

Town of Dallas Planning Board Meeting

Agenda

Thursday, November 19, 2020

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

The following agenda is proposed:

1. Call to Order
2. Roll Call of Members Present; Declaring a quorum as present
3. Invocation or Moment of Silence
4. Pledge of Allegiance to the Flag
5. Announcements/Introductions
6. Approval of Agenda with Additions or Deletions
7. Approval of Minutes – October 15, 2020
8. New Business
 - a. Text Amendment: Manufactured/Mobile Homes
 - b. Annexation Request: Tammbar, LLC – Parcels 216368, 301158
9. Other Business
10. Adjournment

Minutes
Town of Dallas
Planning Board
Meeting of October 15, 2020

The meeting was called to order at 6:35 PM by Chairman Curtis Wilson

The following members were present: Curtis Wilson – Chairman, Glenn Bratton – Co-Chair, John O’Daly, Tim Farris, Thomas Smith – Alternate, Tiffany Faro – Alternate

Also Present: Nolan Groce – Development Services Director, Johnny Denton – Town Engineer

There was an invocation led by Chairman Wilson followed by the Pledge of Allegiance

Approval of Agenda: Staff introduced an addition to the agenda as 9B: Clarification of Staff Interpretation of the Manufactured Home ordinance. A motion was made by Tim Farris and seconded by Glenn Bratton to approve the agenda with staff’s addition. The motion was adopted unanimously.

Approval of Minutes: A motion was made by Thomas Smith and seconded by Tim Farris to approve the minutes for the September 2020 meeting. The motion was adopted unanimously.

New Business:

A) Annexation Recommendation Request: Routszong Parcel #303651

Staff introduced the Annexation Petition to the Board. This property had come before the Board and received their recommendation in a previous meeting, but since a portion was sold and new Parcel ID number assigned, a new petition was required. After discussion of the petition, zoning, and potential future development, following staff recommendation, a motion was made by Tiffany Faro to recommend approval of the annexation request with R-5 zoning along with the consistency statement provided by staff. Along with the recommendation was a request for Staff to reach out to various abutting property owners that would remain in the county on and “island” if the annexation goes through. The consistency statement reads as follows:

The proposed annexation of Parcel ID# 303651 into Town limits as R-5 Single Family Residential is consistent with the 2003 Future Land Use Plan’s map designation as new residential and is therefore deemed reasonable and in the public’s best interest as this lot abuts land designated for new residential development, supports an increased demand for housing in light of Dallas’ current and anticipated growth, and aligns with

the 2003 Land Use Plan's recommendation for new residential to be clustered so as to preserve open space and heighten pedestrian accessibility.

The motion was seconded by Glenn Bratton and unanimously approved by the Board

B) Annexation Recommendation Request: Rhyne Parcel #169184

Staff introduced the Annexation Petition to the Board. This property is a satellite annexation requesting R-5 zoning to be included in a potential future residential development. After discussion about the property and request, a motion was made by Tiffany Faro to recommend approval of the annexation request with R-5 zoning along with the following consistency statement:

The proposed annexation of Parcel ID# 169184 into Town limits as R-5 Single Family Residential is consistent with the 2003 Future Land Use Plan's map designation as new residential and is therefore deemed reasonable and in the public's best interest as this lot abuts land designated for new residential development, supports an increased demand for housing in light of Dallas' current and anticipated growth, and aligns with the 2003 Land Use Plan's recommendation for new residential to be clustered so as to preserve open space and heighten pedestrian accessibility.

The motion was seconded by Glenn Bratton and unanimously approved by the Board.

C) Rezoning Recommendation Request: Summey Parcel #170286

Staff Introduced the rezoning request to the Board. The request is to rezone from R-10 to R-5 Single Family Residential to be included in a potential future residential development. After brief discussion, a motion was made by Glenn Bratton to recommend approval of the rezoning to R-5 with the following consistency statement:

The proposed rezoning of Parcel ID# 170286 from R-12 to R-5 Single Family Residential is consistent with the 2003 Land Use Plan's map designation as new residential and is therefore deemed reasonable and in the public's best interest as this supports an increased demand for housing in light of Dallas' current and anticipated growth, and aligns with the 2003 Land Use Plan's recommendation for new residential to be clustered so as to preserve open space and heighten pedestrian accessibility.

The motion was seconded by Thomas Smith and unanimously approved by the Board.

D) Rezoning Recommendation Request: Wilson Parcel #301017

Staff Introduced the rezoning request to the Board. The request is to rezone from R-10 to R-5 Single Family Residential to be included in a potential future residential development. After brief discussion, a motion was made by Glenn Bratton to recommend approval of the rezoning to R-5 with the following consistency statement:

The proposed rezoning of Parcel ID# 170286 from R-12 to R-5 Single Family Residential is consistent with the 2003 Land Use Plan's map designation as new residential and is therefore deemed reasonable and in the public's best interest as this supports an increased demand for housing in light of Dallas' current and anticipated growth, and aligns with the 2003 Land Use Plan's recommendation for new residential to be clustered so as to preserve open space and heighten pedestrian accessibility.

The motion was seconded by Thomas Smith and unanimously approved by the Board.

Other Business:

A) Meeting Schedule

Before the September meeting, Staff spoke with Co-Chairman Bratton and member Simms about continuing to serve on the Planning Board. Mr. Simms mentioned stepping down from the Board and having Alternate Faro replace him as full time. Given that Mrs. Faro could have obligations on the same date and time as our current meetings, Staff wanted to discuss the possibility of changing the meeting date or time. It was determined to keep the current meeting schedule and staff informed the Board that they would reach out to member Simms to determine if he would like to continue serving as an alternate.

B) Manufactured Home Interpretation

Staff gave background and reason for adding this to the agenda as well as their current interpretation of the Manufactured/Mobile Home Ordinance, found in 153.018 of the Town Ordinance. Staff interprets the ordinance as requiring a permanent masonry foundation as opposed to veneer, vinyl, or other skirting products. Staff showed examples of products as well as the most recent manufactured home in Oak Grove Park. Discussion was had between Staff and the Board regarding the intent and language in the ordinance. The Board supported staff interpretation and directed staff to begin the process of amending the text to clarify requirements.

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Text Amendment – 153.018 Manufactured/Mobile Homes

AGENDA ITEM NO. 8 A

MEETING DATE: 11/19/2020

BACKGROUND INFORMATION:

During the October Planning Board Meeting, staff asked the Board about their interpretation of the Manufactured/Mobile Home ordinance as it pertains to masonry skirting.

Staff interprets the ordinance to require permanent masonry materials which do not include cladding or vinyl products. To help clarify this, the Planning Board instructed staff to begin work on a text amendment.

Staff has reviewed several municipal ordinances and is providing a sample text amendment for your review

STAFF RECOMMENDATION: Review the proposed text amendment and recommend approval of, with/without additions or deletions.

