



MINUTES

Tuesday, September 23, 2025: 3:00 PM

Town Council Work Session

C. Michael Haney Community Room: Southern Pines Police Department
450 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.

Mayor Clement spoke about the Charlie Kirk assassination and will observe a moment of silence at the November meeting.

2. PLEDGE OF ALLEGIANCE

3. TOWN MANAGER'S COMMENTS

Assistant Town Manager Jessica Roth reviewed the agenda.

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

Motion passed.

4. ACTION ITEMS

a. Written Decision for East Indiana Lots Subdivision

Planning staff have prepared a draft Written Decision for application PD-01-25, Tommy's Car Wash PDP, for the Town Council's review and approval. The PDP was approved at the July 22, 2025 Regular Meeting.

Mayor Clement opened the discussion.

Councilmember Goodman asked staff if the applicant had been given a copy of the decision prior to the meeting and Planning Director Grieve indicated that they had.

Councilmember Goodman moved to approve the Written Decision as prepared by staff for MAPP-03-25, seconded by Councilmember Gray; the vote was as follows:

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

Motion passed.

b. National Register of Historic Places Nomination: Our Lady of Victory Parish

The Town is documenting historic sites in West Southern Pines with a National Park Service Underrepresented Communities grant. As part of this work, a nomination has been submitted to list the former Our Lady of Victory Catholic Parish—now the E.S. Douglass Community Center and

Coalition Resale Shops campus—on the National Register of Historic Places. The Town may comment on the nomination; staff recommends supporting it since the buildings and site are locally significant.

Town Planner Mason Mattox presented details of the item to the Council.

Mayor Pro Tem Pate moved to approve the recommendation in favor of Our Lady of Victory Parish being placed on the National Register of Historic Places, seconded by Councilmember Goodman; the vote was unanimous.
Motion passed.

c. Consider Appointment to Fill One Planning Board Vacancy

The Planning Board currently has a vacancy. The Planning Director requests that the Town Council make an appointment to fill this vacant seat.

Mayor Clement opened the discussion.

Councilmember Petersen stated that one applicant is present at the meeting and that she nominates Mr. Friday for the open position.

Discussion ensued regarding the order in which the applications were received and if Mr. Haskell's application was received first.

Councilmember Petersen requested that a policy be adopted regarding the way board vacancies are filled.

Councilmember Petersen moved to appoint Mr. Friday to the open position, seconded by Mayor Pro Tem Pate; the vote was as follows:

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

Motion failed.

Mayor Clement will contact Mr. Haskell since his application was received prior to Mr. Friday's and see if he is still interested in serving.

Council agreed to revisit the appointment at the October business meeting and give both candidates an opportunity to speak.

5. PUBLIC HEARINGS - LEGISLATIVE

a. AX-02-25: Petition for annexation of a portion of land at 1271 Old US Highway 1

Trophy Point Properties IV LLC is requesting annexation of a .24-acre portion of an existing parcel located at 1271 Old US Highway 1.

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

Mayor Pro Tem Pate requested clarification of when an application for annexation was needed, with Planning Director Grieve responding.

Mayor Clement opened the public hearing and asked for public comment. None were voiced.

Mayor Clement closed the public hearing.

Councilmember Goodman moved to adopt Ordinance #3142 approving voluntary annexation request AX-02-25 for the property as defined in the legal description and to have the ordinance effective immediately, seconded by Councilmember Gray; the vote was unanimous.

Motion passed

b. Amendment to zoning regulations regarding the process for amending Planned Developments.

These proposed revisions to the zoning regulations will change the process to amend Planned Developments. The public hearing was opened and continued at the September 9, 2025 meeting. Planning Director Grieve presented the request to the Council.

Mayor Pro Tem Pate questioned why staff proposed the amendment and Planning Director Grieve stated that concerns were brought to staff by the community.

Discussion ensued with debate over the rights of the property owners being of concern.

