

MINUTES
Planning Board Regular Meeting
E.S. Douglass Community Center, 1185 W. Pennsylvania Avenue
Thursday, April 17, 2025, at 6:00 PM

Chair Walden called the meeting to order at 6:00 PM.

Chair Matthew Walden, Vice Chair Kim Wade, Jennifer Garner, Monica Brickey, Andrew Speck, Jason Scribner and Michael Skolnick were present.

Andrew Speck made a motion, which was seconded by Monica Brickey, to approve the Minutes of the March 2025 regular meeting. The motion carried.

PUBLIC HEARING/PRELIMINARY FORUM:

Z-03-25 and MAPP-01-25: Conditional District Rezoning and Sixteen (16) Lot Subdivision

Trevor Hansen of Koontz Jones Design PLLC, on behalf of Moore HL Properties Inc., submitted a request to rezone five parcels between SW Service Road and S. Hale Street from Office/Service (OS) to Residential Mixed Housing Conditional Zoning District (RM-1CD) with several proposed conditions. A Watershed Protection Permit application and a Major Subdivision Preliminary Plat application to subdivide +2.86 acres of land into 12 single-family 0.04-acre lots, three (3) four-family 0.08-acre lots and 2.17-acre common area lot were also submitted. The subject parcels are identified as PIN 857108887345 (PARID 96000398); PIN 857108889362 (PARID 00039171); PIN 857108889334 (PARID 00033309); PIN 857108980445 (PARID 00039172); and PIN 857100981555 (PARID 20190151).

Andrew Speck made a motion, which was seconded by Michael Skolnick, to open the public hearing and the preliminary forum. The motion carried.

Planner Alaina Mallette provided an overview of the applications and the staff report accompanied by a Power Point presentation and stated that Planning staff's concerns included the proposed fence along S. Hale Street and that the homes along S. Hale Street are oriented toward the courtyard as opposed to being street facing. Staff has recommended that the seven units along S. Hale Street be 1.5 stories to provide a transition from the existing single-story homes in the community. The applicant has committed to retaining the trees within the S. Hale Street right-of-way but there has not been a commitment to save any of the tall, mature trees along the 30' buffer beyond the utility easement. Staff is also concerned that there is not a sufficient commitment regarding landscaping within the buffer.

Ms. Mallette stated that the applicant proposed a 7-foot high monument sign along the Service Road facing Highway 1 and two (2) 4-foot monument signs at the entrances on S. Hale Street. However, the Comprehensive Plan considers pole mounted, lower profile ground signs to be the most appropriate for the West Southern Pines Character District.

Trevor Hansen of Koontz Jones Design, representing the applicant, presented a Power Point presentation and stated the existing utility easement that runs along the southeast and northern property boundaries creates significant design constraints. Mr. Hansen shared the aspects of the project that they feel are consistent with the Comprehensive Plan and listed the 21 applicant-proposed conditions.

Member Skolnick asked if ingress/egress, including windows, is permitted on the zero-lot line side of a home.

Mr. Hansen responded that no ingress/egress is proposed along the zero-lot line side of the structures.

Bob Koontz stated that they are requesting some flexibility due to grading but they will maintain a 10-foot separation between buildings, which is a Fire Code requirement.

Mr. Hansen stated it is likely that some of the structures will be more than 10 feet apart.

Member Speck inquired about the basis for staff's concern regarding the homes not facing Hale Street.

Ms. Mallette responded that Comp Plan Policy 7.2 states that the scale of homes and spaces between them should convey a welcoming environment, including maximum fence height and minimum materials and landscaping. She stated that the conceptual image of the fence that was provided appears to be more opaque and that similar home types and styles should face each other.

Member Wade inquired about the projected cost of the units and Mr. Hansen responded the cost would be dictated by the market at the time of completion.

Arthur Mason, 890 W. New Hampshire Ave., expressed concerns regarding current traffic and the impact of this development, especially on West Southern Pines.

Ms. Mallette responded that if it is determined that a development will generate a set minimum number of vehicular trips a traffic study is required. In this case, the projected number of daily trips did not meet the threshold to require a study.

Member Wade commented that traffic is currently a problem that will be made worse with the new development.

Mr. Hansen stated that there was an approved site plan at the time the applicant purchased the property which did not work for the site so they created a less intensive development with fewer units.

