



AGENDA

Tuesday, June 25, 2024: 3:00 PM

Town Council Work Session

**C. Michael Haney Community Room: Southern Pines Police Department
450 W. Pennsylvania Ave**

1. CALL TO ORDER

2. TOWN MANAGER'S COMMENTS

3. ACTION ITEMS

a. AR-01-24: Penick Village Multifamily Apartment Buildings

John Houck II of RLPS Architects, is requesting an Architectural Compliance Permit for four multifamily apartment buildings on behalf of the legal property owner, Penick Village, Inc. This item was first presented at the June 11, 2024 Regular Meeting and it was continued to the June 25, 2024 Work Session. The applicants and planning staff have been working on resolving the items discussed at the June 11, 2024 meeting and have mutually agreed per UDO 2.5.14(A) to request another continuance from the Town Council to the July 9 Regular Business Meeting.

b. AR-05-24: 280 Shaw Ave. Office & Storage Building

The applicant, Neal Smith Engineering, on behalf of property owner William G. Sahadi, is requesting approval of a two-story, 1,600 square-foot office and storage building located at 280 Shaw Ave. This item was first presented at the June 11, 2024 Regular Meeting and it was continued to the June 25, 2024 Work Session.

4. COUNCIL UPDATES AND DISCUSSION

a. Arts Council Lease at Campbell House

The Arts Council of Moore County leases the ground floor of the Campbell House from the Town and some secondary spaces on the grounds. The lease is due for renewal and staff from both entities have met to discuss updates. Staff recommends a renewal term of thirty years given the Arts Council's planned addition to the building. Representatives from the Arts Council will attend the meeting to discuss the lease.

5. COUNCIL ROUNDTABLE

6. ADJOURNMENT

Meetings/work sessions of the Southern Pines Town Council are now available on the Town's [YouTube channel](https://bit.ly/3hXx2Qk). Video of the Town Council meetings will be live streamed on the channel for viewing either during the meetings or after they have concluded. Please note, the video is provided only for the purposes of viewing the meetings; public comments or questions are not accepted via the live stream. To receive notifications when new content is published, please "subscribe" to the Town's channel at <https://bit.ly/3hXx2Qk>

BJ Grieve

From: Alaina Mallette
Sent: Thursday, June 20, 2024 3:25 PM
To: BJ Grieve
Subject: FW: 2021023 - Penick Village - Buffer Requirements

Hi BJ – You can include this email for continuance reference considering that the agreement was made via Microsoft Teams, virtually.

Best,
Alaina

Alaina Mallette, MSc

Senior Planner

Town of Southern Pines

801 SE Service Road

Southern Pines, NC 28387

Office: (910) 692-4003

<http://www.southernpines.net/>



From: Houck, John <jhouck@rlps.com>
Sent: Wednesday, June 19, 2024 10:16 AM
To: Chip Cromartie <ccromartie@penickvillage1964.org>; Tony Bornhorst (tbornhorst@penickvillage1964.org) <tbornhorst@penickvillage1964.org>
Cc: Kimmel, Craig <CKimmel@rlps.com>; Rob Will (rob.will@mcgillassociates.com) <rob.will@mcgillassociates.com>; Mark Dunnagan <mdunnagan@flblum.com>; Eric Bendixen <eric.bendixen@flblum.com>; Trae Wilson <trae.wilson@flblum.com>; Brandon Humphries <brandon.humphries@flblum.com>; Brian G. Schiff (Bschiff7@gmail.com) <Bschiff7@gmail.com>; Tonya Bodie <tonya@bodieco.com>; Alaina Mallette <amallette@southernpines.net>; McComsey, James <jmccomsey@rlps.com>
Subject: 2021023 - Penick Village - Buffer Requirements