BOARD ACTION TAKEN:

§ 153.018 MANUFACTURED/MOBILE HOMES.

Any mobile/manufactured home installed from and after the effective date of this section shall meet the following standards.

(A) Mobile home parks/subdivisions shall be located within a R-6 zone, and all new proposed locations shall be treated as a planned subdivision per G.S. § 160A-376 and comply with the town's subdivision development standards.

(1) A zoning permit and building permit shall be required for every structure located within a mobile home park, including replacement mobile homes.

(2) Accessory structures shall be limited to one per home, and must comply with the accessory structure requirements outlined in § 153.009.

(B) New mobile/ manufactured homes shall not be located on any parcel within town limits, unless the parcel has been approved as a mobile home park or subdivision.

(1) If an existing mobile home, regardless of location or zone, becomes damaged by fire, flood, explosion, earthquake, wind, storm, hurricane or any other act of God, war or riot, becomes damaged by any third-party by no fault of the owner, or becomes damaged by the owner by accidental means, it may be replaced at the same location with a home of the same size within a 12-month period.

(2) Any parcel containing a mobile home that has been removed for a period of greater than 12 months must comply with all current zoning regulations.

(3) All new or replacement mobile homes placed within the town shall include a ~~masonry skirt, unless the mobile home is being replaced due to an act of God as defined in division (B)(1).~~ **continuous masonry foundation or curtain wall underpinning consisting of brick, cinderblock, concrete block, stucco, stone, or other masonry materials, unpierced, except for required ventilation and access, shall be place underneath the home unless the mobile home is being replaced due to an act of God as defined in division (B)(1).**

(Ord. passed 10-9-2018)

Sample Ordinances

Gaston County

All manufactured homes shall have continuous brick, cinder block, concrete block, stucco, stone, or other masonry-type underpinning or other non-reflective skirting specifically manufactured for manufactured homes, or pressure treated wood (except plain standard-surface, pressure treated plywood shall not be considered acceptable), un-pierced except for required ventilation and an access door.

Mount Holly

- (3) Manufactured homes located in an existing manufactured home park shall have a continuous masonry brick or vinyl perimeter foundation curtain wall.
- C. Manufactured homes shall have a continuous masonry brick foundation curtain wall, unpierced except for required ventilation and access.

Polk County

- The home shall have a continuous, permanent masonry foundation or masonry curtain wall installed under the perimeter of the home.

Lowell

SECTION 14.6.4 SITE, UNDERPINNING AND TIE-DOWN

The location of each manufactured home site must be at an elevation, distance and angle in relation to the adjacent access drive so that placement and removal of the manufactured home is practical by means of customary moving equipment. All manufactured homes shall have continuous brick, cinder block, concrete block, stucco, stone, or other masonry-type underpinning or other non-reflective skirting specifically manufactured for manufactured homes, or pressure treated wood (except plain standard-surface, pressure treated plywood shall not be considered acceptable), unpierced except for required ventilation and an access door. Such underpinning or skirting shall be installed under all elements of the manufactured home. Each manufactured home in the park shall conform to North Carolina Department of Insurance Standards for tie-down requirements

Cherryville

- (d) A continuous, permanent masonry foundation or masonry curtain wall, unpierced except for required ventilation and access, shall be installed upon a poured concrete footer after placement on the lot, and before occupancy.

Stanley

- A continuous, permanent masonry, vinyl, or metal curtain wall or foundation, unpierced except for ventilation and access, is installed under the masonry, vinyl, or metal curtain wall or foundation, unpierced except for ventilation and access, is installed under the manufactured home.); and

Forest City

- (E) A continuous, permanent masonry foundation, unpierced except for required ventilation and access, shall be installed under the manufactured home.

done, the agritourism use becomes subject to county zoning. The statute also allows some event spaces to be considered agritourism, provided it has at least some modest farm connection. The statute says:

For purposes of this section, "agritourism" means any activity carried out on a farm or ranch that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, ranching, historic, cultural, harvest-your-own activities, or natural activities and attractions. A building or structure used for agritourism includes any building or structure used for public or private events, including, but not limited to, weddings, receptions, meetings, demonstrations of farm activities, meals, and other events that are taking place on the farm because of its farm or rural setting.

2020 legislation added hunting and equestrian activities to exempt agritourism.

Family and group care homes. Family care homes are facilities that provide health, counseling, or related services to a small number of persons in a family type of environment. Both state and federal laws affect zoning regulation of these facilities. G.S. 160D-907, added to the statutes in 1981, provides that local zoning ordinances must treat certain family care homes as if they were single-family homes. They cannot be prohibited in a district that allows single-family residences, nor can they be subject to any special review requirements, such as a special or conditional use requirement.

To qualify for this treatment, the facility must be designed to provide room, board, and care for six or fewer disabled persons in a family environment. Disabled persons include those with permanent or temporary physical, emotional, or mental disabilities but not those who have been deemed dangerous to themselves or to others.

The statute does allow zoning ordinances to require a half-mile separation between family care homes, but it is uncertain if these minimum separations are valid under the federal Fair Housing Act. Federal courts have upheld Raleigh's 375 yard minimum separation between "supportive housing residences," which included facilities serving handicapped persons, and Wilmington's half-mile separation.

Since 1974 federal law prohibits local governments from discriminating on the basis of handicapped status. Federal Fair Housing Act. 42 U.S.C. §§ 3601-3631. "Handicapped" in this law is defined to include a physical or mental impairment which substantially limits one or more of a person's major life activities. It does not include current illegal use of or addiction to a controlled substance. Discrimination includes failure to make reasonable accommodation in rules and policies when such is necessary to afford a handicapped person equal opportunity to use and enjoy a dwelling. There is still some uncertainty as to impact of this federal law on zoning separation requirements and limits on number of persons in a dwelling. In 1995 the U.S. Supreme Court held in City of Edmonds v. Oxford House, Inc., 115 S.Ct. 1776 (1995), that a zoning ordinance limit on the number of unrelated individuals living together is not exempt from the requirements of this act.

Manufactured housing. Zoning can regulate the location, dimensions and appearance of manufacture homes, but cannot completely prohibit them from a jurisdiction. G.S. 160D-910. Typical zoning requirements that have been adopted in North Carolina include limiting manufactured housing to

specified zoning districts or to manufactured home parks (which often can be located only in special overlay zoning districts). Other ordinances only allow units of at least a certain size to be located in specified districts. It is also common for ordinances to include special provisions regarding replacement and repair of nonconforming manufactured housing units. Many ordinances also include various appearance standards to integrate the units aesthetically into surrounding neighborhoods with site-built homes. These standards typically include requiring a pitched roof, skirting around the underside of the unit or location on a permanent foundation, and orienting the unit to the front of the lot. Regulations on manufactured housing may not be based on the ownership of the unit, for example, allowing owner-occupied but not rental manufactured housing.

