

Regular Board Meeting of the Town Board of the Town of Lillington, Tuesday, February 15, 2022 at 6:00 p.m. at the Lillington Town Hall (102 E. Front Street), Lillington, North Carolina.

Board Members Present: Mayor Glenn McFadden – via Zoom
Mayor Pro Tempore Rupert Langdon
Commissioner Dianne Johnson
Commissioner Neil McPhail
Commissioner Danny Babb

Board Members Absent: Commissioner Marshall Page

Staff Present: Joseph Jeffries, Town Manager
Lisa Young, Assistant Town Manager
Alicia Gregory, Management Analyst
Lindsey Lucas, Town Clerk/ Permitting Technician
Frank Powers, Police Chief
William Baker, Parks & Recreation
Shane Cummings, Town Engineer

Call to Order & Welcome: Mayor Glenn McFadden called the meeting to order and welcomed those in attendance at 6:00 pm.

Invocation: Commissioner McPhail held the invocation.

Agenda Consideration: Mayor Glenn McFadden presented the agenda for consideration by the Town Board. Commissioner Johnson moved to approve the agenda as presented. The motion was seconded by Commissioner McPhail and approved unanimously. (Minute Book Notation: Agenda is on file at Lillington Town Hall).

Public Comment: Mayor Glenn McFadden inquired as to whether anyone wished to address the Town Board.

There were no speakers signed up for public comment.

Consent Agenda: Commissioner Langdon moved that the consent agenda items be approved as submitted to the Board. The motion was seconded by Commissioner Babb and the following consent agenda items were approved unanimously:

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| Item #1 | Work Session Minutes from January 10, 2022 | Minutes were approved. |
| Item #2 | Closed Session Minutes from January 10, 2022 | Minutes were approved. |
| Item #3 | Regular Session Minutes from January 11, 2022 | Minutes were approved. |
| Item #4 | | |

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| Item #5 | FY21-22 Budget Amendment #6 | Approved. |
| Item #6 | FY21-22 Budget Amendment #7 | Approved. |
| Item #7 | Encroachment Agreement with Saab, Inc | Approved |
| Item #8 | Encroachment Agreement with Conterra | Approved |
| Item #9 | Warehouse Lease Agreement between the Town of Lillington and the County of Harnett | Approved |
| Item #10 | Project Agreement between the Town of Lillington and Resource Institute, Inc. | Approved |
| Item #10 | Resolution Declaring Surplus Property and the Disposal of Said Items | Approved |

OLD BUSINESS

Item #11 Consideration of Approval of An Ordinance to Extend the Corporate Limits of the Town of Lillington (Margaret Melton aka Cornelius Place)

Mayor Glenn McFadden recognized Lindsey Lucas, Town Clerk. Ms. Lucas stated on November 9, 2021 we held a Public Hearing on the question of annexation of the Contiguous satellite area for PIN# 0660-35-0680.000. We also advertised for the public hearing in the newspaper. Due to not having all information we needed at that time the item was tabled. We now are bringing it back before you and in your board packet for your approval is an ordinance to extend the corporate limits of the Town of Lillington. A motion was made by Commissioner Johnson to approve the Ordinance to Extend the Corporate Limits of the Town of Lillington. The motion was seconded by Commissioner Langdon and approved unanimously.

Item #12 Consideration of Approval of An Ordinance to Extend the Corporate Limits of the Town of Lillington (Fine Land Holdings, LLC aka Wade Park)

Mayor Glenn McFadden recognized Lindsey Lucas, Town Clerk. Ms. Lucas stated on January 11, 2022 we held a Public Hearing on the question of annexation of the Non-Contiguous satellite area for PIN# 0548-89-9755.000. We also advertised for the public hearing in the newspaper. Due to not having all information we needed at that time the item was tabled. We now are bringing it back before you and in your board packet for your approval is an ordinance to extend the corporate limits of the Town of Lillington A motion was made by Commissioner Langdon to approve the Ordinance to Extend the Corporate Limits of the Town of Lillington. The motion was seconded by Commissioner McPhail and approved unanimously.

