

**Town of Pilot Mountain
Public Hearing 2020-REZ-01
Monday, June 29, 2020 6:00 PM
Pilot Center, 612 E Main St, Pilot Mountain, NC 27041**

Members Present: Mayor Evan Cockerham, Commissioner Donna Kiger, Commissioner Hilda Willis, Commissioner Kim Quinn and Commissioner Scott Needham

Staff Present: Town Manager, Michael Boaz, Town Clerk, Holly Utt and Town Planner, Andy Goodall

Budget Amendment #6 FY 2019-2020

Mr. Boaz explained that this would insure a balanced budget for fiscal year ending June, 30, 2020. Commissioner Quinn made a motion to approve Budget Amendment #6 and it was unanimous.

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Mr. Boaz explained rules for the public hearing, Resolution R2020-10. He stated that the time limit for individuals was 3 minutes and 5 minutes for representing a group.

Joey Russell – Southern Properties & Development LLC

Mr. Russell explained that if this property was re-zoned, there would be a 64 unit apartment complex consisting of 1, 2 and 3 bedroom units. There will be 4 two-story buildings and a clubhouse area with a playground, picnic shelter and the main office. They would be ADA compliant and have a full time manager and maintenance worker. There will be parking available for the units and a buffer according to the town ordinance. Commissioner Willis asked how many handi-cap parking spaces would be allocated. Mr. Russell stated they would be allocated per building depending on how many handicap fully accessible units were in each building. Some buildings may have only one fully accessible unit, while others could have up to three so the parking spaces will be two to each unit and will be as close to that entrance as possible, as required by the state. Commissioner Kiger asked if there would be overflow parking for guests, other than the two allowed per unit. Mr. Russell stated that there was no additional parking spaces in the plan, however, there will be 10-15 extra spaces at the clubhouse for parking. Commissioner Needham asked if there was any additional buffer other than the trees. Mr. Russell stated that was no additional buffer other than what has been rendered in the drawing which complies with the town ordinance, but an additional buffer could be added as a condition.

Bryant Brantley, representative of the seller's, gave a brief history on the property. He explained that the seller had been trying to sell the property for 20 years, there are no back-up contracts on the property and they would like to sell so they can move on with their lives and restaurant located in East Bend. It is not uncommon for a real estate firm to list the property and have a near-by property owner purchase that property to protect their own interests and that has not happened in this case and there are no back-up contracts and no one asking how they can secure this property. In addition, there have been no other individuals, groups or entities inquire about the property. The seller's would like for the Board to approve the re-zoning of the property. They are taking a financial loss by selling at the contract price but they have waited 20 years to have this opportunity.

Mayor Cockerham opened the public hearing at 6:20 PM.

The following persons spoke in favor of the re-zoning:

Tom McClusky – 210 S. Boyles Street

Stacie Boggs – 318 N. Key Street

Kara Richardson – 241 Swiss Haven Drive

Comments in favor of the re-zoning:

- Need affordable housing for economic growth to attract individuals and businesses
- Beneficial to the essential workers that everyone depends on; grocery store clerks, restaurant workers, mechanics, etc.
- Make the community available for more people to call home
- Communities should grow and adapt or they will cease existence
- If not approved, it would be denying good people a place to live
- Generates tax revenue to offset future tax increases
- The property would generate more water and sewer revenue to the town to help off-set the cost of infrastructure improvements
- The location meets all the standards of the NC Housing Authority for apartments and it located near all the amenities
- Surry County schools have said they can accommodate more children
- There are long waiting lists at other apartments and rental in Pilot Mountain and we need housing now
- The Surry County Sheriff's Department has provided information that states the apartment complexes do not provide any higher crime rate than single residential areas regardless of the income level is of the tenants
- The NC DOT has provided information that the area of Key Street and Golf Course Road can handle hundreds of vehicles per day
- It is against the law for this Board to discriminate or make decisions based on race, religion, gender and income levels of the tenants
- If the same request was made for more expensive, high end condos, the re-zoning would most likely be approved without pressure from the community to deny it

The following persons spoke in opposition of the re-zoning:

Chad Motsinger – 211 Stone Drive (spoke on behalf of a group)

Chelsea Wheeler – 135 Heidi Court (spoke on behalf of group)