Hello Chip & Tony,

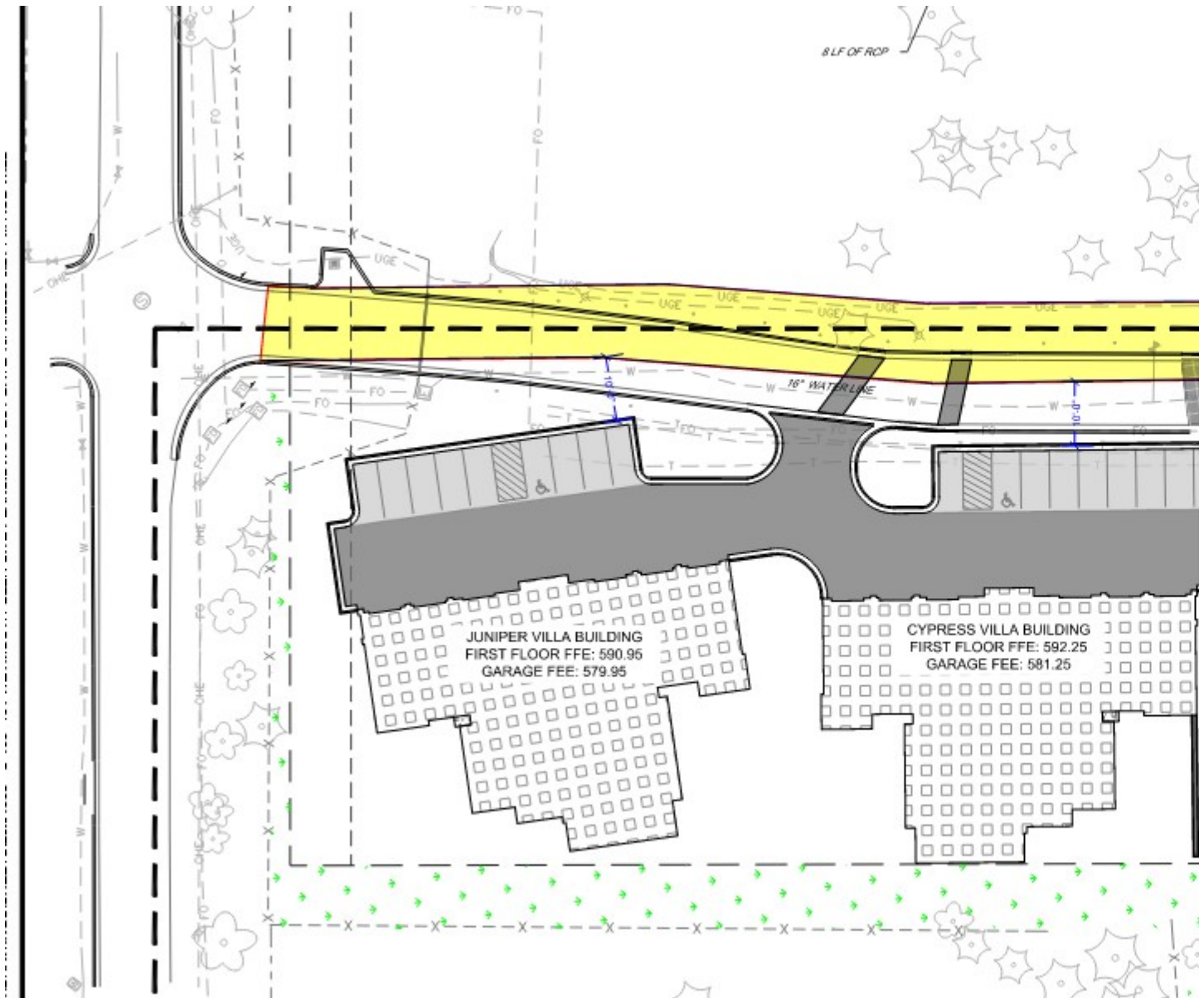
I am following up on my email from yesterday with regards to the landscape buffer of the Grove Villa's garages the Town of Southern Pines is requiring.

I spoke with Rob Will last evening. He indicated that the Cypress Villa Building cannot be pushed back away from East Maine Avenue to accommodate the required 10-foot buffer. This means that we only have two options to meet the Town's requirements:

1. Reconfigure East Maine Avenue as depicted with yellow highlighter below. There would be cost associated with this as the new proposed path would need a new base course in the portions that do not overlap the existing road. I do not know the magnitude of these cost impacts. Perhaps Blum could help us to understand the cost implications.

2. Reconfigure the parking lots & potentially reduce parking to achieve the 10-foot buffers without having to move the buildings or reconfigure East Maine Avenue.

I am sending this email so that everyone is in the loop with these discussions and can comment with their thoughts. I also wanted to make everyone aware that McGill indicated this is an issue that they are unable to resolve by tomorrow at noon. This means that this issue may push back to the July Town Council Meeting. RLPS plans to submit revised exterior elevations to Southern Pines tomorrow so that this item can be resolved now. As such, only the landscape buffering requirements would extend into July.



