



**Town of Southern Pines
Monday August 22, 2016, 3:00 PM
C. Michael Haney Community Room, Southern Pines Police Department
450 West Pennsylvania Avenue**

Worksession Agenda

- 1. Request to Discuss the Potential for a Rezoning from PD to GB; Property along Murray Hill Road & Short Street; Petitioner; Tammy Lyne**
- 2. Request to Discuss the Potential for a Rezoning from RM-1 to GB; Property Along Murray Hill Road & Richards Street; Petitioner, Tammy Lyne**
- 3. Discussion regarding Penick Village “No Parking” request along Ridge Street**
- 4. Connect NC Bond Recreation Grant Program – Director Robert Reeve**
- 5. Selection of Mayor Pro-Tem**
- 6. Discussion Regarding Vacancy on Council**
- 7. Discussion Regarding Council Schedule: November Business Meeting**

Work Session Agenda Item

To: Reagan Parsons, Town Manager
Via: Bart Nuckols, Planning Director
From: Chris Kennedy, Senior Planner
Subject: Request to Discuss the Potential for a Rezoning from PD to GB; Property Along Murray Hill Road & Short Street; Petitioner, Tammy Lyne
Date: August 22, 2016

On behalf of property owners, the petitioner Ms. Tammy Lyne is requesting to be heard in front of the Town Council to discuss a Rezoning application to rezone the subject property from PD (Planned Development) to GB (General Business). The subject property is comprised of three parcels totaling 1.983 acres and identified by the following: PIN: 857110458453 (PARID: 00052928); PIN: 857100459493 (PARID: 00052929); PIN: 857110458250 (PARID: 00048734). Per the Moore County GIS records, the property owner(s) are listed as Culture Club, LLC and Douglass W. Donnell.

Analysis:

The subject property is identified as “Residential” in the *Comprehensive Long Range Plan Future Land Use Map*. Per the *Comprehensive Long Range Plan 2015-16 Update*:

- **Residential:** This designation encompasses the majority of Southern Pines’ residential land, providing for single-family and attached housing at development densities ranging from one unit per acre in areas that are less intensively developed to up to twelve units per acre in places that are clearly more urban. Elementary schools, civic uses, parks, and neighborhood scale commercial services may be authorized through the rezoning process without amending the Future Land Use Map.

Staff Comments:

- The subject property is comprised of three parcels totaling 1.983 acres along Murray Hill Road and Short Street.
 - The subject properties are all located within the corporate limits of the Town of Southern Pines.
- The petitioner is seeking to rezone the property from PD to GB.
- The adjoining properties are zoned PD to the North, GB to the West and the South, and RM-1 to the East.
- The subject property is identified as “Residential” in the *Comprehensive Long Range Plan Future Land Use Map*. The request for a rezoning to GB is incompatible with the “residential” designation of the CLRP Map.

- Per UDO Section 3.5.14:
 - Purpose: The PD district is designed to accommodate mixed land uses, such as office, residential, service, commercial, public or private recreational development, and where consistent with the future land use map, light manufacturing and assembly uses that comply with the employment center development patterns in UDO Section 6.5. This district is intended to allow mixed-use developments in areas where sufficient public water and sewer service is available (or can be readily extended) and where the street system is adequate (or can readily be improved) to handle the projected traffic volumes generated by the development. The regulations of the PD district are intended to:
 1. Encourage planned, large-tract development, including service, office, commercial, residential, public or private recreational development or light industrial uses;
 2. Exclude heavy commercial and heavy industrial land uses;
 3. Encourage development in areas located on major thoroughfares and collector streets;
 4. Encourage vehicular access from service drives and other local streets;
 5. Provide performance standards to help ensure compatible land uses;
 6. Encourage common or shared parking;
 7. Promote creativity and innovation in the design that leads to more appropriate relationships between land uses and features;
 8. Facilitate clustering of development thereby increasing the amount of saved land;
 9. Foster development of a network of open space to serve a variety of recreational and environmental purposes designed and located with respect to existing unique natural features and environmentally sensitive areas;
 10. Improve connectivity within and between developments to promote mobility and enhance walkability;
 11. Integrate public spaces and amenities to promote community gatherings and activities;
 12. Establish coordinated land plan and consistent treatment of common design elements;
 13. Provide the flexibility to respond to market conditions over longer projected development periods due to the scale of such developments; and,
 14. If residential land uses are proposed, provide a variety of lot sizes and dwelling types to expand the spectrum of housing choices for households of various types, sizes, incomes, and ages.
- Per UDO Section 3.5.9:
 - A. Purpose: The GB district is designed to accommodate highway-oriented retail, commercial service businesses and in some limited cases light manufacturing, which generally have as their market area the entire Town and surrounding area. The major objectives of this district are to:
 1. Encourage planned commercial, light manufacturing conducted within buildings and office parks;
 2. Discourage small lot development on major highways;

