



PROPOSED AGENDA
Bermuda Run Town Council Meeting
Tuesday, February 14, 2023
6:00PM
Bermuda Run Town Hall

Mission: "The Town of Bermuda Run exists to provide core public services that enhance the quality of life for its residents and an environment for the business community to thrive".

1. Call to Order

2. Pledge of Allegiance

3. Moment of Silence

"It is the intent of the Town Council to solemnize the proceedings of this meeting and the business brought before the governing board, to offer the opportunity for a reflective moment of silence."

4. Town of Bermuda Run Code of Ethics Statement-Town Attorney Brian Williams

5. Adoption of the Agenda

Motion: _____ Second: _____ In Favor: _____ Opposed: _____

6. Approval of the January 10, 2023, Town Council Meeting Minutes

Motion: _____ Second: _____ In Favor: _____ Opposed: _____

7. Citizens' Comments

8. Proclamation: Recognition of Black History Month

Mayor Cross and the Bermuda Run Town Council recognize the month of February 2023 as Black History Month in the Town of Bermuda Run.

9. Presentation: John Gallimore, Davie County Chief Technology Officer

Mr. Gallimore will give an overview of the functions, services, and responsibilities of the Technology Services Department in Davie County.

10. Proposed Action Items

A. Public Hearing: ZTA-2023-01

The Board will review text amendments of the Zoning Ordinance in sections 3.3(C) of the Zoning Ordinance regarding Master Plan Overlay.

- Mayor Cross Opens Public Hearing
- Mayor Cross Closes Public Hearing

The Town Council may take action after the close of the public hearing.

Motion: _____ Second: _____ In Favor: _____ Opposed: _____

11. Town Manager Report/Comments

12. Council / Mayor Comments

13. Adjourn

Motion: _____ Second: _____ In Favor: _____ Opposed: _____

Town of Bermuda Run

Town Council Meeting Minutes

January 10, 2023 – 6:00 PM

The Town Council of Bermuda Run held its scheduled meeting on Tuesday, January 10, 2023 at 6:00 PM. The meeting was held at the Bermuda Run Town Hall.

Council Members Present: Mayor Rick Cross, Mike Brannon, Curtis Capps, Heather Coleman, Mike Ernst, and Melinda Szeliga

Council Members Absent:

Also Present: Andrew Meadwell, Town Manager; Cindy Poe, Town Clerk; and Brian Williams, Town Attorney

Call to Order Mayor Rick Cross called the meeting to order.

Pledge of Allegiance

Moment of Silence

It is the intent of the Town Council to solemnize the proceedings of this meeting and the business brought before the governing board, to offer the opportunity for a reflective moment of silence. Mayor Cross recognized Community Officer Mike Foster as yesterday was Law Enforcement Appreciation Day.

Town of Bermuda Run Code of Ethics Statement – Town Attorney Brian Williams

Adoption of the Agenda

Council Member Melinda Szeliga made a motion to approve the agenda. Council Member Mike Ernst seconded the motion. The motion was approved by a vote of five (5) in favor and none opposed.

Approval of the December 13, 2022 Town Council Meeting Minutes

Council Member Heather Coleman made a motion to approve the December 13, 2022 meeting minutes. Council Member Curtis Capps seconded the motion. The motion was approved by a vote of five (5) in favor and none opposed.

Citizens' Comments – Mark Pfundstein of 155 Brookstone Drive spoke on behalf of the Kinderton Village Master Association regarding installation of sound barrier/trees being replanted to abate the noise from I-40. Open question to NCDOT.

Presentations

NCDOT – Pat Ivey

Pat Ivey presented an update regarding key activities in and around the Town of Bermuda Run.

- Northern Beltway Project Status
- Local Transportation Projects
 - Landscaping at the quadrants of I-40
 - Baltimore Road Extension (Construction late 2025)
 - Roundabout at Hwy. 158/Farmington Road, and at the N. side of Farmington Road and I-40.

- Hwy. 158/801 Intersection Improvements – Dedicated right turn lane and 2 through lanes at Walgreens (Summer 2023) **NC DOT is NOT comfortable with a roundabout at that location.

