

**Town of Dallas Board of Aldermen Regular Meeting**  
**Dallas Historic Courthouse, 131 N. Gaston St. Dallas**  
**Tuesday, January 14, 2025 6:00 PM**



Hayley Beaty, Mayor                      Sam Martin, Mayor Pro-Tem  
Frank Milton                                Jerry Cearley  
Hoyle Withers                              Alan Cloninger

- 
1. **Invocation and Pledge of Allegiance to the Flag** *(Please stand for Invocation and remain standing for Pledge of Allegiance)*
  2. **Motion to Approve Agenda with Additions or Deletions**
  3. **Motion to Approve Minutes**
    - A. December 5<sup>th</sup> Special Meeting, December 10<sup>th</sup> Meeting Minutes 2
  4. **Recognition of Citizens: Time set by Mayor** *(In an effort to maintain order and decorum, we would encourage speakers to be courteous and respectful during this portion of the meeting in which citizen input is heard. Please refrain from profanity, inappropriate gestures, insults, personal attacks, or accusations. Each presentation will be limited to three (3) minutes.)*
    - A. Student of the Month – Carr Elementary
    - B. W.C. Friday Middle School Student Athletes of the Month
  5. **Motion to Approve Consent Agenda** *(to be acted on collectively, unless removed for further discussion)*
    - A. Budget Amendment - NC Amateur Sports Youth Grant Amendment 9
  6. **Public Hearings** *(Motion to enter Public Hearing to open the floor for citizens to speak. Motion to go out of Public Hearing. Motion to approve, deny, or table item.)*
    - A. Summey Creek Rezoning 11
  7. **Old Business**
    - A. *No Old Business*
  8. **New Business**
    - A. *No New Business*
  9. **Mayor’s Report**
  10. **Manager’s Report**
  11. **Adjourn**

**MINUTES FOR BOARD OF ALDERMEN SPECIAL MEETING**  
**December 5<sup>th</sup>, 2024**  
**2:30 PM**

The following elected officials were present: Mayor Beaty, Alderman Martin, Alderman Withers, Alderman Cearley, Alderman Milton and, Alderman Cloninger.

The following Staff members were present: Jonathan Newton, Town Manager; Robbie Walls, Police Chief; Bill Trudnak, Public Works Director; Lindsey Tysinger, Town Clerk; Zack Foreman, Assistant Public Works Director; Kristin Boone, Finance Director; Brittany Beams, Planner; and Anthony Smith, Development Services Director.

Mayor Beaty called the meeting to order at 2:30 pm.

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

Mayor Beaty asked if there were any additions or deletions to the agenda. Alderman Martin made a motion to approve the agenda, seconded by Alderman Milton and carried unanimously.

**New Business:**

***Item 3A - Discussion on Loan Repayment Agreement***

Pursuant to an agreement dated August 26, 2002, between the Town of Dallas and the North Carolina Department of Commerce, Division of Community Assistance, the Town received a Community Development Block Grant in the amount of \$250,000. The purpose of this grant was the renovation/refurbishing of the Dallas High School building into apartments, including street, water and sewer improvements, as well as historic preservation. The project was completed by a private business which now owns the building. Under the agreement, that business is to repay a mortgage held by the Town in the original amount of \$230,000, with interest accruing at 2% annually. The modified loan repayment agreement requires annual payments of \$3,720, and the remaining unpaid principal and interest is due in full on December 10, 2024. The business who now owns the apartments, Lutheran Services Carolinas, would like to discuss with the Board a possible extension to the contract.

At the conclusion of the Loan Repayment Agreement Discussion, Lutheran Services Carolinas will continue to pay \$1400.00 per month.

Alderman Cloninger made a motion to take no action on the loan at this time and to direct Staff to come up with proposals and bring back to the February 25<sup>th</sup> Work Session for further discussion, seconded by Alderman Martin and carried unanimously.

Alderman Martin made a motion to adjourn, seconded by Alderman Milton and carried unanimously (3:00).

---

Hayley Beaty, Mayor

---

Lindsey Tysinger, Town Clerk

## MINUTES FOR BOARD OF ALDERMEN MEETING

December 10<sup>th</sup>, 2024

6:00 PM

The following elected officials were present: Mayor Beaty, Alderman Milton, Alderman Martin, Alderman Cearley, Alderman Cloninger and Alderman Withers.

The following Staff members were present: Jonathan Newton, Town Manager; Robbie Walls, Police Chief; Lanny Smith, Electric Director; Tom Hunn, Town Attorney; Zack Foreman, Assistant Public Works Director; Lindsey Tysinger, Town Clerk; Earl Withers III, Fire Chief; Kristin Boone, Finance Director; Anthony Smith, Development Services Director; Alex Wallace, Parks and Recreation Director; Brittany Beam, Planner; Sonny Gibson, Electric Supervisor; and Bill Trudnak Public Works Director.

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

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

### **Approval of Agenda:**

Alderman Milton made a motion to approve the agenda, seconded by Alderman Martin and carried unanimously.

### **Approval of Minutes:**

Alderman Martin motioned to approve the minutes from the November 12<sup>th</sup> Regular Meeting Minutes, and the November 22<sup>nd</sup> Work Session, seconded by Alderman Milton and carried unanimously.

### **Recognition of Citizens:**

The Mayor opened the floor for the Recognition of Citizens and Public Comment.

Dr. Duncan, of Carr Elementary School, presented the Students of the Month.

Curtis Wilson of 438 S. Gaston St., Expressed his appreciation of Town Staff for the Carols on the Square event and Dallas' Annual Christmas Parade. Prayed over our Town, Town Staff, Board, and Public Safety Departments.

