

MINUTES – May 1, 2023

The Board of Aldermen of the Town of Gibsonville met at 7:00pm for a regular meeting in the Gibsonville Town Hall. The meeting was called to order by Mayor Williams. Alderpersons Shepherd, Owen, Maizland, Crisp, and Dean were present. Ben Baxley, Town Manager, Gina Griffeth, Town Clerk, Bob Giles, Town Attorney, Ron Parrish, Police Chief, Lt. BJ Korn, Chief Todd, Fire Chief, Brandon Parker, Town Planner, and Mike Dupree, Parks & Recreation Director, were present. There were several members of the public present. The board meeting was live streamed on Facebook and available via landline for those unable to attend.

Mayor Williams called the meeting to order.

Invocation

Mayor Williams lead the invocation and pledge of allegiance.

Public Comments

There were no public comments.

Approval of Agenda

Alderman Shepherd, seconded by Alderwoman Maizland, made a motion to approve the agenda. The motion passed unanimously.

Approval of Minutes

Alderman Owen, seconded by Alderman Crisp, made a motion to approve the minutes of April 17, 2023. The motion passed unanimously.

Public hearing – rezoning request 629 Gibsonville Ossipee Road

Property owner Stephanie Lowe is requesting to rezone Alamance Parcel #107942 from RS-20 to RS-12 for the purpose of subdividing and building a single-family home. The Planning Board voted 4-0 at their April 20th meeting to approve the rezoning.

Alderman Shepherd, seconded by Alderman Crisp, made a motion to open the public hearing.

No one wished to speak.

Alderman Shepherd, seconded by Alderman Crisp, made a motion to close the public hearing.

Alderman Shepherd, seconded by Alderwoman Maizland, made a motion to approve the rezoning request for 629 Gibsonville Ossipee Road along with the plan consistency statement and statement of reasonableness. The motion passed unanimously.

AN ORDINANCE TO AMEND THE GIBSONVILLE ZONING MAP BY REZONING 629 OSSIPEE ROAD FROM RS-20 TO RS-12

WHEREAS, the current development ordinance was duly adopted 1 April 1991; and

WHEREAS, during the course of routine interpretation and application the need arises to revise the ordinance, or to correct or clarify certain ambiguities and inconsistencies contained within the text of the ordinance; and

WHEREAS, the property identified on the Alamance County parcel #107942 located at 629 Gibsonville Ossipee Road, Gibsonville, is owned by Stephanie Lowe; and

WHEREAS, pursuant to development ordinance, proper application was made by the property owner to rezone 0.95 total acres from RS-20 to RS-12; and

WHEREAS, pursuant to development ordinance and statutory requirements, the Town of Gibsonville made due public notification and advertisement of the pending rezoning; and

WHEREAS, after consideration in a public hearing at their regular April meeting, the Gibsonville Planning Board made a recommendation to approve the rezoning request by unanimous 4-0 vote; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN FOR THE TOWN OF GIBSONVILLE: that the Gibsonville Zoning Map be amended by rezoning the above-referenced property from RS-20 to RM-12, which shall be fully incorporated therein.

Adopted this 1st day of May, 2023.

Mayor

Attest:

Town Clerk

Plan Consistency Statement and Statement of Reasonableness

In accordance with NCGS 160D-605, the Board of Aldermen shall approve a Plan Consistency Statement and a Statement of Reasonableness when adopting or rejecting a zoning map amendment.

Staff Recommendation: Staff recommends that the Board of Aldermen approve the Plan Consistency Statement and Statement of Reasonableness for 629 Gibsonville Ossipee Road (Alamance County Parcel # 107942) zoning map amendment (rezoning) request as stated below:

Property at 629 Gibsonville Ossipee (Alamance County Parcel # 107942) is owned by Stephanie Lowe, and the rezoning request is to rezone 0.95 acres from RS-20 to RS-12.

THE BOARD OF ALDERMEN OF THE TOWN OF GIBSONVILLE HEREBY STATES:

PLAN CONSISTENCY STATEMENT AND STATEMENT OF RESONABLNESS:

The proposed zoning amendment is consistent with the Town of Gibsonville Land Development Plan 2040 because:

1. It is consistent with the goal, objective, and strategies included in Section 4.4 Residential Development;
2. This anticipated development advances the goal of Section 4.4 Residential Development which to preserve, enhance, and create satisfying living environments that create and maintain strong neighborhoods; and
3. The proposed RS-12 (Residential Single-Family District) zoning district is consistent with the “Residential (Med-High Density)” designation for the property on the Town’s Future Land Use Map.

