

**Regular Board Meeting of the Town Board of the Town of Lillington, Tuesday, July 13, 2021 at 6:00 p.m. at the Lillington Town Hall (102 E. Front Street), Lillington, North Carolina.**

Board Members Present: Mayor Glenn McFadden  
Mayor Pro Tempore Marshall Page  
Commissioner Danny Babb  
Commissioner Rupert Langdon  
Commissioner Neil McPhail

Board Members Absent: Commissioner Dianne Johnson

Staff Present: Lisa Young, Assistant Town Manager  
Alicia Gregory, Town Clerk  
Heather Millett, Accounting Technician III  
Tony Buzzard, Town Attorney  
John Bethune, Fire Chief  
Frank Powers, Police Chief

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

**Invocation:** Commissioner Page held the invocation.

**Agenda Consideration:** Mayor Glenn McFadden presented the agenda for consideration by the Town Board. Commissioner Page 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 presented to the Board. The motion was seconded by Commissioner Page and the following consent agenda items were approved unanimously:

- |                |   |                        |
|----------------|---|------------------------|
| <b>Item #1</b> | <b>Work Session Minutes from June 14, 2021</b>    | Minutes were approved. |
| <b>Item #2</b> | <b>Closed Session Minutes from June 14, 2021</b>  | Minutes were approved. |
| <b>Item #3</b> | <b>Regular Session Minutes from June 15, 2021</b> | Minutes were approved. |
| <b>Item #4</b> |   |                        |

- Special Meeting Minutes from June 30, 2021** Minutes were approved.
- Item #5**
- Special Meeting Minutes from July 7, 2021** Minutes were approved.
- Item #6**
- Master Meter Harmony End User License Agreement (EULA)**  
Agreement was approved.
- Item #7**
- Points of Purchase Understanding – 3G Web-Based**  
Memorandum was approved.
- Item #8**
- Audit Services Contract with Cherry Bekaert, LLP** Contract was approved.

### **PUBLIC HEARING**

**Item #9 Consideration of Approval of An Ordinance to Extend the Corporate Limits of the Town of Lillington (Fred E. Matthews)**

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

**Item #10 Public Hearing on the Question of Zoning Assignment for Newly Incorporated City Limits**

Mayor Glenn McFadden opened the Public Hearing at 6:05 p.m.

Mayor Glenn McFadden recognized Alicia Gregory, Management Analyst/Town Clerk. Ms. Gregory stated in addition to the annexation petition, staff received a zoning assignment application for 25.832 acres located on Dry Creek Road being PIN #: 0661-29-8122.000. Ms. Gregory stated the site is currently Agricultural/Single Family Residential and located at 103 Dry Creek Road. The 25.83-acre tract will have access to Harnett Regional Water and Town of Lillington Sewer. The surrounding land uses are Single-Family Residential and a Church. Ms. Gregory states that this is not addressed in the Future Land Use Plan due to it being located outside of the city limits at the time of its adoption. The Harnett County's Land Use Plan designates this area as Medium Density.

Ms. Gregory explained the applicant is proposing a CD-RS10, Conditional District Residential Single-Family Zoning with the following conditions:

- Maximum number of lots 64
- Minimum lot size is 7000 sq. ft.
- All public streets to be 52' R/W and 31' BB, with sidewalks on both sides of the street
- No vinyl siding except for garage doors, windows, and soffits
- Building setbacks as follows
  - o Front – 20'
  - o Rear – 15'
  - o Side – 8'
  - o Corner Side – 18'
- All dwellings to have attached garages
- All garage doors to have decorative trim

- A minimum of 20% open space will be provided
- All open space and buffers will be maintained by the HOA
- No on street parking

Ms. Gregory concluded by stating the requesting zoning assignment to Conditional Single-Family Residential, 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 Single-Family Residential, CD-RS10 would maintain or enhance the public health, safety, and general welfare due to the area's existing Single-Family Residential and Agricultural land uses. Lastly, the Planning Board reviewed this at their June 21, 2021 Planning Board meeting and did unanimously recommend approval to the Lillington Board of Commissioners.