### **Consent Agenda:**

#### ***Item 5A - Budget Amendment – Sanitation Vehicle Damage Reimbursement***

The Town has received funds from insurance as reimbursement for damage done to the 2015 Mack Track Truck due to fire damage in the body of the vehicle. Attached is a budget amendment to accept the funds from the insurance company and to appropriate those funds for vehicle repair. (Exhibit 5A-1)

***Item 5B - Response to Auditors Findings, Recommendations, and Fiscal Matters***

As presented by Ms. Thompson of Martin Starnes and Associates, CPA's, P.A., at the Board of Aldermen meeting held on November 26, 2024, the Town had two performance indicators of concern related to the Water/Sewer Fund. The first concern being the Water and Sewer Ratio is slightly less than the .50 limit (.45). The second being a one-time transfer from the General Fund to the Water and Sewer Fund for excess ARPA funds. This item is being presented for consideration under consent. Approval would simply acknowledge the finding of the auditor that the Town of Dallas has two Financial Performance Indicator of Concerns. Attached is a letter to be submitted to the Local Government Commission (LGC) outlining the response from the Town. (Exhibit 5B 1-8)

***Item 5C - Resolution Accepting Lead Service Line AIA Grant Funding***

In January 2024, the Town received an offer and acceptance letter from the Division of Water Infrastructure (DWI) to fund a Lead Service Line Inventory and Assessment Grant in the amount of \$200,000, with no match or grant fee required. The scope of work will include the following:

- Research of all available records related to the construction of water distribution service lines
- Field work to visually inspect and inventory distribution service lines in selected areas, based on age of infrastructure, to verify the existence of LSLs within the system.
- A report will be prepared inventorying the identified LSLs and preparing preliminary cost estimated for their removal and replacement.

This grant is funded by funds from the American Rescue Plan Act through the State of North Carolina. Therefore, attached is a resolution formally accepting these funds in the Town of Dallas, as required by the grant. The resolution outlines acceptance and procedures related to receiving and using the funds. Also included in the resolution is the designation of authority to receive the funds. (Exhibit 5C-1)

***Item 5D - Resolution Accepting Stormwater Assessment and Planning Grant Funding***

In December 2023, the Town received an offer and acceptance letter from the Division of Water Infrastructure (DWI) to fund a Stormwater Assessment and Planning Grant in the amount of \$400,000, with no match or grant fee required. The scope of work will include the following:

- Performing GPS survey/mapping of Town's stormwater assets
- Visually inspect and provide a condition assessment of the structures surveyed/mapped
- Development of a stormwater master plan, including GIS system mapping
- Development of a stormwater master plan, including GIS system mapping

- Cost opinions will be prepared, and the identified projects will be prioritized and included in an updated CIP based upon investigation.

This grant is funded by funds from the American Rescue Plan Act through the State of North Carolina. Therefore, attached is a resolution formally accepting these funds in the Town of Dallas, as required by the grant. The resolution outlines acceptance and procedures related to receiving and using the funds. Also included in the resolution is the designation of authority to receive the funds. (Exhibit 5D-1)

Alderman Martin made a motion to approve the Consent Agenda, seconded by Alderman Cloninger and carried unanimously.

### **Public Hearings:**

#### ***Item 6A - Sammey Creek Annexation PID# 309511***

Nolan Groce of Urban Design Partners, on behalf of Sammey Creek Dallas LLC, property owner, submitted a voluntary annexation petition on 7/1/2024. The petition is for voluntary contiguous annexation of a 0.0654 acre portion of Gaston County Parcel #309511 into the Town of Dallas in order to develop the entire property for single family residential. This application was submitted, along with rezoning petition Z-2024-02, They are requesting to rezone a portion of the parcels 312382 and 309511 from R-12/R-1 zoning to R-5. This entire 1.36-acre parcel is highlighted for new residential development in the 2030 Future Land Use Plan. Staff was directed to investigate the sufficiency of the petition to determine if it meets the standards of 160A-31 at the Board of Aldermen Regular Meeting on October 8, 2024. The petition has been deemed sufficient and the Board set a public hearing for the annexation of the property, per NCGS §160A-31(c). Supporting documentation, including the Certificate of Sufficiency, is attached. (Exhibit 6A 1-12)

Alderman Martin made a motion to go into the public hearing, seconded by Alderman Milton and carried unanimously.

Mayor Beaty opened the floor for citizens to speak during public hearing, there was no public comment made by citizens.

Alderman Martin made a motion to go out of the public hearing, seconded by Alderman Cloninger and carried unanimously.

Alderman Martin made a motion to accept the Ordinance to extend the town limits, seconded by Alderman Milton and carried unanimously.

**Old Business:**

***Item 7A - Summey Creek Rezoning Request***

Nolan Groce of Urban Design Partners, on behalf of Sammey Creek Dallas LLC, property owner, submitted a conventional rezoning request on 7/1/2024. They are requesting to rezone a portion of parcels 312382 and 309511 from R-12/R-1 zoning to R-5. This application was submitted, along with an annexation petition. The annexation request is for a voluntary contiguous annexation of a 0.0654 acre portion of Gaston County Parcel #309511 into the Town of Dallas in order to develop the entire property for single family residential. All supporting documentation for the application is attached, including minutes from the Planning Board meeting with the consistency and reasonableness statements. (Exhibit 7A 1-9)

Alderman Cloninger made a motion to set public hearing for January 14<sup>th</sup> Board Meeting, seconded by Alderman Martin and carried unanimously.

