

Town of Dallas
Agenda
SEPTEMBER 28, 2021
5:00 PM
BOARD OF ALDERMEN – WORK SESSION MEETING
Rick Coleman, Mayor

Allen Huggins

Frank Milton

Darlene Morrow

Jerry Cearley, Mayor Pro-Tem

E. Hoyle Withers

ITEM	SUBJECT	Pages
1.	Pledge of Allegiance to the Flag	
2.	Approval of Agenda with Additions Or Deletions	
3.	New Business	
	A. Little Long Creek Conditional Rezoning Presentation	6
	B. Rosewood Dr. Conditional Rezoning	14
	C. Purchase of Town Property Around Water Tank	19
	D. Retiree Insurance Coverage	22
	E. COVID Protocols Discussion	27

REFERENCE MATERIAL FOR ITEMS A - C

Pages 2-4 of the Agenda packet include \$153.072 of the Town's ordinances pertaining to Conditional Districts; Application, Permitted Uses, and Development Requirements.

Page 5 of the Agenda packet includes the Town's Future Land Use Plan map.

§ 153.072 CONDITIONAL DISTRICTS; APPLICATION, PERMITTED USES AND DEVELOPMENT REQUIREMENTS.

(A) *Purpose.* The "conditional zoning" district (CZ) approval process is established to address those situations when a particular use may be acceptable but the general zoning districts which would allow that use would not be acceptable. Such zones may be approved or changed only by the Planning Board or Board of Alderman in accordance with the regulations contained herein. The review process established herein provides for the accommodation of such uses by a reclassification of property into a "conditional" district.

(1) Rezoning of property to any conditional district is a voluntary procedure on the part of the property owner.

(2) Unlike requests for rezoning to a general zoning district, an application for a conditional zoning may be filed only by the owner of the property in question or the owner's authorized agent.

(B) *Application process.*

(1) Petitioning for a conditional zoning district is a voluntary procedure and can be initiated only by the owner(s) of the property(ies) in question or by his/her authorized agent. No conditional zoning district may be established until an application has been submitted and the Board of Alderman has approved such application. The Administrator shall schedule a meeting with the applicant, prior to any public information meeting (PIM) being advertised and/or held to review the conditional rezoning application.

(2) Furthermore, no application shall be considered complete unless it is accompanied by all items required by this section and a fee, in accordance with a fee schedule approved by the governing board for the submittal of an application for rezoning to a conditional district. Said fee shall be waived for any application submitted by any official or agency acting on behalf of the Town of Dallas, Gaston County or the State of North Carolina.

(3) The Administrator may require the petitioner to submit more than one copy of the conditional rezoning application in order to have enough copies available to circulate to other government agencies for review and comment. When dealing with the conditional zoning district process, it may be desirable to request additional information in order to evaluate a proposed use and its relationship to the surrounding area. Therefore, the Planning Board or Board of Alderman may request additional information as they deem necessary.

(C) *Public involvement meeting.*

(1) Before a legislative hearing may be held on a petition for a conditional zoning district, the petitioner must file with the planning department a written report of at least one community meeting held by the petitioner.

(2) Written notice of such a meeting shall be given to the property owners and organizations entitled to notice as provided by § 153.124.

(3) The report shall include among other things, a listing of those persons and organizations contacted about the meeting and the manner and date of contact, the date, time and location of the meeting, and a description of any changes to the conditional rezoning petition made by petitioner as a result of the meeting. In the event the petitioner has not held at least one meeting pursuant to this subsection, the petitioner shall file a report documenting efforts that were made to arrange such a meeting and stating the reasons such a meeting was not held. The adequacy of a meeting held or report filed pursuant to this section shall be considered by the Planning Board and/or the Board of Alderman but shall not be subject to judicial review.

(D) *Submittal to Zoning Administrator.* Before any property is rezoned to a (CZ) conditional district, the application must be reviewed by the Planning Board, and a legislative hearing first must be held by the Board of Alderman. Upon submission of a completed application, the applicant will be informed of the dates of the meetings and legislative hearing. The Planning Board review shall be held first and shall take place no sooner than five weeks after the complete application has been submitted to the zoning administrator. Notification of the legislative hearings shall be made as provided by § 153.124.

(E) *Planning Board review.* Once the Planning Board review has been concluded, the Planning Board shall have up to 45 days to render a recommendation on the conditional rezoning. Any recommendation shall be accompanied by a statement describing whether the action is consistent with an adopted comprehensive plan and any other officially adopted plan that is applicable and explaining why the Planning Board considers the action taken to be reasonable and in the public interest. Once a recommendation is received by the Planning Board, the Administrator will coordinate with the applicant to set a date for the legislative hearing to be held at a Board of Alderman meeting, to be followed by a decision.

(F) *Board of Alderman action.* Any legislative hearing held by the Board of Alderman pertaining to the Conditional Zoning must be set within 60 days of the date of recommendation. The Board of Alderman may open and continue this hearing and take action at a later date. The Board of Alderman will be apprised of the Planning Board's previous actions on the matter at hand. Any decision on a Conditional Zoning shall be accompanied by a statement describing whether the action is consistent with an adopted comprehensive plan and any other officially adopted plan that is applicable and explaining why the Board of Alderman considers the action taken to be reasonable and in the public interest.

(G) *Conditions to approval of petition.* Conditional Zoning shall be legislative in nature. In approving a petition for the reclassification of a piece of property to a conditional district, the Board of Alderman may agree to reasonable and appropriate conditions attached to approval of the petition. Such conditions shall be limited to those that address the conformance of the development and use of the site to Town Ordinances and an officially adopted comprehensive or other plan and those that address the impacts reasonably expected to be generated by the development or use of the site. The petitioner will have a reasonable opportunity to consider and respond to any additional requirements prior to approval or

denial by the governing board. In no instance shall any of these conditions be less restrictive than any requirements that would otherwise pertain to that particular development if it were located in a general zoning district. The applicant must provide written consent to the mutually agreed upon conditions. Such conditions may exceed any performance criteria or minimum requirements listed elsewhere in this chapter that pertain to that development. Statements that:

- (1) Analyze whether the rezoning is consistent with an adopted comprehensive plan and any other officially adopted plan;
- (2) Other matters that the town deems appropriate; and
- (3) Why it considers the action taken to be reasonable and in the public interest shall be prepared and accompany each final decision relative to the conditional rezoning request.

(H) *Payment in lieu of open space dedication.*

(1) If open space within a development is physically impractical due to unusual topographic conditions then the Board of Alderman may, at its discretion, accept either an equitable amount of land in another location, or a fee paid to the town in lieu of dedication, through conditional zoning.

(2) The following formula shall be used to determine the fee:

$(\text{Assessed Value of On-Site Property}) \times ((\text{Yearly Adjusted Inflation Rate}) (\# \text{ of Years since Last Revaluation}) + 1) = \text{Payment in Lieu of Open Space Dedication Fee}$

(a) Assessed value of on-site property equals the value of the required amount of land to be dedicated as a percentage of the assessed valuation of the site prior to subdivision. (i.e. If the total acreage is 100 and the total assessed value equals \$500,000 and the required open space dedication is 15 acres, then the Assessed Value of the Open Space Dedication would be 15% of \$500,000 or \$75,000.

(b) Yearly adjusted inflation rate is based upon prevailing inflation rates as reported annually in the Wall Street Journal or other reliable financial reporting medium. (i.e. 3%)

(c) Number of years since last revaluation is the total number of years since the last revaluation was conducted by the taxing authority.

Example:

Assessed Valuation: \$75,000

Inflation Rate: 3%

Yrs Since Last Revaluation: 6

Cost of Off-Site Open Space= \$88,500

$$(75,000) \times ((0.3 \times 6) + 1) = \$88,500$$

(2) *Payments in lieu of dedication shall be approved as part of the schematic.* Any disagreement in the amount of required payment shall be resolved by conducting a professional appraisal of the fair market value of the property. The professional appraiser shall be mutually agreed upon by the town or appointed by the town should an agreement not be reached. All payments made in lieu of dedication shall be made at the time of construction document approval. Failure to submit the required fee along with such applications will delay approval of such submissions until payment is rendered. All funds received for payment in lieu of dedication shall be used for the acquisition, development, or redevelopment of public open space within the same general area of the new development; within the town.

(I) *Effect of approval; zoning map designation.* If a petition for a conditional district is approved, the district that is established and all conditions which may have been attached to the approval are binding on the property as an amendment to the zoning map. Subsequent development on the property in question shall be in accordance to the standards for the approved conditional district, the site plan, and any conditions attached to the approval. The applicant shall be responsible for all expenses involved in the dedication of rights-of-way when such dedication is a condition of the rezoning. Following the approval of the petition for a conditional zoning district, the subject property shall be identified on the Zoning Map by the appropriate district designation. The future land use map shall be deemed amended when an inconsistent rezoning is approved by the Board of Aldermen.

