



AGENDA

Thursday, November 21, 2024: 6:00 PM

Planning Board

Douglass Community Center: 1185 W. Pennsylvania Ave

1. CALL TO ORDER

2. APPROVAL OF MINUTES

a. October 24, 2024 Regular Meeting

3. PUBLIC HEARINGS

a. Z-05-24: Fairley Duplexes

Tony and Sandra Fairley have submitted a request to rezone three properties from RS-1 to RS-1 Conditional Zoning District to allow for development of three pre-fabricated duplexes (one on each property). The subject parcels are identified as PIN 858200023471 (PARID 00037070); PIN 858200024317 (PARID 00036484); and PIN 858213023794 (PARID 00035309) and the total acreage of all three properties is 0.56 acres.

4. PRELIMINARY FORUMS

a. PD-06-24: Morganton Park South Phase 4

Wesley William with Whataburger Restaurants, LLC and Dylan Rowell with BL Companies have submitted a Preliminary Development Plan application pursuant to §2.18.5 of the Town of Southern Pines Unified Development Ordinance for a ±3,305 square-foot Whataburger restaurant in Morganton Park South for the parcels identified as PIN 857100478061 (PARIDs 20230956).

5. UNFINISHED BUSINESS

a. Q&A with James Michel, Town Engineer

6. NEW BUSINESS

7. PUBLIC COMMENTS

8. ADJOURNMENT

MINUTES
Planning Board Regular Meeting
E.S. Douglass Community Center, 1185 W. Pennsylvania Avenue
Thursday, October 24, 2024, at 5:30 PM

Chair Westbrook called the meeting to order at 6:00 PM.

Chair Diane Westbrook, Vice Chair Kim Wade, Andy Bleggi, Matthew Walden and Jennifer Garner were present.

Jennifer Garner made a motion, which was seconded by Matthew Walden, to approve the Minutes of the September 2024 regular meeting. The motion carried.

Jennifer Garner made a motion, which was seconded by Matthew Walden, to approve the Minutes of the October 2024 agenda meeting. The motion carried.

PUBLIC HEARINGS:

Z-04-24: Zoning Map Overlay Amendment to the Downtown Transition Overlay

OA-04-24: Character Districts Text Amendments to the Unified Development Ordinance (UDO)

The Town of Southern Pines Planning Department has prepared a Zoning Map Amendment to modify the boundary and rename the Downtown Transition Overlay as well as text amendments to the Unified Development Ordinance (UDO) for the Downtown Overlay and West Southern Pines Overlay districts. The text amendments relate to implementing character-based zoning standards for commercial and multi-family development and the proposed amendments are an implementation of Policies 3.1 and 3.2 in the 2040 Comprehensive Plan.

Matthew Walden made a motion, which was seconded by Kim Wade, to open the public hearing. The motion carried.

Planning Director BJ Grieve stated that three new character districts were being proposed in an attempt to maintain the Town's character while accommodating growth. Key changes include building height limits, façade requirements and design standards for commercial and multi-family development.

Planner James Broadwell outlined the project's timeline, starting with the adoption of the Comprehensive Plan and the involvement of Inspire Placement, the consulting firm hired to lead the project. He explained the initial boundaries of the character districts and the stakeholder groups that were involved in the project. The shift in boundaries and the adjustments made to the character districts were based on public input.

Randy Addington of Inspire Placemaking stated that they focused on three character districts, those being downtown, West Southern Pines and downtown adjacent.

Jay McLeod of Inspire Placemaking provided a Power Point presentation and stated that the Downtown Overlay design standards would only apply to commercial, multi-family development and redevelopment and would take precedent over existing design standards for the overlay district.

Member Bleggi asked Mr. McLeod if there is a process that would allow exceptions to the design standards.

Mr. Grieve responded that the Architectural Compliance Permit process allows for deviations.

Chair Westbrook asked if there is a building height maximum.

Mr. McLeod responded that a maximum of three stories is permitted downtown.

Member Wade asked if an existing building would need to comply with the new standards if it was destroyed.

Mr. Grieve responded under Chapter 7 of the UDO there are standards for non-conformities that are demolished or destroyed and those standards are not changing with the adoption of the design standards.

Mr. Grieve stated that the standards pertain to two overlay districts – the West Southern Pines Overlay and the Downtown Transition Overlay. There is currently one set of standards for all of Southern Pines jurisdiction. There is a provision in the Table of Authorized Land Uses that clearly states that the uses allowed are the uses allowed in the underlying zoning district and it has been decided that “DTO” should be removed from the table to avoid confusion.

Mr. Grieve distributed comments from resident Tom McCabe to the Board.

Janie DuPugh expressed concern regarding the demand for utilities, increased traffic and properties being taken by eminent domain due to increased development.

Matthew Walden made a motion, which was seconded by Kim Wade, to close the public hearing. The motion carried.

Andy Bleggi made a motion, which was seconded by Matthew Walden, that after reviewing the proposed Zoning Map Amendment and considering the criteria for approval of Zoning Map Amendments found in UDO §2.17.9, Z-04-24 is consistent with the Comprehensive Plan for the reasons set forth in Attachment A of staff report Z-04-24 and OA-04-24; and therefore, to recommend approval of Z-04-24 to the Town Council. The motion carried by a 5 - 0 vote.

Andy Bleggi made a motion, which was seconded by Matthew Walden, that after reviewing the proposed UDO text amendments (OA-04-24) and considering the criteria for approval of UDO text amendments found in UDO §2.17.10, the proposed amendments are consistent with the Comprehensive Plan for the reasons set forth in Attachment A of staff report Z-04-24 and OA-04-24; and therefore, to recommend approval of OA-04-24 to the Town Council with the following recommendations:

1. editorial comments to clarify the text be reviewed by the Planning Department and incorporated as staff deems necessary; and
2. that DTO be stricken from the Table of Authorized Land Uses.

The motion carried by a 5 – 0 vote.

LRP-01-24: Amendment to the 2040 Comprehensive Plan to Add Pinedene District Design Guide as an Appendix

The Town of Southern Pines Planning Department proposed an amendment to the 2040 Comprehensive Plan by adopting an appendix of non-regulatory commercial design guidelines for the Pinedene area. The Pinedene area is the area bordered by West Morganton Road on the north, U.S. Highway 1 on the west, the intersection of SW Broad Street and Chambers Drive on the south and the CSX railroad right of way on the east. The ODesign Guide will influence the form of future commercial development whenever a rezoning is necessary. The proposed design guidelines for the Pinedene area are a direct implementation of Policies 3.1 and 3.2 of the Town's new 2040 Comprehensive Plan reflecting the public's desire for future growth to look and feel like Southern Pines.

Andy Bleggi made a motion, which was seconded by Matthew Walden, that after reviewing the proposed Comprehensive Plan Amendment and considering the criteria for approval of Comprehensive Plan Amendments found in UDO §2.16, LRP-01-24 is consistent with the criteria set forth in UDO §2.16.6 for the reasons set forth in Attachment A of staff report LRP-01-24; and therefore, to recommend approval of LRP-01-24 to the Town Council. The motion carried by a 5 – 0 vote.

Matthew Walden made a motion, which was seconded by Andy Bleggi, to adjourn the meeting. The motion carried.

The meeting adjourned at 7:05 PM.

Respectfully submitted:

Cindy Williams
Secretary to the Planning Board

An audio recording of the meeting is available upon request.

DRAFT

Agenda Item

To: Planning Board

Via: BJ Grieve, Planning Director

From: Mason Mattox, Planner I

Subject: Z-05-24: Request to Rezone Two Parcels located on W. New Hampshire Ave. and One Parcel Located on N. Hardin Street from Residential Single Family (RS-1) to Residential Single-Family Conditional Zoning District (RS-1CD).

Date: November 21, 2024

I. SUMMARY OF APPLICATION REQUEST

Tony and Sandra Fairley have submitted a request to rezone three properties from RS-1 to RS-1 Conditional Zoning District to allow for the land use of three pre-fabricated duplexes, one on each property. The subject parcels are identified as PIN 858200023471 (PARID 00037070) owned by Tony and Sandra Fairley; PIN 858200024317 (PARID 00036484) owned by 1092 West New Hampshire LLC (Rev. Tony Fairley); and PIN 858213023794 (PARID 00035309) owned by Tony Fairley, totaling 0.56 acres. This application also includes WP-05-24 for 0.56 acres of allocation credit.

II. PROJECT INFORMATION

A. Physical Addresses (See PIN and PARID numbers listed above)	B. Property Owner (See respective property owners listed above)	C. Applicants Tony and Sandra Fairley
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D. Existing Zoning

The subject property is currently zoned Residential Single-Family 1 (RS-1). The subject property is also within the West Southern Pines District Overlay, and the Watershed Protection Overlay District (specifically, the Protected Area). The building footprint is approximately 2,280 square feet per Duplex. With the parcels being 8,100, 8,106, and 8,105 square feet, each parcel will have a built upon area of approximately 28 percent according to Planning staff's calculations. UDO Exhibit 3-14 states that: "New Development with a Development disturbance area less than one (1) acre shall be limited to two (2) Dwelling Units per acre or twenty-four (24) percent built upon land area.

E. 2040 Comprehensive Plan Designation for General Framework, Conservation and Development, and Character Districts

General Framework

The two W. New Hampshire Ave. parcels are located within the ‘Areas to Strengthen’ designation, and the parcel on N. Hardin Street is located within the ‘Areas to Enhance’ designation. Areas to strengthen are “places that already have positive momentum but may need intentional support to overcome specific hurdles preventing them from reaching their full potential.” Areas to enhance are existing developed areas such as established residential neighborhoods, and they may benefit from small-to-medium improvements over the long-term, such as limited infill development, so long as this infill is sensitive to the surrounding area as a whole.

Conservation and Development

The two W. New Hampshire Ave. parcels are located within the ‘Mixed-Use Area’ designation, and the parcel on N. Hardin Street is located within the ‘Neighborhood’ designation.

Both Mixed-Use Area and Neighborhood mention “Missing Middle” home choices which is further expanded to specifically name Duplexes, amongst other densities of dwelling units. Page 107 of the plan discusses the importance of infill development in West Southern Pines, specifically to achieve “Missing Middle” housing options. Similarly, page 150 discusses Missing Middle Housing Concepts, also naming Duplexes, and also calling for infill in existing neighborhoods: “[Multi-family development in a new neighborhood] should consider “missing middle” home choices – duplex, triplex, quadplex, or cottage courts – to create more variety in terms of size and scale of buildings.”

Character District

The West Southern Pines describes the area as having low-profile homes on small lots.

F. Proposed Conditions

- **Condition 1** That the land use shall be limited to: Land-Based Classification Standard (LBCS) #1120: “Two-Family (double or Duplex),” which may be manufactured and permanently affixed to the ground or built on-site.
- **Condition 2** That the manufactured Duplexes created on Lots 9, 10, and 174 shall be built within the setbacks shown in Preliminary Surveys for Tony Fairley and Wife Sandra Fairley, dated 09/25/2024 and submitted with this application. This shall include a reduction in the minimum lot size requirement to 8,1000 SF for each lot.
- **Condition 3** That the architecture and design shall be consistent with attachment #5 of the 2024 Staff Report.

Figure 1: Vicinity Zoning Map
Town of Southern Pines



10/30/2024, 3:58:02 PM

- Parcels (Yellow Lines)
- Parcels PARID Number
- Streets
- Zoning Text
- All Zoning Over Aerial
- FRR, Facilities Resources Recreation
- NB, Neighborhood Business
- NBCD, Neighborhood Business Conditional District
- RS-1, Residential Single Family

1:1,128
 0 0.01 0.02 0.04 mi
 0 0.01 0.03 0.06 km
 NC CGIA, Maxar, Microsoft

Source: TOSP Planning Mapping Site
 The Town of Southern Pines, its agents and employees make NO warranty as to the correctness or accuracy of the information set forth on this media whether express or implied.

III. STAFF REVIEW

1. Application Review Dates

Application Submitted: **October 02, 2024**

Application Complete: **October 04, 2024**

Planning Board Public Hearing Notice

Publication: **November 06, 2024** and **November 13, 2024**

Mail: **November 04, 2024**

Signage: **November 01, 2024**

Internet: **October 31, 2024**

Planning Board Regular Meeting: **November 21, 2024**

2. Staff Consistency Evaluation Based on Criteria for the Rezoning of Subject Parcel for Zoning Map Amendment Review per UDO § 2.17.9

When reviewing an application for zoning, the hearing bodies (Planning Board and Town Council) shall consider and be guided by the following criteria, as set forth in UDO §2.17.9 and outlined below. Furthermore, additional standards are expected of a conditional zoning district—a reclassification of property subject to specific conditions that ensure compatibility of the use with the use and enjoyment of neighboring properties—such as the one being proposed by the applicant. Conditional zoning is voluntary.

*(A) **Consistency.** Rezoning shall be consistent with the adopted Comprehensive Plan.*

See “2040 Comprehensive Plan Designation for General Framework, Conservation and Development, and Character Districts” for more information. The applicant’s narrative also addresses compliance with the Comprehensive Plan, referencing the target objectives of West Southern Pines, and long-term goals for the area. Planning staff fully agree with the applicant’s narrative, and have not identified any inconsistencies with the 2040 Comprehensive Plan. Staff instead find that the proposed rezoning would be supported as a priority of the 2040 Plan in addressing ‘Missing Middle’ housing in key areas of the Community.

*(B) **Adverse Impacts on Neighboring Lands.** The Hearing Body shall consider the nature and degree of an adverse impact upon neighboring lands. Lots shall not be rezoned in a way that is substantially inconsistent with the uses of the surrounding area, whether more or less restrictive. The Town finds and determines that vast acreages of single-use zoning produces uniformity with adverse consequences, such as traffic congestion, air pollution, and social alienation. Accordingly, rezonings may promote mixed uses subject to a high degree of design control.*

Planning staff find that adverse impacts have been mitigated in proposed list of conditions.

*(C) **Suitability as Presently Zoned.** The Hearing Body shall consider the suitability or unsuitability of the Tract for its use as presently zoned. This factor, like the others,*

should be weighed in relation to the other standards, and instances can exist in which the land may be rezoned to meet public need, to reflect substantially changed conditions in the neighborhood, or to effectuate important goals, objectives and policies of the Comprehensive Plan or UDO.

As presently zoned, several land uses are permitted on the parcels. In terms of residence or accommodation functions that which is permitted is: Single-Family detached, Class A Single-Family Manufactured Home, Class B Manufactured Home, Class C Single-Family Manufactured Home (with Special Use Permit), Assisted-living board and care and adult care group home, and Bed and Breakfast Home (with Special Use Permit). The use of Duplex is permitted only by Conditional Zoning District within the RS-1 base zoning. As such, no unsuitable factors have been identified by Planning staff, and the proposal may be rezoned to effectuate important goals, objectives, and policies of the Comprehensive Plan.

Exhibit 3-15: Table of Authorized Land Uses

Land Use	LBCS Code	Description	RE	RR	RS-1	RS-2	RS-3	RM-1	RM-2	CB/DTO	GB	NB	OS	I	FRR
RESIDENCE OR ACCOMMODATION FUNCTIONS	1000	Homes, apartments, housing for the elderly, and hotels													
Private Dwelling	1100	Single-Family homes, doubles, apartments, Condominiums, mobile homes, Townhouses; excludes households with special provisions													
Single-Family	1110														
Single-Family detached	1111	Typical Single-Family Dwelling	Z	Z	Z	Z	Z	Z	Z	ZS		Z	Z		
Single-Family attached (Townhouses) (Ord. # 1716)	1112	Each Dwelling Unit on a separate Lot; fire wall may protrude from roof or roofs may be staggered						ZS	ZS	ZS		ZS	ZS		
Class A Single-Family Manufactured Home	1113	modular homes and other structures that comply with the NC Residential Building Code as amended	Z	Z	Z	Z	Z	Z	Z	ZS					
Class B Single-Family Manufactured Home	1114	Manufactured Homes that comply with HUD standards and other local criteria		Z											
Class C Single-Family Manufactured Home	1115	Manufactured Homes that comply with HUD standards and do not meet the standards for Class A or Class B Manufactured Homes		SU											
Manufactured Home Park	1116	a group of three or more spaces for sale or lease that are designed to accommodate Manufactured Homes		CZ											
Two-Family (double or Duplex)	1120				CZ			Z	Z	Z		Z	Z		
Accessory Dwelling	S1130		ZS	ZS	ZS	ZS	ZS	ZS	ZS	ZS	ZS	ZS	ZS		
Multi-Family	S1200	Three or more Dwelling Units													
Multi-Family	1151	Three or more Dwelling Units						MR	MR	MR		MR	MR		
Multi-Family Conversion	1152	Three or more Dwelling Units in a converted Single-Family home						Z	Z	Z		Z	Z		
Housing Services	1200	Housing and custodial services for those who cannot care for themselves													
Retirement housing services	1210	Offer minimal convenience services						Z	Z						
Congregate living services	1220	Provide convenience services such as housekeeping, transportation, recreational programs						Z	Z						

(D) Health, Safety, and Welfare. *The amending ordinance must bear a substantial relationship to the public health, safety or general welfare, or protect and preserve historical and cultural places and areas. The rezoning may be justified, however, if a substantial public need or purpose exists, even if the private owner of the Tract will also benefit.*

No health, safety, or welfare concerns have been identified by Planning staff at this time, based on the application materials, and routine analysis of the subject parcels and surrounding areas. Parcel research suggests that PARID 00036484 is the former site of the home of Mr. Jim Bethea, notable figure in West Southern Pines History. No portion of this residence would appear to remain in the present-day.

(E) **Public Policy.** *Certain public policies in favor of the rezoning may be considered. Examples include a need for affordable housing, economic Development, mixed-use Development, or sustainable environmental features, which are consistent with neighborhood, area, or specific plans.*

See comments under **Consistency**. The proposed Duplexes are expressly listed as a need according to the 2040 Comprehensive Plan.

(F) **Size of Tract.** *The Hearing Body shall consider the size, shape, and characteristics of the Tract in relation to the affected neighboring lands. Amendatory ordinances shall not rezone a single Lot when there have been no intervening changes or other saving characteristics. Proof that a small Tract is unsuitable for use as zoned, or that there have been substantial changes in the immediate area, may justify ordinance rezoning.*

The rezoning is for three parcels, each being approximately 0.186 acres. The size of the tracts is slightly smaller than the current UDO standard for minimum lot size in RS-1 zoning, which is 10,000 square feet. Attached list of proposed conditions seeks to address this by lowering the minimum lot size to 8,100 square feet; the size of the smallest parcel (as opposed to 8,106 square feet, the size of the largest parcel). The smaller size would not appear to be substantial enough to declare the proposed use of Duplexes as unsuitable for the area.

(G) **Other Factors.** *The Hearing Body may consider any other factors relevant to a rezoning application under state law.*

Pursuant to UDO Exhibit 3-14: Residential Projects within High Quality Water / Protected Areas are required to obtain a state Stormwater Permit; if the Development disturbance area exceeds one (1) acre [Or] If the new Development exceeds the twenty-four (24) percent built upon area the project may apply for the 5/70 exemption. The applicant has proposed that the total built upon area by parcel will be approximately 34 percent. Staff find that the proposed increased density on the properties is supported by the 2040 Comprehensive Plan's initiatives to encourage infill development within the West Southern Pines Character District. This calculation is also well under the limit of 70 percent total built upon area. This permit may only be granted under the authority of Town Council.

(H) **Applicant Representations.** *Except for rezoning requests submitted in accordance with the provisions herein for conditional zoning districts, the Hearing Body shall not consider any representations made by the petitioner that, if the change is granted, the rezoned property will be used for only one of the possible range of uses permitted in the requested classification. Rather, the Hearing Body shall consider whether the entire range of permitted uses in the requested classification is more appropriate than the range of uses in the existing classification.*

The rezoning request is for a conditional zoning district with the restriction that the land use of the parcels be limited to “Two-Family (double or Duplex)” (i.e., LBCS 1120) as described in attached list of proposed conditions.

3. Outside Agency Comments

A request for comments was emailed to agencies on October 31, 2024. Agencies notified include Town of Southern Pines Streets, Public Works, Utilities, Fire, Recreation and Parks, and Engineering departments, the Regional Land Use Advisory Commission (RLUAC), United States Fish and Wildlife Services (US FWS), the Moore County Airport, and the North Carolina Department of Transportation (NCDOT). No comments have been received as of 11/08/2024.

4. Staff Comments and Recommendation

Approval of a conditional zoning district approves a specific use with reasonable conditions that mitigate the negative impacts of the proposed development and ensure compatibility with the surrounding area. Only conditions approved by the Town Council and consented to by the petitioner in writing may be incorporated into the conditional zoning district. If the applicant ever wishes to change an approved condition, they must follow the same rezoning procedure required to amend the official zoning map unless considered a minor change per UDO §2.17.11(K).

Planning staff recommend that the hearing bodies approve the conditions on the Residential Single Family 1 Conditional Zoning District as initially submitted in the application, which read as follows:

- **Condition 1** That the land use shall be limited to: Land-Based Classification Standard (LBCS) #1120: “Two-Family (double or Duplex),” which may be manufactured and permanently affixed to the ground or built on-site.
- **Condition 2** That the manufactured Duplexes created on Lots 9, 10, and 174 shall be built within the setbacks shown in Preliminary Surveys for Tony Fairley and Wife Sandra Fairley, dated 09/25/2024 and submitted with this application. This shall include a reduction in the minimum lot size requirement to 8,1000 SF for each lot.
- **Condition 3** That the architecture and design shall be consistent with attachment #5 of the 2024 Staff Report.