Many ordinances distinguish "manufactured housing" (factory built using national HUD building code) from "modular housing" (factory built using N.C. building code). Modular units are often, but not always, treated as the equivalent of site-built homes for zoning purposes. State law does, however, set minimum design standards for modular units. G.S. 143-139.1 requires a pitched roof, minimum height of first-story exterior walls, foundation supports, and that the materials and texture of exterior materials be compatible in composition, appearance, and durability to the exterior materials commonly used in standard residential construction.

There are also frequently private restrictive covenants that prohibit location of "mobile homes," "trailers," or the like from particular subdivisions. Enforcement of restrictive covenants is a private matter between the landowners; cities and counties do not enforce them.

Telecommunication towers. Federal law allows regulation of personal wireless services. However, local regulations may not discriminate between types of providers, must not totally prohibit provision of service, must act on permits in a reasonable time, and may not be based on health effects of radio frequency emissions. Typical regulations that are permissible include restrictions to certain zoning districts, co-location requirements, setbacks, fencing, requirements to remove if abandoned, and camouflaging techniques.

State law also sets some mandatory standards, particularly for expedited processing of colocation and small cell facilities and approval of minor modifications for existing facilities. There are also special provisions allowing small cell wireless facilities.

Alcohol sale. State ABC permit preempts local zoning restrictions on the location and operation of facilities that have ABC permits. It is important therefore for the locality to comment on consistency with land use regulations during the ABC permitting process. Once a facility obtains an ABC permit, local zoning may not restrict the availability of alcohol, limit business hours, or otherwise prohibit what would be lawful under the state ABC laws.

Affordable housing. State law makes it unlawful housing discrimination to base a land use decision of the fact that a development includes affordable housing. Local governments can use regulations to limit high concentrations of affordable housing in a particular area.

TEXT AMENDMENT CONSISTENCY STATEMENT

The proposed text amendment to 153.018 Manufactured/Mobile Homes is consistent with the 2003 Land Use Plan's recommendation to ensure the scale and design of development is consistent with the unique small-town character of Dallas, and the goal to maintain and enhance the Town's aesthetic qualities and physical character, and is therefore deemed reasonable and in the public's best interest.

Curtis Wilson

11/19/20

Curtis Wilson, Planning Board Chairman

Date

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Tambarr, LLC Annexation – included with Conditional Zoning – Parcels 216368, 301158

AGENDA ITEM NO. 8 B

MEETING DATE: 11/19/2020

BACKGROUND INFORMATION:

Small portions of two parcels included in the Conditional Zoning that the Planning Board recently approved must annexed into Town Limits.

During previous meetings, the sliver on parcel 216368 was discussed. It was determined that another piece on parcel 301158 must be annexed as well.

STAFF RECOMMENDATION: Recommend the portions listed in parcels 216368 and 301158 to be annexed as Conditional Zoning – R-6, Cluster Development Overlay with the conditions approved by the Planning Board.

BOARD ACTION TAKEN:

TOWN OF DALLAS, NORTH CAROLINA

PETITION FOR ANNEXATION

PETITION NUMBER: _____ Contiguous Non-Contiguous

DATE: October 15, 2020 FEE: \$100.00 *

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

Current Property Use: Vacant Land Planned Property Use: Residential SF
Requested Zoning: CZ R-6 Cluster Development Overlay

To the Board of Aldermen of the Town of Dallas:

We, the undersigned owners of real property, respectfully request that the area described as 500 Dallas Stanley Highway, DALLAS, NC 28034, further identified as

parcel ID # 216368 ^{+30115%}, be annexed to the Town of Dallas.

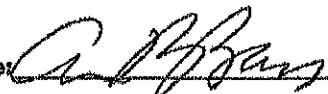
Name of petitioner/property owner: Tammbar, LLC

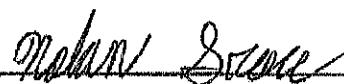
Mailing Address of property owner: c/o Karla Knotts, Land Matters, 11510 N. Community House Rd, Charlotte, NC 28277

Email Address: _____ Phone Number: _____

Attachments included with Petition:

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

Applicant Signature:  Date: 11-6-20

Received By:  Date: 11-9-2020

GENERAL NOTES

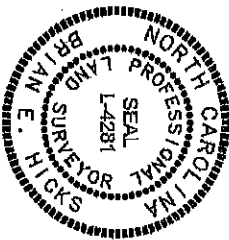
- 1.) BEARINGS ARE BASED ON NC GRID NAD 83(2011).
- 2.) ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
- 3.) FLOOD NOTE: THE PROPOSED ANNEXATION AREAS SHOWN HEREON ARE NOT LOCATED IN A SPECIAL FLOOD HAZARD ZONE. THEY ARE LOCATED IN ZONE X² AS DEFINED BY FEMA F.I.R.M. MAP NUMBER 7103557001, DATED SEPTEMBER 28, 2007.
- 4.) REFERENCES: DEED BOOK 4406, PG 408; PLAT BOOK 75, PG 119 OF THE GASTON COUNTY REGISTRY, PARCEL NOS. 216398 AND 301158.
- 5.) TOWN LIMITS LINE IS APPROXIMATE, BASED ON PRIS GIS INFORMATION.
- 6.) THE PURPOSE OF THIS PLAT IS TO ANNEX TWO AREAS INTO THE TOWN OF DALLAS, THAT APPEAR TO BE LEFT OUT FROM PLAT BOOK 75, PAGE 119.

I, BRIAN E. HICKS, PLS, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

- (1) CLASS OF SURVEY: CLASS A
- (2) POSITIONAL ACCURACY: < 0.100'
- (3) TYPE OF GPS FIELD PROCEDURE: VRS
- (4) DATE OF SURVEY: 8-14-20
- (5) DATUM/EPOCH: NAD 83(2011)
- (6) PUBLISHED/FIXED--CONTROL USED: NCGS GAST
- (7) GEOD MODEL: GEOID12A
- (8) COMBINED GRID FACTOR(S): 0.999844371
- (9) UNITS: METERS CONVERTED TO US SURVEY FEET

I, BRIAN E. HICKS, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION FROM DEED DESCRIPTION RECORDED IN BOOK AND PAGE SHOWN. THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AND DRAWN FROM INFORMATION FOUND IN BOOK AND PAGE SHOWN. THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; AND THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED, WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL THIS 30TH DAY OF OCTOBER, A.D. 2020.