Item #13 Consideration of a Text Amendment to Article IX: General Regulations, Chapter 92 Fire Prevention, Fireworks, Section 45 False Alarms of the Lillington Code of Ordinance

Mayor Glenn McFadden recognized Alicia Gregory, Management Analyst. Ms. Gregory stated on January 11, 2022 there was a Public Hearing on the consideration of a Text Amendment to Article IX: General Regulations, Chapter 92 Fire Prevention, Fireworks, Section 45 False

Alarms of the Lillington Code of Ordinances. Ms. Gregory explained the item was tabled that night due to the absence of Chief Bethune. The purpose of this is to establish a False Alarm Ordinance within the Town of Lillington to encourage commercial alarm users properly use and maintain their operational effectiveness and proper utilization of their alarm systems and to reduce or eliminate false alarms which unduly divert public safety resources. A motion was made by Commissioner Langdon to approve the Text Amendment to Article IX: General Regulations, Chapter 92 Fire Prevention, Fireworks, Section 45 False Alarms of the Lillington Code of Ordinances. The motion was seconded by Commissioner Johnson and approved unanimously.

PUBLIC HEARING

Item #14 Public Hearing on Consideration of Text Amendment to Articles V and VII of the Lillington Unified Development Ordinance

Mayor McFadden opened the public hearing at 6:10 pm.

Mayor McFadden recognized Alicia Gregory, Management Analyst. Ms. Gregory stated these Text Amendments will be changing some of the regulations for TIA. With the amount of growth that is happening staff wanted to go ahead and take a look at the TIA process and make it a little more stringent so we can make sure the Transportation Plan is up to date.

As there were no other speakers, the Public Hearing was closed at 6:12 p.m.

Item #14A Consideration of Approval of the Text Amendment to Articles V and VII of the Lillington Unified Development Ordinance

A motion was made by Commissioner McPhail to approve the Text Amendment to Articles V and VII of the Lillington Unified Development Ordinance. This motion was seconded by Commissioner Babb and was approved unanimously.

Item #15 Public Hearing on the Question of Zoning Assignment for Newly Incorporated City Limits (Margaret Melton aka Cornelius Place)

Mayor McFadden opened the Public Hearing at 6:12 p.m.

Mayor McFadden recognized Alicia Gregory, Management Analyst. Ms. Gregory stated in addition to the annexation petition, staff received a Zoning Assignment Application proposing a Conditional District residential Mixed-Use. The site conditions and existing land uses are located within your packet. The evaluation of the impact to adjacent property owners and surrounding community is reasonable and the benefits of the Zoning Assignment outweigh any potential inconvenience or harm to the community. The requested rezoning to residential mixed use will not have a negative impact on the community as it is in similar nature to uses within the area. In addition, the requested zoning district is compatible with the area's land use of single-family homes. The proposal does enhance or maintain the public health and safety and general welfare due to the area's existing single-family residential agricultural land uses. The Planning Board considered the Conditional Rezoning Assignment at their meeting on January 24, 2022 and did unanimously vote to recommend approval to the Board of Commissioners.

- Teresa Regetz spoke in care of her sister Stephanie Regetz who is an adjacent property owner

As there were no other speakers, the Public Hearing was closed at 6:19 p.m.

Item #15A Consideration of Approval of An Ordinance to Apply the Lillington Zoning Ordinance to the Newly Incorporated City Limits (Margaret Melton AKA Cornelius Place)

A motion was made by Commissioner Langdon as stated in the evaluation, the requested zoning assignment to Conditional District RMX is compatible with Town of Lillington regulatory documents and would not have an unreasonable impact on the surrounding community based on the uses in this area as well as the Town's Land Use Plan designation for this area. Therefore, it is recommended that this zoning assignment request be Approved. The motion was seconded by Commissioner Johnson and approved unanimously.

Item #16 Public Hearing on the Question of Zoning Assignment for Newly Incorporated City Limits (Fine Land Holdings aka Wade Park)

Mayor Glenn McFadden opened the Public Hearing at 6:20 p.m.

