

Regular Board Meeting of the Town Board of the Town of Lillington, Tuesday, July 9, 2019 at 7:00 p.m. at the Lillington Town Hall (102 E. Front Street), Lillington, North Carolina.

Board Members Present: Mayor Glenn McFadden
Mayor Pro Tempore Rupert Langdon
Commissioner Dianne Johnson
Commissioner Judy Breeden
Commissioner Marshall Page
Commissioner Paul Phillips

Staff Present: Joseph Jeffries, Town Manager
Alicia Gregory, Management Analyst/Town Clerk
Frank Powers, Police Chief
Marshall Parrish, Town Planner/Public Information Officer
Josh Perry, Code Enforcement Officer

Call to Order & Welcome: Mayor Glenn McFadden called the meeting to order and welcomed those in attendance at 7:00 pm.

Pledge of Allegiance: Mayor Glenn McFadden led the Pledge of Allegiance to the flag of the United States of America.

Invocation: Commissioner Page held the invocation.

Agenda Consideration: Mayor Glenn McFadden presented the agenda for consideration by Town Board members with the addition of Item #11 Consideration of Amended Lillington Board of Commissioners Regular Board Meeting Schedule. Commissioner Page moved to approve the agenda as presented. The motion was seconded by Commissioner Johnson 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 Phillips and the following consent agenda items were approved unanimously:

Item #1
Work Session Minutes from June 10, 2019 Minutes were approved.

Item #2
Closed Session Minutes from June 10, 2019 Minutes were approved.

Item #3

Regular Session Minutes from June 11, 2019

Minutes were approved.

Item #4

Special Meeting Minutes from June 28, 2019

Minutes were approved.

Item #5

FY18-19 Budget Amendment #21

Amendment was approved.

QUASI-JUDICIAL PUBLIC HEARINGS

Item #6 Public Hearing on the Consideration of a Conditional Use Application for Property Located at 301 East Lofton Street Pin # 0559-58-5300.00

Alicia Gregory, Town Clerk, administered the Oath to Jay Smith of 303 River Road, Fuquay Varina, and Josh Perry, Lillington Planning and Inspections.

Mayor McFadden opened the Public Hearing at 7:05 p.m.

Mayor McFadden recognized Josh Perry, Planning and Inspections. Mr. Perry explained Town staff has received a Conditional Use Application for Property Located at 301 East Lofton Street Pin # 0559-58-5300.00. Mr. Perry briefed the Board on the location of the property and explained the site is currently a vacant lot and surrounding land uses are consist of residential single family homes, railroad tracks, duplexes, and vacant land.

He explained the existing and surrounding zoning districts as follows:

Existing & Surrounding Zoning Districts – RESIDENTIAL SINGLE-FAMILY DISTRICT

The RS10 District is established whereby the principal use of land is for medium single-family density residential purposes. The regulations of this district are intended to:

- To encourage the construction of and the continued use of the land for residential purposes;
- To restrict commercial use and prohibit industrial use of the land and to prohibit any other use which would substantially interfere with the development of dwellings in this district;
- To discourage any use which would generate traffic on minor streets other than normal traffic to serve the residences on those streets;
- To discourage the continuance of existing non-conforming uses that would not be permitted as uses under the provisions of this district; and
- To discourage any use which because of its character or size would create requirements and costs for public services substantially in excess of such requirements and costs if the district were developed solely for dwellings.

Josh Perry, Planning and Inspections, stated the Planning Board considered the Conditional Use Application at their meeting on June 20, 2019 and did unanimously vote to recommend Approval to the Board of Commissioners.

Findings of Fact Provided by the Applicant:

Finding 1. Adequate and reasonable mitigation has been provided of potentially adverse effects on adjacent properties through the conforms to the character of the neighborhood, considering

the location, type and height of buildings or structures and the type and extent of landscaping and screening on the site.

REASONING: The requested land use (duplex) is permitted with a conditional use permit in the RS10 Zoning District and is similar in nature to the adjacent properties regarding height, type and building type.