Brian E. Hicks
 BRIAN E. HICKS, PLS L-4281

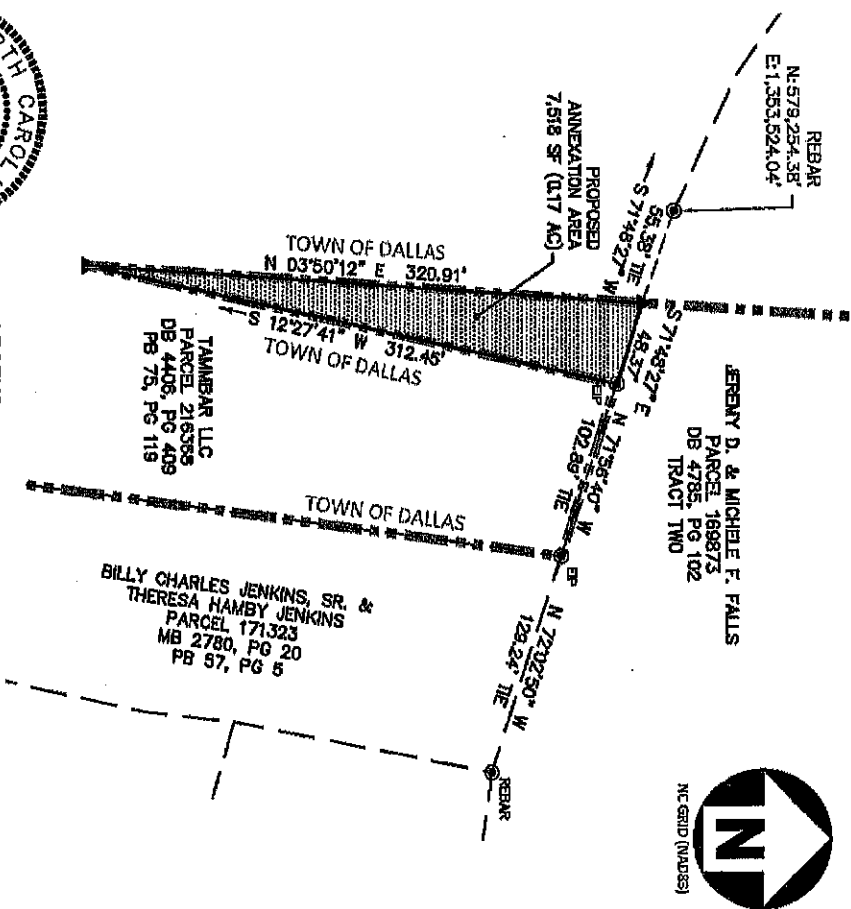


LEGEND

- DIST. IRON PIPE OR REBAR
- ▲ CALCULATED POINT
- SURVEYED PROPERTY LINE
- - - PROPERTY LINE NOT SURVEYED
- ▨ PROPOSED ANNEXATION AREA



SHEET 2

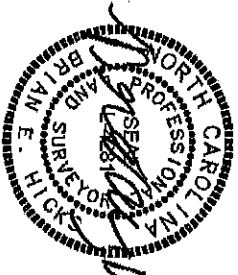
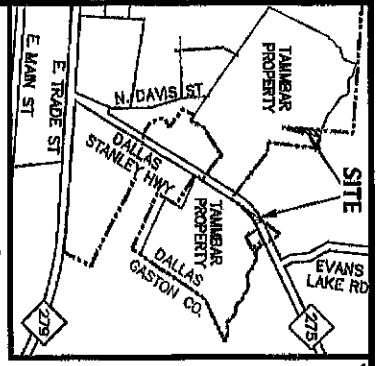


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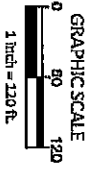
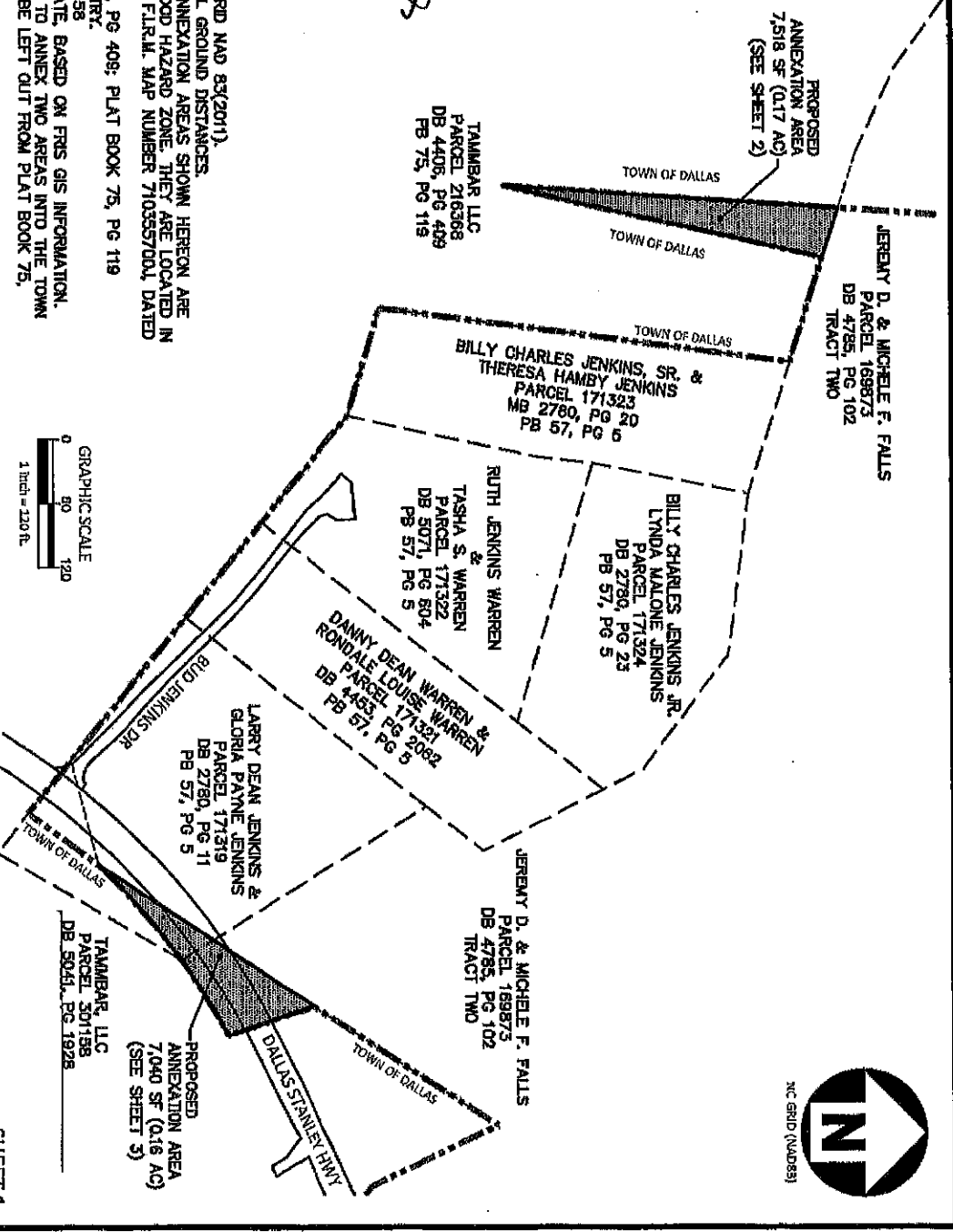
N. DAVIS STREET
 ANNEXATION EXHIBIT
 TOWN OF DALLAS
 DALLAS TWSP., GASTON CO., NORTH CAROLINA

