



MINUTES

Tuesday, December 17, 2024: 6:00 PM

Town Council Business Meeting

E.S. Douglass Community Center: 1185 W. Pennsylvania Ave

1. CALL TO ORDER

Mayor Clement called the meeting to order. The following members of Town Council were present: Mayor Taylor Clement; Bill Pate; Ann Petersen; Debra Gray; and Brandon Goodman.

2. PLEDGE OF ALLEGIANCE

3. TOWN MANAGER'S COMMENTS

Town Manager Reagan Parsons reviewed the agenda.

a. Adoption of Agenda

Mayor Pro Tem Pate moved to adopt the meeting agenda, seconded by Councilmember Goodman; the vote was unanimous.

Motion passed.

4. PUBLIC COMMENTS

5. CONSENT AGENDA

Mayor Pro Tem Pate moved to adopt the Consent Agenda, seconded by Councilmember Goodman; the vote was unanimous.

Motion passed.

a. Approve Meeting Minutes for November 2024

Staff has prepared the following minutes for approval:

b. Adopt the 2025 Town Council Meeting Calendar

2025 Town Council Meeting Calendar

c. Approve Appointment: Planning Board

Jennifer Garner was appointed to the Planning Board on June 13, 2023 to serve the remainder of a vacant term, which is now expiring. Ms. Garner is eligible to serve two full terms per the UDO and has expressed an interest in remaining on the board. The Planning department recommends her appointment, with her first full term to expire on December 16, 2027.

d. Adopt Resolution #1102 Naming "Southern Pines Elaine T. Baillie Skatepark"

Skaters for Moore (SFM) received a generous donation from longtime local resident Elaine T. Baillie to help fund the skatepark construction and has requested that the Town consider naming the facility the "Southern Pines Elaine T. Baillie Skatepark." SFM founder William Dean shared that Ms. Baillie "was a surrogate mother to several in my skateboarding group [as a teen], and helped offer a safe space and guidance growing up. I believe her name being attached to the Park personifies the mission of being a safe, fun environment for the action sports community." Staff has prepared a resolution to name the skatepark after Ms. Baillie.

e. Resolution #1103 - Direct the Town Clerk to investigate the sufficiency of the petition and certify the result, per NCGS 160A-31(c).

An application has been received petitioning to annex property into the Town of Southern Pines.

f. Approve ARPA Compliance Audit Contract - Forvis

g. Authorize the Town Manager to execute a contract with WakeRack Contract, LLC.

WakeRack will install a kiosk for rental kayaks and stand-up paddle boards at Reservoir Park. They will be responsible for the maintenance of all equipment and the reservation system. WakeRack will cover insurance and the Town Attorney has reviewed and approved the contract. WakeRack will forward to the Town 10% of the rental fees.

6. LEGISLATIVE PUBLIC HEARINGS

a. OA-03-24: Landscaping & Tree Protection Amendments

A continuation of a legislative public hearing that began at the November 12, 2024 meeting regarding proposed amendments to the UDO.

Mayor Clement reopened the hearing for OA-03-24, Landscaping & Tree Protections Amendments Planning Director BJ Grieve addressed the Council.

Discussion ensued

Mayor Pro Tem Pate moved to continue the hearing to the March Town Council Business Meeting, seconded by Councilmember Gray; the vote was unanimous.

Motion passed.

b. Z-04-24 & OA-04-24: Zoning Map Amendment and UDO Text Amendments to Create Two Character Districts

A continuation of a legislative public hearing that began at the November 12, 2024 meeting related to the creation of a Downtown Character District and a West Southern Pines Character District.

Mayor Clement reopened the hearing for Z-04-24 & OA-04-24: Zoning Map Amendment and UDO Text Amendments

Planning Director BJ Grieve addressed the Council.

Discussion ensued

Mayor Pro Tem Pate moved to continue the hearing to the March Town Council Business Meeting, seconded by Councilmember Gray; the vote was unanimous.

