

Town of Dallas
Agenda
FEBRUARY 22, 2022
5:00 PM
BOARD OF ALDERMEN – WORK SESSION MEETING
Rick Coleman, Mayor

Sam Martin

Frank Milton

Darlene Morrow

Jerry Cearley, Mayor Pro-Tem

E. Hoyle Withers

<u>ITEM</u>	<u>SUBJECT</u>	<u>Pages</u>
1.	Pledge of Allegiance to the Flag	
2.	Approval of Agenda with Additions or Deletions	
3.	New Business	
A.	Road Signs for Alder Ridge Subdivision	2
B.	Public Attendance at Board Meetings	3
C.	Conditional Zoning – River Rock Capital	12
D.	Davis Hills Preliminary Plat	26
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TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Road Sign Request – Alder Ridge

AGENDA ITEM NO. 3A

MEETING DATE: 2/22/2022

BACKGROUND INFORMATION:

At the December 14, 2021 Board of Aldermen Meeting, Ms. Dufour of 2021 Red Leaf Court requested that the Board consider placing “Children Playing” and “Speed Limit” signs on her street in the Alder Ridge Subdivision.

The Board requested that a discussion be held at the January work session on this topic. The January work session was cancelled due to lack of a quorum.

MANAGER RECOMMENDATION:

BOARD ACTION TAKEN:

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Public Attendance at Board Meetings

AGENDA ITEM NO. 3B

MEETING DATE: 2/22/2022

BACKGROUND INFORMATION:

For the last several months, as numbers were increasing at alarming rates, public attendance at Board meetings and work sessions have been limited to virtual access only in the interest of public safety.

Over the last few weeks, COVID-19 numbers are dropping in both Gaston County and North Carolina. This discussion will determine whether to reopen Board meetings and work sessions to the public, under what conditions to reopen, and a timetable for reopening.

MANAGER RECOMMENDATION:














BOARD ACTION TAKEN:

GASTON COUNTY COVID-19 DATA & TRENDS

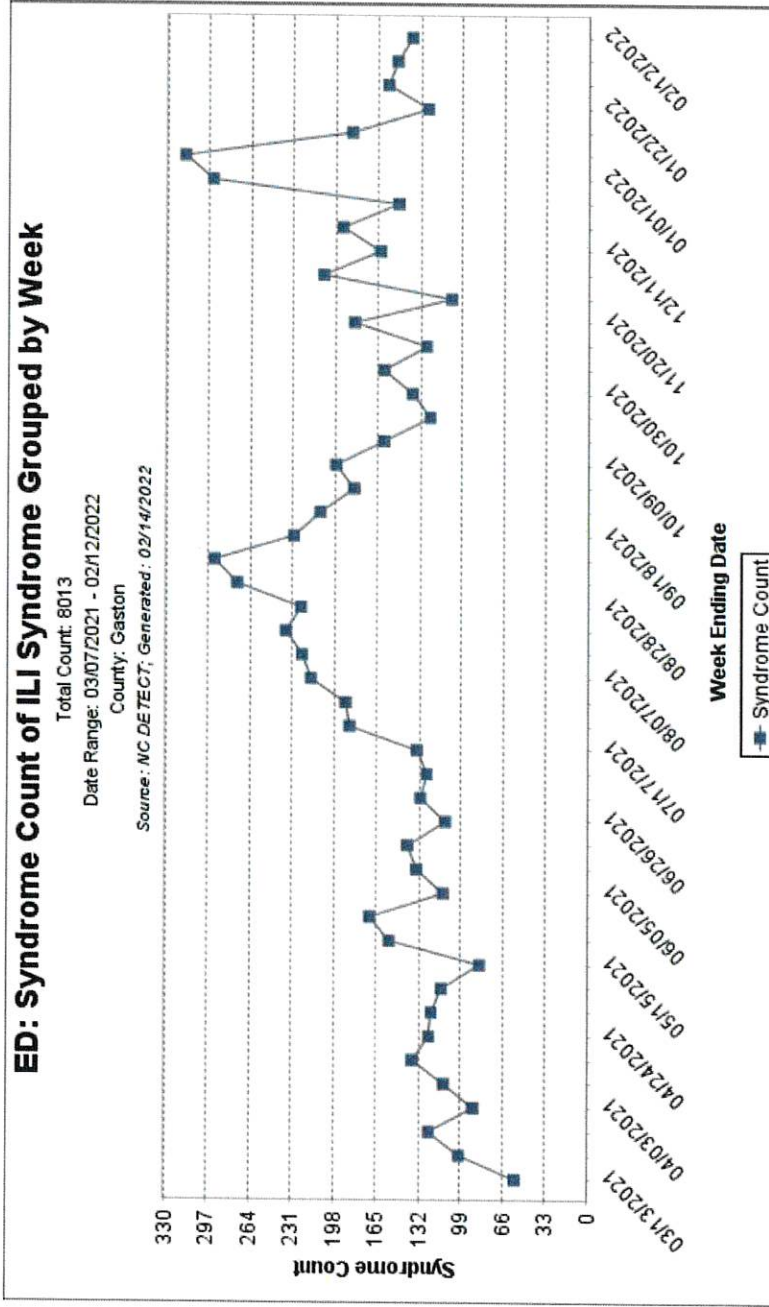
FEBRUARY 14, 2022



SUMMARY OF KEY METRICS

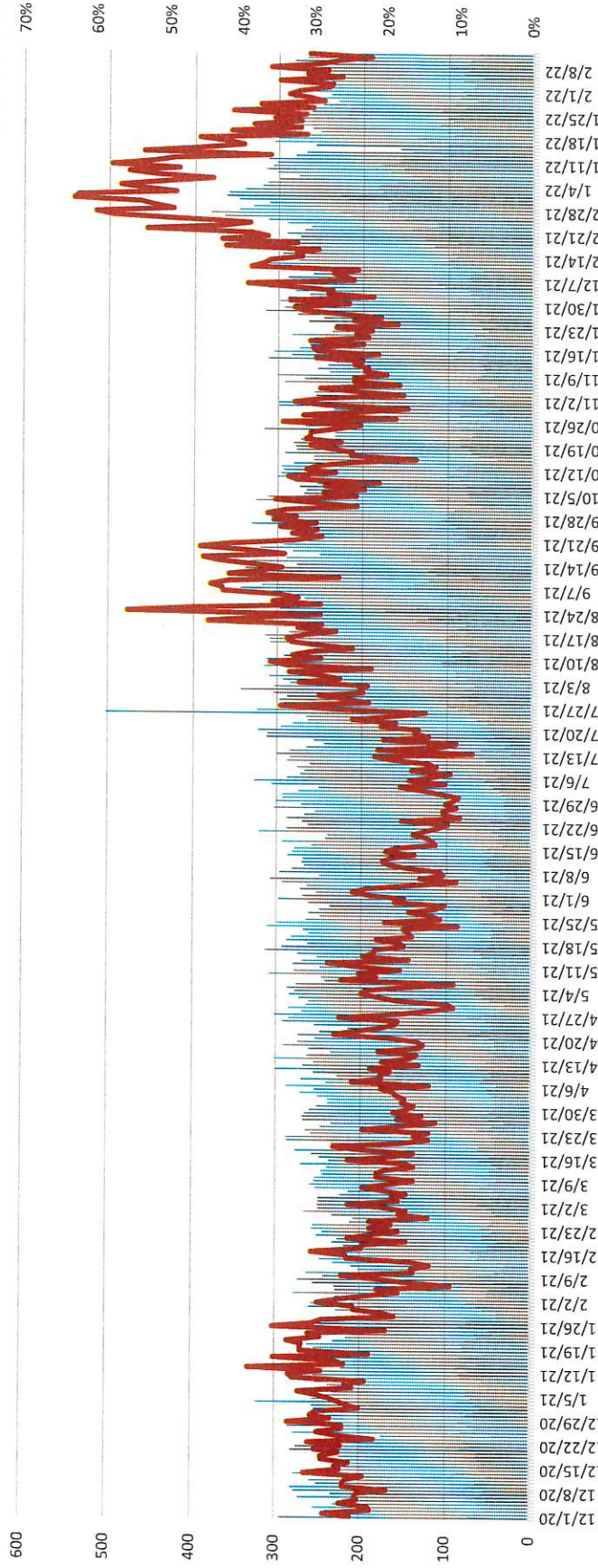
Goal	Note	2/7/22	2/14/22
○ Decline or steady sustained level of influenza like illnesses	<i>This indicator is obtained from NC DETECT, and has increased in the most recent week</i>		
○ Downward trajectory or sustained leveling of COVID-like Syndromic cases over 14 days	<i>The indicator for this measure is the percentage of ED visits resulting in a COVID-19 test. This decrease over the past week.</i>		
○ Downward trajectory or sustained leveling of cases over 14 days	<i>The number of cases has decreased in the most recent week.</i>		
○ Downward trajectory of positive tests as a percentage of total tests over 14 days	<i>Gaston County Percent of Positive cases has decreased in the most recent week.</i>		
○ Downward trajectory of hospitalizations over 14 days	<i>Hospitalization level has continued to increase in the two most recent weeks.</i>		
 Goal Achieved	 Trending Towards Goal	 Trending Away from Goal	