3. Encourage vehicular access from service drives and other local commercial streets rather than directly from arterial streets; and,
 4. Provide a location for major shopping facilities and land uses requiring large outdoor spaces.
- Per Section 2.17.7 *Planning Board Action*; The Planning Board shall hold a legislative public hearing and shall render its recommendation in accordance with the procedures set forth in this chapter.
 - Per Section 2.17.8 *Town Council Action*;
- (A) Within thirty (30) days of the Planning Board recommendation, the application shall be submitted to the Council to review at a legislative public hearing.
 - (B) The Council is not required to take final action on a proposed amendment within any specific period of time, but it should proceed as expeditiously as practicable on petitions for amendments since inordinate delays can result in the petitioner incurring unnecessary costs.
 - (C) Following the hearing, the Council may approve, conditionally approve or deny the application. If the Application is denied, the Council shall advise the Applicant of the reason for denial.
 - (D) The Council need not await the recommendations of the Planning Board before taking action on a proposed amendment, nor is the Council bound by any recommendations of the Planning Board that are before it at the time it takes action on a proposed amendment.
 - (E) At the conclusion of the public hearing on a proposed amendment, the Council may proceed to vote on the proposed ordinance, refer it to a committee for further study or take any other action consistent with its usual rules of procedure.
 - (F) Voting on amendments to this chapter shall proceed in the same manner as other ordinances, subject to the provisions for protests to zoning district changes as set forth herein.
 - (G) Impacts. The council shall not regard as controlling any advantages or disadvantages to the individual requesting the change, but shall consider the impact of the proposed change on the public at large.
 - Per Section 2.17.9 a Rezoning Application must satisfy the following criteria:

2.17.9 *Criteria for Zoning Map Amendments*

In its review of an application for a zoning map amendment, the Hearing Bodies shall consider the following criteria. No single factor is controlling; instead, each must be weighed in relation to the other standards.

- (A) *Consistency.* Rezoning shall be consistent with the adopted Comprehensive Plan.
- (B) *Adverse Impacts on Neighboring Lands.* *The Hearing Body shall consider the nature and degree of an adverse impact upon neighboring lands. Lots shall not be rezoned in a way that is substantially inconsistent with the uses of the surrounding area, whether more or less restrictive. The Town finds and determines that vast acreages of single-use zoning produces uniformity with adverse consequences, such as traffic congestion, air pollution, and social alienation. Accordingly, rezonings may promote mixed uses subject to a high degree of design control.*
- (C) *Suitability as Presently Zoned.* *The Hearing Body shall consider the suitability or unsuitability of the Tract for its use as presently zoned. This factor, like the others, should be weighed in relation to the other standards, and instances can*

exist in which the land may be rezoned to meet public need, to reflect substantially changed conditions in the neighborhood, or to effectuate important goals, objectives and policies of the Comprehensive Plan or UDO.

- (D) *Health, Safety, and Welfare. The amending ordinance must bear a substantial relationship to the public health, safety or general welfare, or protect and preserve historical and cultural places and areas. The rezoning may be justified, however, if a substantial public need or purpose exists, even if the private owner of the Tract will also benefit.*
- (E) *Public Policy. Certain public policies in favor of the rezoning may be considered. Examples include a need for affordable housing, economic Development, mixed-use Development, or sustainable environmental features, which are consistent with neighborhood, area, or specific plans.*
- (F) *Size of Tract. The Hearing Body shall consider the size, shape, and characteristics of the Tract in relation to the affected neighboring lands. Amendatory ordinances shall not rezone a single Lot when there have been no intervening changes or other saving characteristics. Proof that a small Tract is unsuitable for use as zoned, or that there have been substantial changes in the immediate area, may justify ordinance rezoning.*
- (G) *Other Factors. The Hearing Body may consider any other factors relevant to a rezoning application under state law.*
- (H) *Applicant Representations. Except for rezoning requests submitted in accordance with the provisions herein for conditional use district rezonings, the Hearing Body shall not consider any representations made by the petitioner that, if the change is granted, the rezoned property will be used for only one of the possible range of uses permitted in the requested classification. Rather, the Hearing Body shall consider whether the entire range of permitted uses in the requested classification is more appropriate than the range of uses in the existing classification.*

Attachments:

- GIS Location
- Future Land Use Map

The Town Council may wish to take one of the following actions:

1. No action;
2. Allow the petitioner to pursue this development project through the required Rezoning and application processes as outlined in the Town of Southern Pines Unified Development Ordinance;
3. An action listed above with the following conditions...
4. Action not listed above...