Sincerely,

John D Houck II, RA

Senior Project Architect

RLPS Architects

Architecture | Interior Design | Master Planning

250 Valleybrook Drive, Lancaster, PA 17601

717.560.9501 | www.rlps.com



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Agenda Item

To: Reagan Parsons, Town Manager

From: Gene Ruiz, Planner II

Subject: AR-05-24, 280 Shaw Avenue

Date: June 25, 2024

I. SUMMARY OF APPLICATION REQUEST

The applicant, Neil Smith Engineering, Inc., is requesting an Architectural Compliance Permit for a two-story, 2,450 square-foot office space on behalf of the legal property owner, William G. Sahadi. The site is located at 280 Shaw Avenue, abutting US HWY 1.

II. PROJECT INFORMATION

A. Property Owners

PIN 857112854837 (**PARID** 00051893)
William G. Sahadi
1140 Old US #1 South
Southern Pines, NC 28387

B. Applicants and Authorized Agents

Neal Smith, PE
Neal Smith Engineering, Inc.
139 Pinehurst Avenue Suite C
Southern Pines, NC 28387

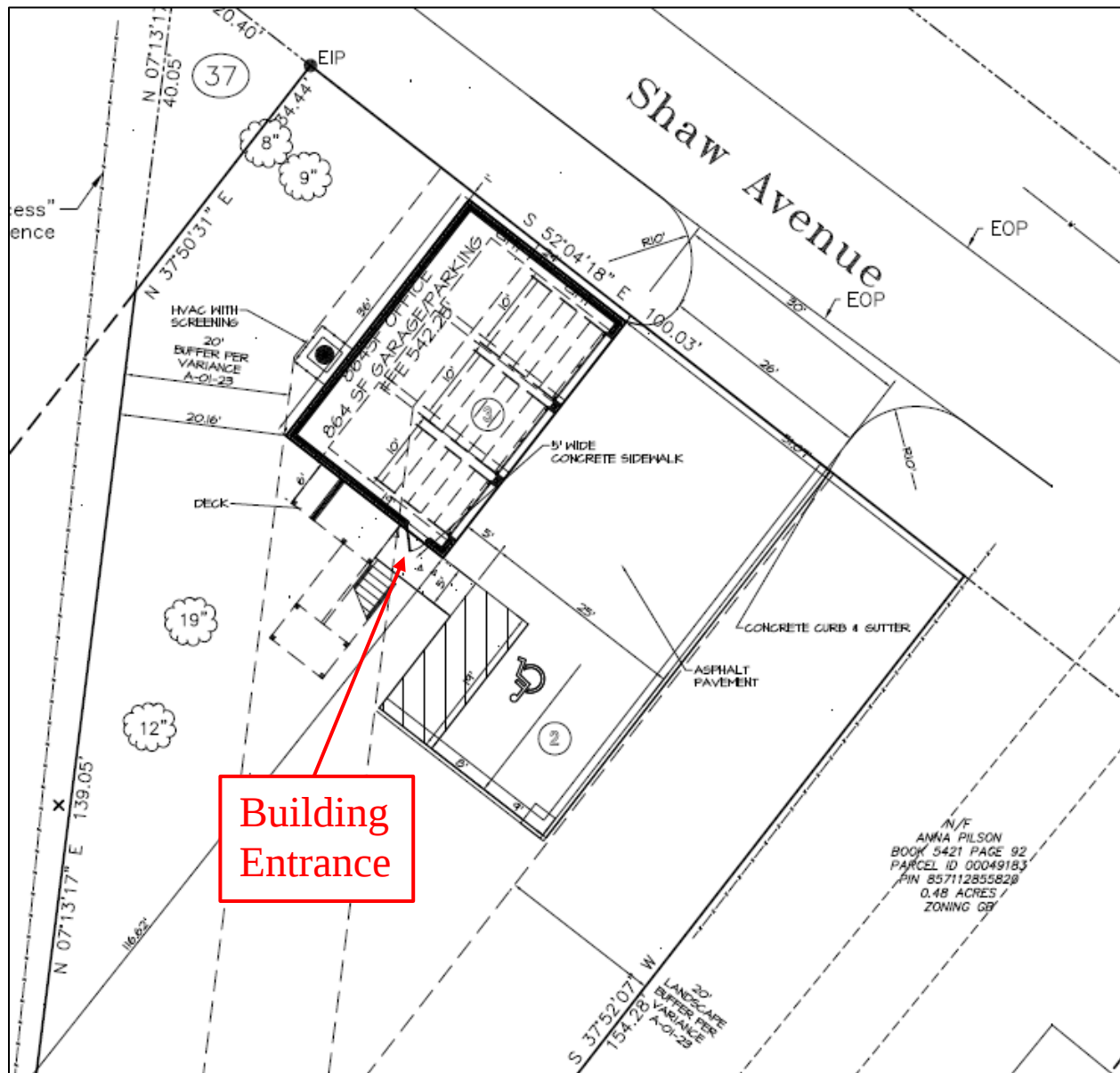


Figure 2. The original proposed North elevation facing Shaw Avenue. The UDO technically requires the customer entrance on this side of the building.

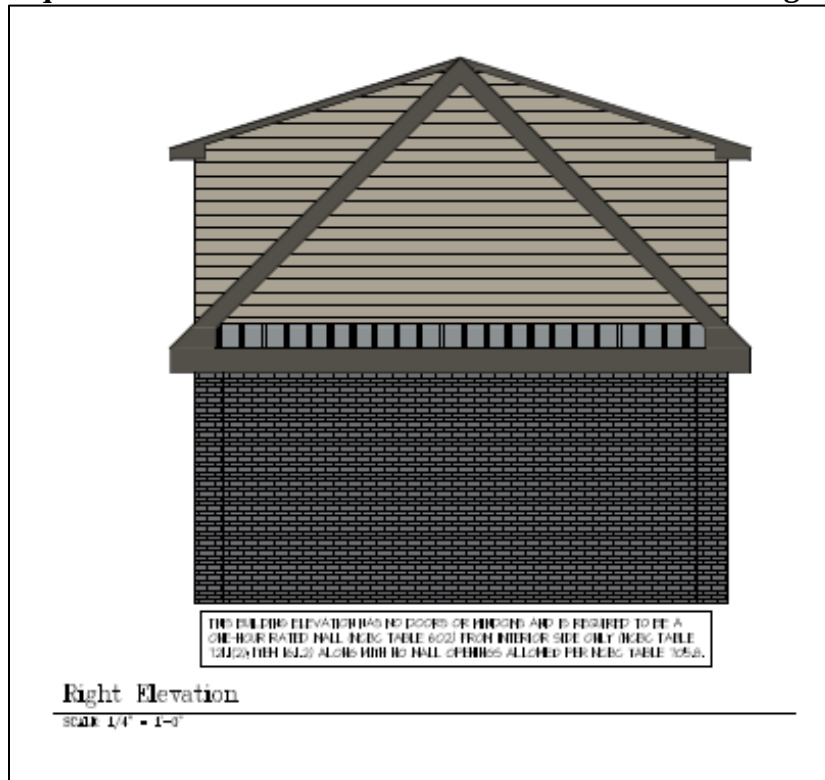
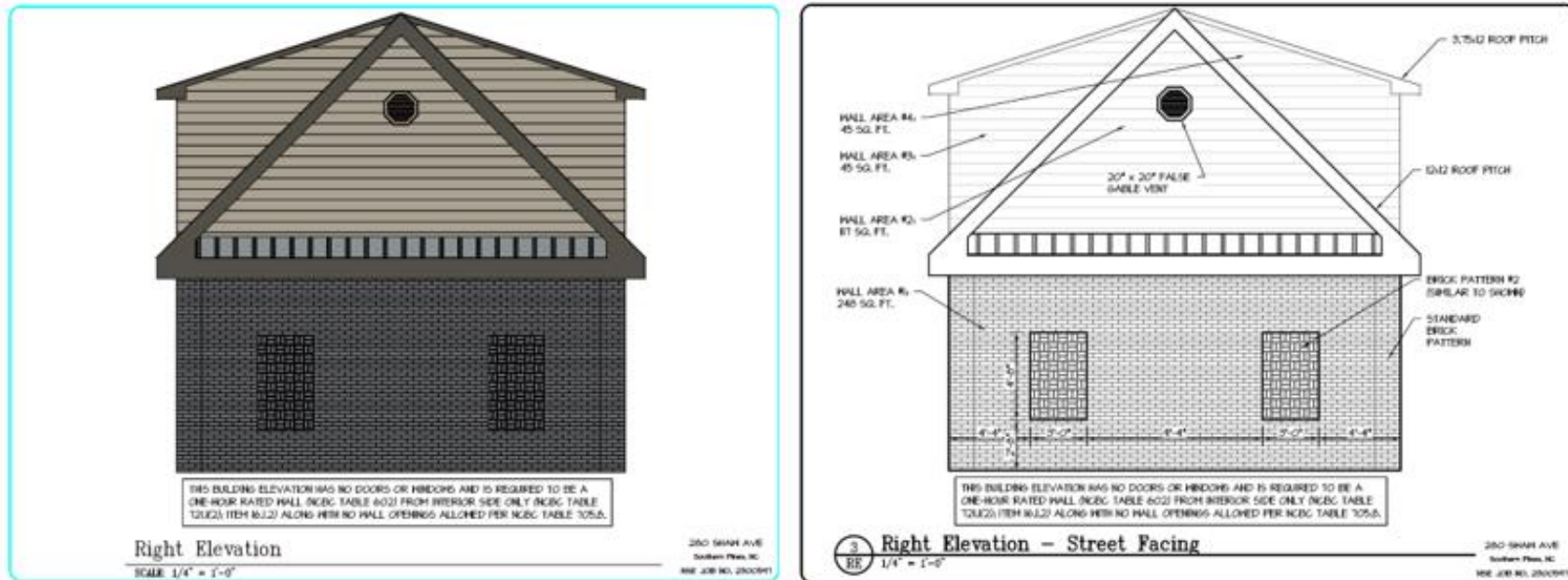