COUNT OF ED VISITS WITH ILI



Source: NC DETECT, ILI Syndrome Line List, Week ending 2/12/22

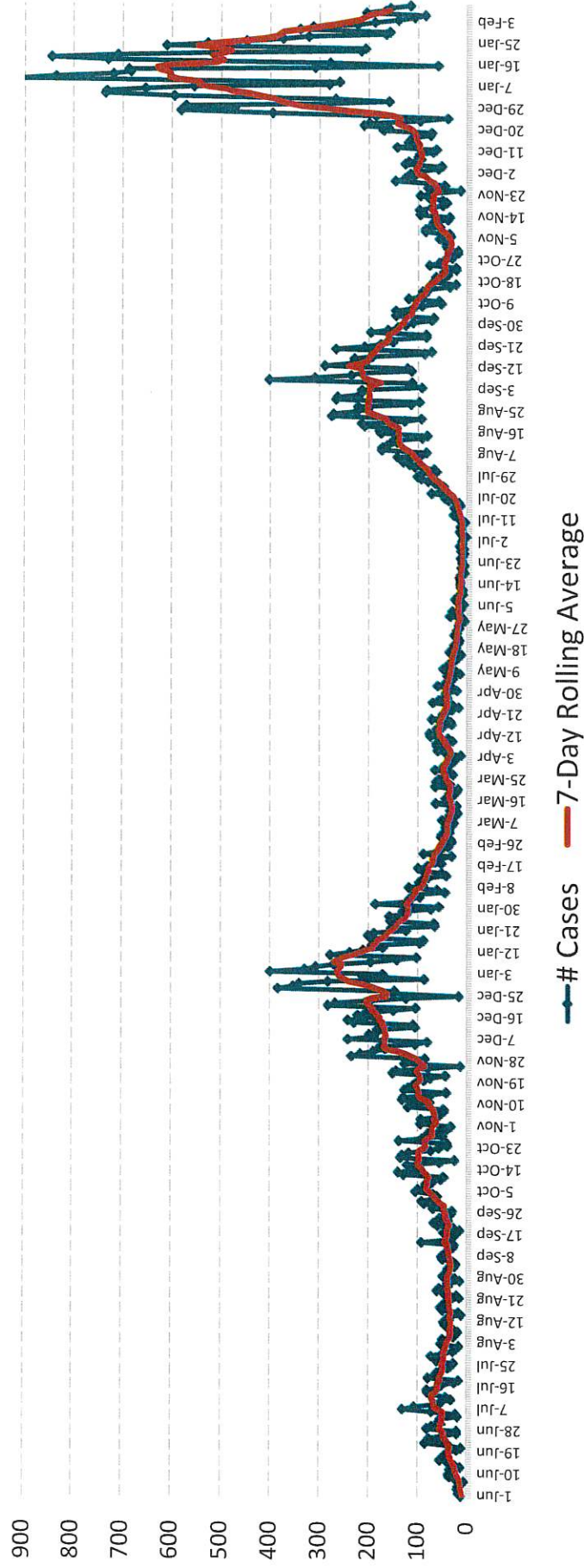
COVID-19 TESTING IN THE ED



Source: CaroMont Health

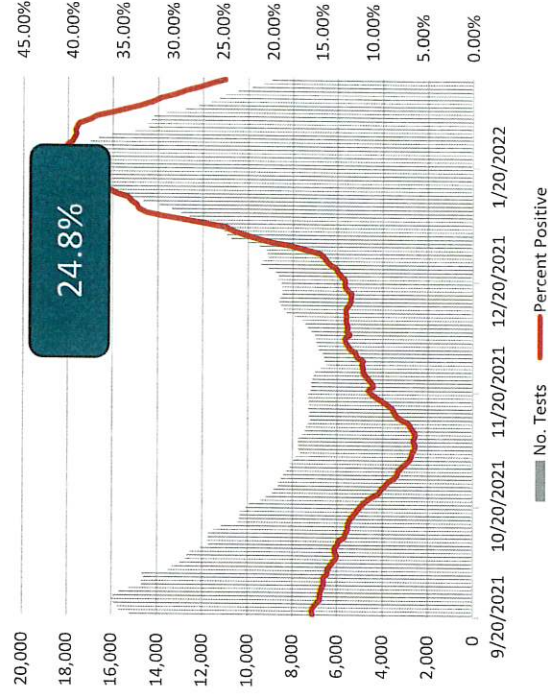
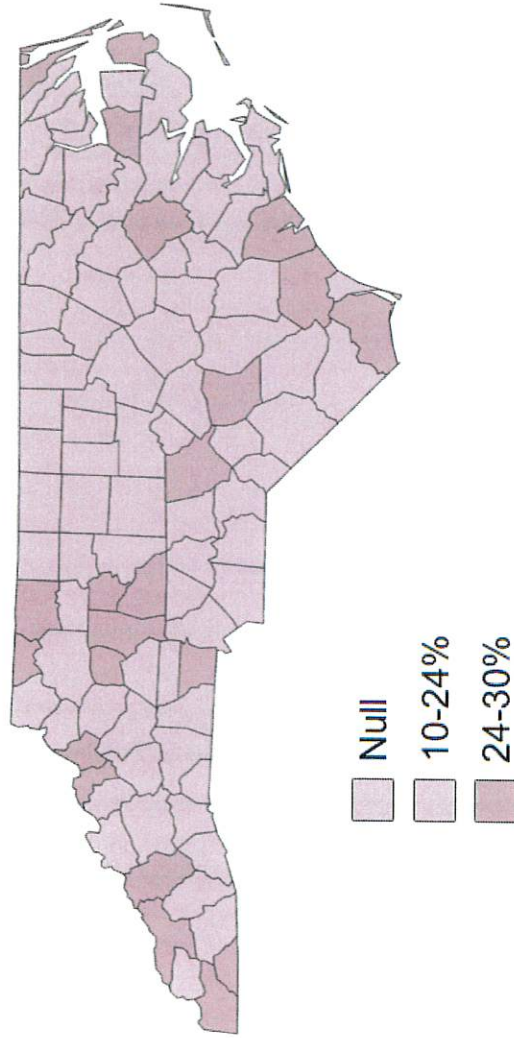
■ No. Pts. ■ No. Test — % Tested

GASTON COUNTY CASES



Source: NC EDSS, 1-24-22, Based upon date of testing, the most recent days are likely to change as testing data becomes available.

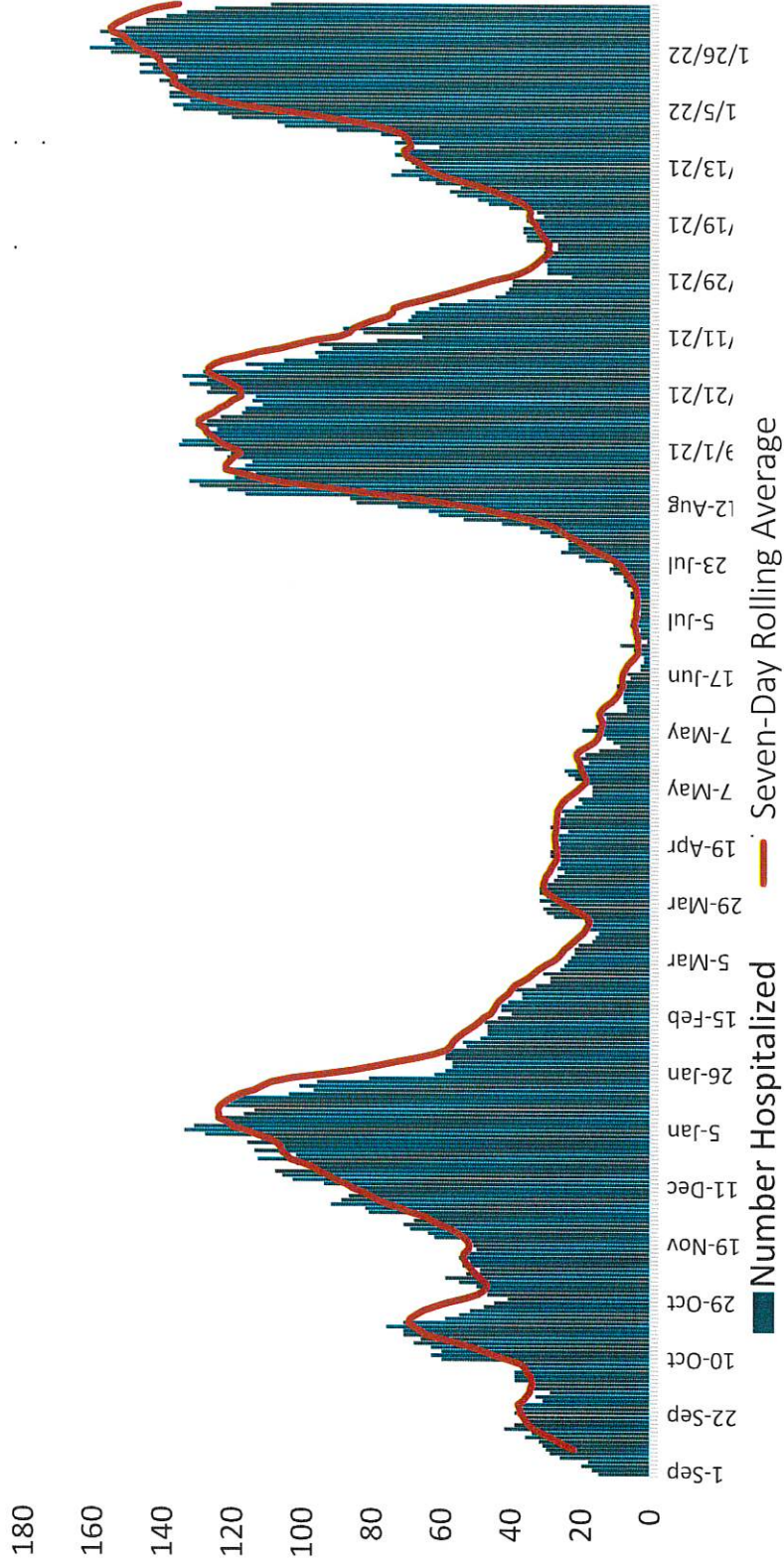
PERCENT OF POSITIVE TESTS



Source: NCDHHS; Calculated based upon the most recent 14 day period.

