



MINUTES

Wednesday, June 8, 2022: 6:00 PM

Town Council Agenda Meeting

**C. Michael Haney Community Room: Southern Pines Police Department
450 W. Pennsylvania Ave**

1. CALL TO ORDER

Mayor Haney called the meeting to order at 6:00pm. The following members of Town Council were present: Mayor Carol Haney; Taylor Clement; Paul Murphy; and Ann Petersen. Councilmember Bill Pate was absent.

Mayor Haney thanked everyone involved with staffing the Women's U.S. Open at Pine Needles last week.

2. TOWN MANAGER'S COMMENTS

Town Manager Reagan Parsons reviewed the agenda.

3. REVIEW PUBLIC HEARING APPLICATIONS FOR UPCOMING BUSINESS MEETING AGENDA

Town Manager Parsons informed Council that with the exception of items 3a and 3f, all applications require a quasi-judicial hearing and discussions should be reserved for the hearing on June 14th. He also informed the Council that both the applicant and the opposing parties for PD-04-22 have requested that the hearing be postponed to July. Town Manager Parsons stated that since the hearing has already been opened, the Council can take this action during the meeting on June 14th. There was not any opposition to this request from the Council.

a. PD-04-22 St. John Paul CDP

Mr. Pete Bogle of Bogle Firm Architecture, on behalf of Very Reverend John J. Forbes, VF, has submitted a Planned Development District – Conceptual Development Plan application pursuant to §2.18.4 of the Town of Southern Pines Unified Development Ordinance (UDO) to allow a private school, athletic fields, cemetery, rectory and religious institution as the permitted land uses. The subject parcels are currently zoned RE (Rural Estate). This is a continuation of a public hearing that was opened on April 12, 2022, continued to May 10, 2022, then continued again to June 14, 2022.

b. PD-07-22 Morganton Park South Apartments

An application by Mr. Bob Koontz of Koontz Jones Design, on behalf of developer Zimmer Development Company, for 269 multi-family residential units on 13.18 acres of land located within the Morganton Park South Planned Development. The proposed

development is Phase 2 of the Morganton Park South Planned Development.

c. SU-03-22 Murray Hill Pines Apartments

Mr. Greg Jonczyk with Davis Park Leasing and Mr. Bob Koontz with Koontz Jones Design, on behalf of CLS HOLDINGS, LLC, have applied for a Special Use Permit for a 149-unit multi-family development. The dwelling units will look like detached single-family and duplex structures, however there is no subdivision of land and all dwelling units will be rented. The property proposed for development is approximately 17.04 acres zoned RM-1 and is located north of Long Street.

d. PD-02-22 Ace Hardware Phase 1 PDP

A PDP for the first phase of the Planned Development known as Southern Pines Ace Hardware. Phase 1 includes a new 64,825 square-foot commercial building located on 9.11 acres near the Moore County Airport, just west of where the existing Ace Hardware is presently located. The total Planned Development is 12.62 acres and an extension of Capital Drive will be built with this project to connect Airport Road and NC HWY 22 via Olive Tree Lane.

e. Second Public Hearing FY 22-23 Annual Budget

Town Manager Reagan Parsons will present the proposed FY 22-23 budget. This is the second of two public hearings and Council proposes to adopt the budget following the public hearing.

4. REVIEW PROPOSED ACTION ITEMS FOR UPCOMING BUSINESS MEETING AGENDA

a. AR-14-22 The Luxe at Morganton Park

An Architectural Compliance Permit for three new 30-unit apartment buildings as well as six new 5-bay garage structures all within a new multi-family residential development located directly east of the existing Legends at Morganton Park multi-family residential development on South Carlisle Street. The applicant is Morganton Park II, LLC.

Town Planner I, Jennifer Hunt, reviewed the application and provided details on the deviations requested by the applicant.

Ms. Casey King of Caviness and Cates Homes spoke on behalf of the applicant and provided more details about the reasoning behind the requested deviations.