(J) *Binding effect.*

(1) The Administrator may approve minor changes in the detail of the approved application. A "minor change" to the approved conditional use permit shall be deemed to be a change which:

(a) Will not alter the basic relationship of the proposed development to adjacent property;

(b) Will not increase the gross floor area of any nonresidential use by the smaller of ten 10% or 10,000 square feet (Note: Such limitations shall be cumulative and shall be based on the gross floor area of the conditional use permit as originally approved);

(c) Will not decrease the off-street parking ratio below the minimum number of parking spaces required by this chapter or reduce the yards provided at the periphery of the site, by the lesser of ten feet or 10% of the current existing yard measurement;

(d) Will not increase the height of any structure to the extent that additional usable floor space could be added;

(e) Will not result in an increase in the number of dwelling units constructed;

(f) Will not alter the uses permitted.

(2) Further changes to the development may be made only by the Planning Board or Board of Alderman in accordance with this chapter.

(3) No certificate of occupancy for a use listed in a conditional district shall be issued for any building or land use on a piece of property unless the building is constructed or used, or the land is developed or used, in conformity with the conditions approved. In the event that only a segment of a proposed development has been approved, the certificate of occupancy shall be issued only for that portion of the development constructed or used as approved.

(K) *Change in CD Zoning.* Once a petition for rezoning to a conditional district has been approved by the Board of Alderman, any request to materially change (i.e., any change other than a "minor change" as defined in § 153.072(I)) the parallel conditional district shall be considered a new zoning change request. All procedures pertinent to new conditional rezoning requests as outlined in this chapter shall be followed.

(L) *Petition resubmission.*

(1) If a request for conditional zoning is denied, a similar application for the same property or any portion thereof shall not be filed until the expiration of a 12-month period from the date of denial. This waiting period shall not be applicable where the application for a conditional zoning is determined by the Administrator to be substantially different from (i.e., not similar to) the original application.

(2) Notwithstanding, the Administrator may allow resubmission of a similar application within said 12-month period if it determines that since the date of action on the prior petition:

(a) There has been a significant change in the zoning district classification of an adjacent piece of property; or

(b) The governing board has adopted a plan that changes public policy regarding how the property affected by the proposed conditional rezoning should be developed; or

(c) Construction or expansion of a road, water line, sewer line, or other such facilities has occurred to serve the property and can accommodate comfortably the intensity of development allowed under the proposed classification; or

(4) There has been some other extraordinary change in conditions or circumstances, outside the control of the petitioner, which justifies waiver of the 12-month restriction on a new petition; this, however, shall not include a change in the ownership of the subject property.

(L) *Petition withdrawal.* An applicant who has submitted a complete application for a conditional rezoning may withdraw the application prior to a final decision being rendered.

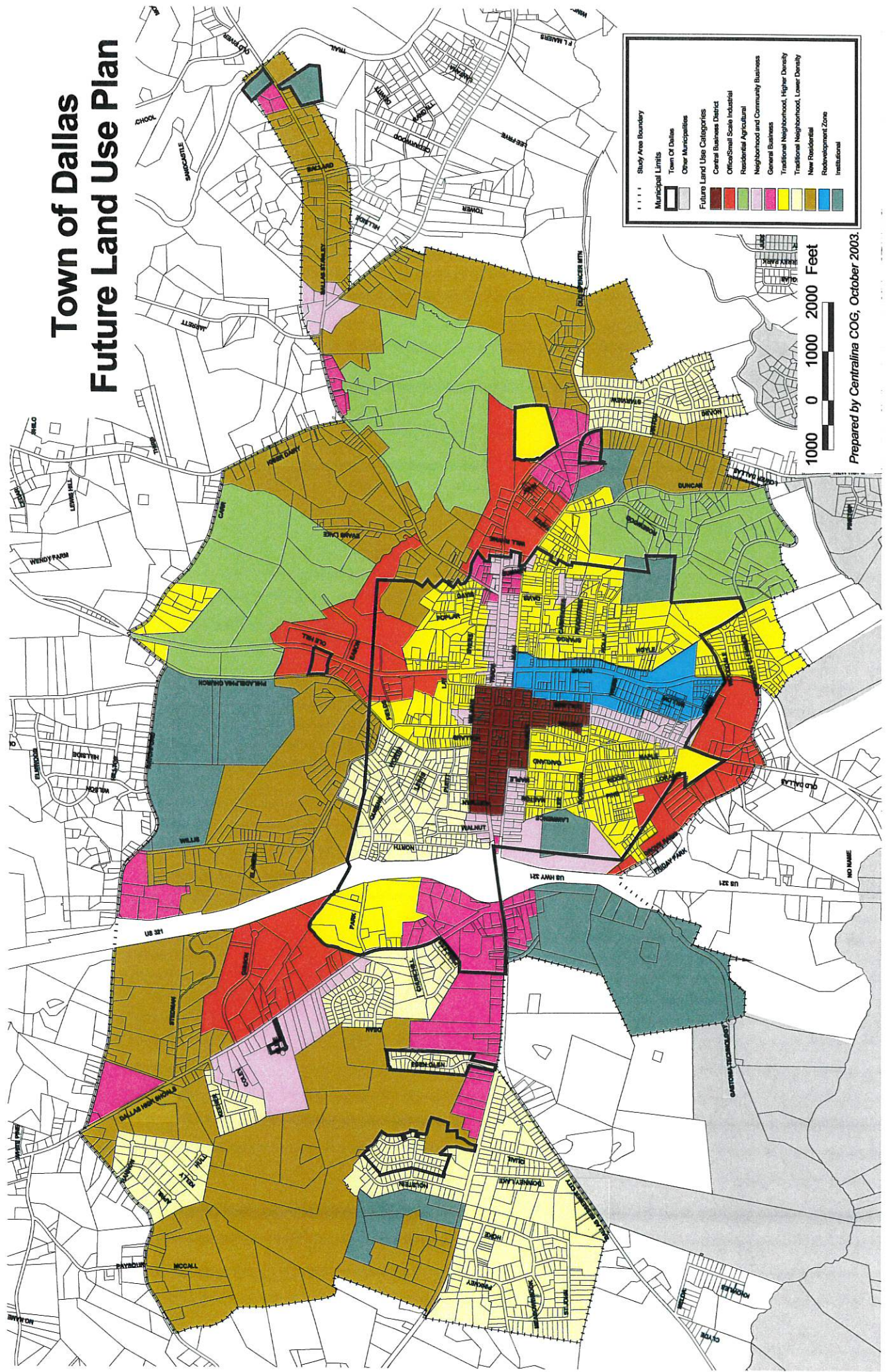
(1) If a petition is withdrawn once a legislative hearing has been advertised (via paper, mail, or on-premises sign), a similar petition submitted by that property owner (or his agent) shall not be accepted by the Administrator within 180 days of the date of withdrawal. (Note: The purpose of this is to allow petitions to be withdrawn without penalty prior to the posting of any legislative hearing notices or submittal of such notice to the newspaper of general circulation).

(2) If said petition is otherwise withdrawn within two business days of a public hearing where a final decision may have been otherwise rendered, a similar petition submitted by that property owner/or his agent shall not be accepted by the Administrator within one year of the date of withdrawal.

(M) *Appeals.* An appeal to the decision of the Board of Alderman shall be filed with the Clerk of Superior Court in the nature of certiorari in accordance with G.S 160D-1402 within 30 days after the Board of Alderman's decision.

(Ord. passed 12-8- 1985; Am. Ord. passed 1-14-2020; Am. Ord. passed - -)

Town of Dallas Future Land Use Plan



TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Little Long Creek Conditional Rezoning

AGENDA ITEM NO. 3A

MEETING DATE: 09/28/2021

BACKGROUND INFORMATION:

A Conditional Rezoning application, 2021-04, was submitted on June 15, 2021 by authorized agents Paul Pennell and Jeff Webb on behalf of four (4) property owners. The rezoning application requests a Conditional District, R-5, for a potential single-family detached development. The rezoning covers 170.56 acres across six (6) parcels.

The proposal includes 529 lots, 3.13 dwelling units per acre, 51.35 acres of open space, and 6.15 acres of amenity area. Amenity proposal includes: two playground areas, +/- 4,550 feet of natural walking trail, open air pavilions, grills, and benches.