Figure 3. New renderings of proposed elevations based on recommendation of the Town Council on June 11, 2024. North elevation facing Shaw Avenue with herringbone pattern and false gable vent.



III. TOWN COUNCIL REVIEW

On June 11, 2024, at the Town Council regular meeting, Planning staff presented staff's recommendation for approval with deviation. Town Council recommended to add a faux window or door design to the brick in a herringbone pattern to give the appearance of a window or door on the right elevation that faces the public street.

IV. STAFF REVIEW

1. **Review Process.** Applications for Architectural Compliance Permits are reviewed pursuant to UDO §2.26.

2. **Application Review Dates**

Application Submitted: **May 2, 2024**

Additional Materials Submitted: **May 13, 2024**

Additional Materials Submitted: **June 13, 2024**

Application Incomplete: **May 10, 2024**

Application Complete: **May 10, 2024**

Town Council Regular Meeting: **June 11, 2024**

Town Council Work Session: **June 25, 2024**

3. **Staff Comments based on Building Design Requirements per UDO §4.10.4**

Staff has reviewed the project for compliance with UDO §4.10.4 *Building Design Requirements*. See staff comments below regarding three areas of non-compliance. Compliance for signage will be determined during sign permit review since UDO §4.10.4 (J) states signage shall comply with the standards in section 4.6 and any applicable zoning district standards.

- UDO §4.10.4 (A) *states the front of Buildings shall face and have the primary customer entry facing that street. Corner Lot Buildings shall face and have the primary customer entry facing the higher order street, facing the corner or facing each street. Buildings that extend the full depth of a block may be required to have entries on each street frontage.*
- UDO §4.10.4 (D) *states that windows shall be glazed in non-reflective clear glass. The following standards apply in the FRR district: windows and doors shall comprise at least twenty-five (25) percent of street-facing building façades between the elevations of two (2) and ten (10) feet above the grade of the building entry.*

4. **Staff Recommendation**

When reviewing an application for an Architectural Compliance Permit, the Town Council shall approve, conditionally approve, or deny the application based on the following criteria, as set forth in **UDO §2.26.7**.

- (A) *For Buildings with ten thousand (10,000) square feet or more of Gross Floor Area or that do not comply with the commercial Building design standards in Section 4.10, the application is consistent with the applicable Comprehensive Plan goals and policies;*

- (B) *The application substantially conforms with the applicable Multi-Family or commercial design standards and other applicable provisions of the UDO;*
- (C) *The application is consistent with applicable conditions of prior Development Approval.*

Considering these criteria, Planning Staff recommend approval of AR-05-24 with the following deviations and conditions:

- **Deviation 1.** Regarding UDO §4.10.4 (A), the front of building may face the parking area as depicted on the site plan and the customer entry may be located at the rear, or south side, of the building. Currently there is no entrance in the front of the building that faces the street, in accordance to *North Carolina Building Code Table 705.8. Allowable Area of Openings a Building*. Applicant has submitted updated elevation showing a herringbone faux-window pursuant to the council’s recommendation. Planning staff has reviewed elevation and recommend approval based on council recommendations. See Figure 3 above and attached “Exterior Right Elevation.”
- **Deviation 3** Regarding UDO §4.10.4 (D.3), the ground floor of the building is permitted to have no windows as depicted in the application materials due to the proximity to a property line (for unique reasons set forth in the staff report). This deviation is granted based on North Carolina Building Code 705.8. Code prohibits any opening of any kind if located 0-3ft from a property line or road. Applicant has submitted updated elevation pursuant to the council’s recommendation. Planning staff has reviewed elevation and recommend approval based on council recommendations. See Figure 3 above and attached “Exterior Right Elevation.”