Finding 2. The proposed conditional use permit represents an overall conformance with the adopted goals, recommendations and policies of the Land Use Plan, Official Zoning Map and any other applicable planning documents adopted by the Town.

REASONING: The proposed land use (duplex) is permitted as a Conditional Use Permit in the RS10 Zoning District. Its land use, design and architecture will be in conformance with the existing zoning, land use plan and all other applicable documents adopted by the town.

Finding 3. There exists adequate infrastructure (transportation, utilities, etc.) to support the proposed use proposed.

REASONING: The existing site has access to water (Town of Lillington), sewer (Town of Lillington), and public road (E Lofton St.)

Finding 4. The proposed use will not cause undue traffic congestion or create a traffic hazard.

REASONING: There is no additional traffic congestion or traffic hazards foreseen with adding a duplex to this lot.

Finding 5. The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.

REASONING: There are no noxious or offensive noise, odor, dust, smoke, vibration, or gas associated with the development and establishment of a duplex.

Finding 6. The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property.

REASONING: The proposed duplex is a land use consistent with the residential character of the area it is to be constructed and its construction will not affect the development or improvements of surrounding properties.

Finding 7. The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety or general welfare.

REASONING: The proposed duplex is a residential land use, permitted as a conditional use permit in the RS10 Zoning District, meeting all required setbacks and dimensional requirements. Residential dwellings of this nature is not considered to be detrimental to or endanger the public health, safety or general welfare.

Jay Smith of 303 River Road, Fuquay Varina, the applicant, explained that they purchased the property to rebuild following a fire. Mr. Smith explained he and his partner were working to provide more housing for residents of Lillington. He stressed to the Board he felt this was a good thing for Lillington and it would be quality housing for potential tenants.

Mayor McFadden asked if the site plan was an accurate description of what they planned to build on the property.

Mr. Jay Smith said as of right now this was the current design plan for the property.

As there were no other speakers, the Public Hearing was closed at 7:12 p.m.

Item #6A Consideration of Conditional Use Permit Application for Property Located at 301 East Lofton Street PIN # 0559-58-5300.00

Commissioner Johnson made a motion to approve the Conditional Use Permit Application for property located at 301 East Lofton Street PIN # 0559-58-5300.00 The motion was seconded by Commissioner Langdon and approved unanimously.

PUBLIC HEARINGS

Item #7 Public Hearing on the Consideration of Proposed Lillington Unified Development Ordinance Text Amendment to Article VII Administration and Development Processes

Mayor McFadden opened the Public Hearing at 7:13 p.m.

Mayor McFadden recognized Josh Perry, Planning and Inspections. Mr. Perry explained to the Board that currently there is little to no participation in the Community Meetings currently required by the Town of Lillington's Unified Development Ordinance. The proposed text amendment will eliminate the Community Meetings from the Unified Development Ordinance Article VII Administration and Development.

As there were no other speaker, the Public Hearing was closed at 7:14 p.m.

Item #7A Consideration of Approval of a Text Amendment to the Unified Development Ordinance Article VII Administration and Development

Commissioner Phillips made a motion to approve the Text Amendment to the Unified Development Ordinance Article VII Administration and Development. The motion was seconded by Commissioner Page and approved unanimously.

Item #8 Public Hearing for Consideration of Temporary Street Closure of Town Streets for Cape Fear Fest on September 28, 2019 at 10 a.m. and Fee Waiver

Mayor McFadden opened the Public Hearing at 7:15 p.m.

Mayor McFadden recognized Josh Perry, Planning and Inspections. Mr. Perry stated the Lillington Chamber of Commerce is requesting to temporarily close E Front Street from S Main to S 2nd Street, and S 1st Street from E Ivey to E Harnett from 6:00 a.m. to 5:00 p.m. on September 28, 2019 for the Cape Fear Fest. He stated there were no changes from the previous years.

The Public Hearing was closed at 7:16 p.m.