With no additional comments, Mayor Glenn McFadden closed the Public Hearing at 6:08 p.m.

**Item #10A Consideration of Approval of An Ordinance to Apply the Lillington Zoning Ordinance to the Newly Incorporated City Limits**

A motion was made by Commissioner Page, that as stated in the evaluation, the requested rezoning assignment to CD-RS10 Conditional District 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 as the Town's Land Use Plan designation for this area. Therefore, the ordinance for the zoning assignment request be approved. The motion was seconded by Commissioner McPhail and approved unanimously.

**Item #11 Public Hearing on the Question of Annexation of the Noncontiguous Satellite Area PIN #: 0662-13-8259.000 & 0662-23-0470.000 Case Number ANX-21-10 (Ashok Biyyala & Santhosh Nemuri)**

Mayor Glenn McFadden opened the Public Hearing at 6:09 p.m.

Mayor Glenn McFadden recognized Alicia Gregory, Management Analyst/Town Clerk. Ms. Gregory 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 an 8.62-acres being PIN #: 0662-13-8259.000 & 0662-23-0470.000 Case Number ANX-21-10.

With no additional comments, Mayor Glenn McFadden closed the Public Hearing at 6:11 p.m.

**Item #11A Consideration of Approval of An Ordinance to Extend the Corporate Limits of the Town of Lillington**

A motion was made by Commissioner Page 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 Public Hearing on the Question of Zoning Assignment for Newly Incorporated City Limits**

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

Mayor Glenn McFadden recognized Alicia Gregory, Management Analyst/Town Clerk. Ms. Gregory stated in addition to the annexation petition, staff received a zoning assignment application for 8.62 acres located on Harnett Central Road and NC Hwy 210 N being PIN #: 0662-13-8259.000 and 0662-23-0470.000. Ms. Gregory stated the site is currently Agricultural and located at the intersection of NC Hwy 210 N and Harnett Central Road. The 8.62-acre tracts will have access to Harnett Regional Water and Town of Lillington Sewer. The surrounding land uses are Single-Family Residential, Schools, Church, and Commercial. Ms. Gregory states that this is not addressed in the Future Land Use Plan due to it being located outside of the city limits at the time of its adoption. The Harnett County's Land Use Plan designates this area as Rural Centers.

Ms. Gregory explained the applicant is proposing a GB, General Business Zoning District. The GB District is designed to accommodate highway-oriented retail, commercial service uses, and in some cases light manufacturing. The major objectives of this district are to:

- Encourage the construction of and the continued use of the land for commercial and service uses, particularly those which have a larger land area requirement;
- Provide for the orderly expansion of such uses within this district, as designated on the zoning map;
- Discourage the continuance of existing non-conforming uses that would not be permitted as uses under the provision of this district;
- Discourage small lot development on major highways;
- Encourage vehicular access from service drives and other local commercial streets rather than directly from arterial streets; and,
- Provide a location for major shopping facilities and land uses requiring large outdoor spaces.

Ms. Gregory concluded by stating the requested zoning assignment to General Business – GB will not have a negative impact on the community, as it is similar in nature to existing uses within this area. The requesting Zoning Assignment to General Business – GB would maintain or enhance the public health, safety, and general welfare due to the area's existing Single-Family Residential and Agricultural land uses. Lastly, the Planning Board did review this at their June 21<sup>st</sup> Planning Board Meeting and unanimously recommend approval to the Lillington Board of Commissioners.

Joseph Creager, 11 D'Ango Circle. Mayor Glenn McFadden recognized Mr. Creager. Mr. Creager explained that he lives next to the property being considered and expressed his concerns regarding the pests generated by placing a business in a highly-residential area. Mr. Creager states that the business being unknown provides greater uncertainty, as residents are unaware of what to expect in regards to business hours, commercial traffic, lighting impedances, noisiness, etc, all generated by the business being placed there. Lastly, Mr. Creager expressed privacy concerns fueled by the potential for customers to enter his backyard with little to no barrier set in place.