PLAN INFORMATION

PROJECT NO.	TRU-19050
FILENAME	TRU19050-01
CHECKED BY	BEH
DRAWN BY	JC
SCALE	1"=80'
DATE	10.30.2020



- GENERAL NOTES**
- 1) BEARINGS ARE BASED ON NC GRID MAP 83(2011).
 - 2) ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
 - 3) FLOOD NOTE: THE PROPOSED ANNEXATION AREAS SHOWN HEREON ARE NOT LOCATED IN A SPECIAL FLOOD HAZARD ZONE. THEY ARE LOCATED IN ZONE "X" AS DEFINED BY FEMA F.L.R.M. MAP NUMBER 7103557001 DATED SEPTEMBER 28, 2007.
 - 4) REFERENCES: DEED BOOK 4406, PG 409; PLAT BOOK 75, PG 119 OF THE GASTON COUNTY REGISTRY; PARCEL NOS. 216366 AND 301195.
 - 5) TOWN LIMITS LINE IS APPROXIMATE, BASED ON FRIS GIS INFORMATION. THE PURPOSE OF THIS PLAT IS TO ANNEX TWO AREAS INTO THE TOWN OF DALLAS, THAT APPEAR TO BE LEFT OUT FROM PLAT BOOK 75, PAGE 119.



SHEET 1



The John R. McAdams Company, Inc.
 3490 Torrington Way
 Suite 110
 Charlotte, NC 28277
 phone 704.527.0800
 fax 919.961.2269
 license number: C-0293
 www.mcadamsco.com

N. DAVIS STREET
ANNEXATION EXHIBIT
 TOWN OF DALLAS
 DALLAS TWP., GASTON CO., NORTH CAROLINA

PLAN INFORMATION

PROJECT NO.	TRU-19050
FILENAME	TRU19050-01
CHECKED BY	BEH
DRAWN BY	JC
SCALE	1"=120'
DATE	10.30.2020

GENERAL NOTES

- 1.) BEARINGS ARE BASED ON NC GRID NAD 83(2011).
- 2.) ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
- 3.) FLOOD NOTE: THE PROPOSED ANNEXATION AREAS SHOWN HEREON ARE NOT LOCATED IN A SPECIAL FLOOD HAZARD ZONE. THEY ARE LOCATED IN ZONE X AS DEFINED BY FEMA F.I.R.M. MAP NUMBER 170355700L, DATED SEPTEMBER 28, 2007.
- 4.) REFERENCES: DEED BOOK 4408, PG 409; PLAT BOOK 75, PG 119 OF THE GASTON COUNTY REGISTRY.
- 5.) PARCEL NOS. 218368 AND 301158
- 6.) TOWN LIMITS LINE IS APPROXIMATE, BASED ON FRIS GIS INFORMATION. THE PURPOSE OF THIS PLAT IS TO ANNEX TWO AREAS INTO THE TOWN OF DALLAS, THAT APPEAR TO BE LEFT OUT FROM PLAT BOOK 75, PAGE 119.

LEGEND

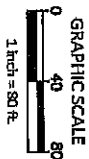
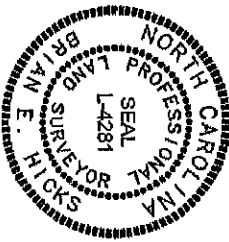
- EXST. IRON PIPE OR REBAR
- ▲ CALCULATED POINT
- SURVEYED PROPERTY LINE
- - - PROPERTY LINE NOT SURVEYED
- ▨ PROPOSED ANNEXATION AREA

I, BRIAN E. HICKS, PLS, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

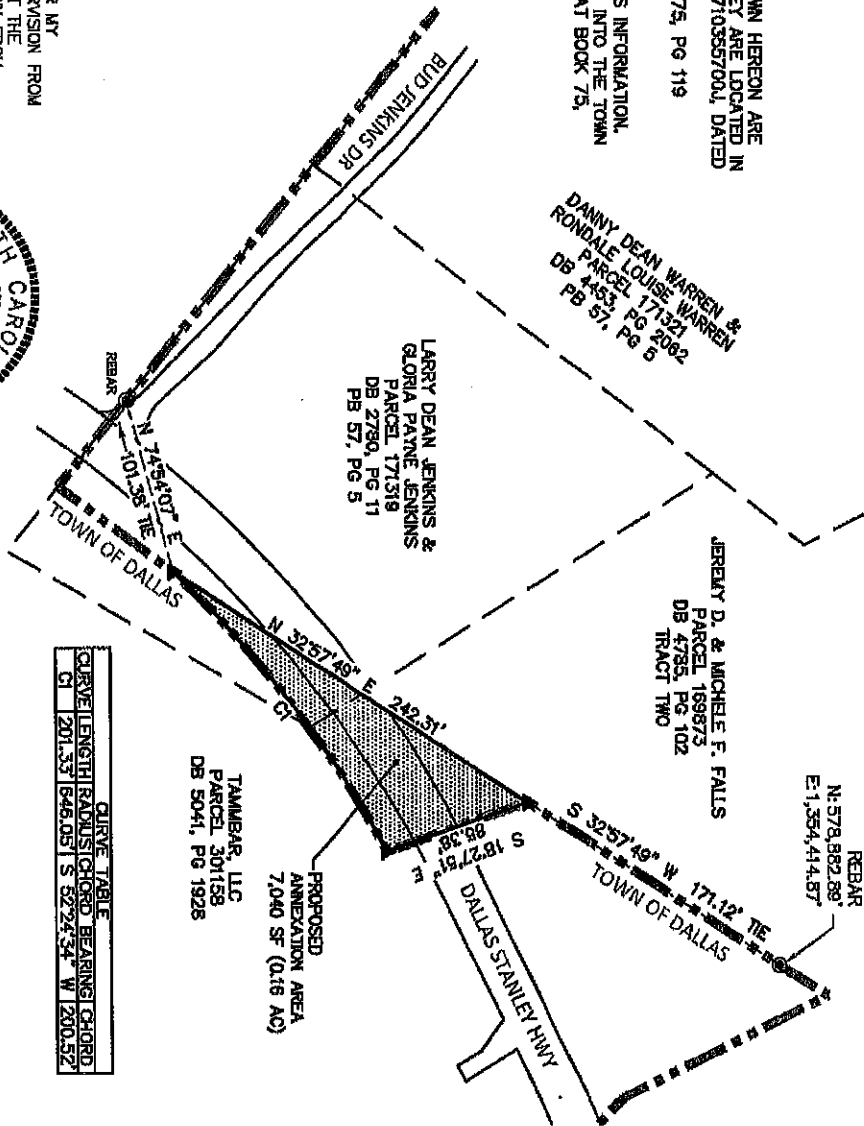
- (1) CLASS OF SURVEY: CLASS A
- (2) POSITIONAL ACCURACY: < 0.100'
- (3) TYPE OF GPS FIELD PROCEDURE: VRS
- (4) DATE OF SURVEY: 8-14-20
- (5) DATUM/EPOCH: NAD 83(2011)
- (6) PUBLISHED/FIXED—CONTROL USED: NCGS GAST
- (7) GEOD. MODEL: GEOID12A
- (8) COMBINED GRID FACTOR(S): 0.999944371
- (9) UNITS: METERS CONVERTED TO US SURVEY FEET

