

Minutes

Town Council Virtual Agenda Meeting Agenda January 6, 2021, 6:00 PM

January 6th, 2020 6:00 PM Town Council Agenda Meeting:

- Attend using your computer or smartphone to watch and listen to the proceedings and to provide comment when prompted. Register for the meeting in advance by going to: <https://attendee.gotowebinar.com/register/7084633216207664397>
- Attend using your telephone to listen to the proceedings and to provide comment when prompted. At the meeting time, dial (562) 247-8422 then use Audio Access Code 130-578-438.
- Attend using the GoToWebinar app on your tablet or smartphone by entering Webinar ID 860-906-075

Absent: None

Call to Order

Mayor Haney welcomed everyone to the meeting and stated the COVID numbers are still increasing. Mayor Haney asked for a moment of silence for our Country.

Pledge of Allegiance

1. Manager's Comments

Town Manager Parsons requested the addition of item D to the Miscellaneous section as an award of Financing for the Renovation of the Public Works Annex Complex as well as going into Closed Session at the end of the public comments to discuss pending litigation. Council unanimously agreed to adding Item D to the Miscellaneous Section of the Agenda as follows:

Mayor Haney – Aye
Mayor Pro Tem Murphy - Aye
Councilmember Lancaster – Aye
Councilmember Pate – Aye
Councilmember Saulnier – Aye

2. Consent Agenda - (Request for Adoption)

All items listed below are considered routine and will be enacted by one motion and without discussion.

- A. Adopt Worksession Meeting Minutes of November 23, 2020, Agenda Meeting Minutes of December 2, 2020, Regular Business Meeting Minutes of December 8, 2020 and Special Meeting Minutes of December 10, 2020 as written.

B. Budget Amendments

<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>CODE</u>	<u>INCREASE</u>	<u>DECREASE</u>
General Fund	Miscellaneous Revenue	10-335-0000	\$ 12,166.00	
Fire	Auto Repair	10-530-1700	\$ 12,166.00	

- C. AX-01-21: Set Public Hearing for a Request for Voluntary Annexation of Property Contiguous to the Corporate Limits of the Town of Southern Pines; ±157.51 Acres; Petitioner: Town of Southern Pines

- Resolution Directing the Town Clerk
- Resolution Setting Date of Public Hearing

D. Board Appointments

- Library Advisory Board
 - Jackie Covington 1/1/2021 – 12/31/2023
 - Elizabeth Strickland 1/1/2021 – 12/31/2023
 - William Hamel 1/1/2021 – 12/31/2022 Fill Shuris Campbell unexpired term, 1/1/2021 – 12/31/2022

E. Relief from the Town's Unified Development Ordinance for a Town Initiated Request pursuant to § 8.5.2

Town Manager Parsons provided an overview of the Consent Agenda.

Upon motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 5-0, the Consent Agenda was approved as follows:

Mayor Haney – Aye
Mayor Pro Tem Murphy - Aye
Councilmember Lancaster – Aye
Councilmember Pate – Aye
Councilmember Saulnier – Aye

3. Miscellaneous

A. OA-04-20: Text Amendments to the Unified Development Ordinance (UDO); Petitioner, Town of Southern Pines Planning Division Staff

Planning Director Grieve provided an overview of the item and stated the packet consists of 7 amendments listed in the staff memo. He pointed out that a Public Hearing had been held and closed with the requisite twenty-four hour period for comment having passed without further public input.

Councilman Saulnier moved that after considering the criteria for a UDO text amendment found in in UDO §2.17.10, the Town Council finds that:

1. The requested text amendments are consistent with the Comprehensive Long Range Plan and the Town Council adopts the Resolution that is included as Attachment "A" in the staff report for OA-04-20; This motion was seconded by Mayor Pro Tem Murphy and carried unanimously 5-0 as follows:

Mayor Haney – Aye
Mayor Pro Tem Murphy - Aye
Councilmember Lancaster – Aye
Councilmember Pate – Aye
Councilmember Saulnier – Aye

Councilman Saulnier stated And, therefore, I move to:

1. Approve OA-04-20. This motion was seconded by Mayor Pro Tem Murphy and carried unanimously 5-0 as follows:

Mayor Haney – Aye
Mayor Pro Tem Murphy - Aye
Councilmember Lancaster – Aye
Councilmember Pate – Aye
Councilmember Saulnier – Aye

B. Z-04-20: Request a conditional zoning district rezoning of seven (07) existing parcels for a total of 3.05 acres located between US 1 SW Service Road and S Hale Street; from OS (Office/Service) to GB-CD (General Business Conditional District) for the purpose of developing an indoor self-storage building; Applicant: Longleaf Pines Storage, LLC, Mr. Will Huntley; Authorized Agent: Tim Carpenter, LKC Engineering, PLLC

Planner Russell provided an overview of the item. It was suggested that Council provide for discussion and reasoning behind their positions in advance of an expected vote at next week's meeting so that staff might prepare the proper documentation outlining the decision.