Tyler Wallace, 19 D'Ango Circle. Mayor Glenn McFadden recognized Mr. Wallace. Mr. Wallace expressed his concern regarding the location and a lack of pre-existing businesses in the

area. Similar to Mr. Creager, Mr. Wallace also expressed concern for the noise level produced by the business, the lack of privacy caused by a nonexistent buffer between Mr. Creager's property line and the property at hand, as well as, the impact this business may have on the value of resident's homes. Mr. Wallace asked the Board of Commissioners to consider imposing buffer regulations on the property/business if they were to rezone to General Business to mitigate the impact a business may have on the surrounding residential community.

With no additional comments, Mayor Glenn McFadden closed the Public Hearing at 6:17 p.m.

**Item #12A Consideration of Approval of An Ordinance to Apply the Lillington Zoning Ordinance to the Newly Incorporated City Limits**

A motion was made by Commissioner Langdon, that as stated in the evaluation, the requested rezoning assignment to General Business, GB 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, the ordinance for the zoning assignment request be approved. The motion was seconded by Commissioner Page and followed by discussion, at which point Mayor Glenn McFadden requested Chad Sary, Stewart Engineering, provide additional information regarding buffer requirements consistent with a General Business rezoning. Following discussion, the motion was approved unanimously.

**Item #13 Public Hearing on the Question of Annexation of the Noncontiguous Satellite Area PIN #: 0662-01-2507.000 Case Number ANX-21-11**

Mayor Glenn McFadden opened the Public Hearing at 6:21 p.m.

Mayor Glenn McFadden recognized Alicia Gregory, Management Analyst/Town Clerk. Ms. Gregory 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 a 90.578-acres being PIN #: 0662-01-2507.000 Case Number ANX-21-11.

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

**Item #13A Consideration of Approval of An Ordinance to Extend the Corporate Limits of the Town of Lillington**

A motion was made by Commissioner McPhail to table the Ordinance to Extend the Corporate Limits of the Town of Lillington. The motion was seconded by Commissioner Langdon and approved unanimously.

**Item #14 Public Hearing on Consideration of Text Amendment to Articles II, III, IV, V, VII, X of the Lillington Unified Development Ordinance**

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

Mayor Glenn McFadden recognized Alicia Gregory, Management Analyst/Town Clerk. Ms. Gregory stated for the Board's consideration is a series of text amendments to Articles II, III, IV,

V, VII, and X of the Town of Lillington Unified Development Ordinance. Ms. Gregory furthered explained that staff received a Text Amendment Application Request from Mr. Matt Brubaker with GFC River Development, LLC. The request is to amend the Town of Lillington's Unified Development Ordinance. The proposed text amendments are to support additional uses in the NMX Mixed-Use District, as well as, to provide flexibility in the requirements with the understanding that additional conditions will be provided with a conditional rezoning, as well as, a Master Plan and Design Guidelines that will meet the intent of the NMX district.

With no additional comments, Mayor Glenn McFadden closed the Public Hearing at 6:24 p.m.

**Item #14A Consideration of Approval of the Text Amendment to Articles II, III, IV, V, VII, and X of the Lillington Unified Development Ordinance**

A motion was made by Commissioner Page to approve the Text Amendments as presented. The motion was seconded by Commissioner Langdon and approved unanimously.

**Public Hearing on the Temporary Closure of Front Street and 1<sup>st</sup> Street for Cape Fear Festival**

Mayor Glenn McFadden opened the Public Hearing at 6:25 p.m.

Mayor Glenn McFadden recognized Alicia Gregory, Management Analyst/Town Clerk. Ms. Gregory stated the Lillington Chamber of Commerce is requesting to temporarily close East Front Street from South Main to South 2<sup>nd</sup> Street, and South 1<sup>st</sup> Street from East Ivey Street to East Harnett Street from 6:00 a.m. to 5:00 p.m. on September 25, 2021 for the Cape Fear Fest.

