

Regular Board Meeting of the Town Board of the Town of Lillington, Tuesday, October 12, 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 Rupert Langdon
Commissioner Neil McPhail (Virtual)
Commissioner Danny Babb

Board Members Absent: Commissioner Dianne Johnson

Staff Present: Joseph Jefferies, Town Manager
Lisa Young, Assistant Town Manager
Alicia Gregory, Management Analyst
Josh Perry, Planning & Inspections
Lindsey Lucas, Town Clerk/ Permitting Technician
Frank Powers, Police Chief
William Baker, Parks & Recreation
John Bethune, Fire 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 Langdon 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:

Item #1

Work Session Minutes from September 13, 2021

Minutes were approved.

Item #2

Closed Session Minutes from September 13, 2021

Minutes were approved.

Item #3

Regular Session Minutes from September 14, 2021 Minutes were approved.

Item #4

Closed Session Minutes from September 14, 2021 Minutes were approved.

PUBLIC HEARING

Item #5 Public Hearing on Consideration of Text Amendment to Article VI of the Lillington Unified Development Ordinance

Mayor McFadden opened the public hearing at 6:03 pm.

Mayor McFadden recognized Josh Perry, Planning and Inspections and David Arnold, PE with The Nau Company. Mr. Perry explained that Town Staff is proposing a text amendment to Article VI of the Town of Lillington Unified Development Ordinance. Mr. Arnold explained that this change would help clarify Stormwater Management guidelines.

With no additional comments, Mayor McFadden closed the Public Hearing at 6:06 pm.

Item #5A Consideration of Approval of the Text Amendment to Article VI of the Lillington Unified Development Ordinance

A motion was made by Commissioner Page to approve the Ordinance to Amend Article VI of the Town of Lillington Unified Development Ordinance. This motion was seconded by Commissioner Langdon and was approved unanimously.

Item #6 Public Hearing on the Question of Annexation of the Noncontiguous Satellite Area PIN #: 0662-12-8254.000 Case Number ANX-22-01 (Srinivasa, LLC)

Mayor McFadden opened the public hearing at 6:07 pm.

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 3.156-acres being PIN #: 0662-12-8254.000 Case Number ANX-22-01.

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

Item #6A Consideration of Approval of 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 Page and approved unanimously.

Item #7 Public Hearing on the Question of Zoning Assignment for Newly Incorporated City Limits (Srinivasa, LLC Ashok Biyyala & Santhosh Nemuri)

Mayor Glenn McFadden opened the Public Hearing at 6:08 p.m.

Mayor Glenn McFadden recognized Josh Perry, Planning and Inspections. Mr. Perry stated that Town staff received a zoning assignment application for 3.156 acres located on NC Hwy 210 near Harnett Central Road. The property is currently agricultural with access to Harnett Regional Water for water and the town of Lillington Sewer. The applicant is requesting a General Business Zoning District with no immediate plans for the property. Although the town of Lillington's future land use map doesn't address this area. Harnett Counties land use map designated this area as a Rural Center which is small scale commercial. Mr. Perry explained the applicant is proposing a GB, General Business District Zoning.

Mr. Perry explained the applicant is proposing a GB, General Business District with the following conditions:

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:

- 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;
- To provide for the orderly expansion of such uses within this district, as designated on the zoning map;
- To 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.

Mr. Perry concluded by stating the requesting zoning assignment to General Business District, GB 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 General Business District, 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 reviewed this at their September 20, 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 6:09 p.m.

Item #7A Consideration of Approval of An Ordinance to Apply the Lillington Zoning Ordinance to the Newly Incorporated City Limits (Srinivasa, LLC Ashok Biyyala & Santhosh Nemuri)

A motion was made by Commissioner Page, that stated in the evaluation, the requested zoning assignment to GB, General Business 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 #8 Public Hearing on the Question of Annexation of the Noncontiguous Satellite Area
PIN#: 0662-11-8878 Case Number ANX-22-02 (Stuart Matthews)**

Mayor McFadden opened the public hearing at 6:11 pm.

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 1.216-acres being PIN #: 0662-11-8878.000 Case Number ANX-22-02.

With no additional comments, Mayor McFadden closed the Public Hearing at 6:12 pm.

Item #8A 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 #9 Public Hearing on the Question of Zoning Assignment for Newly Incorporated City Limits (Stuart L. Matthews)

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

Mayor Glenn McFadden recognized Josh Perry, Planning and Inspections. Mr. Perry stated in addition to the annexation petition, staff received a zoning assignment application for 1.216 acres located on NC Hwy 210 near Harnett Central Road. The property is currently agricultural with access to Harnett Regional Water for water and the town of Lillington Sewer. The applicant is requesting a General Business Zoning District with no immediate plans for the property. Although the town of Lillington's future land use map doesn't address this area. Harnett Counties land use map designated this area as a Rural Center which is small scale commercial.

Mr. Perry explained the applicant is proposing a GB, General Business District with the following conditions:

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:

- 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;
- To provide for the orderly expansion of such uses within this district, as designated on the zoning map;
- To 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.