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Property Along Murray Hill Road & Short Street – Proposed Rezoning

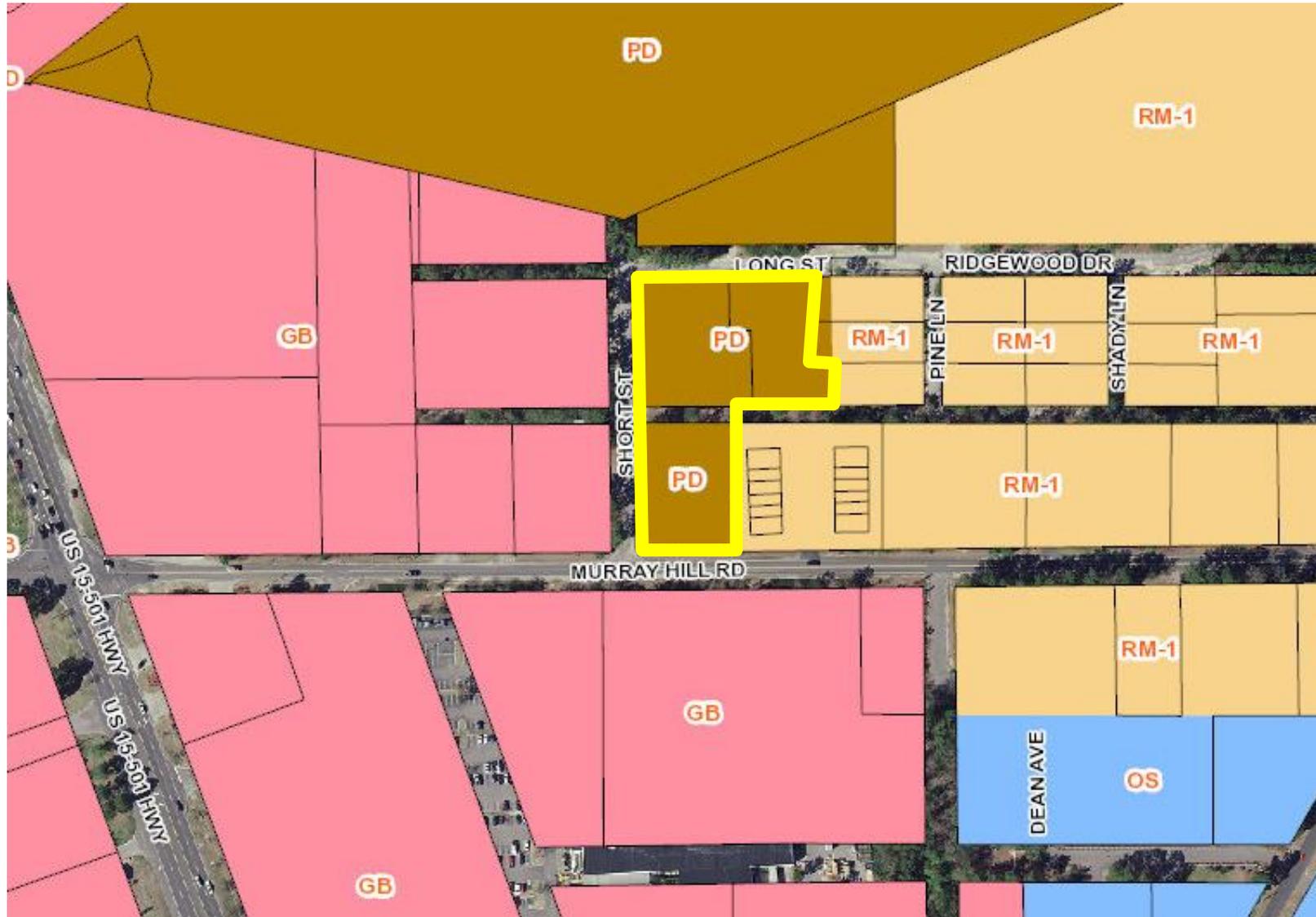
PIN: 857110458453 (PARID: 00052928); PIN: 857100459493 (PARID: 00052929); PIN: 857110458250 (PARID: 00048734)



