

Dear Friend of Southern Pines,

I am writing to you because I believe you care deeply about Southern Pines. You may have served on the committee that helped develop our newly adopted Comprehensive Long Range Plan (CLRP). You may have participated in the process in another way. You may have attended Council meetings. You may have shown your love for this community in many other ways.

I am writing to you because I believe there may be a majority on your Southern Pines Town Council who, faced with the first significant vote in which we have a chance to use our new plan for guidance, seemingly wish to fast track a major land use decision with almost no analysis of the implications of the amendment or discussion of how it relates to the Comprehensive Long Range Plan.

The amendment(OA-04-10), sponsored by the owners of Pine Needles, seeks to add a large slate of uses to an otherwise very limited use zoning category that covers hundreds of acres around town, including the Pine Needles property.

For now, I am not writing to you to give my position on the merits of the proposed amendment. That is an e-mail or discussion for another day. I am writing because we have an amendment before the Council that will have significant implications for the future of our town, but we have multiple members of your Southern Pines Town Council who don't want to take the time to go over the lengthy and substantive amendment and compare it to the goals and policies of our new plan and our existing ordinances.

The amendment, as it stands, could allow by right:

- Significant highway-oriented retail (see US-1 south and 15-501 south in Southern Pines and Aberdeen) along US-1 on the north side of town
- Significant highway-oriented retail along NC 22 near Southern Pines Reservoir Park and adjacent to the Sandhills Community College Horticultural Gardens
- Significant commercial development along Camp Easter Rd
- Massive apartment complexes adjacent to Reservoir Park, the Horticultural Gardens, and thousands of single and multifamily units off of US-1 or Camp Easter Rd on the Pine Needles property
- Much more

At last week's regular meeting of the Council, there were at least two Councilmembers strongly in favor of voting on and in favor of the amendment that night without much, if any, discussion or analysis:

- One of them essentially said that the owners of the Pine Needles property did not get what they wanted when they applied for a Planned Unit Development (PUD) and that if they applied for another development, they wouldn't be able to get it passed either. He essentially went on to say we have to allow them to do whatever they want on their property, so we should pass the amendment and give them what they asked for. Of course, this "reasoning" ignores our responsibility to use the CLRP for guidance and it completely ignores the duty of the Council which is to decide "whether the proposed amendment advances the public health, safety, or

welfare” (Section 325, Unified Development Ordinance). Also ignored is that the amendment has implications on other properties elsewhere in town beyond the borders of the Pine Needles property.

- Another Councilmember said we should go ahead and vote for approval because the Planning Board had already spent sixty days (they had two meetings) working on the amendment and recommended it, so we should go ahead and vote for approval. Two things are troubling here. First, there was discussion during the Planning Board vote that the ordinance was not quite ready/finished. The response and reasoning to move forward with the recommendation was that the Council would tie up the loose ends. The Council has not made any changes to tie up any loose ends. The Council has barely discussed the amendment. Second, while it is the responsibility of the Council to respond to amendments in a reasonable amount of time, the amendment before us is quite lengthy and could have tremendous implications towards the future development of our town. It might take a little while to be sure things are right.

Council discussion on this massive amendment has been almost nonexistent:

- There has been no Council discussion whatsoever regarding the numerous specific individual new uses in the proposal.
- There has been no Council discussion whatsoever regarding the specific development densities written into the proposal.
- There has been no Council discussion of the numerous other options there are in the existing code, besides a PUD application, to develop Pine Needles and other large tracts in a manner that conforms to our adopted plans and ordinances.
- There has been almost no discussion as to how the proposed amendment achieves the “Traditional Mixed Use” goal the recently-adopted CLRP places on the Pine Needles and other properties.

I know I may be straying too deeply into the technicalities of the code amendment decisions we routinely make on the Council, but they are very important. The bottom line here though is there appears to be a majority on the Council who want to return to “business as usual” and make decisions as if we did not just spend hundreds of thousands of dollars, almost two years, and many thousands of citizen-hours developing a community-based comprehensive plan.

Situations like this make one wonder if some Councilmembers who joined in a unanimous approval of the Comprehensive Long Range Plan did not do so in good faith.

If the Council majority refuses to carefully go through a major amendment and analyze it for soundness, much less its conformity with the goals and policies of the CLRP and other documents, we might as well have never gone through the costly long-range planning process in the first place.

If we have Councilmembers who want to pass an amendment for the sake of expediency or out of some feeling of obligation to a property owner, do we have Councilmembers who really understand and respect what the job is in the first place?

The public hearing on the Pine-Needles-sponsored amendment was closed at last Tuesday's meeting. It can be advertised and re-opened at our November 9<sup>th</sup> meeting if the Council chooses to do so. There will be a discussion at Monday's(October 25) Council Worksession at 3:00 in the community room at the new police station on Pennsylvania Ave.

Please contact your Southern Pines Councilmembers, ask them to more carefully review the proposed amendment and its application to the CLRP, come to the Work Session, and demand the public hearing be re-opened if:

- You served on the Comprehensive Long Rang Plan Committee and don't want your tremendous efforts ignored and the plan put on a shelf to gather dust
- You took part in the planning process and don't want your input and plan ignored
- You think it is the Council's duty to judge an amendment on its impact to the health, safety, and welfare of the town overall
- You think amendments, especially those with huge potential development impacts, should be reviewed and discussed carefully even if it takes a little extra time.
- You suspect this whole stealthy amendment and fast-tracking process doesn't pass the "smell test"

I urge you to urge **your** Southern Pines Town Council to do its job.

**Please forward this message to anyone else who you think cares about Southern Pines.**

Sincerely,

Chris Smithson

Southern Pines native, resident, and Councilmember

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