Mr. Perry concluded by stating the requesting zoning assignment to General Business District, GB 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 General Business District, 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 reviewed this at their September 20, 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 6:13 p.m.

Item #9A Consideration of Approval of An Ordinance to Apply the Lillington Zoning Ordinance to the Newly Incorporated City Limits (Stuart L. Matthews)

A motion was made by Commissioner Langdon, that stated in the evaluation, the requested zoning assignment to GB, General Business 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 approved unanimously.

Item #10 Public Hearing on the Question of Annexation of the Noncontiguous Satellite Area PIN#: 0661-20-0162 Case Number ANX-22-04 (Chad Andrews Hawley & Chad Andrews Hawley Trustees)

Mayor McFadden opened the public hearing at 6:14 pm.

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 16.257-acres being PIN #: 0661-20-0162.000 Case Number ANX-22-04.

With no additional comments, Mayor McFadden closed the Public Hearing at 6:15 pm.

Item #10A 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 Babb and approved unanimously.

Item #11 Public Hearing on the Question of Zoning Assignment for Newly Incorporated City Limits (Chad Andrews Hawley & Chad Andrews Hawley Trustees)

Mayor Glenn McFadden opened the Public Hearing at 6:16 p.m.

Mayor Glenn McFadden recognized Josh Perry, Planning and Inspections. Mr. Perry stated in addition to the annexation petition, staff received a zoning assignment application for 16.257 acres located on Old Coats Road being PIN #:0661-20-0162.000. Mr. Perry stated the site is currently Agricultural/Single Family Residential. The 16.257-acre tract will have access to Harnett Regional Water and Town of Lillington Sewer. The surrounding land uses are Single-Family Residential and Agricultural Farmland. Mr. Perry stated 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.

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

- Street sections for subdivision are to be a 50' ROW and 27' B-B section with curb and gutter.
- Improvements recommended by NCDOT along Old Coats Road shall be constructed per NCDOT final requirements.
- Sidewalks on only one side of the road.
- Preliminary Map Attached

Mr. Perry 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 September 20, 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 6:19 p.m.

Item #11A Consideration of Approval of An Ordinance to Apply the Lillington Zoning Ordinance to the Newly Incorporated City Limits (Chad Andrews Hawley & Chad Andrews Hawley Trustees)

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 Langdon and approved unanimously.

Item #12 Public Hearing on the Question of Rezoning of 40.5 acres located on US 421 being PIN# 0660-54-6410.000 (421 Harnett Property, LLC)

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

Mayor McFadden recognized Josh Perry, Planning and Inspections. Mr. Perry explained Town staff has received a Rezoning Application was submitted by DR Horton to rezone the property at E Cornelius Harnett Blvd. being PIN# 0660-54-6410.000, from CD-RMF, Conditional District-Residential Multi-family to CD-RMX, Conditional District.

He explained the existing and surrounding zoning districts are as follows:
Consists of O/S, Office/ Services, GB, General Business. The surrounding Harnett County zoning districts consist of RA-30, Residential Agriculture District and RA-20 Residential Agricultural District.

O/S – OFFICE & SERVICE DISTRICT

The O/S District is designed to accommodate offices, services and certain institutional uses. These districts may serve as transitional zones between high intensity and low intensity land uses. The regulations of this district are intended to:

- A. Encourage land uses that buffer residential districts from intensive nonresidential uses and arterial streets;
- B. Provide aesthetic controls and dimensional requirements to ensure compatible office and service development with surrounding residential uses;
- C. Allow for single-family dwellings in business corridors to be used for business or residential purposes; and
- D. Prohibit drive-through and drive in uses, outside storage and outside display operations.

GB – GENERAL BUSINESS 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:

- A. 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;
- B. To provide for the orderly expansion of such uses within this district, as designated on the zoning map;
- C. To discourage the continuance of existing non-conforming uses that would not be permitted as uses under the provision of this district;
- D. Discourage small Lot development on major highways;
- E. Encourage vehicular access from service drives and other local commercial streets rather than directly from arterial streets; and
- F. Provide a location for major shopping facilities and land uses requiring large outdoor spaces.

Evaluation

The impact to the adjacent property owners and the surrounding community is reasonable, and the benefits of the rezoning outweigh any potential inconvenience or harm to the community.

REASONING: The requested zoning change to Conditional District Residential Mixed Use will not have a negative impact on the community as it is similar in nature to existing uses within this area.

The requested zoning district is compatible with the existing Land Use Classification.

REASONING: The requested zoning district is compatible with this area's land use classification of Residential Multi-family, Major Institutional, Townhouse / Condo Residential, and Medical (Commercial).

The proposal does enhance or maintain the public health, safety and general welfare.

REASONING: The requested rezoning to Conditional District - Residential Mixed Use would maintain or enhance the public health, safety, and general welfare due to area's existing multi-family apartments.

The Planning Board reviewed this at their September 20th Planning Board meeting and all members present voted to recommend APPROVAL to the Lillington Board of Commissioners with one recusal.