Mayor Clement opened the public hearing and asked for public comment. None were voiced.

Mayor Clement closed the public hearing.

Councilmember Goodman moved to approve the amendment to the zoning regulations regarding the process for amending planned developments with the understanding that this is not open season for amending currently zoned planned developments. The motion was seconded by Councilmember Gray and the vote was as follows:

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

Motion passed.

c. Installment Financing Contract — 300 SW Broad Street

The Town intends to enter into an installment financing contract in a principal amount currently expected not to exceed \$7,000,000.00, the proceeds of which will be used to purchase and upfit the property located at 300 SW Broad Street.

Asst. Town Manager Roth presented the request to the Council.

Finance Director Tess Brubaker-Speis reviewed the details of the submitted bids for the Council.

The LGC commission will meet on October 7th to review our application for approval.

Discussion ensued over the process of getting bids and negotiating terms.

Mayor Clement opened the public hearing and asked for public comment. None were voiced.

Mayor Clement closed the public hearing.

Mayor Pro Tem Pate moved that it was in the public interest for the Town to enter into this installment financing contract and that staff should prepare the resolution and/or any other paperwork needed to move forward, seconded by Councilmember Gray; the vote was unanimous.

Motion passed.

6. COUNCIL UPDATES AND DISCUSSION

a. Sandhills Bogeys Request to Use Southern Pines Sports Park

The Sandhills Bogeys, a collegiate summer baseball team, have approached the Town regarding long-term use of Armory Field at the Southern Pines Sports Park. The team has played at Sandhills Community College, but will lose access due to campus construction. Staff will discuss the request in more detail with Council and members of the Bogeys' staff will also be present.

Asst. Town Manager Roth gave an overview of the requested agreement presented by the Sandhills Bogeys and requested feedback from the Council regarding the proposed terms and whether staff should continue and prepare an agreement for future approval.

Mr. Allred, representing the Bogeys, is present as well as Recreation Director Greg Thompson. Discussion ensued over fencing, parking, security and lights.

Council agreed that staff should continue negotiations and draft an agreement with the Sandhills Bogeys.

b. Request: ROW Reduction on E. New York Ave.

The owner of 195 S. Ridge Street, located at the corner of S. Ridge St. and E. New York Ave., would like to install two gates across his driveways entering E. New York Ave. The proposed location is within the current right-of-way (ROW) of E. New York Avenue. Due to unique circumstances related to both this property and the ROW, staff feels it would be reasonable to consider reducing the size of the ROW in this block, which would allow for this installation to proceed.

Town Engineer/Asst. Public Works Director James Michel presented the item to the Council.

The owner of the property has requested permission to install two gates across his driveway which would decrease the town's right-of-way. Staff, upon review of the unique circumstances of the situation with the street being a dead-end road and only having two residences on it, recommends approval of the request. Discussion ensued.

c. General Stormwater Discussion

Staff will provide an update on potential regulatory changes related to stormwater.

Town Engineer/Asst. Public Works Director James Michel shared with the Council that there is news that the Town may soon be designated as a regulated S4 (Municipal Separate Storm Sewer System), which is a result of the increase in population and urbanization. Nothing is official yet, but staff wanted to let the Council know as soon as possible, since the designation comes with increased responsibilities and requirements that would impact staff costs and resources.

Discussion ensued.

d. Planning Department Update

Planning staff will briefly update the Town Council on agenda items coming in October. Staff will also discuss recent instances of online application materials being used by scammers to attempt to collect fraudulent application fees and present actions being taken to try and prevent this from happening.

Planning Director Grieve gave an update on Planning items that should be expected on the October Business Meeting agenda. He also shared that the Planning Department's online application forms had recently been targeted by an online AI scraping scam that then used the information to send fake invoices for application fees and shared the measures used to inform the public and prevent future scams.