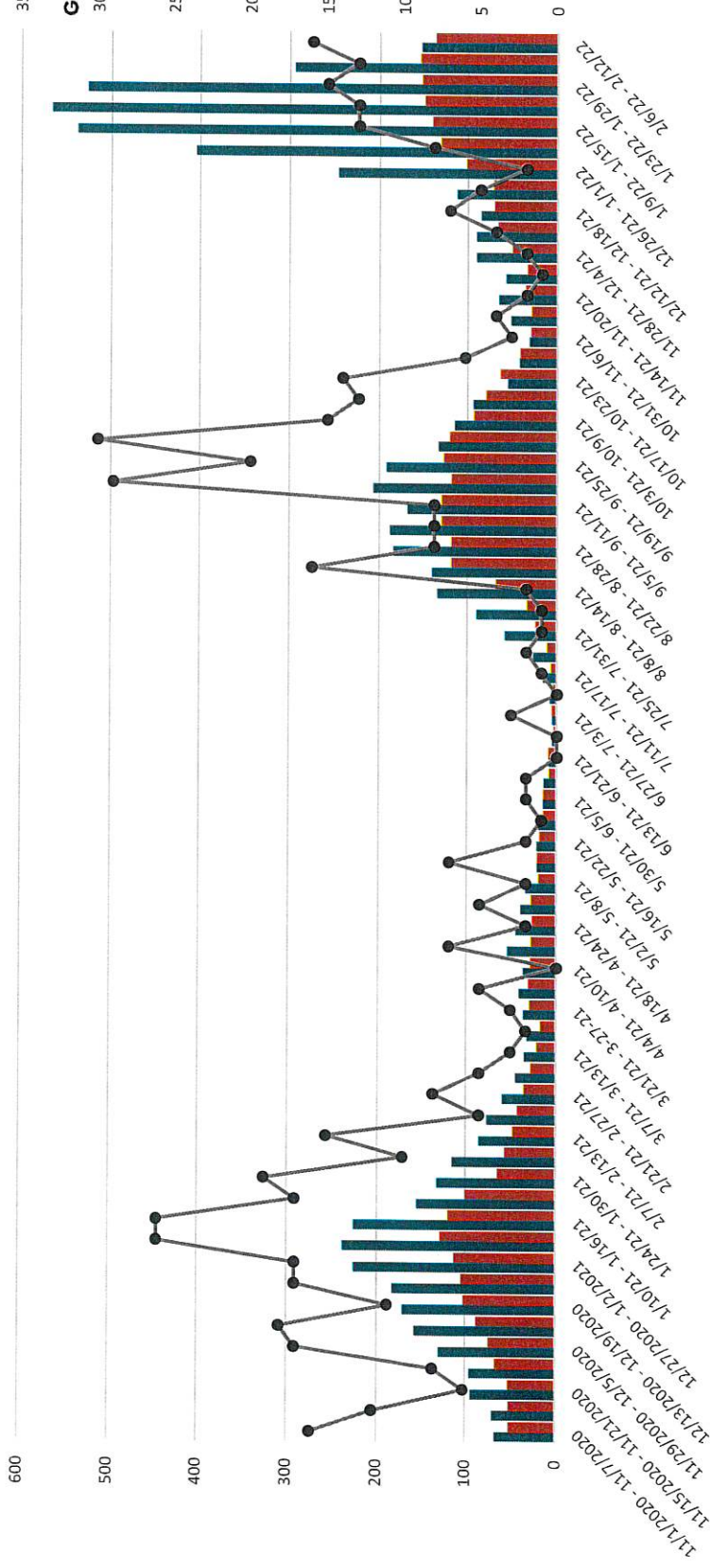


GASTON COUNTY HOSPITALIZATIONS



Source: Gaston County DHHS; Includes full Caromont count, and Gaston residents of Atrium Health

CASES, HOSPITALIZATIONS AND DEATHS



■ Ave. Daily Case Count
 ■ Ave. Hospitalization
 ●— Deaths

Source: NC EDSS

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Zoning Map Amendment – River Rock Capital Partners

AGENDA ITEM NO. 3C

MEETING DATE: 2/22/2022

BACKGROUND INFORMATION:

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

A detailed staff report, as well as proposed conditions and allowances, are provided in the agenda packet.

MANAGER RECOMMENDATION:

BOARD ACTION TAKEN:

Staff Report

Zoning Map Amendment Request: 2021-05

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

Authorized Agent: Sean Cullen, River Rock Capital Partners

Current Zoning: B-2, Highway Business

Proposed Zoning: CD R-6

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

Gaston County Parcel ID: 171277, 171214, 306161

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

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

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

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

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

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

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

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

TOWN OF DALLAS
REZONING APPLICATION

Location of Property: Approximate northeast corner of Dallas Cherryville Hwy & Dallas Bessemer City Hwy
(see parcel IDs and property owner addresses)

Lot Size: 21.25 AC Current Zone/ Use: B-2 Parcel ID# 1. 171277 & PIN # 3547484098
2. 171214 & PIN # 3547473323
3. 171212 & PIN # 3547461193

Name of Owner: 1. Mark & Pamela Huifstetter
2. Eric & Sheila Bungamer
3. Eric & Sheila Bungamer
Address of Owner: 1. 1302 Dallas Cherryville Hwy, Dallas, NC 28034
2. 1304 Dallas Cherryville Hwy, Dallas, NC 28034
3. No Assigned address

Owner Phone #: 704-718-6199 Email: ERICBUNGAMER@icloud.com
704-913-5252 DAMSMONEY@CHARTER.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

B-2 to R-6 On the following described property:

(Parcel IDs denoted above), FURTHER IDENTIFIED AS PARCEL ID # _____

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

Eric Bungamer
Signature of applicant

10/27/2021
Date

Development Services Director

Date

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

Checks to be made payable to the Town of Dallas.

TOWN OF DALLAS
REZONING APPLICATION

Location of Property: Approximate northeast corner of Dallas Cherryville Hwy & Dallas Bessemer City Hwy
(see parcel IDs and property owner addresses)

Lot Size: 21.25 AC Current Zone/ Use: B-2 Parcel ID# 1. 171277 & PIN # 3547484093
2. 171214 & PIN # 3547473323
3. 171212 & PIN # 3547481193

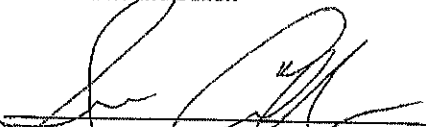
Name of Owner:	<u>1. Mark & Pamela Huffstaller</u> <u>2. Eric & Sheila Bungarner</u> <u>3. Eric & Sheila Bungarner</u>		
Address of Owner:	<u>1. 1302 Dallas Cherryville Hwy, Dallas, NC 28034</u> <u>2. 1304 Dallas Cherryville Hwy, Dallas, NC 28034</u> <u>3. No Assigned address</u>		
Owner Phone #:	<u>704-718-6199</u>	Email:	<u>ERICBUNGARNER@icloud.com</u>
	<u>704-913-5252</u>		<u>DAMSMONEY@CHARTER.NET</u>

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(Parcel IDs denoted above), FURTHER IDENTIFIED AS PARCEL ID # _____.

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



Signature of applicant

10-28-2021

Date

Development Services Director

Date

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

Checks to be made payable to the Town of Dallas.

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

Parcel ID#	Owner Name	Mailing Address
3547471220	North Gaston Church of God	PO Box 1035, Dallas, NC 28034-1035
3547378375	Angela Salgado	1400 A Dallas Cherryville Hwy, Dallas, NC 28034
3547379605	Yvette Bessent/Harold Grier	1524 Eden Glen Dr, Dallas, NC 28034
3547379715	Elizabeth McConnell	1528 Eden Glen Dr, Dallas, NC 28034
3547379807	Tristan & Kelly Howsare	1532 Eden Glen Dr, Dallas, NC 28034
3547389210	Jeffrey & Emily Comer	1124 Miles Rd, Dallas, NC 28034
3547389652	Doris Baker/Daniel Sprengle	1205 Springhill Ct, Dallas, NC 28034
3547389983	Donna Thompson	1720 Eden Glen Dr, Dallas, NC 28034
3547488847 3547493158 3547488496	Robert & Yvonne Finger	129 Kingstree Dr. Dallas, NC 28034
3547479626	Wal-mart Real Estate Business	PO Box 8050 Mail Stop 0555, Bentonville, AR 72712

OFFICE USE ONLY

Date of Planning Board Hearing: _____ Approved? _____

Date of Board of Aldermen Meeting: _____ Approved? _____

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

Let this letter serve as formal notice I/we, Eric & Sheila Bumgarner, owner of (address 1304 Dallas, Chocomaile Hwy.) further identified as Gaston County parcel(s) 3547473323 & 3547481193, give consent to act as the authorized agent(s) for the Conditional Rezoning request in the Town of Dallas.

Eric Bumgarner
Sheila Bumgarner

Signature

10/26/2021

Date

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

Let this letter serve as formal notice I/we, Mark + Pamela Huffstetler owner of (address 1302 Dallas Cherryville Hwy further identified as Gaston County parcel(s) 3547484093 give consent to act as the authorized agent(s) for the Conditional Rezoning request in the Town of Dallas.

Pamela B. Huffstetler
Mark E. Huffstetler

Signature

10-26-2021

Date

NO.	REVISIONS	DATE	BY

Kimley-Horn
 200 SOUTH TRYON STREET, SUITE 100
 RICHMOND, VA 23261
 PHONE: 703-323-1234
 FAX: 703-323-1235
 WWW.KIMLEY-HORN.COM