Planning staff also recommend that WP-05-24 be approved with this application, which will allocate 0.56 acres of credit,

IV. ATTACHMENTS

The following materials are provided as attachments to this staff memorandum:

1. Draft Planning Board Resolution to Adopt a Written Recommendation

2. Zoning Map Amendment Application
3. Narrative for Proposed Amendment and Offered Conditions provided by Applicant
4. Parcel Surveys with Proposed Site Layouts
5. Sugar Run Style Duplex Architectural Renderings provided by Applicant
6. Watershed Protection Permit Application

Additional documents related to this application including (but not limited to) property deeds, Authorization of Agent forms, email correspondence, meeting minutes and adjacent property notification records are on file in the Town of Southern Pines Planning Office and available for public inspection during normal business hours.

V. PLANNING BOARD ACTION

The Planning Board shall consider the criteria for zoning map amendments found in UDO §2.17.9, including consistency with the 2040 Comprehensive Plan. Per North Carolina General Statute 160D-604(d), prior to consideration of the proposed map amendment by the Town Council, the Planning Board shall advise and comment on whether the proposed amendments are consistent with the Comprehensive Plan. The Planning Board shall provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendments by the Town Council.

To assist the Planning Board in performing this task, town staff have prepared the following draft motions for the Planning Board's consideration, possible modification as necessary, and adoption.

* * *

I move that after reviewing the proposed map amendments to the Town of Southern Pines Zoning Map and after considering the criteria for approval of map amendments found in UDO §2.17.9:

1. The proposed amendments are consistent with the 2040 Comprehensive Plan for the reasons set forth in Attachment 1 of staff report Z-05-24;
2. The proposed amendments are consistent with the 2040 Comprehensive Plan for the reasons set forth in Attachment 1 of staff report Z-05-24 as revised by the Planning Board;
3. The proposed amendments are inconsistent with the 2040 Comprehensive Plan for the reasons set forth in Attachment 1 of staff report Z-05-24 as revised by the Planning Board;

I further move that the following other matters were considered by the Planning Board and shall be added to Attachment 1 by Planning staff as part of the Planning Board's written recommendation to the Town Council:

And, therefore, I move to:

- 1. Recommend approval of Z-05-24 and WS-05-24 to the Town Council with the following conditions on the RS-1 Conditional Zoning District:**
 - **Condition 1** That the land use shall be limited to: Land-Based Classification Standard (LBCS) #1120: “Two-Family (double or Duplex),” which may be manufactured and permanently affixed to the ground or built on-site.
 - **Condition 2** That the manufactured Duplexes created on Lots 9, 10, and 174 shall be built within the setbacks shown in Preliminary Surveys for Tony Fairley and Wife Sandra Fairley, dated 09/25/2024 and submitted with this application. This shall include a reduction in the minimum lot size requirement to 8,1000 SF for each lot.
 - **Condition 3** That the architecture and design shall be consistent with attachment #5 of the 2024 Staff Report.
- 2. Recommend denial of Z-05-24 to the Town Council**

Note that the effect of Town Council approval of a conditional zoning district and all conditions that have been attached to the approval are binding on the property as an amendment to the Zoning Map. All subsequent Development and use of the property shall be in accordance with the standards for the approved Conditional Zoning district; the approved petition and all conditions attached to the approval. Only those uses and structures indicated in the approved petition shall be allowed on the subject property. Any Development in the district shall comply with all provisions of and conditions to the approved petition. Any uses and structures on the subject property also shall comply with all standards and requirements for Development in the underlying general zoning district. Lastly, minor changes in the detail of the approved petition or Site Plan that do not involve a change in uses permitted or the density of overall Development permitted and that will not alter the basic relationship of the proposed Development to surrounding properties or the standards. Lastly, minor changes in the detail of the approved petition that do not involve a change in uses permitted or the density of overall Development permitted and that will not alter the basic relationship of the proposed Development to surrounding properties or the standards.



**PLANNING BOARD
RESOLUTION TO ADOPT A WRITTEN RECOMMENDATION
FOR ZONING MAP AMENDMENT APPLICATION
FOR A CONDITIONAL ZONING DISTRICT
Z-05-24**

WHEREAS, Section 160D-701 of the North Carolina General Statutes specifies that zoning regulations shall be made in accordance with a comprehensive plan and shall be designed to protect the public health, safety and general welfare; and

WHEREAS, Section 160D-604 of the North Carolina General Statutes specifies that the Planning Board shall, with any ordinance amendment or zoning map amendment, advise and comment on whether the proposed action is consistent with the adopted comprehensive plan and on other matters as deemed appropriate by the Planning Board, and that the Planning Board shall provide this in the form of a written recommendation to the Town Council; and

WHEREAS, the Planning Board has reviewed the proposed zoning map amendment—which includes the written staff report and application materials showing the proposed district boundaries, and has conducted a public hearing on November 21, 2024, to listen to public comments, ask questions of the Town’s planning staff, and consider zoning map amendment application #Z-05-24.

NOW, THEREFORE BE IT RESOLVED that the Planning Board finds and recommends to the Town Council that the proposed amendment to the Town of Southern Pines Zoning Map is reasonable, in the public interest, and consistent with the criteria set forth in the Town of Southern Pines Unified Development Ordinance §2.17.9. The Planning Board recommends that the Town Council approve the zoning map amendment request for the subject parcels, identified as PIN 858200023471 (PARID 00037070), PIN 858200024317 (PARID 00036484, and PIN 858213023794 (PARID 00035309), totaling 0.56 acres. Two of the parcels are located on W. New Hampshire Ave. and one parcel is located on N. Hardin St.

The proposed zoning amendment is consistent with the Town of Southern Pines 2040 Comprehensive Plan, which advises decision makers to consider future needs when reviewing development applications.

The proposed conditions, as submitted by the Applicant, at the November 21, 2024 public hearing, on the RS-1 redistricting are consistent with the intent of the Areas to Strengthen and Areas to Enhance designation on the General Framework Map, and the Mixed-Use Area and Neighborhood designation on the Conservation and Development Map, as well as the West Southern Pines Character District Map. Considering the final agreed-upon conditions, the Planning Board found

that reasonably foreseeable adverse impacts on neighboring lands or on general health, safety, and welfare were appropriately addressed.

The Planning Board recommends the Town Council adopt this zoning amendment (i.e., #Z-05-24) with Watershed Protection Permit (i.e., WP-05-24), which rezones the properties from Residential Single-Family 1 to Residential Single-Family 1 Conditional Zoning District (RS-1 CD) with the following conditions to which the applicant has consented:

- **Condition 1** That the land use shall be limited to: Land-Based Classification Standard (LBCS) #1120: “Two-Family (double or Duplex),” which may be manufactured and permanently affixed to the ground or built on-site.
- **Condition 2** That the manufactured Duplexes created on Lots 9, 10, and 174 shall be built within the setbacks shown in Preliminary Surveys for Tony Fairley and Wife Sandra Fairley, dated 09/25/2024 and submitted with this application. This shall include a reduction in the minimum lot size requirement to 8,1000 SF for each lot.
- **Condition 3** That the architecture and design shall be consistent with attachment #5 of the 2024 Staff Report.
- _____

ADOPTED this the 21st day of November, 2024.

Diane T. Westbrook, Chairwoman

ATTEST:

Cindy Williams
Secretary to the Planning Board

REQUIRED APPLICATION MATERIALS:

- ☒ **Application fee** in the amount of \$1,500.00.
- ☒ **Completed Application** for a Conditional Zoning District, signed by the applicant. Please make sure that all information is provided and correct.
- ☒ **Deeds**, to provide proof of ownership and legal property boundaries.
- ☒ **Appointment of Agent**, if applicable, signed by the property owner(s). This gives someone the authority to represent the property owner during the rezoning process.
- ☒ **List of Adjacent Property Owners**: Please list all properties that are within two hundred (200) feet of the outermost boundaries of the subject property, not counting streets, railroads or other transportation corridors. Attach additional pages if needed. No fewer than ten (10) property owners shall be notified by mail.
- ☒ **Survey -OR- Metes and Bounds Description** of the subject property or properties.
- ☒ **Narrative**, describing how the zoning amendment meets criteria listed in Unified Development Ordinance (UDO) §2.17.9 Criteria for Zoning Map Amendments. See Attachment A.
- ☒ **List of Conditions**, being offered by the applicant to ensure consistency of the proposed zoning amendment with the 2040 Comprehensive Plan. See Attachment B.
- ☒ **Electronic copy (PDF) of all application materials** submitted to plan@southernpines.net.

PLEASE SUBMIT ONLY ONE (1) COMPLETE SET OF ALL MATERIALS.

REVIEW PROCESS:

1. **Staff review**: Planning staff will review the application and notify the applicant if additional materials are needed.
2. **Public hearings**: The applicant is expected to attend a public hearing on the application held by the Planning Board, followed by a public hearing held by the Town Council the following month. (Please refer to the [Application Processing Timeline](#) document online to determine application deadlines and hearing dates.) The Planning Board will recommend approval, conditional approval or denial to the Town Council. The Town Council will consider that recommendation, as well as all information presented, and approve, conditionally approve or deny the rezoning request.
3. **Approval**: The approval of a Conditional Zoning District does not authorize the use, occupancy, or development of property until the applicant receives necessary additional development approvals, such as subdivision, site plan and building permits. (UDO §2.17.12)



Conditional Zoning District Application

Fee: \$1,500.00

Date Received: 10-02-24

Case No.: Z-05-24

Project Information:

Street Address: W. NEW HAMPSHIRE AVE / Hardin St.

PIN: _____ Parcel ID: 00037070
00036484
00035309

Site Size: 0.19 acres each. Current Zoning: RS-1

Applicant:

Name(s): Tony + Sandra Fairley

Email: pastorfairley@gmail.com Phone: 910-603-0642

Mailing Address: 2739 Army Rd. Rastford, N.C. 28376

Authorized Agent, if different from Applicant:

Name(s): _____

Email: _____ Phone: _____

Mailing Address: _____

Legal Property Owner(s), if different from Applicant:

Name(s): _____

Email: _____ Phone: _____

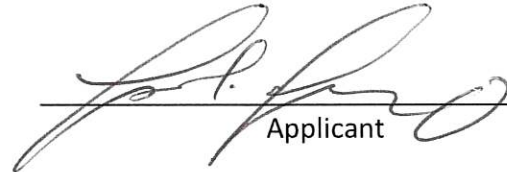
Mailing Address: _____

5/1/24

TO THE TOWN OF SOUTHERN PINES PLANNING BOARD AND TOWN COUNCIL:

I, the undersigned, do hereby make application to and petition the Planning Board and Town Council to approve a zoning map amendment to RS-1 - Conditional Zoning District per the requirements of the Town of Southern Pines Unified Development Ordinance (UDO) §2.17. The information included is submitted in support of this application. I grant Town of Southern Pines staff, Planning Board and Town Council access to the subject property/properties while this zoning map amendment application is under review.

Date: 10-1-24


Applicant

PLANNING DEPARTMENT
TOWN OF SOUTHERN PINES
801 SE Service Road, Southern Pines, NC 28387
plan@southernpines.net (910) 692-4003 www.southernpines.net

5/1/24

Narrative

A. Consistency

As noted on page 40 of the 2040 Comprehensive Plan, *Investment and development from outside forces creates change in local neighborhoods and, in most cases, the benefits from increased investment and interest are not distributed evenly or equitably between new and existing residents.* (pg. 139) 2040 Comprehensive Plan. As life long residents and investors, we are able to better address the needs and concerns of the community at a grassroots level.

West Southern Pines, *"is now the target of widespread redevelopment from outside investors that attracts an influx of new residents different from existing residents. New homes built in the neighborhood are also different in terms of size, scale, and building materials compared to homes built earlier."* (pg. 138) As a long-time resident of the community, We will develop homes that look like earlier built homes and will preserve the rich history and character of the neighborhood.

The town also advocates for programs, policies, projects, and implementation strategies that distribute benefits equitably within the community. (pg.139) 2040 Comprehensive Plan. We are pleased to work with town officials who we feel have a genuine interest in re-vitalizing West Southern Pines and maintaining its rich history of prosperity .

B. Neighborhoods

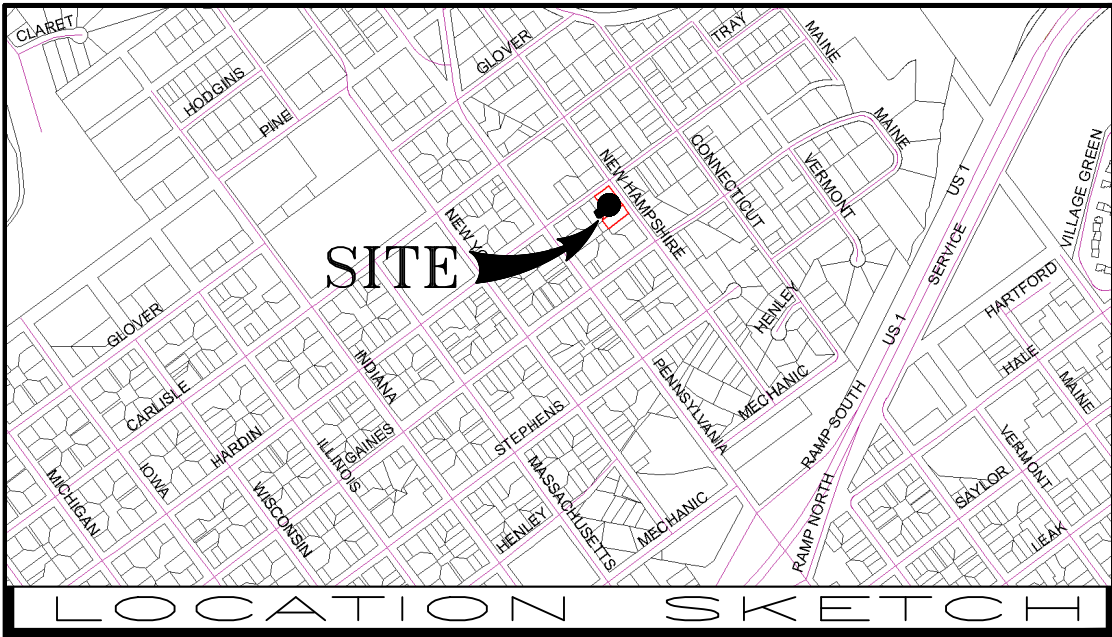
Page 52 of the 2040 C.P, states: *Some new neighborhoods may mix home types, lot sizes, or home sizes on the same block and provide accessory dwelling units. Multi-family development in a new neighborhood should consider "missing middle" home choices — duplex, triplex, quadplex, or cottage courts — to create more variety in terms of size and scale of buildings.* Zoning from RS-1 to RS-1-Conditional Zoning District will offer an affordable housing options consistent with 2040 Comprehensive Plan.

C. Suitability as Presently Zoned

a. Currently this district is zoned RS-1 which allows for *Two-Family (double or Duplex)* 1120 Exhibit 3-15 *Table of Authorized Land Uses* (pg 125) UDO. Designating this district RS-1-Conditional Zoning District is consistent with the 2040 Comprehensive Plan. Also according to page 70 of 2040 Comprehensive Plan, within the desired Residential Building Type Matrix, Side-by-side units are allowed in the West Southern Pines Character District.

D. Conditions offered:

1. That the land use shall be limited to: Land-Based Classification Standard (LBCS) #1120: "Two-Family (double or Duplex)," which may be manufactured and permanently affixed to the ground or built on-site.
2. That the manufactured Duplexes created on Lots 9, 10, and 174 shall be built within the setbacks shown in Preliminary Surveys for Tony Fairley and Wife Sandra Fairley, dated 09/25/2024 and submitted with this application. This shall include a reduction in the minimum lot size requirement to 8,100 SF for each lot.
3. For Lot 174, internal side setbacks shall be reduced by 1/2' (one-half of a foot) to 9.5' (nine and a half feet), and exterior side setbacks shall be reduced by 1/2' (one-half of a foot) to 14.5' (fourteen and a half feet).
4. That the architecture and design shall be consistent with attachment # of the 2024 Staff Report.



I certify that this map was drawn under my supervision from an actual survey made under my supervision; that the boundaries not surveyed are indicated as drawn from information shown hereon; that the ratio of precision or positional accuracy is 1/10,000+; and that this map meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56. 1600).
Further:
I hereby certify that the premises shown & described hereon, do not lie in a F.E.M.A. designated 100 year flood plain area.

REFERENCE:
PLAT CAB. 18, SL. 692
MAP BOOK 1, PAGE 70
MOORE COUNTY REGISTRY
ACREAGE DETERMINED
BY COORDINATE METHOD.

NOT INTENDED TO BE PREPARED
FOR RECORDATION IN ACCORDANCE
WITH G. S. 47-30 AS AMENDED.

CORPORATE LICENSE NO. C-1987

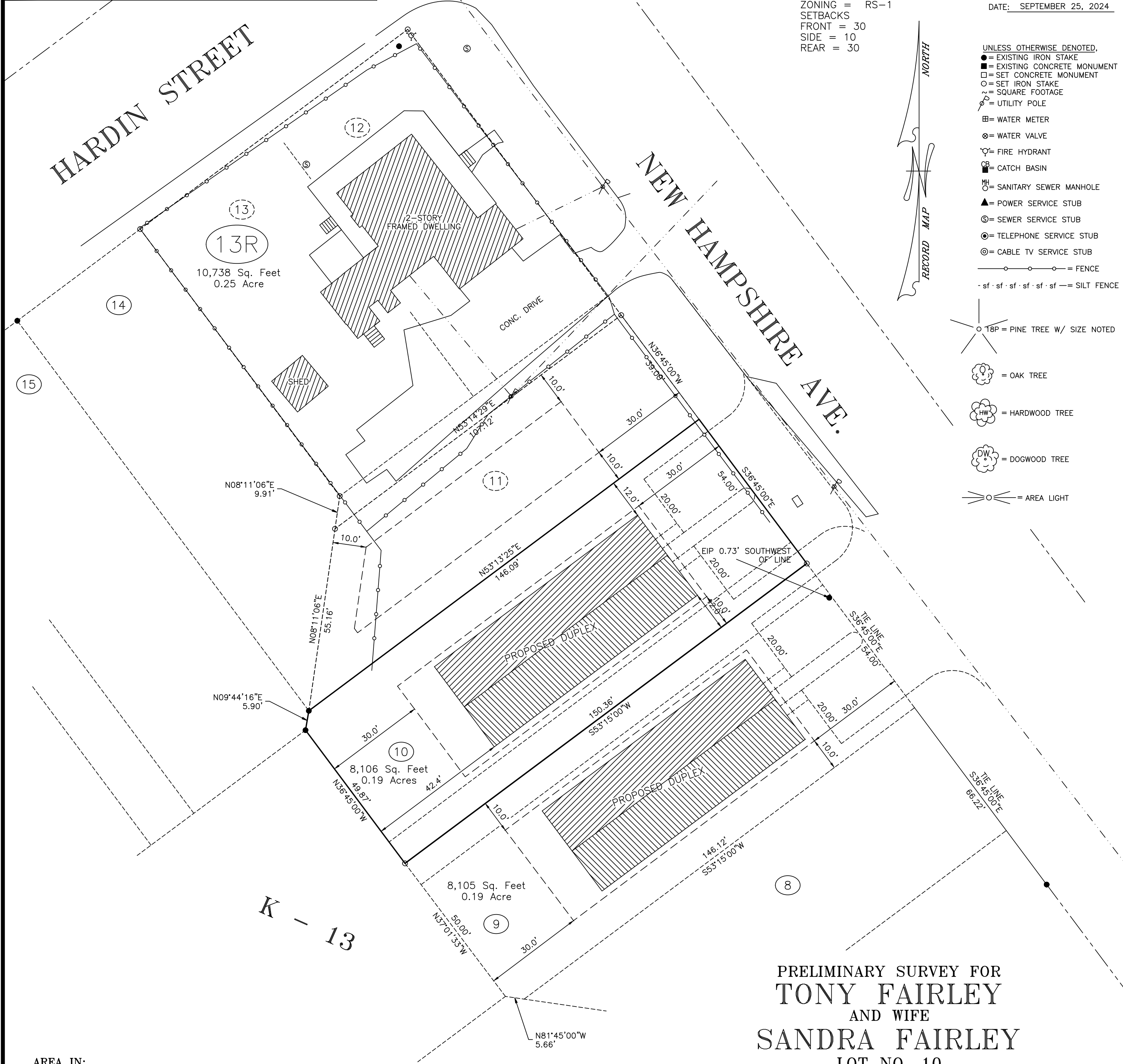
ZONING = RS-1
SETBACKS
FRONT = 30
SIDE = 10
REAR = 30

PRELIMINARY DRAWING
NOT FOR SALES, CONVEYANCES,
OR RECORDATION.