7. COUNCIL ROUNDTABLE

Councilmember Petersen

- She attended the County Commissioners meeting in an effort to address the process used for getting affordable transportation from the County and has found that the system is extremely cumbersome to acquire tokens and the hours are limited. She would like to find a way to address it within Southern Pines by using budget funds to pre-purchase tokens for citizens.

- Citizens have come to her regarding traffic on May Street turning left onto Indiana, where traffic is becoming really backed up, and proposed staff asking DOT to re-time the light to a dedicated left turn lane.

Mayor Clement

- traffic circle meeting has been scheduled, and she will share the date and time when she has it.

- The National League of Municipalities sent a letter thanking the Town for everything they do and offering services.

- Been informed there are sand spurs in the grass at Whitehall.

- scheduled meeting with the Ft. Bragg Planning Director.

Mayor Pro Tem Pate

- shout out to Jessica because she's the employee featured in the Town's Tuesday spotlight on Facebook.

- asked for an update on the Midland Road work since the orange barrels have been up for a while with no work.

Councilmember Gray

- attended the birthday celebration at the Library.

- attended a Rotary meeting with Councilmember Goodman.

8. ADJOURNMENT

Upon motion by Councilmember Petersen, seconded by Mayor Pro Tem Pate and carried unanimously, Council adjourned at 5:09 pm.

Respectfully submitted:


Elizabeth Robertson, Town Clerk





CASE NUMBER: MAPP-03-25

**FINDINGS OF FACT, DECISION OF THE BOARD, AND ORDER IN THE MATTER
OF A MAJOR SUBDIVISION PRELIMINARY PLAT APPLICATION FOR EAST
INDIANA LOTS MAJOR SUBDIVISION**

DESCRIPTION OF MATTER

Mr. Colin Webster, of the ASCOT Corporation, submitted a Major Subdivision Preliminary Plat application pursuant to the Town of Southern Pines Unified Development Ordinance (UDO) §2.20 for seven single-family detached lots, on ± 4.56 total acres, on the parcel identified as PARID 00055181. Per the Moore County tax record, the subject property is presently owned by James E. Rhodes.

A public evidentiary hearing regarding the proposed Major Subdivision Preliminary Plat (MAPP) for the East Indiana Lots was called to order with five members present on September 9, 2025. The oath was administered to all witnesses choosing to speak. Planning staff entered the September 9, 2025 staff report as Exhibit A and staff's September 9, 2025 presentation as Exhibit B. The applicant did not enter any exhibits into the record. After closing the hearing, the Town Council discussed and voted on the draft findings of fact.

FINDINGS OF FACT

The Town Council finds that the application is complete and that the facts submitted are relevant to the case because the request for Major Subdivision Preliminary Plat approval has met the specified submittal requirements as required in the Town of Southern Pines UDO Appendices, the applicants have submitted adequate evidence addressing criteria for a Preliminary Plat, and the evidence submitted was sworn testimony by qualified experts or provided through substantiated documentation.

The Town Council finds that the application complies with UDO §2.20.4(G), Criterion 1 (the application is consistent with the Comprehensive Plan, as well as any other adopted plans for streets, alleys, parks, playgrounds, and public utility facilities) in that, with a control measure to optimize mature existing tree preservation included with the Preliminary Plat approval, the plat will be consistent with the 2040 Comprehensive Plan. The mature trees along E Indiana Avenue and internal to the property provide distinct natural character to the surrounding community, which directly aligns with Major Subdivision Preliminary Plat Criterion 1, and Comprehensive Plan policies 4.9 and policy 4.10. Additionally, preserving these trees may count toward street trees and open space requirements pursuant to UDO §4.3 and §4.9. The proposed subdivision is consistent with the General Framework Map and Conservation and Development Maps, which

categorize the site as an “Area to Enhance” and “Neighborhood,” respectively. Site access and water utility connections, provided by Town of Southern Pines Public Works, are both readily available. Septic tanks will also be installed by the developer to address wastewater management. Therefore, the project is also compatible with its surrounding infrastructure.