NOT FOR CONSTRUCTION

PROJECT NO: 2022-001
 DATE: 02/10/2022
 SCALE: AS SHOWN
 CHECKED BY: A.C.
 DRAWN BY: J.H.
 CITY OF DALLAS

CHERRYVILLE HWY -
 DALLAS, NC
 PREPARED FOR
 RIVER ROCK CAPITAL PARTNERS
 CITY OF DALLAS
 NORTH CAROLINA

811
 Know what's below.
 Call before you dig.

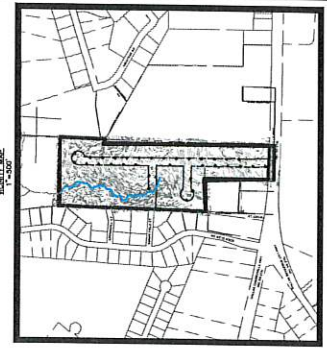
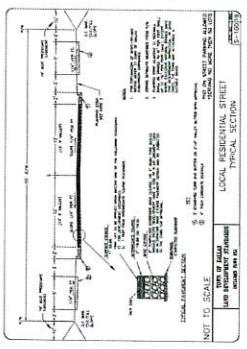
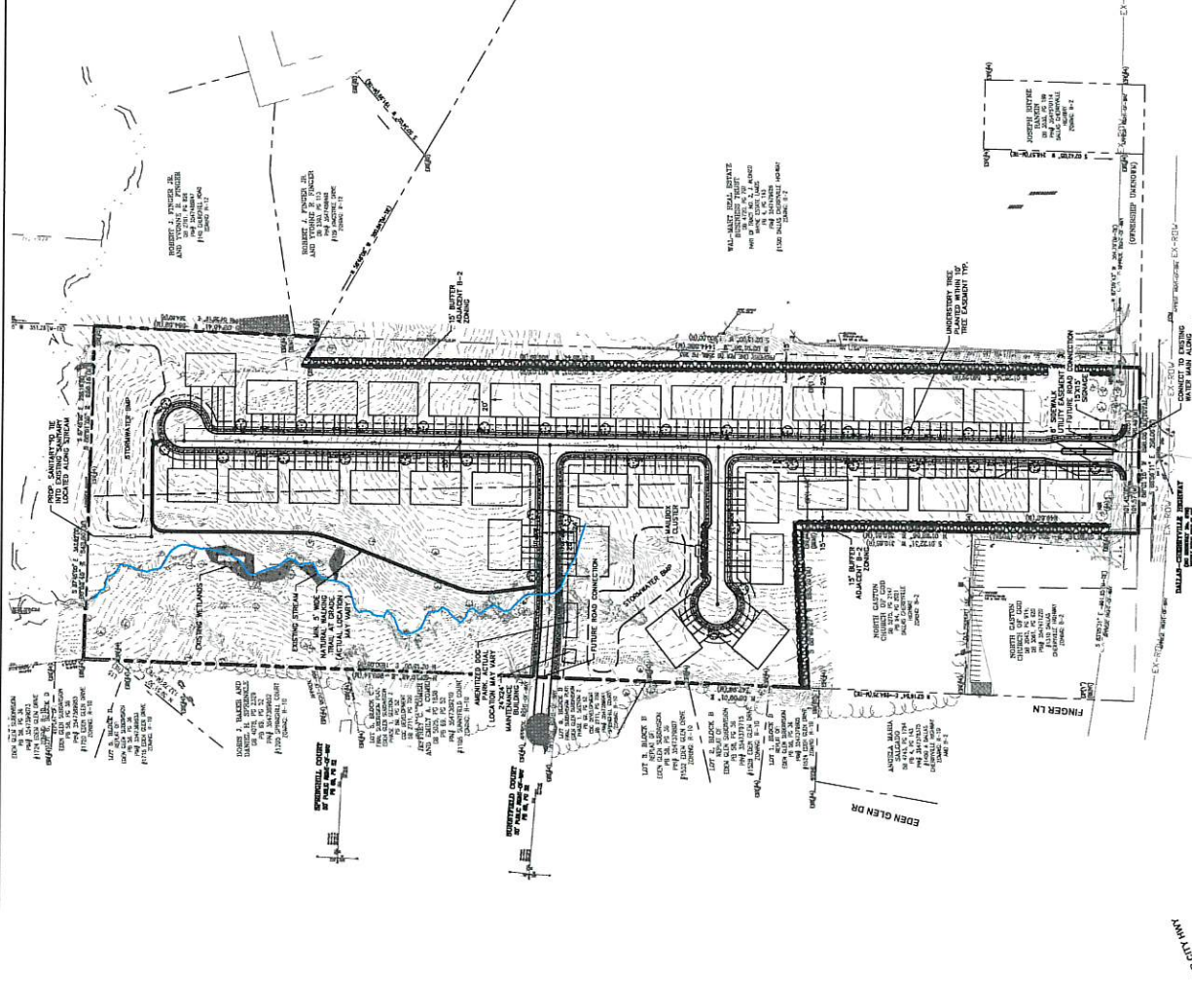
GRAPHIC SCALE IN FEET
 0 50 100 200

NORTH

SITE DATA TABLE

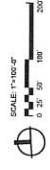
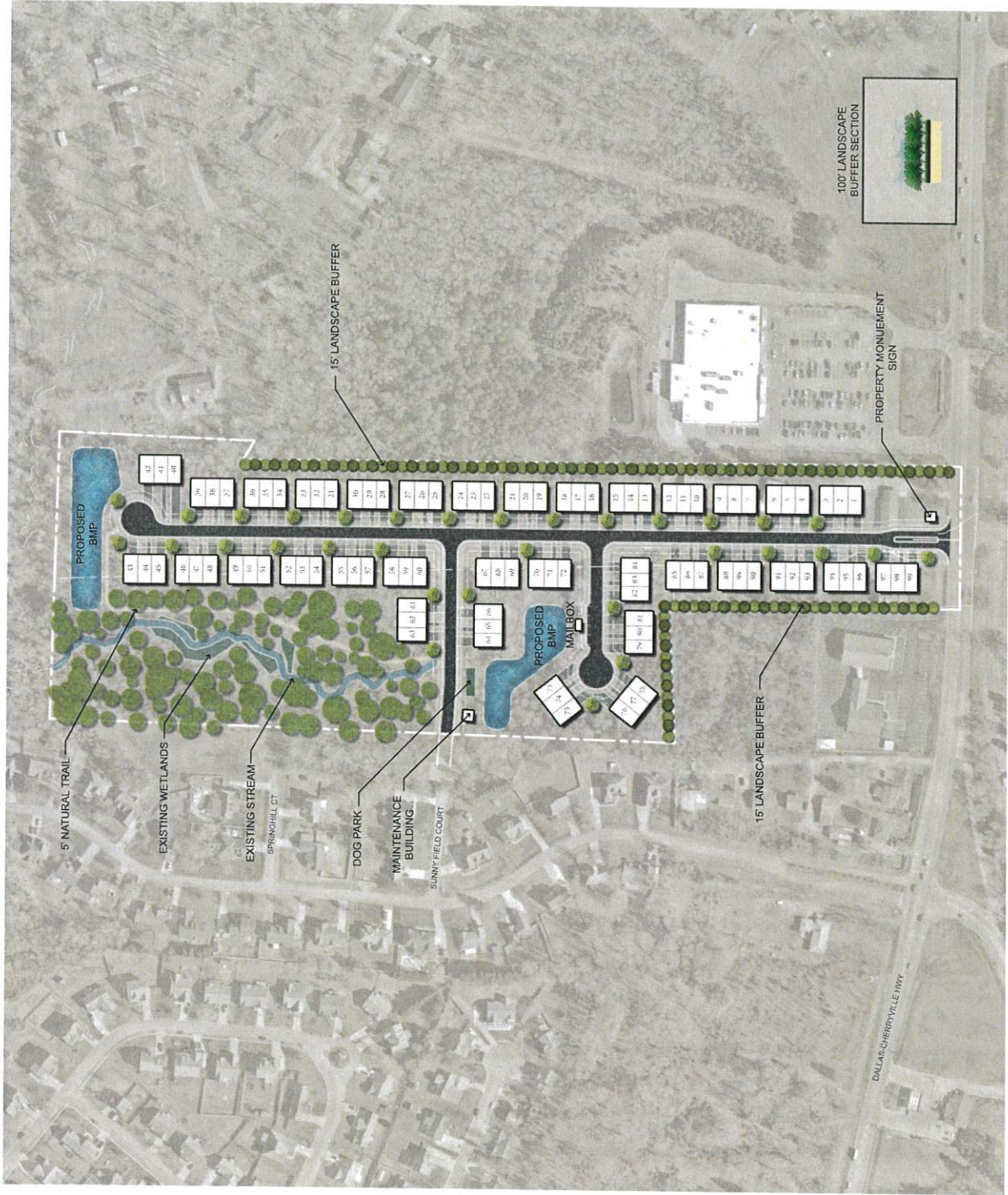
DEVELOPMENT DATA:	TAX PARCEL ID: 5547484093, 3547473323, & 5547481193
EXISTING LAND USE:	COMMERCIAL
PROPOSED LAND USE:	RESIDENTIAL
TOTAL SITE AREA:	21.25 AC
TOTAL R.O.W. AREA:	8.08 AC
TOTAL LOT AREA:	2.83 AC
TOTAL OPEN SPACE AREA:	4.58 AC
MAXIMUM NUMBER OF BUILDINGS:	33
TOTAL NUMBER OF UNITS:	99
TREE SAVE:	4.66 UNITS/AC
REQUIRED PARKING:	188 SPACES
PROPOSED PARKING:	202 SPACES
ZONING DATA:	37103547003
EXISTING ZONING:	B-2
PROPOSED ZONING:	CD R-6
INNOVATIVE STANDARDS:	
MIN. BLOG SEPARATION:	20'
MAX. HEIGHT:	35'
SETBACKS:	
FRONT YARD:	25'
SIDE YARD:	6'
REAR YARD:	20'

CENTRAL NOTES:
 1. PROPOSED DEVELOPMENT SHALL NOT BE PHASED.
 2. EXISTING UTILITIES SHALL BE MAINTAINED TO REMAIN IN PLACE UNLESS OTHERWISE NOTED.
 3. ALL UTILITIES SHALL BE DEEPENED TO ACCOMMODATE THE PROPOSED DEVELOPMENT.
 4. ALL UTILITIES SHALL BE DEEPENED TO ACCOMMODATE THE PROPOSED DEVELOPMENT.
 5. ALL UTILITIES SHALL BE DEEPENED TO ACCOMMODATE THE PROPOSED DEVELOPMENT.
 6. ALL UTILITIES SHALL BE DEEPENED TO ACCOMMODATE THE PROPOSED DEVELOPMENT.
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 8. ALL UTILITIES SHALL BE DEEPENED TO ACCOMMODATE THE PROPOSED DEVELOPMENT.
 9. ALL UTILITIES SHALL BE DEEPENED TO ACCOMMODATE THE PROPOSED DEVELOPMENT.
 10. ALL UTILITIES SHALL BE DEEPENED TO ACCOMMODATE THE PROPOSED DEVELOPMENT.



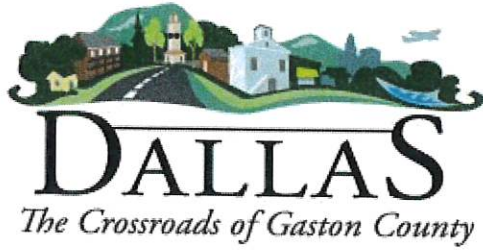
DALLAS CHERRYVILLE HWY
 (NC 38-378)

This document, together with the contracts and display provided herein, is an instrument of service, is intended only for the specific purposes and shall be void if not prepared hereof by the engineer, architect and other professional services on this document without written authorization or designation by Kimley-Horn and Associates, Inc. and be without liability to Kimley-Horn and Associates, Inc.