Nora Bowman, 740 S. Hale Street, stated that traffic in West Southern Pines is currently an issue, a smaller monument sign would be more appropriate as they do not want people thinking their community is called Village Walk, and the back door of the units should not face Hale Street.

Dorothy Brower, 102 Eastman Road, stated that nothing in West Southern Pines is urban - it is a community. Enough two-story homes that are not consistent with the character of the neighborhood have been built in West Southern Pines. They would welcome developers and new neighbors who appreciate the history and heritage of their community.

Oliver Hines, 635 W. Michigan Avenue, expressed concerns regarding traffic.

Kim Wade made a motion, which was seconded by Jennifer Garner to close the public hearing and the preliminary forum. The motion carried.

Monica Brickey made a motion, seconded by Jason Scribner, to reopen the public hearing. The motion carried.

Chair Walden asked Mr. Hansen if he was amenable to changing the monument sign to a pole sign.

Mr. Hansen said they would like to keep the monument sign but would possibly reduce the size.

Ms. Mallette stated that the proposed monument sign is inconsistent with the Comprehensive Plan.

Member Garner stated that there is no need to separate Village Walk from West Southern Pines.

Chair Walden stated the residents of West Southern Pines know each other; they go to school and church together. A large sign would identify the area as Village Walk as opposed to West Southern Pines.

Member Garner asked why Village Walk is being called "Village."

Mr. Hansen responded that the name of the development is not set in stone. He asked if the sign was on posts but wider would be acceptable.

Ms. Mallette stated that the UDO does not allow monument signs in residential districts other than Planned Developments.

Mr. Hansen said they would speak with their client and share the Board's concerns prior to the Town Council hearing.

Chair Walden encouraged Mr. Hansen to remember that West Southern Pines is a very tight knit community with a long history.

Member Wade stated they would like to know that members of the community will be able to afford the units and the current residents will not be displaced.

Monica Brickey made a motion, which was seconded by Andrew Speck, to close the public hearing. The motion carried.

ACTION OF THE BOARD (Z-03-25)

Monica Brickey made a motion, which was seconded by Jason, that after reviewing the proposed amendments to the Town of Southern Pines Zoning Map and after considering the criteria for approval of map amendments found in UDO §2.17.9, the proposed amendments are consistent with the 2040 Comprehensive Plan for the reasons set forth in Attachment 1 of staff report Z-03-25 as revised by the Planning Board.

And further that the following other matters were considered by the Planning Board and shall be added to Attachment 1 by Planning staff as part of the Planning Board's written recommendation to the Town Council:

1. traffic impacts to existing structure (water pressure),
2. a neighborhood name that is complimentary to the neighborhood, and
3. long-term rentals versus condominiums including the sale of an entire quadplex versus individual condominiums.

and therefore, to recommend approval of Z-03-25 to the Town Council with the conditions on the RM-1 Conditional Zoning District as submitted by the applicant with additional information submitted by the applicant on April 2, 2025 regarding the seven additional issues identified in the staff report as amended by the Planning Board in Attachment 1.

The motion carried by a vote of 6 - 1 with Kim Wade being opposed.

ACTION OF THE BOARD (MAPP-01-25)

Monica Brickey made a motion, which was seconded by Andrew Speck, to adopt the following for transmission to the Town Council as a result of the April 17, 2025 Preliminary Forum on application MAPP-01-25:

The information presented at the forum indicated that the following issues be considered in applying the criteria for a Major Subdivision Preliminary Plat to application MAPP-01-25:

1. Insufficient commitment to retain the existing trees for the 30-foot buffer along SW Service Road, which would help preserve community character.

2. Fencing along S. Hale Street is inconsistent with Comprehensive Plan Policy 7.2 and UDO §4.7(C), which discourages fences in front yards, but they should be at least 60% transparent.
3. Courtyard-oriented (rather than S. Hale Street oriented) are inconsistent with Comprehensive Plan Policy 7.2. The Board recommends that homes facing S. Hale Street be front-facing or alternatively, have two-sided architecture.
4. There is no commitment to place the proposed 1.5-story homes with dormers along S. Hale Street, which would be more consistent with the low profile of homes within the West Southern Pines Character District.
5. Monument signs along S. Hale Street and SW Service Road are not consistent with the West Southern Pines Character District or the UDO, and should be limited to two (2) four-foot pole-mounted ground signs.
6. Side and highway yard buffer planting locations should meander in all cleared areas on each side considering an existing 20' sewer utility easement crossing the property lines, the proposed vehicle use areas (VUA) abutting the buffer and proposed fences and building locations.
7. Inadequate looping of water main lines throughout the site. The conceptual utility plans should be updated.
8. Traffic impacts within West Southern Pines and along U.S. Highway 1.
9. Impacts to existing infrastructure, especially water pressure.
10. Neighborhood name complementary to the neighborhood.
11. Quadplexes would preferably be for sale condominiums rather than rental properties to encourage long-term residents.

