

Agenda
Board of Aldermen
Town of Gibsonville

September 5, 2023
Special Meeting

Town Hall
7:00 pm

1. Invocation – Alderman Shepherd
2. Public Comments
3. Carolyn Johnson – Water bill concern
4. Approval of agenda
5. Approval of minutes
6. Prav Karandikar – Toasty Kettlyst Toastoberfest Follow-up Discussion
7. Public hearing - Annexation Petition – Alamance County Parcel 110110
8. Public hearing – Rezoning Request – Alamance County Parcel 110110
9. Reports
 - a. Town Manager
 - b. Mayor
 - c. Board Members

Addendum

6. Prav Karandikar – Toasty Kettlyst Toastoberfest Follow-up Discussion–

Prav Karandikar, owner of the Toasty Kettlyst Brewery, spoke at the last meeting regarding a ToastOberfest event downtown on October 7th from 3-7pm. The discussion was continued to September 5th.

7. Public hearing – Annexation petition - Alamance County Parcel 110110 –

Property owners Charles Neill and Ann Neill Hager have submitted a petition requesting annexation. The property is Alamance County Parcel 110110 consisting of approximately 17.8 acres. The clerk has certified the sufficiency of the petition. The board will need to hold a public hearing and approve the annexation ordinance.

Attachment: Annexation Ordinance

8. Public hearing – Rezoning Request – Alamance County Parcel 110110 –

Property owners Charles Neill and Ann Neill Hager have requested to rezone Alamance County Parcel 110110 consisting of approximately 17.8 acres from PUD to RM-8. The purpose of the rezoning is to allow for construction of townhomes. The Planning Board considered this item at their August 17th meeting and voted 3-1 to approve the rezoning. The board will need to hold a public hearing and approve the rezoning ordinance and plan consistency statement and statement of reasonableness.

Attachment: Rezoning Application/Maps/Staff Report, Rezoning Ordinance, Plan Consistency Statement and Statement of Reasonableness

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF GIBSONVILLE, NORTH CAROLINA

Annex. Ordinance 2023-2

WHEREAS, the Gibsonville Board of Aldermen has been petitioned under G.S. 160A-31 to annex the area described below; and

WHEREAS, the Gibsonville Board of Aldermen has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at 129 W Main Street at 7pm on September 5, 2023, after due notice by publication on August 26th and September 2nd, 2023; and

WHEREAS, the Gibsonville Board of Aldermen finds that the petition meets the requirements of G.S. 160A-31;

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Gibsonville, North Carolina that:

Section 1. By the virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Gibsonville as of September 5, 2023:

**Piedmont Avenue
Alamance County Parcel #110110
17.8 acres
Alamance County Register of Deeds Book 3661, Page 249**

Section 2. Upon and after September 5th, 2023, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the Town of Gibsonville and shall be entitled to the same privileges and benefits as other parts of the Town of Gibsonville. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Gibsonville shall cause to be recorded in the office of the Register of Deeds of Guilford County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Guilford County Board of Elections, as required by G.S. 163-288.1.

**Town of Gibsonville
Planning Department
Application for Rezoning**

Applicant: Leigh Polzella **Address:** 234 Kingsley Park Drive Suite 110, Fort Mill, SC 29715

Phone Number: 704-609-0418 **Email:** LeighP@brdland.com

Land Owner(s): NEILL CHARLES E III **Address:** 2319 Krista Kim Drive High Point, NC 27265
HAGER ANN NEILL

Parcel Information: County Guilford Alamance **Address:** Adjacent to: 820 Piedmont Ave.

County Parcel Number: 110110 **Deed Book:** 3661 **Page:** 0249

Current Zoning: PUD **Current Use:** vacant

Proposed Zoning: RM-8 **Proposed Use:** residential community

Purpose of Rezoning Request: To develop a single family attached (town home) community

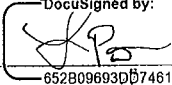
Conditional Uses Zoning Specification (if applicable): (Indicate if condition is Use or Development Condition)

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.