Mayor Glenn McFadden recognized Alicia Gregory, Management Analyst. Ms. Gregory stated in addition to the annexation petition, staff received a Zoning Assignment Application from Fine Land Holdings, LLC for 168.22 Acres located at the intersection of NC Hwy 210 S and Joel Johnson Road. Site is currently a Residential/ Agriculture tract on NC 210 South and Joel Johnson Road. The 168.22-acre tract of land has access to Harnett County water and Town of Lillington Sewer. The surrounding land uses are Single Family Residential and Agricultural Farm land. Applicant is proposing a Conditional RS10 Zoning District with plans of a mixed-use single-family development with the following conditions:

- The proposed Development is to follow the standards as defined in Section 5.13 of the Town of Lillington UDO.
- Site specific Master Plan

Mr. Perry concluded by stating the requested zoning assignment to Conditional District Residential Single Family, CD-RS10 will not have a negative impact on the community as it is similar in nature to existing uses within this area. The requested Zoning Assignment to Conditional District Residential Single Family, CD-RS10 would maintain or enhance the public health, safety, and general welfare due to area's existing Single Family Residential and Agricultural land uses. Lastly, the Planning Board reviewed this at their January 24, 2022 Planning Board meeting and did unanimously recommend approval to the Lillington Board of Commissioners.

With no additional comments, Mayor McFadden closed the Public Hearing at 6:22 pm.

Item #16A Consideration of Approval of An Ordinance to Apply the Lillington Zoning Ordinance to the Newly Incorporated City Limits (Fine Land Holdings aka Wade Park)

A motion was made by Commissioner McPhail as stated in the evaluation, the requested zoning assignment to Conditional District RS10 is compatible with Town of Lillington regulatory documents and would not have an unreasonable impact on the surrounding community based on the uses in this area as well as the Town's Land Use Plan designation for this area. Therefore, it

is recommended that this zoning assignment request be approved. The motion was seconded by Commissioner Babb and approved unanimously.

Item #17 Public Hearing on Consideration of a Rezoning Request from RMF Residential Multi Family to RS10 Residential Single Family for a 1.98-Acre Tract PIN#: 0559-68-9603.000

Mayor Glenn McFadden opened the Public Hearing at 6:23 p.m.

Mayor Glenn McFadden recognized Alicia Gregory, Management Analyst. Ms. Gregory stated a Rezoning Application was submitted by Daniel and Coleen Bethune to rezone the property at S 6th Street. being PIN# 0559-68-9603.000, from Residential Multi-Family, RMF to Residential Single-Family RS-10. The Site currently vacant. The surrounding land uses consist of Industrial and Single-Family Dwellings. The requested zoning district is compatible with the existing Land Use Classification. The requested zoning district is compatible with this area's land use classification of Residential Single Family and Townhouse / Condo Residential. The proposal does enhance or maintain the public health, safety and general welfare. The requested rezoning to Single Family Residential would maintain or enhance the public health, safety, and general welfare due to area's existing multi-family apartments. The Planning Board reviewed the proposed rezoning at their Planning Board Meeting on January 24, 2022 and did unanimously recommend approval to the Board of Commissioners.

With no additional comments, Mayor McFadden closed the Public Hearing at 6:25 pm.

Item #17A Consideration of Approval of an Ordinance Amending the Town of Lillington Zoning Ordinance from RMF Residential Multi Family to RS10 Residential Single Family for a 1.98-Acre Tract PIN#: 0559-68-9603.000

A motion was made by Commissioner Langdon as stated in the evaluation, the requested zoning assignment to RS10, Residential Single Family is compatible with Town of Lillington regulatory documents and would not have an unreasonable impact on the surrounding community based on the uses in this area as well. Therefore, the ordinance for the zoning assignment request be approved. The motion was seconded by Commissioner McPhail and approved unanimously.

Item #18 Public Hearing on Consideration of a Rezoning Request from RS10 Residential Single Family to LI Light Industrial for a 0.76-Acre Tract PIN#: 0559-77-9488.000 and a 1.00 Acre Tract Pin#: 0559-87-0476.000

Mayor Glenn McFadden opened the Public Hearing at 6:26 p.m.

