



MINUTES

Tuesday, July 9, 2024: 6:00 PM

Town Council Business Meeting

E.S. Douglass Community Center: 1185 W. Pennsylvania Ave

1. CALL TO ORDER

Mayor Clement called the meeting to order. The following members of Town Council were present: Mayor Taylor Clement; Bill Pate; Ann Petersen; Debra Gray and Brandon Goodman.

2. PLEDGE OF ALLEGIANCE

3. TOWN MANAGER'S COMMENTS

Town Manager Reagan Parsons reviewed the agenda.

a. Adoption of Agenda

Councilmember Goodman moved to adopt the meeting agenda, seconded by Councilmember Gray; the vote was unanimous.

Motion passed.

4. PUBLIC COMMENTS

Hugh Minor of Paddock Lane presented to the Council a document that he believes provides reasonable recommendations for alternatives to the proposed multi-modal path discussed at previous meetings.

5. CONSENT AGENDA

Mayor Pro Tem Pate moved to adopt the Consent Agenda with the noted typos in the Water Supply Plan and Water Contract, seconded by Councilmember Gray; the vote was unanimous.

Motion passed.

a. Ratification of Contract with Veolia Water Contract Operations USA, Inc.

Approval of terms of contract operations for the Southern Pines Water Plant

b. Approval of Local Water Supply Plan

Approval of the 2023 Local Water Supply Plan

c. Approve Town Council Meeting Minutes for June 2024

Staff has prepared the following minutes for approval:

- June 11, 2024, Town Council Business Meeting Minutes
- June 25, 2024, Town Council Work Session Minutes

6. PUBLIC HEARINGS

a. Z-01-24: Request for Conditional Zoning to Build a Cellular Tower at 7672 Highway 22

Marc Tucker of Fox Rothschild, LLP, has submitted a request on behalf of TowerCo 2013, LLC, to amend conditions on an existing General Business-Conditional Zoning District (permitted under rezoning file #Z-05-04) to allow a new 156-foot telecommunications tower at 7672 Highway 22. The subject property is presently owned by Sullivan Property, LLC.

Planning Director BJ Grieve presented the request and staff report to the Council.

Mark Tucker, attorney for the applicant, presented the application packet via PowerPoint to the

Council for the monopole installation and listed various companies that would be using the pole for their communications equipment, listing the benefits they believe the structure would provide the local area should the Conditional Zoning application be approved.

Councilmember Petersen asked if there was a way to specify that a monopole would be the only type of structure able to be built on the site and was told by Planning Director Grieve that the type of structure could be specified in the site plan requirements.

Councilmember Petersen questioned whether the Moore County Airport would be a concern for this application. Town Attorney Mac McCarley advised that this question would be better presented in the Special Use Permit Hearing than this hearing.

Mayor Pro Tem Pate asked what would prevent a house from being built within the distance buffer and was answered by Planning Director Grieve that the Standard only applies to the monopole and that is at the time the monopole is built.

Councilmember Gray questioned if the nearby veterinarian clinic had an opinion on the build.

Planning Director Grieve advised the Council that notice was sent to the clinic, which is leasing the property, the property owner, and all property owners within 200 feet, and no objections were raised.

Mayor Clement asked how much space the debris would scatter if the monopole were to collapse with Mr. Tucker answered that the debris would be confined to the 50ft x 50ft area surrounding the base of the pole. Avery Fann, structural engineer with Kimely Horn, advised the Council that the structure is designed not to fall but if they do they fall within the 50ft x 50ft fall zone.

Mayor Clement questioned who would be responsible for repairing the structure should the tower fall and Mr. Fann stated that Kimely Horn would.

Mr. Tucker told the Council that the pole would be a FirstNet provider, which is a first responder network to utilize during emergencies, and would be a great benefit to the area. Mayor Pro Tem Pate clarified that the information wasn't pertinent to the rezoning application because although this structure is what the applicant is proposing once the rezoning is approved, nothing prevents the project from changing within the zoning confines. Mr. Tucker replied that the benefit to the community was a condition of the rezoning and his purpose in presenting the information.

Mayor Clement asked the Planning Director if was possible for someone other than the applicant to build on the site once the rezoning was approved. Planning Director Grieve advised that the zoning would be attached to the property, not the applicant, and the Planning Department would view the property as being approved for a 156-tall monopole in the location and as set forth on the site plan despite the applicant.

- Councilmember Goodman raised the point that a Special Use Permit is required for a cell tower as well.

- Mr. Tucker shared that by going through the Conditional Use process, he feels the Council is approving their specific project as depicted in the site plan and only that for this property. Due to the land being Conditionally Zoned and the Council approving as part of this process, our cell tower and if the Town's UDO did not provide for a Special Use process, then the project would be approved, but because it also requires a Special Use Permit, another hearing is required.

- Mayor Clement stated that a Special Use Permit is required in a General Business Zone and this would be Conditionally Zoned, so she feels that would be a duplicative process and asked Town Attorney McCarley for his advice. Mr. McCarley stated that this was an extremely unusual circumstance and after discussion with Planning Director Grieve, feels this is a decision that needed to be made by the applicant due to the legal risk involved. Planning Director Grieve added that this is an extremely unique circumstance that might never come again.

- Mr. Tucker stated that they agree there is redundancy and if it could be avoided they would be agreeable, so if the Council advised that a Special Use Permit is not needed after this hearing

process, then the applicant would agree and proceed with the project.

- Councilmember Petersen asked what could be done to streamline this process and Mr. McCarley asked the applicant if they would be willing to submit a full written record of what needs to be submitted to the Council and let them rule on record instead of sitting through a long hearing?

- Mr. Tucker answered yes and asked the Council if, in order to establish an evidentiary record, they could provide signed affidavits from each of the individuals present tonight instead of calling them to testify?

Town Manager Parsons advised the Council that, due to changes since the original zoning of the area in 2004 this property has the potential to become a "donut hole" in the map as annexed properties now surround it. It would be beneficial to annex this property into the town while it's an option.

Public comments were asked for and none were voiced.

Planning Director Grieve asked for a 5-minute recess to confer with the Town's attorney and the applicant's attorney on language for the decision. Upon return, Planning Director Grieve advised that by stipulating as one of the conditions of approval that this cell tower as depicted on site plans submitted with the file is a by-right use on the subject property as opposed to stating it is a permitted use, clarifies the Council's intention that this not require a special use permit because by-right uses are allowed by right and are allowed as stipulated with all the restrictions in the submitted materials for the conditional zoning district. So, on page 8 of 10 of the staff report, replacing the word 'permitted' with 'by-right' on the 2 conditions will solve the issue.

Discussion ensued.

Mayor Clement asked Mr. Tucker to introduce the associates here tonight.