The Council asked various questions of Ms. King. There was general consensus from Council that it would be preferable for the applicant to make revisions to the plans to conform with the UDO rather than designing with the need for deviations. There was consensus between the Council and the applicant that the decision would be postponed to July.

b. AR-15-22 Patrick's Pointe

An Architectural Compliance Permit for multiple new 12-unit, 16-unit and 24-unit apartment buildings totaling 240 units, multiple new townhome-style buildings containing a total of 26 units, a new clubhouse building and new garage buildings all located within a new multi-family residential development called Patrick's Pointe. The 25.6-acre development is adjacent to the east side of US Highway 1, approximately between

Midland Road on the north and West Connecticut Avenue on the south. The applicant is Kerry Finley of Finley Design, on behalf of VG Pines Residential LLC, a subsidiary of 1700 LLC.

Councilmember Petersen stated her preference to defer decisions regarding the architecture or site until the Council had reviewed the pending requests for right-of-way abandonment. The Mayor and other Councilmembers expressed consensus to move forward with the architectural review.

Principal Planner Pamela Graham reviewed the application and provided details on the deviations requested by the applicant.

Architect Kerry Finley spoke on behalf of the application.

Some members of Council stated their displeasure at being asked to approve deviations to the UDO given the specificity of recent approvals for this property. Mr. Finley stated the goal is to provide a high-quality design and was attempting to show Council some options that they felt were more attractive.

The Council asked Mr. Finley to work with Planning staff to modify the design before Council considers the application. There was consensus between the Council and applicant that the decision will be postponed to July.

c. 891 W. Pennsylvania Avenue: Request for Condemnation and Demolition

Chief Building Inspector John Bullock and Code Enforcement Officer Lisa Webb request that Council condemn this unsafe structure and authorize the expenditure to proceed with demolition. This request was originally presented at the April 25th work session and was postponed a month at Council's request.

Town Manager Parsons stated that Code Enforcement Officer Lisa Webb asked the property owner to provide a contract and the property is not currently under contract. Mayor Pro-Tem stated that while he was interested in evaluating the historic value of the property, it is clear that the property is not safe and community residents are concerned

d. WP-01-22 760 N. Ridge St.

Julia McNeill, on behalf of John Baker and Lindsay Johnson, has submitted an application for a Watershed Protection Permit requesting 0.29 acres of 5/70 exemption allocation to install a concrete patio and swimming pool in the rear yard of an existing single-family residence. The proposed construction will result in 40.96% total impervious surface on the subject property which is located within a High Quality Watershed.

John and Lindsay Baker of 760 N. Ridge Street, spoke on behalf of their application. The Council asked them to address a few questions and return to the meeting on June 14.

e. Consider Ordinance #1993: Defining & Creating Municipal Service District #1 Totaling 99.97+/- Acres Between 15-501 and West Morganton Road

The Town Council held a public hearing on May 10 and completed the first vote approving the establishment of the MSD. Per state statute, two votes must be conducted; this is the second vote.

f. Adoption of the Fiscal Year 2022-2023 Budget, Setting a Tax Rate of 40 Cents Per \$100 Valuation and an Additional 40 Cents Per \$100 Valuation in Municipal Service District #1

This is the proposed FY 22-23 budget which has been presented by the Town Manager to take effect on July 1, 2022.

g. Consider Reimbursement Agreement with Midland Atlantic, LLC for Infrastructure and Expenses Related to the Initial Oversizing of a Parkway Between W. Morganton Road and 15/501

Per the agreement, the Town will reimburse Midland Atlantic, LLC for construction of the public infrastructure. The Town will then levy an additional property tax rate in the established MSD #1 to fund the debt service associated with this project.

h. Approve Ordinance #2009 Amending the Town's Code of Ordinances 32.092 Related to Recreation Fees

This amendment establishes the proposed recreation fees that will take effect July 1, 2022, as discussed during the budget process and planned in the FY 22-23 budget.

Assistant Town Manager Jessica Roth reviewed some requested revisions to the fee schedule related to the swimming pool and Douglass Community Center. There was consensus to leave resident fees the same at the swimming pool, with the exception of adding some passes for purchase. Council expressed consensus to increase non-resident fees to \$3 for youth and \$6 for adults. Staff will return with appropriate pass fees based on these final daily fees. Lastly, there was consensus to increase the rental fees at all facilities as recommended by staff.