RISE and NC Fusion - Lane Newsome, and Scott Wollaston

Lane Newsome and Scott Wollaston both spoke of the many events going on and the huge benefits to the Town's economy with benefits to local restaurants, grocery stores, etc. and the need for an additional hotel in our area. New artificial turf and lit fields using the HUD Grant. Big news is that Combat (Mocksville) is coming to RISE.

Proposed Action Items

A. Adopt Resolution of Support for 2023 Year of the Trail

Council Member Mike Brannon made a motion to adopt the resolution as presented. Council Member Mike Ernst seconded the motion. The motion was approved by a vote of five (5) in favor and none opposed.

B. Proposed 2023 Meeting Schedule

The proposed schedule keeps the Town Council meetings on the second Tuesday of each month at 6:00 pm and the Council Agenda Meetings on the fourth Tuesday of each month at 8:30 am (with the exception of December, 2023).

Council Member Curtis Capps made a motion to approve the proposed meeting schedule. Council Member Heather Coleman seconded the motion. The motion was approved by a vote of five (5) in favor and none opposed.

Informational Item

Comprehensive Plan Update – The Planning Board has completed their update from 2017. The document was given to Council Members for review, and a public presentation will be tentatively scheduled for the February Council Meeting.

Town Manager Comments

Call for Planning Board members was very successful, having nine applicants for three positions. Interviews this week with appointments in February. Update regarding Blue Heron Trail and the Juniper Pump Station projects. Ariston Place project update – Andrew Meadwell and Mike Brannon met onsite with Mike Kelley regarding stormwater and grading. Expressed that Mr. Kelley has gone above and beyond in addressing previous concerns, and feels he's doing what is right for the community. Leaf pickup for residents has been extended through the end of January.

Council/Mayor Comments

All Council Members expressed their appreciation for the large turnout at tonight's meeting, and the presentations by NC DOT, RISE, and NC Fusion. They agreed with continued growth there would be challenges.

Mayor Rick Cross:

- Recent Duke Energy rolling outages and communications with Duke Energy representative – Continues to support/advocate for our community.
- Chick Fil A groundbreaking on Friday, Jan. 6 with the Davie Chamber – Reminded all that Chick Fil A has been engaged in Davie County for a long time, but appreciates their investment in our community.
- Spoke of diligent/purposeful growth.

- Recognized Davie County Commissioner Benita Finney and Chief Howard with the Smith Grove Fire Department. Thanked everyone in attendance.
- Announced that before Christmas, Town Manager Andrew Meadwell got married.

Adjourn

With no further business to discuss, Council Member Melinda Szeliga made a motion to adjourn. Council Member Heather Coleman seconded the motion. The motion was approved by a vote of five (5) in favor and none opposed.

Approved

Respectfully Submitted

Rick Cross, Mayor

Cindy Poe, Town Clerk



PROCLAMATION
BLACK HISTORY MONTH

WHEREAS, much of The Town of Bermuda Run's honor, strength, and stature can be attributed to the diversity of cultures and traditions that are celebrated by the residents of this great town; and

WHEREAS, African Americans have played significant roles in the history of North Carolina's economic, cultural, spiritual, and political development while working tirelessly to maintain and promote their culture and history; and

WHEREAS, as a result of their determination, hard work, and perseverance, African Americans have made valuable and lasting contributions to the Town of Bermuda Run and our state, achieving exceptional success in all aspects of society including business, education, politics, science, and the arts; and

WHEREAS, in 1976, Black History Month was formally adopted to honor and affirm the importance of Black History throughout our American experience, which goes back thousands of years and includes some of the greatest, most advanced and innovative societies in our history that we can all draw inspiration from; and

WHEREAS, Black History Month is a time for all Americans to remember the stories and teachings of those who helped build our nation, took a stance against prejudice to build lives of dignity and opportunity, advanced the cause of civil rights, and strengthened families and communities; and

WHEREAS, during Black History Month all Americans are encouraged to reflect on past successes and challenges of African Americans and look to the future to continue to improve society so that we live up to the ideals of freedom, equality, and justice;

NOW, THEREFORE BE IT RESOLVED THAT, I, Rick Cross, Mayor, do hereby proclaim February, 2023 as Black History Month in the Town of Bermuda Run.

Signed this, the 14th day of February, 2023.