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Future Land Use Map: Property Along Murray Hill Road & Short Street – Proposed Rezoning



Work Session Agenda Item

To: Reagan Parsons, Town Manager
Via: Bart Nuckols, Planning Director
From: Chris Kennedy, Senior Planner
Subject: Request to Discuss the Potential for a Rezoning from RM-1 to GB; Property Along Murray Hill Road & Richards Street; Petitioner, Tammy Lyne
Date: August 22, 2016

On behalf of property owners, the petitioner Ms. Tammy Lyne is requesting to be heard in front of the Town Council to discuss a Rezoning application to rezone the subject property from RM-1 (Residential Multi-Family -1) to GB (General Business). The subject property totals 0.507 acres and identified by the following: PIN: 857115549918 (PARID: 00048684). Per the Moore County GIS records, the property owner(s) are listed as J. Clealand Fowler.

Analysis:

The subject property is identified as “Residential” in the *Comprehensive Long Range Plan Future Land Use Map*. Per the *Comprehensive Long Range Plan 2015-16 Update*:

- **Residential:** This designation encompasses the majority of Southern Pines’ residential land, providing for single-family and attached housing at development densities ranging from one unit per acre in areas that are less intensively developed to up to twelve units per acre in places that are clearly more urban. Elementary schools, civic uses, parks, and neighborhood scale commercial services may be authorized through the rezoning process without amending the Future Land Use Map.

Staff Comments:

- The subject property totaling 0.507 acres along Murray Hill Road and Richards Street.
 - The subject property is located within the corporate limits of the Town of Southern Pines.
- The petitioner is seeking to rezone the property from RM-1 to GB.
- The adjoining properties are zoned RM-1 to the North, RM-1 to the West and the South, and RM-1 and RS-1 to the East. OS zoning is approximately fifty (50) feet from the subject property and GB zoning is approximately five-hundred thirty (530) feet from the subject property.
- The subject property is identified as “Residential” in the *Comprehensive Long Range Plan Future Land Use Map*. The request for a rezoning to GB is incompatible with the “residential” designation of the CLRP Map.

- Per UDO Section 3.5.6:
 - Purpose: The RM-1 district is established as a district in which to allow primarily single-family and multi-family residences at a medium-density (approximately 10-12 dwelling units per acre) in areas served by adequate public water and sewer systems. The regulations of the RM-1 district are intended to:
 1. Encourage single-family and multi-family residences; and,
 2. Encourage new residential development that is compatible with that in the existing neighborhoods.
 - Per UDO Section 3.5.9:
 - A. Purpose: The GB district is designed to accommodate highway-oriented retail, commercial service businesses and in some limited cases light manufacturing, which generally have as their market area the entire Town and surrounding area. The major objectives of this district are to:
 1. Encourage planned commercial, light manufacturing conducted within buildings and office parks;
 2. Discourage small lot development on major highways;
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Property Along Murray Hill Road & Richards Street – Proposed Rezoning

PIN: 857115549918 (PARID: 00048684)