S. R. SHEFFIELD, PLS NO. 1365
DATE: SEPTEMBER 25, 2024

- UNLESS OTHERWISE DENOTED,
- = EXISTING IRON STAKE
 - = EXISTING CONCRETE MONUMENT
 - = SET CONCRETE MONUMENT
 - = SET IRON STAKE
 - ~ = SQUARE FOOTAGE
 - ⊙ = UTILITY POLE
 - ⊞ = WATER METER
 - ⊗ = WATER VALVE
 - ⊕ = FIRE HYDRANT
 - ⊞ = CATCH BASIN
 - ⊞ = SANITARY SEWER MANHOLE
 - ▲ = POWER SERVICE STUB
 - ⊙ = SEWER SERVICE STUB
 - ⊙ = TELEPHONE SERVICE STUB
 - ⊙ = CABLE TV SERVICE STUB
 - = FENCE
 - sf · sf · sf · sf · sf · sf — = SILT FENCE

- ⊙ 18P = PINE TREE W/ SIZE NOTED
- ⊙ = OAK TREE
- ⊙ HW = HARDWOOD TREE
- ⊙ DW = DOGWOOD TREE
- ⊙ = AREA LIGHT



AREA IN:
HOUSE=2280 sq.ft.±
DRIVE =962 sq.ft.±
WALKS =56 sq.ft.±
TOTAL IMPERVIOUS=3298 sq.ft.±

TOTAL IMPERVIOUS= 3298 sq.ft.± = 40.7% COVERAGE BY
8106 SQ FT OF LOT IMPERVIOUS SURFACE

PRELIMINARY SURVEY FOR
TONY FAIRLEY
AND WIFE
SANDRA FAIRLEY
LOT NO. 10
BLOCK "K" & 13
TOWN OF SOUTHERN PINES
MCNEILL TOWNSHIP, MOORE COUNTY,
SOUTHERN PINES, NORTH CAROLINA
SEPTEMBER 25, 2024 *- SCALE 1"=20'
STEPHEN R. SHEFFIELD & ASSOCIATES, P.A.
1680 NC HWY. 5, SUITE NO. 170
ABERDEEN, NORTH CAROLINA



The Sugar Run



2 Bed • 1 Bath • 1050 Sq Ft

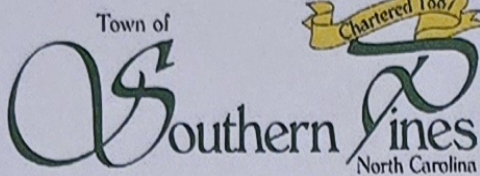
3 Bed • 2 Bath • 1050 Sq Ft



★ **OPTIONAL FEATURES INCLUDE:**
Opt. Fireplace | Opt. Bathtub



*OPTIONAL - 2 BED/2 BATH



Watershed Protection Permit Application

(PIN) (Parcel ID)

1. 858200023471-00037070
2. 858200024317-00036484
- ~~3. 858200024317-00036484~~
3. 858213023794-00035309

Date Received: _____

Case No.: WP-____-____

I, the undersigned, do hereby make application to the Town of Southern Pines Town Council for a Watershed Protection Permit for the property described below.

Project Information:

Project Name: Z-05-24 Zoning District: RS-1 Total Property Acreage: 0.56

PIN: _____ Parcel ID: _____ Watershed: Little River

Type of Development: Residential Total Built-Up Area*: 2780 sq. ft.

% of Total Property Acreage Proposed to be Built-Up Area*: 340%

Applicant:

Name(s): Tony & Sandra Fairley Email: pastorfairley@gmail.com

Mailing Address: 2739 Army Rd. Hargett, N.C. 28376 Phone: 910.603.0642

Authorized Agent, if different from Applicant:

Name(s): _____

Email: _____ Phone: _____

Mailing Address: _____

Legal Property Owner(s), if different from Applicant:

Name(s): _____

Email: _____ Phone: _____

Mailing Address: _____

Signature of Applicant

*Definition of Built-Up Area May be Found in Chapter 9 of the Unified Development Ordinance.

Please review **UDO §3.6.8 Watershed Protection Overlay District** in its entirety.

COMMUNITY DEVELOPMENT DEPARTMENT

TOWN OF SOUTHERN PINES

180 SW BROAD STREET

SOUTHERN PINES, NORTH CAROLINA 28387

plan@southernpines.net (910) 692-4003 www.southernpines.net

Agenda Item

To: Planning Board

From: Gene R. Ruiz, Planner II

Via: BJ Grieve, Planning Director

Subject: PD-06-24: Planned Development District - Preliminary Development Plan for Phase 4 of Morganton Park South, Whataburger Petitioner: Whataburger Restaurant LLC; Authorized Agent: BL Companies; Property Owner: MSP Retail II, LLC

Date: November 21, 2024

I. SUMMARY OF APPLICATION REQUEST

Wesley William with Whataburger Restaurants, LLC and Dylan Rowell with BL Companies have submitted a Planned Development District – Preliminary Development Plan application pursuant to §2.18.5 of the Town of Southern Pines Unified Development Ordinance for a ±3,305 square-foot Whataburger restaurant in Morganton Park South for the parcels identified as PIN 857100478061 (PARIDs 20230956). Per the Moore County tax record, the subject properties are owned by MSP Retail II, LLC.

II. PROJECT INFORMATION

A. Property Owner & Applicant Information

1. Property Owner

MSP Retail, LLC
8044 Montgomery Rd. Suite 370
Cincinnati, OH 45236

2. Applicant

Wesley William
Whataburger Restaurants, LLC
300 Concord Plaza
San Antonio, TX 78216

3. Authorized Agent

Dylan Rowell
BL Companies
3420 Toringdon Way Suite 210
Charlotte, NC 28377

B. Property Information

1. Street Address has not yet been given.

2. Size of Property

Total acreage in approved CDP: +/-98.78

Total Size of Existing Parcels: 17.78 acres (deeded acres)

Total Project Acreage: 2.39 acres

3. Subject Property Description

The subject project is located within the “Retail” area of the approved CDP and is described as being positioned between U.S. Highway 15-501 and West Morganton Road, adjacent to the current dead end of Southern Road. The deed states that the “Tract 2” is 17.78 acres, and +/-2.39 of that parcel will be developed.

The PDP anticipates access to the extension of Southern Road (to be completed with Morganton Park South Phase 3 development, i.e., BJ’s Wholesale and Starbucks), which will connect to a roundabout on Carolina Green Parkway, which cuts through the center of the Planned Development. This extension and connection will provide a link between the Southern Pines Village (i.e., Kohl’s) development along Brucewood Road and Morganton Park South.

4. Jurisdiction

The subject property is currently located entirely within Southern Pines’ corporate boundary after being annexed in February 2022 (see AX-07-21). The CDP approval was conditioned on annexation of the entirety of the CDP area prior to issuance of the first building permit for construction for any phase.

5. Property Zoning Classification

The zoning of the subject property is PD-Planned Development (See Figure 4: Vicinity & Zoning Map below). A Conceptual Development Plan (CDP) for Morganton Park South was approved by the Town of Southern Pines Town Council on September 14, 2021 as file PD-08-21. The current and all future Preliminary Development Plan (PDP) applications must be consistent with the approved CDP or must request and be granted deviations from the CDP as part of the PDP review and approval process.

Figure 1. Existing Zoning (Approx. Proposed Lot Boundaries in White)

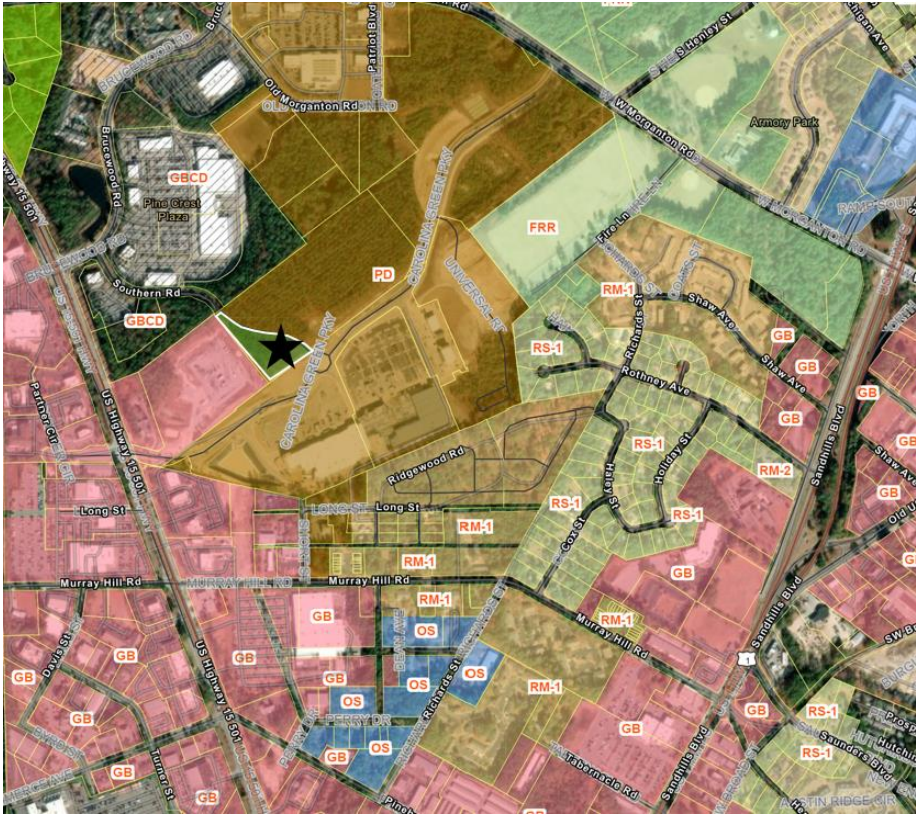


Figure 2. Morganton Park South CDP Conceptual Land Use Plan (2021) with Black Star on Subject Site

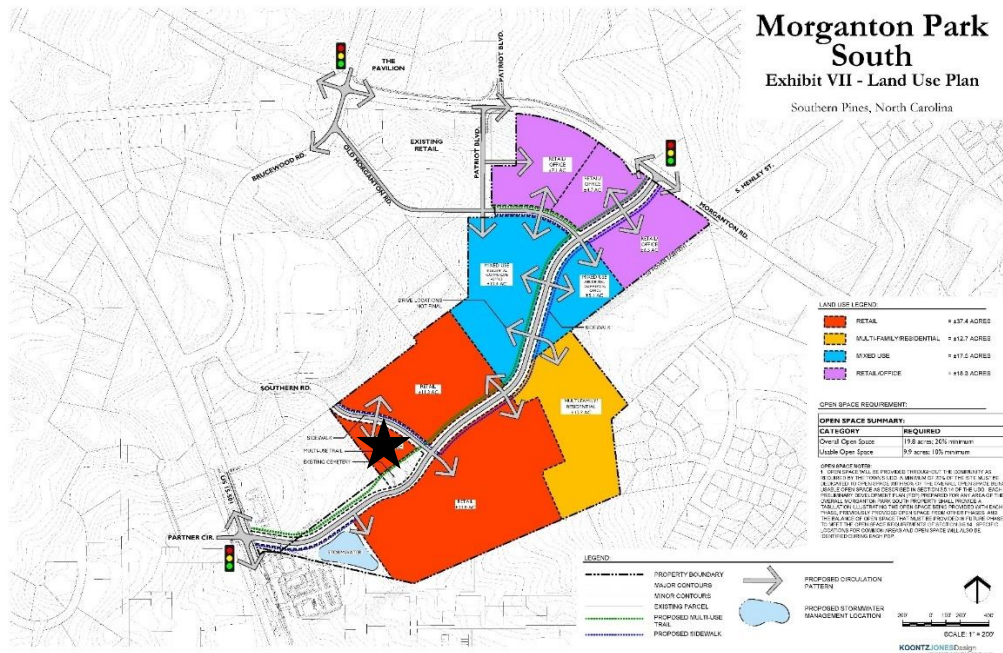


Figure 3: Morganton Park South CDP Conceptual Transportation Plan (2021) with Black Star on Subject Site

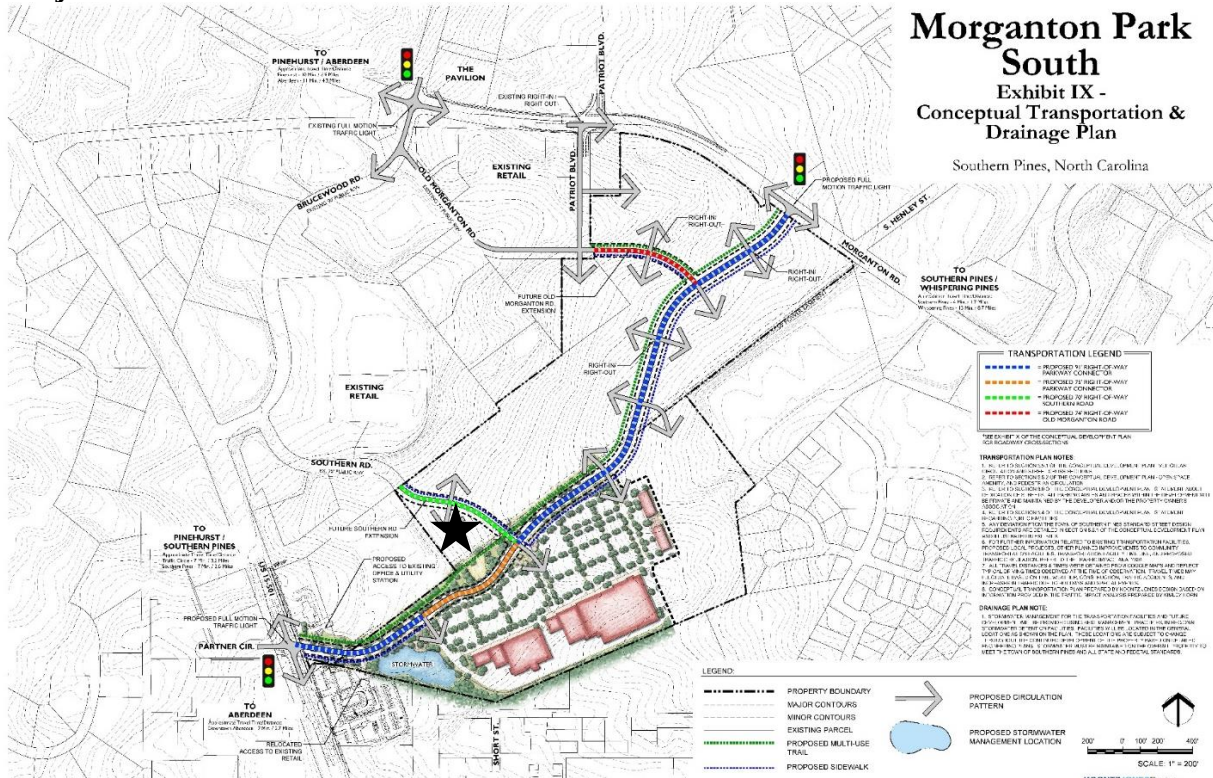


Figure 4: Drone image taken Nov 6, 2024, Overhead image of site



Figure 5: Drone image taken Nov 6, 2024, looking southwest from Target Retail Building



Figure 6: Drone image taken Nov 6, 2024, looking southwest from the Overlook at Pine Ridge Apartments



III. STAFF REVIEW

A. Review Process

Applications for a Planned Development District (PD) are reviewed in accordance with UDO §2.18. Creating a Planned Development District is a three-step process including Conceptual Development Plan (CDP), Preliminary Development Plan (PDP), and Final Development Plan (FDP). The second step, PDP, is when a project or phase of a project is reviewed for compliance with the unique zoning standards established in the CDP. An application for approval of a Preliminary Development Plan (PDP) follows the procedure for quasi-judicial decisions by the Town Council. Prior to the Council's decision, the Planning Board may hold a Preliminary Forum to review the project, which will occur on November 21, 2024.

B. Summary of Procedural Requirements

- Preliminary Development Plan Application Submitted: **October 15, 2024**
 - Additional Materials Submitted: **October 23, 2024**
- Application Deemed Complete: **October 23, 2024**
- Notice of August 22, 2024, Planning Board Preliminary Forum:
 - Posted On-site: **October 31, 2024**
 - Mailed: **November 11, 2024**
 - Internet: **October 31, 2024**
 - Published: **October 21, 2024**
- Consultation with the Technical Review Committee: **November 6, 2024**
- Planning Board Regular Meeting/Preliminary Forum: **November 21, 2024**

C. Applicable Criteria for Review

The criteria for review and approval of a PDP are found in Chapter 2, §2.18.5(H), of the Town of Southern Pines Unified Development Ordinance, and are copied below for quick reference. Staff analysis of how the application addresses these criteria begins on the following page of this document.

Preliminary Development Plan (UDO §2.18.5(H))

1. *The application demonstrates that it will achieve the purposes of the PD and this section;*
2. *The Preliminary Development Plan is consistent with the Conceptual Development Plan and conforms to all applicable provisions of this UDO;*
3. *The proposed Development is located in an area of the Town that is appropriate; and*
4. *The proposed Development will not cause the need for inefficient extensions and expansions of public facilities, utilities and services.*

For additional reference, the following excerpt describes the **purpose of Planned Development districts (UDO §3.5.14A)**

*“The **PD** district is designed to accommodate mixed land uses, such as office, residential, service, commercial, public or private recreational Development, and where consistent with the future land use map, light manufacturing and*

assembly uses that comply with the employment center Development Patterns in section 6.5 of this UDO. This district is intended to allow mixed-use Developments in areas where sufficient public water and sewer service is available (or can be readily extended) and where the street system is adequate (or can be readily improved) to handle the projected traffic volumes generated by the Development. The regulations of this district are intended to:

- A. Encourage planned, large-tract Development, including service, office, commercial, residential, public or private recreational Development or light industrial uses;
- B. Exclude heavy commercial and heavy industrial land uses;
- C. Encourage Development in areas located on major thoroughfares and collector streets;
- D. Encourage vehicular access from service drive and other local streets;
- E. Provide performance standards to help ensure Compatible land uses;
- F. Encourage common or shared parking;
- G. Promote creativity and innovation in the design that leads to more appropriate relationships between land uses and features;
- H. Facilitate clustering of Development thereby increasing the amount of saved land;
- I. Foster Development of a network of open space to serve a variety of recreational and environmental purposes designed and located with respect to existing unique natural features and environmentally sensitive areas;
- J. Improve connectivity within and between Developments to promote mobility and enhance walkability;
- K. Integrate public spaces and amenities to promote community gatherings and activities;
- L. Establish coordinated land plan and consistent treatment of common design elements;
- M. Provide the flexibility to respond to market conditions over longer projected Development periods due to the scale of such Developments; and
- N. If residential land uses are proposed, provide a variety of Lot sizes and Dwelling types to expand the spectrum of housing choices for households of various type, size, income and age. ”

D. Town Staff Review and Comments

Planning staff have reviewed the PDP application materials for consistency with each of the four (4) criteria for PDPs. See comments in this section.

i. Consistency with the Conceptual Development Plan (CDP) and the Unified Development Ordinance (UDO)

Parking

Section 5.5.1 of the approved Morganton Park South CDP addresses parking standards within the development. Section 5.5.1 reads as follows:

“Parking for large scale retail development may be located in the front of the buildings, between the street and building front. Smaller mixed-use, office, and retail developments will follow the standards of UDO Section 3.6.6(F)(2). Parking for large scale retail development and/or shopping centers must maintain a parking level between 1 parking space per 250 sf and 1 parking space per 200 square feet of retail/restaurant building square footage.”

Since the proposed Whataburger restaurant is a restaurant building within the Morganton Park South development, planning staff interpret this language to mean that the maximum parking for Whataburger is 1 parking space per 200 square feet of building square footage. Based on the square footage of the proposed restaurant building, this would be 17 parking spaces. The applicant is proposing 42 parking spaces, or 25 parking spaces in excess of the maximum in the CDP. Planning staff also notes that Section 5.5.1 of the CDP states as follows:

“Parking will be reviewed at the time of the PDP for the individual development areas and dependent upon proposed uses for the property.”

This language would appear to give the Town Council discretion to adjust the permitted parking at the time of PDP approval. The applicants have requested flexibility in their narrative that is attached to this report.

In addition to the parking standards set forth in the CDP, the Morganton Road Overlay (i.e., MRO) has a maximum parking standard that applies to the property. The MRO standard in UDO § 3.6.6(F) 4 states as follows:

“The number of required parking spaces shall be a minimum of one (1) space per four hundred (400) square feet of Gross Floor Area with a maximum (exclusive of on-street spaces) of one (1) space per two hundred fifty (250) square feet of Gross Floor Area.”

Considering the maximum parking permitted within the MRO, the proposed PDP allows for 29 more parking spaces than allowed by the UDO. This is inconsistent with letter “f” within the purpose statement of Planned Developments, referenced above, regarding shared and common parking.

Buffer

According to Section 5.5.4 of the approved Morganton Park South CDP (Landscaping, Setbacks, and Buffering), a 20’ perimeter landscape buffer will be required along the boundaries of the CDP that abut adjoining properties. This perimeter buffer will follow the planting standards of the Town’s UDO. This buffer requirement is not called out on the Preliminary Development Plan, nor is it stated whether the required buffer will remain undisturbed or be replanted. Planning staff recommend this be revised in accordance with feedback from the Planning Board following the Preliminary Forum.

ii. Location in an area of town that is appropriate

The PDP is proposed for an area with access to a commercial local road (i.e., Southern Road), which is to be constructed by a prior phase of development and dedicated to the Town thereafter. The newly constructed Southern Road will provide access to Carolina Green Parkway that bisects the Morganton Park South Planned Development and connects Morganton Road to U.S. Highway 15-501, which are two commercial highway corridors within the town. The proposed site is located near shopping centers (e.g., Southern Pines Village/Kohl's retail plaza, Morganton Park South Phase 1 retail including Target, and Morganton Park South Phase 3 for BJ's Wholesale and Starbucks) and multi-family housing (e.g., Phase 2 development and Murray Hill Road multifamily build-to-rent project).

iii. Efficient extensions and expansions of public facilities, utilities and services

Water and sewer lines are located on Southern Road and U.S. Highway 15-501 and extensions have already been anticipated and incorporated in the Morganton Park South PDP. These extensions will be at the cost of the developer. The Applicant's extension of these services to this site constitutes an efficient expansion of coverage.

CDP Section 5.4 Public Facilities states that multimodal trails will be dedicated to the Town of Southern Pines upon completion. However, linear park amenities that are required in the CDP are the responsibility of the adjoining landowners to maintain. Nothing in the narrative speaks to this process.

E. Cooperating Agency, Technical Review Committee Review, and Town Manager and Comments

The proposed development received a pre-application review on January 23, 2023. Staff consulted the TRC on November 6, 2023 after the PDP application was deemed complete, per UDO §2.18.5(E). The Town Engineer, James Michel stated that the applicant sufficiently demonstrated that the traffic generation is considered under the original TIA that was established for Morganton Park South CDP. The Applicant provided data confirming projected traffic within parameters originally anticipated for the site. Engineer Michel also requested drive through stacking analysis, which has been submitted and can be found in Attachment 4. The stacking analysis was acceptable to Engineer Michel. Further site plan review and Architectural Compliance Permit approval will be required prior to issuance of any building permits for development, if approved.