3-UNIT ATTACHED RANCH HOME RENDERING



Written Consent for Zoning Conditions

The petitioner hereby expressly consents to all zoning conditions listed in this report and attached to this as Exhibit A:

ATTEST:

Authorized agent/property owner

Date

Print Name

Authorized agent/property owner

Date

Print Name

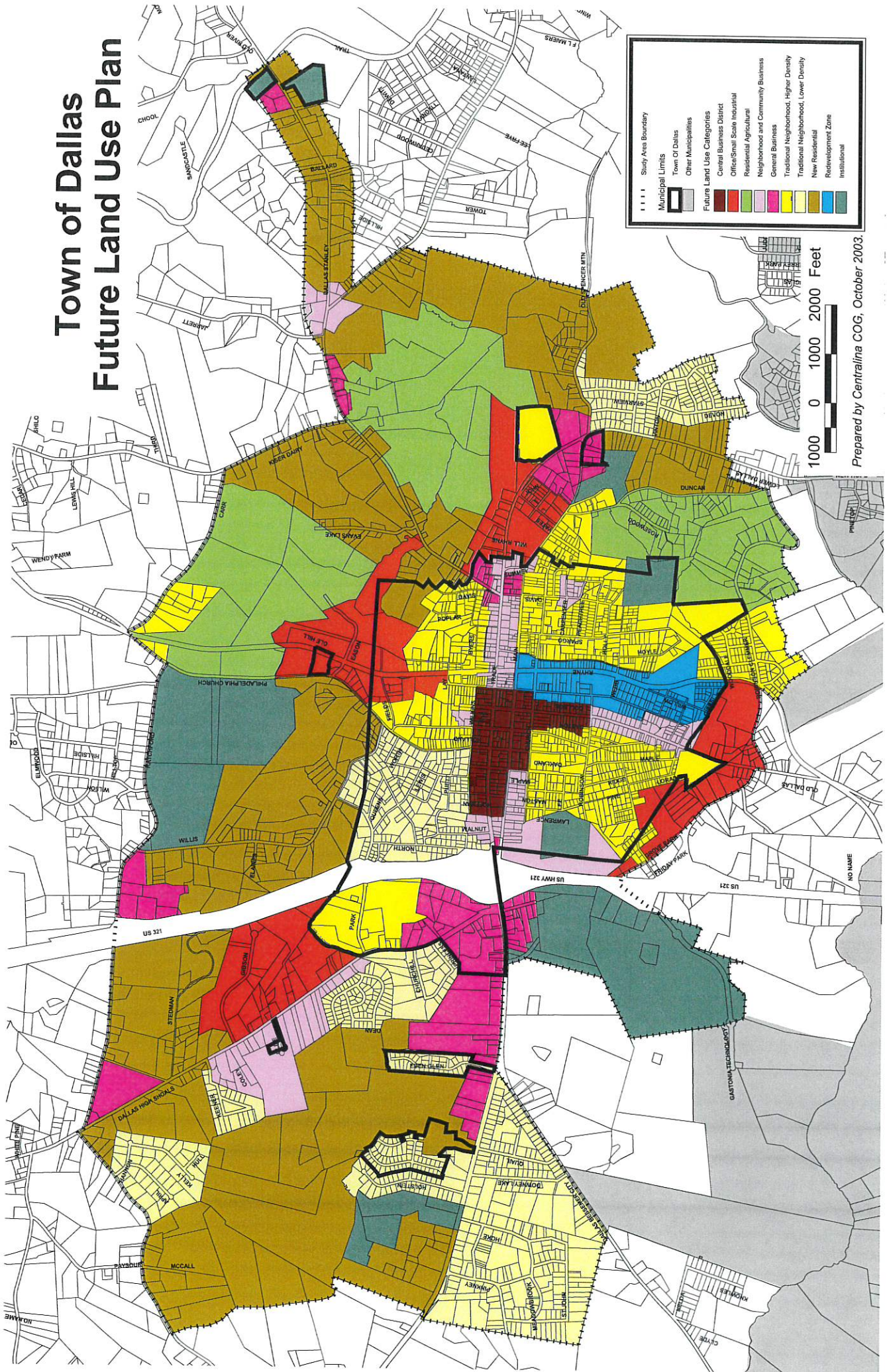
Exhibit A
Areas of Relief and Conditions of Approval

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

Items Added at Planning Board Meeting

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

Town of Dallas Future Land Use Plan



Prepared by Centralina COG, October 2003.

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Davis Hills Preliminary Plat

AGENDA ITEM NO. 3D

MEETING DATE: 2/22/2022

BACKGROUND INFORMATION:

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

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

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

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

MANAGER RECOMMENDATION:

BOARD ACTION TAKEN:

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

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

(A) The preliminary and final plats shall depict, contain or be accompanied by the information indicated in the following table.

(B) A "Yes" indicates that the information is required; where a "No" appears, the information shall not be required.

(C) Preliminary plat information shall only be required for major subdivisions.

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

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

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

(Ord. passed 1-16-2001)



MCADAMS
The John B. McAdams Company, Inc.
2100 Ross Drive
Charlotte, NC 28277
Phone: (704) 365-2000
Fax: (704) 365-2080
www.mcadams.com

QUEST
15045 S. HARVEST DRIVE
FARMERSVILLE, TX 77951
Phone: (361) 845-1111
Fax: (361) 845-1122
www.truehomes.com

True Homes
15045 S. HARVEST DRIVE
FARMERSVILLE, TX 77951

DAVIS HILLS CONSTRUCTION DRAWINGS 500 DALLAS STANLEY HIGHWAY TOWN OF DALLAS, NORTH CAROLINA

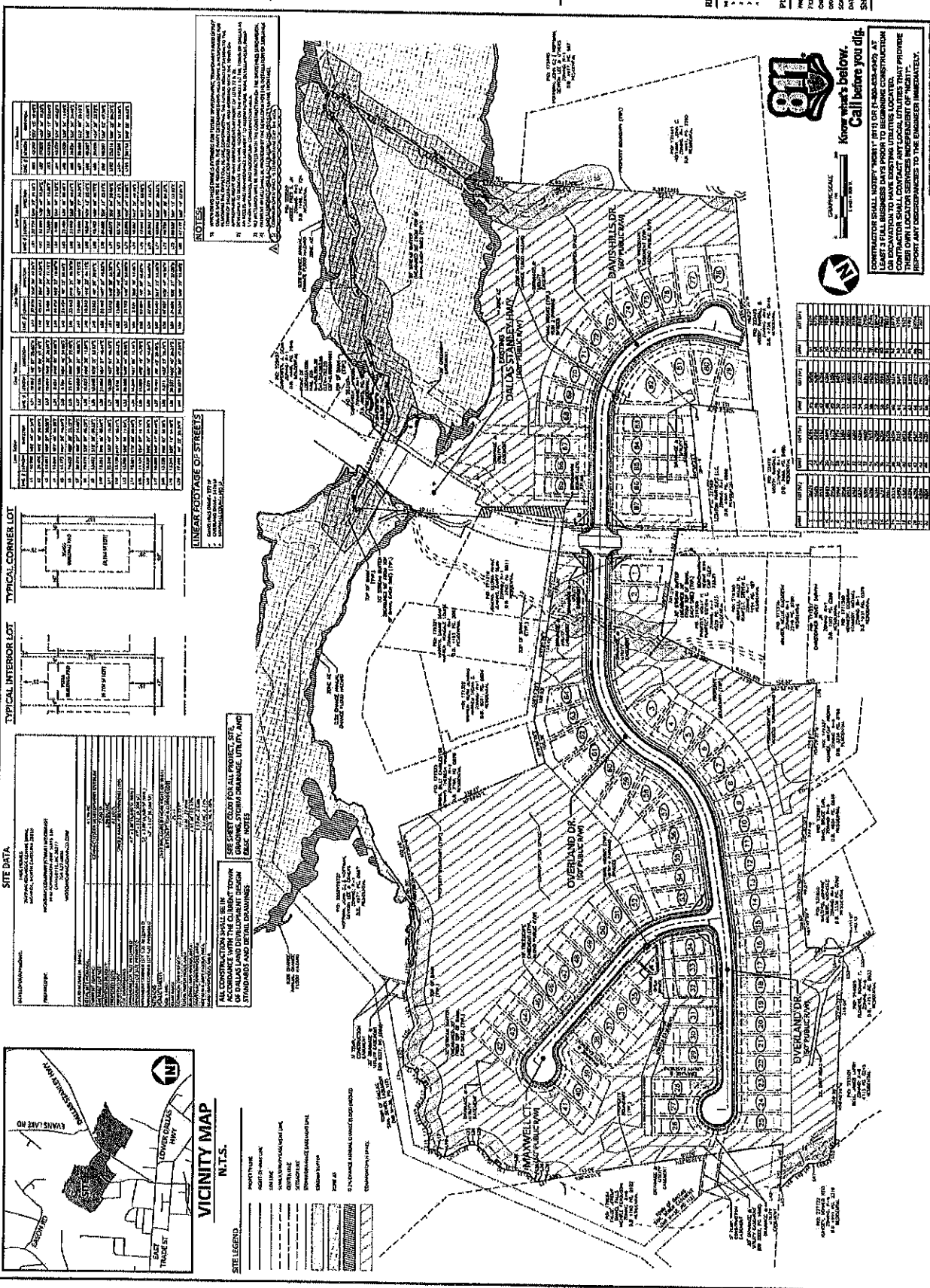


- ### REVISIONS
- 1. 11-29-10
 - 2. 12-15-10
 - 3. 1-19-11
 - 4. 2-18-11

PLAN INFORMATION
PROJECT: DAVIS HILLS
DRAWN BY: JAY
DATE: 07/10/2010
SCALE: 1"=20'
SHEET: 01

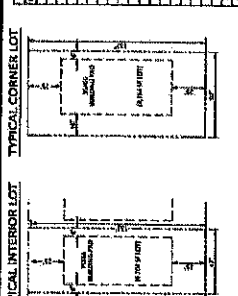
OVERALL SITE PLAN

C2.00



LINEAR ADJUST OF STREETS

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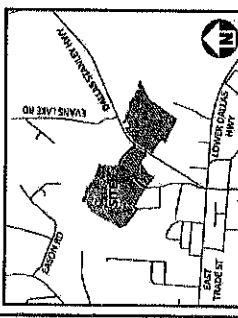


SITE DATA

DATE: 07/10/2010	DRAWN BY: JAY
CHECKED BY: JAY	SCALE: 1"=20'
PROJECT: DAVIS HILLS	CITY: DALLAS
OWNER: QUEST	ADDRESS: 500 DALLAS STANLEY HWY
ENGINEER: JOHN B. MCADAMS	REGISTERED PROFESSIONAL ENGINEER
REGISTERED IN: NORTH CAROLINA	NO. 45772
REVISIONS:	
1. 11-29-10	INITIALS: JAY
2. 12-15-10	INITIALS: JAY
3. 1-19-11	INITIALS: JAY
4. 2-18-11	INITIALS: JAY

NOTES

- 1. SEE SHEET C2.01 FOR ALL PROJECTS, SETS, ACCORDANCE WITH THE CLARIFIED TOWN OF DALLAS LAND DEVELOPMENT DESIGN STANDARDS AND DETAIL DRAWINGS.
- 2. ALL DIMENSIONS ARE IN FEET AND INCHES, UNLESS OTHERWISE SPECIFIED.
- 3. ALL CORNERS AND POINTS SHALL BE SET AND MARKED AS SHOWN ON THIS PLAN.
- 4. ALL UTILITIES ARE TO BE DELETED AND RE-LAID AS SHOWN ON THIS PLAN.
- 5. ALL UTILITIES TO BE DELETED AND RE-LAID AS SHOWN ON THIS PLAN.
- 6. ALL UTILITIES TO BE DELETED AND RE-LAID AS SHOWN ON THIS PLAN.