Rick Cross - Mayor



TO: Town Council
FROM: Staff
Date: February 14, 2023
RE: ZTA 2023-01

Applicable Section(s): Section 3.3 (C) of Zoning Ordinance

Proposed Text Amendment and Background Information

The purpose of this text amendment is to consider removing the requirement that new development and development expansions of 20 % or greater shall receive a Conditional District zoning approval.

The Master Plan Overlay lies in the southwest quadrant between US Hwy 158 and NC Hwy 801 South on property currently zoned VM Village Mixed in the Towns ETJ. The overlay was enacted in 2018 to replace the Zoning Designation TC Town Center in an effort to facilitate a more realistic development potential, increase the amount of property reserved for residential use and to provide a conceptual circulation plan.

The Planning Board and Staff view this requirement of receiving Conditional Zoning approval as overly bureaucratic and burdensome to current and future property owners. The current mechanics of the Zoning Ordinance and review process are adequately sufficient to ensure that the proper layout, design, density, uses, and compliance with the Comprehensive Plan are met.

Master Plan Overlay (MP-O) -Conditional-District-Requirement

(1) Intent

The Master Plan Overlay district is established for areas of the Town's jurisdiction for which the Comprehensive Plan provides a conceptual circulation and/or programming plan in order to ensure that due consideration is given to the general recommended uses or internal circulation to provide for the orderly development of such area. ~~No new development or expansion of existing buildings by greater than 20% shall occur within the Master Plan Overlay. New development and expansion of greater than 20% must receive Conditional District approval to remove the overlay in order to develop.~~

(2) Permitted uses

During the review of requests or development projects within the MP-O ~~Conditional District~~ due consideration shall be given by the TRC, Planning Board and Town Council to the recommended uses shown in the conceptual plan set forth in the Comprehensive Plan. Such uses must be permitted by right or as a special use in the base zoning district requested in accordance with Section 3.5.

(3) Streets, Access Points, and Circulation

During the review of requests or development projects within the MP-O ~~Conditional District~~ due consideration shall be given by the TRC, Planning Board and Town Council to the general circulation shown in the conceptual plan set forth in the Comprehensive Plan. Access points onto state-maintained roads are subject to NCDOT approval.

Bermuda Run Comprehensive Plan

This proposed amendment is related to the following goals, objectives, and/or strategies in the Town's Comprehensive Plan:

- Advocate for road capacity and traffic flow improvements

(ITEM 10A)

- Evaluate the effectiveness of the Master Plan Overlay
- Evaluate existing Zoning and Overlay Districts to ensure the character of the community is maintained.
- Economic Development & Land Use Goal: Promote a healthy and diverse economic base within a sustainable land development pattern that complements the character of the Town, while preserving environmentally sensitive areas, adequate open space, and recreational opportunities.
- OBJECTIVE 5: Provide or support community amenities and events that appeal to residents and visitors.
- Strategy 1.1 Embrace the unique character areas of the Town while tying them together with unifying architectural elements, signage, landscaping, pedestrian connections, vehicular connections, and geographic nomenclature.
- Strategy 3.1 Utilize the Future Land Use Map to encourage managed growth and development that is compatible with the Town's character, surrounding land uses, and available infrastructure and services.
- Strategy 3.2 Support residential growth to attract the additional retail and service amenities desired by current residents.

The Planning Board recommended approval of the text amendment at its January 18th, 2023, meeting by a vote of four in favor and none opposed (4-0).

Town Council Recommendation

Following review of the proposed text amendments, the Town Council is requested to take action following a motion and a second for one of the items below:

- **Recommend Approval:** The Town Council finds that the amendment is consistent with the Town of Bermuda Run Comprehensive Plan and considers the action to be reasonable and in the public interest.
- **Recommend Approval with changes:** The Town Council finds that the amendment is not fully consistent with the Town of Bermuda Run Comprehensive Plan, but the changes agreed upon will make it fully consistent and considers the action to be reasonable and in the public interest.
- **Recommend Denial:** The Town Council finds that the amendment is not consistent with the Town of Bermuda Run Comprehensive Plan and does not consider the action to be reasonable and in the public interest.
- **Defer:** The amendment needs additional consideration.