- David Hawke, Director of Business Development - Towerco
- Michael Barowitz, Certified General Appraiser
- Andrew Fann, Certified Professional Engineer - Kimely Horn & Associates
- Tim Sutton, Site Acquisitions - AT&T
- Unknown Gentleman, Rand Design - AT&T

Mayor Clement questioned Mr. Sutton about the tower working during power outages. Mr. Sutton stated that a diesel powered generator would be onsite for such an event.

Mayor Pro Tem Pate moved that after reviewing the proposed rezoning and the criteria for consideration of zoning amendments, and after considering the comments received at the town Council's public hearing and the Planning Board's written recommendations that the proposed amendment to the Town of Southern Pines Zoning Map is reasonable, in the public interest, and consistent with the current character of the Waynor Road neighborhood and the criteria set forth in the Town of Southern Pines Unified Development Ordinance §2.17.9 considering that the proposed monopole is a low-intensity commercial land use that will expand cellular coverage in the area and which will benefit the public, businesses, and emergency response teams. The General Framework map, the Conservation and Development Map, and Character District Map categorizes the subject parcel as an Area to Preserve and Rural Living, respectively, which is consistent with the rezoning request. Therefore, the requested rezoning to amend conditions on an existing GB-CD is a reasonable request for the reasons mentioned above and within the staff report. Seconded by Councilmember Goodman; the vote was unanimous.

Motion passed

Mayor Pro Tem Pate then moved to approve Z-01-24 as submitted and as set forth in the attachments to staff report Z-01-24 to include the conditions as modified in the public hearing tonight and as referenced by Planning Director Grieve. Seconded by Councilmember Goodman; the

vote was unanimous.

Motion passed

7. 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, where it was continued to the June 25, 2024 Work Session. At the Work Session, this item was continued again at the request of the applicant and planning staff to the July 9, 2024 Regular Meeting.

Planning Director Grieve presented the application and staff report to the Council.

Discussion ensued.

Planning Director Grieve noted a change on page 7 of 8 of the staff report - deviation #3 references "condition one will require..." which is from a previous version of the report and asked the Council to strike those 4 words.

Mr. John Houck II for the applicant, asked for a change to Deviation 3 - it was agreed to change the word from 'screening' to 'buffering'.

Mayor Pro Tem Pate moved to approve AR-01-24 with the 5 deviations and 1 condition as written in the July 9, 2024, staff report, to include the additional changes as discussed during the meeting, seconded by Councilmember Goodman; the vote was unanimous.

Motion passed.

b. AR-07-24: Pinnacle Storage Southern Pines Phase II

BW Architecture, on behalf of property owner Longleaf Pines, LLC, is requesting an Architectural Compliance Permit for a 46,640 square foot two-story commercial self-storage building. The building is part of Pinnacle Storage located at 240 Bell Avenue in the General Business (GB) zone.

Planning Director Grieve presented the application and staff report to the Council.

Discussion ensued.

Will Huntly for Pinnacle Storage was present.

Councilmember Petersen moved to continue AR-07-24 as recommended in the staff report, seconded by Councilmember Gray; the vote was unanimous.

Motion passed.

c. AR-08-24 Moore County Humane Society Animal Shelter

Corky Kern of Sanstar Enterprises, is requesting an Architectural Compliance Permit for a 19,705-square foot animal services and boarding center/shelter on behalf of the legal property owner, Humane Society of Moore County, Inc.

Planning Director Grieve presented the application and staff report to the Council.

Discussion ensued.

Mike Mathis, architect for the applicant, introduced himself and his colleagues.

Present were: Corky Kern, President of Moore County Humane Society; Ken Just, Contractor/Developer; and Chris Tokars, Project Manager

Mr. Mathis asked to clarify a few items in the staff report:

- the current name of the project is the Moore Humane Society Animal Welfare Center

- Ms. Corky Kern is the President of the Moore County Humane Society and not Sandstar Enterprises.

- the facility will not be a boarding center.

Discussion ensued regarding parking, buffer planting & visibility, construction materials, and signage.

Mayor Pro Tem Pate moved to approve AR-08-24 with one deviation and two conditions as written in the July 9, 2024, staff report and as modified by Planning Director Grieve at the July 9, 2024, hearing and also to include the edits to the staff report as requested by the applicant during the July 9, 2024, hearing. The motion was seconded by Councilmember Petersen and the vote was unanimous.

Motion passed.

d. WP-02-24: 5/70 Exemption Allocation for Penick Village, Inc.

McGill Associates PA, on behalf of Penick Village Inc., has submitted a Watershed Protection Permit application requesting 36.4 acres of 5/70 exemption allocation to add a senior living building, three townhome-style villas, a wellness center and gatehouse on the existing Penick Village campus which is located within the Little River Intake No. 2 Watershed.

Planning Director Grieve presented the request and staff report.

Discussion ensued regarding the procedure for exemption allocations, pre-1993 development and unknown allocation numbers at that time.

Rob Will with McGill Associates is representing the applicant and addressed the Council regarding the request.

Discussion ensued.

Town Manager Parsons will inquire with Moore County to ask for them to donate watershed allocations to offset the acres given to Penick Village, reasoning that the retirement community benefits the whole county and the donation would help keep farmland safe by moving the development towards the cities.

Council asks that a review of the policy on granting exemption allocation be scheduled for the August or September Work Session

Mayor Pro Tem Pate moved to approve the Watershed Protection Permit request WP-02-24, seconded by Councilmember Gray; the vote was as follows:

- Mayor Clement: aye
- Mayor Pro Tem Pate: aye
- Councilmember Petersen: nay
- Councilmember Gray: aye
- Councilmember Goodman: aye

Motion passed.

e. Approve Resolution #1091 & #1093: Direct the Clerk to Investigate Application for Annexation AX-01-24 & Setting a Public Hearing Date.

Andrew and Leah Danak are petitioning the Town of Southern Pines for annexation of a +/- 0.56 acre parcel of land. The first step in the annexation process is for the Town Council to direct the Town Clerk to investigate the sufficiency of the petition and certify the result, per NCGS 160A-31(c). The Public Hearing is to be set for the Town Council Business Meeting on August 13, 2024.

Town Manager Parson reviewed the request for the Council.

Mayor Pro Tem Pate moved to approve Resolution #1091 - Directing the Clerk to Investigate a Petition for Annexation and Resolution #1093 - Setting a Public Hearing Date for Petition for Annexation correcting both to read non-contiguous, seconded by Councilmember Petersen; the vote

was unanimous.

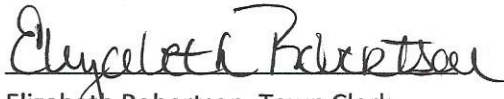
Motion passed.