Mayor Haney emphasized the importance of Council taking their jobs seriously relative to impacts on the community and that all decisions are made with utmost thought and consideration.

Councilman Lancaster discussed the proposed criteria and the possible impact on the community and neighbors. He stated he feels there is a bit of a split regarding support and opposition to the project given testimony and feedback he has received. He stated his belief that generally this use would be good for the property.

Councilman Saulnier stated he does not feel this is in line with what the neighboring residents adjacent to the site want to see across the street from them and when something does happen there, it should be the right thing.

Councilman Pate discussed this commercial property as related to the Long-Range Plan and stated if this does continue forward, he would like to see more landscaping, etc.

Mayor Pro Tem Murphy stated he is aware of the citizens' concerns and what could possibly happen with a rezoning of this particular property. He stated he does have concerns of a rezoning and this proposed storage unit could have negative affects in the future as this is a prime location. Mayor Pro Tem Murphy stated he would not think this would be the best thing for this property.

Mayor Haney stated that as a representative for the people of this town, the people have spoken as well as the planning board and they do not wish to have this move forward. Mayor Haney stated this is the gateway to our town and she is not in favor of this request moving forward.

Planner Russell stated she would follow up with the petitioners and had what she needed to draft a decision for consideration by the Council.

C. CU-07-20 and S-36-20, Conditional Use Permit and Major Subdivision Preliminary; Camp Easter Cottages

Planner Long provided an overview of the item.

Councilman Saulnier asked if all of the requested conditions are in place.

Nick Robinson on behalf of the applicant stated they fully agree with all staff recommended conditions and stand behind all of the listed conditions in the staff report.

Andy Petesch updated Council that in light of Mr. Snipes letter earlier this week, he has decided to withdraw as council for Mr. Snipes due to conflicts of interests with this item.

Councilman Saulnier moved to 1. Adopt Attachment "A" of the staff report as our Findings of Fact regarding the proposed Conditional Use Permit CU-07-20. This motion was seconded by Mayor Pro Tem Murphy and carried unanimously 5-0 as follows:

Mayor Haney – Aye
Mayor Pro Tem Murphy - Aye
Councilmember Lancaster – Aye
Councilmember Pate – Aye
Councilmember Saulnier – Aye

Councilman Saulnier stated therefore he moves to approve the Conditional Use Permit for CU-07-20 with the following additional conditions....

Staff Recommended Conditions:

1. The driveways for lots 3 and 12 be located so as to provide access internally to the subdivision by connecting to the proposed private street and not directly accessing Camp Easter Road.
2. Driveways for lots 1,3, and 12 be located as far away as possible from Camp Easter Road to allow for stacking of cars trying to turn on to Camp Easter Road from within the subdivision without blocking any driveways. The driveway for lot 1 be located as far away as possible from the intersection of Niagara-Carthage Road and Camp Easter Road.
3. All extensions of the town water system be made within the right-of-way for Camp Easter Road. No Service laterals are to be created that do not access water from the extension of the main line that is to be located on Camp Easter Road.
Applicant Proposed Conditions:
4. Stormwater drainage for the subdivision shall be designed and constructed to the 25- year storm standard (rather than the 10-year storm standard).
5. Landscaping along Camp Easter Road: Applicant acknowledges a street tree requirement of a rate of one street tree for every thirty (30) feet of road frontage along Camp Easter Road. Applicant will implement landscaping in accordance with the applicable provision of Section 4.3.3 Street Trees of the Unified Development Ordinance. Existing vegetation may be credited toward the requirements for street trees insofar as it meets the standards for Existing Vegetation Credits in Section 4.1.13 of the Unified Development Ordinance. The additional landscaping volunteered by the applicant and shown on the attached Private Landscape Plan (the "Plan") will be shown on the applicant's construction drawings and implemented by applicant; provided, however, that where there is existing natural landscaping to satisfy and substitute for new plantings shown on this plan, additional landscaping will not be required. Such landscaping will be shown on the construction drawings and shall be implemented prior to final plat recordation.
6. Landscaping along Niagara-Carthage Road (Lot 1) Frontage: Applicant acknowledges a street tree requirement of a rate of one street tree for every thirty (30) feet of road frontage along Niagara-Carthage Road. To the extent approved by Town Planning Staff, Applicant will concentrate as many of the required street trees along Niagara-Carthage Road such that they are (1) no more than twenty-five feet from the edge of pavement and (2) located between the façade of the home on Lot 1 and Niagara Carthage Road. The

intent of this condition is to concentrate the trees to facilitate screening of the residence from the road rather than evenly spacing the street trees every thirty feet along the Niagara-Carthage Road frontage. Such landscaping will be shown on the preliminary plat, the construction drawings and shall be implemented prior to final plat recordation.