A traffic impact analysis will be required by the Town and North Carolina Department of Transportation. Traffic counts have been provided, but to date, the traffic study has not been conducted.

At the August 19, 2021 Planning Board meeting, the Planning Board reviewed the proposal, Conditions of Approval, and unanimously recommended the approval of the rezoning to CD R-5.

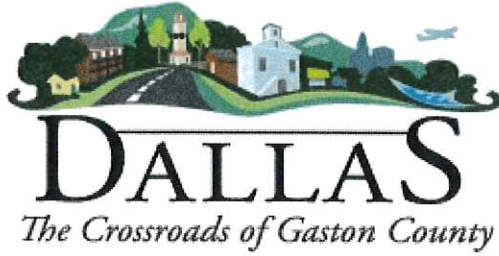
Attached is a proposed list of Areas of Relief and Conditions of Approval, along with a Site Plan, for review.

MANAGER RECOMMENDATION:

BOARD ACTION TAKEN:

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.



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



URBAN DESIGN PARTNERS
 1000 WEST WYOMING STREET, SUITE 200
 DALLAS, TEXAS 75201
 TEL: 214.782.1000
 WWW.URBANDSIGNPARTNERS.COM

LGI HOMES, INC.
 3007 SHAWAN DRIVE
 LITTLE ROCK, AR 72202

Little Long Creek SF & UTILITY PLANA CONDITIONAL REZONING SITE

PROJECT NO: 21-0115
 DATE: 06.10.2021
 DESIGNED BY: LDP
 CHECKED BY: LDP
 SHEET NO: RZ-2.0

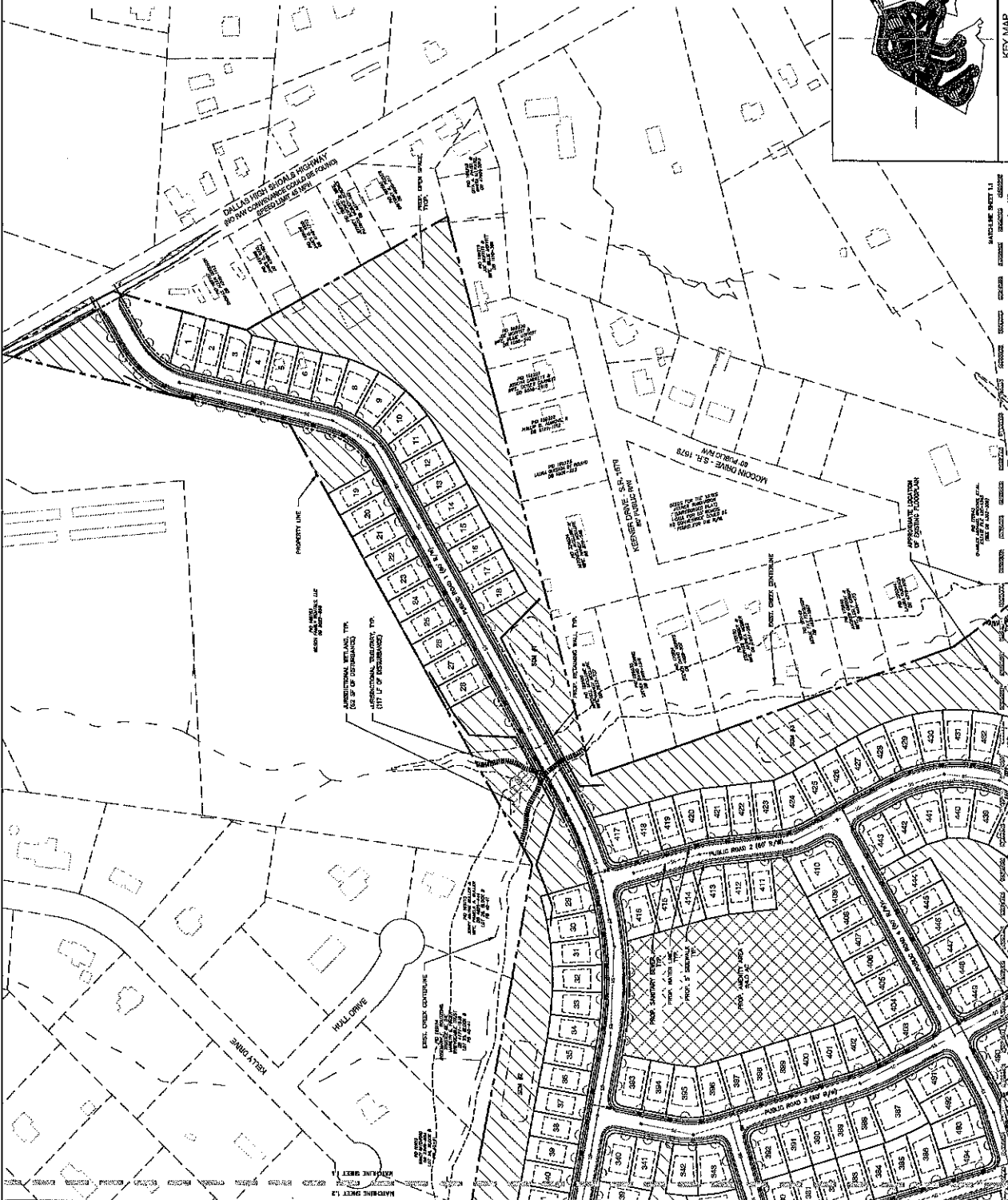
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 CALL 811 OR 1-800-832-4449
 FOR THE LATEST
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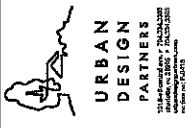
DEVELOPMENT SUMMARY
 TAX PARCEL ID #1: 000173, 000571, 10098, 170287, 187914, 187922
 TOTAL SITE AREA: 17.05 AC (4,242,258 SQ FT) - 14.16 AC (3,112,400 SQ FT)
 EXISTING ZONING: R-10, R-1, L-OS
 PROPOSED ZONING: SINGLE-FAMILY DETACHED
 PROPOSED USE: SINGLE-FAMILY DETACHED
 SETBACKS: 25' FRONT, 10' SIDE, 10' REAR
 PROPOSED DENSITY: 20 UNITS PER AC (20% OF SITE AREA)
 PROPOSED AMBURY AREA: 5.13 AC
 EXCLUDED SERVICES: 5.13 AC (20% OF SITE AREA)
 PROPOSED:

Lot No.	Area (sq ft)	Area (ac)
1	10,000	0.23
2	10,000	0.23
3	10,000	0.23
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100	10,000	0.23

NOTE: LOT DIMENSIONS ARE APPROXIMATE.

Lot No.	Area (sq ft)	Area (ac)
101	10,000	0.23
102	10,000	0.23
103	10,000	0.23
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198	10,000	0.23
199	10,000	0.23
200	10,000	0.23





URBAN
DESIGN
PARTNERS

11400 UNIVERSITY DRIVE, SUITE 200
DALLAS, TEXAS 75243
PHONE: 214.424.1100
WWW.URBANDSIGNPARTNERS.COM

LGI Homes, Inc.
0037 SHIRLEY DRIVE
LONGMEAD, SC 29720

Little Long Creek SF

CONDITIONAL REZONING SITE & UTILITY PLAN C

3807 Dallas High Shoals Hwy, Dallas, NC 28034

DATE: 06/10/2021
BY: [Signature]
CHECKED BY: JUP

Project No: 21-015
Date: 06/10/2021
Checked By: JUP
Sheet No: RZ-4.0

RZ-4.0

DEVELOPMENT SUMMARY

TAX PARCELS: 14 P/L

TOTAL SITE AREA: 107.42 AC (7,425,258 SQ FT) (R-10, P-1, L-10)

EXISTING ZONING: R-10, P-1, L-10

PROPOSED ZONING: R-10, P-1, L-10

PROPOSED USE: SINGLE-FAMILY DETACHED

REZONING: R-10, P-1, L-10

PROPOSED UTILITY AREA: 6.13 AC

COMPAKED UTILITY AREA: 6.13 AC

INCLUDED SPACES: 6.13 AC (100% OF SITE AREA)