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

Item #12A Consideration and Approval of an Ordinance Amending the Town of Lillington Zoning Ordinance for property identified as PIN#: 0660-54-6410.000 (421 Harnett Property, LLC)

Commissioner Langdon made a motion as stated in the evaluation, the requested zoning assignment to CD-RMX, Conditional District Residential Mixed Use 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. Commissioner Page seconded the motion that passed unanimously.

NEW BUSINESS

Item #13 Consideration of Resolution Directing the Town Clerk to Investigate a Non-Contiguous Satellite Annexation Petition Received Under General Statute §160A-58.1 from Neal Bryant Johnson and KDP Development, LLC

Mayor McFadden recognized Lindsey Lucas, Town Clerk. Mrs. 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 Neal Bryant Johnson and KDP Development, LLC. The Annexation Petition was received on September 23, 2021. The non-contiguous annexation of 27.62 acres and 10.68 acres of the property identified as PIN #: 0651-84-5847.000 and 0651-95-2327.000 located on Matthews Road situated in the County of Harnett.

A motion was made by Commissioner Page to approve the Resolution Directing the Town Clerk to Investigate a Non-Contiguous Satellite Annexation Petition Received Under General Statute §160A-58.1 from Neal Bryant Johnson and KDP Development, LLC. The motion was seconded by Commissioner McPhail 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 27.62 acres and 10.68 acres of the property identified as PIN #: 0651-84-5847.000 and 0651-95-2327.000 located on Matthews Road 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 #14 Consideration of Resolution Fixing Date of Public Hearing for November 9, 2021, on Question of Annexation, Pursuant to G.S. §160A-58.1 as Requested by Neal Bryant Johnson and KDP Development for Property's Identified as PIN #: 0651-84-5847 and PIN #: 0651-95-2327

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 Neal Bryant Johnson and KDP Development, LLC for Property Identified as PIN #: 0651-84-5847 and 0651-895-2327 on November 9, 2021 at 6:00 pm.

A motion was made by Commissioner Langdon to approve the Resolution Fixing Date of Public Hearing for November 9, 2021 at 6 pm, on Question of Annexation, Pursuant to G.S. §160A-58.1 as Requested by Neal Bryant Johnson and KDP Development, LLC for Property Identified as PIN #: 0651-84-5847 and 0651-895-2327 The motion was seconded by Commissioner Babb and approved unanimously.

Item #15 Consideration of Resolution Directing the Town Clerk to Investigate a Contiguous Satellite Annexation Petition Received Under General Statute §160A-31 from Margaret L. Melton

Mayor McFadden recognized Lindsey Lucas, Town Clerk. Ms. Lucas stated for your Consideration is a Resolution Directing the Town Clerk to Investigate a Contiguous Satellite Annexation Petition Received Under General Statute §160A-31 from Margaret L. Melton. The Annexation Petition was received on October 5, 2021. The contiguous annexation of 45.24 acres of the property identified as PIN #: 0660-35-0680 located on US Route 421/NC Highway 27 situated in the County of Harnett.

A motion was made by Commissioner Langdon to approve the Resolution Directing the Town Clerk to Investigate a Contiguous Satellite Annexation Petition Received Under General Statute §160A-31 from Margaret L. Melton. The motion was seconded by Commissioner McPhail and approved unanimously.

For the Record:

The Town Clerk does hereby certify an investigation has been completed of the petition for the contiguous annexation of 45.24 acres of the property identified as PIN #: 0660-35-0680.000 located on US Route 421/NC Highway 27 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-31.

Item #16 Consideration of Resolution Fixing Date of Public Hearing for November 9, 2021, on Question of Annexation, Pursuant to G.S. §160A-31 as Requested by Margaret L. Melton for Property Identified as PIN #: 0660-35-0680

Mayor McFadden recognized Lindsey Lucas. Ms. Lucas stated for your Consideration is a Resolution Fixing Date of Public Hearing on Question of Annexation, Pursuant to G.S. §160A-31 as Requested by Margaret L. Melton for Property Identified as PIN #: 0660-35-0680.000 on November 9, 2021 at 6:00 pm.

A motion was made by Commissioner Page to approve the Resolution Fixing Date of Public Hearing for November 9, 2021 at 6 pm, on Question of Annexation, Pursuant to G.S. §160A-31 as Requested by Margaret L. Melton for Property Identified as PIN #: 0660-35-0680.000. The motion was seconded by Commissioner Babb and approved unanimously.

Item #17 Consideration of Offer to Purchase and Contract for the Sale of Property at 106 West Front Street

Mayor Glenn McFadden recognized Joseph Jeffries, Town Manager. Mr. Jeffries stated that the Upset Bid Process had been completed and requested approval from the Board of the purchase contract for the property located at 106 West Front Street, Lillington NC 27546.


A motion was made by Commissioner Langdon to approve the Purchase Contract for the property located at 106 West Front Street, Lillington NC 27546. Commissioner Page seconded the motion that passed 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.

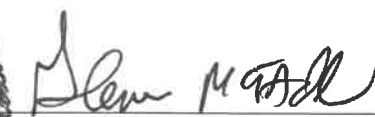
There were no additional comments

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

Attest:


Lindsey B. Lucas, Town Clerk




Glenn McFadden, Mayor