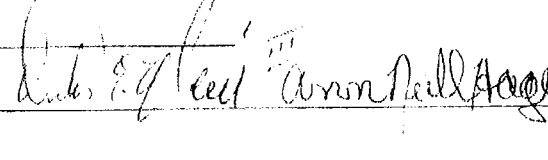
See Page 2 for additional submission requirements.

Applicant/Owner Certification

Per Article 3 Section 3-12.2 of the Town of Gibsonville Development Ordinance, the undersigned hereby requests the Gibsonville Planning Board to consider rezoning the land as specified above and on attached documentation and submit a recommendation to the Board of Aldermen. The undersigned land owner, agent, representative and other involved parties agree to allow Town of Gibsonville Staff, contractors and authorize representative to access the property for the purposes of necessary studies and for posting public notices.

Authorized Signature  Agent Owner
DocuSigned by: 652809693007461...

Date 7/31/2023

Owner Signature  Date 7.31.2023

Date Submitted 7-31-23 File Number R-02-23 Fec pd \$200

Dunntown Rd

CU/CB

Burke-Gubhouse Rd

Piedmont Ave.

Still-Water Cir

Claystone Dr

Graphier Dr

Moonstone Ct

Dolomite Dr

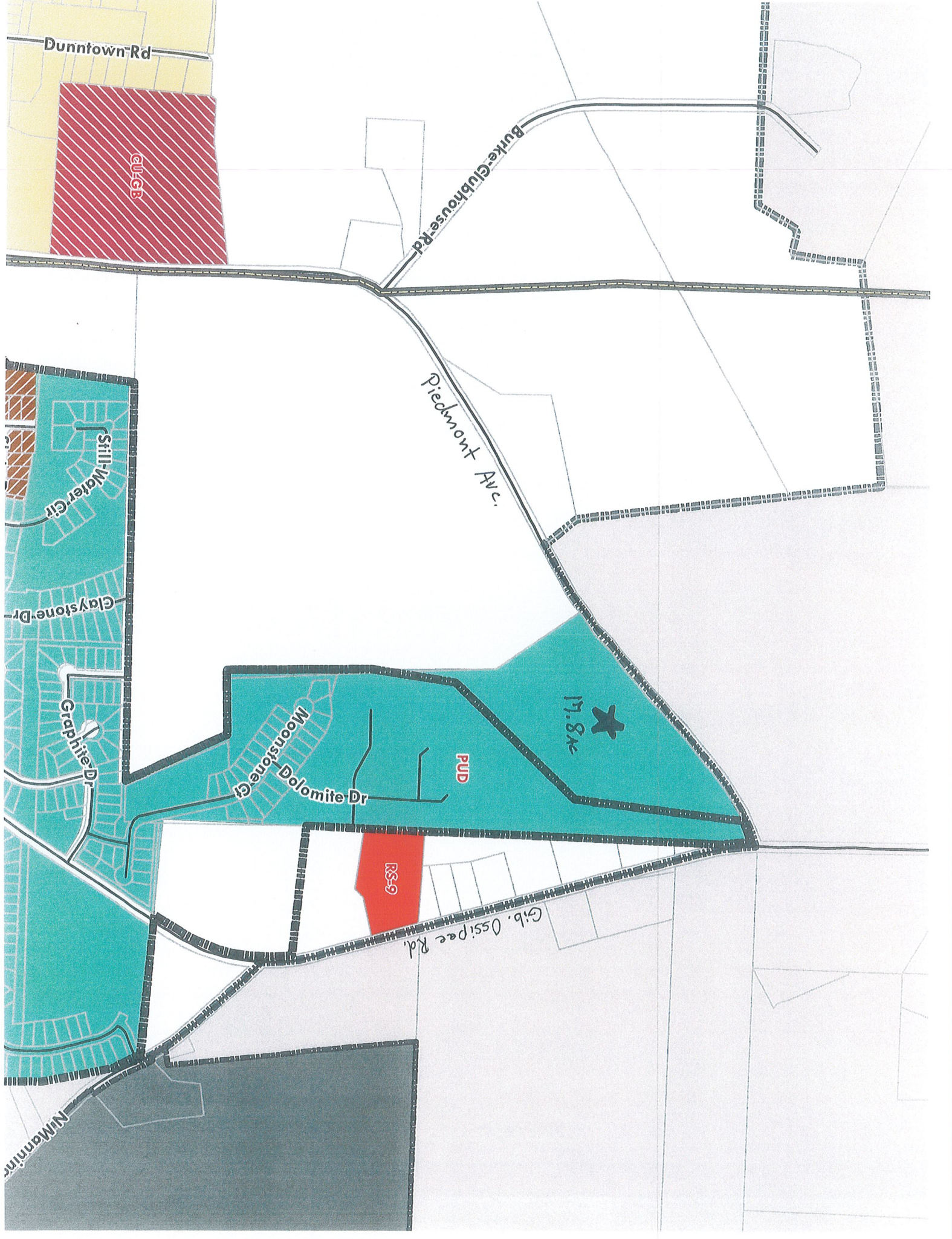
PUD

17.8k

RS-9

Gib. Ossipee Rd.

N Manning



Adjacent Property Owners

Owner

Charles & Kristina Young

Carol Sugg & Sandra Dykes

Clayton Properties Group Inc.

Address

820 Piedmont Ave. Gibsonville

Piedmont Ave. Gibsonville

Dolomite Dr. Gibsonville

Staff Report

Rezoning R-02-03: BRD Land & Investment

BRD Land & Investment is requesting to rezone the property located at the corner of Piedmont Ave. and Gibsonville Ossipee Rd., Alamance Co. Parcel # 110110. The request is to rezone the property of 17.83 acres from PUD to RM-8, to build a town home development. The property meets the dimensional requirements for the proposed zoning district. The surrounding properties are zoned AG and PUD. All the adjoining property owners have been notified and property has been posted and advertised. Please refer to the attached map for more information.

Planning Board Recommendation: The Planning Board recommend to approve the request by a 3-1 vote during their August meeting.

PLAN CONSISTENCY STATEMENT:

(Motion): The proposed rezoning remains consistent with the Land Use Map, as the property is designated as Residential (Med-High Density).

STATEMENT OF RESONABLNESS:

(Motion): The proposed zoning amendment is reasonable and in the public interest because it is consistent with **Objective 4.4A:** Encourage the continued viability of single-family homes as a major housing source, while allowing other forms of housing such as accessory dwelling units, multi-family, and retirement communities.