***Item 7B - Personnel Policy Approval***

The Administration/Personnel sub-committee of the Board of Aldermen met on October 12, 2023 to discuss employee compensation and ways to ensure that employee compensation is appropriate. In order to ensure that the Town's salary structure, job descriptions, and Personnel Policy are up to date, the Committee is recommending that a salary study be done that will also include updating job descriptions and the Personnel Policy. The study will be conducted by The MAPS Group and can be accomplished in time to make necessary adjustments in the upcoming FY2024/25 budget year. The Salary Study was completed in July 2024 and now we are to the last phase of this study with updating our personnel policy. For the most part, there were only minor additions to our current policy, with updating some wordage. However, there was a new law passed in regards to "Pornography on Government Networks and Devices" that went into effect October 1, 2024 that is included within the new policy that was presented at the October work session. At the November 26th work session, the policy was discussed only in regards to changing the grievance officer. After further investigation, the Town Manager would like to be the grievance officer, reflected in the policy attached, instead of the Mayor going forward. With the only exception being, if the Town Manager has to suspend, terminate, or discipline a Department director, and a grievance is filed, the Town Attorney must be the grievance officer. (Exhibit 7B-1)

Alderman Cloninger made a motion to table the personnel policy approval to the January 28<sup>th</sup> Work Session, seconded by Alderman Cearley.

***Item 7C - Fee Schedule update- Wrecker Service***

At the November work session, Chief Robbie Walls, discussed with the Board increasing our yearly rate for a wrecker service to be on the Dallas PD rotation. The fee of \$150.00 was mentioned and we would like to adopt an amended fee schedule showing this increase charge. (Exhibit 7C-1)

Alderman Cloninger made a motion to adopt the amended fee schedule, seconded by Alderman Cearley.

**New Business:**

***Item 8A - Calendar Year 2025 Board of Aldermen Meeting Schedules***

Attached is the Board of Aldermen regular monthly meeting schedule, as well as the monthly work session schedule, for calendar year 2025. Upon approval, these schedules will be filed as required by NCGS §143-318.12. The November regular Board meeting falls on Veterans Day 11/11/25, that Board meeting has been changed to Monday 11/10/25. (Exhibit 8A 1-2)

Alderman Martin made a motion to approve the 2025 Board of Aldermen Meeting Schedule, seconded by Alderman Milton and carried unanimously.

***Item 8B - FY2025-26 Budget Calendar***

Each year the Town establishes a calendar for the preparation of the upcoming fiscal year's budget. Attached is a proposed calendar for the FY2025-26 budget process, including a Strategic Planning Meeting on Monday, January 27, 2025. The Planning Meeting would be held in the Community Room at the Fire Department beginning with lunch at 12:30 pm and then the meeting beginning at 1:00 pm. This meeting typically lasts 3-4 hours. Two Budget Work Sessions are scheduled: 1) Tuesday, March 25, 2025 and 2) Tuesday, April 22, 2025. These work sessions will be held at the Historic Courthouse at 5:00 pm. An additional Budget Work Session can be held in conjunction with the regularly scheduled work session on May 27, 2025, if necessary. Attached is the proposed Budget Calendar for FY2025-26. (Exhibit 8B-1)

Alderman Cloninger made a motion to approve the FY2025-26 Budget Calendar, seconded by Alderman Cearley and carried unanimously.

***Item 8C - 2025 Holiday Schedule***

Attached is the holiday schedule for calendar year 2025 with the addition of Juneteenth. (Exhibit 8C-1)

Alderman Milton made a motion to approve the 2025 Holiday Calendar, seconded by Alderman Cearley and carried unanimously.

***Item 8D - Appointment to the 2025 Centralina Regional Council Board of Delegates***

Each year the Town designates a delegate and an alternate to represent Dallas at the Centralina Regional Council. Centralina is requesting information on Dallas' appointments for these positions for 2025. The appointments can remain the same, or new appointments can be made. Attached is the current 2024 list of delegates, a delegate role description, and the 2025 Centralina Board Meeting Schedule. (Exhibit 8D 1-4)

Alderman Cearley made a motion to appoint Sam Martin as Delegate and Frank Milton as Alternate, seconded by Alderman Cloninger and carried unanimously.

**Manager's Report:**

Town Manager, Jonathan Newton expressed his appreciation to Town Staff for their efforts with the Carols on the Square and the Dallas' Annual Christmas Parade. Newton Informed Board and Town Staff of the upcoming Employee Christmas Lunch.

Alderman Milton made a motion to adjourn, seconded by Alderman Martin and carried unanimously (6:37).

---

Hayley Beaty, Mayor

---

Lindsey Tysinger, Town Clerk



# TOWN OF DALLAS, NORTH CAROLINA

## REQUEST FOR BOARD ACTION

DESCRIPTION: NC Amateur Sports Youth Grant Amendment

AGENDA ITEM NO. 5A

MEETING DATE: 1/14/2025

### BACKGROUND INFORMATION:

In October 2024, Alex (Parks and Recreation) teamed up with Barry Webb (Grants Administrator) and applied for a Youth Sports Grant for Equipment and Facility Updates/Enhancements. Staff determined for this grant, the Town has a need for new basketball rims and backboards at Dennis Franklin Gym.

On December 23<sup>rd</sup>, we were notified that we have been awarded this grant to Dallas! The Town has received a quote for the rims and backboards with a height adjustment option, if needed. We will need to appropriate \$1,500 of fund balance to cover the excess cost of materials. Attached, you will find a budget amendment appropriating funds to purchase the basketball rims and backboards.

