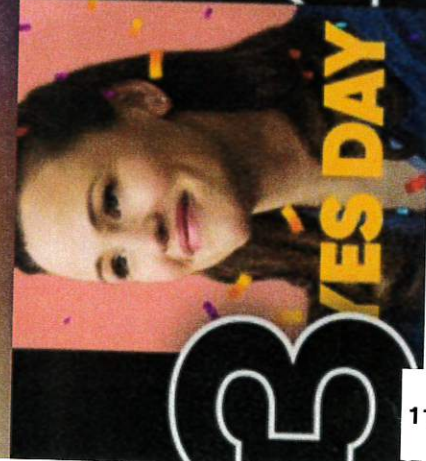
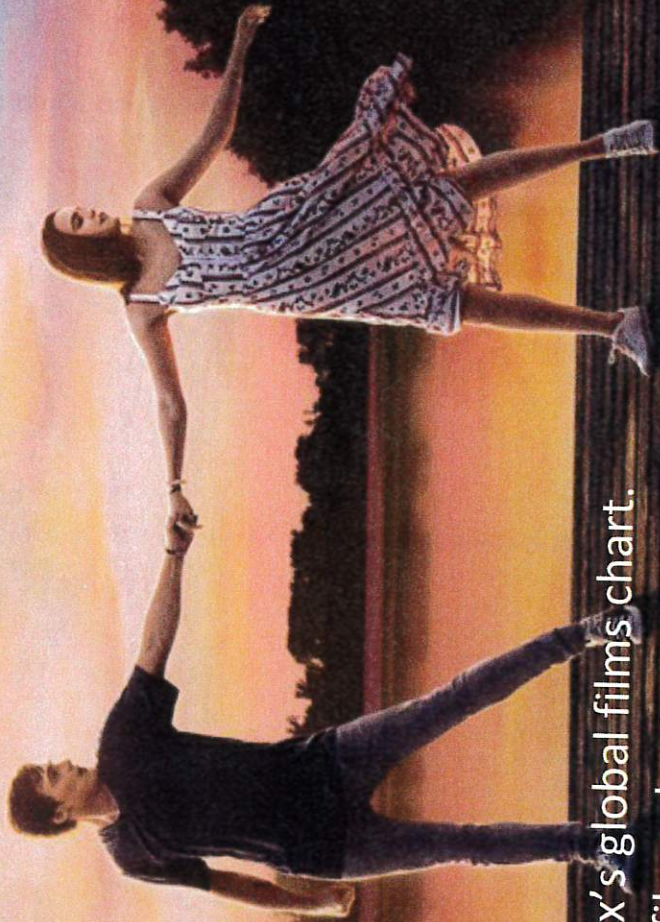
She currently resides in the San Francisco Bay-Area with her husband.



N

a week away

#3 in the world on Netflix's global films chart.
#4 on the US films chart
#1 on the iTunes CCM chart
#12 on the mainstream albums chart



Albums



1. A Week



2. Believe For



3. Alone With



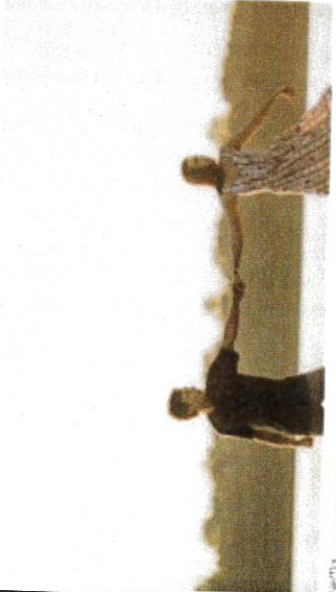
4. Burn

PRESS

DEADLINE
HOME / FILM / BREAKING NEWS

Netflix Nabs Faith-Based Musical 'A Week Away' With Bailee Madison & Sherri Shepherd

By Amanda N'Duka
April 29, 2020 12:00pm




TIP US

DEADLINE
HOME / FILM / BREAKING NEWS

Chris Pratt To Produce & Star In Monarch Media Comedy 'The Black Belt'

By Anthony D'Alessandro
December 9, 2020 11:00am



TIP US

DEADLINE
HOME / FILM / BREAKING NEWS

'The Prom' Producer Adam Anders Making Feature Directorial Debut On Monarch Media's Musical 'Road To Bethlehem'

By Anthony D'Alessandro
December 15, 2020 1:05pm






TIP US

DEADLINE
HOME / FILM / ACQUISITIONS

Monarch Media Acquires Ken Scott's 'Do The Birds Still Sing In Hell?'; Black List Scribe Jayson Rothwell Adapting

By Anthony D'Alessandro
October 28, 2020 12:20pm

TIP US

DEADLINE
HOME / FILM / BREAKING NEWS

Florida Georgia Line Country Musical Movie In The Works With Monarch Media

By Anthony D'Alessandro
November 20, 2020 11:3am





TIP US

DEADLINE
HOME / FILM / SCREENWRITING

'Palmer' Scribe Cheryl Guerriero To Pen Coming-Out Feature 'I Have Something To Tell You' For Monarch Media

By Anthony D'Alessandro
February 3, 2021 1:03pm

TIP US