Motion passed.

c. AX-02-24: Petition for Annexation - 2.5 acres off Air Tool Drive

RAB Investments, LLC is petitioning the Town of Southern Pines to annex 2.5 acres of land located adjacent to Air Tool Drive inside the Southern Pines Corporate Park.

Planning Director Grieve presented the application and staff report to the Council

Elizabeth Snow of Robbins, May and Rich and Chris Jordan, Property Manager, addressed the Council of behalf of the applicant.

Public comments were asked for and none voiced.

Mayor Pro Tem Pate moved to approve AX-02-24: Petition for Annexation as contained in the meeting packet, seconded by Councilmember Goodman; the vote was unanimous.

Motion passed.

d. Z-05-24: Conditional Zoning District - Tony Fairley Duplexes

Tony and Sandra Fairley request to rezone three properties from RS-1 to RS-1 Conditional Zoning District to allow for three pre-fabricated duplexes (one on each property). The subject parcels are identified as PIN 858200023471 (PARID 00037070); PIN 858200024317 (PARID 00036484); and PIN 858213023794 (PARID 00035309) and the total acreage of all three properties is 0.56 acres.

Town Planner Mason Mattox presented the item and staff report to the Council.

Town Attorney McCarley advised that the statute that Planning Director Grieve spoke of earlier in the meeting does not apply to this since it was done with the written consent of the owner.

Mr. Tony Fairly, the applicant, addressed the Council regarding the project, which he views as an affordable housing option.

Discussion ensued.

Public Comments

- John McNerney advised the Council that there was an error in Condition 2 in the meeting packet and that it contained an extra digit in the square footage.

- Jeannie Dupuy of Ox Ridge Lane asked where the parking for this project will be located and be located and how many duplexes would be built on each lot. will be on each lot. Mayor Clement advised that the information was located on Page 173 of the packet which showed 1 duplex per lot and parking is located via driveway in front of each

Councilmember Gray moved that after reviewing the proposed map amendments (i.e., rezoning) to the Town of Southern Pines Zoning Map and after considering the criteria for approval of map amendments found in UDO §2.17.9 that the proposed amendment to the Town of Southern Pines Zoning Map is reasonable, in the public interest, and consistent with the current character of the Wester Southern Pines District and the criteria set forth in the Town of Southern Pines Unified Development Ordinance §2.17.9, considering that the Duplexes will expand housing opportunities to account for the 'missing middle' options, and the proposed design is appropriate for the character of the area. Therefore, the requested rezoning from RS-1 to RS-1CD (Conditional Zoning District) is reasonable for the reasons set forth in the Planning Board recommendation and staff report for application Z-05-24. The motion was seconded by Mayor Pro Tem Pate and the vote was unanimous.

Motion passed.

Councilmember Gray moved to approve Z-05-24 and WS-05-24 with the conditions submitted by the applicant on the RS-1 Conditional Zoning District and as set forth in staff report Z-05-24, seconded by Mayor Pro Tem Pate; the vote was unanimous.

Motion passed.

7. EVIDENTIARY PUBLIC HEARINGS (QJ)

a. PD-06-24: Morganton Park South Phase 4 - Whataburger Restaurant

Whataburger Restaurants, LLC and BL Companies have submitted a Preliminary Development Plan application for a ±3,305 square-foot restaurant in Morganton Park South for the parcels identified as PIN 857100478061 (PARIDs 20230956).

Mayor Clement opened the hearing and shared a brief explanation of quasi-judicial hearings.

Town Clerk Beth Robertson swore in pending witnesses for the hearing.

Town Attorney Mac McCarley qualified the Council by asking Councilmembers to disclose the following relative to the application and property: any specialized knowledge; a fixed opinion not subject to change; close relation to the applicant or property owner; and/or a financial interest in the outcome. All responses were negative. Councilmembers Town Attorney McCarley also asked the applicant if they wished to challenge any members of Council standing and the response was negative.

Planner II Gene Ruiz presented the application, staff report and staff presentation.

Discussion ensued.