V. ATTACHMENTS PROVIDED BY THE APPLICANT

Additional Materials Received June 13, 2024

1. Exterior Right Elevation

Reference Material Submitted Received June 11, 20024

1. [Application and Authorized Agent Form](#)
2. [Applicant Narrative](#)
3. [Exterior Elevations](#)
4. [Exterior Color Building Renderings](#)
5. [Site Layout](#)
6. [Color Chart](#)

VI. TOWN COUNCIL ACTION

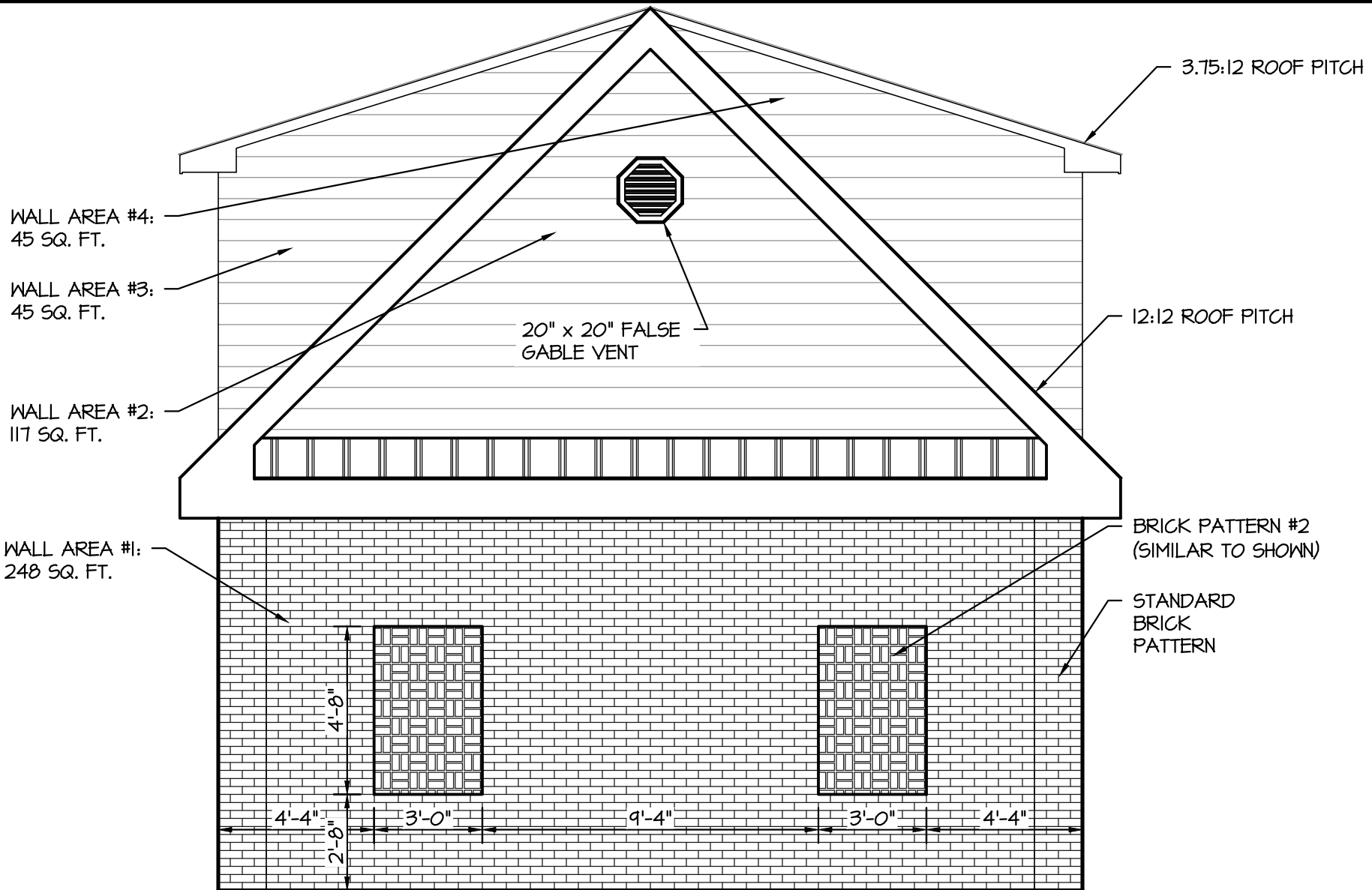
The Town Council should consider the purpose of an architectural compliance permit per UDO §2.26 and shall vote on whether the proposed application complies with the criteria per UDO §2.26, the commercial building design requirements per UDO §4.10.4 and prior development approvals.