Mayor Glenn McFadden recognized Alicia Gregory, Management Analyst. Ms. Gregory stated a Rezoning Application was submitted by Jonathan Bethune to rezone property on 907 E McNeill Street & 911 E McNeill Street being PIN#'s 0559-77-9488.000 & 0559-87-0476.000, from Residential Single-Family RS-10 to Light Industrial LI. The site currently has a small vacant Single-Family Dwelling that would be converted to an office. The surrounding land uses consist of Industrial and Single-Family Dwellings. Applicant is proposing a LI-Light Industrial Zoning District with plans of a Vehicle Storage. The requested zoning district is compatible with the existing Land Use Classification. The requested zoning district is not compatible with this area's land use classification of Residential Single Family, Major Institutional, Townhouse / Condo

Residential, and Industrial. The proposal does enhance or maintain the public health, safety and general welfare. The requested rezoning to Light Industrial would maintain or enhance the public health, safety, and general welfare due to area's existing Light Industrial Uses. The Planning Board reviewed the proposed rezoning at their Planning Board Meeting on January 24, 2022 and did unanimously recommend approval to the Board of Commissioners.

With no additional comments, Mayor McFadden closed the Public Hearing at 6:28 pm.

Item #18A Consideration of Approval of an Ordinance Amending the Town of Lillington Zoning Ordinance from RS10 Residential Single Family to LI Light Industrial for a 0.76-Acre Tract PIN#: 0559-77-9488.000 and a 1.00 Acre Tract Pin#: 0559-87-0476.000

A motion was made by Commissioner Langdon as stated in the evaluation, the requested zoning assignment to Light Industrial is not compatible with Town of Lillington regulatory documents but would not have an unreasonable impact on the surrounding community based on the uses in this area as well. Therefore, the ordinance for the zoning assignment request be approved. The motion was seconded by Commissioner Babb and approved unanimously.

Item #19 Public Hearing on the Question of Annexation of the Noncontiguous Satellite Area PIN #: PIN #'s 0651-61-0381.000, 0651-50-0955.000 and 0651-41-5348.000 Case Number ANX-22-09 (James Glenn Wester, John Glenn Wester, & James Henry Wester)
Mayor Glenn McFadden opened the Public Hearing at 6:29 p.m.

Mayor Glenn McFadden recognized Lindsey Lucas, Town Clerk. Ms. Lucas stated the Town of Lillington received a petition under §160A-58.1 for satellite annexation. The Town Board by Resolution directed the Town Clerk to investigate the sufficiency of the petition. In accordance with §160A-58.2 the Town Board called a Public Hearing for the question of annexation for 71.306-acres being PIN #'s: 0651-41-5348.000, 0651-50-0955.000 and 0651-61-0381.000 Case Number ANX-22-09.

With no additional comments, Mayor McFadden closed the Public Hearing at 6:31 pm.

Item #19A Consideration of Approval of An Ordinance to Extend the Corporate Limits of the Town of Lillington (James Glenn Wester, John Glenn Wester, & James Henry Wester)

A motion was made by Commissioner Babb to approve the Ordinance to Extend the Corporate Limits of the Town of Lillington. The motion was seconded by Commissioner Johnson and approved unanimously.

Item #20 Public Hearing on the Question of Zoning Assignment for Newly Incorporated City Limits (Wester Property)

Mayor Glenn McFadden opened the Public Hearing at 6:32 p.m.