Item #8A Consideration of Approval of Temporary Street Closure of Town Streets for the Cape Fear Fest on September 28, 2019 at 10 a.m. and Fee Waiver

A motion was made by Commissioner Page to approve the request for temporary street closure of Town streets for the Cape Fear Fest on September 28, 2019 at 10 a.m. and Fee Waiver. The motion was seconded by Commissioner Johnson and approved unanimously.

Item #9 Public Hearing on the Consideration of Proposed Agreement to extend Economic Incentives to Krigen Pharmaceuticals, LLC.

Mayor McFadden opened the Public Hearing at 7:17 p.m.

Mayor McFadden recognized Joseph Jeffries, Town Manager. Mr. Jeffries stated this public hearing is for the consideration of a proposed agreement to extend economic incentives to Krigen Pharmaceuticals LLC, a North Carolina Limited Liability Company (Krigen) which intends to lease, up fit and reuse the building located at 800 Edwards Brothers Drive, Lillington, NC, in order to establish and operate a pharmaceutical manufacturing facility. The proposed economic incentive package will include five annual incentive grants to be reimbursed up to eighty percent to Krigen from the Town. This will be calculated to be in amounts equal to a portion of the property taxes to be paid by Krigen, assuring a positive return on investment for the Town of Lillington. The Town will also credit Krigen's water and sewer service up to a maximum of \$25,000.00. In addition, the town will waive building permits and water/sewer capacity fees. This facility project site will include a capital investment of approximately \$4.6 million. During the five (5) year incentive period, one hundred seventeen (117) full time jobs with an average annual wage of \$47,479.00 will be created as a result of the operation of this manufacturing facility.

Drew Patel, 2408 Triton Park Lane Raleigh, NC, thanked the Town of Lillington for allowing his company to create commerce in the Town of Lillington.

The Public Hearing was closed at 7:20 p.m.

Item #9A Consideration of Approval of the Resolution to Enter Into an Incentive Agreement with Krigen Pharmaceuticals, LLC.

Commissioner Langdon made a motion to approve the Resolution to enter into an Incentive Agreement with Krigen Pharmaceuticals, LLC. The motion was seconded by Commissioner Page and approved unanimously.

Mayor McFadden thanked Mr. Drew Patel and his partners for investing in the Community.

ITEMS FOR CONSIDERATION

Item #10 Consideration of Planning Board Appointments

Mayor McFadden recognized Josh Perry, Planning and Inspections. Mr. Perry briefed the Board that per Section 32.45-49 of the Lillington Code of Ordinances; the Planning Board has three (3) vacancies open for appointment. Neil McPhail and Ollie Milton are requesting reappointment to the Board. Frankie Lewis has decided to transition off of the Planning Board and staff is advertising the vacancy. The Town Clerk has not received any other applicants for consideration.

Lillington Board of Commissioners
July 9, 2019

A motion was made by Commissioner Phillips to appoint Neil McPhail and Ollie Milton to the Town of Lillington Planning Board. The motion was seconded by Commissioner Johnson and approved unanimously.

Item #11 Consideration of the Approval of Amending the FY2018-19 Meeting Schedule
Town Manager, Joseph Jeffries, stated that as discussed in the Lillington Board of Commissioners Work Session this is a request to change the Regular Board Meeting time to 6 p.m. for the rest of the calendar year.

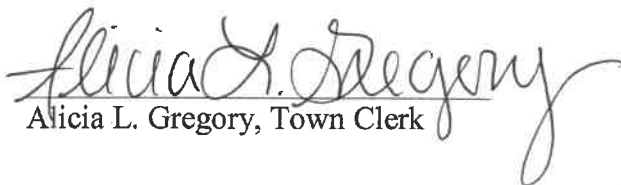
Commissioner Page made a motion to approve the Amended FY2018-19 Meeting Schedule. The motion was seconded by Commissioner Phillips and approved unanimously.

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 Phillips thanked Town Attorney Tony Buzzard for the changes he is making Downtown Lillington.

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

Attest:


Alicia L. Gregory, Town Clerk


Glenn McFadden, Mayor