Grant Award = \$5,000  
Quote = \$6,500

---

MANAGER RECOMMENDATION: To approve budget amendment to receive grant funding and to amend FB \$1,500 to purchase rims and backboard.

---

BOARD ACTION TAKEN:

**Town of Dallas**  
**Budget Amendment**

Date: January 14, 2025

Action: General Fund Amendment

Purpose: To appropriate funds for Youth Athletics Grant

Number: REC-001

Fund	Dept	Line Item	Item Description	Original Amount	Amended Amount	Difference
10	3455	0000	Grant Revenue	\$0	\$5,000	\$5,000
10	5700	5900	Sports Supplies	\$21,000	\$27,500	\$6,500
10	3999	0000	Fund Balance Appropriated	\$424,661	\$426,161	\$1,500

\_\_\_\_\_  
Approval Signature  
(Town Manager)

# TOWN OF DALLAS, NORTH CAROLINA

## REQUEST FOR BOARD ACTION

DESCRIPTION: Summey Creek Rezoning

AGENDA ITEM NO. 6A

MEETING DATE: 1/14/2025

### BACKGROUND INFORMATION:

Nolan Groce of Urban Design Partners, on behalf of Sammey Creek Dallas LLC, property owner, submitted a conventional rezoning request on 7/1/2024. They are requesting to rezone a portion of parcels 312382 and 309511 from R-12/R-1 zoning to R-5.

On September 19<sup>th</sup>, the Planning Board voted to send a recommendation to the Board of Aldermen to approve the rezoning request, along with statements of consistency and reasonableness for the rezoning.

Public Ad was sent out for December 22<sup>nd</sup>, and January 2<sup>nd</sup>. Adjacent letters sent out on December 19<sup>th</sup>. Property signed December 19<sup>th</sup>.

All supporting documentation for the application is attached, including minutes from the Planning Board meeting with the consistency and reasonableness statements.

---

MANAGER RECOMMENDATION: Adopt the Zoning Map Amendment rezoning request to rezone the portion of parcels #312382 & #309511 and approve the Consistency Statement, as presented.

---

BOARD ACTION TAKEN:

**AN ORDINANCE ADOPTING A ZONING MAP AMENDMENT/REZONING  
PETITION IN THE TOWN OF DALLAS (ADOPTD BY THE DALLAS BOARD OF  
ALDERMEN (01/14/2025))**

**Whereas**, Sammey Creek Dallas LLC, submitted an application for a zoning map amendment to Rezone a portion of Parcel ID# 312382 and a portion of Parcel ID# 309511 from Residential R-12, R-1 to Residential R-5; and,

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

**Whereas**, the Town of Dallas Planning Board has reviewed the Rezoning petition and voted unanimously (6-0) to recommend approval of the petition, finding it consistent with the 2030 Land Use Plan; and,

**Whereas**, the Town of Dallas Board of Aldermen held the public hearing on January 14<sup>th</sup>, 2025, and after the hearing, made the following finding:

*The proposed rezoning of parcels 309511 and 312382 is consistent with the 2030 Comprehensive Land Use Plan. These properties are designated on the Future Land Use Map as Single Family Residential. Current uses and future development trends promote more residential uses, and to allow expansion and development, this request is reasonable and in the best interest of the public.*

**Now Therefore be it Ordained** by the Board of Aldermen of the Town of Dallas, North Carolina, that the petitioner, is granted approval of the above-referenced Rezoning request effective January 14<sup>th</sup>, 2025 and that that the official zoning map of the Town be amended to reflect this adopted change of Parcel ID# 312382 and Parcel ID# 309511.

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

This Ordinance shall take effect and be in force from and after the date of adoption, January 14<sup>th</sup>, 2025.

Attest:

---

Hayley Beaty, Mayor

---

Lindsey Tysinger, Town Clerk

Notice of Public Hearing -  
Town of Dallas, NC

The public will take notice that the Board of Aldermen for the Town of Dallas will hold a public hearing on Tuesday January 14th, at 6:00pm at the Historic Dallas Courthouse. 131 N. Gaston St. Dallas, NC 28034. This hearing will be held for a conventional rezoning request for 3613 Dallas High Shoals Hwy, and 3615 Dallas High Shoals Hwy and parcel #312382, #Z-2024-02, by applicant Sammy Creek Dallas, LLC. The rezoning request is to rezone the two properties from split Residential R-12 & Residential R-1 zoning to Residential R-5. All interested persons are invited and encouraged to attend. For those persons requiring special assistance, please contact Town Hall at 704-922-3176, at least 48 hours prior to the commencement of the meeting. For questions or further information, please contact Anthony Smith at (704) 922-3176 x230 or email [asmith@dallasnc.net](mailto:asmith@dallasnc.net)

December 22, January 2, 2025  
LWLM0211094 13

STATEMENTS OF CONSISTENCY AND REASONABLENESS FOR ZONING MAP AMENDMENT

The proposed rezoning of parcel# 309511 and parcel# 312382 is consistent with the 2030 Comprehensive Land Use Plan. These properties are designated on the Future Land Use Map as Single Family Residential. Current uses and future development trends promote more residential uses, and to allow expansion and development, this request is reasonable and in the best interest of the public.