Mayor Glenn McFadden recognized Alicia Gregory, Management Analyst. Ms. Gregory in addition to the annexation petition, staff received a Zoning Assignment Application from DR Horton- Central Carolina for 40.5 acres located on Matthews Road. Site is currently a Residential/ Agriculture tract on Matthews Road. The 40.5-acre tracts have access to Harnett County water and Town of Lillington Sewer. The surrounding land uses are Single Family

Residential, Medical, and Agricultural Farm land. Applicant is proposing a Conditional RS10 Zoning District with plans of a single-family development with a max density of 5 Units per acre and the following conditions:

1. Per UDO 5.13.4.A, the maximum number of homes allowed (5 units/acre in base zoning) is 202 lots. This subdivision proposes 103 lots.
2. Per UDO 5.13.4.B, there is no minimum lot size for a single-family cluster subdivision. This project proposes a minimum lot size of 6,000 sf.
3. Per UDO 5.13.3, a minimum open space area required for a cluster subdivision is 20%.
4. Per UDO 5.13.5 the minimum lot frontage and building setbacks for an R-10 district may be reduced by 25% for a cluster development.

	R-10 Base Zoning	Requested
Lot Width	50 ft	40 ft *
Front Setback	20 ft	15 ft
Rear Setback	25 ft	20 ft
Side Setback	8 ft	6 ft
Side Street Setback	20 ft	15 ft

* Majority of proposed lots are 50 feet wide.

5. Street sections for subdivision have been reduced from a 60' wide ROW to a 50'ROW and 27' B-B section with curb and gutter.
6. Sidewalk is only included on one side of the roadway.
7. Improvements recommended by the NCDOT along Matthews Road shall be constructed per NCDOT final requirements.
8. An additional 10' of Right of Way is being dedicated along Matthews Road to allow for future road widening.
9. A 6' landscape buffer shall be provided along Matthews Road.
10. On site streams are not perennial per USGS map and shall not be buffered.

Ms. Gregory stated the requested zoning assignment is compatible with the existing Land Use Classification. The requested zoning district is not compatible with this area's land use classification due to the plan not addressing new annexations that would have then been outside of the city limits at the time of its adoption. The proposal does enhance or maintain the public health, safety and general welfare. The requested Zoning Assignment to Conditional District Residential Single Family, CD-RS10 would maintain or enhance the public health, safety, and general welfare due to area's existing Single Family Residential and Agricultural land uses. The Planning Board considered the Conditional District RS10 zoning assignment at their meeting on January 24, 2022 and did unanimously vote to recommend approval to the Board of Commissioners.

- Antje Williams of 105 Supreme Drive, Lillington, NC 27546 spoke in opposition of the requested zoning assignment.

With no additional comments, Mayor McFadden closed the Public Hearing at 6:35 pm.

Item #20A Consideration of Approval of An Ordinance to Apply the Lillington Zoning Ordinance to the Newly Incorporated City Limits (Wester Property)

A motion was made by Commissioner Johnson as stated in the evaluation, the requested zoning assignment to Conditional DISTRICT RS10 is compatible with Town of Lillington regulatory documents and would not have an unreasonable impact on the surrounding community based on the uses in this area as well as the Town's Land Use Plan designation for this area. Therefore, it is recommended that this zoning assignment request be approved. The motion was seconded by Commissioner Langdon and approved unanimously.

Item #21 Public Hearing on Establishing a 3-Way Stop at the Intersection of Marcelle Brown Jr. Way and E Duncan Street

Mayor Glenn McFadden opened the Public Hearing at 6:36 p.m.

Mayor Glenn McFadden recognized Shane Cummings, Town Engineer. Mr. Cummings stated at the request of the Town Board, staff advertised for a Public Hearing for the installation of additional stop signage at Marcelle Brown Jr. Way and E Duncan Street. Staff has researched the requested and determined that the request will not have an adverse impact on the area's traffic pattern. The use of 3-Way Stop Signs are intended to enhance overall intersection safety and/or efficiency.

Item #21A Consideration of Approval of an Ordinance Establishing a 3-Way Stop at the Intersection of Marcelle Brown Jr. Way and E Duncan Street

Commissioner Babb made a motion to approve the Ordinance Establishing a 3-Way Stop at the Intersection of Marcelle Brown Jr. Way and E Duncan Street. The motion was seconded by Commissioner McPhail and approved unanimously.