The Town Council may make one of the following motions or any alternative they wish.

I move to:

1. Approve AR-05-24;
2. Approve AR-05-24 with the following conditions and/or deviations:

3. Deny AR-05-24.



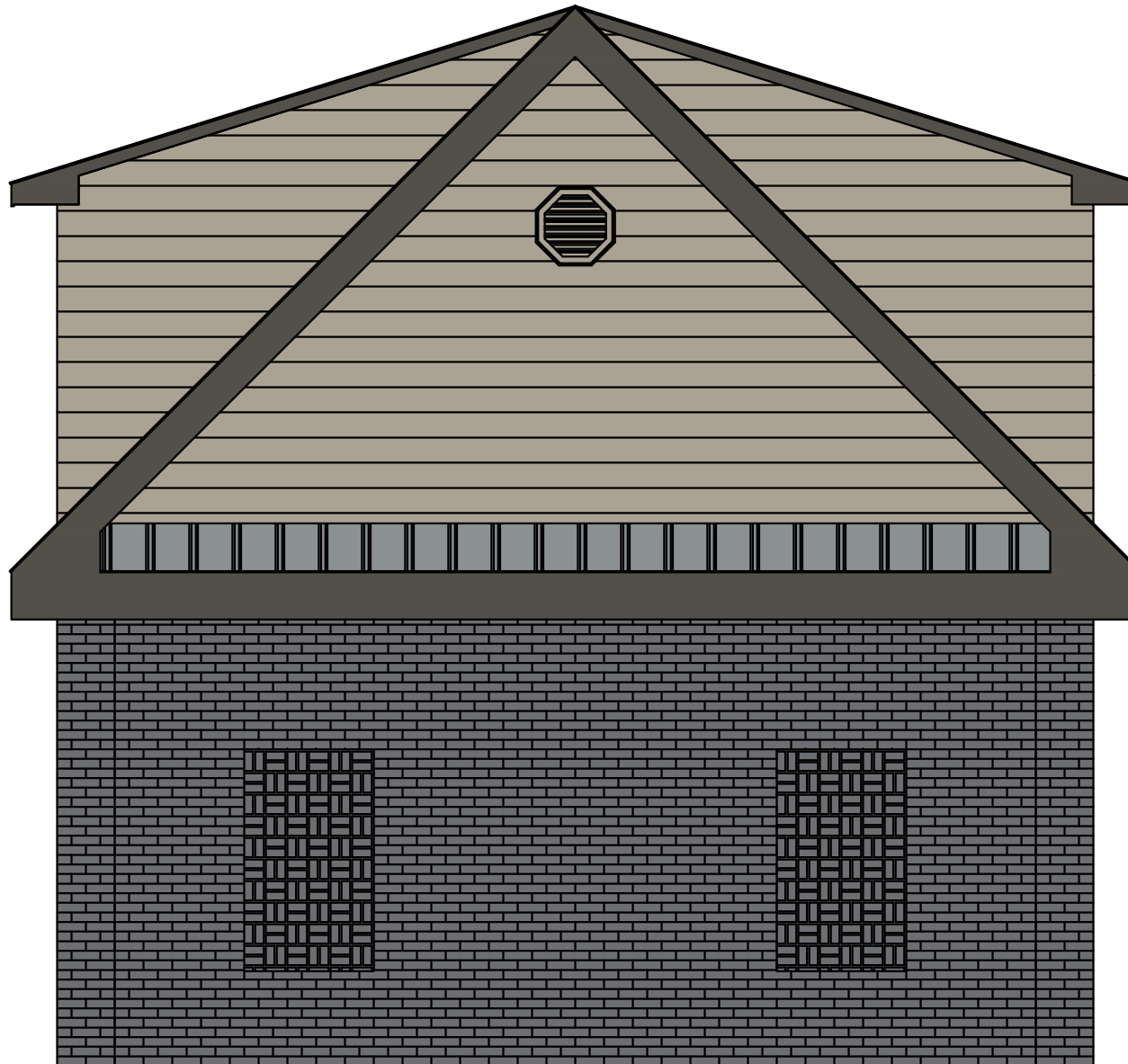
THIS BUILDING ELEVATION HAS NO DOORS OR WINDOWS AND IS REQUIRED TO BE A ONE-HOUR RATED WALL (NCBC TABLE 602) FROM INTERIOR SIDE ONLY (NCBC TABLE 721.1(2); ITEM 16.1.2) ALONG WITH NO WALL OPENINGS ALLOWED PER NCBC TABLE 705.8.