The motion carried by a vote of 6 to 1 with Kim Wade being opposed.

PUBLIC HEARING:

OA-01-25 Various Text Amendments to the Unified Development Ordinance

The Town of Southern Pines Planning Department is proposing to amend the Unified Development Ordinance (UDO) with a variety of text amendments related to recent changes in North Carolina General Statute (NCGS) passed as Session Law (SL) 2024-49 (SB 166). Planning staff is also using this opportunity to propose a suggested change to the Watershed Protection Overlay (WPO) that came from the Division of Energy, Mineral and Land Resources at NCDEQ and a staff-recommended change to Board of Adjustment voting requirements to improve consistency with state law. Planning staff is requesting Planning Board and Town Council review and approval per UDO §2.17. The proposed amendments, with reference to applicable sections of the UDO, are as follows:

1. Amend UDO §2.20.6 to add language taken directly from NCGS §160D-804.1(1b), (1C) and (2) to add details about extensions, inspections and releases of collateral for Subdivision Performance Guarantees.
2. Amend UDO §2.39.2(B) with language taken directly from NCGS §160D-1110(h) to make clear that the town may not withhold a Certificate of Occupancy to compel completion of work with respect to another property or parcel unless the town determines a public safety issue, and to further clarify specific things that may NOT qualify as public safety issues.
3. Amend UDO Exhibit 3-14 to add Footnote #6 to enable the transfer of Watershed Exemption Allocation from Moore County to Southern Pines. This change comes as a suggestion from Mr. Shelton Sullivan at Division of Energy, Mineral and Land Resources at NCDEQ because the ability to transfer exemption allocation is not presently written into our local Watershed Protection Ordinance.
4. Amend UDO §4.11.10(B) to add a subsection (2) with language taken directly from NCGS §160D-804(k) to clarify that nothing in the UDO shall limit the use of curb and gutter design standards from NCDOT for subdivision roads “adjacent to, and serving, dwellings subject to the North Carolina Residential Code.”
5. Amend UDO §4.11.10(K) with language taken directly from NCGS §160D-804(c) to make clear that “for Subdivisions of 20 individual lots or less located within the Extraterritorial Planning Area, pedestrian facilities, including sidewalks, are not required within rights of way for new streets designated as public” that are “to be submitted to the North Carolina Department of Transportation for review, unless the Town accepts long-term maintenance responsibilities by written agreement with the NCDOT prior to construction.”
6. Amend UDO §8.14.4(A) to make it consistent with NCGS §160D-406(i) to reflect that the concurring vote of four-fifths of the Board of Adjustment is needed to grant a variance, whereas a majority of the regular board is needed to decide an appeal.
7. Amend UDO Chapter 9 Definitions with language taken directly from NCGS §143-214.7(D) to make the town’s definition of “Built-Upon Area” the same as the state’s definition.

Michael Skolnick made a motion, which was seconded by Jason Scribner, to open the public hearing. The motion carried.

Planner Alaina Mallette provided an overview of the proposed text amendments.

Jennifer Garner made a motion, which was seconded by Jason Scribner, to close the public hearing.

Jason Scribner made a motion, which was seconded by Monica Brickey, that after reviewing the proposed text amendments to the UDO and considering the criteria for approval of text amendments found in UDO §2.17.10, the proposed amendments are consistent with the Comprehensive Plan for the reasons set forth in Attachment A of staff report OA-01-25; and

therefore, to recommend approval of OA-01-25 to the Town Council. The motion carried by a vote of 7 – 0.

UNFINISHED BUSINESS:

No unfinished business was discussed.

NEW BUSINESS:

Ms. Mallette stated that there were no items on the May agenda but there may be additional proposed text amendments.

Monica Brickey made a motion, which was seconded by Jennifer Garner, to adjourn the meeting. The motion carried.

The meeting adjourned at 9:18 PM.

Respectfully submitted:

Cindy Williams
Secretary to the Planning Board

An audio recording of the meeting is available upon request.