NEW BUSINESS

Item #22 Consideration of Resolution Directing the Town Clerk to Investigate a Non-Contiguous Satellite Annexation Petition Received Under General Statute §160A-58.1 from Fine Land Holdings, LLC. (Blake's Landing)

Mayor McFadden recognized Lindsey Lucas, Town Clerk. Ms. Lucas stated for your Consideration is a Resolution Directing the Town Clerk to Investigate a Non-Contiguous Satellite Annexation Petition Received Under General Statute §160A-58.1 from Fine Land Holdings, LLC. The Annexation Petition was received on February 4, 2022. The non-contiguous annexation of 126.943 acres of the property identified as PIN #: 0548-68-9957.000 located on NC Highway 210 S situated in the County of Harnett.

A motion was made by Commissioner Langdon to approve the Resolution Directing the Town Clerk to Investigate a Non-Contiguous Satellite Annexation Petition Received Under General Statute §160A-58.1 from Fine Land Holdings, LLC. The motion was seconded by Commissioner Babb and approved unanimously.

For the Record:

The Town Clerk does hereby certify an investigation has been completed of the petition for the non-contiguous annexation of 126.943 acres of the property identified as PIN #: 0548-68-9957.000 located on NC Hwy 210 S situated in the County of Harnett. The petition attached hereto and have

found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. §160A-58.1

Item #23 Consideration of Resolution Fixing Date of Public Hearing for March 15, 2022, on Question of Annexation, Pursuant to G.S. §160A-58.1 as Requested by Fine Land Holdings, LLC for Property Identified as PIN #:0548-68-9957.000

Mayor McFadden recognized Lindsey Lucas, Town Clerk. Ms. Lucas stated for your Consideration is a Resolution Fixing Date of Public Hearing on Question of Annexation, Pursuant to G.S. §160A-58.1 as Requested by Fine Land Holdings, LLC for Property Identified as PIN #: 0548-68-9957.000 on March 15, 2022 at 6:00 pm.

A motion was made by Commissioner McPhail to approve the Resolution Fixing Date of Public Hearing for March 15, 2022 at 6 pm, on Question of Annexation, Pursuant to G.S. §160A-58.1 as Requested by Fine Land Holdings, LLC for Property Identified as PIN #: 0548-68-9957.000. The motion was seconded by Commissioner Langdon and approved unanimously.

Item #24 Discussion and Consideration of Amending the FY2021-2022 Fee Schedule (Recreation Fee)

Mayor Glenn McFadden recognized Alicia Gregory, Management Analyst. Ms. Gregory stated staff requests that the Board consider an Amendment to the FY2021-2022 Fee Schedule. The Amendment will increase the Recreation Fee from \$250.00 to \$500.00. In accordance with G.S. § 160 D-805, the Town Clerk posted Notice on the Town Website and on the front and back doors of Town Hall. Upon Approval, the Amended FY2021-2022 Fee Schedule increasing the Recreation Fee will become effective. Commissioner made a motion to approve the amendment to the FY2021-2022 Fee Schedule which increased the Recreation Fee to \$500.00. The motion was seconded by Commissioner Langdon and approved unanimously.


Non-Agenda Items: Mayor Glenn McFadden inquired as to whether there were any non-agenda items that should be addressed by Town Board members or staff.

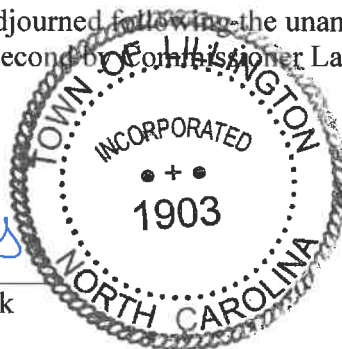
Commissioner McPhail inquired as to whether there was a schedule of the opening back up of facilities.


Commissioner Babb had concerns about brown water at a home on 2nd Street and Lofton Street. He also was approached by business owners from Barks and Bows and Zippity Cuts about parking issues.

Adjournment: The meeting adjourned following the unanimous approval of a motion by Commissioner Johnson and a second by Commissioner Langdon.

Attest:


Lindsey B. Lucas, Town Clerk




Glenn McFadden, Mayor