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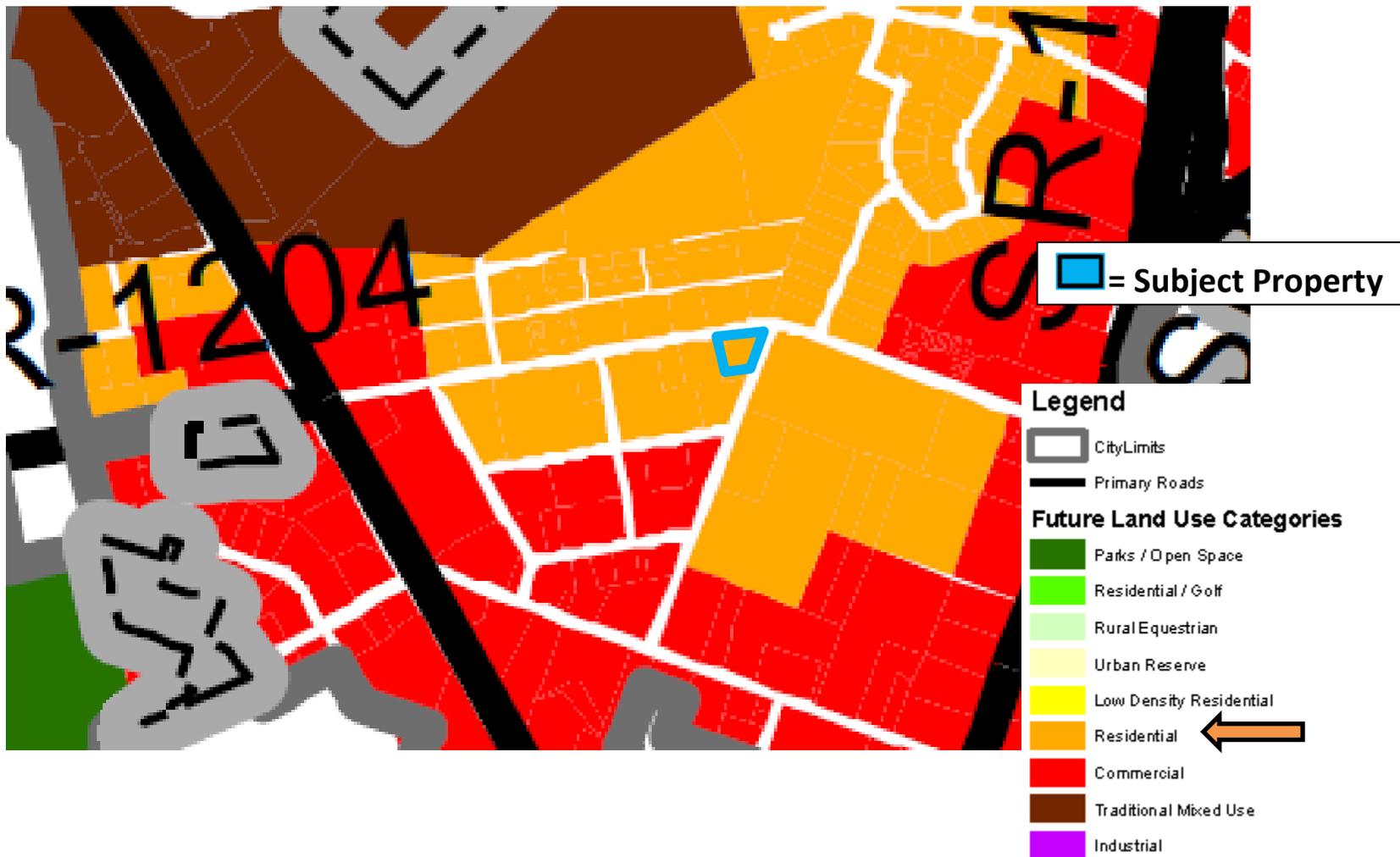
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Future Land Use Map: Property Along Murray Hill Road & Short Street – Proposed Rezoning





PENICK
VILLAGE

August 1, 2016

Mr. Reagan Parsons
Town of Southern Pines
125 SE Broad Street
Southern Pines, NC 28387

Dear Reagan:

I am writing to request, on behalf of Penick Village, for the Town of Southern Pines to consider implementing a "No Parking" zone on Ridge Street from East Maine Avenue to East New Jersey Avenue. (Please see enclosed map). When vehicles are parked on this side of Ridge Street it decreases the visibility significantly for someone driving off campus, therefore creating a safety risk. Unfortunately, there has already been one accident with someone who was visiting, and I would like to help prevent any others.

To assist with this opportunity, Penick Village is more than willing to be financially responsible for this project and for its upkeep. If there is anything that you need me to participate in or complete during this process, please don't hesitate to contact me.