SITE LEGEND

[Symbol]	PROPERTY LINE
[Symbol]	RIGHT-OF-WAY LINE
[Symbol]	SETBACK LINE
[Symbol]	SEWERAGE
[Symbol]	COMPREHENSIVE DEVELOPMENT PLAN
[Symbol]	EXISTING UTILITIES
[Symbol]	PROPOSED UTILITIES
[Symbol]	STREET LIGHTS
[Symbol]	UTILITY CONCERN
[Symbol]	EXISTING IMPROVEMENTS
[Symbol]	PROPOSED IMPROVEMENTS
[Symbol]	EXISTING DRIVE
[Symbol]	PROPOSED DRIVE
[Symbol]	EXISTING DRIVE
[Symbol]	PROPOSED DRIVE

CONTRACTOR SHALL NOTIFY THE TOWN OF DALLAS IMMEDIATELY AT LEAST 48 HOURS BEFORE ANY WORK IS TO BE COMPLETED OR EXCAVATION TO MAKE EXISTING UTILITIES LOCATED. CONTRACTOR SHALL CONTACT CITY LOCAL UTILITIES THAT PROVIDE SERVICE TO THE AREA TO BE EXCAVATED AND OBTAIN A UTILITY CROSSING PERMIT. REPORT ANY DISCREPANCIES TO THE ENGINEER IMMEDIATELY.

CONTRACTOR SHALL NOTIFY THE TOWN OF DALLAS IMMEDIATELY AT LEAST 48 HOURS BEFORE ANY WORK IS TO BE COMPLETED OR EXCAVATION TO MAKE EXISTING UTILITIES LOCATED. CONTRACTOR SHALL CONTACT CITY LOCAL UTILITIES THAT PROVIDE SERVICE TO THE AREA TO BE EXCAVATED AND OBTAIN A UTILITY CROSSING PERMIT. REPORT ANY DISCREPANCIES TO THE ENGINEER IMMEDIATELY.



MCADAMS
The John L. McAdams Company, Inc.
3400 W. 10th Street
Charlotte, NC 28217
Phone: 704.366.1234
Fax: 704.366.1235
www.mcadams.com

CLIENT
True Homes
3000 W. 10th Street, Suite 200
Charlotte, NC 28217
Phone: 704.366.1234
Fax: 704.366.1235
www.truehomes.com

True Homes
10000 North Tryon Street
Charlotte, NC 28217

DAVIS HILLS
CONSTRUCTION DRAWINGS
500 DALLAS STANLEY HIGHWAY
TOWN OF DALLAS, NORTH CAROLINA



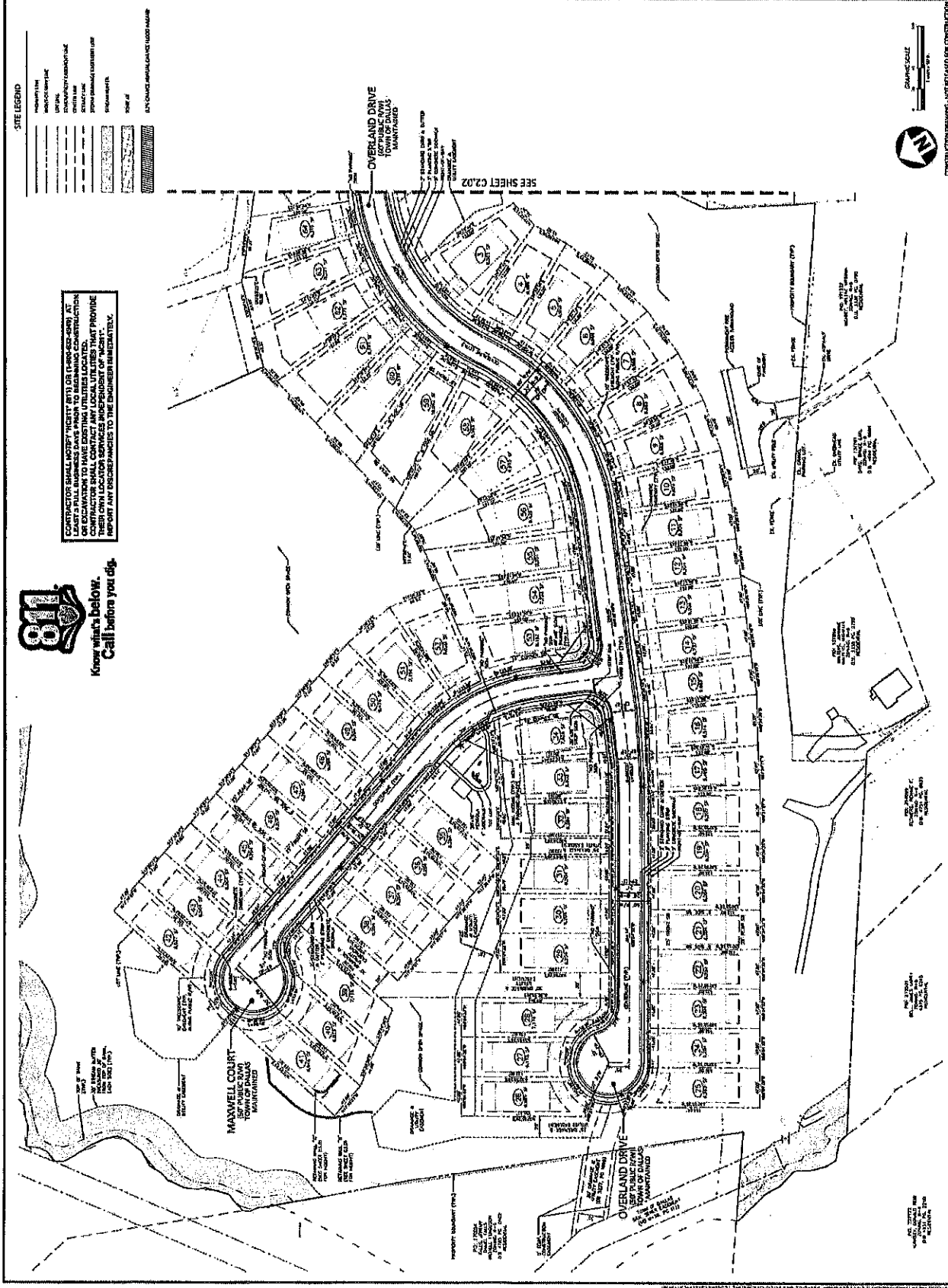
REVISIONS

NO.	DATE	DESCRIPTION
1	09.11.2011	ISSUED FOR PERMITS
2	09.11.2011	ISSUED FOR PERMITS
3	09.11.2011	ISSUED FOR PERMITS
4	09.11.2011	ISSUED FOR PERMITS

PLAN INFORMATION

PROJECT NO.	TRUHOUS
PACKAGE	UTILITIES
DATE	09.11.2011
SCALE	1" = 40'
SHEET	09.11.2011
SHEET	

C2.01
SITE PLAN





REVISIONS

NO.	DATE	DESCRIPTION
1	08/11/2010	ISSUED FOR PERMIT
2	08/11/2010	ISSUED FOR CONSTRUCTION
3	08/11/2010	ISSUED FOR CONSTRUCTION
4	08/11/2010	ISSUED FOR CONSTRUCTION

PLAN INFORMATION

PROJECT NO.: TIVE-HILLS
 SHEET NO.: C8.00
 DRAWN BY: SAK
 SCALE: N/A
 DATE: 07/13/2010
 SHEET

8.00

SITE DETAILS

LOCAL COLLECTOR STREET TYPICAL SECTION
 TOWN OF DALLAS LAND DEPARTMENT STANDARDS SECTION 8.00
 REVISION 10/11/10

NOTES:

- CONCRETE CURB SHALL BE 2'-0" HIGH MINIMUM FOR WALK OFFERS.
- CONCRETE CURB SHALL BE 12" WIDE MINIMUM AND SHALL BE REINFORCED WITH #4 BARS AT 18" ON CENTER.
- CONCRETE CURB SHALL BE FINISHED BY OTHER CONTRACTOR.
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- CONCRETE CURB SHALL BE FINISHED BY OTHER CONTRACTOR.

TRANSVERSE EXPANSION JOINT

NOTES:

- CONCRETE JOINT SHALL BE SPACED AT 20'-0" MAXIMUM FOR WALK OFFERS.
- CONCRETE JOINT SHALL BE 12" WIDE MINIMUM AND SHALL BE REINFORCED WITH #4 BARS AT 18" ON CENTER.
- CONCRETE JOINT SHALL BE FINISHED BY OTHER CONTRACTOR.
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CURB AND GUTTER

CURB AND GUTTER

NOTES:

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LOCAL RESIDENTIAL STREET TYPICAL LAYOUT
 TOWN OF DALLAS LAND DEPARTMENT STANDARDS SECTION 8.00
 REVISION 10/11/10

NOTES:

- CONCRETE CURB SHALL BE 2'-0" HIGH MINIMUM FOR WALK OFFERS.
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STANDARD CURB AND GUTTER

NOTES:

- CONCRETE CURB SHALL BE 2'-0" HIGH MINIMUM FOR WALK OFFERS.
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RESIDENTIAL DRIVEWAY (TYPE D) FOR 2'-0" VALLEY GUTTER

NOTES:

- CONCRETE CURB SHALL BE 2'-0" HIGH MINIMUM FOR WALK OFFERS.
- CONCRETE CURB SHALL BE 12" WIDE MINIMUM AND SHALL BE REINFORCED WITH #4 BARS AT 18" ON CENTER.
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LOCAL RESIDENTIAL STREET TYPICAL SECTION
 TOWN OF DALLAS LAND DEPARTMENT STANDARDS SECTION 8.00
 REVISION 10/11/10

NOTES:

- CONCRETE CURB SHALL BE 2'-0" HIGH MINIMUM FOR WALK OFFERS.
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LOCAL RESIDENTIAL CUL-DE-SAC TYPICAL DETAIL

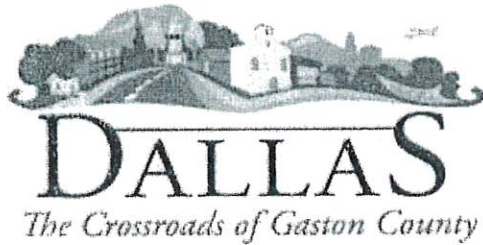
NOTES:

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CONCRETE SIDEWALKS

NOTES:

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- CONCRETE CURB SHALL BE 12" WIDE MINIMUM AND SHALL BE REINFORCED WITH #4 BARS AT 18" ON CENTER.
- CONCRETE CURB SHALL BE FINISHED BY OTHER CONTRACTOR.
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- CONCRETE CURB SHALL BE FINISHED BY OTHER CONTRACTOR.