Planning Director Grieve added some clarifying remarks to Council questions.

Lee Bakeley, representing the applicant Whataburger,

The number of parking spots, the planers and the plantings within the parking lot was discussed.

Mayor Clement closed the public hearing for PD-06-24: Morganton Park South Phase 4

Mayor Pro Tem Pate moved to adopt Attachment 1 of the staff report as Findings of Fact regarding the Preliminary Development Plan PD-06-24, with the change to the number of parking spots mentioned in Point 2 second paragraph be amended from 35 to 39 spaces. Seconded by Councilmember Goodman, the vote was as follows:

- Mayor Clement: aye
- Mayor Pro Tem Pate: aye
- Councilmember Petersen: nay
- Councilmember Gray: aye
- Councilmember Goodman: aye

Motion passed.

Mayor Pro Tem Pate moved to approve the Preliminary Development Plan for PD-06-24 with the following conditions:

- a. that the proposed development is limited to 39 spaces
- b. that the 20ft Morganton Park South perimeter buffer required by the CDP be an undisturbed buffer for Phase 4.
- c. the retaining walls greater than 6' in height meet structure setbacks.

Seconded by Councilmember Goodman, the vote was as follows:

- Mayor Clement: aye
- Mayor Pro Tem Pate: aye
- Councilmember Petersen: nay
- Councilmember Gray: aye
- Councilmember Goodman: aye

Motion passed.

8. ACTION ITEMS

a. Skateboard/Pedestrian District Discussion

At the October work session, staff discussed with Council the issue of enforcement of skateboarding on public streets and in the downtown district. Based on discussion at that meeting, staff has refined some options for Council review.

Town Planner Mason Mattox presented the staff report to the Council.

Discussion ensued regarding the lack of definition on some terms used.

Councilmember Petersen shared that she would like to see a helmet requirement added to the ordinance.

Discussion was had as to working to better define the Historic District for the citizens.

It was agreed that staff would work to find answers to the missing definitions and return to Council when completed.

b. Phase 2 Comprehensive Plan Implementation Projects

The Planning Director has prepared a list of projects for the Council's consideration that, if approved, will constitute the second phase of implementing the 2040 Comprehensive Plan.

Planning Director Grieve presented the Planning Departments recommendations for projects to implement as part of the Comprehensive Plan Phase 2.

Discussion ensued.

The topic of a better connection between the train station and the Greyhound bus stop was discussed.

Councilmember Gray moved to approve the proposed Phase 2 Comprehensive Plan Implementation Projects, seconded by Councilmember Goodman; the vote was unanimous.
Motion passed.

c. 2025 Council Appointments

Individual councilmembers are appointed by the body each year to serve in various capacities and manage certain responsibilities.

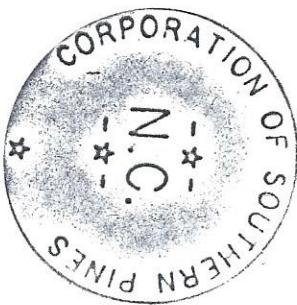
Mayor Clement recommends that the item be postponed to March 2025 meeting and the Council concurs.

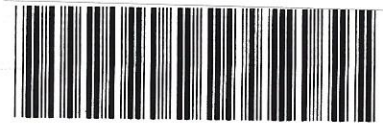
9. ADJOURNMENT

Upon motion by Councilmember Goodman, seconded by Councilmember Gray and carried unanimously, Council adjourned at 8:47 pm.