I, BRIAN E. HICKS, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION FROM THE DEED DESCRIPTION RECORDED IN BOOK AND PAGE SHOWN, THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AND DRAWN FROM INFORMATION FOUND IN BOOK AND PAGE SHOWN; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; AND THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL THIS 30TH DAY OF OCTOBER, A.D. 2020.

BRIAN E. HICKS, PLS L-4281



CURVE TABLE	
CH	BEARINGS CHORD
C1	201.33' S 52°24'34" W 200.52'
C2	201.33' S 46°05' S 52°24'34" W 200.52'



SHEET 3



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 8430 Terlington Way
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 fax 919.363.2269
 license numbers C-0293
 www.mcadamsco.com

N. DAVIS STREET
ANNEXATION EXHIBIT
 TOWN OF DALLAS
 DALLAS TWP., GASTON CO., NORTH CAROLINA

PLAN INFORMATION
 PROJECT NO. TRU-19050
 FILENAME TRU19050-Q1
 CHECKED BY BEH
 DRAWN BY JC
 SCALE 1"=80'
 DATE 10.30.2020

Doc ID: 012229850006 Type: GRP
Recorded: 06/15/2008 at 04:24:02 PM
Fee Amt: \$1,340.00 Page 1 of 6
Excise Tax: \$1,340.00
Instr# 200800062280
Gaston, NC
Susan S. Lockridge Register of Deeds
SK 4406 PG 409-414

6 RECORDING FEE 29.00
EXCISE TAX PAID 1340.00

Excise Tax \$ 1340.00
Tax Lot No. _____ Parcel Identifier No. 131854, 131858, 131860, 131860, 171318, 171320, 171325, 171329, 171331
Verified by _____ County on the _____ day of _____, 20____
by _____

Mail after recording to: TAMMBAR, LLC, Attn: John G. Blackmon, 2019 Queens Road, East, Charlotte, NC 28207
This instrument was prepared by: Ann Brittan Green

Brief Description for the Index

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 15th day of May, 2008, by and between

GRANTOR	GRANTEE
Rose Marie Jenkins, unmarried, and R.J. Development, Inc., a North Carolina corporation	TAMMBAR, LLC, a North Carolina limited liability company
Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g., corporation or partnership.	

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

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

See Attached Exhibit "A"

EXHIBIT "A"

TRACT ONE:

BEGINNING at an existing iron pin located on the northwest boundary of the Novey D. Christopher, Jr. property as described in Deed Book 1002 at Page 399 in the Gaston County Registry, said point and place of BEGINNING being located North 10 degrees 57 minutes 58 seconds West 1046.94 feet from N.C.G.S. "Food" (N = 175899.347 meters, E = 412605.588 meters); thence with the northern boundary of the Arlene V. McAbee property as described in Deed Book 3338 at Page 790 in the Gaston County Registry and the northern boundary of the Fred W. Parker, Jr. property as described in Deed Book 908 at Page 600 in the Gaston County Registry North 54 degrees 23 minutes 23 seconds West 469.38 feet to an existing iron pin located on the northeast boundary of the Johnnie Walters property as described in Deed Book 4155 at Page 2315 in the Gaston County Registry; thence North 31 degrees 22 minutes 21 seconds East 262.84 feet to an existing iron pin; thence North 55 degrees 08 minutes 40 seconds West 165.36 feet to an existing iron pin; thence South 31 degrees 01 minutes 20 seconds West 264.0 feet to an existing iron pin; thence North 54 degrees 22 minutes 57 seconds West 485.07 feet to an existing iron pin in a concrete pad; thence North 26 degrees 16 minutes 18 seconds East, crossing an iron pin set at 535.40 feet, a total distance of 563.06 feet to a point located in the center of a branch; thence with the center of the branch the following nineteen (19) calls:

- (1) North 77 degrees 46 minutes 35 seconds East 12.47 feet to a point;
- (2) North 18 degrees 44 minutes 41 seconds East 18.62 feet to a point;
- (3) North 53 degrees 53 minutes 18 seconds East 51.84 feet to a point;
- (4) North 31 degrees 35 minutes 30 seconds East 24.98 feet to a point;
- (5) North 49 degrees 24 minutes 32 seconds East 20.99 feet to a point;
- (6) North 55 degrees 35 minutes 23 seconds East 19.42 feet to a point;
- (7) North 76 degrees 14 minutes 10 seconds East 52.56 feet to a point;
- (8) North 62 degrees 14 minutes 36 seconds East 18.09 feet to a point;
- (9) North 29 degrees 56 minutes 28 seconds East 17.98 feet to a point;
- (10) North 25 degrees 57 minutes 46 seconds East 97.01 feet to a point;
- (11) South 70 degrees 18 minutes 0 seconds East 49.66 feet to a point;
- (12) South 84 degrees 36 minutes 09 seconds East 43.63 feet to a point;
- (13) South 35 degrees 58 minutes 49 seconds East 38.80 feet to a point;
- (14) South 69 degrees 19 minutes 22 seconds East 57.56 feet to a point;
- (15) North 68 degrees 42 minutes 50 seconds East 41.66 feet to a point;
- (16) South 72 degrees 14 minutes 39 seconds East 48.79 feet to a point;
- (17) South 24 degrees 04 minutes 59 seconds East 67.75 feet to a point;
- (18) South 86 degrees 38 minutes 55 seconds East 10.99 feet to a point; and
- (19) South 54 degrees 21 minutes 55 seconds East 9.01 feet to a point; thence South 54 degrees 21 minutes 55 seconds East 14.0 feet to an iron pin set; thence South 54 degrees 22 minutes 09 seconds East 152.98 feet to an iron pin set; thence South 65 degrees 16 minutes 28 seconds East 85.0 feet to an iron pin set; thence South 71 degrees 51 minutes 34 seconds East 103.73 feet to an existing iron pin; thence South 71 degrees 52 minutes 03 seconds East 102.88 feet to an existing iron pin; thence with the western boundary of the Billy C. Jenkins, Sr. property as described in Deed Book 2780 at Page 20 in the Gaston County Registry South 07 degrees 31 minutes 47 seconds West 392.47 feet to an existing iron pin located at the southwest corner of the Billy C. Jenkins, Sr. property described above; thence with the southern boundary of the Billy C. Jenkins, Sr. property as described in Deed Book 2780 at Page 20 in the Gaston County Registry South 73 degrees 36 minutes 11 seconds East 105.14 feet to an iron pin set; thence with the southwest boundary of the Ruth J. Warren property as described in Deed Book 2780 at Page