8. ADJOURNMENT

Council discussed and agreed to cancel the scheduled July Work Session.

Upon motion by Councilmember Petersen, seconded by Councilmember Goodman and carried unanimously, Council adjourned at 9:26 pm.

Respectfully submitted:


Elizabeth Robertson, Town Clerk



A COMMON SENSE PROPOSAL

Longleaf and Talamore residents have been very vocal for almost a year regarding the "Road Diet" design approach for a Greenway connection along Knoll Road through our subdivision. You have heard significant numbers of our residents speak relative to their opposition to this particular design approach; however, we are generally in favor of providing a Greenway connection.

Attached is a copy of the cost estimate that was completed regarding a ten foot wide asphalt path along the west side shoulder of Knoll Road. You will note that this estimate totals over 3.6 million dollars but \$814,977 of this total is an added contingency factor so the actual estimated cost if accurate is well under 3 million dollars. We believe that there are other ways to reduce the cost of a path on the shoulder as presented in this document.

Our proposal which we believe will offer further cost reductions is to build the asphalt path on the east side shoulder of Knoll Road. The east shoulder is generally flatter than the west shoulder which would greatly reduce the amount of necessary retaining wall which was a \$720,000 expense in the attached estimate. In addition, by building on the east shoulder the considerable expense of getting the path around the existing brick retaining wall by the Club Cottages is eliminated. We also believe that an eight foot wide asphalt path is an acceptable width just like what has been already constructed along Morganton Road. With an eight foot wide path the \$844,800 expense for asphalt in the attached estimate could be reduced by about 20 percent. The eight foot wide path could also further reduce the amount of needed retaining wall. An additional cost savings is possible because flaggers costing \$108,000 and traffic control costing \$25,000 can be greatly reduced by blocking the travel lane adjacent to the work zone with barrels and traffic cones and moving the travel lane to the existing turn lane during the construction period. Additional savings may also be possible in that the east side design may not require as much silt fence and guard rail. Another benefit of the east shoulder design is that it eliminates the traffic and safety problems with the existing Longleaf golf cart crossings at Paddock Lane and Starland Lane. This proposal would also allow the crossover of the Greenway to be located at the Midland Road intersection where the traffic lights would allow a safe crossing. We believe that this proposal could be completed within your two million dollar budget with the above changes and an honest and accurate cost estimate.

This common sense proposal is greatly favored by Longleaf residents over the "Road Diet" design. It would be a win-win where all affected parties would be satisfied. Your current approach will never be a win-win in the Longleaf and Talamore communities. Knoll Road works well as it is currently configured so leave the road as is and achieve the Greenway connection with an asphalt path on the east shoulder as proposed in this document.

Opinion of Probable Construction Cost

TIP No.: EB-5864 - Option 2
 Route: Knoll Rd / Midland Rd pedestrian improvements
 Location: Southern Pines, NC
 Typical Sections: Sidewalk/Bike Lanes and/or MUP

County:

Functional

Moore

CONSTR. COST

\$ 3,615,006

Line Item	Item Number	Sec No.	Pay Item	Total	Unit	Unit Price	Total Cost
	0000100000-N	800	Mobilization (5%)	1	LS	\$ 111,000	\$ 111,000
	0000400000-N	801	Construction Surveying (3%)	1	LS	\$ 64,660	\$ 64,660
	0043000000-N	226	Grading	1	LS	\$ 150,000	\$ 150,000
	0996000000-N	350	Pipe Clean Out	2	EA	\$ 1,500	\$ 3,000
	1099500000-E	505	Shallow Undercut	100	CY	\$ 50	\$ 5,000
	1099700000-E	505	Class IV Subgrade Stabilization	100	TON	\$ 60	\$ 6,000
	2591000000-E	848	4" Concrete Sidewalk	0	SY	\$ 60	\$ -
			Aggregate stone base	250	TON	\$ 50	\$ 12,500
			10' MUP (2" asphalt)	7040	SY	\$ 120	\$ 844,800
			Retaining Wall	4000	SF	\$ 180	\$ 720,000
			2-sided guardrail	1584	LF	\$ 30	\$ 47,520
	2605000000-N	848	Concrete Curb Ramp (for 10' MUP)	12	EA	\$ 3,500	\$ 42,000
	3649000000-E	876	Rip Rap Class B	40	TON	\$ 85	\$ 3,400
	3656000000-E	876	Geotextile For Drainage	20	SY	\$ 10	\$ 200
	4025000000-E	901	Contractor Furnished, Type E Sign	50	SF	\$ 30	\$ 1,500
	4102000000-N	904	Sign Erection Type E	8	EA	\$ 150	\$ 1,200
	4589000000-N	SP	Traffic Control	1	LS	\$ 25,000	\$ 25,000
	4455000000-N	1150	Flaggers	360	DAY	\$ 300	\$ 108,000
	4695000000-E	1205	Thermoplastic Pavement Marking Lines (8", 90 Mils)	300	LF	\$ 10	\$ 3,000
	4710000000-E	1205	Thermoplastic Pavement Marking Lines (24", 90 Mils)	220	LF	\$ 30	\$ 6,600
	6000000000-E	1605	Temporary Silt Fence	12,672	LF	\$ 8	\$ 101,376
	6009000000-E	1610	Stone for Erosion Control, Class B	100	TON	\$ 50	\$ 5,000
	6015000000-E	1615	Temporary Mulching	2.5	ACRE	\$ 1,200	\$ 3,000
	6018000000-E	1620	Seed for Temporary Seeding	500.0	LB	\$ 40	\$ 20,000
	6021000000-E	1620	Fertilizer for Temporary Seeding	1.0	TON	\$ 1,500	\$ 1,500
	6036000000-E	1631	Matting for Erosion Control	500	SY	\$ 10	\$ 5,000
	6071012000-E	SP	Coir Fiber Wattle	500	LF	\$ 35	\$ 17,500
	6084000000-E	1660	Seeding and Mulching	4.0	ACRE	\$ 2,250	\$ 9,000
	6090000000-E	1661	Seed for Repair Seeding	10.0	LB	\$ 10	\$ 100
	6093000000-E	1661	Fertilizer for Repair Seeding	2.50	TON	\$ 1,500	\$ 3,750
	6096000000-E	1662	Seed for Supplemental Seeding	10.0	LB	\$ 40	\$ 400
	6108000000-E	1665	Fertilizer Topdressing	1.50	TON	\$ 1,000	\$ 1,500
	6114500000-N	1667	Specialized Hand Mowing	100.0	MHR	\$ 50	\$ 5,000
	6117500000-N	SP	Concrete Washout Structure	1	EA	\$ 2,500	\$ 2,500
Sub Total							\$ 2,328,506
35% Contingency							\$ 814,977
15% Professional Engineering Firm							\$ 471,522
Total							\$ 3,615,006

The Engineer has no control over the cost of labor, materials, equipment, or over the Contractor's methods of determining prices or over competitive bidding or market conditions.