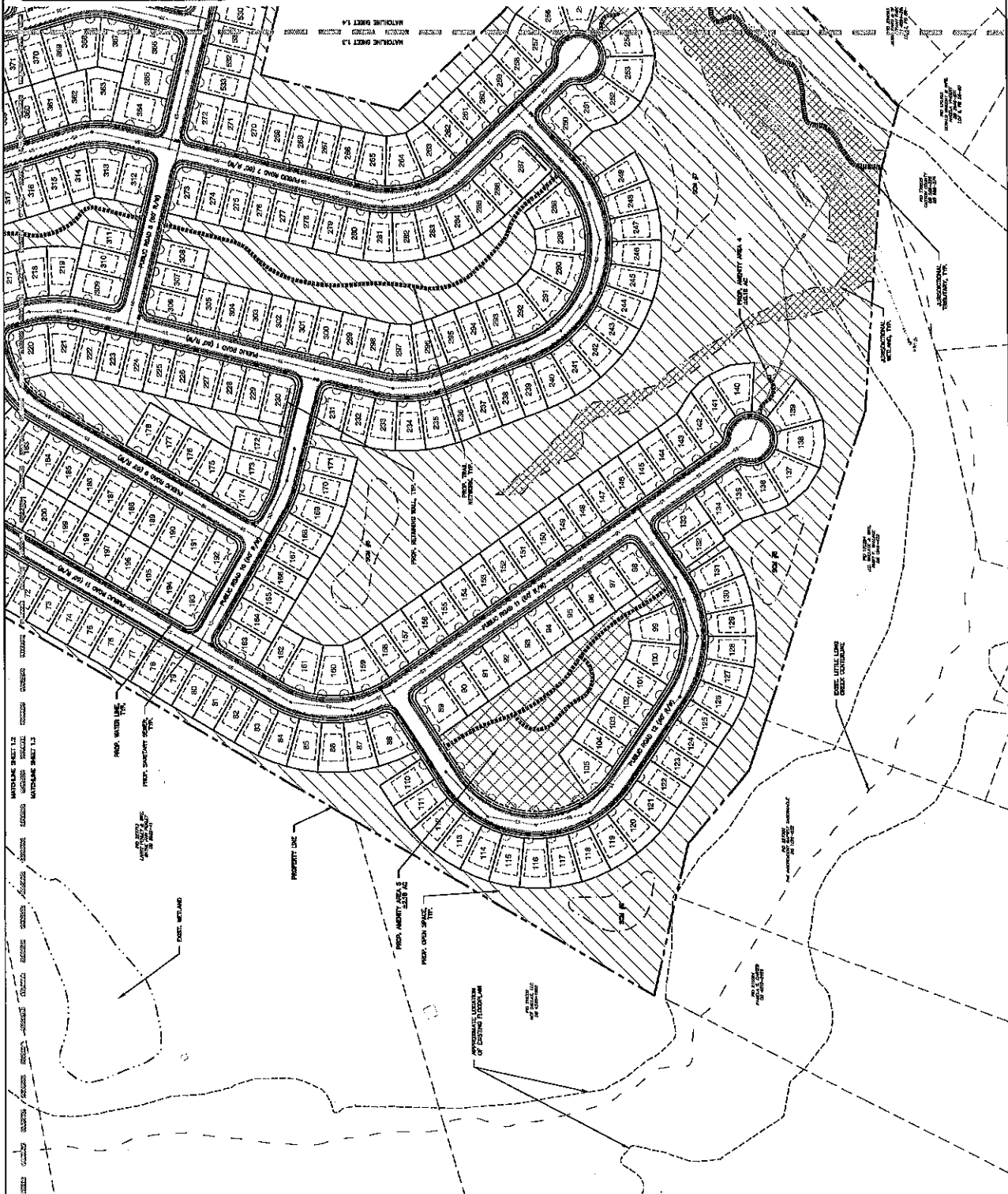
PROPOSED: 6.13 AC

Lot No.	Area (sq ft)	Area (ac)
1	1000	0.023
2	1000	0.023
3	1000	0.023
4	1000	0.023
5	1000	0.023
6	1000	0.023
7	1000	0.023
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12	1000	0.023
13	1000	0.023
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NEED TO KNOW
CALL 811 OR 1-800-882-8848
NEED TO KNOW
CALL 811 OR 1-800-882-8848

GRAPHIC SCALE
1" = 100'





URBAN
DESIGN
PARTNERS

PROJECT NUMBER: 15020
DATE: 08/10/2021

LGI Homes, Inc.

1037 Sherrill Drive
Lenoir, NC 28750

Little Long Creek SF

CONDITIONAL REZONING SITE & UTILITY PLAN D

3807 Dulles High Shoals Hwy, Dublin, NC 28034

NO.	DATE	BY	REVISIONS
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

Project No: 21-015
Date: 08/10/2021
Designed By: LUDP
Checked By: LUDP
Sheet No.

RZ-5.0

DEVELOPMENT SUMMARY

TAX PARCELS ID #s: 30173, 35834, 17296, 17297, 18194, & 18192

TOTAL SITE AREA: 176.98 AC (7,458,728 SF)

EXISTING ZONING: P-10, P-11, & C-3

PROPOSED ZONING: R-602

PROPOSED USE: SINGLE-FAMILY DETACHED

SETBACKS:
FRONT: 30'
SIDE: 10'
REAR: 10'

PROPOSED DENSITY: 20' @ 10' AT CORNER LOTS

50' WIDE UTILITY MAIN LANE WITH 10' WIDE UTILITY SIDE LANE

PROPOSED UTILITY AREA: 6.16 AC

CONV. TO RES. USE SPACE: 24.59 AC (10% OF RELEASED)

RESERVED SPACE: 51.36 AC (29% OF SITE AREA)

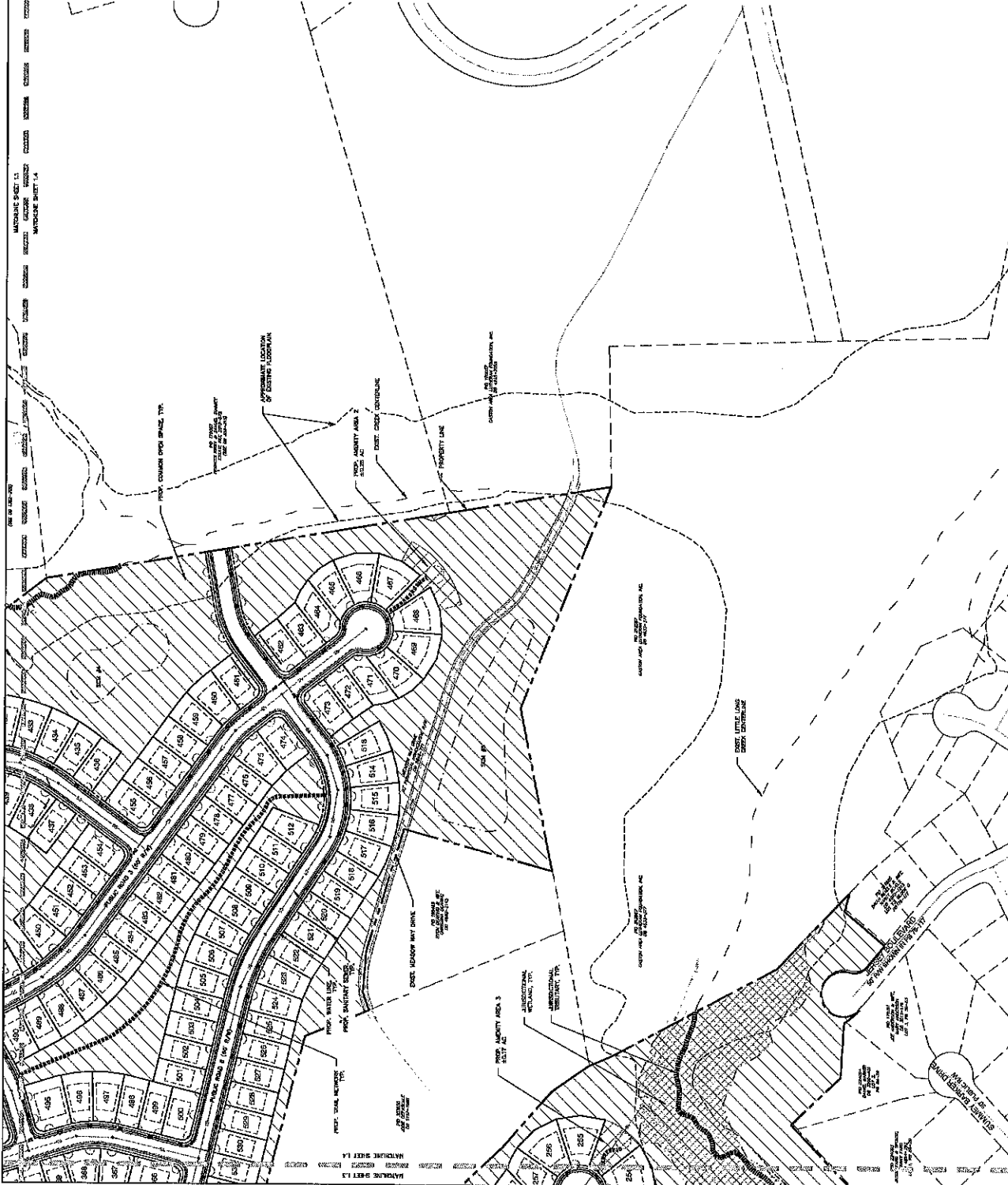
PROPOSED:

TRACT NO.	TRACT AREA (AC)	TRACT AREA (SQ FT)	TRACT TOTAL (AC)	TRACT TOTAL (SQ FT)
1	0.00	0.00	0.00	0.00
2	0.00	0.00	0.00	0.00
3	0.00	0.00	0.00	0.00
4	0.00	0.00	0.00	0.00
5	0.00	0.00	0.00	0.00
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98	0.00	0.00	0.00	0.00
99	0.00	0.00	0.00	0.00
100	0.00	0.00	0.00	0.00

NOTE: LOT DIMENSIONS ARE APPROXIMATE.