A request for comments was emailed to agencies on October 31, 2024. Agencies notified include Town of Southern Pines Streets, Utilities, Fire, Recreation and Parks, and Engineering departments, the Regional Land Use

Advisory Commission (RLUAC), U.S. Fish and Wildlife Service (USFWS).
No issues or concerns were submitted by contacted agencies.

IV. ATTACHMENTS

The following materials are provided as attachments to this staff memorandum:

1. Preliminary Development Plan Application
2. Preliminary Development Plan Narrative
3. Preliminary Development Plan Site Plan, Stormwater, and Utilities
4. Supporting Documentation (i.e., Traffic Impact Analysis Executive Summary, Stacking Analysis, Impact on Property Values, and Access to Services)
5. Prior Development Approvals (MPS CDP)
6. Agency Comment

Additional documents related to this application including (but not limited to) property deeds, plan detail sheet, full traffic impact analysis and appraiser analysis, email correspondence, meeting minutes and adjacent property notification records are on file in the Town of Southern Pines Planning Office and available for public inspections during normal business hours.

V. NOTEWORTHY COMMENTS

1. Proposed development should call-out 20' perimeter landscape buffer per approved Morganton Park South CDP PD-8-21 and state clearly whether the existing vegetation is to be retained or removed and replanted.
2. Parking exceeds the maximum permitted by the Morganton Park South CDP and the MRO.

VI. PLANNING BOARD ACTION:

Pursuant to North Carolina General Statute §160D-301(b)(6) and Unified Development Ordinance §2.5.2, the Planning Board may hold a Preliminary Forum on a matter requiring a quasi-judicial decision by the Town Council. However, no part of the forum or any recommendation may be used as a basis for the deciding board.

Therefore, the Planning Board may wish to use the following motion to identify issues to bring to the attention of the Town Council at the evidentiary hearing.

I move to adopt the following for transmission to the Town Council as a result of the November 23, 2024 Preliminary Forum on application PD-06-24, MPS Phase 4 Whataburger:

The information presented at the forum indicated that the following issues be considered in applying the criteria for a PDP to application PD-06-24:

1.

In addition, the following concerns were raised during the forum, but do not seem to apply in determining whether the PDP criteria are satisfied:

1.



Planned Development District Preliminary Development Plan Application

Fee: \$ _____ Date Received: _____ Case No.: PD- _____ - _____

Project Information:

Project Name: Whataburger-Aberdeen (Southern Pines)
Physical Address: 200 Southern Road, Southern Pines, NC 28387
PIN: 857100478061 Parcel ID: 20230956
Site Size: 2.39 Acres Zoning: PD - Planned Development District

Applicant:

Name(s): Whataburger Restaurants, LLC
Email: wwilliams@wbhq.com Phone: 210-425-9430
Mailing Address: 300 Concord Plaza, San Antonio, TX 78216

Authorized Agent, if different from Applicant:

Name(s): N/A
Email: N/A Phone: N/A
Mailing Address: N/A

Legal Property Owner(s), if different from Applicant:

Name(s): MSP RETAIL II, LLC
Email: 513-792-5000 Phone: wmees@midlandatlantic.com
Mailing Address: 8044 Montgomery Road, Ste 370, Cincinnati, OH 45236-2923

1/12/22

TO THE TOWN OF SOUTHERN PINES PLANNING BOARD AND TOWN COUNCIL:

I, the undersigned, do hereby make application to and petition the Planning Board and Town Council for approval of a Planned Development District – Preliminary Development Plan as required by the Town of Southern Pines Zoning Ordinance. The following information is submitted in support of this application:

The property which is the subject of this application is located on the South side of Southern Rd. (St./Ave.), between Carolina Green Pkwy (St./Ave.) and Southern Road (St./Ave.). The property has a frontage of +/- 706 ft. feet and a depth of +/- 315 ft. feet.

The request is based upon **Section 2.18.5** of the **Town of Southern Pines Unified Development Ordinance**. The proposed use of the property is as follows:
General Business Restaurant

Date: 10/14/24


Applicant

PLANNING DEPARTMENT
TOWN OF SOUTHERN PINES
801 SE Service Road, Southern Pines, NC 28387
plan@southernpines.net (910) 692-4003 www.southernpines.net

APPOINTMENT OF AGENT

The undersigned owner(s), MSP RETAIL II, LLC, hereby appoint(s) Whataburger Restaurants, LLC as the exclusive agent for the purpose of making an application to the Town of Southern Pines for the approval of the Planned Development District – Preliminary Development Plan described in the attached application. The owner(s) hereby agree(s) that this agent has the authority to act for and on behalf of the owner(s) as follows:

1. to submit an application and required supplemental materials;
2. to appear at public meetings and give representation and comments on behalf of the owner(s);
3. to accept conditions or recommendations made by the Town of Southern Pines Town Council for the approval of a Planned Development District – Preliminary Development Plan; and
4. to act on behalf of the property owner(s) without limitations with regard to any and all things directly or indirectly connected with or arising out of any application for a Planned Development District -Preliminary Development Plan under the Southern Pines Unified Development Ordinance.

This Appointment of Agent shall remain in effect until final resolution of the attached application.

Signed this 15th day of October, 2024.



William M. Mees, Jr.

Property Owner

Property Owner

Whataburger Restaurants, LLC c/o Wes Williams

Agent

WHATABURGER – ABERDEEN (SOUTHERN PINES) PRELIMINARY DEVELOPMENT PLAN (PDP) NARRATIVE

The proposed development, identified as “Whataburger – Aberdeen (Southern Pines)” in the submitted exhibits, will be a drive-thru restaurant with a total square footage of 3,305 square feet. The project will encompass approximately 2.4 acres. All information, descriptions, and calculations included in this application pertain specifically to the development of this parcel.

The project is located outside of any high-quality watershed designations, and there are no floodplains on the property. Additionally, the site does not contain woodpecker habitat, wetlands, or endangered species. The project will fully comply with all general notes and standards outlined in the approved Morganton Park South Conceptual Development Plan (CDP).

Design standards for individual elements of development are described below.

- **Pedestrian Connectivity**

- Pedestrian access will be provided throughout the site. A sidewalk will be constructed along Southern Road connecting to Carolina Green Parkway. Parking areas will be linked to sidewalks leading to the building entrances and provide accessible access as required by State and Federal standards.

- **Parking Areas**

- Parking areas will be designed per the Town of Southern Pines Unified Development Ordinance (UDO) standards in Section 4.5.
- According to Section 4.6 in the UDO, a minimum of 9 parking spaces and a maximum of 14 parking spaces are required. However, this site proposes a total of 42 parking spaces. To accommodate this, a Flexibility in Administration request will be submitted.
- Parking views will be screened from adjoining roadways as required by the Town of Southern Pines UDO Section 4.3.

- **Streets and Access**

- The approved CDP (PD-08-21) initially indicated a single driveway access to Parcel 11. However, the main access to the property will now be facilitated by two driveways off New Southern Road, as detailed in this PDP.
- The TIA for the overall development designates this site as Phase 6, with an assumed retail use of 23,000 square feet as outlined in the report. Please refer to the Pod-2 Phase 6 traffic data from the Morganton Park South TIA, included as part of this PDP submission.
 - AM Peak Total = 163
 - PM Peak Total = 109

- Standard trip generation numbers for a 3,305 square foot Whataburger restaurant have been provided along with this PDP in lieu of a full TIA. The projected traffic generated by the Whataburger is less than what was assumed for this parcel in the Morganton Park South TIA. The peak traffic volumes for the Whataburger are:
 - AM Peak Total = 148
 - PM Peak Total = 109
- **Landscaping**
 - Landscaping will be implemented in accordance with the Town of Southern Pines Unified Development Ordinance (UDO), specifically Section 4.3. This will include the installation of tree islands, parking lot landscaping, and screening measures.
- **Lighting**
 - All lighting on the property will comply with Section 4.8 of the UDO. Lighting levels along streets and in parking areas will be designed to meet the UDO standards for safety, with all fixtures directed downward to minimize light spill onto adjacent properties.
- **Open Space**
 - Open space will be allocated in accordance with the requirements outlined in Section 4.9 of the Town of Southern Pines UDO. This designated open space, totaling approximately 0.51 acres ($\pm 21\%$), will be located along the plan south and plan east property lines, as depicted in the Preliminary Site Plan.
 - Additional open space areas within the property may be established if required by the Town of Southern Pines. Furthermore, the approved CDP (PD-08-21) includes a total of 19.8 acres of open space for the entire master planned development, of which 9.9 acres is designated as usable open space.
- **Stormwater**
 - Stormwater management devices will be provided as necessary and required to control stormwater runoff on-site.
 - This project is outside of any high-quality watersheds
 - Plans and calculations will be provided during the detailed site engineering process
- **Utility Service**
 - Adequate water and sewer services are available from the Town of Southern Pines to support this development. Utility extensions will be implemented during the Morganton Park South Phase 3 development. All utilities on-site will be installed underground, in accordance with the policies of local utility providers and the Town of Southern Pines.
 - During construction of utilities in accordance with the approved CDP (PD-08-21) the Fire Marshall requested the relocation of the fire hydrant on Parcel 11 to a position closer to the driveway nearest to Carolina Green Parkway. The new location of the relocated fire hydrant is indicated in the Preliminary Site Plan.

- **Buffers and Setbacks**
 - The setbacks for the property will follow the standards of the UDO and the requirements set forth in the Morganton Park South CDP.

- **Architectural Character**
 - The proposed building will be required to meet the standards of the commercial building design guidelines described in Section 4.10 of the UDO.

- **Signage**
 - All signage will be designed in conformance with the requirements of the Town of Southern Pines UDO in Section 4.6.

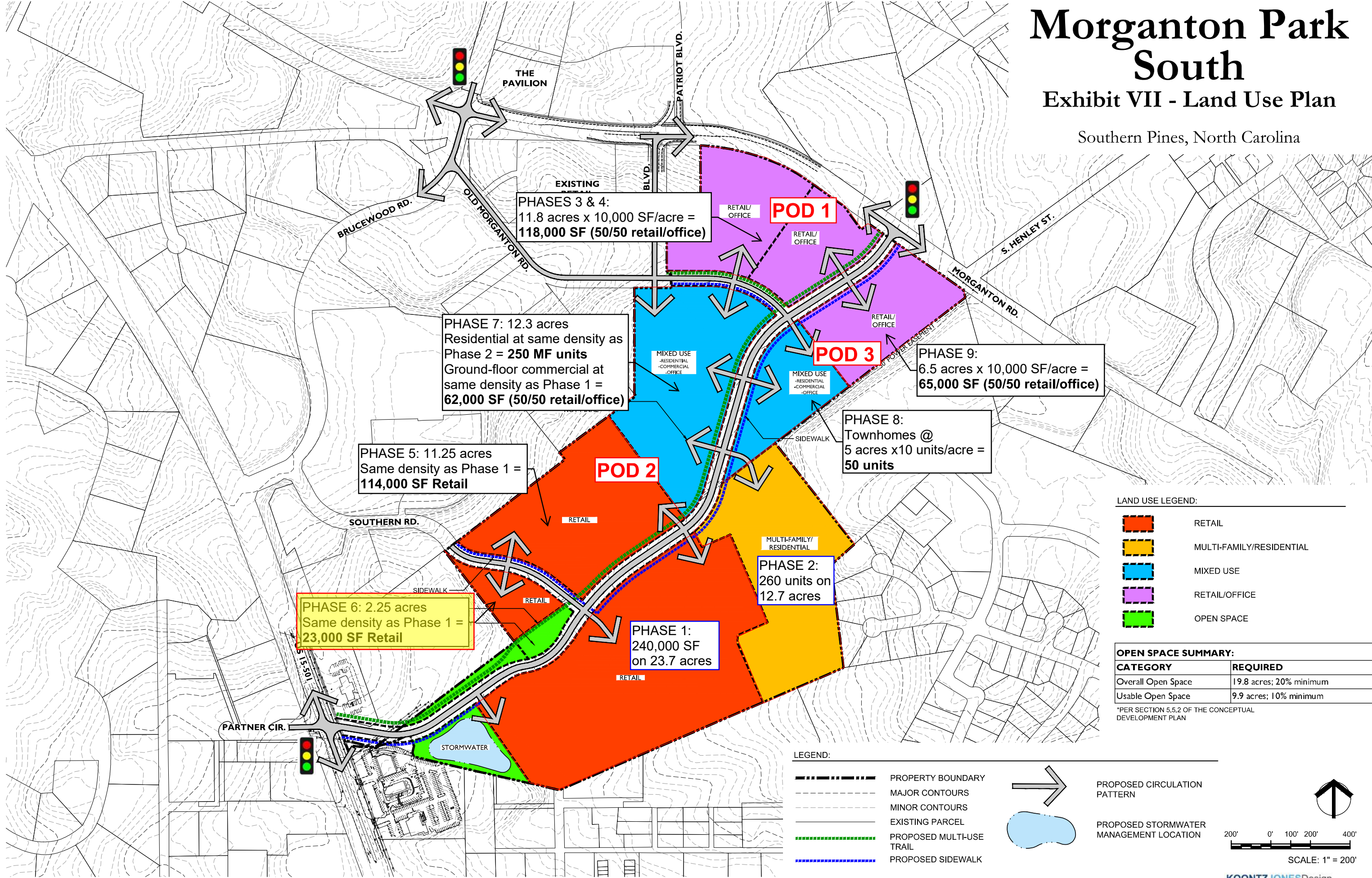
The descriptions and conditions outlined above will apply to the development of Parcel 11 within the Morganton Park South development, as detailed in this Preliminary Development Plan document. The proposed plan adheres to the development standards established by the Comprehensive Development Plan (CDP) and represents a new phase of development within the Morganton Park South property.

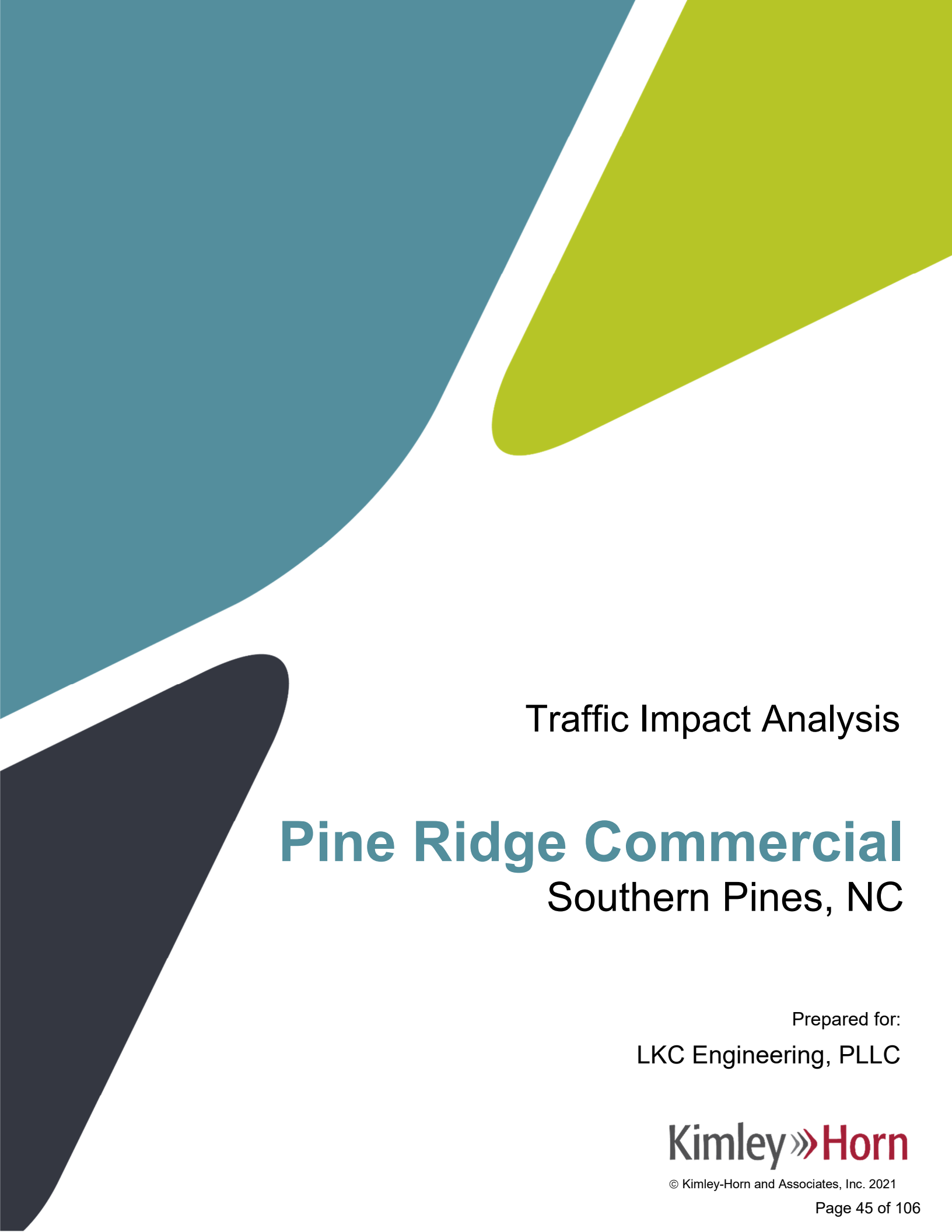
In summary, the proposed Preliminary Development Plan (PDP) aligns with the Town's Comprehensive Long-Range Plan (CLRP) and supports its objectives. This PDP incorporates a restaurant building within the overall development and its adjacent areas.

Morganton Park South

Exhibit VII - Land Use Plan

Southern Pines, North Carolina





Traffic Impact Analysis

Pine Ridge Commercial

Southern Pines, NC

Prepared for:
LKC Engineering, PLLC

Kimley»Horn

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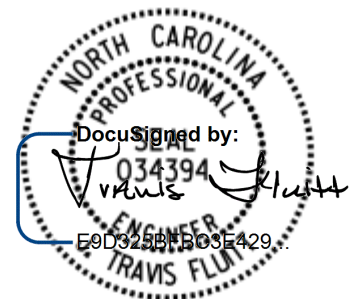
Page 45 of 106

Traffic Impact Analysis for
Pine Ridge Commercial
Southern Pines, North Carolina

Prepared for:
LKC Engineering
Aberdeen, NC

Prepared by:
Kimley-Horn and Associates, Inc.
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421 Fayetteville Street, Suite 600
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(919) 677-2000

July 2021
018923019



7/23/2021

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

Executive Summary

Kimley-Horn and Associates, Inc. has performed a Traffic Impact Analysis (TIA) for the proposed Pine Ridge Commercial development located between US 15/501 and Morganton Road east of the Southern Pines Village shopping center in Southern Pines, NC. The site is currently vacant. As currently envisioned, the development is proposed to include up to 260 multi-family residential units, 20,000 square feet (SF) of office space, and 220,000 SF of shopping center space. The site is proposed to be accessed by the new Pine Ridge Parkway, which will extend from US 15/501 at Partner Circle to Morganton Road at the proposed S. Stephens Street Extension. Build-out of the development is anticipated in 2024.

This report presents trip generation, distribution, traffic analyses, and recommendations for transportation improvements required to meet anticipated traffic demands in conjunction with the proposed development. The Town of Southern Pines' Unified Development Ordinance (UDO) requires the study of the build-out traffic conditions for both the site build-out and 10-year projections. Therefore, the traffic conditions studied include the existing (2021) and projected (2024 and 2031) background and build-out traffic conditions for the AM and PM peak hours.

As shown in [Table ES-1](#), the site has the potential to generate approximately 7,832 net new daily trips, 382 net new external trips during the AM peak hour, and 685 net new external trips during the PM peak hour.

Table ES-1 ITE Traffic Generation (Vehicles)								
Land Use Code	Land Use	Intensity		Daily Total	AM Peak Hour		PM Peak Hour	
					In	Out	In	Out
221	Multifamily Housing (Mid-Rise)	260	d.u.	1,416	23	64	68	43
710	General Office Building	20,000	s.f.	224	39	6	4	21
820	Shopping Center	220,000	s.f.	10,278	162	100	468	506
Subtotal				11,918	224	170	540	570
<i>Internal Capture Reduction</i>				784	6	6	56	56
<i>Pass-By Reduction</i>				3,302	0	0	152	161
Total Net New External Trips				7,832	218	164	332	353

Intersection capacity analyses were performed using Synchro/SimTraffic Version 10.3 software. [Table ES-2](#) summarizes the operation of the overall study intersections for the AM and PM peak hours.

