



MINUTES

Wednesday, November 9, 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. The following members of Town Council were present: Mayor Carol Haney; Taylor Clement; Paul Murphy; Bill Pate; and Ann Petersen.

2. TOWN MANAGER'S COMMENTS

Town Manager Reagan Parsons reviewed the agenda.

3. ACTION ITEMS

4. REVIEW PUBLIC HEARING APPLICATIONS FOR UPCOMING BUSINESS MEETING AGENDA

a. Ordinance #2040 - OA-03-22: Text Amendments to Unified Development Ordinance

The proposed amendments will return UDO §4.2.1(B), (F) and (G) to the text as it was adopted on October 8, 2013 restricting buildings in CB-Central Business, GB-General Business and PD-Planned Development districts to a maximum of three stories with the ceiling of the top story not to exceed 38' in height and restricting buildings in I districts to a maximum of four stories. The proposed amendments will also amend UDO §4.14.3(A)(3) to exempt single-family residential lots that are developed in accordance with the WPO-Watershed Protection Overlay from also meeting pre-development/post-development stormwater management requirements.

Mayor Haney opened the discussion.

Planning Director Grieve is available to answer any questions.

Councilmember Petersen questioned Planning Director Grieve if staff had any recommendations on how the Town could still exercise some control over building styles/heights when this ordinance would make the only restriction be 38ft on interior dimensions? Planning Director Grieve mentioned other ordinances that deal with overall height, chimneys, spires and similar exterior appendages...etc. that would be referenced when dealing with these designs.

b. PD-11-22: Knollwood Tract Phase 2 MFR PDP

An application by Hawthorne Residential Partners for a Preliminary Development Plan (PDP) to develop 236 multi-family residential units on approximately 19.57 acres of land located on the north side of US Highway 1 near the intersection with Air Tool Drive. This is the second phase of development of the Knollwood Tract Conceptual Development Plan that was approved in 2017.

Councilmember Pate requested to be recused from his hearing due to a conflict. Upon motion by Councilmember Clement, seconded by Mayor Pro Tem Murphy, the vote was unanimous (4-0).

Motion passed.

Councilmember Clement questioned the increase in the number of children and that effect on the local schools. Discussion ensued with Planning Director Grieve and Town Attorney DeWitt McCarley reiterating what can and cannot be used as a basis of determination after the hearing.

c. Order #2022-03 Zoning Exemption ZE-02-22: Public art at 1012 N. May St.

Mr. Chris Dunn, Executive Director of the Arts Council of Moore County (ACMC), is requesting an exemption from the Town of Southern Pines Sign Code pursuant to §2.11 of the Southern Pines Unified Development Ordinance (UDO) to allow a mural that is currently located on the southeast wall of the building located at 1012 N. May Street to remain on the building as part of the ACMC's public art program.

Mayor Haney opened the discussion.

Councilmember Petersen requested the item be moved up on the Agenda to before the quasi-judicial hearing in deference to the citizens waiting to be heard and the length of the quasi-judicial hearing.

Council concurred.

Councilmember Pate confirmed that this is not the way the process should work for the murals with confirmation coming from Planning Director Grieve staff believes this will be the last zoning exemption request for such an item.

5. REVIEW PROPOSED ACTION ITEMS FOR UPCOMING BUSINESS MEETING AGENDA

a. AR-21-22: LKC Building - 390 W. Pennsylvania Ave.

Pinnacle Development Design Build, LLC, is requesting an Architectural Compliance Permit for significant exterior renovations and an addition to the existing commercial building located at 390 W. Pennsylvania Ave. The building is being renovated for use by LKC Engineering.

Town Planner Alaina Mallette presented the request to the Council.

Time Carpenter of LKC Engineering, Dean King and Adam Johnson of Pinnacle Development are present to answer questions.

Councilmember Petersen questioned the number of employees and the number of visitors

expected. Mr. Carpenter indicated they anticipate around 70 employees. On average, 75% of business is done remotely, so visitors would be few.

Councilmember Clement verified that the applicants would be able to meet parking needs and requirements. Mr. Carpenter is confident that the design will meet all needs and requirements.

Councilmember Clement commented that she felt the elevator shaft made the building look lopsided. Mr. Kind indicated that they would work with the design in an effort to create balance.

b. AR-22-22: Morganton Park North Apartments

Mr. Daniel Jellicorse with DHIC, LLC, on behalf PACN Realty, LLC and Morganton Park Realty Site 2, LLC (legal property owners), is requesting approval of an Architectural Compliance Permit for "Morganton Park North Apartments," a 300-unit apartment home community constituting the initial construction phase of the Preliminary Development Plan for Morganton Park North Phase 9. The development is located on the northwest corner of the intersection of Brucewood Road and West Morganton Road.

Principal Planner Graham reviewed the request for the Council.

Mr. Daniel Jellicorse and Ms. Darcy Chamberlain of DHIC, LLC. provided a brief PowerPoint presentation.

Questions regarding porch dimensions, door alignment and the variation in elevation that were raised will be addressed at the business meeting.

Mayor Haney complimented the design and use of different materials.

c. Sprucing Up Southern Pines Annual Awards

Members of the Appearance Commission will attend to present the annual awards to property owners.

A presentation will be given at the business meeting.

6. REVIEW PROPOSED CONSENT AGENDA FOR BUSINESS MEETING

Town Manager Parsons advised the Council that there had been some developments regarding the Knoll Road Project through Longleaf that was discussed at a previous meeting.