RESOLUTION #1091

DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31

AX-01-24; 241 Warrior Wood Road - Parcel ID 00037592

WHEREAS, a petition requesting annexation of an area described in said petition was received on July 3, 2024, by the Town Council of the Town of Southern Pines; and

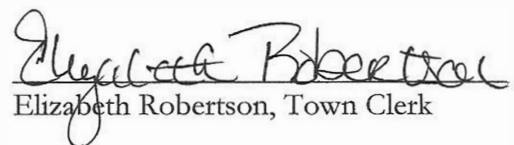
WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Southern Pines deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southern Pines that the Town Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the Town Council the result of her investigation.

Adopted this 9th day of July, 2024.

I certify that this resolution was adopted by the Town Council of the Town of Southern Pines at its meeting on July 9, 2024, as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk





**RESOLUTION #1092
CERTIFICATE OF SUFFICIENCY
AX-01-24: 241 Warrior Woods Road**

To the Town Council of the Town of Southern Pines, North Carolina;

I, Elizabeth Robertson, Town Clerk, do hereby certify that I have investigated the attached petition and hereby make the following findings:

1. The petition contains an adequate property description of the area proposed for annexation, which is identified as follows:

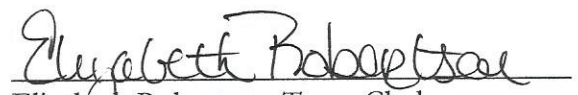
- PIN 858310267124 (PARID: 00039876)

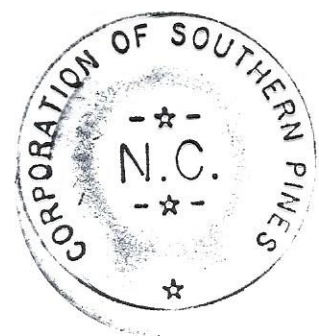
2. The petition is signed by and includes addresses of all owners of real property lying in the area described herein. Per the Moore County Tax Department and Moore County Register of Deeds, the property owners are listed as:

Andrew Z Danak
Leah D. Danak
241 Warrior Woods Road
Carthage, NC 28327

3. The area described in the petition is non-contiguous to the Town of Southern Pines primary corporate limits, as defined by N.C.G.S. 160A-31.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Southern Pines, North Carolina, this 5th day of July, 2024.


Elizabeth Robertson, Town Clerk





**RESOLUTION #1093
SETTING DATE OF PUBLIC HEARING FOR ANNEXATION
APPLICATION**

AX-01-24: 241 Warrior Woods Road

WHEREAS, a petition requesting annexation of an area described herein has been received; and

WHEREAS, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency thereof; and

WHEREAS, certification by the Town Clerk as to the sufficiency of said petition has been made;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Southern Pines, North Carolina:

Section 1. That a public hearing on the question of annexation of the area described herein will be held at the ES Douglass Community Center at 6:00 pm on August 13, 2024.

Section 2. The area proposed for annexation is described as follows:

Property Identification Number (PIN) and Parcel Identification:

PIN: 858310267124; PARID: 00039876

Property Owners/Applicants:

Andrew Danak
Leah Danak
241 Warrior Woods Road
Carthage, NC 28327

Total Size of Property:

Total Acreage: +/- 0.56 acres

Meets & Bounds:

Lot 99 of Indian Pines, Phase 1, as set forth on a certain map or plat there of entitled "Indian Pines, Phase 1 McNeills Township, Moore NC near Southern Pines NC as dated August 20, 1979, and prepared by C.H. Blue and Associates, Southern Pines, NC. Which map or plate is recorded in Plat Cabinet 2, Slide 49 in the office of the Register of Deeds Moore County, North Carolina reference to which is hereby made in incorporation for metes and bounds description of said Lot 99

Section 3. Notice of said public hearing shall be published in The Pilot, a newspaper having general circulation in the Town of Southern Pines, at least ten (10) days prior to the date of said public hearing.

Adopted this 9th day of July, 2024.

I certify that this resolution was adopted by the Town Council of the Town of Southern Pines at its meeting of July 9, 2024, as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk





**RESOLUTION #1094
APPROVING LOCAL WATER SUPPLY PLAN**

WHEREAS, North Carolina General Statute 143-355 (I) requires that each unit of local government that provides public water services or plans to provide such services shall, whether individually or together with other such units of local government, prepare and submit a Local Water Supply Plan; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Local Water Supply Plan for the Town of Southern Pines, has been developed and submitted to the Town Council of the Town of Southern Pines for approval; and

WHEREAS, the Town Council of the Town of Southern Pines finds that the Local Water Supply Plan is in accordance with the provisions of North Carolina General Statute 143-355 (I) and that it will provide appropriate guidance for the future management of water supplies for the Town of Southern Pines, as well as useful information to the Department of Environment and Natural Resources for the development of a state water supply plan as required by statute;

NOW, THEREFORE, BE IT RESOLVED: by the Town Council of the Town of Southern Pines that the Local Water Supply Plan entitled, Southern Pines Local Water Supply Plan dated 2023, is hereby approved and shall be submitted to the Department of Environment and Natural Resources, Division of Water Resources; and

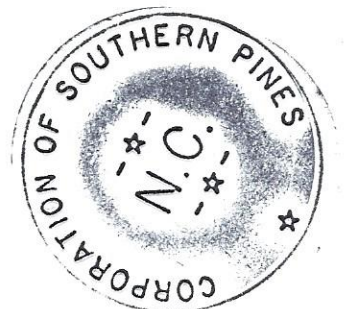
BE IT FURTHER RESOLVED that the Southern Pines Town Council intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

Adopted this the 9th day of July 2024.

I certify that this Resolution was adopted by the Town Council of the Town of Southern Pines at its meeting on July 9, 2024, as shown in the Minutes of the Town Council meeting for that date.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Southern Pines, North Carolina, this 9th day of July, 2024.