Respectfully submitted:


Elizabeth Robertson, Town Clerk





INSTRUMENT # 2025001757



ORDINANCE #3093

**TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF SOUTHERN PINES,
NORTH CAROLINA AX-02-24: Yadkin Road**

THAT WHEREAS, the Town Council has been petitioned under G.S. 160A-31 as amended to annex the area described herein; and

WHEREAS, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency of said petition; and

WHEREAS, the Town Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation, AX-02-24, was scheduled to be held in regular session of the Town Council at the E.S. Douglass Community Center at 6:00 P.M. on the 17th day of December, 2024, after due notice by publication; and

WHEREAS, after the completion of said public hearing and upon consideration of any comments, objections or presentation at that hearing, and

WHEREAS, based on the certification of the Town Clerk and other information presented at said hearing, Council finds it proper and in the best interest of the Town to annex the following parcel according to the requirements of G.S. 160A-31:

Meets & Bounds description from Book 23, Page 734 Moore county Registry:

Being in McNeill Township, Moore County, and State of North Carolina described as follows:

Beginning at a stake near Manly south side of Harts Branch and runs thence North 85-25, 10 chains to a stake; thence South 32 East 2.30 chains; thence South 75 E 5.40 chains to a stump; then North 70 East 4.30 chains to a stake; then North 17 West 1.8 chains to the beginning excepting 35/100 of an acre sold to A.J. McKay for metes and bounds see deed from J.S. Buchan and wife to A.J. Buchan

See Tract 1 as shown and depicted on Exhibit A recorded in Book 3032, Page 352, Moore County Registry

A map of the area herein described is provided with this Ordinance as Attachment A.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Southern Pines, North Carolina in regular session this 17^h day of December, 2024:

Section 1. By virtue of the authority granted by G.S. 160A-31, as amended the above described territory is hereby annexed and made part of the Town of Southern Pines as of the 17th day of December, 2024.

Section 2. Upon and after the 17th day of December, 2024, 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 Southern Pines and shall be entitled to the same privileges and benefits as other parts of the Town of Southern Pines. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Southern Pines shall cause to be recorded in the office of the Register of Deeds of Moore 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 hereof. Such a map shall also be delivered to the County Board of Elections as required by G.S. 163-288.1.

Section 4. This Ordinance shall be and remain in full force and effect from and after the date of its adoption.

Adopted this 17th day of December, 2024.

Elizabeth Robertson
Givens

I certify that this Ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting on December 17, 2024, as shown in the Minutes of the Town Council for that date.

