



MINUTES

Tuesday, October 3, 2023: 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

Asst. Town Manager/Fire Chief Mike Cameron reviewed the agenda.

Item 5b - the applicant has requested an administrative continuance and has met all the requirements, so this item will be removed from the agenda tonight.

3. ACTION ITEMS

a. PD-03-23: Written Decision for Morganton Park South Phase 3 PDP

Staff has prepared a draft Written Decision for application PD-03-23, Morganton Park South Phase 3 PDP, for the Town Council's review and approval.

Mayor Haney opened the discussion.

Councilmember Clement moved to accept the written decision of PD-03-23: Morganton Park South Phase 3 PDP, Councilmember Pate seconded; the vote was unanimous.
Motion passed.

4. REVIEW PROPOSED ACTION ITEMS FOR OCTOBER 10TH AGENDA

a. AR-07-23: Tiara Properties, LLC

A request by Seven Lakes Engineering Services, on behalf of Tiara Properties, LLC, for an Architectural Compliance Permit for a 7,200 square foot office building located on the east side of the intersection of SE Service Road and West Wisconsin Avenue.

Mayor Haney introduced the item.

Senior Planner Alaina Mallette presented the application and staff report.

The applicants do have representatives present.

Councilmember Petersen questioned the reason behind the request for the deviation. Senior Planner Mallette explained that the request was due to the elevation changes of the property.

Councilmember Petersen questioned the timing of the information provided by the applicant and Senior Planner Mallette confirmed that it had only been received that afternoon but that she would review it and provide an updated staff report at the Business Meeting.

Councilmember Pate asked Senior Planner Mallette if this was a reasonable request given the lack of time until the next meeting and Senior Planner Mallette agreed that it was not ideal circumstances. Mayor Haney and Councilmember Petersen both expressed displeasure at the lateness of the submittal and the resulting strain it places on planning department staff.

Senior Planner Mallette appreciated the concern and advised the Council that she didn't foresee any issues with reviewing the reports on time due to the nature of the project.

Planning Director Grieve advised that the Council did not receive staff reports prior to today due to an error when uploading the packet and that, due to the lateness of the submitted reports from the applicant, were not prepared to give any recommendation at that time.

Mayor Haney advised that she had not been able to view the staff reports due to the various issues and recommended continuing the item discussion and asked for the pleasure of the Council.

Councilmember Clement expressed an interest in hearing from the applicant since they were present at the meeting in an effort to give the Council more information when they do receive the final staff report. All of the councilmembers concur.

Enrique Ortega of Ortega Design and Sean Rodriguez of Seven Lakes Engineering addressed the Council and apologized for any delays and expressed their gratitude for the planning staff's efforts to accommodate them. Mr. Ortega proceeded to present a series of slides to the Council while orally describing the project and its details, including the request for deviation which is for the shed roof only as the rest of the project meets the Town's standards.

Councilmember Clement asked about the equation used for determining the percentage of materials used on the exterior of the building. Senior Planner Mallette concurred and will work with the applicant to correct the numbers before the business meeting.

Discussion ensued.

Councilmember Petersen expressed her displeasure at the amount of work left to do on the report before the next meeting and feels a continuance is needed if the next deadline is not met.

The applicant inquired as to the Council's feeling about the requested deviation. Councilmember Pate stated that, with the information he has at this time, he doesn't see an issue with granting the request. Councilmember Clement concurs, adding that her opinion was contingent upon staff's approval. Mayor Pro Tem voiced his agreement with Councilmember Clement.

Councilmember Pate requested the applicants return for the business meeting.

5. REVIEW PUBLIC HEARING APPLICATIONS FOR OCTOBER 10TH AGENDA

a. OA-04-23: Text Amendments to the Unified Development Ordinance (UDO)

The Town of Southern Pines Planning Department is proposing to amend the Unified Development Ordinance (UDO) with text amendments related to deleting an incomplete sentence in the FRR zoning classification, code compliance provisions, and platting certification requirements.

Mayor Haney introduced the item.

Planning Director Grieve presented the proposed amendments to the Council.

Discussion ensued.

b. SU-01-23: Expansion of authorized land uses in 1998 Mill Creek Mixed-Use Development Master Plan.

Mr. Bob Koontz of Koontz Jones Design, on behalf of Mill Creek Partners, LLC, has submitted a Special Use Permit amendment application pursuant to §2.21.12(A) of the Town of Southern Pines Unified Development Ordinance (UDO) to expand the authorized land uses in the General Business conditional zoning district (GB-CD) portion of the Mill Creek development.

Item removed by applicant request.

6. REVIEW PROPOSED CONSENT AGENDA FOR OCTOBER 10TH AGENDA

a. Authorize Relief from §50.035 of the Town Code of Ordinances

Ryan Paschal is requesting relief from §50.035 of the Town Code of Ordinances requiring any new house, lot, or subdivision to connect to the Town's water system if it is within 300 feet (plus 100 feet multiplied by the number of additional dwellings) of an existing [water] distribution pipe.

Town Engineer James Michel presented the item to the Council. Town ordinance requires that for the construction of buildings within 300 feet of a water line you have to connect to said line. Upon review, the town staff doesn't feel that it is necessary in this instance, given the 2 inch existing pipe being inadequate to provide for future expansion or fire protection.

Ryan Pasco of Southern Pines is the applicant and present.

Councilmember Petersen questioned what would happen in the event of a fire and Fire Chief Cameron advised that this property is located in an area that is without hydrants and that the fire department is familiar with the area, so water would be hauled in tankers to the site should a fire occur. Fire Chief Cameron added that the fire department recommends at least a 6 inch water line if it is to be used to help with fire prevention.

Town Engineer Michel added that there is a fire hydrant located 400 feet away from the property on May Street to which Chief Cameron agreed and stated that the fire department does not have any objections to granting relief.

Discussion ensued.

Councilmember Clement questioned the intention of the ordinance. Town Engineer Michel advised that the ordinance was there for fire protection and to promote smart growth in the town, but given where this area is located, the probability for expansive growth is low.

Mr. Pasco does need to attend the business meeting unless he wants to.

b. Approve Solid Waste Contract with Meridian Waste

This contract is for garbage and recycling collection and disposal, effective July 1, 2024. The final contract document is being reviewed by attorneys and will be available prior to the October 10th business meeting.

Councilmember Petersen asked if the July 1 date was a hard commitment

Asst. Town Manager/Fire Chief received the contract back from the vendor with the requested changes and Town Attorney Mac McCarley is currently reviewing them. The tentative goal is to give the contract to the Council next week.

c. Approve Meeting Minutes

Staff has prepared the following meeting minutes for approval:

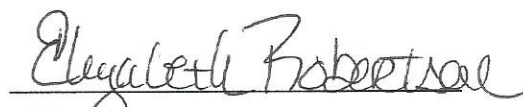
- August 1, 2023 Agenda Meeting
- August 8, 2023 Business Meeting
- August 22, 2023 Work Session
- September 5, 2023 Agenda Meeting
- September 12, 2023 Business Meeting
- September 26, 2023 Work Session

Not all councilmembers have had a chance to read through the minutes but will by the next meeting and will report any changes then.

7. ADJOURNMENT

Upon motion by Councilmember Pate, seconded by Mayor Pro Tem Murphy and carried unanimously, Council adjourned at 6:49 pm.

Respectfully submitted:


Elizabeth Robertson, Town Clerk