Table ES-2 Level-of-Service Summary		
Condition	AM Peak Hour LOS (Delay)	PM Peak Hour LOS (Delay)
US 15/501 at Brucewood Road (Signalized)		
Existing (2021) Traffic	A (7.5)	C (20.4)
Background (2024) Traffic	A (8.2)	C (23.8)
Build-Out (2024) Traffic	A (7.1)	C (25.6)
Background (2031) Traffic	A (9.7)	C (25.1)
Build-Out (2031) Traffic	A (9.9)	C (26.3)
US 15/501 at Pine Ridge Parkway North U-Turn (Signalized)		
Background (2031) Traffic	A (7.3)	B (14.0)
Build-Out (2031) Traffic	A (8.9)	C (20.7)
US 15/501 at Partner Circle / Pine Ridge Parkway		
Existing (2021) Traffic – <i>Unsignalized, Full Movement</i>	EB – D (33.7) WB – F (72.6) NBL – B (10.8) SBL – B (10.7)	EB – F (77.4) WB – F (>500) NBL – B (14.2) SBL – B (12.8)
Background (2024) Traffic – <i>Unsignalized, Full Movement</i>	EB – E (46.7) WB – F (85.8) NBL – B (11.5) SBL – B (11.4)	EB – F (143.0) WB – F (>500) NBL – C (15.8) SBL – B (13.9)
Build-Out (2024) Traffic – <i>Signalized, Full Movement</i>	A (7.4)	B (12.5)
Background (2031) Traffic – <i>Signalized, Superstreet</i>	NB Side - A (7.2) SB Side - B (10.7)	NB Side - A (9.8) SB Side - B (16.3)
Build-Out (2031) Traffic – <i>Signalized, Superstreet</i>	NB Side - B (10.2) SB Side - B (10.6)	NB Side - C (21.4) SB Side - C (12.9)
US 15/501 at Murray Hill Road (Signalized)		
Existing (2021) Traffic	C (32.2)	F (90.8)
Background (2024) Traffic	D (39.1)	F (109.8)
Build-Out (2024) Traffic	D (40.5)	F (111.3)
Background (2031) Traffic - <i>Superstreet</i>	NB Side - B (15.9) SB Side - B (11.4)	NB Side - C (32.2) SB Side - D (37.3)
Build-Out (2031) Traffic - <i>Superstreet</i>	NB Side - B (16.6) SB Side - B (14.3)	NB Side - D (43.3) SB Side - D (50.9)

Table ES-2 (cont.) Level-of-Service Summary		
Condition	AM Peak Hour LOS (Delay)	PM Peak Hour LOS (Delay)
Morganton Road at Brucewood Road (Signalized)		
Existing (2021) Traffic	B (11.2)	B (15.1)
Background (2024) Traffic	C (26.3)	C (32.0)
Build-Out (2024) Traffic	C (26.4)	C (32.0)
Background (2031) Traffic	C (28.7)	C (32.1)
Build-Out (2031) Traffic	C (28.9)	C (32.5)
Morganton Road at S. Stephens Street Extension / Pine Ridge Parkway		
Background (2024) Traffic – <i>Unsignalized</i>	NB – F (63.3) SB – E (49.4) EBL – B (11.2) WBL – B (10.3)	NB – F (74.3) SB – F (118.0) EBL – B (11.1) WBL – B (10.6)
Build-Out (2024) Traffic – <i>Signalized</i>	A (5.8)	A (9.0)
Background (2031) Traffic – <i>Signalized</i>	A (7.2)	B (11.0)
Build-Out (2031) Traffic – <i>Signalized</i>	A (8.7)	C (23.3)
Pine Ridge Parkway at Site Driveway 1 (Unsignalized)		
Build-Out (2024) Traffic	NB – A (9.6) WBL – A (7.5)	NB – B (12.8) WBL – A (8.0)
Build-Out (2031) Traffic	NB – C (16.2) WBL – A (8.8)	NB – E (45.3) WBL – A (9.5)
Pine Ridge Parkway at Southern Road / Site Driveway 2 (Unsignalized)		
Build-Out (2024) Traffic	NB – A (9.4) WBL – A (7.5)	NB – B (12.5) WBL – A (8.0)
Background (2031) Traffic	SB – B (12.0) EBL – A (7.9)	SB – C (16.7) EBL – A (8.7)
Build-Out (2031) Traffic	NB – C (17.8) SB – C (16.3) EBL – A (8.1) WBL – A (8.7)	NB – F (136.5) SB – F (59.9) EBL – A (9.1) WBL – A (9.3)
Pine Ridge Parkway at Site Driveway 3 / Phase 5 East Driveway (Unsignalized)		
Build-Out (2024) Traffic	NB – A (9.1) WBL – A (7.4)	NB – B (10.6) WBL – A (7.8)
Background (2031) Traffic	SB – B (11.8) EBL – A (8.1)	SB – C (23.7) EBL – A (8.8)
Build-Out (2031) Traffic	NB – C (17.2) SB – C (15.4) EBL – A (8.3) WBL – A (8.3)	NB – F (62.5) SB – F (72.4) EBL – A (9.5) WBL – A (8.7)

Table ES-2 (cont.) Level-of-Service Summary		
Condition	AM Peak Hour LOS (Delay)	PM Peak Hour LOS (Delay)
Pine Ridge Parkway at Site Driveway 4 / Phase 7 Driveway (Unsignalized)		
Build-Out (2024) Traffic	NB – A (9.2) WBL – A (7.4)	NB – B (10.9) WBL – A (7.8)
Background (2031) Traffic	NB – B (13.5) SB – B (10.9) EBL – A (7.8) WBL – A (7.9)	NB – C (15.9) SB – B (12.9) EBL – A (8.2) WBL – A (7.9)
Build-Out (2031) Traffic	NB – B (16.5) SB – B (12.0) EBL – A (8.0) WBL – A (8.1)	NB – D (33.1) SB – C (18.8) EBL – A (8.9) WBL – A (8.6)
Pine Ridge Parkway at Old Morganton Road Extension		
Background (2031) Traffic	EB – B (11.0) WB – B (11.7) NBL – A (7.7) SBL – A (7.6)	EB – B (12.4) WB – B (10.8) NBL – A (7.8) SBL – A (7.7)
Build-Out (2031) Traffic	EB – B (12.0) WB – B (13.2) NBL – A (8.0) SBL – A (7.8)	EB – C (18.4) WB – B (14.4) NBL – A (8.4) SBL – A (8.2)

The following improvements are recommended to be performed as part of the proposed Pine Ridge Commercial development:

US 15/501 at Partner Circle / Pine Ridge Parkway:

- Provide an exclusive left-turn lane and a shared through/right lane on westbound Pine Ridge Parkway
- Install a temporary wood-pole traffic signal

Morganton Road at S. Stephens Street / Pine Ridge Parkway:

- Provide an exclusive left-turn lane and a shared through/right-turn lane on the northbound approach of Pine Ridge Parkway
- Construct a westbound left-turn lane on Morganton Road (and convert the existing intersection of Morganton Road at S. Henley Street to right-in/right-out only)
- Install a traffic signal when warranted

Pine Ridge Parkway at Site Driveway 1:

- Provide an exclusive westbound left-turn lane on Pine Ridge Parkway
- Provide separate left and right-turn lanes exiting the Site Driveway

Pine Ridge Parkway at Site Driveway 2:

- Provide an exclusive westbound left-turn lane on Pine Ridge Parkway
- Provide separate left and right-turn lanes exiting the Site Driveway

Pine Ridge Parkway at Site Driveway 3:

- Provide an exclusive westbound left-turn lane on Pine Ridge Parkway
- Provide separate left and right-turn lanes exiting the Site Driveway

Pine Ridge Parkway at Site Driveway 4:

- Provide an exclusive westbound left-turn lane on Pine Ridge Parkway
- Provide separate left and right-turn lanes exiting the Site Driveway

The following additional improvement is recommended to be incorporated into STIP Project U-5814:

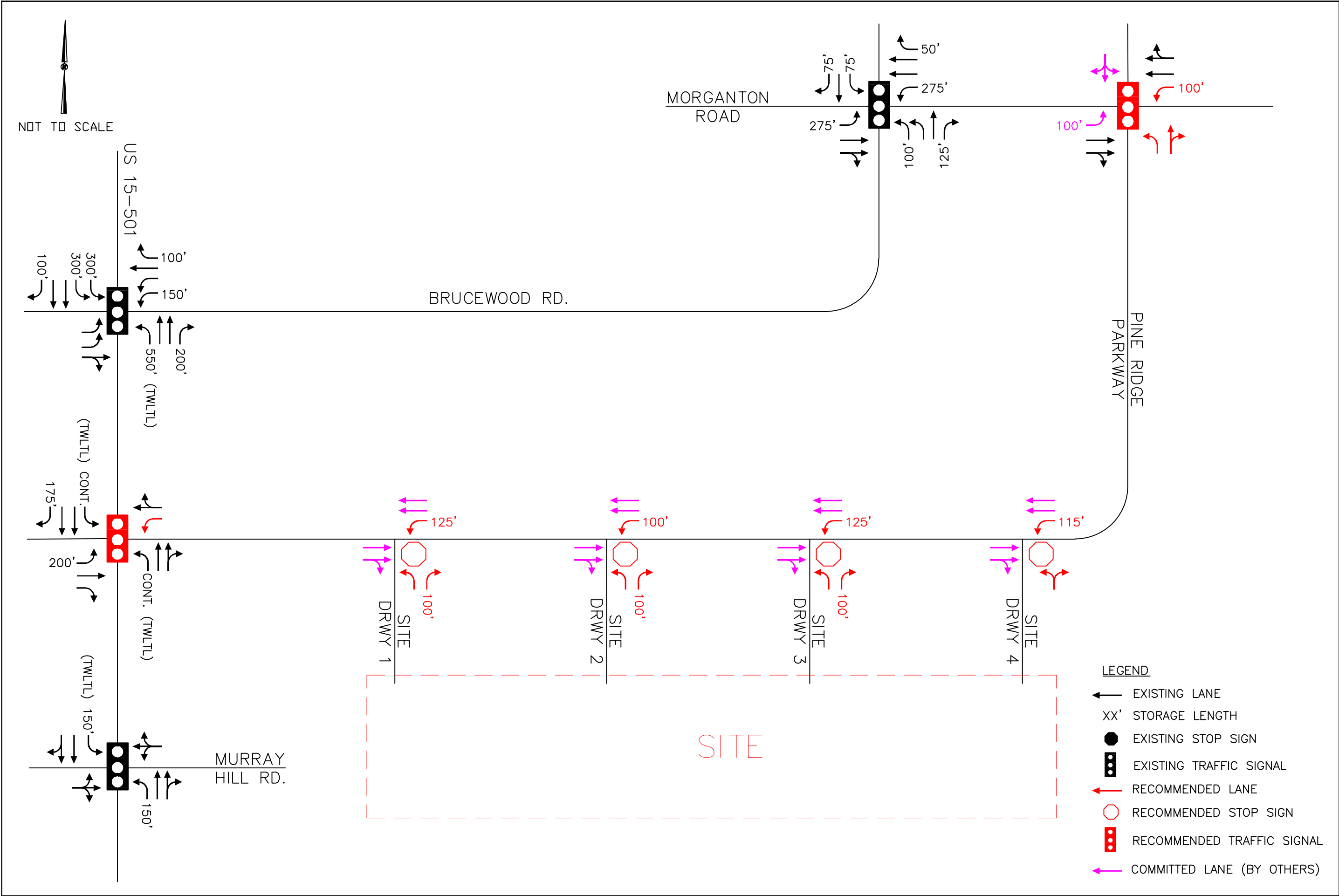
US 15/501 at Partner Circle / Pine Ridge Parkway:

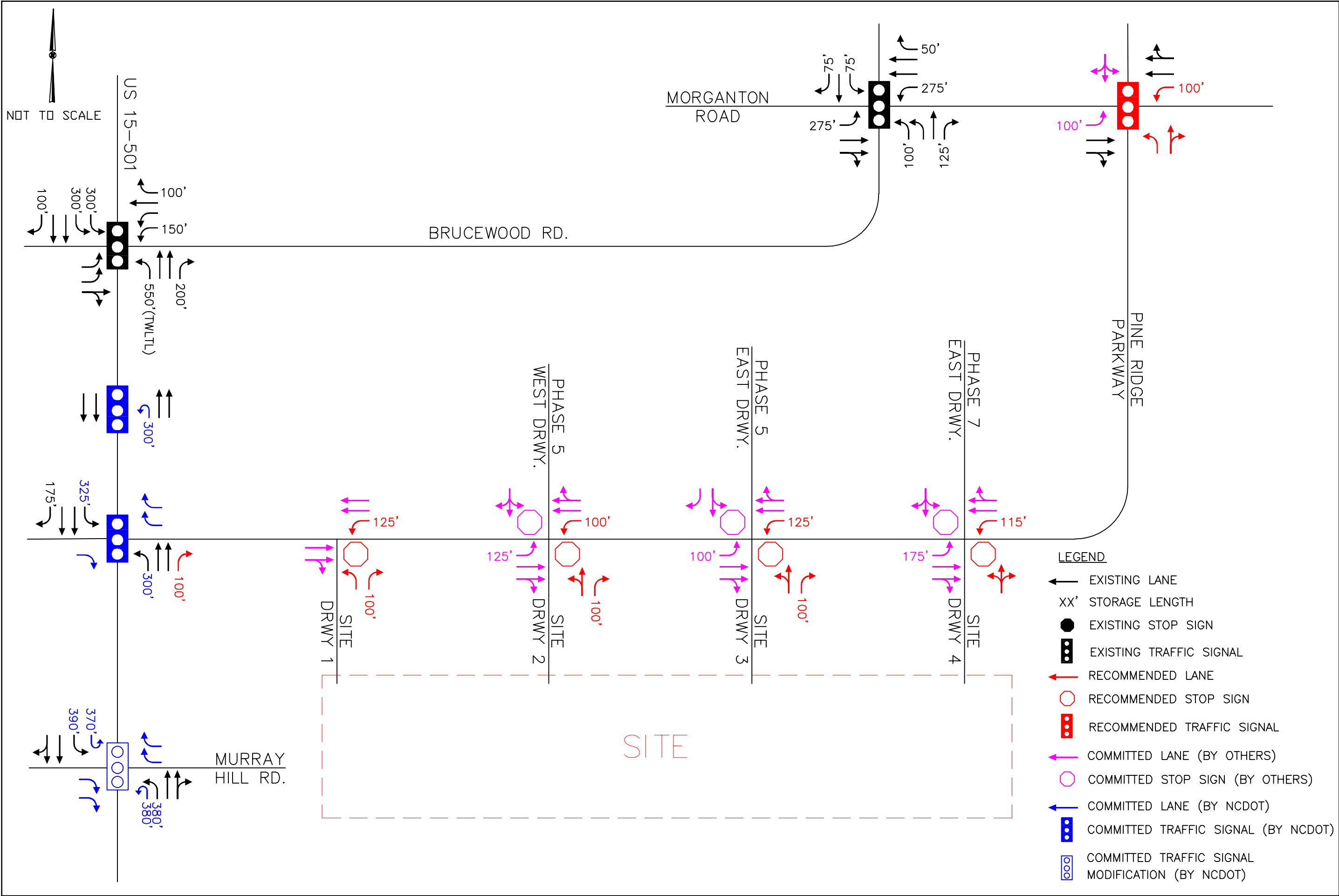
- Construct a northbound right-turn lane on US 15/501 with a minimum of 100 feet of storage and appropriate tapers

With the recommended improvements in place, all of the study intersections except for the intersection of US 15/501 at Murray Hill Road are expected to operate acceptably in the build-out traffic conditions. US 15/501 at Murray Hill Road currently operates at LOS F in the PM peak hour due to the lack of turn lanes on Murray Hill Road. It is anticipated that the commercial development proposed on the northeast quadrant of the intersection will provide at least a right-turn lane on the westbound approach. When the superstreet is implemented on US 15/501 with NCDOT STIP Project U-5814, the intersection is expected to operate at acceptable levels of service.

While some unsignalized intersections are expected to operate with long delays, it is typical for stop sign controlled side streets and driveways intersecting major streets to experience long delays during peak hours, while the majority of the traffic moving through the intersection on the major street experiences little or no delay. SimTraffic simulations also show no significant queuing issues as any of these intersections.

The recommended 2024 roadway laneage is shown on **Figure ES-1**, and the committed and recommended 2031 roadway laneage is shown on **Figure ES-2**.





Fast-Food Restaurant with Drive-Through Window - Aberdeen, NC
Trip Generation (using 1000 GFA) - peak hour of adjacent street traffic

10/14/2024

Land Use	ITE Land Use Code	Size		Trips								
				AM Peak Hour Adjacent			PM Peak Hour Adjacent			Saturday Mid-Day1		
				Total	In	Out	Total	In	Out	Total	In	Out
Retail	934 Fast-Food Restaurant with Drive-Through Window	3.31		148	75	73	109	57	52	183	93	90
	Gross Trips			148	75	73	109	57	52	183	93	90
	Pass-By Trips 50% AM, 55% PM, 50% SAT (assumed)			-74	-37	-37	-60	-30	-30	-90	-45	-45
	Net New Trips			74	38	36	49	27	22	93	48	45

Ref: Trip Generation, 11th Edition

Pine Ridge Commercial

Table 2 - Master Plan Trip Generation: Pod 2

Land Use	Intensity	Daily			AM Peak Hour			PM Peak Hour		
		Total	In	Out	Total	In	Out	Total	In	Out
221 Multifamily Housing (Mid-Rise) - Phase 7	250 d.u.	1,362	681	681	84	22	62	107	65	42
710 General Office Building - Phase 7	31,000 s.f.	342	171	171	56	48	8	37	6	31
820 Shopping Center - Phase 7	31,000 s.f.	2,712	1,356	1,356	167	104	63	228	109	119
820 Shopping Center - Phase 5	114,000 s.f.	6,572	3,286	3,286	209	130	79	599	288	311
820 Shopping Center - Phase 6	23,000 s.f.	2,214	1,107	1,107	163	101	62	183	88	95
Subtotal		13,202	6,601	6,601	679	405	274	1,154	556	598
<u>Internal Capture</u>										
221 Multifamily Housing (Mid-Rise) - Phase 7		332	166	166	2	0	2	51	31	20
710 General Office Building - Phase 7		94	50	44	5	3	2	11	4	7
820 Shopping Center - Phase 7		90	44	46	2	1	1	13	6	7
820 Shopping Center - Phase 5		217	107	110	2	1	1	33	14	19
820 Shopping Center - Phase 6		73	36	37	1	1	0	10	4	6
<i>Internal Capture Total</i>		<i>806</i>	<i>403</i>	<i>403</i>	<i>12</i>	<i>6</i>	<i>6</i>	<i>118</i>	<i>59</i>	<i>59</i>
Total External Trips		12,396	6,198	6,198	667	399	268	1,036	497	539
<u>Pass-By Capture</u>										
	AM PM									
820 Shopping Center - Phase 7	0% 34%	868	434	434	0	0	0	73	35	38
820 Shopping Center - Phase 5	0% 34%	2,107	1,053	1,054	0	0	0	192	93	99
820 Shopping Center - Phase 6	0% 34%	714	357	357	0	0	0	59	29	30
<i>Pass-By Capture Total</i>		<i>3,689</i>	<i>1,844</i>	<i>1,845</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>324</i>	<i>157</i>	<i>167</i>
Total Net New External Trips		8,707	4,354	4,353	667	399	268	712	340	372

TECHNICAL MEMORANDUM

To: Whataburger – 300 Concord Plaza Dr, San Antonio, TX, 78216

From: Amy E. Avery, P.E., PTOE | Chris Lira, E.I.T.
Kimley-Horn and Associates, Inc.

Date: January 2024

Subject: Whataburger Drive-Through Queue Evaluation

INTRODUCTION

Kimley-Horn was retained by Whataburger to perform a queue, delay, and service time study at restaurant locations around the country to understand on average how Whataburger restaurants function during key peak times of the day. The goal of this technical memorandum is to provide data on typical Whataburger peak queues and average customer service times.

STUDY LOCATIONS

Whataburger provided Kimley-Horn with twelve (12) restaurant locations around the country to act as an average sample size of all Whataburger's. These restaurants were of varying age and locations within the United States. **Table 1** provides a list of the restaurants and their location. Some of the locations had two order boards and drive-through lanes while others only had a single lane. For those locations with a single lane, most locations utilize the bypass lane for vehicle storage at peak times – typically based on the food ordered and anticipated time to complete the order. This is a manual determination made by staff taking orders.

Table 1 – Study Locations

Address	City	State	Age (years)	Size (KSF)	Number of Drive-Through Lanes
2859 N Germantown Pkwy	Memphis	TN	0.6	4.21	2
1211 US Highway 380	Bridgeport	TX	0.8	*	2
11400 Gateway Blvd N	El Paso	TX	0.9	3.43	2
1835 Old Fort Pkwy	Murfreesboro	TN	1	3.27	2
702 N Tyndall Pkwy	Callaway	FL	1.1	2.81	1
2590 S Market St	Gilbert	AZ	1.2	3.46	2
8239 Old Middleburg Rd S	Jacksonville	FL	1.2	2.87	1
905 Hwy 7	Blue Springs	MO	1.3	2.74	1
306 Stribling Ln	Brandon	MS	1.7	3.25	2
13880 US Hwy 19 S	Thomasville	GA	19.2	3.24	1
421 S Broadway	Edmond	OK	47.5	3.85	1
1313 N New Warrington Rd	Pensacola	FL	62.1	2.96	1

* Aerial imagery not recent enough to determine building size

STUDY METHODOLOGY

Data was collected at each of the twelve (12) locations on a non-holiday midweek day (Tuesday, Wednesday, or Thursday) while school was in session for the local jurisdiction.

Whataburger provided information on the typical peak times for each study location based on Point of Sale (POS) transaction data. These hours are provided in **Table 2** for both the primary peak hour and secondary peak hour. As anticipated, a majority of the restaurants had peak service times during the lunch hour of 12:00 Noon to 1:00 PM.

Table 2 – Peak Demand Times

Peak Hour	Primary Peak Restaurant Locations	Secondary Peak Restaurant Locations
9:00 AM – 10:00 AM	Pensacola	
10:00 AM – 11:00 AM		Pensacola
11:00 AM – 12:00 PM		Callaway Bridgeport Blue Springs Brandon Edmond
12:00 PM – 1:00 PM	Murfreesboro Gilbert Callaway Bridgeport Blue Springs Brandon Jacksonville Edmond Thomasville	Memphis
1:00 PM – 2:00 PM	Memphis	Murfreesboro Jacksonville Thomasville
2:00 PM – 3:00 PM		
3:00 PM - 4:00 PM		
4:00 PM – 5:00 PM		
5:00 PM – 6:00 PM	El Paso	
6:00 PM – 7:00 PM		El Paso Gilbert
7:00 PM - 8:00 PM		

Observations were made during the peak service times at each location and the following three key data points were recorded in an effort to understand the queue space required to accommodate patrons during the peak times. For the purposes of this queue study, the average space per vehicle was allocated as 25 feet. This was based on a passenger car average length of 22 ft plus 3 feet from rear bumper of leading car to front bumper of trailing car.