Debbie Bartlett – 247 Golf Course Road

Deana Harrison

Zeke Harrison

Kevin Shinault – 175 Hillcrest Court

Rita Hughes – 127 Club House Drive

Aric Bullington – 150 Deer Trace Lane

Brooks George – 240 Golf Course Road

Amanda Cook – 347 Golf Course Road

Cooper Motsinger – Stone Drive

Jason Goins – 200 Club House Drive

Mr. Boaz read emails from the following in opposition of the re-zoning:

Josh & Karrie Tilley – Chapel Hill, NC

Al McDonald
Nancy Carter – 178 Club House Drive
Residents of Friendly Land & Longview Drive

Comments in opposition of the re-zoning:

- The appearance of the gateway area to the town, potential for compounded, overcrowding of schools, decreased buffer zone, traffic impact and liability of infrastructure to handle pedestrian traffic
- A 45% increase in traffic with an already congested intersection
- DOT representatives were not informed of a potential large number of residents moving to the area
- The town should require the developer to pay for a traffic study and make potential improvements or the town will be liable
- Lack of sidewalks and crosswalks for increased pedestrian traffic
- Asked that the Board honor the decision of the Planning Board and vote against the re-zoning
- Town decisions affect those in the ETJ and should be turned over to the county
- People come from all over the state to Pilot Mountain and the apartments should not be at the entrance to town
- Not responsible planning to allow apartments to be built at the busiest intersection in town
- County Commissioners were not aware of the possible re-zoning
- Property values will drop
- Disrupt town life
- Spot zoning could potentially aggravate an already poorly managed traffic issue
- What has the town done to take into account the massive traffic congestion
- Only one grocery store and pharmacy in town which would put a strain on those places
- Single family home values will drop drastically
- The Golf Course Road/Key Street intersection is already dangerous and an increase in traffic will be especially dangerous to new drivers
- Lack of real open forum to hear the citizens' concerns and to participate in the hearing
- Location is impractical for multi-family housing
- Has the Board thought about the safety and well-being of young, new drivers with increased congestion in the area
- The ETJ is not fairly represented, taxation without representation. The ETJ should be turned over to the county like all other municipalities in Surry County
- Problem with the location, sidewalks and traffic and asked that the Board have the developer look at other locations for the apartments
- ETJ is not fairly represented. Asked that the Board revert control of the ETJ back to the county and vote no to the re-zoning
- Increase in crime. More violent crimes are associated with low income housing
- These apartments will be built right in residents back yards
- The town will need more police officers and resources to deal with crime in the apartment complex
- Tourism has grown in Pilot Mountain and when people come into town the apartment complex will be the first thing they see
- Irresponsible and detrimental to the town while there is other land that could be purchased for the apartments
- Take into consideration the opinions of the younger generation

- The intersection is dangerous for all drivers and the problem will grow substantially with the additional traffic and there will be frequent collisions, especially with new drivers
- The hearing should have been postponed due to the pandemic
- Pinnacle Hill already exists as affordable housing and that is enough
- The Planning Board decision should be honored by the Board of Commissioners
- The intersection is too dangerous as it is to make a left turn now
- Other properties are already available in the town limits that is zoned for multi-family housing
- Concerns for the safety of children in a highly commercialized area
- Increase in accidents and injuries if more traffic is added, pursue other locations
- 18 acres for sale at Pinnacle Hill and could be developed for this project
- Build in another area where it is welcomed and much less opposition by residents

Mayor Cockerham closed the public hearing at 7:23 PM

Andy Goodall stated that regardless of the Board's decision of the re-zoning, the NC DOT will be contacted about the intersection. No matter what is developed on the property, it sounds like there is a problem there now. If it means that the DOT has to put up some type of barrier to keep people from making left turns in that intersection now, since it has been stated that it is dangerous with no development, then maybe that will take care of some of the problems. He explained that the property is currently zoned commercial and general business uses. The property has been on the market for 20 years with no interest. With a commercial use, a gas station could be put in that can operate 24/7. The DOT has not contacted the town at all regarding any issues with traffic. Commissioner Needham stated that there had been some discussion about joining Golf Course Road with traffic circle.

Discussion:

Commissioner Willis asked Mr. Russell if they had sought other land in Pilot Mountain. Mr. Russell stated that he had not looked at other land in town, he was directed to this site by a broker and he is always open to looking for land. Commissioner Willis asked if there was anything in the plan that could be adjusted. Mr. Russell stated that the architect that did the plans made those specific to the town's ordinance and he was in agreement with the plans presented.