Statement Adopted: \_\_\_\_\_

\_\_\_\_\_  
Curtis Wilson, Chairman

\_\_\_\_\_  
Date

**Town of Dallas**  
Development Services Department  
210 N. Holland Street  
Dallas, NC 28034  
Phone (704) 922-3176, Fax (704) 922-4701

This application must be filed at least thirty (30) days prior to the next scheduled Planning Board Meeting. The application may be submitted in-person, via mail, or digitally to the Town of Dallas Development Services Department at 210 N. Holland Street, Dallas, NC 28034, [dallasplanning@dallasnc.net](mailto:dallasplanning@dallasnc.net). Application shall not be deemed complete until the necessary fee, as defined in the Town of Dallas Fee Schedule, and all required documents are received.

**Conventional Submittals:**

- A. Completed application
- B. Fee as described in the Town of Dallas Fee Schedule
- C. Letter of intent – reason for map amendment
- D. Adjacent Property Owner List – provide a copy of addresses for all property owners within 500 feet of the site. The Town will use this list for Public Hearing Notices

**Conditional Submittals:**

- A. Completed application
- B. Fee as described in the Town of Dallas Fee Schedule
- C. Letter of intent – reason for map amendment
- D. Adjacent Property Owner List – provide a copy of addresses for all property owners within 500 feet of the site. The Town will use this list for Public Hearing Notices.
- E. 3 copies of Concept Plan along with digital submittal (drawn to scale by architect, landscape architect, professional surveyor, or engineer licensed in North Carolina).
  - a. Concept Plans shall not be accepted if they do not meet the requirements found in 153.072
- F. Traffic Impact Analysis, if required. Refer to Town of Dallas Street and Traffic Standards Policy
- G. Authorized agent verification letter, if applicant is different from the property owner

Town of Dallas Zoning Map Amendment (Rezoning) Application

Physical Property Address 3615 Dallas High Shoal Hwy

Tax Parcel Number A portion of parcels 312382 Lot Size .27 & .06 acres  
and 309511

Current Zoning R-12, R-1

Requested Zoning R-5

Conventional X Conditional \_\_\_\_\_

Property Owner(s) Sammeey Creek Dallas LLC

Owners Address 1205 Autumn Ridge Drive 182 North Main Street  
Waxhaw, NC 28173 Mooreville, NC 28115

Phone Number (408) 406-2006 Email Address writetokotha@gmail.com  
(attach separate sheet if necessary)

**If different than owner:**

Applicant Name \_\_\_\_\_

Applicant Address \_\_\_\_\_

Phone Number \_\_\_\_\_ Email Address \_\_\_\_\_  
(attach separate sheet if necessary)

Signature of Applicant K. R. Reddy

Signature of Owner \_\_\_\_\_

**Staff Only:**

Date of completed application \_\_\_\_\_ Received by \_\_\_\_\_

Planning Board Meeting Date \_\_\_\_\_

Public Hearing Meeting Date \_\_\_\_\_



Date: June 19, 2024

To: Mayor and Board of Aldermen  
Town of Dallas  
210 N Holland Street  
Dallas, NC 28034

C/O: Mr. Anthony Smith  
Development Services Director

Re: Rezoning Letter of Intent

Mayor and Board of Aldermen,

Please allow this letter to serve as reasoning of the zoning map amendment request for parcels 309511 and 312382. The Town recently sold a portion of parcel 312370 through the upset bid process for inclusion in the project known as Summey Creek. The zoning map amendment (rezoning) is necessary to uniformly zone the development site and provide the same zoning standards. A portion of parcel 309511 is currently located in Gaston County and, if annexed, requires Town of Dallas zoning to be applied. The remainder of the Summey Creek development is zoned R-5 and R-5 CD, so we request the Board of Aldermen approve the zoning map amendment request for these parcels to a conventional R-5 zoning district.

As part of the rezoning request, please allow Urban Design Partners to serve as the authorized agent on my behalf.

Sincerely,



Raghunadha Kotha  
Sammy Creek Dallas, LLC  
(408) 406-2006

CC:  
Paul Pennell  
Urban Design Partners  
(704) 334-3303

# Staff Report

## Zoning Map Amendment Petition: Z-2024-02

**Applicant:** Sammy Creek Dallas, LLC

**Authorized Agent:** Sammy Creek Dallas, LLC

**Property:** Parcels 309511 & 312382

**Owner:** Sammy Creek Dallas, LLC

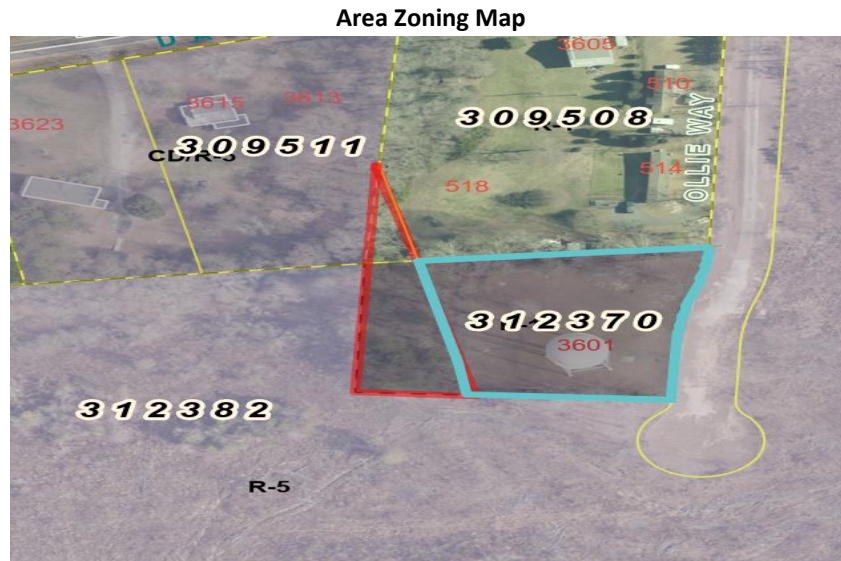
**Current Zoning District:**

**Requested Zoning District:**

R-12/R-1		R-5	
Front/Rear Setbacks	40/25 feet	Front/Rear Setbacks	25 feet
Side Setbacks	12/6 feet	Side Setbacks	6 feet
Minimum Lot Area	12,000/6,000	Minimum Lot Area	5,000 1 <sup>st</sup> unit/2,500
sq feet		additional unit	
Minimum Lot Width	90/60 feet	Minimum Lot Width	50