Average Queue

The Average Queue was determined by taking a “snapshot” or a onetime observation every five (5) minutes during the location’s peak hours of service. The total number of vehicles in the queue per drive-through lane at that time were recorded. At locations that had more than one drive-through lane, the lanes were not always utilized evenly so the values presented in the summaries are an average of the two lanes.

Maximum Queue

The Maximum Queue was documented by the observer as the longest the queue ever became during the observation period independent of the five (5) minute intervals utilized for the documenting the average queue.

Average Service Time

Average Service time was determined by selecting a vehicle at random as they entered the queue. For purposes of this study, entering the queue was separated into low volume and high volume periods.

During low volume periods, entering the queue meant when the guest was able to place their order either with a live representative or at the order window / call box. In periods of high demand the beginning of the service time was recorded as when the guests entered the queue and began waiting to place their order to better capture the compounding delay periods of high demand can cause for drive through operations.

The end of the service time was the same in both low and high demand scenarios as the time when they received their order from the food delivery window. Once that vehicle received their order and the completed time was recorded, a new vehicle was chosen at random from the beginning of the queue. This procedure was executed continuously for the length of the study period.

STUDY RESULTS

The results of the nationwide data collection effort are summarized in **Table 3**.

Table 3 – Summary Table

Location		Number of Lanes	Site Visit Data						
City	State		Average Queue per lane		Average Queue Per Site	Maximum Queue		Maximum Queue Per Site	Average Service Time (min)
			Cars	ft		Cars	ft		
Blue Springs	MO	1	2	50	50	7	175	175	8
Brandon	MS	2	4	100	200	8	200	400	10
Bridgeport	TX	2	3	75	150	6	150	300	10
Callaway	FL	1	4	100	100	8	200	200	15
Edmond	OK	1	2	50	50	6	150	150	2
El Paso	TX	2	3	75	150	6	150	300	5
Gilbert	AZ	2	2	50	100	5	125	250	6
Jacksonville	FL	1	1	25	25	2	50	50	3
Memphis	TN	2	4	100	200	8	200	400	6
Murfreesboro	TN	2	6	150	300	12	300	600	21
Pensacola	FL	1	6	150	150	11	275	275	10
Thomasville	GA	1	3	75	75	7	175	175	3
Total:			4	100	130	8	200	273	8

Figure 1, Figure 2, and Figure 3 show the average queue in feet, the maximum queue in feet, and the average service time in minutes for all study locations respectively.

Figure 1 – Average Queue Per Site (ft)

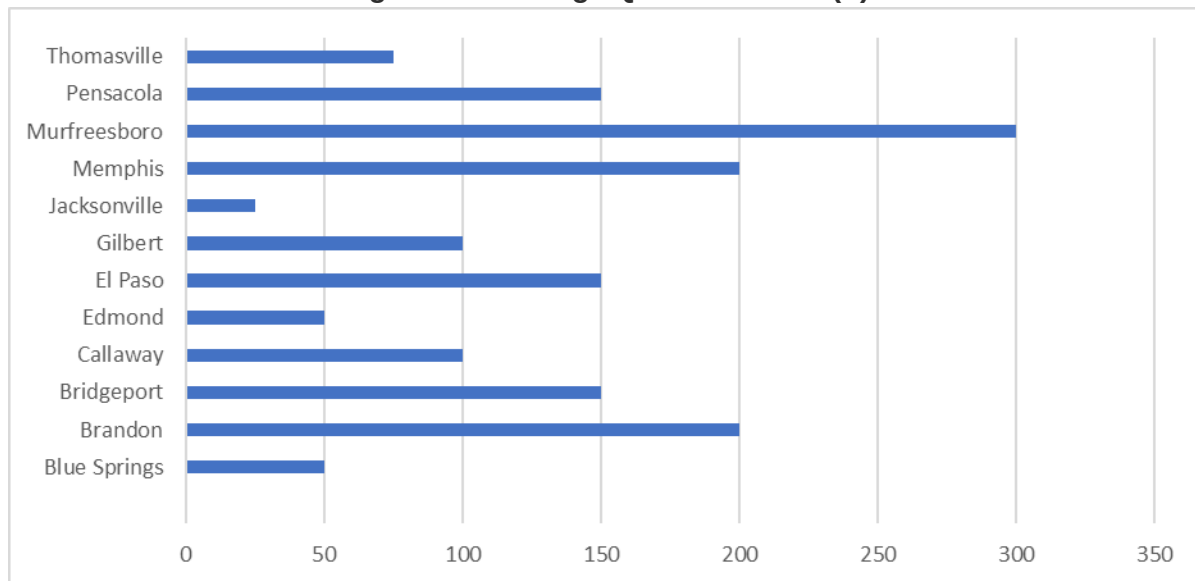
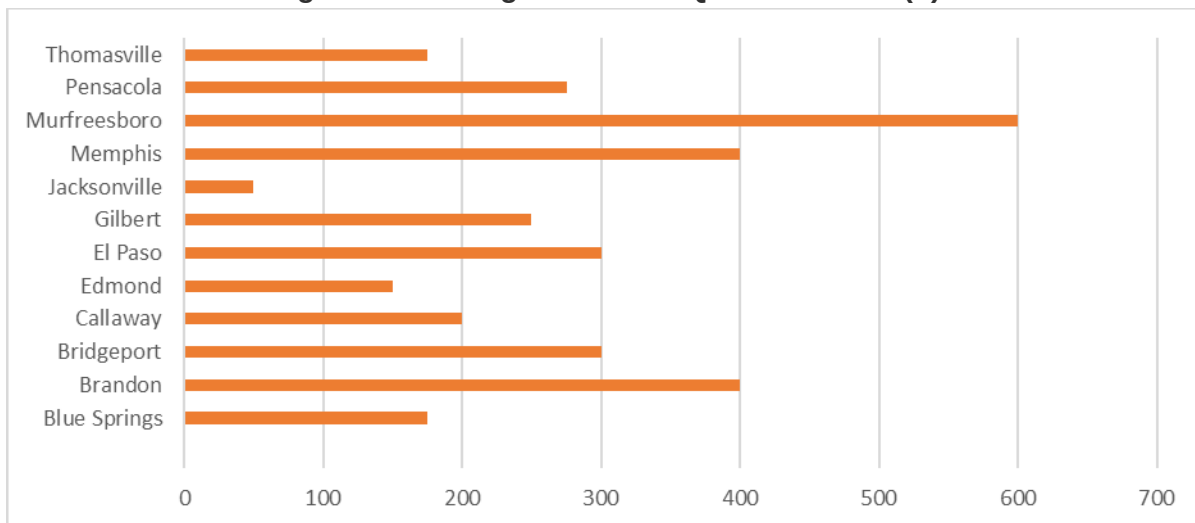
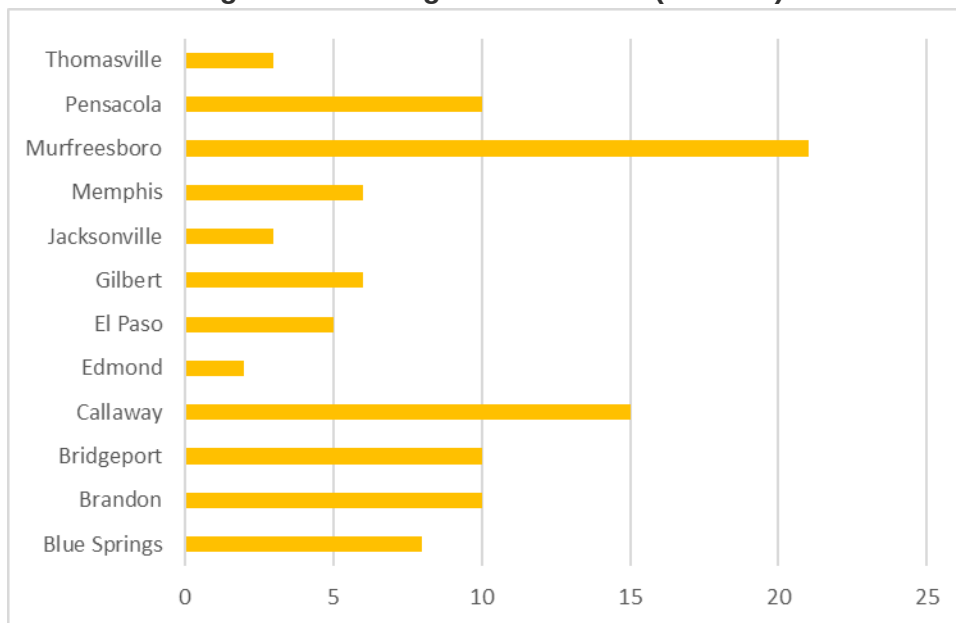


Figure 2 – Average Maximum Queue Per Site (ft)



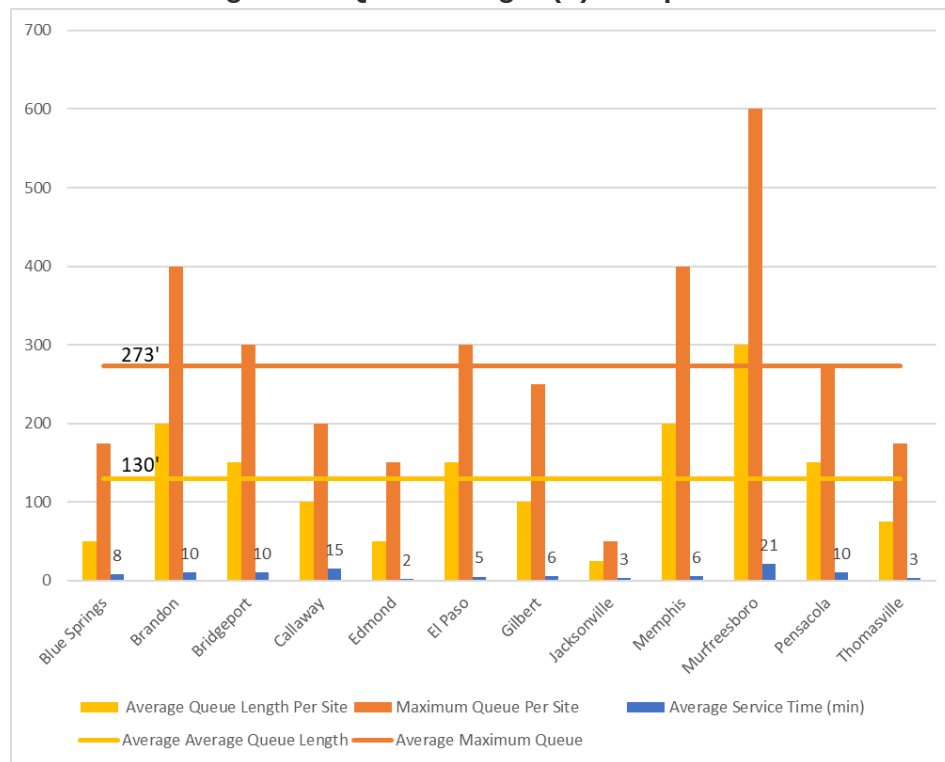
** At sites with two drive through lanes, the average maximum queue is taken from the sum of the two drive through lanes*

Figure 3 – Average Service Time (Minutes)



The total average queue across all twelve (12) sites was 130 feet. The average maximum queue was 273 feet, and the average service time was 8 minutes per vehicle from order placement to reception of order at the window. **Figure 4** presents a comparison of each store to the overall average.

Figure 4 – Queue Length (ft) Comparison



As shown in Figure 4, three of the five locations where the maximum queue was observed to exceed the average among all locations were restaurants where the average service time observed exceeded the average of all restaurants. Whether this was an isolated occurrence or frequent trend, there is likely an operational improvement that could reduce service times and associated queue lengths.

SUMMARY

Based on the data collected on site, the following conclusions are offered regarding Whataburger Restaurants and anticipated vehicle queues.

- While operations vary from site to site, the following storage lengths are recommended:
 - 6 vehicles prior to the order board within the desired designated drive through area to accommodate average high demand queue lengths
 - 11 vehicles of storage space measured from the pickup window to the first interaction with cross traffic in the parking lot to accommodate peak demand queue lengths
- The storage lengths above can be accommodated in a single or multiple lane configuration. Omitting the Murfreesboro average service time observations from the averaging process, the one and two lane order board configurations operate with comparable service times. This is likely because many locations carefully manage use of the bypass lane for orders expected to take additional preparation time.

PD DISTRICT CONCEPTUAL DEVELOPMENT PLAN

Morganton Park South

SOUTHERN PINES, NORTH CAROLINA

Table of Contents

August 9, 2021

Section

- 1.0 Purpose
- 2.0 Project Overview
 - 2.1 Location
 - 2.2 Vision
 - 2.3 Applicant and Project Team
 - 2.4 Compliance
- 3.0 PD Conceptual Development Plan Application Form
- 4.0 Existing Conditions
 - 4.1 Existing Natural Features
 - 4.1.1 Prevalent Tree Canopy and Vegetation
 - 4.1.2 Orchards or Other Agricultural Groves
 - 4.1.3 Streams, Wetlands and Floodplain
 - 4.1.4 Topographic Features
 - 4.1.5 Unique Land Formations, Endangered/Threatened Species
 - 4.2 Existing Man-made Features
 - 4.2.1 Streets, Roads, Parking or Other Structures
 - 4.2.2 Storm Water Facilities and Structures
 - 4.2.3 Utilities
 - 4.2.4 Buildings, Structures, Signs and Historical Structures
 - 4.3 Existing Legal Features
 - 4.3.1 Zoning Information
 - 4.3.2 Property Lines
 - 4.3.3 Right of Ways
 - 4.3.4 Easements
 - 4.3.5 Ownership Information
 - 4.3.6 Adjacent Parcel Information
- 5.0 Development Conditions
 - 5.1 Development Program
 - 5.2 Development Standards
 - 5.3 Treatment of Known Natural and Man-Made Features
 - 5.3.1 Natural Features
 - 5.3.2 Man-made Features
 - 5.4 Statement Regarding Public Facilities
 - 5.5 Additional Design Conditions
 - 5.5.1 Vehicular Circulation, Street Cross-Sections, and Parking
 - 5.5.2 Open Space, Amenity and Pedestrian Circulation

- 5.5.3 Architectural Standards
- 5.5.4 Landscaping, Setbacks, and Buffering
- 5.5.5 Utilities
- 5.5.6 Street Lighting
- 5.5.7 Signage
- 5.5.8 Accessory Uses
- 5.5.9 Temporary Uses/Special Events
- 5.5.10 Storm Water Management and Water Quality Management
- 6.0 Property Maintenance
- 7.0 Conceptual Transportation Plan
- 8.0 Statement about Dedication of Streets
- 9.0 Annexation
- 10.0 Phasing

Exhibits

- Exhibit I Southern Pines Conceptual Development Plan Application
- Exhibit II Site Location Map
- Exhibit III Neighborhood Meeting Sign-In Sheet and Report
- Exhibit IV Existing Conditions – Aerial Imagery
- Exhibit V Existing Conditions - Property Information
- Exhibit VI Adjacent Property Owners
- Exhibit VII Land Use Plan
- Exhibit VIII Conceptual Master Plan & Phasing
- Exhibit IX Conceptual Transportation & Drainage Plan
- Exhibit X Street and Sidewalk Standards
- Exhibit XI Signage Standards
- Exhibit XII Proof of Ownership
- Exhibit XIII List of Deviations

1.0 PURPOSE

The purpose of this PD – Conceptual Development Plan application is to:

- Establish a Conceptual Development Plan for the +/- 98.78 acres of land currently zoned as Planned Development (PD).
- Establish the permitted uses, density, standards and conditions under which the subject property shall be developed.

The Town's Conceptual Development Plan application form is included as Exhibit I and the required items, per Section 2.18.4, Conceptual Development Plan of the Town's Unified Development Ordinance (UDO) are included as a part of this document. The Conceptual Development Plan for this property shall include all standards and conditions included in this document.

The proposed CDP Morganton Park South properties are consistent with the Town's Comprehensive Long-Range Plan (CLRP) and promote its objectives. The CLRP has designated the property as a Traditional Mixed-Use. This CDP encourages a variety of land uses and building types including residential, commercial, and office uses. The CDP results in a master planned development, and discourages disjointed, piecemeal development.

2.0 PROJECT OVERVIEW

2.1 Location

The proposed project described in this application is geographically located northwest of downtown Southern Pines on the east side of US Highway 15/501 and connects to the southwest side of Morganton Road. The property is bordered/connected by: US Highway 15/501 on its Western boundary, Old Morganton, Patriot Boulevard, and Southern Road on its Northern boundary, Morganton Road on its northern boundary, and Short Street on its southern boundary. A site location map showing the site and immediate surroundings is included in Exhibit II. The proposed parcel is within the Town of Southern Pines ETJ, allowing the town to have zoning jurisdiction. Utilities are available at the site with capacity to accommodate the proposed development.

2.2 Vision

The vision for the project is to master plan and develop a high-quality, mixed-use community that will be carefully integrated into the surrounding area and compatible with the surrounding development areas. Architectural themes, landscaping and design elements common to Southern Pines will be utilized as described in the Town of Southern Pines UDO or in this CDP document. The master plan provides for a mixture of land uses, and requires the creation of open spaces, parks and trails along a linear park network and utilizes design that results in a cohesive community.

The northern portion of the development along Morganton Road will be limited to retail and office development adjacent to the existing shopping center and across Morganton Road from the Morganton Park North development which includes, restaurants, multi-family residential, an elementary school, and large medical office facilities. The southern

area, with direct access to US 15/501, will include retail and commercial uses, and connect to adjoining properties to provide better access to these facilities as the North Carolina Department of Transportation (NCDOT) prepares for modifications of the existing roadway to create a “super street” with medians and limited turning areas. The center portion of the property will provide mixed-use development, which may include multi-family residential, retail, commercial, and office development.

Main access to the site will be provided through the construction of a Parkway Connector through the property. This roadway will connect US 15/501 and Morganton Road, creating a significant transportation route for the Town of Southern Pines. Southern Road and Old Morganton Road will be connected to the Parkway Connector and provide connections to adjacent developments per the phasing standards set forth in Section 10 of this document. Development of this public street network will include vehicular, pedestrian, and bicycle transportation routes. Through a “linear park” located along the Parkway Connector, a system of trails, bicycle paths, parks, and open space will be provided to add to the character of the overall development.

Additional setbacks and buffers will be provided along the major roadways and enhanced with landscape and hardscape features in keeping with the area. Community parks, trails, sidewalks and a street tree planting program will be included. Future greenway connections will be provided as the Town’s Greenway network expands. Best management practices will be implemented for development, storm water management and erosion control.

A detailed description of the development program, conditions and standards is included in Section 5.0 of this document.

2.3 Applicant and Project Team

The applicant is Midland Atlantic Properties. Consultants currently include Koontz Jones Design, PLLC (Land Planner), LKC Engineering (Civil Engineer), Dr. J. H. Carter and Associates (Environmental Consultant), and Kimley Horn (Traffic Engineer)

2.4 Compliance

All development within the site must adhere to the approved standards and conditions stated in this document. As allowed under UDO Section 3.5.14, unique conditions and standards, differing from baseline UDO conditions and standards, can be established in order to facilitate a planned development district. This allows for flexibility and further allows for response to market conditions over the longer period of development required for a master plan of this scale. The conditions and requirements stated in this document that vary from the UDO shall supersede the UDO. Prior to the issuance of a building permit and start of any construction, a Preliminary Development Plan for each phase must be submitted and approved per the requirements of Section 2.18.5 of the UDO. All development and building permits are subject to all Local, State and Federal permitting guidelines, architectural review, rules and regulations and must be approved by the Town of Southern Pines. To the extent this document does not otherwise establish a development standard, the UDO standard in effect at the time of an application will apply.

3.0 CONCEPTUAL DEVELOPMENT PLAN APPLICATION - See Exhibit I

4.0 EXISTING CONDITIONS

4.1 Existing Natural Features

4.1.1 Prevalent Tree Canopy and Vegetation

The tree canopy type and vegetation of the prevalent tree canopy and vegetation are included in Existing Conditions in Exhibit IV and can be seen in the aerial photographs of the property. The property consists mainly of Longleaf Pines and some Scrub Oaks where trees remain. Much of the property has been previously cleared, especially the southernmost large parcel, which was previously a golf driving range. A large borrow pit area is also located on the property. This area was used to construct the adjoining shopping center. Tree canopy and vegetation will be further identified as required during the site plan permitting process.

4.1.2 Orchards or Other Agricultural Groves

No portion of the site is currently being used for an orchard or agricultural use nor do any exist on the site.

4.1.3 Streams, Wetlands and Floodplain

The proposed development area lies outside of any protected watershed district established by NCDWQ. The project will comply with all state and local standards for storm water management and utilize best management practices and engineered storm water facilities as required. There are no streams or wetlands located on the property. No areas of the property are located within a designated floodplain.

4.1.4 Topographic Features

A topographic map with two (2') foot contours is included on the Existing Conditions Map - Wetlands and Topographic Information found in Exhibit V.

4.1.5 Unique Land Formations, Endangered/Threatened Species

There is no woodpecker habitat on the property as it was cleared less than 30 years ago and there are now very few remaining trees on the property.

All development and building permits within the site are subject to all Local, State and Federal permitting guidelines, rules and regulations. Additional studies will be conducted as required for permitting.