811
NEEDS SERVICE?
CALL 811 OR 1-800-800-8000
FOR THE 811 CALL CENTER
1789 E. LAKE



TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Rosewood Drive Conditional Rezoning

AGENDA ITEM NO. 3B

MEETING DATE: 09/28/2021

BACKGROUND INFORMATION:

An Annexation Petition and Conditional Rezoning application, 2021-03, were submitted on June 10, 2021 by authorized agents Moore & Seagle Holdings, LLC, on behalf of property owners Jerry and Lynn Campbell. The rezoning application requests a Conditional District, R-6, for a potential single-family detached development. The rezoning request includes one parcel of land, totaling 17.01 acres.

The proposal includes 56 lots, 3.29 dwelling units per acre, 4 off-street parking spaces per home and 2.9 acres of tree save area. Lots 1, 2, 30, 31, 32, 33, 34, and 56 were granted relief from the rear yard setback, from 25' to 10' by the Planning Board. Lots 18, 19, 40, and 41 are not conditioned to an 8' side yard so the proposed stormwater easement can be wholly on HOA property.

A traffic impact analysis is not required for this development.

At the August 19, 2021 Planning Board meeting, the Planning Board reviewed the proposal, Conditions of Approval, and unanimously recommended the approval of the rezoning to CD R-6 with the conditions as proposed.

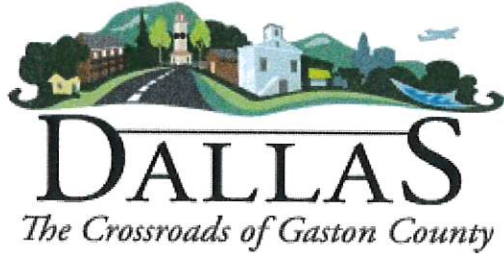
Attached is a proposed list of Areas of Relief and Conditions of Approval, along with a proposed development map.

MANAGER RECOMMENDATION:

BOARD ACTION TAKEN:

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.