Written Consent for Zoning Conditions

The petitioner hereby expressly consents to all zoning conditions listed in this report and attached to this as Exhibit A:

Two amendments were made to Exhibit A during the public hearing regarding the Conditional
Zoning of Parcels 131854, 216368, and 301158. Condition 17 was amended and agreed to by
Town and Developer. Condition 18 was added during the hearing and agreed upon by the Town
and Developer. Both amended conditions are now included in Exhibit A, which is attached to
this document. On January 19, 2021, Condition 1 received a minor verbiage change for clarity.

ATTEST:

Shawn Gasparini
Authorized Agent/Property Owner

1/21/21
Date

Shawn Gasparini
Print Name

Additional Property Owner(s), if needed

Date

Print Name

Exhibit A

Streets and Traffic:

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

Easements:

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

Open Space:

8. Developer agrees to install a 20' x 16' pergola and tot lot as open space improvements toward the 20% improved open space requirement of cluster development overlay development.

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

Community Design Standards:

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

Other:

16. Annexation(s) shall be finalized prior to approval of construction documents.
17. Construction drawings must be approved by the Town of Dallas within 12 months of Conditional Zoning approval. Prior to expiration, Developer must receive approval of extension.
18. All off-site utility easements, if necessary to provide utilities to the site, must be obtained by the Developer, at their expense, prior to approval of construction plans, issuance of permits, or commencement of construction.

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Text Amendment Request - Parking

AGENDA ITEM NO. 3E

MEETING DATE: 2/22/2022

BACKGROUND INFORMATION:

A Petition for Text Amendment was submitted October 25, 2021 by Denis Blackburne with Woda Cooper Development, Inc. The requested change is to §153.042 Off Street Parking Requirements, to reduce the minimum required parking spaces for affordable housing developments from 2 parking spaces per dwelling unit, to 1.75 spaces per dwelling unit. Affordable housing is defined as developments financed by Low Income Housing Tax Credits (LIHTC) allocated by the NC Housing Finance Agency.

After reviewing the request, Staff also recommended the requested parking reduction also apply to age-restricted housing and dwellings in multi-family projects reserved for low to moderate income (LMI) persons.

The Planning Board reviewed the text amendment at their November 18, 2021 meeting. After discussion of the requested text amendment, recommended approval of the text amendment as presented with the consistency statement provided by staff.

MANAGER RECOMMENDATION:

BOARD ACTION TAKEN:

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

Case# _____

Petition for Text Amendment

Name of Applicant Woda Cooper Development, Inc. (Contact: Denis Blackburne)

Address of Applicant 500 S. Front Street, 10th Floor, Columbus, OH 43215

Contract Information: Telephone (912) 224-2169 Email dblackburne@wodagroup.com

Requested Change(s) to Zoning or Subdivision Ordinance Text We request reducing the required parking spaces for affordable housing developments from 2 parking spaces per unit to 1.75 parking spaces per unit. This would be in line with the number of parking spaces for such developments in other jurisdictions. Affordable housing would be defined as developments financed by Low Income Housing Tax Credits (LIHTC) allocated by NC Housing Finance Agency.

Specific Section(s) # Requested Change Paragrah 153.042 Off Street Parking Requirements

We/I certify that all information provided in this application is accurate to the best of our/my knowledge, information, and belief. Furthermore, by signing this request, we/I agree to pay for advertising costs associated with this petition. We/I understand that this petition must be completed in full and the required fee paid for acceptance.



Signature of Applicant

October 18, 2021

Date

Fee: \$ 500 plus advertising costs.

OFFICE USE ONLY

Accepted as complete: 10/25/2021 Date _____

Action:

On _____ the Planning Board recommended that this petition be: Approved
Denied

On _____ the Board of Aldermen held a Public Hearing concerning this request. By vote of the Board they: Approved Denied

§ 153.042 OFF-STREET PARKING REQUIREMENTS.

(A) In all business and industrial zones, except the P-3 zone which is specifically exempt from the provisions of this section, there shall be provided, at the time of the erection of any building or structure, or at the time any principal building or structure is enlarged or increased in capacity by adding dwelling units, guest rooms, seats or floor area, permanent off-street parking space in the amount specified in this section.

(B) In all residential and office and institutional zones, there shall be provided, at the time of the erection of any building or structure, or at the time any principal building or structure is enlarged or increased in capacity adding dwelling units, guest rooms, seats or floor area, or before conversion of any building or structure from one zoning use to another, permanent off-street parking space in the amount specified in this section.

(C) The off-street parking space required by this section shall be permanent open space and shall not be used for any other purpose. Wheel stops or curb shall be provided where necessary to prevent any vehicle from encroaching on adjacent property, on any street right-of-way or on the area within ten feet of such right-of-way as specified in division (F) below.

(D) The required parking space for any number of separate uses may be combined in one lot but the required space assigned to one use may not be assigned to another for use during the same hours.

(E) Parking spaces maintained in connection with an existing use at the time of the adoption of this chapter up to the number required by this chapter shall be continued and may not be counted as serving a new structure or addition thereto.

(F) No portion of any street right-of-way or of any area within ten feet of such right-of-way line shall be considered as fulfilling or partially fulfilling the off-street parking requirements of this section.

(G) Except for dwelling units, if the parking space required by this section cannot be reasonably provided on the same lot on which the principal use is conducted, such space may be provided on another lot separated therefrom by not more than 400 feet, provided such lot is located in a zone in which such a use is permitted.

(H) Each application for a building permit or certificate of occupancy shall include information as to the location and dimensions of off-street parking space, if required and the means of ingress and egress between such space and a street or alley. This information shall be in sufficient detail to enable the Building Inspector to determine whether or not the requirements of this section are met.

(I) The certificate of occupancy for the use of any building, structure or land where off-street parking space is required shall be withheld by the Building Inspector until provisions of this section are fully met.

(J) In accordance with the foregoing provisions, off-street parking space shall be provided and permanently maintained for the following uses in the number indicated:

(1) *Auditoriums, theaters, churches and other places of assembly.* One space for each 21 square feet of seating area in main place of assembly.

(2) *Convenience type grocery stores.* One space for each 100 square feet of gross floor area, provided that any fractional result will require an additional whole space.

(3) *Dwellings.* Two spaces for each dwelling unit; any fractional result will require and require an additional whole space. **This shall not apply to age restricted housing, dwellings in multi-family projects reserved for low to moderate income (LMI) persons, or affordable housing developments which are financed by Low Income Housing Tax Credits (LIHTC) allocated by the NC Housing Finance Agency. These projects shall have a minimum of 1.75 spaces per dwelling unit. Fractional results require an additional whole space. Documentation must be provided to receive such a reduction.**

(4) *Golf courses and country clubs.* One space for each 200 square feet of gross floor area. or one space for each acre of real estate, whichever will provide the greatest number of spaces.

(5) *Hotels.* One space for each two rooms, plus additional space as required for other uses within the hotel.

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

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

Consistency Statement

The proposed update of chapter 153.042 Off Street Parking Requirements, is consistent with the 2003 Land Use Plan in order to provide a mixture of housing choices in a manner that compliments the Town's character. The text amendment is therefore deemed reasonable and in the public's best interest in order to ensure compliance with the Town of Dallas' Code of Ordinances guiding land use and development regulations.

Curtis Wilson, Chairman Date

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Text Amendment Request – Permitted Uses Chart

AGENDA ITEM NO. 3F

MEETING DATE: 2/22/2022

BACKGROUND INFORMATION:

A Petition for Text Amendment was submitted November 19, 2021 by James Melvin IV. The request is to Chapter 153, Zoning Code, Appendix C: Permitted Uses Chart. The petitioner requests the use of “event venue” be added as a special use in the B-3: Central Business, Zoning District.

Staff recommends expanding the request to add “event venue” as a special use in the B: Central Business, B-3P: Central Business Perimeter, B-2: Highway Business, and B-1: Neighborhood Business Zoning Districts. After review and discussion, the Planning Board also included the I-2 District in the text amendment. The text amendment request was unanimously recommended for approval by the Planning Board at their December 2021 meeting.

Add “event venue” as a special use gives the Town greater discretion and consideration of the use’s location, design, and methods of operation to address the impacts of the proposed use and surrounding development. A special use permit must be approved by the Board of Adjustment prior to Town Staff issuing permits.

All Zoning text amendment approvals must reference or include a statement of plan consistency. A draft consistency statement has been provided.

MANAGER RECOMMENDATION:

BOARD ACTION TAKEN:

Petition for Text Amendment

Name of Applicant James A. Melvin IV
 Address of Applicant 304 W. 5TH Ave. Gastonia NC 28052
 Contract Information: Telephone 704-813-6556 Email jamesmelvinre@gmail.com
 Requested Change(s) to Zoning or Subdivision Ordinance Text Request to add
"event venue" as a special use in the B-3
central business district.

Specific Section(s) # Requested Change Chap. 153, Zoning code, Appentlc C. Permitted Uses Chart

We/I certify that all information provided in this application is accurate to the best of our/my knowledge, information, and belief. Furthermore, by signing this request, we/I agree to pay for advertising costs associated with this petition. We/I understand that this petition must be completed in full and the required fee paid for acceptance.