The proposed zoning amendment is reasonable and in the public interest because it supports the Town of Gibsonville Land Development Plan 2040 policies above, as well as for the following reasons:

1. Consistency with Surrounding Area: The proposed development will be similar to those in the surrounding areas as it will be used for single-family residential purposes. Other land uses in the surrounding areas are single family homes to the east, west, north, and south of the property.
2. Benefits and Detriment to the Community: The proposed amendment would provide a residential opportunity for residents and increase the tax base.
3. Relationship of Proposed Development to Currently-Allowed Development: This property currently is zoned RS-20 (Residential Single-Family District) and is primarily intended to accommodate low to moderate density single-family detached dwellings in suburban areas at an overall typical density of 1.9 units per acre.
Rezoning the property as proposed to RS-12 is consistent to the future land use map and it furthers the policies, goals, and objectives in Section 4.4 Residential Development. The adjoining properties are zoned CU RM-5, RS-20, and RS-12.
4. Other Public Interests Supported: The proposed amendment improves consistency with the long range plan by providing needed residential opportunities and improves the tax base by allowing residential development and is therefore in the public interest.

Approved this the 1st day of May, 2023.

Leonard Williams

Date

500 Church Street Discussion

Alex Sharak, property owner, Gene Rees of Mount Airy, Dennis Pinnix of State Code Enforcement, and Kathleen Turner of Preservation NC were present to discuss the old Gibsonville School property.

Gene Rees spoke on behalf of the property and believes it is worth saving. He does see the board's frustration with the area not being secure and understands that they have to draw a line at some point.

Dennis Pinnix stated that the main areas of concern are the flooring system, the roof, and the fence. He asked the property owners to put up a proper construction fence with gates back in 2020 and it still has not been done. The initial notice of violation was sent September 1, 2020. The town began assessing penalties on February 17th of 2023. The penalties are currently up to approximately \$30,500. The board discussed a settlement agreement at the last meeting which would give the owners 120 days to fix the safety issues in exchange for having the penalties waived.

Alderman Crisp stated that he sees no reason to further extend the time when the property owners have not made an effort. They have shown no urgency or motivation and keep having others come to the meetings to fight their battles.

Alderwoman Maizland stated that she has been going over to the school since 2019. There have been windows and doors open and the fence isn't secure.

Alex Sharak stated that the town has come up with a great proposal and he is present to agree with the proposal and have all items complete within 90 days. If the items are not complete, they agree to pay the penalties.

Gene Rees, Kathleen Turner, and Dennis Pinnix all agreed that 90 days is too ambitious. The town proposed 120 days. Kathleen Turner urged Alex to accept the 120 days. She stated that it would require a ton of power lifting engineering. Preservation NC will maintain pressure on the property owners as well.

Alderman Shepherd, seconded by Alderwoman Maizland, made a motion to extend the timeframe to 120 days for the three issues pinpointed and accrue fines if items are not completed. Alderman Owen voted against. The motion passed.

Attorney Bob Giles will work with staff to create the agreement.

Reports

Town Manager – Ben Baxley stated that the ABC Board has an opening. It has been advertised on Facebook and the Town's website and is open until May 31st. The elevated water tank RFQ will close on May 4th at 4pm.

Mayor – Mayor Williams stated that the budget is coming up and he asked the board to get with Ben about the tax rate. He stated that even a revenue neutral tax rate would leave him with a \$600 increase in his tax bill.

Board Members – Alderwoman Maizland stated that Richard Capps, the Big Foot Cycle Club Ride for Hope lead, has passed away. The teachers at Ragsdale High School have taken on the event and are making sure it still happens. The ride will begin at the Gibsonville Community Center on Saturday, May 13th.

Alderman Shepherd, seconded by Alderman Crisp, made a motion to adjourn. The motion passed unanimously. The meeting adjourned at 8:18pm.

Mayor

Attest: Town Clerk