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



CLAYTON ENGINEERING & DESIGN

1209 9TH AVE NE, PO BOX 2951
HICKORY, NC 28601

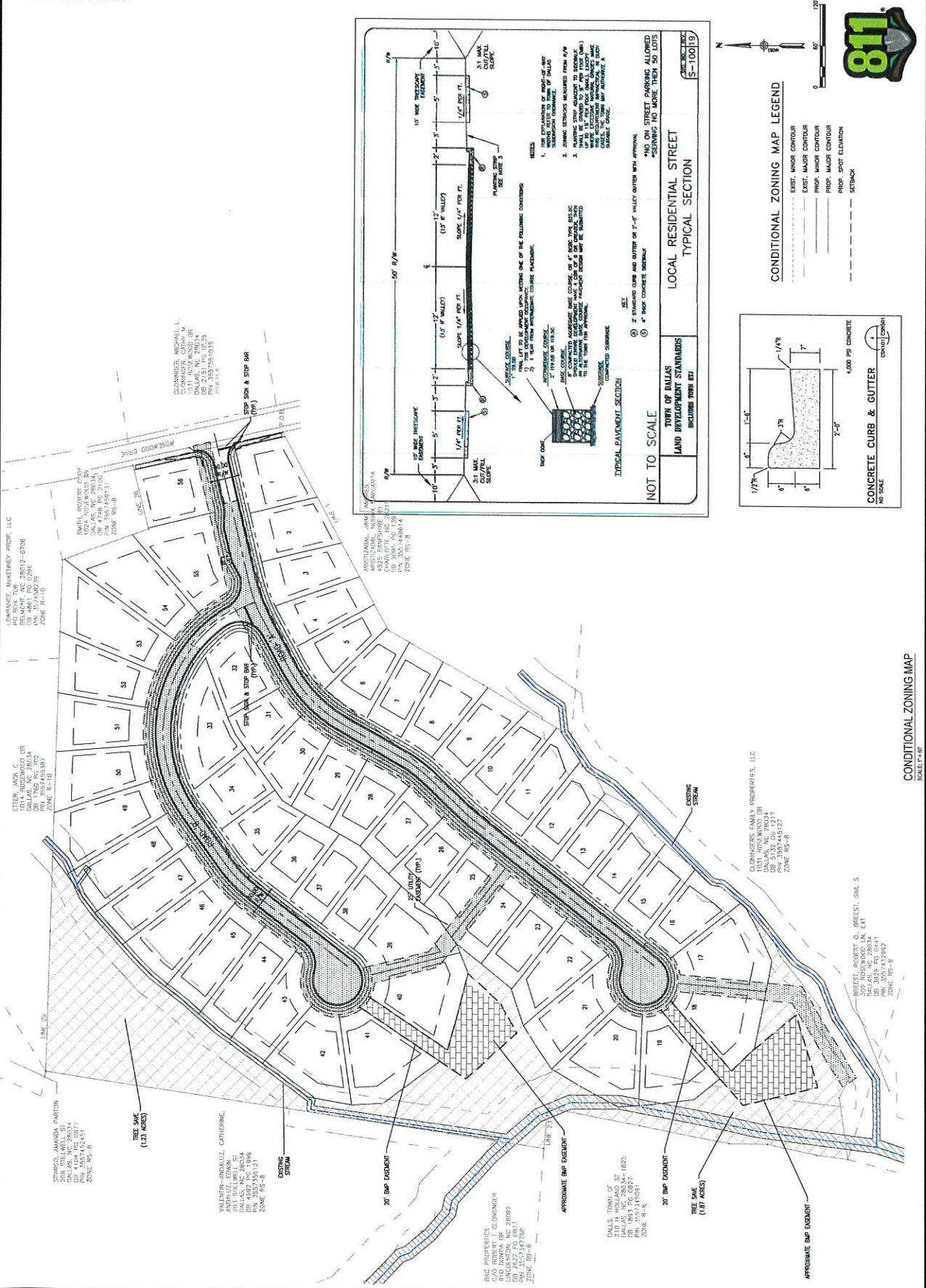
JERRY CAMPBELL
DALLAS TOWNSHIP, GASTON CO., NORTH CAROLINA
ROSEWOOD VILLAGE

CONDITIONAL ZONING MAP

DATE	08/23/11	
PROJECT	EMR	
DRAWN BY	WSC	
CHECKED BY	WSC	
REVISIONS		
NO.	DATE	DESCRIPTION
1	08/23/11	ISSUED FOR PERMIT

CSM103

FOR AGENCY REVIEW



EMERGENCY PROP., LLC
1014 ROSEWOOD DR
BELMONT, NC 28014-0706
PH: 704.436.2335
FAX: 704.436.2337
ZONE: R-10

ETERE, JACK C.
1014 ROSEWOOD DR
BELMONT, NC 28014-0706
PH: 704.436.2335
FAX: 704.436.2337
ZONE: R-10

SPURDIN, AMANDA PARTON
2114 HOLLAND ST
DALLAS, NC 28034
PH: 335.445.4577
FAX: 335.445.4577
ZONE: RS-6

SMITH, RODRIGUE ODY
1014 ROSEWOOD DR
BELMONT, NC 28014-0706
PH: 704.436.2335
FAX: 704.436.2337
ZONE: R-10

VALENTIN-ARVALIZ, CORTIERNE
2114 HOLLAND ST
DALLAS, NC 28034
PH: 335.445.4577
FAX: 335.445.4577
ZONE: RS-6

BOG PROPERTIES
310 JONITA DR
DALLAS, NC 28034
PH: 335.445.4577
FAX: 335.445.4577
ZONE: RS-6

APPROXIMATE IMP EASEMENT

APPROXIMATE IMP EASEMENT

APPROXIMATE IMP EASEMENT

EXISTING STREAM

EXISTING STREAM

EXISTING STREAM

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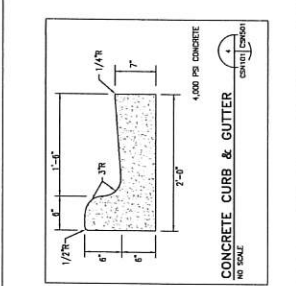
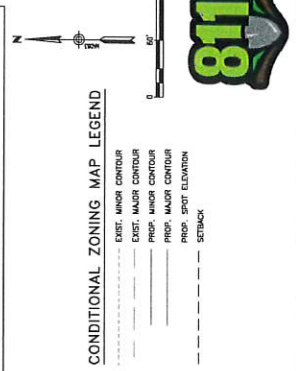
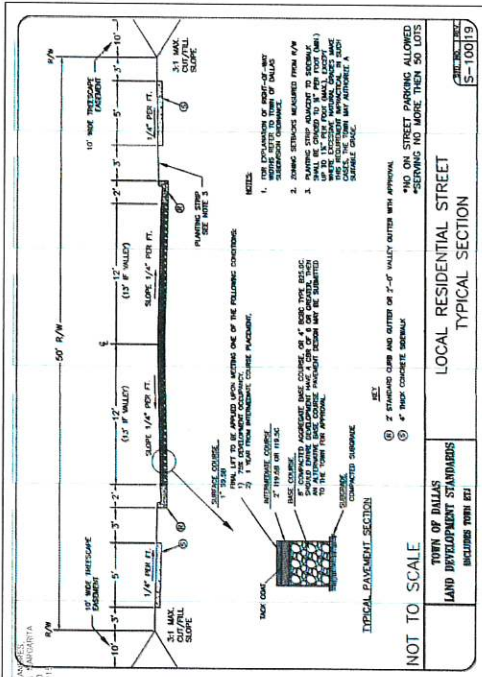
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CONDITIONAL ZONING MAP
SCALE: 1" = 80'

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Sale of Town Property

AGENDA ITEM NO. 3C

MEETING DATE: 09/28/2021

BACKGROUND INFORMATION:

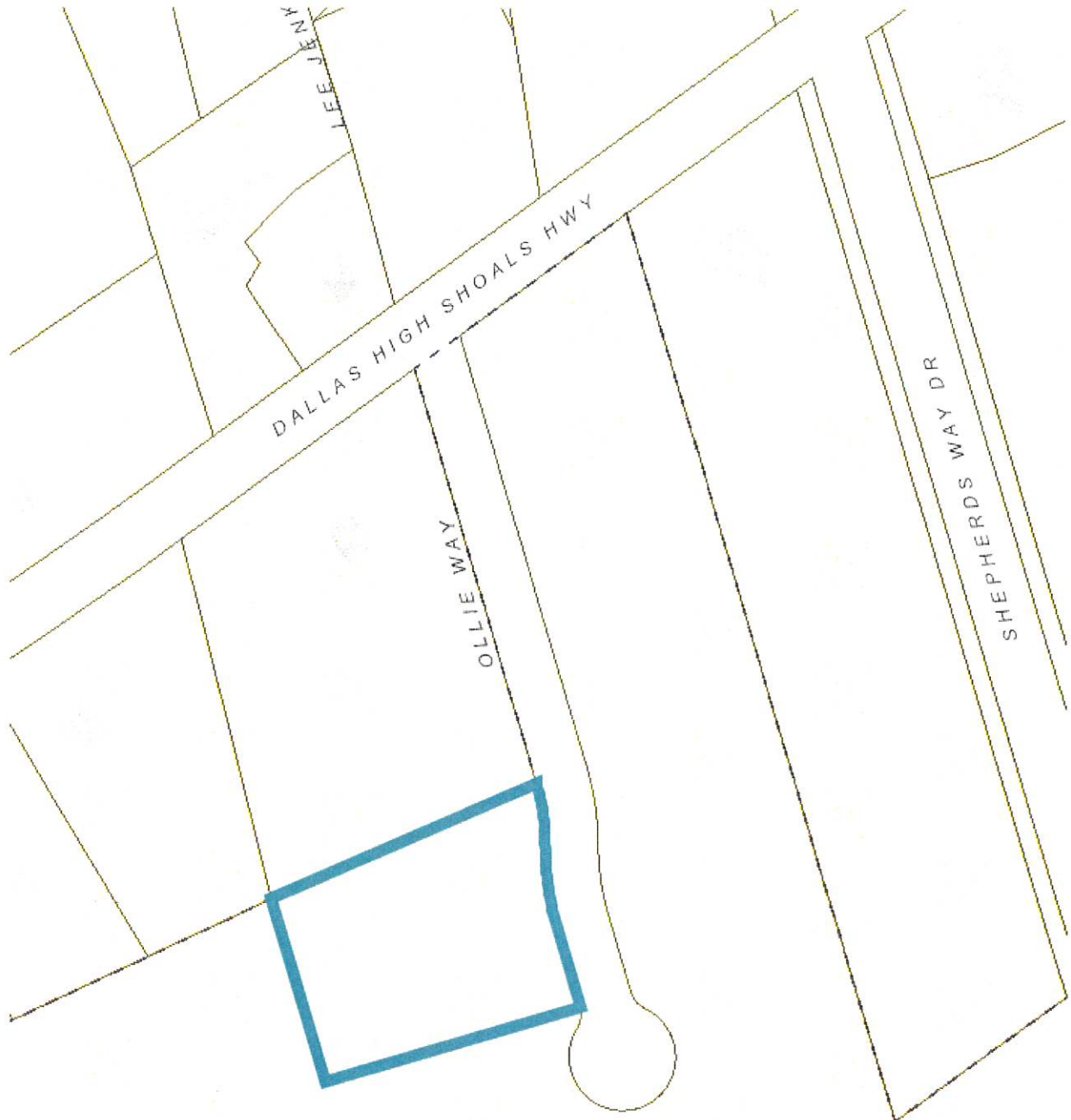
Todd Akers and Shawn Santee have again expressed interest in purchasing Town property near the water tank off of Ollie Way. Staff was previously instructed to begin conversations with the two regarding the property. Now that several months have passed, prior to moving forward, Staff would like direction from the Board on the potential sale of this property.

The site would require subdivision and rezoning to be part of the proposed Summey Creek development. The parcel is currently zoned R-12, while Summey Creek is proposed as R-5 and CD R-5.

Attached satellite imagery from GIS shows overhead images and approximate acreage beyond the fence line.

MANAGER RECOMMENDATION:

BOARD ACTION TAKEN:



✕
◀ ▶

Property Details

[View Public Information Card](#)