7. Applicant agrees to include within the declaration of covenants for the Camp Easter Cottages Subdivision (which will be recorded prior to the first sale whether it be a lot or a home) the following notice to lot and home purchasers:

The Moore County Wildlife and Conservation Club, Inc. (the "Wildlife Club"), which in 2020 has a membership of approximately 600 families, is located east- northeast of this Subdivision. The Wildlife Club owns four parcels totaling approximately +/- 81 acres. The nearest parcel is located in excess of 325 feet from this Subdivision.

The Wildlife Club is a nonprofit outdoor recreation and nature conservation organization focused on the education and training of youth and adults in outdoor sports activities as well as the preservation of fields, forest, fish, and

wildlife. While the majority of the property remains in its natural state, the Club offers fishing, archery, firearms education, gun safety courses, and recreational shooting facilities, including outdoor firearms ranges, which produce sounds and noises associated with the discharge of firearms.

For more information, contact:

Moore County Wildlife & Conservation Club, Inc. 1820 Camp Easter Road
Carthage, NC 28327 www.mcwcc.org

This motion was seconded by Mayor Pro Tem Murphy and carried unanimously 5-0 as follows:

Mayor Haney – Aye
Mayor Pro Tem Murphy - Aye
Councilmember Lancaster – Aye
Councilmember Pate – Aye
Councilmember Saulnier – Aye

Councilman Saulnier moved to adopt Attachment "B" of the staff report as our Findings of Fact regarding the proposed Preliminary Plat S-36-20. This motion was seconded by Mayor Pro Tem Murphy and carried unanimously 5-0 as follows:

Mayor Haney – Aye
Mayor Pro Tem Murphy - Aye
Councilmember Lancaster – Aye
Councilmember Pate – Aye
Councilmember Saulnier – Aye

Councilman Saulnier moved to approve the Preliminary Plat S-36-20. This motion was seconded by Mayor Pro Tem Murphy and carried unanimously 5-0 as follows:

Mayor Haney – Aye
Mayor Pro Tem Murphy - Aye
Councilmember Lancaster – Aye
Councilmember Pate – Aye
Councilmember Saulnier – Aye

Councilman Saulnier moved to approve the Written Decision for CU-07-20 and S-36-20 as prepared by Town Staff; This motion was seconded by Mayor Pro Tem Murphy and carried unanimously 5-0 as follows:

Mayor Haney – Aye
Mayor Pro Tem Murphy - Aye
Councilmember Lancaster – Aye
Councilmember Pate – Aye
Councilmember Saulnier – Aye

D. Financing for the Renovation of the Public Works Annex Complex

Town Manager Parsons provided an overview of the item.

Councilman Saulnier moved to accept the terms and conditions proposal from First Bank with a 1.91% interest rate for 15 years, conditioned on application and approval from the Local Government Commission as required by North Carolina General Statute. This motion was seconded by Mayor Pro Tem Murphy and carried unanimously 5-0 as follows:

Mayor Haney – Aye
Mayor Pro Tem Murphy - Aye
Councilmember Lancaster – Aye
Councilmember Pate – Aye

Councilmember Saulnier – Aye

4. Public Hearings – (All Hearings below to be held at the January 12, 2021 Regular Business Meeting)

Per GS §166A-19.24(e) no action may be taken until at least 24 hours after a remote public hearing to allow for additional written comments. All reports below are prepared accordingly.

Therefore, decisions and adoption of all required documents (such as Findings of Fact, Written Decisions, Plan Consistency Statements, Ordinances, etc., as applicable) will occur at the January 25, 2021 Worksession Meeting.

A. CU-08-20, Conditional Use Permit; 150 S Page Street

Planning Director Grieve stated all materials are in the staff report.

A brief discussion was held and the council approved remaining virtual with their meetings thru the month of February.

5. Public Comments

Mr. Rich stated the community is appreciative that Council has decided in favor of West Southern Pines and decided to deny the request to move forward with the storage facility.

Mr. Rich asked for more information on the election of the Mayor. Councilman Saulnier clarified Mr. Rich's question.

Nora Bowman thanked Council for their involvement with the community especially with the COVID situation.

Marsh Smith thanked Council for the incorporation of the wildlife club's requests relative to the Camp Easter project. Mr. Smith further discussed bicycle corridors and scenic corridors and maintaining safety, recognizing the potential for development that may destroy it.

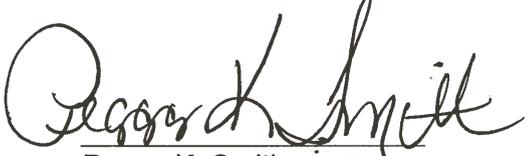
Mr. Snipes discussed being raised in the Niagara area and voiced his concerns with long-term development of this area lying just outside the corporate limits.

Upon motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 5-0 Council retired to Closed Session at 7:05 pm.

At 7:23 pm Council returned to regular session.

There being no further business the meeting adjourned at 7:25pm.

As so incorporated to these minutes of January 6, 2021 are exact copies as so recorded in the ordinance and resolution books of the Town of Southern Pines as fully set out in the minutes.


Peggy K. Smith
Town Clerk