5. REVIEW PROPOSED CONSENT AGENDA FOR BUSINESS MEETING

Town Manager Parsons reviewed the proposed consent agenda. There was consensus to move forward as proposed, with the addition of the audit contract.

a. Bicycle and Pedestrian Advisory Committee Appointments

The Town has received two applications from individuals seeking appointment to the Bicycle and Pedestrian Advisory Committee.

b. Adoption of the 2021 Local Water Supply Plan

Staff requests that the Town Council adopt the prepared resolution to accept the information contained in the 2021 Local Water Supply Plan for the Town of Southern Pines. The approved resolution and plan will then be provided to the Water Supply Planning Section Supervisor at the Division of Water Resources of the North Carolina Department of Environmental Quality (DEQ).

c. Approve Town Council Meeting Minutes for May 2022

- May 4, 2022 Town Council Agenda Meeting Minutes
- May 10, 2022 Town Council Regular Business Meeting Minutes
- May 23, 2022 Town Council Work Session Minutes

d. Adopt Various Ordinances Amending the FY 21-22 Budget

Staff recommends that Council approve the following ordinances to amend the FY 21-22 budget:

- Ordinance #2001 - Close the Building Renovation Capital Project Fund
- Ordinance #2002 - Authorize the Transfer of Unspent Funds & Interest from the Building Renovation Capital Project Fund to the General Capital Reserve Fund.

e. Approve Ordinance #2008 to Amend the Code of Ordinances 32.076 for FY 22-23 Solid Waste Fees

This amendment establishes the proposed solid waste fees that will take effect July 1, 2022, as discussed during the budget process and planned in the FY 22-23 budget.

f. Approve Ordinance #2007 to Amend the Code of Ordinances Chapter 50 Water and Sewer Use, Appendix A, Rates Fees and Charges

This amendment establishes the proposed water and sewer fees that will take effect July 1, 2022, as discussed during the budget process and planned in the FY 22-23 budget.

g. Approve Various Ordinances Amending the Town's Capital Project Funds

The amendments to the Town's Capital Project Funds have been prepared in order to align with the FY 22-23 budget.

- Ordinance #2003 - Amending the Parking Lot Fund
- Ordinance #2004 Amending the Water Treatment Process Modernization Fund
- Ordinance #2005 - Amending the Sidewalks Phase II Budget
- Ordinance #2010 - Amending Sanitary Sewer Modernization Fund
- Ordinance #2011 - Amending Water and Sewer Improvements Fund
- Ordinance #2012 - Amending Reservoir Park Improvements Fund
- Ordinance #2013 - Amending Facility Modernization Fund
- Ordinance #2014 - Amending Warrior Woods Lift Station Fund
- Ordinance #2015 - Amending Pennsylvania - PeeDee Fund

h. Approve Resolution #1012 to Appropriate System Development Fees

Council must annual adopt this ordinance related to System Development Fees (SDF).

i. Approve Ordinance #2016 Amending CRF Fund 64 to Appropriate Water System Development Fees

This amendment recognizes the water SDF collected April 1, 2021 to March 30, 2022.

j. Approve Ordinance #2017 Amending CRF Fund 65 to Appropriate Sewer System Development Fees

This amendment recognizes the sewer SDF collected April 1, 2021 to March 30, 2022.

k. Approve Resolution #1013 to Support NCDOT in Limiting Truck Traffic Along Certain Routes in Town

As discussed at the May work session, NCDOT has a process to consider the potential elimination of through trucks on E. Indiana Avenue and E. Morganton Rd. The next step includes a Resolution of Support from Council to forward to NCDOT.

l. Approve Resolution #2014 Adopting the 2022-2032 Capital Improvement Plan (CIP)

Staff has updated the Town's 2022-2032 CIP to align with capital projects and transfers outlined in the FY 22-23 budget.

6. ADJOURNMENT

Councilmember Clement reminded everyone who was interested in attending the June 9th Historic District Commission meeting that it has been moved to the Douglass Community Center.

Councilmember Petersen motioned to adjourn, which was seconded by Councilmember Clement. The vote was unanimous. The meeting adjourned at 8:06 pm.

Respectfully submitted:

Elizabeth Robertson, Town Clerk