Elizabeth Robertson, Town Clerk





ORDINANCE #3061
AMENDING THE ZONING MAP OF THE TOWN OF SOUTHERN PINES
Z-01-24

THAT WHEREAS, after notice duly given according to law, a public hearing was held before the Town of Southern Pines Town Council at its regular business meeting on July 9, 2024 at 6:00 PM for the purpose of considering and passing of an ordinance amending the Zoning Map of the Town of Southern Pines, North Carolina; and

WHEREAS, after the completion of said public hearing, and upon consideration of the reasonableness of the request, compliance with the criteria for a zoning map amendment found in UDO §2.17.9, as well as consistency with the adopted 2040 Comprehensive Plan, the Southern Pines Town Council approved petition Z-01-24 to amend the Zoning Map of the Town of Southern Pines (i.e., amend the conditions on an existing General Business Conditional Zoning District that was rezoned in 2004 under Town of Southern Pines file No. Z-05-04);

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Town of Southern Pines Town Council, in regular session assembled on the 9th day of July, 2024:

Section 1. That the Zoning of the Town of Southern Pines on file in the office of the Town Clerk be amended to reflect that the parcel located on Highway 22 between both entrances of Waynor Road is zoned General Business - Conditional Zoning District with the following final list of conditions on that district:

Condition 1. By-right uses are restricted to veterinarian clinic with no outside kennels (i.e., LBCS 2418 veterinary services) and wireless telecommunications towers and antennas taller than 50 feet (i.e., LBCS 4233b) as depicted on site plans submitted with files #Z-05-04 and #Z-01-24, respectively; and

Condition 2. For the veterinary services land use:

- 6' chain-link fence shall enclose outdoor pet relief and exercise areas;
- A buffer of wax myrtle bushes for screening land use shall be provided;
- Animal use of outdoor exercise area is limited to daylight hours; and
- No more than four animals can be outside at once.

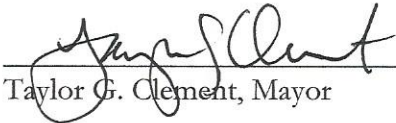
The subject parcel is described as follows:

That certain tract or parcel of land in McNeill Township, Moore County, North Carolina, fronting on the west side of State Highway No. 22, and located about one-half mile north of the Southern Pines-Pinehurst Airport, adjoining the lands of Bessie C. Clark on the south, the lands of Alex McCrimmon and Amy Goins on the west, the lands of Lessie B. Sullivan on the north and North Carolina State Highway No. 22 on the east, and BEGINNING at an iron pin in the center of the pavement of North Carolina State Highway No. 22, said iron pin is the most southerly and beginning corner of A.P. Johnson's 95.87 Adolphus Blue tract, as recorded in Deed Book 345, at Page 133, in the Moore County Registry; running thence from the beginning as a line of the Blue Tract South 15 degrees 00 minutes West 36.05 feet to an iron stake in the right of way of North Carolina State Highway No. 22; thence as the common line of Lessie B. Sullivan and Bessie C. Clark North 88 degrees 52 minutes 54 seconds West 1066.19 feet to an iron stake, the common corner of Bessie C. Clark, Alex McCrimmon, and Lessie B. Sullivan; thence as the common line of Lessie B. Sullivan and Alex McCrimmon and continuing as the common line of Lessie B. Sullivan and Amy Goins North 10 degrees 09 minutes 12 seconds East 182.26 feet to a concrete monument in the common line of Lessie B. Sullivan and Goins; thence as a new line South 88 degrees 52 minutes 48 seconds East 966.00 feet to an iron pin in the center of the pavement of North Carolina State Highway No. 22, said pin also being in the southwest line of A.P. Johnson's Blue tract; thence, as the Johnson line and as the center of the pavement of the road, South 27 degrees 50 minutes 42 seconds East 165.70 feet to the BEGINNING, containing 4.25 acres, more or less, and being a portion of Lessie B. Sullivan's 24.56 acre tract as described in Deed dated December 15, 1971, from Joe W. Blue and wife, Mary Lee Jones Blue, recorded in Deed Book 345, at Page 136, and

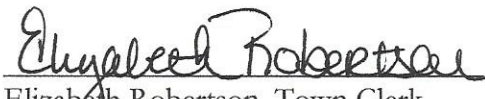
Deed dated December 4, 1975, from Lessie B. Sullivan, Widow, to United Telephone Company of the Carolinas, Inc., recorded in Deed Book 402, at Page 793, of the Moore County Registry.

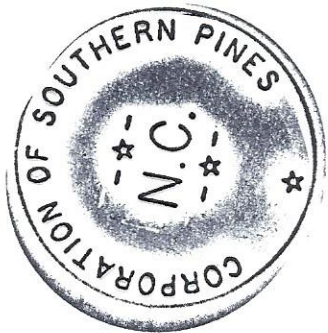
Section 2. That this Ordinance shall be and shall remain in full force and effect from the date of its adoption until otherwise amended.

Adopted this 9th day of July, 2024.

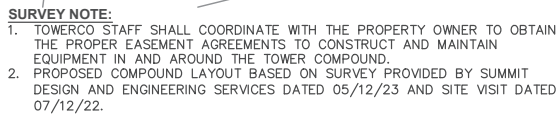

Taylor G. Clement, Mayor

I certify that this Ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting on July 9, 2024 as shown in the Minutes of the Town Council meeting for that date.