[Signature]
Signature of Applicant

11/19/21
Date

Fee: \$ 500 ~~plus advertising costs.~~

OFFICE USE ONLY	
Accepted as complete: <u>11/19/2021</u>	Date _____
Action:	
On _____ the Planning Board recommended that this petition be:	Approved <input type="checkbox"/>
	Denied <input type="checkbox"/>
On _____ the Board of Aldermen held a Public Hearing concerning this request. By vote of the Board they:	Approved <input type="checkbox"/> Denied <input type="checkbox"/>

	Residential								Office	Business					Industrial
	R	R	R	R	R	R	RM	RM	O&I	BC	B	B	B	B	I-2
	-	-	-	-	-	-	F	F-H	-1	-1	-	-	-	-	
	1	1	1	8	6	5					1	2	3	3	
	5	2	0											P	
X: Permitted by right (Supplemental regulations may apply - check town ordinances)															
S: Special Use Permit (Supplemental regulations may apply - check town ordinances)															
Permitted Uses (any use not specified below is eligible to apply for conditional zoning approval)															
BUSINESS AND RETAIL															
<i>Services</i>															
Banks and financial institutions									X	X	X	X	X	X	X
Barber shops or beauty shops										X	X	X	X	X	X
Dry cleaning establishments (drop-off only)										X	X	X	X	X	X
Event Venue											S	S	S	S	S
Exterminator office										X	X	X		X	X
Funeral homes											X		S	X	X
Laundry pickup stations, laundrettes and laundromats										X	X	X			X
Radio and television repair shops										X	X	X			X
Shoe repair shops										X	X	X	X	X	X

Tailor shops										X	X	X		X	X
Upholstery shops										X	X	X		X	X
<i>Food & Drink</i>															
Alcoholic beverage package stores										X	X	X			X
Bake shops and dairy bars										X	X	X	X	X	
Confectioneries										X	X	X	X	X	
Delicatessens										X	X	X	X	X	
Eating and drinking establishments										X	X	X	X	X	
Grocery stores										X	X	X		X	X
Microbreweries												X		X	X

Consistency Statement

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

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Text Amendment Request – Height in Residential Districts

AGENDA ITEM NO. 3G

MEETING DATE: 2/22/2022

BACKGROUND INFORMATION:

Appendix B: YARD AND HEIGHT REQUIREMENTS FOR BUSINESS DISTRICTS has an allowance “D” which states: “Buildings used wholly or in part for residential purposes may exceed 35 feet in height. But for each five feet or fraction thereof of additional height above 35 feet, each yard shall be increased five feet over the minimum requirements.”

The Planning Board reviewed this allowance and considered it for inclusion in Appendix A: YARD AND HEIGHT REQUIREMENTS FOR RESIDENTIAL DISTRICTS at their November and December 2021 regular meetings. After discussion and modification to the language, the text amendment was unanimously approved.

The proposed text amendment is attached, along with neighboring jurisdictions’ height requirements for comparison.

MANAGER RECOMMENDATION:

BOARD ACTION TAKEN:

APPENDIX A: YARD AND HEIGHT REQUIREMENTS FOR RESIDENTIAL DISTRICTS

<i>Zone</i>	<i>Minimum Lot Area (Sq. Ft.)</i>	<i>Minimum Lot Area Per Dwelling Unit (Sq. Ft.)</i>	<i>Minimum Lot Width (In feet)</i>	<i>Minimum Front and Rear* Yard Depth (In feet)</i>	<i>Individual Minimum Side Yard Depth (In feet)</i>	<i>Minimum Side Yard Depth (In feet)*</i>	<i>Maximum Building Height</i>
R-15	15,000	15,000	100	45	15	15	35 feet
R-12	12,000	12,000	90	40	12	12	35 feet
R-10	10,000	10,000	80	35	10	10	35 feet
R-8	8,000	8,000 single unit 6,000 1st unit 3,000 additional unit each	70	30	8	8	35 feet
R-6	6,000	6,000 single unit 5,000 1st unit 2,500 additional unit each	60	25	6	6	35 feet
R-5	5,500 **	5,500 ** - 500 SF per attached side	50	25****	6	6	35 feet
RMF		15,000 1st unit 3,500 additional unit each		45	45	45	35 feet

* An additional ten feet shall be required to the requirements listed above on all side yards which abut a public or private street (corner lots)

** Attached housing shall be exempt from side yard setback requirements, and may reduce lot width by 5 feet for each attached side. Further reduction may be permitted through conditional zoning. Attached buildings to include 3 or more units are only allowed with conditional approval regardless of zoning designation.

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

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

(Ord. passed 11-3-1970; Am. Ord. passed 7-3- 1972; Am. Ord. passed 10-11-2016; Am. Ord. passed 9-10-2019)

APPENDIX B: YARD AND HEIGHT REQUIREMENTS FOR BUSINESS DISTRICTS

<i>Zone</i>	<i>Minimum Lot Area (Sq. Ft.)</i>	<i>Minimum Lot Area Per Dwelling Unit (Sq. Ft.)</i>	<i>Minimum Lot Width (In feet)</i>	<i>Minimum Front and Rear* Yard Depth (In feet)</i>	<i>Individual Minimum Side Yard Depth (In feet)</i>	<i>Combined Minimum Width of Both Side Yards</i>	<i>Maximum Building Height</i>
M O & I		60	25 20% of lot depth*		20% of lot width		Same as R-15
O & I-1		60	25 20% of lot depth*		20% of lot width		Same as R-15
A-1		A	A A*		A		A
BC-1							40 feet
B-1			30 B*		B		Same as R-15
B-2			B*		B		Same as R-15
B-3			B*		B		80 feet
B-3P			B*		B		80 feet
B-4			B*		B		65 feet
I-1			B*		B		D
I-2L			B*		B		Same as R-12
EI-1			50 25*		20		50 feet
EX-1			C C*		C		100 feet

- A For all permitted uses, the requirements of the predominant contiguous zone shall apply in this zone.
- B None required except where the lot abuts on the side or the rear of a residential zone, then it shall have a minimum side yard of eight feet on the abutting side, and a minimum rear yard of 20 feet on the abutting rear.
- C In no case shall any structure, storage area, truck loading or appurtenance, be located within 50 feet of the operator's property line. No excavation or processing shall be conducted within 100 feet of the operator's property line.
- D Buildings used wholly or in part for residential purposes may exceed 35 feet in height. But for each five feet or fraction thereof of additional height above 35 feet, each yard shall be increased five feet over the minimum requirements.**

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

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

§ 153.008 EXCEPTIONS TO HEIGHT LIMITS.

(A) Penthouses or roof structures for the housing of elevators stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, skylights, towers, steeples, flagpoles, chimneys, wireless masts, water tanks, silos, or similar structures may be erected above the height limits herein specified, but no penthouse or roof structure or any space above the height limit shall be allowed for the purpose of providing additional floor space for residential use.

(B) A parapet wall or cornice may extend not more than five feet above the height limit.

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

3.2 DIMENSIONAL STANDARDS

3.2.A PRINCIPAL STRUCTURES

Dimensional standards for principal structures shall be applied as follows:

Table 3-1 Dimensional Standards for Principal Structures

Zone/Use	Minimum Lot Area (square feet)	Minimum Lot Width (feet)	Minimum Yard Setbacks (feet)				Height		Additional Notes
			Front ^(d)	Side	Rear	Corner	Max.	Min.	
R									
Single-Family Dwellings	2 acres	80	50	15	50	50	45	20	-
Manufactured housing	2 acres	80	50	15	50	50	45	-	-
All Other Uses	43,560	100	50	25	50	50	45	-	(a)
NR									
Single-Family Dwellings	12,000	60	20	12	30	20	45	20	-
Duplex	16,000	90	20	12	30	20	45	-	-
All Other Uses	43,560	100	50	25	50	50	45	-	(a)
UR									
Single-Family Dwellings	6,000	50	20	6	30	20	45	20	-
Duplex	12,000	60	20	8	30	20	45	-	-
Multi-Family (Townhouse) ^(e)	20,000	100	15	0	15	15	35	-	-
Multi-Family	43,560	100	30	15	30	30	45	-	-
All Other Uses	15,000	100	50	25	50	50	45	-	(a)
CC									
All Uses	None	None	0	0	0	0	50	-	(a)
HC									
All Uses	5,000	70	30	10	20 ^(b)	30	50	-	(a)
BCP									
Duplex	12,000	60	20	15	30	25	35	-	-
Multi-Family (Townhouse) ^(e)	20,000	100	15	10	15	20	35	-	-
Multi-Family	43,560	100	30	20	30	30	50	-	-
All Other Uses	None	70	50	30	30	50	50 ^(c)	-	(a)
I									
All Uses	None	70	50	30	20 ^(b)	50	50 ^(c)	-	(a)

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

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

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

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

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

MT Holly

Same language in each zoning district

5-2

Schedule of District Regulations

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

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

Gastonla

	RD					RS-20					RS-12					RS-8									
	A	W	F	S	R	H	A	W	F	S	R	H	A	W	F	S	R	H							
Single-family Dwellings	87/120	100	50	25	50	45	20,000	100	30	15 ¹⁰	30	45	12,000	90 ¹⁵	30	12 ¹⁰	30	45	8,000 ¹⁵	60 ¹⁰	30	8 ¹⁰	30	45	
Single-family Dwellings Attached	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Single-family Dwellings Attached Two Unit	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Manufactured Homes	87/120	100	50	25	50	45	20,000	100	30	15 ¹⁰	30	45	12,000	90 ¹⁵	30	12 ¹⁰	30	45	8,000	60	30	8 ¹⁰	30	45	
Family Care Homes	87/120	100	50	25	50	45	20,000	100	30	15 ¹⁰	30	45	12,000	90 ¹⁵	30	12 ¹⁰	30	45	8,000	60	30	8 ¹⁰	30	45	
Rooming House	87/120	100	50	25	50	45	20,000	100	30	15 ¹⁰	30	45	12,000	90 ¹⁵	30	12 ¹⁰	30	45	8,000	60	30	8 ¹⁰	30	45	
Dwelling Two-family	87/120	100	50	25	50	45	20,000	100	30	15 ¹⁰	30	45	-	-	-	-	-	-	-	-	-	-	-	-	-

Refer to 8.1.7 for requirements

Cramerton

Each Residential zoning district states:

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

Section 5.9 Height Calculations and Exceptions

5.9.1 For purposes of this Ordinance, the height of a structure shall be the vertical Distance measured from the mean elevation of the finished grade at the front of the structure to the highest point of the structure. The maximum heights as indicated in the various districts may be exceeded for the following uses:

Roof equipment not intended for human occupancy and which is accessory to the structure upon which it is placed, such as skylights, transmissions or television towers, housing for elevators, stairways, water tanks, ventilating fans, air conditioning equipment or similar equipment, steeples, spires, belfries, cupolas or chimneys; Radio and television antennae. In no case, however, may the height of any structure exceed one-hundred (100) feet.

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

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

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

Consistency Statement

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

Curtis Wilson, Chairman

Date