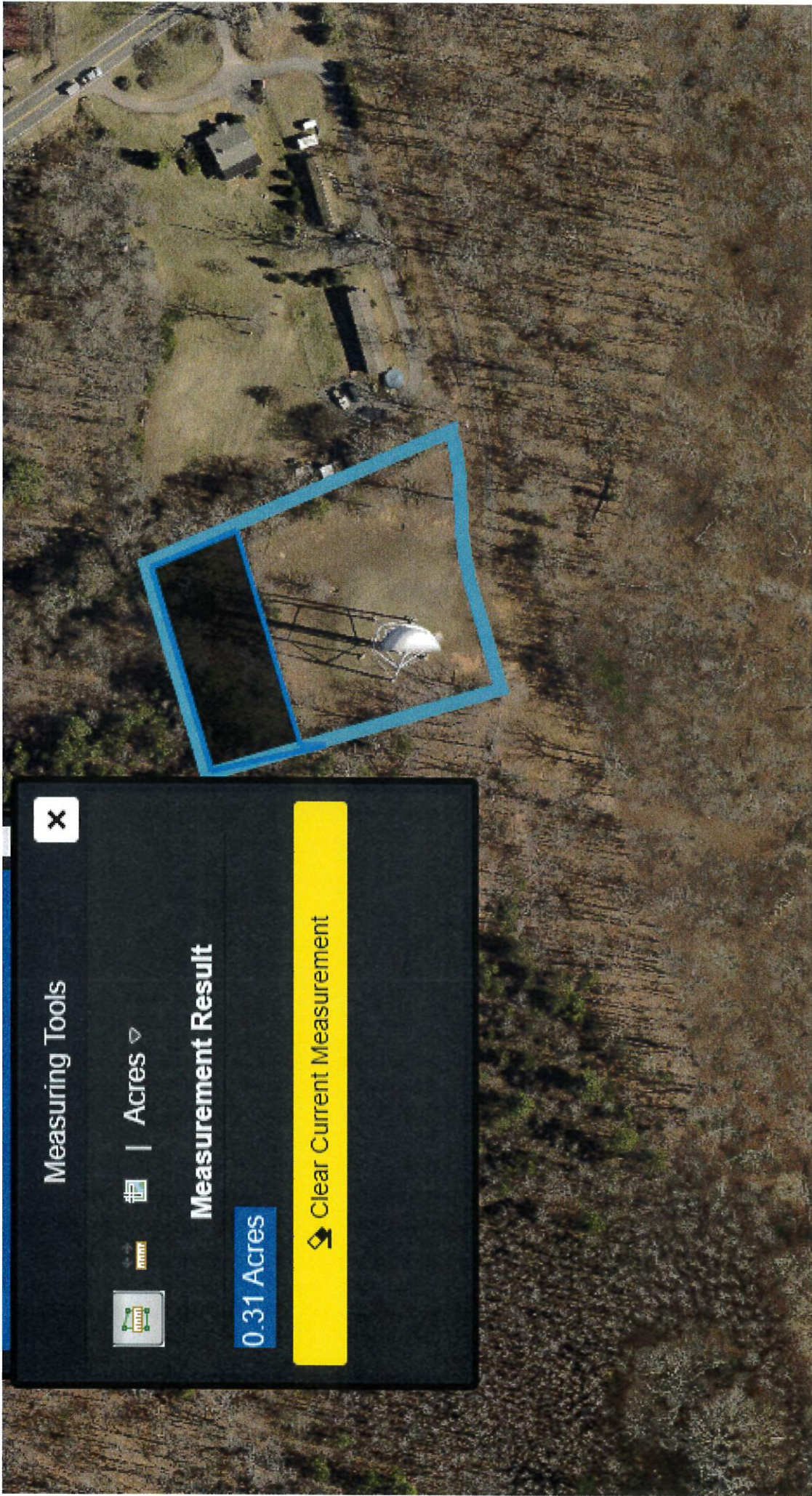


Primary Property Address

3601 DALLAS HIGH SHOALS HWY
DALLAS, NC 28034

Tax Information

Parcel #	170058
PIN #	3548410647
Township	DALLAS TOWNSHIP
Current Owners	DALLAS TOWN OF
	210 N HOLLAND ST



X

Measuring Tools



mm



| Acres ▾

Measurement Result

0.31 Acres



Clear Current Measurement

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Retiree Insurance Coverage

AGENDA ITEM NO. 3D

MEETING DATE: 09/28/2021

BACKGROUND INFORMATION:

The Administration Committee met on September 8th to discuss the Town's policy on providing retirees insurance coverage when retiring before Medicare eligible age. The Committee is bringing the topic to the full Board for discussion to determine whether to revise the current 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.

Also attached is the current policy, current/projected insurance costs, current/projected retiree information, and potential elements to consider for policy revisions.

MANAGER RECOMMENDATION:

BOARD ACTION TAKEN:

Item 10D was a request from Mr. Kahler to reappoint Dr. Beth Heywood to another term on the Planning Board/Board of Adjustment. Dr. Heywood was originally appointed as an alternate in 2008, and then appointed as a full member in December 2009. She has been an asset to the Board, and an asset to the Town. Her term expired on June 30, 2012. A reappointment will have her serving a new term from July 1, 2012 until June 30, 2012. Mr. Huggins made a motion to reappoint Dr. Beth Heywood to a new 3-year term on the Planning Board/Board of Adjustment, seconded by Ms. Morrow, and carried unanimously.

Item 10E was a request from Ms. Stroupe to formalize the policy concerning group healthcare benefits for retirees with 30 years of service. It has been the understanding that retirees with 30 years of service with the Town of Dallas, who retire at an age less than the current Medicare Eligible age, will continue to receive group healthcare coverage with the Town until they reach the current Medicare Eligible Age. While this has been a standing verbal policy, there has been no written policy. In order to maintain consistency and structure, this policy should be formally adopted and placed in the Town's Personnel Policy Manual. (Exhibit D) The proposed policy was discussed and through consensus some clarifications were proposed; 1) if the retiree obtains employment with another entity and becomes eligible for insurance through that employer, they would no longer be eligible for coverage under the Town's plan, and 2) the retiree would not be given the opportunity to cover a spouse or dependent under the Town's plan. Mr. Beaty made a motion to table this discussion until the next Board meeting to allow staff the opportunity to revise the policy and bring that proposal back to the Board, seconded by Mr. Martin, and carried unanimously.

Item 10F was a request for a discussion on the current noise ordinance by Mr. Brent Hoyle, owner of CrossRhodes BBQ and Tavern. Mr. Hoyle would like the Board to consider revising the current noise ordinance (Exhibit E) to allow Friday and Saturday hours to be extended until 12:00 am and to increase the decibel level from 75 db to 80 db. The current ordinance indicates a cut off time of 11:00 pm on Fridays and Saturdays. The current ordinance actually already allows a decibel of 80 db during the allowed time periods. Mr. Huggins stated that he agreed with Mr. Hoyle's request and made a motion recommending that staff revise the current ordinance to include allowable times until 12:00 am on Fridays and Saturdays, seconded by Ms. Morrow, and carried by a vote of 4 – 1 as follows: Yays – Mr. Martin, Mr. Withers, Ms. Morrow, and Mr. Huggins. Nays – Mr. Beaty. Staff will present a revised ordinance at the next meeting along with a public hearing on the matter.

Mr. Palenick gave a Manager's Report highlighting various projects underway.

Mr. Withers made a motion to enter into a closed session to discuss two personnel matters and seek legal advice as provided for in § 143-318.11, seconded by Ms. Morrow, and carried unanimously. (7:12)

Mr. Withers made a motion to exit the closed session, seconded by Mr. Martin, and carried unanimously. (7:39)

Mr. Martin made a motion to adjourn, seconded by Mr. Withers, and carried unanimously. (7:44)

Rick Coleman, Mayor

Maria Stroupe, Town Clerk

of the council, excluding vacant seats and not including the mayor unless the mayor has the right to vote on all questions before the council”, this amendment must come up for vote again at the next meeting as it would take an affirmative vote by 4 board members to pass on the first reading.

Old Business:

Item 9A was carried over from the last meeting to consider setting a policy on the provision of group health insurance for Town employees retiring with 30 years of credited service. It was tabled, pending several amendments be made to the originally proposed policy. (Exhibit C) It has been the understanding that retirees with 30 years of service with the Town of Dallas, who retire at an age less than the current Medicare Eligible age, will continue to receive group healthcare coverage with the Town until they reach the current Medicare Eligible Age. While this has been a standing verbal policy, there has been no written policy. In order maintain consistency and structure, this policy should be formally adopted and placed in the Town’s Personnel Policy Manual. Mr. Withers made a motion to table this item until the next meeting in order to determine the number of employees with 20+ years of service. The motion died for lack of a second. Mr. Martin made a motion that upon retirement from the Town of Dallas, the Town would cease to provide group health insurance for the retired employee or their dependents, seconded by Mr. Beaty, and carried by a vote of 4-1, as follows:

Yays – Mr. Martin, Mr. Beaty, Ms. Morrow, and Mr. Huggins

Nays – Mr. Withers

Staff will write up the appropriate policy and present it to the Board for information at the next meeting. No approval will be necessary, as the policy was just approved.

Item 9B concerned wastewater treatment proposals with Gastonia. Dallas made a proposal to Gastonia to be a long-term customer of wastewater treatment at a guaranteed rate of cost plus 15%. Gastonia was not interested in this proposal at those rates and terms and proposed a substantially higher rate. Dallas then made a counter proposal to purchase treatment plant capacity from Gastonia. Again, Gastonia responded to the negative. (Exhibit D) Town staff seeks direction from the Board as to further negotiations. Staff recommends that we do not pursue further negotiations for treatment, but that work is made toward an inter-connect with Gastonia to provide for future emergencies with the two municipalities sharing the cost of the project, which is estimated to be approximately \$175,000. (Exhibit E) Mr. Beaty made a motion for Mr. Palenick to draft a response to Gastonia expressing Dallas’ appreciation for their discussions and acknowledging that the two sides are too far apart on the treatment negotiations to continue those talks, but that Dallas would be agreeable to a joint inter-connect project with both municipalities sharing equally in the cost of the project; seconded by Mr. Martin, and carried unanimously.