**Proposed Zoning Map Amendment:** Sammy Creek Dallas, LLC has submitted a conventional rezoning request to rezone two properties from split R-12/R-1 zoning to Residential R-5.

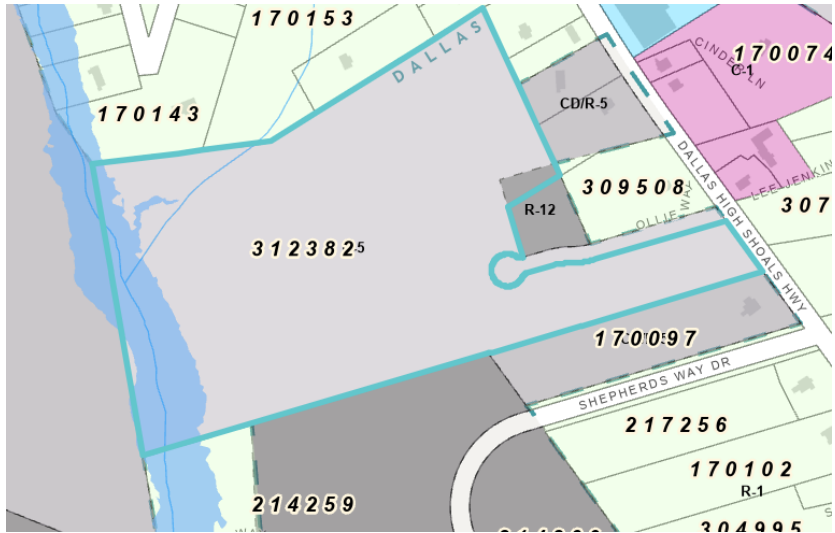
**General Location:** The subject properties are located in the northwest part of the Town. One parcel is partially within Gaston County and the other parcel is located solely in Gaston County. The primary access point for parcel 312382 is off Ollie Way, and parcel 309511 has road frontage along Dallas High Shoals Highway. The site is bordered by R-5 and R-1 property to the north and west, residential R-5 to the west, and CD-R-5, to the north.



**Staff Analysis:** The small of these properties are located outside of the Town Limits and regulated by the Gaston County UDO. The area of parcel 309511 inside the Town Limits of Dallas, a small portion is located within Gaston County’s residential R-1 District. Of the parcel’s 1.37 acres, approximately .05 of acres are within Gaston County’s residential R-1 District. This area is split between the Town’s Residential R-5 District and Gaston County Residential R-1. The request to change the R-1 zoning to R-5 would make the zoning district and allowable uses uniform throughout the entire property.

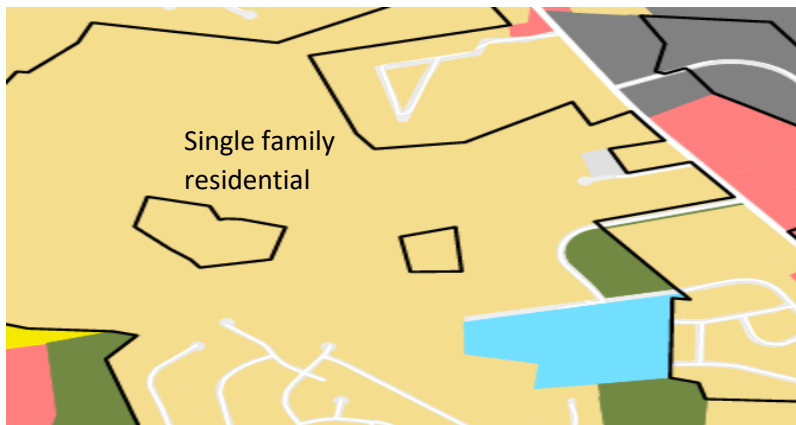
Regarding parcel 312382, its 30.09 acres of the total .27 acres are within the Town Limits. This area is currently zoned R-5 and a portion is zoned R-12, and located on the eastern portion of the property. The parcel's area subject to Town of Dallas UDO has Residential R-5 zoning on the western portion, and Residential R-12 on the southern portion. Although the area requested for rezoning is immediately adjacent to the west. This request if approved will expand the established Residential R-5 zoning districts along Ollie Way.