The Town Council finds that the application complies with UDO §2.20.4(G), Criterion 2 (the proposed subdivision complies with the UDO and applicable state and federal regulations) in that once the project developer conducts a Red Cockaded Woodpecker assessment, and makes any necessary development plan adjustments, the project will definitively adhere to federal Endangered Species Act regulation. The application will also meet UDO density, open space, and street trees requirements.

The Town Council finds that the application complies with UDO §2.20.4(G), Criterion 3 (the proposed Subdivision, including its Lot sizes, density, access, and circulation, is compatible with the existing and/or permissible zoning and future land use of adjacent property) in that the seven single-family detached lots and their respective dimensions meet density standards. Moreover, planning staff have not found evidence that the proposed seven driveways will present a safety or design issue along E. Indiana Avenue because no concerns with the proposed lot layout were raised by NCDOT in response to a request for agency comment.

The Town Council finds that the application complies with UDO §2.20.4(G), Criterion 4 (the proposed subdivision will not have detrimental impacts on the safety or viability of permitted uses on adjacent properties) in that the project does not present a safety or viability concern for the surrounding area. Based on staff’s analysis, the additional driveways being added onto E Indiana Avenue, a minor arterial roadway, will not present a safety concern. Stormwater will be properly mitigated on each lot internally with the dry well drainage system as shown on the preliminary plat. No other safety or viability concerns were shown from the town staff’s analysis.

The Town Council finds that the application complies with UDO §2.20.4(G), Criterion 5 (the proposed public facilities are adequate to serve the normal and emergency demands of the proposed development, and to provide for the efficient and timely extension to serve future development) in that the proposed utility plan adequately meets water and fire flow requirements. The applicant will install septic systems to meet wastewater requirements, which will require certification from the Moore County Health Department. The Town of Southern Pines will provide water utility extensions and connections, and they will serve this development adequately and efficiently.

CONCLUSION AND DECISION

Therefore, by a vote of 4-1, the Town Council voted to approve the East Indiana Lots MAPP-03-25 with the following additional conditions:

Condition 1—Mature Tree Preservation. All existing trees, 10-inch diameter and larger, within the front setback (30-feet) and rear setback (30-feet) of the seven lots abutting E. Indiana Avenue shall remain and shall be protected in accordance with the town's tree protection standards, excluding areas required for driveways, utility access and easements, and septic areas/repair areas. The preserved trees shall account for the town's major subdivision street trees requirement.

- Tree protection fencing of at least 6-feet in radius shall be installed where applicable pursuant to UDO §4.3.13. The developer may request a reduction in tree protection fence radius during site plan review; town staff shall grant a requested tree protection fence radius reduction, contingent on the Town Arborist's concurrence that a proposed reduction will not significantly impinge tree viability.
- The Final Plat for MAPP-03-25 shall reflect a note detailing that all trees, 10-inches in diameter and greater, shall be preserved within the front and rear setbacks, excluding the forenamed areas of exception.

This condition is pursuant to MAPP Criterion 1, Comprehensive Plan Policies 4.9 and 4.10, and UDO §4.3.13.

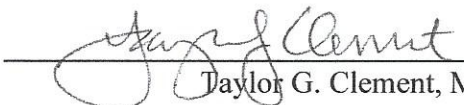
Condition 2—Red Cockaded Woodpecker (RCW) Assessment. The developer shall conduct the necessary RCW assessment to identify any possible cavity trees, possible sensitive foraging area, and overall RCW impact prior to lot clearing.

- Town staff shall verify the study's findings and any necessary adjustments to meet Endangered Species Act (ESA) regulation.
- The developer shall make any necessary adjustments that result from the findings to adhere to federal ESA regulation.

This condition is pursuant to MAPP Criterion 2 and Comprehensive Plan Policy 4.9.

This 23rd day of September, 2025.

FOR THE TOWN COUNCIL:


Taylor G. Clement, Mayor