Town Engineer James Michel advised the Council that NC. Dept of Transportation had contacted him recently and is requesting a commitment from the Town before proceeding with the project (needs answer before their division board meeting on Thursday). The total project will cost approximately \$1.9 million with DOT paying 80% of the construction cost up to the approved budget and the Town paying 20% of the construction cost, plus 100% of engineering costs. Town portion = approximately \$560,000. There is currently approximately \$236,000 in the Bicycle and Pedestrian Fund that could be used towards the project.

Planning Director Grieve advised the Council that feedback during the CLRP process was that the citizens love the trails/greenways and their connectivity, which will be enhanced by this.

Town Manager Parsons advised that DOT will send an agreement for Council approval when they are ready to put the project out to bid.

Council consents to Town Engineer Michel informing DOT that the Town is in favor of the project going forward.

a. Review Capital Project Funding Requests

Following discussion at the October 24th work session, staff has gathered additional data and information for Council's consideration.

Town Manager Parsons advised the Council that these are all projects raised at the last meeting and additional information was requested.

Asst. Town Manager Jessica Roth advised the Council that the trees mentioned in New Hampshire Ave. Projects were reviewed by both herself and Town Arborist Jeff Grey and are found to be in very bad shape and need to be removed.

Councilmember Petersen asked for a breakdown of the costs in the quote.

Councilmember Clement questioned the determination of ownership and maintenance of these areas. Asst. Town Manager Roth advised that it was an issue of right-of-way and that those with the right-of-way were responsible for the maintenance. Town Manager Parsons clarified that some land owners added pavers on their own, so those improvements are the responsibility of those owners to maintain.

Councilmember Petersen asked for a rendering of the finalized plan, exact location and type of trees to be planted, questioning the validity of the plan and was advised by Asst. Town Manager Roth said that the town has the total number of plant materials to be used and quotes for the brick work including sq. footage, labor to remove the trees and replant, along with completing the brick work once planting is done. Multiple contractors were used for quotes based on measurements and the final decisions that are made in the field.

Councilmember Petersen asked if a landscape architect would be reviewing the plan. Asst. Town Manager Roth advised that Jeff Grey is a certified Arborist, that she, herself, is a former certified Arborist and a Landscape Architect by education, and Principal Planner Pam Graham is also a Landscape Architect, so the staff felt confident in their ability to handle the design without the additional time and expense of hiring someone to do a rendering. Town Manager Parsons advised that there is also a Landscape Architect on the Appearance Commission.

Councilmember Petersen reiterated that there was no drawing of the plan and without a drawing she was uncomfortable approving the project.

Councilmember Pate pointed out that this was the same process used for a previously done project on Pennsylvania Ave.

Mayor Pro Tem Murphy stated that sometimes specificity in a project can limit the possibilities of what can be accomplished and that some trust was needed for the staff to do the right thing.

Councilmember Clement likes the trees, doesn't like the brickwork, and wants to verify which fund the money is coming from so that ARPA funds are not used.

Town Manager Parsons feels this item should be moved to the Action Item section instead of located on the Consent Agenda portion of the agenda for the Business Meeting.

i. Memorial Park Lighting Project

Asst. Town Manager Roth advised the Council that Parks and Recreation Director Cindi King had spoken with the Optimist Club and received a letter of support for the project and an offer of a 10% contribution to the cost (\$8,000 in 2/2023 and \$8,000 in 2/2024).

ii. Campbell House Fencing

Asst. Town Manager Roth updated the Council on the new quotes for the project with the suggested changes from the previous meeting and reduced the quote from \$58,000 - \$30,000 by replacing only the minimally needed fencing.

Discussion ensued

iii. Pool Park Projects

Asst. Town Manager Roth updated the Council on the new quotes for the project with the suggested changes from the previous meeting.

- New roof on storage shed = \$10,000
- Pool Deck replacement = \$124,460 (\$22,000 = pavers) includes pool pump & filter
- Pool Lining = \$106,859
- Total for all 3 = \$241,319
- New roof & Pool Deck = \$134,460
- Bath House (complete rebuild) = \$200/sq ft. (approx 1200 sq feet)

Discussion ensued

Council concurs on \$134,460

iv. New Hampshire Ave. Projects

b. Resolution #1034 AX-05-22: Set public hearing for annexation of .41 acres at 480 S. Pine St.

Veronica Lofton is requesting voluntary annexation of .41 acres that is currently outside of the corporate limits of the Town of Southern Pines. The deed recorded in Book 5881 at Page 586 describes the property as "Lots Numbers Twelve (12), Fourteen (14) and Fifteen (15) in Block One as shown on a map entitled 'Westhaven Grove' which is recorded in Map Book 3 at page 100 in the Office of the Register of Deeds of Moore County." Per the Moore County tax records, the subject property is identified as PIN 857216729769 (PARID 00033536).

No questions were raised.

c. Resolution #1036 AX-06-22: Set public hearing for annexation of .56 acres at 275, 285 and 295 Duncan Rd.

Dewey Holderfield, on behalf of Moore HL Properties, Inc., is requesting voluntary annexation of .56 of an acre that is currently outside of the corporate limits of the Town of Southern Pines. Per the Moore County tax records, the subject properties are identified as PIN 858220804641 (PARID 00032386) and PIN 858220805642 (PARID 20020514) and are owned by Moore HL Properties, Inc. The request also includes

annexation of the portion of Duncan Road that abuts the subject property as well as the intersection of Duncan Road and Petty Street.

No questions were raised.

d. Approve Town Council Meeting Minutes for October 2022

- October 5, 2022
- October 11, 2022
- October 24, 2022

Staff has prepared the October meeting minutes for review.

No changes were requested.

7. ADJOURNMENT

Upon motion by Mayor Pro Tem Murphy, seconded by Councilmember Pate and carried unanimously, Council adjourned at 7:52 pm.

Respectfully submitted:


Elizabeth Robertson, Town Clerk