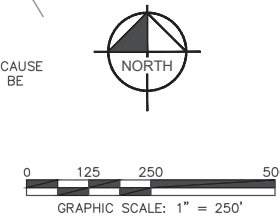

Elizabeth Robertson, Town Clerk



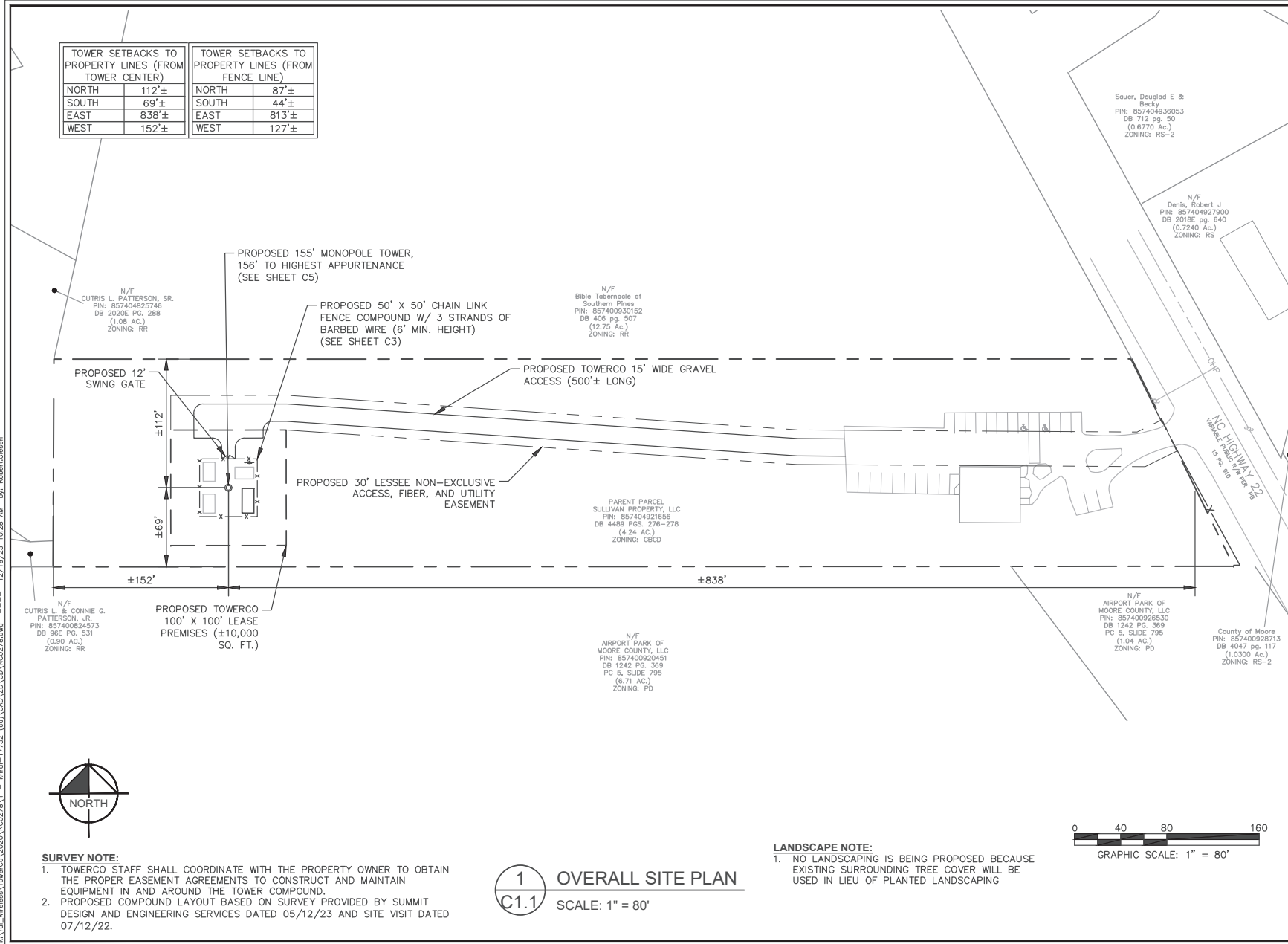
TOWER SETBACKS TO PROPERTY LINES (FROM FENCE LINE)	
NORTH	87'±
SOUTH	44'±
EAST	813'±
WEST	127'±



1 OVERALL PARCEL PLAN
C1 SCALE: 1" = 250'



\\vol-wireless\TowerCo\2020\NC0278\1 - final-17732 (6d)\CAD\2D\CD\NC0278.dwg 12/19/23 10:28 AM by: Robert.Gleason



PROJECT INFORMATION:

SITE NAME:
PINEHURST
SITE #: NC0278
7672 HWY 22
CARTHAGE, NC 28327
MOORE COUNTY

PLANS PREPARED BY:

Kimley»Horn

421 FAYETTEVILLE STREET, SUITE 600
RALEIGH, NC 27601
PHONE: 919-677-2000
WWW.KIMLEY-HORN.COM

REV: DATE: ISSUED FOR: BY:

7			
6			
5			
4			
3			
2	12/19/23	CONSTRUCTION	AVF
1	08/30/23	CONSTRUCTION	AVF
0	08/17/23	CONSTRUCTION	KRB
A	08/03/23	ZONING	AVF

LICENSER:



KHA PROJECT NUMBER:

012628079.1.100

DRAWN BY: CHECKED BY:

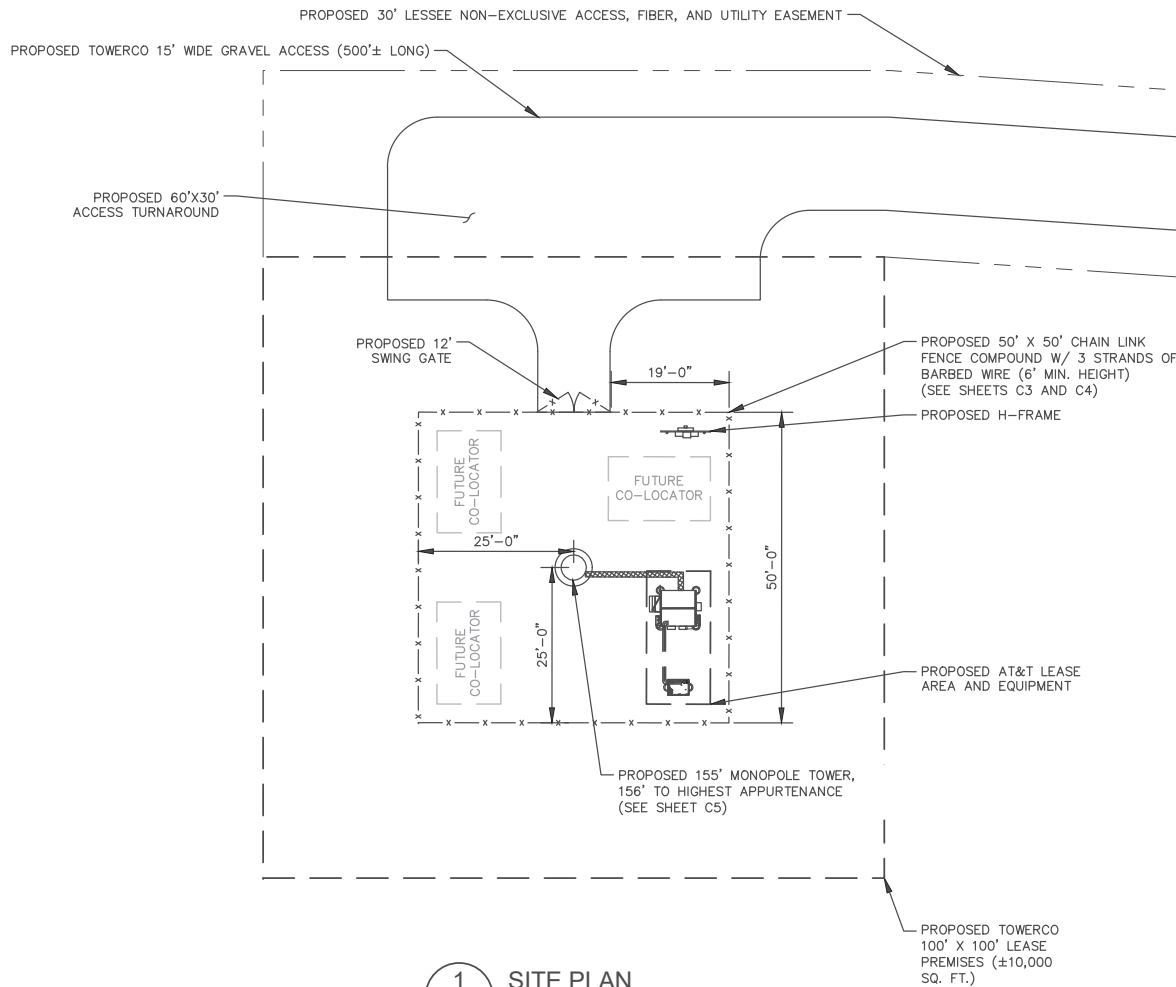
FAQ KRM

SHEET TITLE:

**OVERALL
SITE PLAN**

SHEET NUMBER:

C1.1



1 SITE PLAN
C2 SCALE: 1" = 20'

SITE NOTES:

1. TOWERCO STAFF SHALL COORDINATE WITH THE PROPERTY OWNER TO OBTAIN THE PROPER EASEMENT AGREEMENTS TO CONSTRUCT AND MAINTAIN EQUIPMENT IN AND AROUND THE TOWER COMPOUND.
2. PROPOSED COMPOUND LAYOUT BASED ON SURVEY PROVIDED BY SUMMIT DESIGN AND ENGINEERING SERVICES DATED 05/12/23 AND SITE VISIT DATED 07/12/22.
3. TOWER DIMENSIONS SHOWN ON THIS PLAN ARE FOR TOWER CENTER LOCATION. CONTRACTOR TO OBTAIN COPY OF TOWER ERECTION DRAWINGS FROM TOWERCO CONSTRUCTION MANAGER PRIOR TO DRILLING TOWER FOUNDATIONS. CASSIONS AND TOWER SHOWN ON THIS PLAN ARE ILLUSTRATIVE, SEE DESIGN DRAWING BY OTHERS. DO NOT SCALE.

LANDSCAPE NOTE:

1. NO LANDSCAPING IS BEING PROPOSED BECAUSE EXISTING SURROUNDING TREE COVER WILL BE USED IN LIEU OF PLANTED LANDSCAPING



PROJECT INFORMATION:

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LICENSER:



KHA PROJECT NUMBER:

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DRAWN BY: CHECKED BY:

FAQ KRM

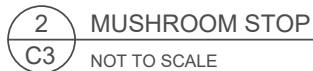
SHEET TITLE:

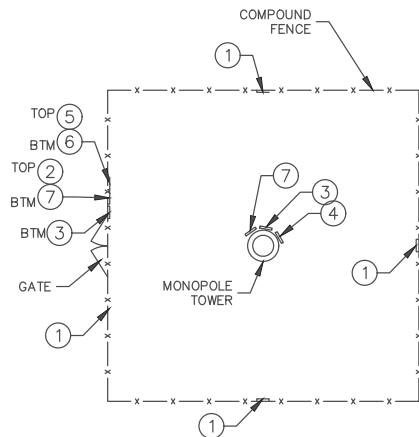
SITE PLAN

SHEET NUMBER:

C2

1. USE 4,500-PSI CONCRETE, FULLY CONSOLIDATED AROUND THE POST.
2. WHERE THE POST IS SET IN ROCK OR CONCRETE, CORE A HOLE 12" DEEP AND 1" LARGER IN DIAMETER THAN THE POST. SET THE POST AND GROUT IN PLACE USING NON-SHRINK GROUT.
3. ALL POSTS MUST BE PLUMB AND ALIGNED WITH ONE ANOTHER IN BOTH HORIZONTAL AND VERTICAL PLANES.
4. CORNERS AND GATEPOSTS FOR CHAIN LINK FENCES SHALL EXTEND ABOVE THE TOP STRAND OF BARBED WIRE TO PROVIDE TENSIONING FOR THE BARBED WIRE.
5. PROVIDE MIDRAILS AND BRACING AT ALL CORNER POSTS WHERE THE FENCE CHANGES DIRECTION BY MORE THAN 30 DEGREES.
6. THE GRADE OF THE SITE AND INSTALLATION OF THE FENCE SHALL PROVIDE FOR NO MORE THAN A 1" GAP BETWEEN THE BOTTOM OF THE FENCE MATERIAL AND FINISH GRADE.
7. CONTRACTOR SHALL PROVIDE HOLD OPEN DEVICES FOR ALL GATES AT THE SPECIFIED OPEN POSITIONS, DRIVEN PIPE TYPE RECEIVERS ARE NOT AUTHORIZED.
8. CONTRACTOR SHALL ALSO PROVIDE A MUSHROOM TYPE RECEIVER AT THE CLOSE POSITION.

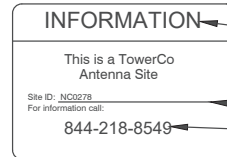




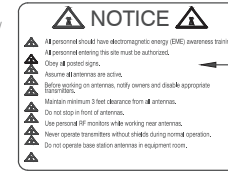
1 SIGN PLACEMENT PLAN VIEW
C4 NOT TO SCALE



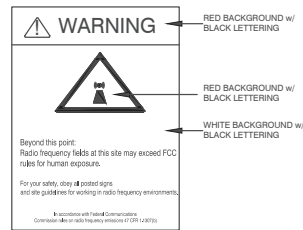
① NO-TRESPASSING SIGN
18" HIGH X 24" WIDE
(OPERATIONS PROVIDED)



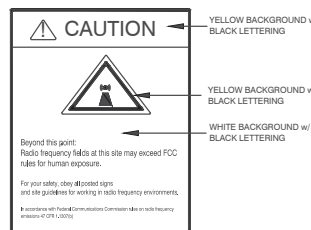
② TOWERCO - SITE ID SIGN
12" HIGH X 24" WIDE
(OPERATIONS PROVIDED)



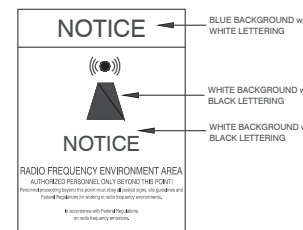
③ NOTICE-RFE SIGN
12" HIGH X 18" WIDE
(OPERATIONS PROVIDED)