DAVIE COUNTY
ENTERPRISE RECORD
Legal Invoice

REMIT TO:
SALISBURY NEWSMEDIA, LLC
P.O. BOX 4639
SALISBURY, NC 28145
704-797-4211

H. LEE ROLLINS
TOWN OF BERMUDA RUN
120 KINDERTON BLVD.
SUITE 100
BERMUDA RUN, NC 27006

Acct #: 153856
Ad #: 1586275
Insert Dates: 02/02/23, 02/09/23
Tagline: DC-PH: 02.14.23
Purchase Order #
Amount Due: \$85.01

No. 1586275



NOTICE IS HEREBY GIVEN, pursuant to G.S. 160D-602, that the Town Council of Bermuda Run will meet at 6:00 P.M. on **Tuesday, February 14, 2023** at the Town Hall, located at 120 Kinderton Blvd., Suite 100, Bermuda Run, NC 27006, to hold a public hearing and to receive public comment on the following items:

Zoning Text Amendment 2023-01. The Board will review text amendments of the Zoning Ordinance in sections 3.3(C) of the Zoning Ordinance regarding Master Plan Overlay

All interested parties are invited to attend the public hearing and present their comments to the Bermuda Run Town Council. Please call the Bermuda Run Town Hall at (336) 998-0906 if you have questions or if you need special accommodations for the meeting. Hearing impaired persons desiring additional information or having questions regarding this subject should call the North Carolina Relay Number for the Deaf at 1-800-735-8262 or 711 for mobile phones

Publish 2/2/23, 2/9/23

Bermuda Run Planning Board/Board of Adjustment
Regular Meeting
Draft Minutes

Wednesday, Jan 18, 2023

3:00 PM

Bermuda Run Town Hall

I. Call to Order

Attendee Name	Title	Status
Tom Brady	Board Member	Present
Tony Krasienko	Alternate Member	Present
Lynn Senger	Vice Chairman	Present
Rod Guthrie	Chairman	Present
David Strand	Board Member	Present

II. Recognition of Quorum

The Chairman recognized that a quorum was met with five members present.

III. Approval of Planning Board Amended Agenda

The Chairman proposed removing item 8a at the request of the applicant and moving the public comment period after the introduction of the zoning map amendment.

RESULT: APPROVED [UNANIMOUS]
MOVER: David Strand
SECONDER: Lynn Senger
AYES: Krasienko, Guthrie, Brady, Strand, Senger
ABSENT:

IV. Approval of Planning Board Minutes—March 16, 2022

RESULT: APPROVED [UNANIMOUS]
MOVER: Tony Krasienko
SECONDER: Lynn Sender
AYES: Krasienko, Guthrie, Brady, Strand, Senger
ABSENT:

V. Permit Reports & Zoning Administrator's Update

Permit reports & zoning update were included in the agenda packet for reference and discussion.

VI. Town Manager's Update

Andrew Meadwell updated the Board and audience on recent projects occurring in and around Town.

VII. Update Planning Board Rules and Procedures on meeting times

The Board discussed and approved to move meeting times to 6:00 pm. The Board agreed to revisit again in six months to evaluate the time change.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tom Brady
SECONDER:	Lynn Senger
AYES:	Krasienko, Guthrie, Brady, Strand, Senger
ABSENT:	

VIII Planning Board Cases**Zoning Text Amendment 2023-01 TA-2023-01 Master Plan Overlay**

The Board reviewed a text amendment to Sections 3.3 (C) to address the review process of the district.

Chairman Guthrie opened the public comment period.

Public Comment

Charlene Genaway-inquired what was the surveying work was occurring at Kinderton

Lennie Ring-inquired to the location of the overlay area

Chairman Guthrie closed the public comment period and called for a motion.

Lynn Senger made a motion to approve with the following statement, the Planning Board finds that the amendment is consistent with the Town of Bermuda Run Comprehensive Plan and considers the action to be reasonable and in the public interest.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tony Krasienko
SECONDER:	Lynn Senger
AYES:	Krasienko, Guthrie, Brady, Strand, Senger
ABSENT:	VIII. Other Business

There was none

IX. Board Member Comments

None.

X. Adjournment

RESULT:	ADJOURNMENT [UNANIMOUS]
MOVER:	Lynn Senger
SECONDER:	Tom Brady
AYES:	Krasienko, Guthrie, Brady, Strand, Senger
ABSENT:	