Elizabeth Robertson
Elizabeth Robertson, Town Clerk

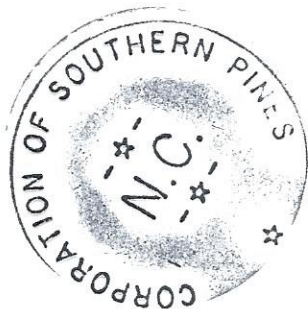
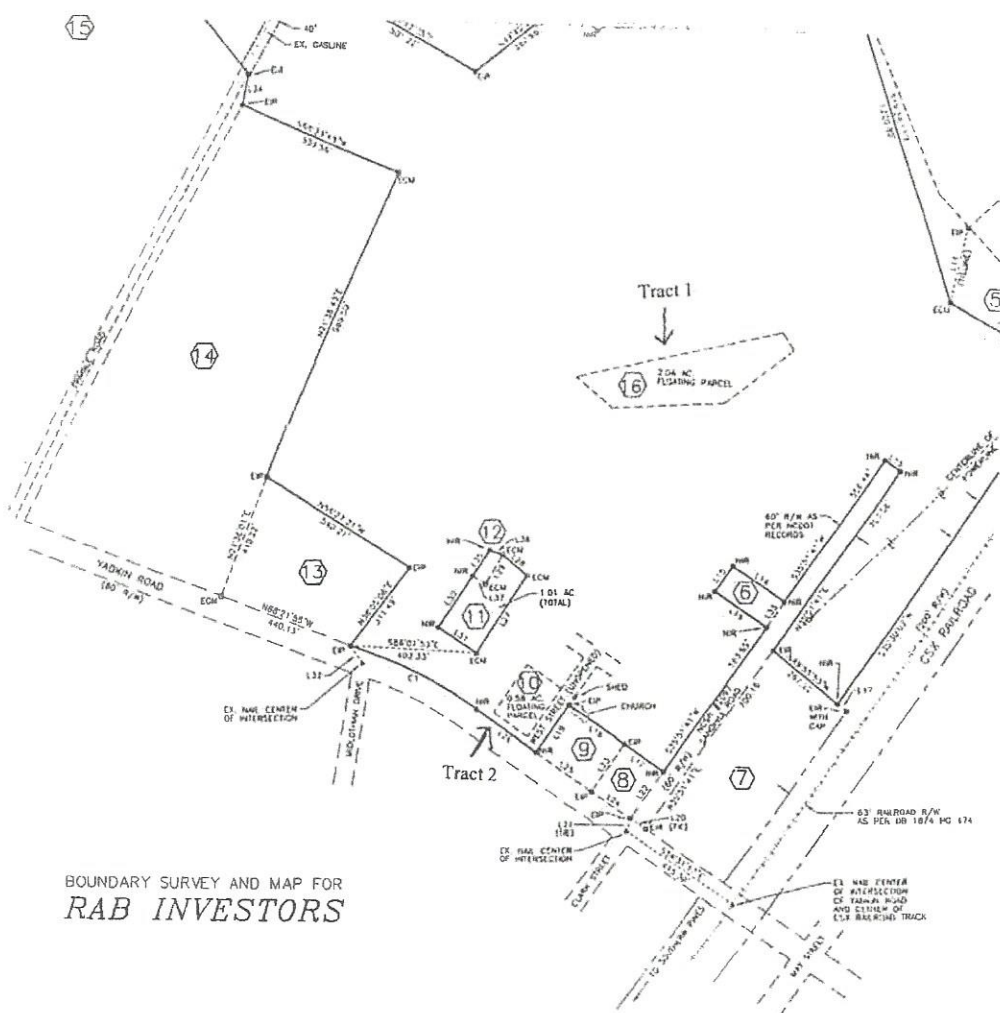
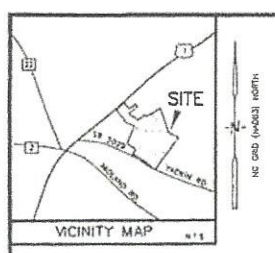


EXHIBIT A

This map is not a certified survey and has not been reviewed by a local government agency for compliance with any applicable Land Development Regulations.

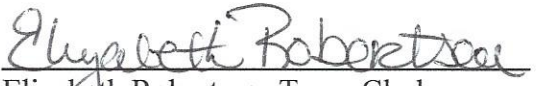


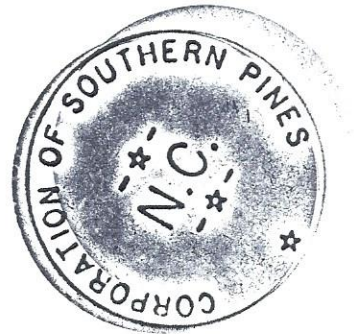
**COUNTY OF MOORE
STATE OF NORTH CAROLINA**

CLERK'S CERTIFICATION

I, Elizabeth Robertson, Town Clerk of the Town of Southern Pines, North Carolina, do hereby certify that the attached is a true and accurate copy of Ordinance #3093 To Extend the Corporate Limits of the Town of Southern Pines, North Carolina AX-02-24; Yadkin Road which was adopted at a meeting of the Southern Pines Town Council on the 17th day of December 2024.

WITNESS my hand and the official Seal of the Town of Southern Pines, North Carolina, this the 17th day of December 2024.


Elizabeth Robertson, Town Clerk





ORDINANCE #3095
AMENDING THE ZONING MAP OF THE TOWN OF SOUTHERN PINES
Z-05-24

THAT WHEREAS, after notice duly given according to law, a public hearing was held before the Town of Southern Pines Town Council at its regular business meeting on December 17, 2024 at 6:00 PM for the purpose of considering and passing of an ordinance amending the Zoning Map of the Town of Southern Pines, North Carolina; and