4.2 Existing Man-made Features

4.2.1 Streets, Roads, Parking or Other Structures

There are no existing streets, roads, sidewalks, walkways and associated drainage structures on the site. All previous development structures have been removed. There are roadway stub outs that connect to the property located at Southern Road and Old Morganton Road. An existing sidewalk is located within the public right-of-way along Morganton Road.

4.2.2 Storm Water Facilities and Structures

There are currently no storm water facilities or structures on the site. New stormwater facilities will be provided for each individual phase of development and approved as required.

4.2.3 Utilities

Water – Water line connections for the project/development are located along Hwy 15-501 (18" water main) and Morganton Road (16" water main). Extensions of water mains will be installed by the developer(s) of the properties within the CDP and are described in section 5.5.

Sewer - Gravity sewer is available to the site along Hwy 15-501, Morganton Road, Southern Road and Old Morganton Road. Discussions and design requirements are ongoing with the Town's Engineering and Utilities Department(s) to assess to what extent the existing sewer main(s) are to be upgraded. Extensions of gravity sewer will be installed by the developer(s) of the properties within the CDP and are described in section 5.5.

Electric - Electric power is available for the site and has been installed to serve previous adjacent developments. In addition, a Duke Energy substation is located adjacent to the property with transmission lines running through the property. These lines are shown on Exhibit – IV Existing Conditions. All new electric lines will be installed underground. Power distribution lines area also located within the power easement on the property from US Highway 15/501.

Gas – Natural gas is available for the site and has been installed in previous adjacent development. Natural gas lines may be extended and connected to the development areas.

Telephone/Cable – Telephone and cable service is available for the site. All new service lines will be installed underground.

4.2.4 Buildings, Structures, Signs and Historical Structures

There are no historical structures on the site. An existing historical cemetery is located on the property and will be preserved.

4.3 Existing Legal Features

4.3.1 Zoning Information - The subject property is currently zoned Planned Development (PD) and General Business (GB – on Parcel 2 in Section 4.3.5). There is no approved Conceptual Development Plan (CDP) in place for the PD zoned area. The 0.40-acre parcel zoned GB is to be rezoned to PD and subject to the requirements of the CDP. The property is designated as Traditional Mixed-Use in the Town's CLRP.

4.3.2 Property Lines and Legal Description - see Exhibit IV

4.3.3 Right of Ways - Adjacent rights-of-ways along property edges are Morganton Road, Old Morganton Road, Patriot Boulevard, Southern Road, Short Street, and US Highway 15/501. Roadways are depicted in Exhibit IX – Conceptual Transportation Plan (CTP).

4.3.4 Easements - Utility easements are depicted in Exhibit IV.

4.3.5 Ownership Information - See Exhibit V for depictions of the tracts listed in the table below. Copies of the corresponding recorded deeds evidencing ownership are provided as Exhibit XII.

Tract	Owner	Deed Book	Page Number(s)	Acres
1	Hyperactive Commercial Investments, LLC	4917	528	44.29
2	Hyperactive Commercial Investments, LLC	4917	528	0.04
3	Morganton Road Enterprises, LLC	5288	32	51.16
4	Robert W and Julie M Van Camp Trustees	2783	119	3.05
5	R & T Properties of North Carolina, LLC	3264	271	0.24

Property to be rezoned is described by using the property descriptions of the attached deeds in Exhibit XII, save and except, any portions of that property that have been previously platted as lots, right-of-way or common area.

4.3.6 Adjacent Parcel information - the adjacent parcel owners, zoning, use, pin numbers and Parcel ID numbers are listed on the Adjacent Property Owners found in Exhibit VI.

5.0 DEVELOPMENT CONDITIONS

5.1 Development Program

The development may include many of the uses included in the Multi-family Residential (RM-1 and RM-2), General Business (GB), and Office/Services (OS) zoning districts.

Uses on the property may be mixed on individual properties or within individual buildings to promote a mixture of uses throughout the CDP area. A list of the permitted uses for the property has been included in Exhibit VII. These uses have been derived from Exhibit 3-15: Table of Uses in the UDO. GB and OS uses that are not intended for the property have been removed from the list.

The allowable development program and permitted uses for each section of the Conceptual Plan development areas are presented by their LBCS code in Exhibit VII. Each area is graphically depicted in the Land Use Plan included in Exhibit VII. The Conceptual Master Plan is included in Exhibit VIII. Plan acreages for the individual development areas illustrated in Exhibit VIII are included in Table 1.0 below and development densities and program are included in Table 1.1.

Table 1.0 – Land Use Areas

LAND USE TABLE:	
CATEGORY	AREA
Retail	+/- 37.4 acres
Multi-Family/Residential	+/- 12.7 acres
Mixed Use	+/- 17.5 acres
Retail/Office	+/- 18.3 acres
Total Developable Acreage	
	+/- 85.9 acres

Table 1.1 Development Program

CATEGORY	CDP AREA	TOTAL
Acreage		+/- 98.78 acres
Residential	650 Units	Units may be Multi-Family, Townhomes, and Single Family Detached up to a density of 16 dwelling units per acre as defined in the Morganton Road Overlay Section 3.6.6(K)(1)
Office	Up to 400,000 sf	Commercial/Retail may be converted to Office within the maximum limits stated above on a 1:1 square foot ratio. At no time may the total of all office and commercial/retail buildings exceed 700,000 sf *
Commercial/Retail	Up to 650,000 sf	

Notes:

- * In no case may any combination of retail or office uses exceed 700,000 sf combined. Mix examples include 400,000 sf retail and 300,000 sf office; or another scenario would be 500,000 sf of retail and 200,000 sf of office.

5.2 Development Standards

In general, dimensional standards for the development, including building height, buffers, setbacks, and landscaping will follow the standards of the UDO, unless other standards are included in this document. Any modified standard in this document will supersede the UDO requirements. See list of deviations included as Exhibit XIV.

The required open space is presented below in Table 2.0. Open space is further discussed in Section 5.5.2 below.

Table 2.0 – Open Space

Category	Required
Overall Open Space	19.8 acres; 20% minimum
Usable Open Space	9.9 acres; 10% minimum

- Usable open space will be calculated as defined by the UDO and may include trails, open areas, amenity areas, linear park areas, multi-use paths, and other recreational areas.

5.3 Treatment of Onsite Natural and Man-Made Features

5.3.1 Natural Features

There are no wetlands located on the property and the site does not fall within a regulated watershed. There are also no endangered species located on the property.

5.3.2 Man Made Features – Power transmission lines will remain on the property. Smaller distribution lines will be buried from US Highway 15/501 to the southwest corner of the Town of Southern Pines soccer fields located on parcel with PIN: 857100674447. A historic cemetery is located on the site. The location of the cemetery has been studied and surveyed. The cemetery will remain on site and be protected.

5.4 Statement Regarding Public Facilities

Any community greenway trails, or multi-modal trails will be added to the Town of Southern Pines greenway system upon completion and dedication. The greenway trails within the linear park are anticipated to be dedicated to the Town of Southern Pines. Future connection points may also be provided to the Town's greenway system.

5.5 Additional Design Conditions

The following additional development standards will control development on the site:

5.5.1 Vehicular Circulation, Street Cross Sections, and Parking

The vehicular circulation within the CDP area provides for interconnectivity between adjoining properties at existing stub out locations and a new Parkway Connector that will connect US 15/501 to Morganton Road. This connector road will be more than a mile in length and provide a new important connection for the Town of Southern Pines. Roadways described above are indicated on Exhibit IX – Conceptual Transportation & Drainage Plan and include the following:

- Parkway Connector – Connecting US 15/501 to Morganton Road
- Old Morganton Road – Connect to existing stub out
- Southern Road – Connect to existing stub out

Street standards supplementing the current Town of Southern Pines standards that may be included within the project boundary are included in Exhibit X. These cross sections will apply to the CDP Area. The functional classification of streets is illustrated in Exhibit IX – Conceptual Transportation and Drainage Plan. Upon completion, the streets will be dedicated to the Town of Southern Pines as described in Section 8 of this document.

Roadways adjacent to the community are governed by the NCDOT and will require a Traffic Impact Analysis at the time of PDP. Ingress/egress connection to these streets and proposed mitigation requires NCDOT approval of all mitigation measures and will be implemented per the requirements of and as established by the NCDOT.

Roadway connections to Southern Road and Old Morganton Road will be constructed to utilize the existing roadway cross section, dimensions, and design of each street to be consistent with previous development. Engineering standards for the pavement, sidewalks, and trails will meet engineering standards for the Town of Southern Pines in place at the time of development. These connections to US Highway 15/501, Morganton Road, Southern Road, and Old Morganton Road will be constructed based on the timing in Section 10 Phasing of the CDP document.

Ingress/Egress Points

Arrows shown on Exhibit IX are conceptual and subject to change. Access driveways to the Parkway Connector will be limited to no more than one driveway cut per 400'. Access drives will align with other driveways across the parkway where possible. Future connections to other surrounding roadways may be made if the opportunity is made available without revision to this document to provide additional locations for emergency service vehicles as necessary.

No direct access, besides the Parkway Connector as depicted throughout the CDP, will be provided to West Morganton Road by development in Phases 3, 4 and/or 9 as depicted on Exhibit VIII of the CDP.

Full movement intersections on the Parkway Connector will be limited to the intersections of Old Morganton Road and Southern Road and the default design of all other accesses to the parkway collector road will be right-in, right-out intersections. This default design may be reviewed on a case-by-case basis at Preliminary Development Plan after a Traffic Impact Analysis is conducted and submitted per the requirements of the UDO.

Cul-de-sacs - Cul-de-sacs will be limited in the development, however, in some instances cul-de-sacs may be provided based on land features and parcel boundaries.

Sidewalks/Multi-use-paths – Concrete sidewalks and/or asphalt multi-use paths will be provided throughout the development. Trails and sidewalks may be located within the building/parking setbacks along the main roadways to create a linear park system and connections to development areas. These pathway areas will be considered per Section 5.5.4 of this document. The type and location of paths located along the connector roadways has been shown on Exhibit VII. Paths along Southern Road will be sidewalks on one side of the road to match the existing roadway. Old Morganton Road will include a multi-use path on the north side of the roadway and a sidewalk on the south side to match the existing condition. Trails and sidewalks outside of the roadway areas will be defined during the PDP phase and based on topography, location, and proximity to other pedestrian paths within the development.

Sidewalks and trails along the main roadways will be installed with the development of each roadway per the Phasing plan in Section 10 of this document. Sidewalks and trails within the individual phase will be developed with the individual phase of development. Sidewalks and trails within the right-of-way will be dedicated to the Town. If trails along the major roadways fall outside of the right-of-way, an easement will be provided for the Town to maintain these areas.

Parking - Parking for large scale retail development may be located in the front of the buildings, between the street and building front. Smaller mixed-use, office, and retail developments will follow the standards of UDO Section 3.6.6(F)(2). Parking for large scale retail development and/or shopping centers must maintain a parking level between 1 parking space per 250 sf and 1 parking space per 200 square feet of retail/restaurant building square footage.

Mixed-use sections of the CDP area may propose shared parking, dependent upon uses within the proposed development. Shared parking for mixed-use development may follow the standards set forth in Section 6.4.4(B) of the UDO. Parking will be reviewed at the time of the PDP for the individual development areas and dependent upon proposed uses for the property.

5.5.2 Open Space, Amenity and Pedestrian Circulation

A network of pedestrian sidewalks, multi-modal trails and open spaces will be provided throughout the development. A minimum of 19.8 acres (20%) of total

open space shall be provided. A minimum of 9.9 acres (10%) of the provided open space shall be usable open space as described in Section 3.5.14 of the UDO. A running tabulation will be provided during the PDP process for each individual phase.

A linear park will be developed along the “Parkway Connector” within the development. The minimum width of the park shall be 80’. The area will be measured and extend from the right-of-way to any building or parking areas. The linear park area is not required to have uniform width on both sides of the right-of-way. A 20’ minimum setback is required on each side of the road. This setback zone, described in Section 5.5.4 of this document, will provide trails and outdoor recreation opportunities for residents, workers, and patrons of businesses within the development. Plans for the area will be reviewed during the PDP process and must meet the UDO open space standards and standards included in this document to qualify as open space. This area will include patio areas, sitting areas, park features, trellises, and other outdoor features. This area will count toward the usable open space requirements for the overall CDP area.

The table below defines the requirements of the linear park. The linear park must meet the following standards to be considered open space.

Park Standards	Dimensional Standards and Location	Additional Conditions
Width	The Linear Park shall be a minimum of 80’ in width and shall be a minimum of 20ft wide measured from the Right of Way line of the public street	Shall be of a minimum width of 80ft
		Does not have to be a uniform width except where the minimum width applies
Location	The Linear Park shall extend the length of the Connector Parkway from Morganton Rd to NC Hwy 15-501	May be located on both sides of the Parkway to the extent that the dimensional standards of the park can be met.
		Shall abut the right of way of the public street
Cemetery Park	The Linear Park will include the existing cemetery locate on the property	May be located on both sides of the Parkway to the extent that the dimensional standards of the park can be met.
		May be located only on one side of the street.
		Shall abut the right of way of the public street

Park Amenities	Minimum Standards	Additional Conditions
Benches	Benches shall be required at a minimum interval of 300'	Park Benches shall be of a commercial grade material suitable for the public environment
		Benches shall have an accessible route to the bench or seating area
		To be maintained by the owner of each property having frontage along the linear park
Seat Walls	May replace benches and sitting areas	To be maintained by the owner of each property having frontage along the linear park
Bike Racks	Bike Racks shall comply with Town Standards at a minimum interval of 1,000'	Bike racks shall conform to the Town Standards for Bike Rack
		One Bike Rack shall be placed in the location of any seating area provided in the Linear Park
		To be maintained by the owner of each property having frontage along the linear park
Trash Receptacles	Waste Stations (trash) shall be required at a minimum interval of 600'	To be maintained by the owner of each property having frontage along the linear park
Pet Waste	Pet waste Stations shall be required at a minimum interval of 1 per 1,000 If	Where there is a pet waste station there shall be a waste receptacle
		To be maintained by the owner of each property having frontage along the linear park
Shade Structures	Shade Structures shall be required at a minimum interval one structure per every two benches, or a minimum interval of one structure per 600'	To be maintained by the owner of each property having frontage along the linear park

Pedestrian Paths	Minimum Standards	Additional Conditions
Multi-Modal Path	Any multi-modal path within the Linear Park shall conform to Town Standards for dimensions and specifications.	The multi-modal paths shall extend along the "Parkway" Road.
		May be located out of the public road right of way but shall be located within the boundary of the "Linear Park"
		Development properties shall make connections to the Multi-Modal Path where they install sidewalks and other pedestrian ways for accessibility
		The multi-modal paths shall be located in the public right-of-way
Sidewalks	Any sidewalks within the Linear Park shall conform to Town Standards for dimensions and specifications.	

Landscaping		
Plant Type	Minimum Planting Rate	Additional Conditions
Large Trees	One tree per 2,000 square feet not exceeding a spacing of 50 linear feet	* At least 50% of the trees shall be evergreens
		Longleaf Pines shall be a minimum 2" caliper
		Other Large Trees shall be minimum 2" caliper
		Trees shall be randomly spaced but not less than the minimum planting rates
Small Trees	One tree per 2,000 square feet not exceeding a spacing of 50 linear feet	At least 20 percent and not more than 30 percent of small trees shall be deciduous
		At least 50 percent of evergreen trees shall be species other than pines
		Small trees shall be a minimum 1.5-inch caliper
		Trees shall be randomly spaced but not less than the minimum planting rates
Shrubs	Shrubs are required at a rate of one shrub per three linear feet adjoining areas of hardscaped park amenities	When shrubs are used, they should be used to amenitize hardscape features in the Linear Park such as: Outdoor Seating areas, gathering spaces, resting points, etc.
Turf	Turf shall be a Bermuda variety	Where turf is installed spray type irrigation is required.

5.5.3 Architectural Standards

The Town of Southern Pines Council will review and approve all multi-family and non-residential building plans for compliance with the Town's architectural standards in Section 4.10.4 of the UDO. All development and building permits are subject to all Local, State and Federal permitting guidelines, architectural review, rules, and regulations. In addition, all buildings described above will require an Architectural Compliance Permit.

To limit the height along the Parkway Connector and other main street connections within the CDP area, buildings will be required to maintain a maximum height of 35' within 50' of the Parkway Connector right-of-way. Outside of this area buildings may be permitted up to 45' per UDO standards for the General Business (GB) district. In addition, special architectural features up to sixty (60) feet, may be permitted to add character to the development. These features will be reviewed during Architectural Compliance Permit review.

5.5.4 Landscaping, Setbacks, and Buffering

Landscape standards will meet or exceed the requirements of the Town of Southern Pines UDO per Section 3.5.14(H). Landscape buffers will be installed per the UDO unless otherwise specified in this document.

Streetscape – Street trees will be planted along the public main streets within the development. Street trees will be adjusted to accommodate existing driveways and future driveway locations within the development.

To reflect the natural appearance of the local area, street trees may be planted with random spacing, rather than at regimented distances on center to provide a more natural character within the development area. Street tree plantings will be installed at a rate of one tree for every 30' of roadway on both sides of the street, however, trees may exceed 30' on center and be planted with random spacing as described above. Street trees will not exceed a maximum of 80' on center. Loblolly Pine trees will make up a substantial portion of the street tree plantings to maintain the character of Southern Pines. Loblolly Pines will be installed in containers at the largest available size, even if below the Town of Southern Pines minimum size requirement, to increase survivability and health of the trees. Any existing trees maintained within the right-of way will be credited toward the street tree requirements.

Street trees will be installed during reasonable planting times based upon the individual plant species. Bonding of these improvements will be permitted per the Town's UDO standards in Section 4.3.12, in effect at the time of the approval of this CDP.

Buffers and Setbacks - Landscape buffers are not required within a planned development; however, The Applicant will provide additional areas of landscape buffers and setbacks along the new Parkway Connector to create a

linear park area for the development and provide a visually pleasing roadway. The proposed development standards for this landscape area are provided above in Section 5.52 and dimensional standards are included below (measurements are from the right-of-way):

Building Setback = 25'

Parking Area Setback = 25' * (does not include internal drives)

Landscape Buffer = 20' *

Maximum Building Height = 35' within first 50' (see Section 5.5.3 for additional information related to building height)

* These development standards may be modified to locate facilities around site specific features which are located on the property.

A 20' perimeter landscape buffer will be required along the boundaries of the CDP that abut adjoining properties. This perimeter buffer will follow the planting standards of the Town's UDO. Buffers between properties within the PD district are not required. The Applicant may elect, in the future, to install a landscape buffer at its discretion as part of future land planning within the PD.

5.5.5 Utilities

Drainage easement areas will be provided as required by the UDO and applicable regulations, the same being designed during, detailed and located during the detailed engineering and permitting of future development phases.

Electric, water, sewer and gas utilities are currently available on the property as described in Section 4.2.3 of this document. Any new utility lines will be installed per the policies of the local utility providers and the Town of Southern Pines for underground utilities.

From time to time, temporary services may be required and shall be allowed at community facilities, temporary construction offices, temporary sales centers, and other common amenities such as parks.

Water and sewer utilities will be provided by the Town of Southern Pines.

Water – Water line connections for the project/development are located along Hwy 15-501 (18" water main) and Morganton Road (16" water main). The connector road that will connect to Morganton Road and Hwy 15-501 and will include the installation of a new connecting 12" diameter water main along the Parkway Connector to serve the site improvements and future development. Additional water main connections on Southern Road (8" Water Main) and Old Morganton Road (8" Water Main) will be extended to the Parkway Connector water main as described above. These extensions of water mains will be installed by the developer(s) of the properties within the CDP.

Sewer - Gravity sewer is available to the site along Hwy 15-501, the proposed improvements will connect to the existing sewer main and may require a downstream upgrade of the existing sewer main north of Brucewood Road. Discussions and design requirements are ongoing with the Town's Engineering and Utilities Department(s) to assess to what extent the sewer main(s) are to be upgraded. As with the water main extension the spine road connection will also include gravity sewer to be located in the new connector road to provide service to surrounding properties to be developed as included in this CDP. Other sewer connections will include an 8" gravity sewer main along the Southern Road connection and an 8" gravity sewer main along the Old Morganton Road extension. The Southern Road and Old Morganton Road connections will be extended for the use of future development properties. These extensions of sewer mains will be installed by the developer(s) of the properties within the CDP.

Cable will be provided by Spectrum. Power and electric utility will be provided by Duke Energy.

5.5.6 Street Lighting

Street lighting will be designed in conformance with the requirements of Section 4.8 in the Town of Southern Pines UDO. All lighting will be LED lighting. The cost of installation and maintenance of any specialty street lighting shall not be the responsibility of the Town of Southern Pines. Appropriate lighting in parking areas and amenity locations will be provided as required by the UDO.

5.5.7 Signage

Creating a consistent character for the signs in the CDP area is important to maintain consistency throughout the development and enhance the aesthetic character, while providing adequate signage to identify tenants and projects within the overall area. Signs will reflect the architectural character of Southern Pines and the future architecture of the Morganton Park area. Below are specific design criteria, sign elevations, materials, and requirements for the signage to be included throughout the overall CDP area. In addition, general signage locations are indicated on Exhibit VII – Land Use Plan within these documents. Any sign that is not specifically identified in this section will follow the standards of Section 4.6 in the UDO.

Sign areas to be computed per Section 4.6.6 of the UDO unless otherwise specified below. Any sign within the development area not specifically described below will meet all Town of Southern Pines standards.

- Overall Morganton Park South signs (landmark/monument) – US 15/501 entrance and Morganton Road entrance

Signage along the major connection roads (Parkway Connector, Southern Road, and Old Morganton Road) may vary for the UDO standards. These standards are defined below.