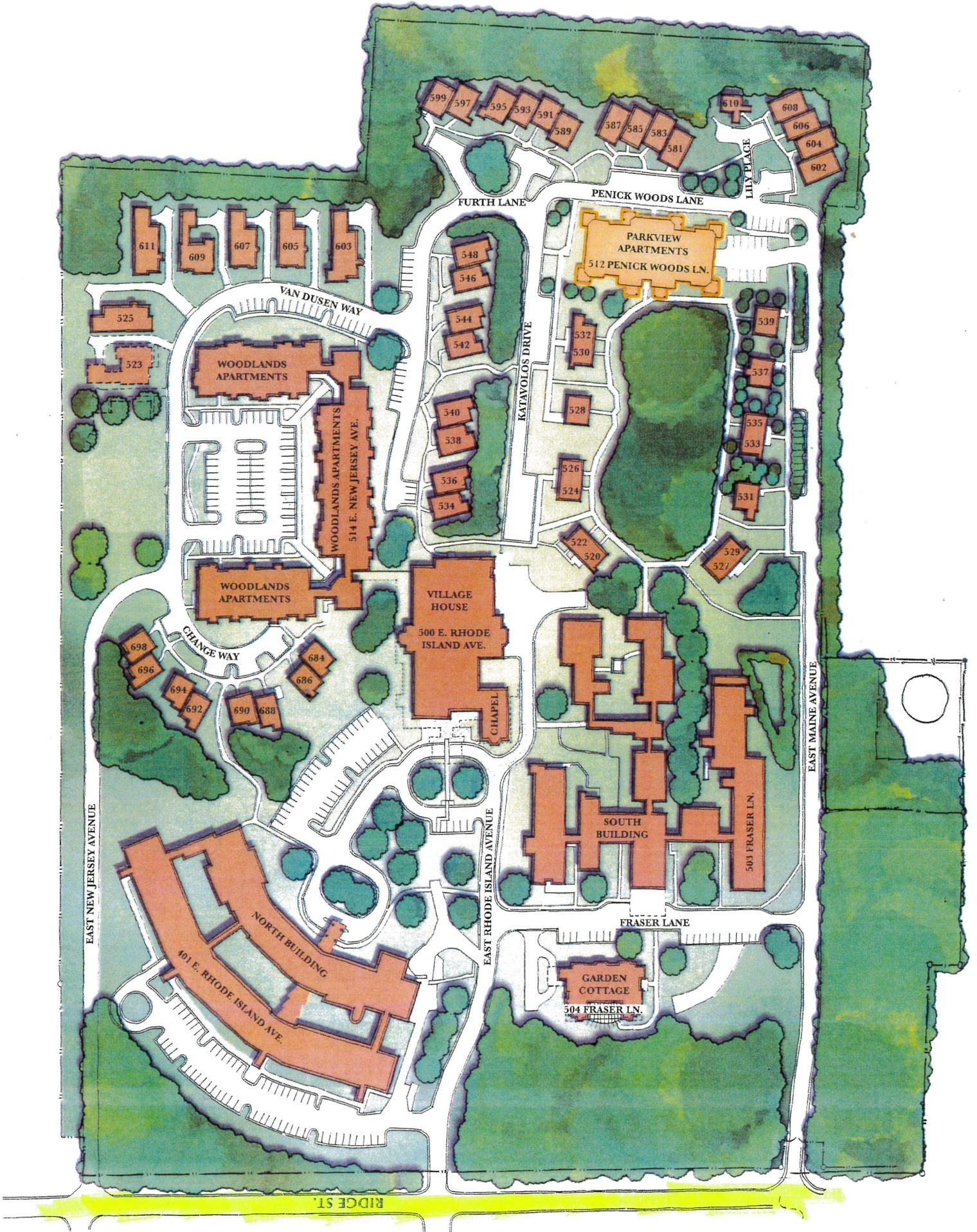
The entire Penick Village family is grateful for your and the Town's consideration, and I look forward to hearing from you.

Sincerely,

Jeffrey I. Hutchins
Chief Executive Officer



CAMPUS MAP





RESERVOIR PARK IMPROVEMENTS

for: Town of Southern Pines, North Carolina

8.16.16



MEMO

TO: Town Council
FROM: Town Manager
Date: 08-22-16

RE: Work Session Items 6 and 7

Mayor McNeill asked that I pass along a suggestion regarding the procedural approach to filling our vacant Council seat in an effort to kick off conversation on Monday.

A potential approach and schedule would have the Council accepting Letters of Interest through the Clerk's Office beginning Tuesday the 23rd. The deadline for submitting a letter (or "application" or whatever other specific information the Council might deem appropriate and wish to ask for) would be Tuesday, September 6th. This would allow the Council to review all interested parties at the Agenda Meeting the evening of September 7th and *determine next steps* based on factors that could include the number of interested individuals, interest in appointment of individuals submitting, etc. The range of possibilities could be appointment of an individual the evening of the 7th, to the scheduling of interviews or other contact prior to your Business Meeting on the 13th, with the possibility of appointment that evening or further discussion of process.

Again this is entirely a *draft* schedule and being offered as a starting point for Monday's discussion. You will also note an Item on the Agenda regarding the November 8th Business Meeting. Council will need to either reschedule the date of that meeting or find an alternative location as the Board of Elections will be utilizing the Douglass Center for Election purposes. While no final decision needs to be reached Monday as we have some time, staff needs to begin the discussion and determine whether we are simply seeking a new location or a date that works for the Douglass Center.