**Floodplain Coverage**

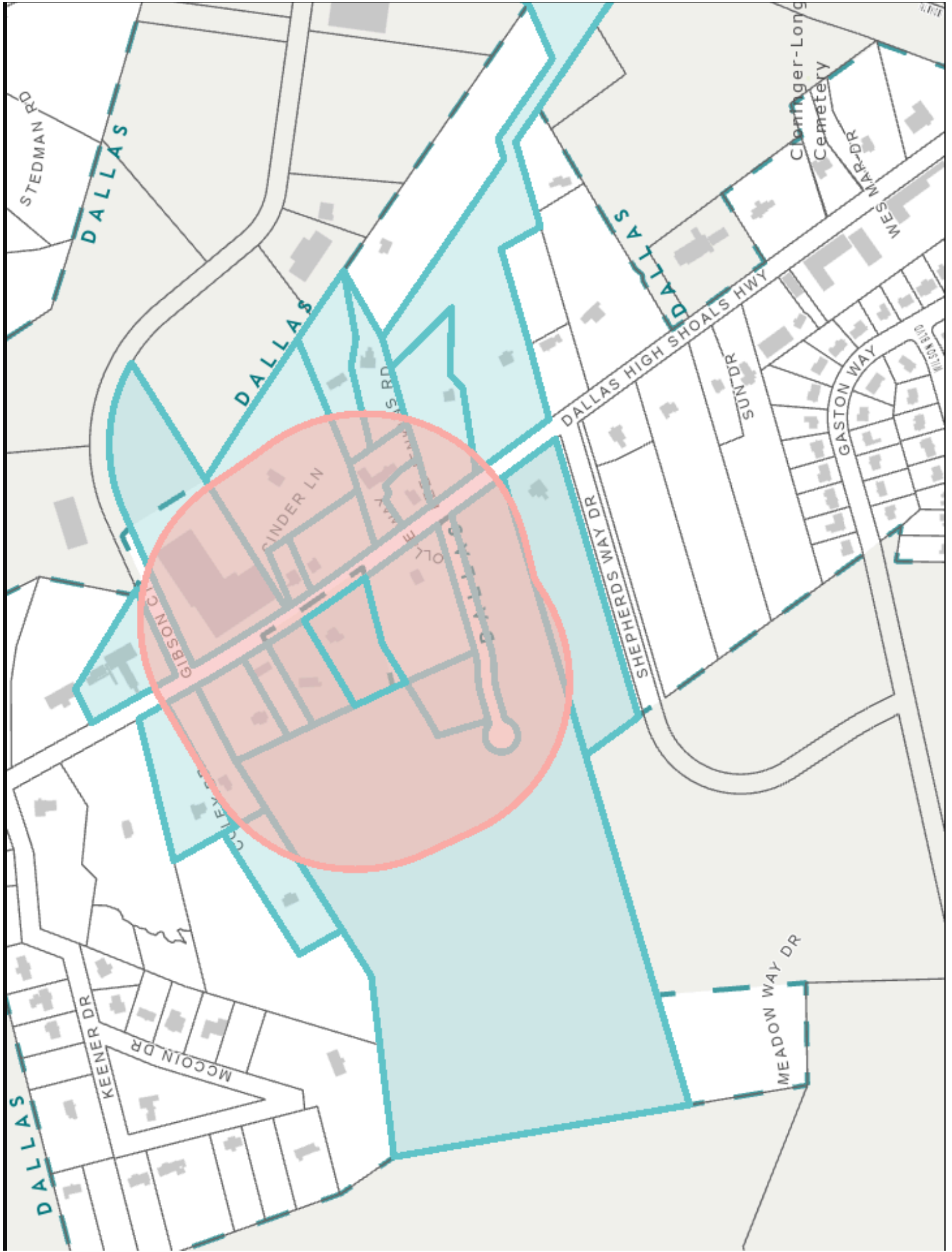


Although parcel 312382 has significant floodplain coverage along the west boundaries, there is some Special Flood Hazard Area coverage within the Town's jurisdiction.

**Comprehensive Land Use Plan:** The proposed rezoning is consistent with the Town's adopted 2030 Comprehensive Land Use Plan. According to the 2030 Future Land Use Map, Parcel 312382 is expected to become Single Family Residential, and Parcel 309511 is expected to become a part of Single Family Residential.



**Staff Recommendation:** Given the existing Residential uses in the area, including portions of the subject properties, the proposed rezoning to R-5 is best to move forward for the development of these properties. It is consistent with the 2030 Comprehensive Land Use Plan, staff recommends approving the request based on current uses and potential growth.