Commissioner Kiger asked about the buffer in the plans. Mr. Russell stated that the buffer was drawn in specific to the town ordinance. He noted that the buffer could be adjusted to the town's needs. Andy Goodall explained that this was a preliminary drawing with the buffers, but with the conditions it would require an additional 50' natural buffer along that strip. Commissioner Needham asked how visible the apartments would be from the highway. Andy stated that with two story units, 30-35', then they will be mostly covered by the tree line but, contour wise, that area will sit higher. There is a lot of dense vegetation in that area.

Mayor Cockerham stated that this development could grow the tax base for Pilot Mountain. Having more customers will help with spreading the cost of improvements for infrastructure. He also noted that the City of Mount Airy is the only municipality in the county that does not have an ETJ. If the town does not grow, we will essentially be raising taxes and rates for citizens in town. This growth can help the local economy with local workers.

Commissioner Quinn addressed some of the points made during the hearing. The location seemed to be a big issue. She explained that the town had not actively been seeking buyers for locations of properties

around town, which is between the buyer and seller and their property rights. The Board's job is to determine if it is a proper fit for multi-family residential or commercial. Their role is not to determine who owns it and who can live there. The traffic issue should be looked at regardless of what goes on the proposed site. The property owner has a right to sell the property and they are taking a loss. The town has struggled for years and this would bring revenue to the town. People are in need of affordable housing and there are waiting list everywhere in town. The school can accommodate growth in the system. She noted that her only concern was the buffers and the view coming into town. She encouraged planning the buffer a little more, no matter what goes in that location.

Commissioner Needham asked about sidewalks because there are none listed outside of the complex. Andy Goodall stated that sidewalks would be needed at least along the frontage of the complex. Mr. Russell stated that if they were required to do a sidewalk along the street they would connect the sidewalks from within the site to that sidewalk.

Commissioner Kiger stated that by leaving the site zoned commercial, we are setting up for potentially placing a business there that would not be an asset to the town that would cause more traffic. She acknowledged that there is a traffic problem there now. There is a shortage of affordable housing in Pilot Mountain. Small businesses in town do not have workers locally and people are not going to drive that far to come to those businesses. The town needs housing for potential employees in town. She stated that change could be messy and scary but in order to grow the town we have to embrace change. The land has been for sale for 20 years as commercial and no one has been interested and she thinks this will be a good development for that property.

Commissioner Willis wanted the citizens to know that all their comments and concerns were heard and considered by the Board. Her only concern is the pursuit of other land. She stated it was a tough decision by the Board and she hopes it is in the best interest of the town.

Andy Goodall noted the recommended conditions:

- The multi-family residential use shall be limited to no more than sixty-four residential units
- The multi-family residential use shall be constructed based on the submitted preliminary site plan. Any major modification shall require approval by the Town Board
- The developer(s) shall submit a voluntary annexation application for the Town Board review and approval prior to submitting development plans for technical review; and
- A fifty (50') foot natural landscaping yard (buffer) shall be maintained along Friendly Lane and retain as much natural buffer as possible at the lower portion of the property
- Commissioner Needham thanked everyone that came out to speak. It shows that people really care and are really enthusiastic about the community. He asked that the younger people keep coming out and letting their concerns be known.

Commissioner Quinn made a motion to approve the proposed map amendment 2020-REZ-01 with the recommended conditions and it was unanimous.

Commissioner Quinn made a motion that the proposed map amendment is consistent with the Town of Pilot Mountain Land Use Plan's Residential Development objective of encouraging high quality affordable and moderate-income housing and it was unanimous.

Commissioner Quinn made a motion that the proposed map amendment is not consistent with the Town of Pilot Mountain Land Use Plan's Commercial Future Land Use Classification and it was unanimous.

Commissioner Quinn made a motion to amend the Future Land Use Classification for the subject properties from Commercial to High Density Residential. The change is necessary to accommodate an increased need for additional housing types including high quality affordable housing in the community, and it was unanimous.

Commissioner Quinn made a motion that the proposed map amendment is reasonable and in the public interest because it meets the Town's objective for providing high quality housing in the community and it was unanimous.

Commissioner Needham made a motion to adjourn and it was unanimous.

Respectfully Submitted:

Attest:

Holly Utt
Town Clerk

Evan Cockerham
Mayor