④ WARNING-RF SIGN (RED)
12" WIDE X 18" HIGH



⑤ CAUTION-RF SIGN (YELLOW)
12" WIDE X 18" HIGH

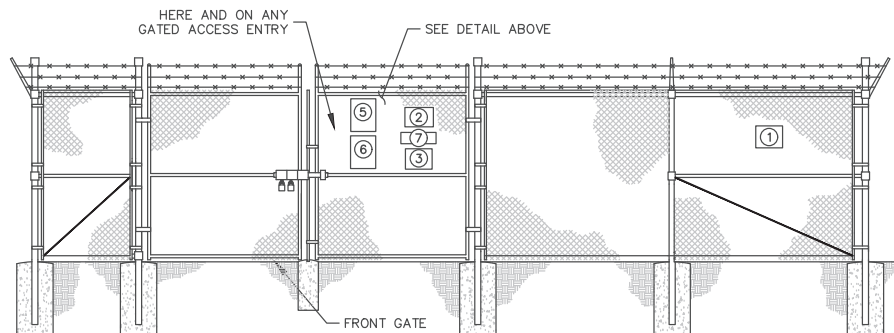


⑥ NOTICE-RF SIGN (BLUE)
12" WIDE X 18" HIGH



⑦ FCC REGISTRATION SIGN
20 WIDE X 4" HIGH

2 TYPICAL SIGNS AND SPECIFICATIONS
C4 NOT TO SCALE



3 SIGN PLACEMENT FRONT GATE VIEW
C4 NOT TO SCALE

SIGNAGE NOTES:
1. SIGNS SHALL BE FABRICATED FROM CORROSION RESISTANT PRESSED METAL, AND PAINTED WITH LONG LASTING UV RESISTANT COATINGS.
2. SIGNS (EXCEPT WHERE NOTED OTHERWISE) SHALL BE MOUNTED TO THE TOWER, GATE, AND FENCE USING A MINIMUM OF 9 GAUGE ALUMINUM WIRE, HOG RINGS (AS UTILIZED IN FENCE INSTALLATIONS) OR BRACKETS WHERE NECESSARY. BRACKETS SHALL BE OF SIMILAR METAL AS THE STRUCTURE TO AVOID GALVANIC CORROSION.



PROJECT INFORMATION:

SITE NAME:
PINEHURST
SITE #: NC0278
7672 HWY 22
CARTHAGE, NC 28327
MOORE COUNTY

PLANS PREPARED BY:

Kimley»Horn

421 FAYETTEVILLE STREET, SUITE 600
RALEIGH, NC 27601
PHONE: 919-677-2000
WWW.KIMLEY-HORN.COM

REV: DATE: ISSUED FOR: BY:

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A	08/03/23	ZONING	AVF

LICENSER:



KHA PROJECT NUMBER:

012628079.1.100

DRAWN BY: CHECKED BY:

FAQ KRM

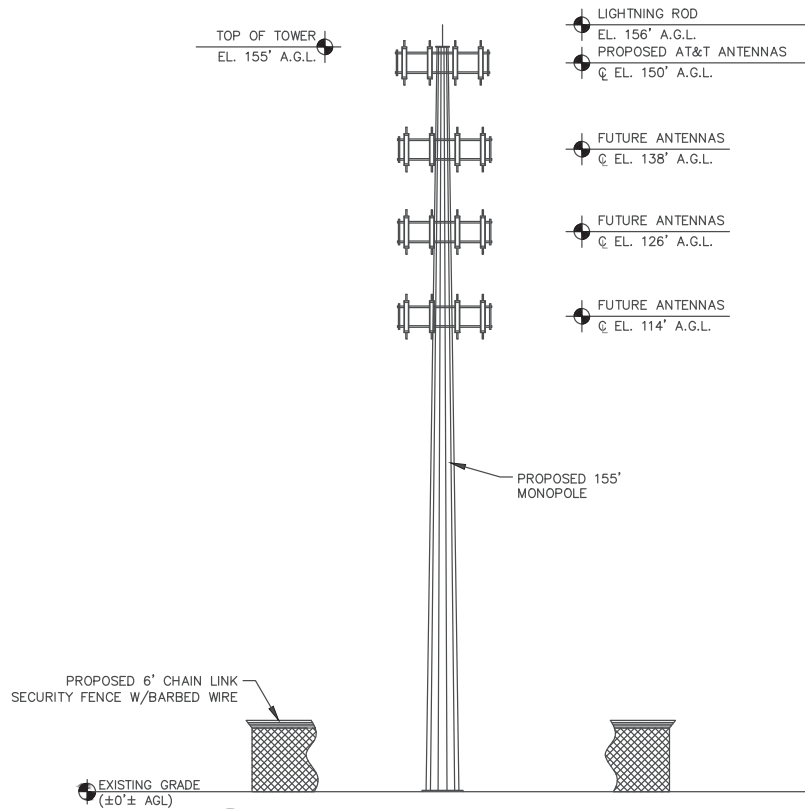
SHEET TITLE:

**SITE SIGNAGE
DETAILS**

SHEET NUMBER:

C4

\\vol_wireless\towerco\2020\NC0278\1 - kha-17732 (4d)\CAD\2D\NC0278.dwg 12/19/23 10:28 AM by: Robert.Clemen



1 MONOPOLE TOWER ELEVATION
C5 NOT TO SCALE

NOTES:

1. ALL PROPOSED ATTACHMENTS TO TOWER BASED ON TOWER DESIGN DRAWINGS BY OTHERS (SEE GENERAL NOTE 1.07, SHEET N1).
2. THE TOWER ELEVATION SHOWN IS FOR REFERENCE ONLY.
3. PROPOSED TOWER WILL BE GALVANIZED STEEL—GRAY IN COLOR.
4. AT&T GROUND EQUIPMENT NOT SHOWN FOR CLARITY.



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MOORE COUNTY

PLANS PREPARED BY:

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LICENSER:



KHA PROJECT NUMBER:

012628079.1.100

DRAWN BY: CHECKED BY:

FAQ KRM

SHEET TITLE:

ANTENNA AND
TOWER ELEVATION
DETAILS

SHEET NUMBER:

C5



**ORDINANCE #3059
AMENDING THE CAPITAL RESERVE FUND
WATER SYSTEM DEVELOPMENT FEES**

BE IT ORDAINED, by the Town of Southern Pines Town Council, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital reserve fund budget is hereby amended:

Section 1: The project authorized is for the purpose of accounting for water system development fees to be utilized in the manner described in the Water Capital Reserve Fund Resolution.

Section 2: The officers of this unit are hereby directed to proceed with the water capital reserve fund within the terms of the budget contained herein.

Section 3: The following additional amount is appropriated for the fund:

Transfer to Water Capital Project Funds	<u>\$1,029,920</u>
Total Project Appropriation	<u>\$1,029,920</u>

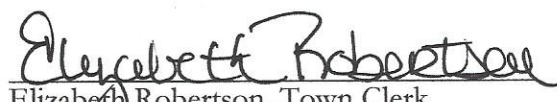
Section 4: The following additional revenue is anticipated to be available to complete this fund:

Water System Development Fees	<u>\$1,029,920</u>
Total Project Revenues	<u>\$1,029,920</u>

Section 5: Copies of this capital project ordinance shall be furnished to the Clerk to the Governing Board, and to the Finance Officer for direction in carrying out this fund.

Section 6: This ordinance becomes effective July 1, 2024.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of June 11, 2024, as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk

