

**TOWN OF TRYON**  
**BOARD OF COMMISSIONERS**  
**PUBLIC HEARING**  
**NOVEMBER 21, 2017 6:30 P.M.**  
**TRYON TOWN HALL – MCCOWN ROOM**

Present: Mayor J. Alan Peoples                      Mayor Pro Tem Crys Armbrust

Commissioners: Bill Ingham, Chrelle Booker

Absent: Commissioner Bill Crowell

Staff Present:    Town Manager Zach Ollis                      Town Clerk Susan Bell  
                            Police Chief Jeff Arrowood                      Fire Chief Geoff Tennant  
                            Town Attorney William Morgan

**PUBLIC HEARING**

Mayor Peoples called the public hearing to order. Town Manager Ollis stated that we are holding a public hearing regarding two text amendments. The first one is a standard change in the wording for single family housing accessory dwellings. Basically changing the wording for zoning regulations, to be made in accordance with the state statutes, by removing wording in SR14 (A) (B) under accessory dwellings. The Board of Adjustments found in favor of removing the wording. Mayor Peoples stated this is to put us in compliance with the state. Ollis stated yes and you will vote on this in the physical 7:00 meeting.

Ollis stated the next item, there was some proposed development regarding a piece of property that was presented to the Planning Board to think about regarding mixed use in Central Business District. The Planning Board discussed this, created a sub-committee to research the topic. The committee did not approve of the topic. For further due diligence, they handed it over to TDDA, which handed it over to their economic vitality committee who was in favor, with conditional uses attached to it. They recommended this to the Planning Board. The Planning Board discussed and voted against recommending it to the Board of Commissioners. It was residential mixed use in buildings in the Central Business District as accessory to commercial retail use, which would have been permitted by conditional use permit if it met the following criteria: no more than 33% of the street level gross area would be devoted to residential living, residential living areas would not be visible on street level on the following streets, Trade Street and Pacolet Street, meaning window and door views from Trade and Pacolet would be free of commercial and retail space. Residential entrances should be located on the back side of the buildings facing Palmer and Depot. The combination of residential and commercial or professional space would comply with all building and fire codes. The floor plans would have to be submitted as part of the application for the special use permit. Chairman Walters stated TDDA did some research on the 30% rule and the visibility from the street. He thought they had discussed mixed use after they had

voted. There was a lot of discussion over the 30% and visibility from the street. Mayor Peoples stated the board did not have a problem with having basement residential. Mr. Walters stated that is correct. Right now as you know you can have second floor apartments, the idea was on parcels where there is a lower level, residential would be allowed on street level, if they meet buildings codes. Some buildings are very narrow. Basically it was a 3-3 tie that means it didn't pass. There was support and non-support.

Mayor Pro Tem Armbrust asked the McCall's as former owners and possibly present owners what are your feelings on allowing apartments in the building. Dr. McCall stated when it no longer became a dental office and Mr. Hooker built a new building and he tried to sell the building for two years and had no luck. He would like to see the building have continued life. He would be opened to new uses for the building. Armbrust commented that this process of inquiry started in January, almost eleven months ago with no resolution. As John stated it was a 3-3 vote with no abstentions. Personally the purpose of government is to facilitate end goals. With that being said, he is in favor of following the recommendation of the Tryon Downtown Development Association, which is to allow residential use. Commissioner Ingham stated he tends to agree. He has no problem with it, he just doesn't want to see on the main street levels.

Mayor Peoples stated that we have talked about this for years. He doesn't want to see it on Main Street. For the reason that we receive two to three hundred thousand dollars in sales tax. If it was filled with residences, then we would get nothing and still have the same expenses. Dr. McCall stated the Pacolet Street building is not established for retail.

Mr. Walters stated they were voting on allowing other uses in central business more than what is allowed now. Because it didn't pass, they never got to decide on what the mixed uses are. Ollis stated the intent of mixed use whether for development or re-development with retail is to allow residential, civic, commercial opportunities in the business district. TDDA found allowing residences would have pros and cons. The Planning Board found the same in different aspects. In the process that it has gone through, it's been found to be a good thing and found to be a bad thing, depending on the group looking at it. It resulted in a tie, which automatically doesn't pass. The process allows for this to be brought to you for a public hearing. This way we can get as much input as possible regarding the situation. The property owners are here if you would like to speak on this.

John Davis stated he has a piece of property that no one can tell him what type of business would be viable. He has two confirmed buyers and five potential buyers that walked out when they found out they couldn't turn into some type of live/work unit. That's really the only building like his. He didn't have this idea until the people backed out. He's trying to sell his house in Columbus and if all else falls he might have to live in the building. I think the 33% is crazy with a 1200 square foot building that would mean you would only have 400 square feet to live in. He stepped out of this when it became more of a community thing for Pacolet Street. He thought if you made the 33% retail and the back two thirds residential, when you walked down Pacolet Street you could only see commercial or retail. He doesn't want to delay this process anymore, but these are his thoughts. The developers that approached him wanted to do this.

Commissioner Ingham asked if he had steps going upstairs. Davis stated yes and the exterior of the building would not change.

Armbrust stated he feels the 33% came up in discussion with the National Main Street personnel. He stated what is being asked to be considered is to deny or approve the text amendment that will allow mixed use in the central business district with 33% remaining commercial based on conditional use.

Ollis stated it would allow mixed use which would allow people with property in this district to apply for a conditional use permit if the criteria is met within the outline of the permit. If it meets the certain criteria the special requirements could be used in the mixed use capacity. Mr. Davis stated he still has to go through the process to get approved.

Commissioner Ingham stated that he has no problem with this only if you can't see the residence. Mayor Peoples stated he feels that there should not be any residential on Main Street.

Planning Board Chairman John Walters asked for clarification that the 33% is residential and the remaining is retail/commercial. Ollis stated the special requirement first listed under conditional use is no more than 33% of the street level gross area shall be devoted to residential living. Walters stated this is for a building with a basement facing away from the main street. Ingham stated the way he understood it, was long as it is on the main level it can only be 33% residential.

Mayor Peoples asked if there were any more comments. There were none. Mayor Peoples entertained a motion to close the public hearing. Commissioner Ingham so moved. The motion carried unanimously.

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J. Alan Peoples, Mayor

Attest:

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Susan B. Bell, Town Clerk