17, the Shirley J. Burnette property as described in Deed Book 2780 at Page 14 and the Larry D. Jenkins property as described in Deed Book 2780 at Page 11 in the Gaston County Registry South 50 degrees 55 minutes 25 seconds East, crossing an existing iron pin located on the northwest margin of the right of way of Dallas-Stanley Highway aka #275 at 416.82 feet, a total distance of 439.03 feet to a concrete nail set in the right of way of Dallas-Stanley Highway aka Highway #275, a 100 foot right of way; thence within said right of way of Dallas-Stanley Highway aka Highway #275 South 30 degrees 25 minutes 39 seconds West 289.50 feet to a concrete nail set; thence with the northeast boundary of the Steven E. Rumpfelt property as described in Deed Book 1954 at Page 187 in the Gaston County Registry North 49 degrees 06 minutes 35 seconds West, crossing an existing iron pin at 29.52 feet, a total distance of 231.0 feet to an existing iron pin; thence with the northwest boundary of the Rumpfelt property described above South 55 degrees 57 minutes 40 seconds West 281.27 feet to an existing iron pin; thence with the western boundary of the Nellie E. Walker property as described in Deed Book 2248 at Page 760 in the Gaston County Registry and the Novey D. Christopher, Jr. property as described in Deed Book 1002 at Page 399 in the Gaston County Registry South 28 degrees 34 minutes 16 seconds West 134.05 feet to the point and place of BEGINNING, containing 25.0952 acres, more or less.

Subject to the right of way for Dallas-Stanley Highway aka Highway #275.

Being a composite description of the following tax parcels: 131860, 131855, 131859, 171320, and 171318.

The foregoing description being taken from that unrecorded survey entitled "Survey made at the Request of Rose Marie Jenkins" dated February 28, 2008, revised May 13, 2008 by Franklin E. Tanner, Professional Land Surveyor.

Being a composite description of Tracts One, Two, Three and Seven inherited by Rose Marie Jenkins pursuant to the terms of the Last Will and Testament of Christie Lee Jenkins, Jr. and that tract conveyed to Rose Marie Jenkins by deed dated December 18, 2003 and recorded in Deed Book 3905 at Page 794 in the Gaston County Registry. For further information, please see the estate file for Christie Lee Jenkins, Jr. in the Gaston County Clerk's office referenced as 97 E 1063.

TRACT TWO:

BEGINNING at an existing iron pin located at a corner of the Alfred J. Hoffman property as described in Deed Book 892 at Page 590 in the Gaston County Registry, said point and place of BEGINNING also being located North 58 degrees 49 minutes 34 seconds East 1008.55 feet from N.C.G.S. "Food" (N = 175899.347 meters, E = 412605.588 meters); thence from said point and place of BEGINNING and with the northern boundary of the Peggy L. McCraw property as described in Deed Book 2106 at Page 254 in the Gaston County Registry and the northern boundary of the Victor Brown property as described in Deed Book 2980 at Page 219 in the Gaston County Registry North 63 degrees 32 minutes 04 seconds West 510.13 feet to an iron pin set at the southeast corner of the Randall B. Moody property as described in Deed Book 2688 at Page 405 in the Gaston County Registry; thence with the eastern boundary of the Moody property described above North 30 degrees 03 minutes 37 seconds East 74.36 feet to an iron pin set; thence with the eastern boundary of the Gloria H. Lineberger property as described in Deed Book 3894 at Page 157 in the Gaston County Registry North 36 degrees 07 minutes 12 seconds

East 104.08 feet to an iron pin set; thence with the northern boundary of the Lineberger property described above North 57 degrees 20 minutes 10 seconds West 300.10 feet to an existing iron pin located in the right of way of Dallas-Stanley Highway aka Highway #275, a 100 foot right of way; thence within the right of way of Dallas-Stanley Highway aka Highway #275, the following three (3) calls: (1) North 32 degrees 45 minutes 17 seconds East 224.74 feet to an existing iron pin; (2) North 33 degrees 46 minutes 24 seconds East, crossing an iron pin set at 147.76 feet, a total distance of 355.91 feet to a concrete nail set; and (3) North 31 degrees 46 minutes 34 seconds East 114.74 feet to an existing iron pin located on the northwestern margin of the right of way of Dallas-Stanley Highway aka Highway #275; thence North 31 degrees 46 minutes 34 seconds East, crossing an existing iron pin at 172.99 feet, a total distance of 205.99 feet to a point located in the center of Little Long Creek; thence with the center of Little Long Creek, the following fifteen (15) calls: (1) South 25 degrees 58 minutes 11 seconds East 131.01 feet to a point; (2) South 46 degrees 58 minutes 19 seconds East 79.97 feet to a point; (3) South 44 degrees 36 minutes 51 seconds East 77.22 feet to a point; (4) South 82 degrees 34 minutes 18 seconds East 100.45 feet to a point; (5) South 70 degrees 13 minutes 33 seconds East 65.36 feet to a point; (6) South 36 degrees 24 minutes 31 seconds East 62.06 feet to a point; (7) North 79 degrees 26 minutes 28 seconds East 81.36 feet to a point; (8) South 60 degrees 50 minutes 17 seconds East 90.77 feet to a point; (9) South 24 degrees 02 minutes 32 seconds East 38.13 feet to a point; (10) South 84 degrees 23 minutes 39 seconds East 66.42 feet to a point; (11) South 69 degrees 47 minutes 41 seconds East 90.32 feet to a point; (12) South 51 degrees 11 minutes 39 seconds East 81.90 feet to a point; (13) North 89 degrees 56 minutes 52 seconds East 100.34 feet to a point; (14) South 27 degrees 26 minutes 21 seconds East 26.82 feet to a point; and (15) South 52 degrees 26 minutes 42 seconds East 21.08 feet to a point; thence with the western boundary of the Helen V. Hoffman property as described in Deed Book 2446 at Page 468 in the Gaston County Registry South 61 degrees 54 minutes 05 seconds West, crossing an iron pin set at 31.84 feet, a total distance of 191.84 feet to an existing iron pin; thence continuing with the western boundary of the Hoffman property described above South 63 degrees 57 minutes 06 seconds West 182.97 feet to an existing iron pin; thence South 34 degrees 58 minutes 13 seconds West 351.20 feet to an existing iron pin; thence with the western boundary of the Alfred J. Hoffman property as described in Deed Book 852 at Page 590 in the Gaston County Registry South 34 degrees 27 minutes 17 seconds West 400.38 feet to the point and place of BEGINNING, containing 18.8759 acres, more or less.

Subject to the right of way of Dallas-Stanley Highway aka Highway #275.

HOWEVER, SAVE AND EXCEPTING FROM THE ABOVE DESCRIBED TRACT THAT 0.2391 ACRE TRACT CONVEYED TO THE TOWN OF DALLAS BY DEED RECORDED IN DEED BOOK 1919 AT PAGE 219 IN THE GASTON COUNTY REGISTRY AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron pin set on the southeastern margin of the right of way of Dallas-Stanley Highway aka Highway #275, a 100 foot right of way; thence from said point and place of BEGINNING South 30 degrees 06 minutes 29 seconds East 100.0 feet to an existing iron pin; thence South 59 degrees 53 minutes 31 seconds West 100.17 feet to an existing iron pin; thence North 30 degrees 01 minute 10 seconds West 108.28 feet to an iron pin set on the southeastern margin of the right of way of Dallas-Stanley Highway aka Highway #275; thence with the southeastern margin of Dallas-Stanley Highway aka Highway #275 North 64 degrees 37 minutes 31 seconds East 100.34 feet to the point and place of BEGINNING.

Being a composite description of the following tax parcels: 171331, 171329, and 171325.

The foregoing description being taken from that unrecorded survey entitled "Survey made at the Request of Rose Marie Jenkins" dated February 28, 2008, revised May 13, 2008 by Franklin E. Tanner, Professional Land Surveyor.

Being a composite description of Tracts Four, Five and Six inherited by Rose Marie Jenkins pursuant to the terms of the Last Will and Testament of Christie Lee Jenkins, Jr. For further information, please see the estate file for Christie Lee Jenkins, Jr. in the Gaston County Clerk's office referenced as 97 E 1063.

TRACT THREE:

BEGINNING at an existing iron pin located on the northern boundary of the Johnnie Walters property as described in Deed Book 4155 at Page 2315 in the Gaston County Registry and further being located North 24 degrees 52 minutes 32 seconds West 1466.70 feet from N.C.G.S. "Food" (N = 175899.347 meters, E = 412605.588 meters); thence with the boundary of the Walters property described above, the following four (4) calls: (1) North 64 degrees 56 minutes 33 seconds West 124.46 feet to an existing iron pin; (2) South 31 degrees 24 minutes 54 seconds West 62.02 feet to an existing iron pin; (3) with the arc of a curve to the left having a radius of 131.76 feet, an arc distance of 82.09 feet (chord South 13 degrees 50 minutes 53 seconds West 80.77 feet) to an iron pin set; and (4) South 04 degrees 39 minutes 48 seconds West 27.95 feet to an existing iron pin located at the northwest corner of the Richard L. Hayes property as described in Deed Book 2042 at Page 849 in the Gaston County Registry; thence North 05 degrees 34 minutes 36 seconds West 91.35 feet to an iron pin set; thence with the northern boundaries of the Ronnie F. Flowers property as described in Deed Book 4338 at Page 1695 in the Gaston County Registry and the James L. Bell property as described in Deed Book 4315 at Page 245 in the Gaston County Registry North 53 degrees 28 minutes 49 seconds West 464.37 feet to an existing iron pin; thence North 04 degrees 24 minutes 08 seconds West 137.71 feet to an existing iron pin; thence South 54 degrees 44 minutes 51 seconds East 37.81 feet to an existing iron pin in a concrete pad; thence South 54 degrees 22 minutes 57 seconds East 485.07 feet to an existing iron pin; thence North 31 degrees 01 minutes 20 seconds East 264.0 feet to an existing iron pin; thence South 55 degrees 08 minutes 40 seconds East 165.36 feet to an existing iron pin; thence South 31 degrees 22 minutes 21 seconds West 262.84 feet to the point and place of BEGINNING, containing 2.3394 acres, more or less.

Being tax parcel #131854

The foregoing description being taken from that unrecorded survey entitled "Survey made at the Request of Tammban, L.L.C." dated May 13, 2008 by Franklin E. Tanner, Professional Land Surveyor.

Being the same property conveyed to R.J. Développement, Inc. by deed dated February 2, 2005 and recorded in Deed Book 4097 at Page 1984 in the Gaston County Registry.

The property hereinabove described was acquired by Grantor by instrument recorded in Book , Page .

A map showing the above described property is recorded in Book , Page .

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

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

Title to the property hereinabove described is subject to the following exceptions:

Valid and enforceable reservations, restrictions, easements, conditions, and rights of way in the record chain of title.

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

R. J. Development, Inc.,
a North Carolina corporation
(Corporate Name)

Rose Marie Jenkins (SEAL)
Rose Marie Jenkins

By: *Rose Marie Jenkins*
Rose Marie Jenkins as President, Sole
Shareholder and Director

_____ (SEAL)

_____ (SEAL)

(Corporate Seal)

_____ (SEAL)



NORTH CAROLINA, Gaston County.

I, the undersigned, a Notary Public of Cleveland County and State of North Carolina, certify that Rose Marie Jenkins, Grantor, who is known to me or proven to me on the basis of satisfactory evidence to be the person described, personally appeared before me this day, acknowledging to me that she voluntarily signed the foregoing instrument for the purpose stated therein and in the capacity indicated. Witness my hand and official stamp or seal, this 15 day of May, 2008.

My commission expires: 12-15-2008

Renee W. Buchanan Notary Public
Printed Name: Renee W. Buchanan

SEAL-STAMP



NORTH CAROLINA, Gaston County.

I, the undersigned, a Notary Public of Cleveland County and State of North Carolina, certify that Rose Marie Jenkins, personally known to me or proven to me on the basis of satisfactory evidence to be the person described, personally appeared before me this day and acknowledged that she is the President, Sole Shareholder and Director of R. J. Development, Inc., a North Carolina corporation, Grantor, and that by authority duly given and as the act of the corporation, the foregoing instrument was voluntarily signed in its name by her for and on behalf of said corporation. Witness by hand and official stamp or seal, this the 15 day of May, 2008.

My commission expires: 12-15-2008

Renee W. Buchanan Notary Public
Printed Name: Renee W. Buchanan

Annexation
~~TEXT~~ AMENDMENT CONSISTENCY STATEMENT

The proposed annexation of Parcel ID#s 216 368 and 301 158 into Town limits as Conditional Zoning R-6, Cluster Development overlay, is consistent with the 2003 Future Land Use Plan's map designation as new residential, and therefore is deemed reasonable and in the public's best interest as this lot abuts land designated for new residential development, supports an increased demand for housing in light of Dallas' current and anticipated growth, and aligns with the 2003 Land Use Plan's recommendation for new residential to be clustered so as to preserve open space and heighten pedestrian accessibility.

Curtis Wilson

11/19/20

Curtis Wilson, Planning Board Chairman

Date