3
RE

Right Elevation – Street Facing

1/4" = 1'-0"

280 SHAW AVE
Southern Pines, NC
NSE JOB NO. 2300597



THIS BUILDING ELEVATION HAS NO DOORS OR WINDOWS AND IS REQUIRED TO BE A ONE-HOUR RATED WALL (NCBC TABLE 602) FROM INTERIOR SIDE ONLY (NCBC TABLE 721.1(2); ITEM 16.1.2) ALONG WITH NO WALL OPENINGS ALLOWED PER NCBC TABLE T05.8.

Right Elevation

SCALE: 1/4" = 1'-0"

280 SHAW AVE
Southern Pines, NC
NSE JOB NO. 2300597

MEMO

To: Town Council
From: Town Manager Parsons
Date: 06/24/2024
Re: Work Session Discussion Item

The Arts Council of Moore County (AC) has for many years operated out of the Campbell House. They are currently on a month to month basis and a new longer-term lease would be in the interest of all parties. I have been working with Executive Director Chris Dunn in reviewing the language of former leases, particularly in light of his organization's commitment to raise funds and construct an addition to the property. Mr. Dunn will be present on Tuesday, and I will be seeking some general direction regarding a number of items relative to the finalization of a draft lease for legal review and eventual Town Council consideration. Items for discussion will include:

1. Term. Considering the costs of improvements (+/- \$3M) and need to raise funds, there exists an interest in terms beyond ten years, requiring a different legal process. The AC would be interested in up to 99 years (essentially the longer the better), while twenty to thirty years minimum would arguably be appropriate given amortization and depreciation considerations. The first question will be whether the Council is willing to entertain a lease of more than ten years, and should the answer be "yes" a general thought regarding how long will be sought. Of course, options around an initial period followed by renewable terms could also be developed. There will likely be language crafted to offer some form of first rights or reimbursement of costs associated with expansion efforts in the unlikely event the Town were to ever transfer ownership of the home.
2. "Rent." The Arts Council currently enjoys the not-unusual "dollar a year" lease. This has been established over time as a result of various capital improvements the AC has undertaken relative to the house and grounds. Past upgrades and updates have included the kitchen, back patio, and accessibility features for entry to the house. They have plans for a significant restoration of the grounds *immediately surrounding* the home with intent to take over ongoing maintenance of the restoration post-installation. Chris will be able to discuss the details of this on Tuesday.
3. Maintenance: Currently the AC covers the cost of maintenance/replacement in the event of a \$100 or less item. There has been initial discussion around increasing this to \$250 in any new lease, though feedback from Council would be appreciated should this number need to increase. I understand there is an intent to establish an endowment for continued improvement and maintenance responsibilities relative to the home. We have initially contemplated some language to address the establishment of this fund, and how it may affect the terms of the lease at such time it is developed. An additional aspect of this is staff's desire to eventually relocate the Recreation Department. It is our shared use of the facility that likely resulted in the original "split" regarding maintenance, so at such time both the fund is established and we are prepared to leave the building it is anticipated that much of the ongoing responsibility would transfer to the AC. At minimum, it is suggested (and desired by the AC) that space vacated by the Town will be offered first to the AC as part of the new lease.
4. Gallery Space: The Town owns a rather sizable, and valuable, collection of Art that it has neither the proper space to display nor inherent expertise to regularly handle. The AC has committed a small gallery upon completion of their improvements to permanently house key pieces of the Town collection. This would be an addition to any new lease language.

I look forward to discussion on Tuesday.