WHEREAS, after the completion of said public hearing, and upon consideration of the reasonableness of the request, compliance with the criteria for a zoning map amendment found in UDO §2.17.9, as well as consistency with the adopted 2040 Comprehensive Plan, the Southern Pines Town Council approved petition Z-05-24 to amend the Zoning Map of the Town of Southern Pines;

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Town of Southern Pines Town Council, in regular session assembled on the 17th day of December, 2024:

Section 1. That the Zoning of the Town of Southern Pines on file in the office of the Town Clerk be amended to reflect that the parcel located between North Carlisle Street and North Hardin Street and West Connecticut Avenue and West New Hampshire Avenue as well as the parcels located between North Hardin Street and North Gaines Street, and West New Hampshire Avenue and West Pennsylvania Avenue is zoned Residential Single Family (RS-1) Conditional Zoning District with the following final list of conditions on that district:

Condition 1. That the land use shall be limited to: Land-Based Classification Standard (LBCS) #1120: "Two-Family (double or Duplex)," which may be manufactured and permanently affixed to the ground or built on-site.

Condition 2. That the manufactured Duplexes created on Lots 9, 10, and 174 shall be built within the setbacks shown in Preliminary Surveys for Tony Fairley and Wife Sandra Fairley, dated 09/25/2024 and submitted with this application. This shall include a reduction in the minimum lot size requirement to 8,1000 SF for each lot.

Condition 3. That the architecture and design shall be consistent with attachment #5 of the 2024 Staff Report.

The subject parcels are as recorded in the Moore County Registry as follows:

- (1) Lot as recorded in Deed Book 3440, Page 302 and as identified as Parcel Identification Number 00035309

Lot No. 174 in West Southern Pines, as shown on a map of "West Southern Pines" made by Francis Deaton, C.E., and recorded in the Moore County Registry, to which record reference is hereby made for a more complete description, said lot being bounded and described as follows:

Beginning at the point of intersection of the north line of Hardin Street and the east line of New Hampshire Avenue; running thence with Hardin Street in a northeasterly direction 150 feet to a stake; thence at right angles to said street in a northwesterly direction of 54 feet to a stake; thence parallel with the line of New Hampshire Avenue; thence parallel with the second line and with said New Hampshire Avenue 54 (fifty-four) feet to the beginning, this being the same lot conveyed by Warranty Deed from Grady Burney to Amy McIver, said deed being on record in the Office of the Register of Deeds for Moore County, to which record reference is hereby made and by this reference made a part hereof.

- (2) Lot as recorded in Deed Book 3940, Page 145, and as identified as Parcel Identification Number 00037070, referencing Deed Book 271, Page 374 as recorded in 1975

Beginning at an iron stake located in the James K. Draper property line, same being the northwest corner of the Davis Wayne Holder 4.588 acre tract, and running thence North 83 degrees 52 minutes West 247.57 feet with the James K. Draper southern property line to an iron pipe and northeast corner of a 9.131 acre tract; thence South 06 degrees 18 minutes West 803.28 feet to an iron pipe; thence South 82 degrees 01 minute East 71 feet to an iron stake and northeast corner of a 7.0 acre tract; thence continuing South 82 degrees 01 minute East 176.67 feet to an iron stake and southwest corner of the Davis Wayne Holder 4.588 acre tract; thence North 06 degrees 18 minutes East 811.27 feet with the western line of the said Holder tract to the point of beginning, containing 4.588 acres, more or less, and being the western half of the Carl Franklin Hussey, Jr. 9.177 acre tract. For further reference see Deed Book 364 at page 548 and Deed Book 49 at page 4 in the Moore County Registry.

- (3) Lot as recorded in Deed Book 6164, Page 318, and identified as Parcel Identification Number 00036484

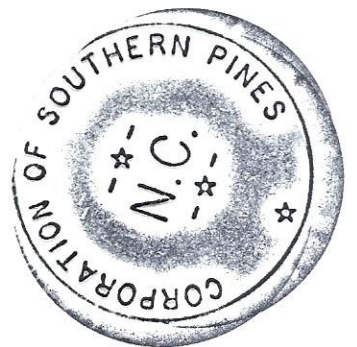
Lot 9 of Block K-13 of the map of Southern Pines recorded in Map Book 1 at page 70. This lot is on New Hampshire Avenue. For the history of this lot see the deeds recorded in Book 1486 at page 247 and Book 5726 at page 4.