Item 9C did not require an action, but is of great interest to Dallas. A developer has plans for a 103 unit apartment complex on land previously annexed into the Town limits. This project has applied for a Federal Housing Grant to subsidize the project. If this grant is received, the complex would become a subsidized housing project that would require that at least 26 of the 103 units be rented to tenants that have incomes below 30% of the County Median Income and at least 41 of the 103 units be rented to tenants that have incomes below 50% of the County Median Income. The Town has the right to submit its position concerning the project, as a matter of record. (Exhibit F) Mr. Beaty made a motion to direct the Manager to issue a letter to the Housing Finance Agency objecting to a government subside of the apartment project plan presented, seconded by Mr. Withers, and carried unanimously.

New Business:

Item 10A was presentation by Chief Buckner of a proposed policy for the activation of the Emergency Warning Siren. (Exhibit G) Since the Town has installed the outdoor emergency warning siren, it is necessary that the

Current Retiree Healthcare Policy

“Upon retirement from the Town, regardless of years of service, group health and hospitalization insurance coverage will cease and will thereafter remain unavailable to the individual retiree or to his/her dependents under the Town group plan. Retirees will be responsible for obtaining coverage for themselves and/or their dependents.”

Current Cost Information:

Current Annual Base Plan Cost per Employee = \$5,579.88

Projected Annual Cost Increases = 8%

Projected FY2023 Annual Cost per Employee = \$6,026.27

For Information Purposes: Below outlines the current years of service and possible insurance ramifications based on the active, full time employee population that will achieve 30 years of service prior to reaching the current Medicare eligible age:

25+ years of service:	2 employees
20+ years of service:	3 employees
15+ years of service:	5 employees
10+ years of service:	2 employees

NOTE: There are currently 2 retirees that would qualify for retiree insurance coverage if it had been available upon their retirement.

POTENTIAL Retiree Healthcare Policy Elements

1. Must have 30 years of creditable service with the NC Local Gov. Retirement System.
2. Must have 25 years of service with the Town of Dallas.
3. Eligibility ends when reaching the current Medicare age.
4. Eligibility ends if retiree becomes eligible for other coverage (ex. new employer).
5. Insurance provided will be at the base plan level only.
6. Coverage provided will cover the retired employee only. Retiree is responsible for obtaining coverage for any dependents.

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: COVID Protocol Discussion

AGENDA ITEM NO. 3E

MEETING DATE: 09/28/2021

BACKGROUND INFORMATION:

Based on the continuing pandemic conditions, a discussion on the current Gaston County numbers is warranted to determine any desired changes to procedures.

Attached is the most recent COVID-19 Dashboard information produced by Gaston County.

MANAGER RECOMMENDATION:

BOARD ACTION TAKEN:

COVID-19 DASHBOARD

Gaston County Cases

36487

Gaston County Deaths

529

Hospitalized Ventilator

127 16

Percent Positive

17.10 %

Date of Specimen Collection

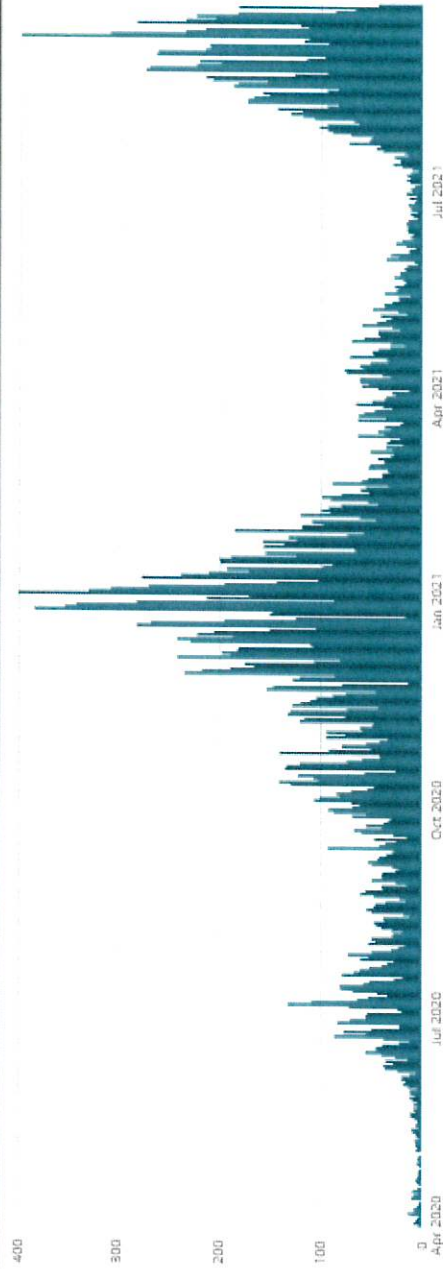
DateOfSpecimenCollection

3/16/2020 9/21/2021

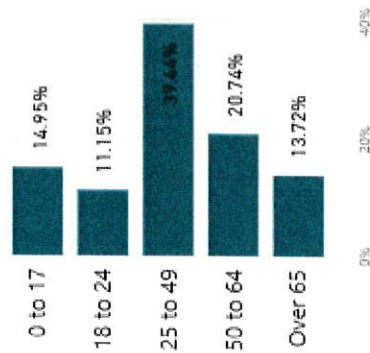


Wednesday, September 22, 2021

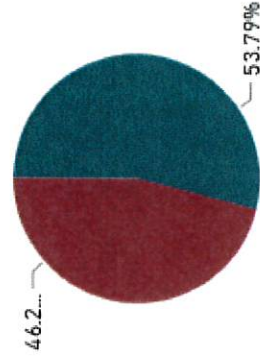
Gaston County COVID-19 Cases



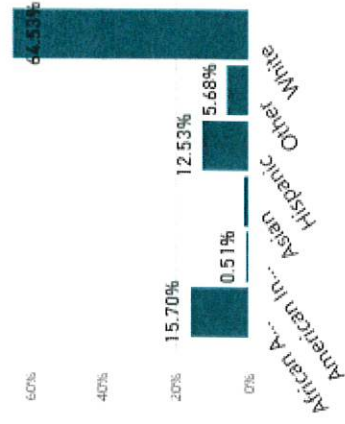
Age Range



Gender



Race and Ethnicity



COVID-19 DASHBOARD

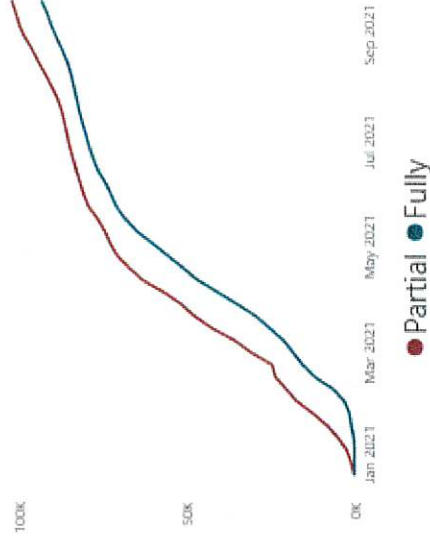
Partially Vaccinated



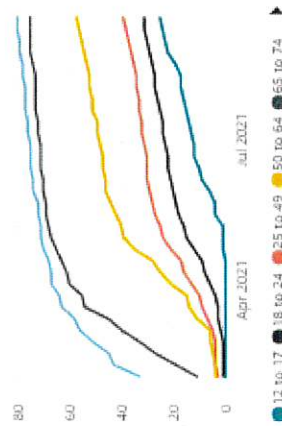
Percent Fully Vaccinated



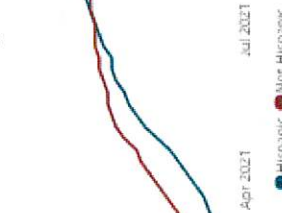
Timeline



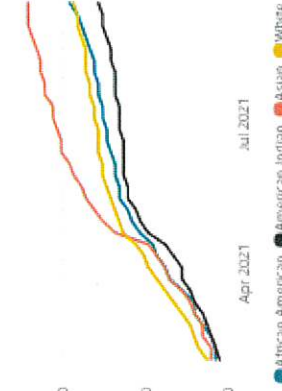
Age Group



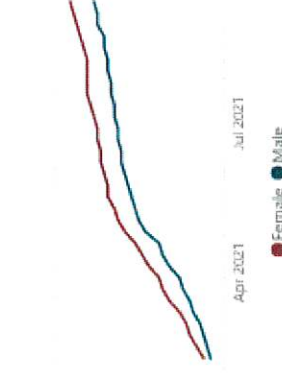
Ethnicity



Race



Gender



Monday, September 20, 2021