Parcel Number	Current Owners	Mailing Address	Physical Address	Deed		Deed		Deed	Deed	Property Use	Taxable Value
				Book	Page	Book	Page				
312382	SAMMEY CREEK DALLAS LLC	1205 AUTUMN RIDGE DRIVE, WAXHAW, NC 28173	NO ASSIGNED ADDRESS,	5473	0452	4/18/2024	30.09	RESIDENTIAL	\$251,800	RESIDENTIAL	\$251,800
221300	TOE RIVER CAPITAL LLC	207 EAST THIRD AVENUE, GASTONIA, NC 28052	3600 DALLAS HIGH SHOALS HWY, DALLAS, NC 28034	5273	2113	10/6/2021	0.39	COMMERCIAL	\$71,980	COMMERCIAL	\$71,980
170154	COLEY THOMAS W COLEY SANDRA L	3643 DALLAS HIGH SHOALS HWY, DALLAS, NC 28034 0000	3643 DALLAS HIGH SHOALS HWY, DALLAS, NC 28034	1164	0246	7/9/1975	1.54	RESIDENTIAL	\$110,330	RESIDENTIAL	\$110,330
307927	BROOKS JERRY M	2306 HILLSIDE DR, DALLAS, NC 28034	3564 DALLAS HIGH SHOALS HWY, DALLAS, NC 28034	5356	0948	8/8/2022	1.91	RESIDENTIAL	\$92,010	RESIDENTIAL	\$92,010
170079	FERGUSON TISHA	765 BUFFALO SHOALS ROAD, LINCOLNTON, NC 28092.8887	123 LEE JENKINS RD, DALLAS, NC 28034	5510	1436	10/9/2024	1	RESIDENTIAL	\$216,130	RESIDENTIAL	\$216,130
170060	MILLS CARL VAN	3627 DALLAS HIGH SHLS HWY, DALLAS, NC 28034 7721	3627 DALLAS HIGH SHOALS HWY, DALLAS, NC 28034	095E	0221	3/1/1994	0.54	RESIDENTIAL	\$135,380	RESIDENTIAL	\$135,380
309511	SAMMEY CREEK DALLAS LLC	182 NORTH MAIN ST, MOORESVILLE, NC 28115	3615 DALLAS HIGH SHOALS HWY, DALLAS, NC 28034	5388	1914	1/20/2023	1.36	RESIDENTIAL	\$106,560	RESIDENTIAL	\$106,560
221299	LANIER PATREECE Q	3604 DALLAS HIGH SHOALS RD, DALLAS, NC 28034	3604 DALLAS HIGH SHOALS HWY, DALLAS, NC 28034	5351	1913	7/18/2022	0.82	COMMERCIAL	\$212,850	COMMERCIAL	\$212,850
170073	ALLEN TERRY D ALLEN CATHY H	1540 S NEW HOPE RD, GASTONIA, NC 28054 5836	3614 DALLAS HIGH SHOALS HWY, DALLAS, NC 28034	4601	1325	3/16/2012	0.98	COMMERCIAL	\$123,570	COMMERCIAL	\$123,570
170078	IVANOV KRASSIMIRE PETROV	P O BOX 1373, DALLAS, NC 28034	117 LEE JENKINS RD, DALLAS, NC 28034	4549	1328	1/27/2011	1.38	RESIDENTIAL	\$174,040	RESIDENTIAL	\$174,040
170070	LANE REBECCA DELLINGER	3618 DALLAS HGH SHLS HWY, DALLAS, NC 28034 7721	3618 DALLAS HIGH SHOALS HWY, DALLAS, NC 28034	004E	0345	2/7/2004	0.3	COMMERCIAL	\$99,440	COMMERCIAL	\$99,440
170155	COLEY GREGORY BRIAN	127 COLEY DR, DALLAS, NC 28034 8781	127 COLEY DR, DALLAS, NC 28034	4189	1585	1/10/2006	1.5	RESIDENTIAL	\$110,400	RESIDENTIAL	\$110,400
170055	COLEY THOMAS WAYNE	3637 DALLAS HGH SHLS HWY, DALLAS, NC 28034 7721	3637 DALLAS HIGH SHOALS HWY, DALLAS, NC 28034	4540	2111	11/24/2010	1.01	RESIDENTIAL	\$109,040	RESIDENTIAL	\$109,040
170097	SAMMEY CREEK DALLAS LLC	1205 AUTUMN RIDGE DRIVE, WAXHAW, NC 28173	3565 DALLAS HIGH SHOALS HWY, DALLAS, NC 28034	5388	1904	1/20/2023	3.82	RESIDENTIAL	\$254,970	RESIDENTIAL	\$254,970
309508	STARNES ROBIN LEE	1110 BAXTER RD, CHERRYVILLE, NC 28021	3605 DALLAS HIGH SHOALS HWY, DALLAS, NC 28034			1/1/1970	2.19	RESIDENTIAL	\$130,290	RESIDENTIAL	\$130,290
170056	VINEYARD DANIEL JAMES VINEYARD LAUREN	3629 DALLAS HIGH SHOALS HYW, DALLAS, NC 28034	3629 DALLAS HIGH SHOALS HWY, DALLAS, NC 28034	5211	0599	3/23/2021	1.04	RESIDENTIAL	\$131,610	RESIDENTIAL	\$131,610
170059	SAMMEY CREEK DALLAS LLC	1205 AUTUMN RIDGE DRIVE, WAXHAW, NC 28173	3623 DALLAS HIGH SHOALS HWY, DALLAS, NC 28034	5388	1910	1/20/2023	0.92	RESIDENTIAL	\$133,990	RESIDENTIAL	\$133,990
170090	BROOKS JERRY M BROOKS PAT E	PO BOX 980, DALLAS, NC 28034 0980	3560 DALLAS HIGH SHOALS HWY, DALLAS, NC 28034	5040	1837	5/9/2019	16.82	RESIDENTIAL	\$434,160	RESIDENTIAL	\$434,160
312370	DALLAS TOWN OF	210 N HOLLAND ST, DALLAS, NC 28034 1625	3601 DALLAS HIGH SHOALS HWY, DALLAS, NC 28034			1/1/1970	0.87	EXEMPT	\$0	EXEMPT	\$0
169194	PLAINVIEW BAPTIST CHURCH INC	PO BOX 278, DALLAS, NC 28034 0278	3640 DALLAS HIGH SHOALS HWY, DALLAS, NC 28034	3684	0804	4/10/2003	1.37	EXEMPT	\$0	EXEMPT	\$0
305050	BOLDING DAVID D BOLDING DANA S	4648 CROUSE RD, CROUSE, NC 28033 9767	3626 DALLAS HIGH SHOALS HWY, DALLAS, NC 28034	4934	1611	9/18/2017	0.78	INDUSTRIAL	\$863,790	INDUSTRIAL	\$863,790
170074	PROPST ROBERT SHANNON PROPST JO ANN	P O BOX 1143, DALLAS, NC 28034	115 CINDER LN, DALLAS, NC 28034	3485	0440	7/3/2002	3.82	COMMERCIAL	\$198,600	COMMERCIAL	\$198,600