With no additional comments, Mayor Glenn McFadden closed the Public Hearing at 6:26 p.m.

**Item #15A Consideration of Approval of the Closure of Front Street and 1<sup>st</sup> Street for Cape Fear Festival**

A motion was made by Commissioner Langdon to approve the Closure of Front Street and 1st Street for the Cape Fear Festival. The motion was seconded by Commissioner Page and unanimously approved.

**Item #16 Public Hearing on the Question of Zoning Assignment for 809.31 Acres Located on East Cornelius Harnett Blvd being PIN #: 0660-32-0284, 0660-03-9253, 0660-12-3649, 0660-21-8598, 0660-42-7059, 0660-52-9024, & 0660-61-9572**

Mayor Glenn McFadden opened the Public Hearing at 6:27 p.m.

Mayor Glenn McFadden recognized Alicia Gregory, Management Analyst/Town Clerk. Ms. Gregory stated for your consideration is a Rezoning Application submitted by GFC River Development for 809.31 acres located on East Cornelius Harnett Blvd being PIN #: 0660-32-0284, 0660-03-9253, 0660-12-3649, 0660-21-8598, 0660-42-7059, 0660-52-9024, & 0660-61-9572. Ms. Gregory explained the site is currently wooded with areas used for agriculture. The surrounding land uses consist of Residential Single-Family, Multi-Family, Farm Land, Educational, and a Health Care Facility. The 809.31-acre tract will have access to Harnett Regional Water and Sewer. The surrounding zoning districts consist of O/S – Office/Services

and GB – General Business. The surrounding Harnett County zoning districts consist of RA-30, RA-20, and Conservation Districts.

Ms. Gregory explained the applicant is proposing a CD-NMX, Conditional Neighborhood Mixed Use District. Ms. Gregory further explained the applicant has proposed numerous pages of conditions attached to the rezoning request. Ms. Gregory concluded by stating the requesting zoning change to CD-NMX, Conditional Neighborhood Mixed Use, will not have a negative impact on the community as it is similar in nature to existing uses within this area. The requesting zoning district is compatible with the area's land use classification of Residential Multi-Family, Major Institutional, Townhouse/Condo Residential, and Medical (Commercial). The requested rezoning to CD-NMX, Conditional Neighborhood Mixed-Use would maintain or enhance the public health, safety, and general welfare due to the area's existing multi-family apartments. Finally, the Planning Board did review this at their July 6, 2021 Special Planning Board Meeting and unanimously voted to recommend approval to the Lillington Board of Commissioners.

Martha Spears, 1778 East Cornelius Harnett Blvd. Mayor Glenn McFadden recognized Ms. Spears. Ms. Spears stated she has reservations about being pushed out of her property and requested additional information regarding the intended use of the property.

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

**Item #16A Consideration of Approval of An Ordinance to Apply the Lillington Zoning Ordinance to Properties Identified as PIN #: 0660-32-0284, 0660-03-9253, 0660-12-3649, 0660-21-8598, 0660-42-7059, 0660-52,9024, & 0660-61-9572**

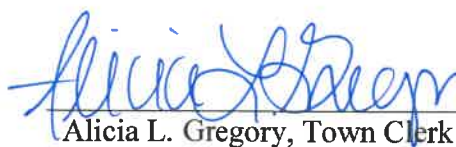
A motion was made by Commissioner Langdon to table the Ordinance to Extend the Corporate Limits of the Town of Lillington. The motion was seconded by Commissioner Page and approved unanimously.

**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.


There were no additional comments.

**Adjournment:** The meeting adjourned following the unanimous approval of a motion by Commissioner McPhail and a second by Commissioner Page.

Attest:

  
Alicia L. Gregory, Town Clerk



  
Glenn McFadden, Mayor