Section 2. That this Ordinance shall be and shall remain in full force and effect from the date of its adoption until otherwise amended.

Adopted this 17th day of December, 2024.

I certify that this Ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting on December 17, 2024 as shown in the Minutes of the Town Council meeting for that date.


Elizabeth Robertson, Town Clerk





RESOLUTION #1102

RESOLUTION HONORING ELAINE T. BAILLIE AND NAMING THE SOUTHERN PINES SKATEPARK TO THE SOUTHERN PINES ELAINE T. BAILLIE SKATEPARK

WHEREAS, Elaine T. Baillie has been a foundational resident of Southern Pines for over 60 years, providing compassionate leadership and support to the community in numerous ways, and demonstrating her deep and genuine love for persons of all ages within this Community, Region, and State of North Carolina; and

WHEREAS, she has lovingly raised three daughters and one bonus son, as well as three stepchildren in Canada from her late husband Robert Baillie, and is the proud grandmother of eleven grandchildren; and

WHEREAS, Elaine T. Baillie has extended her care beyond her immediate family to support many more children in the community, offering a safe and nurturing environment to those facing challenging circumstances; and

WHEREAS, Elaine T. Baillie has contributed significantly to the beautification and cultural richness of Southern Pines through her gardening talents and her passion for the calls of songbirds, particularly the Bluebird; and

WHEREAS, she has demonstrated a lifelong commitment to improving the lives of children and animals and enhancing the landscape of Southern Pines, exemplified by her dedication to numerous organizations, including volunteering for over ten years at The O'Neal School's learning center and serving on the Boards of Sandhills Children's Center, Prancing Horse Therapeutic Riding Center, MIRA Foundation USA, and Sandhills Classical Christian School, while continuing her support for Vision 4 Moore in honor of her late husband's legacy; and

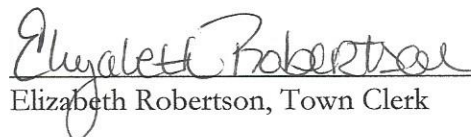
WHEREAS, Elaine T. Baillie's philanthropic efforts and unwavering service have profoundly impacted the community, earning her the gratitude and admiration of Southern Pines residents; and

WHEREAS, the Southern Pines Skatepark stands as a vibrant space for youth and community recreation, embodying values of inclusivity, support, and joy—values that Mrs. Baillie has championed throughout her life;

NOW, THEREFORE BE IT RESOLVED, that the Southern Pines Town Council, on behalf of all its citizens, proudly recognizes the service and contributions of Elaine T. Baillie to the Town, Sandhills Region, and State of North Carolina by naming the Southern Pines Skatepark the **Southern Pines Elaine T. Baillie Skatepark**, providing a lasting tribute to her enduring legacy of compassion, leadership, and community service.

Adopted this 17th day of December, 2024.

I certify that this resolution was adopted by the Town Council of the Town of Southern Pines at its meeting of December 17, 2024, as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk





RESOLUTION #1103
DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER
G.S. 160A-31
AX-03-24: S. Broad Street

WHEREAS, a petition requesting annexation of an area described in said petition was received on December 2, 2024, by the Town Council of the Town of Southern Pines; and

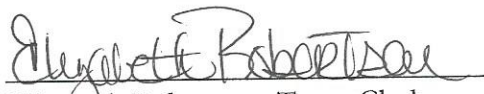
WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Southern Pines deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southern Pines that the Town Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the Town Council the result of her investigation.

Adopted this 17th day of December, 2024.

I certify that this Resolution was adopted by the Town Council of the Town of Southern Pines at its meeting on December 17, 2024, as shown in the Minutes of the Town Council meeting for that date.


Elizabeth Robertson, Town Clerk