**AN ORDINANCE TO AMEND THE GIBSONVILLE
ZONING MAP BY REZONING THE PROPERTY OF
CHARLES & ANN NEILL FROM PUD TO RM-8**

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 is identified as Alamance County parcel 110110, located on Piedmont Ave., is owned by Charles & Ann Neill; and

WHEREAS, pursuant to development ordinance, proper application was made by the property owner to rezone 17.8 acres from PUD to RM-8; 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 August meeting, the Gibsonville Planning Board made a recommendation to approve the rezoning request by a 3-1 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 PUD to RM-8, which shall be fully incorporated therein.

Adopted this 5th day of September 2023.

Mayor

Attest: _____

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 Piedmont Avenue (Alamance County Parcel # 110110) zoning map amendment (rezoning) request as stated below:

Property at Piedmont Avenue (Alamance County Parcel # 110110) is owned by Charles Neill and Ann Neill Hager, and the rezoning request is to rezone 17.8 acres from PUD to RM-8.

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 is to preserve, enhance, and create satisfying living environments that create and maintain strong neighborhoods and Objective 4.4A: Encourage the continued viability of single-family homes as a major housing source, while allowing other forms of housing such as accessory dwelling units, multi-family, and retirement communities; and
3. The proposed RM-8 (Multi-Family Residential 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 a higher density than the surrounding areas as it will be used for townhome residential purposes. Other land uses in the surrounding areas are single family homes to the east, west, and south of the property and vacant to the north.
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 PUD (Planned Unit Development District) and the purpose of this district is to provide for creation of well thought-out environments through the application of flexible and diversified land development standards. The PUD is intended to encourage the application of new

techniques and technology to residential, commercial, office, and industrial use which will result in a more comprehensive development arrangement with lasting function and appeal.

Rezoning the property as proposed to RM-8 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 PUD and AG.

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 5th day of September, 2023.

Leonard Williams
Mayor

Date