- Off premises signs are permitted at the intersection of the Parkway Connector and both US 15/501 and Morganton Road. These signs will serve to indicate establishments throughout the overall Morganton Park South development area.
 - These “landmark” signs are intended to identify the overall Morganton Park area. In addition, these signs may identify a limited number of establishments within the development area. The place identifier, “Morganton Park”, does not count toward the overall sign area for these two (2) signs. See Exhibit XI – Signage Standards
 - Sign dimensions are as follows:
 - US 15/501 sign
 - Maximum sign height = 10’
 - Maximum sign area (tenants) = 200 sf
 - Morganton Road sign
 - Maximum sign height = 8’
 - Maximum sign area (tenants) = 100 sf
 - Signs may have uplighting or be internally lit. All uplights must be shielded from view and directed toward the sign only.
 - These monuments will be made of brick and reflect the elevations shown in Exhibit XI – Signage Standards.
 - The maximum number of tenant panels for each sign are indicated on the elevations shown in Exhibit XI – Signage Standards.
- Retail Entry and Wayfinding Signs – located at the entrances along the Parkway Connector to the Phase 1 Shopping Center development area
- These signs are intended to identify the main tenants within the Phase One development area only.
 - Locations for these signs are indicated on Exhibit XI – Signage Standards
 - These monuments will be made of brick and reflect the elevations shown in Exhibit XI – Signage Standards.
 - Tenant panel general layouts for each sign are indicated on the elevations shown in Exhibit XI – Signage Standards.
 - Signs will be internally lit.
 - Sign dimensions are as follows:
 - Maximum sign height = 5’
 - Maximum sign area (tenants) = 20 sf
- Building Mounted Signage
- Anchor Retail Store – The large retail anchor stores, in excess of 45,000 sf, may request additional building mounted wall signage. These buildings have multiple access points for customers and separate customer pick-up locations for online orders. In addition, these stores may have separate smaller retail stores located within a single large retail building. Individual retailers within the single building may also have wall mounted signage on the building at a

reduced scale. Exhibit XI includes signage for the large retail anchor tenant to be located in Phase 1 of the development. Other future anchor retail stores may request additional signage during the Preliminary Development Plan and/or the Architectural Compliance Permit process.

- Signs for "Shopping Centers" will follow Section 4.6.13 and maintain a Unified Sign Plan. Signs in this section will be permitted in the Unified Sign Plan.

5.5.8 Accessory Uses

Accessory dwellings and uses may be incorporated in various areas per Section 5.2 and 5.3 of the Towns UDO.

5.5.9 Temporary Uses/Special Events

Temporary construction trailers including, but not limited to real estate, construction and sales offices may be installed during the period of construction and real estate sales. Other temporary uses may include tree or sod farms and plant nurseries (but such tree, sod or plant operations shall be temporarily operational during and as a part of development installation and landscaping). Any temporary uses or special events must obtain the appropriate permits from the Town of Southern Pines.

5.5.10 Storm Water Management and Water Quality Management

The proposed development area lies outside of any protected watershed district established by NCDWQ. The project will comply with all state and local standards for storm water management and erosion control. Best management practices and engineered storm water facilities, as required at the time of development of each phase shall be provided in accordance with NCDENR guidance and Town of Southern Pines requirements to control runoff as required.

Drainage facilities will be located in the general locations as shown on Exhibit IX and may be either site specific or designed as regional stormwater control. Stormwater may be controlled and collected in wet ponds, dry ponds, or stored in underground facilities. The locations shown on the plan are subject to change throughout the continued development of the property based on detailed engineering and grading plans. Stormwater must be maintained on the overall property to meet the Town of Southern Pines, NCDENR, NCDWQ and any other stormwater regulations. Adequate stormwater control must be in place (regional facility) or designed as part of each phase of development.

The installation/maintenance of any proposed storm water devices shall not be the responsibility of the Town of Southern Pines. The overall site will meet the maximum built upon area as required by the state standards in this watershed at the time of this application.

- Adjacent property Impervious surface
 - o R&T Properties, Parcel ID # 20070557 (0.24ac) and ID # 00055645 (4.84ac), currently has an impervious surface percentage below the permitted 70% maximum requirement within the Urban Village Highway Corridor Overlay District (UVHCOD). Any dedication of right-of-way for the purpose of constructing the Parkway Connector and a connection from the Parkway Connector, including any sidewalks or other required structures, to the R&T Properties site which will utilize the land included in parcel ID # 20070557. Upon the dedication of right-of-way and construction of access will not modify or incumber the current impervious percentage permitted on the R&T Properties parcels for future development or use of these properties. The area of land used as the denominator for purposes of calculating the impervious surface percentage within the UVHCOD on the R & T Properties parcels shall continue to be based upon the current area of land contained within the UVHCOD on the R & T Properties parcels and shall not be reduced due to: (a) the loss of land area pursuant to any dedication of right-of-way for the Parkway Connector and/or (b) the increase of impervious area due to the construction of a connection from the Parkway Connector to the R & T Properties parcels.

6.0 Property Maintenance

Each property developed within the Morganton Park South area will maintain its own facilities, which will include any area between the right-of-way and development. Areas within the linear park outside of the right-of-way and not dedicated to the Town (trails and sidewalks) will be maintained by the individual property owner. Right-of-way areas, once dedicated to the Town of Southern Pines, will be maintained by the Town.

7.0 Conceptual Transportation Plan

A Conceptual Transportation and Drainage Plan – Exhibit IX has been provided as required by the UDO. This plan illustrates the proposed street network for the CDP area and identifies roadway connections to adjacent properties. During the Preliminary Development Plan (PDP) process for each proposed development within the CDP, a detailed site and development specific Traffic Impact Assessment (TIA) will be provided. This TIA will be coordinated with the Town of Southern Pines and NCDOT and assess the traffic improvement needs of the development.

8.0 Statement about Dedication of Streets

All main connector streets indicated in the Conceptual Transportation and Drainage Plan – Exhibit IX will be dedicated to the Town of Southern Pines. Streets will be maintained by the developer until such time as turned over to the Town of Southern Pines. All parking areas within the development will remain private and maintained by the developer and/or Property Owner's Association.

9.0 Annexation

Any areas within the property that are not currently part of the Town of Southern Pines, will be offered for annexation and accepted by the Town of Southern Pines prior to the approval of the first set of building permits, unless otherwise specified through additional agreements that may supersede this requirement.

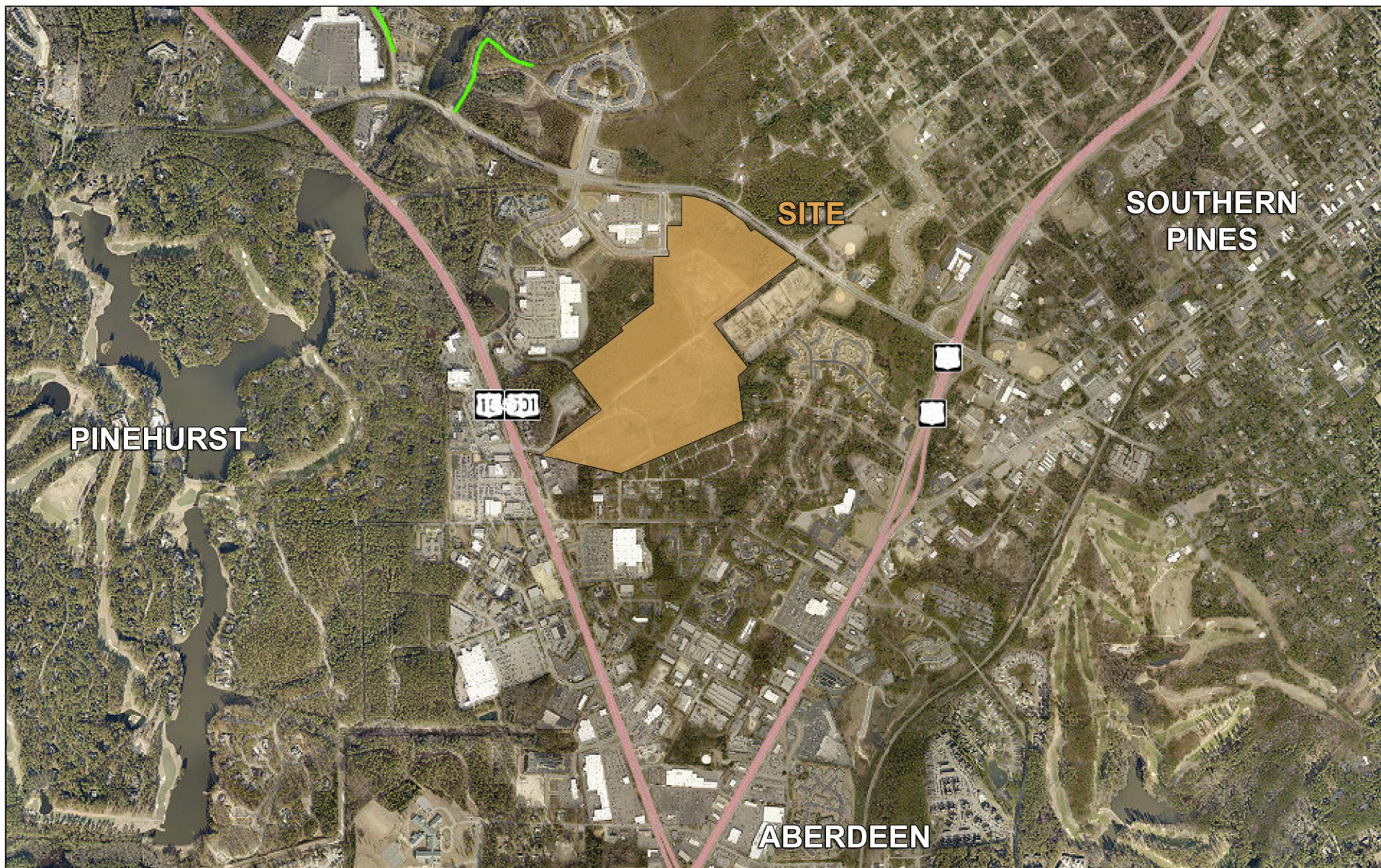
10. Phasing

This project is projected to have a 20-year build-out. All phases have been labeled on Exhibit XI - Phasing Plan and are governed by this section. Due to the large-scale of this project and the uncertainty of economic factors that influence land development, some flexibility in phases is necessary. Pursuant to Section 2.9 of the UDO, the proposed phasing plan (Section 10 of the CDP booklet) is not tied to an event and or a particular date (not uncommon with large scale, long-term planned communities). Phasing and requirements for each phase will be reviewed at such time as a PDP is submitted for an individual phase. To clarify, the event to which the phasing will be tied the following information is provided:

- Parkway Connector – will be constructed with the first phase of development within the CDP area.
- Southern Road – will be planned and constructed with any development of Phase 5 and/or Phase 6. This road will be accepted by the Town prior to the issuance of a certificate of occupancy for any development within the phases 5 and/or 6.
- Old Morganton Road – will be planned and constructed with any development of Phases 3,4, and/or 7. This road will be accepted by the Town prior to the issuance of a certificate of occupancy for any development within the phases 3,4 and/or 7.

At the time of construction of the roadways described above, public water and sewer utilities will be installed within the right-of-way, per the Town of Southern Pines engineering standards, to serve all properties along the road extension. Conceptual utility design plans are required during the Preliminary Development Plan process and will be submitted with any application for a Preliminary Development Plan. Details related to the construction and timing of these improvements will be described in a development agreement between the Town of Southern Pines and the developer of these improvements, prior to the commencement of construction of the project. The Development Agreement will include a provision reflecting the developer's commitment to maintain vegetated medians along the Parkway Connector.

If development, as described above, does not trigger construction of both Southern Road and Old Morganton Road within 10 years of the first certificate of occupancy for the first phase of development in the CDP area, any remaining unbuilt connector road will be designed, permitted, and constructed by the property owner(s) of record, at the time of the expiration, at their expense within 18 months of the trigger date. Town Council may extend this period of development for a one (1) year period, up to a total of (2) extensions upon request by the landowner or applicant.



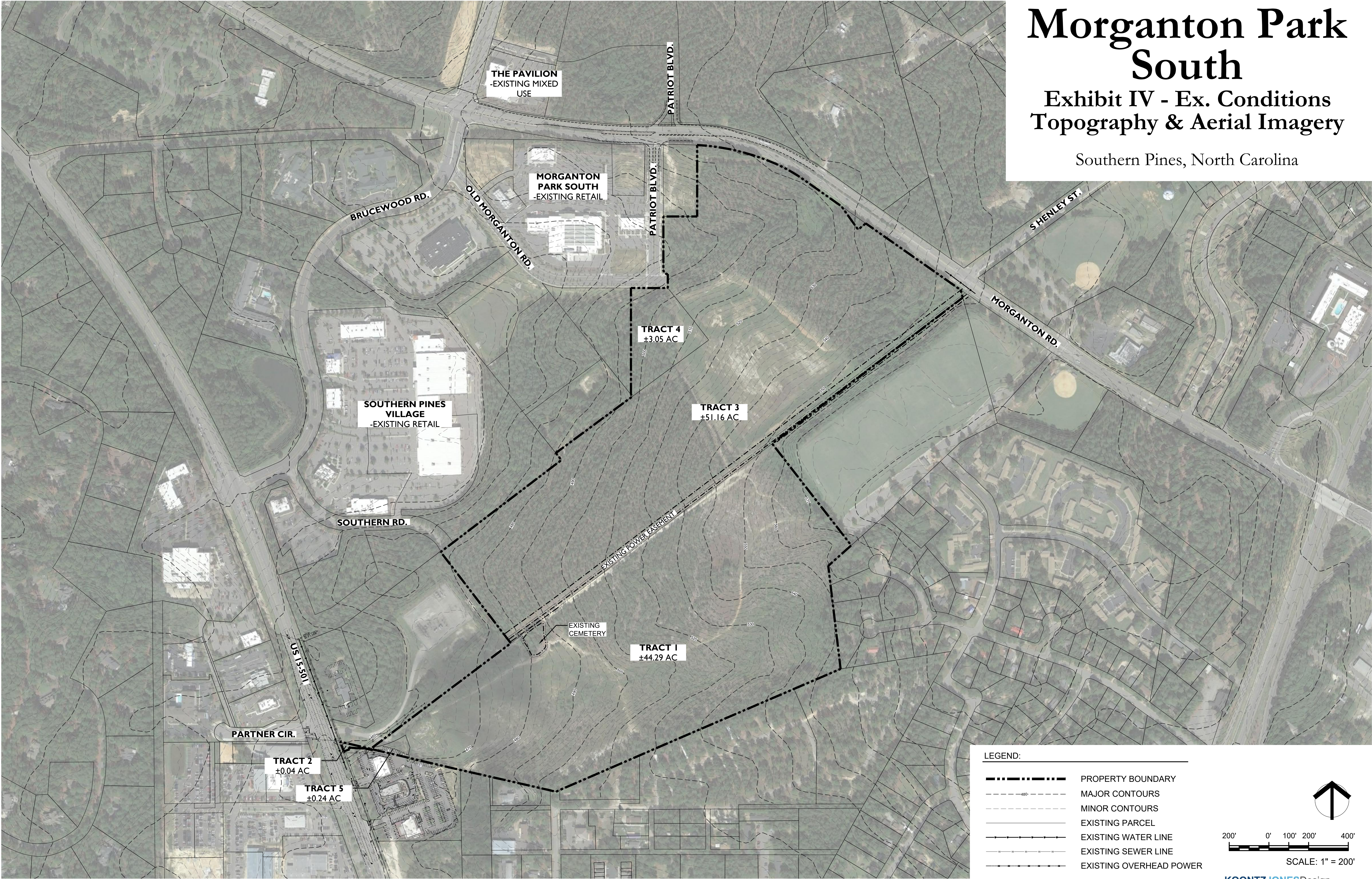
Site Location Map (NOT TO SCALE)

EXHIBIT II

Morganton Park South

Exhibit IV - Ex. Conditions Topography & Aerial Imagery

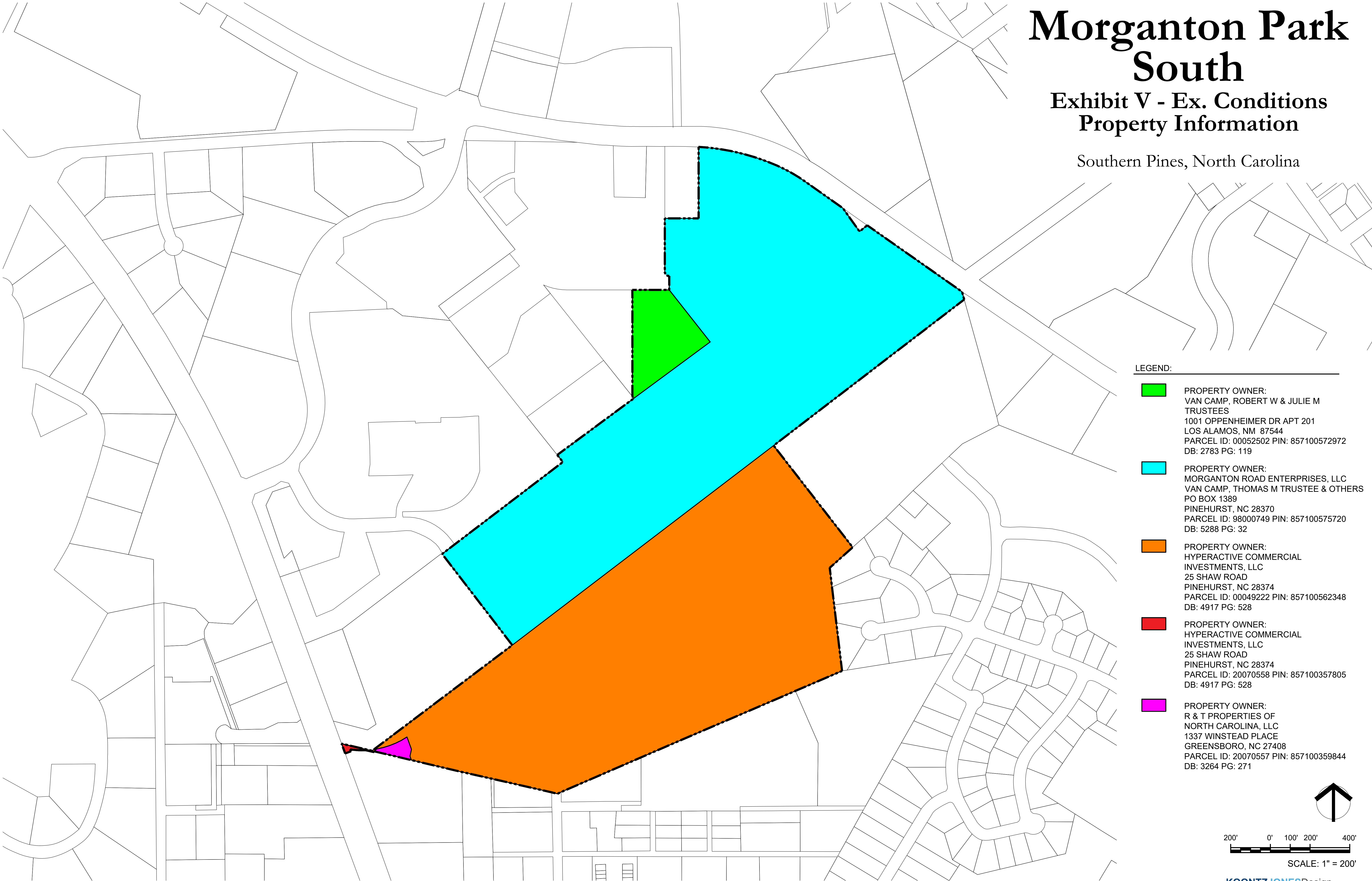
Southern Pines, North Carolina



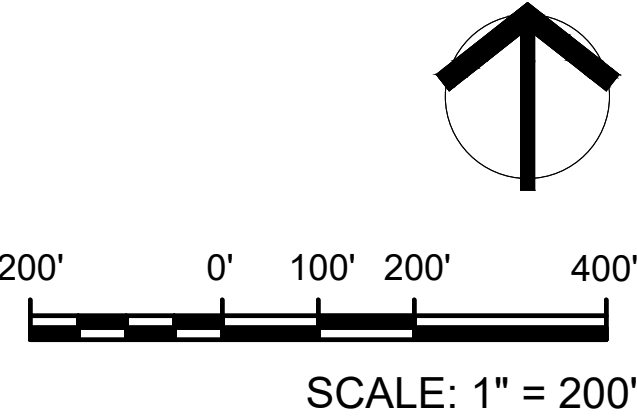
Morganton Park South

Exhibit V - Ex. Conditions Property Information

Southern Pines, North Carolina



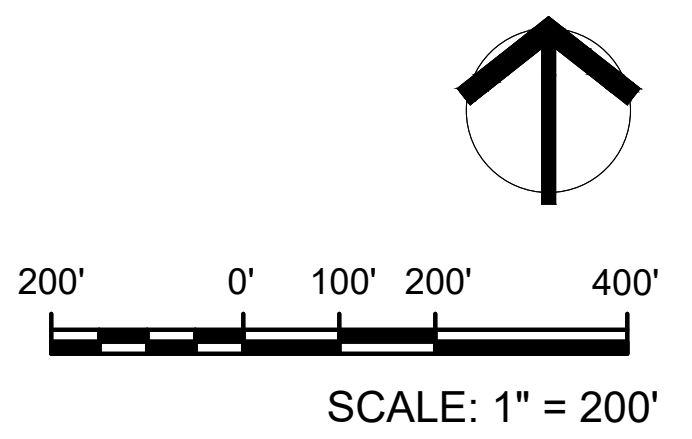
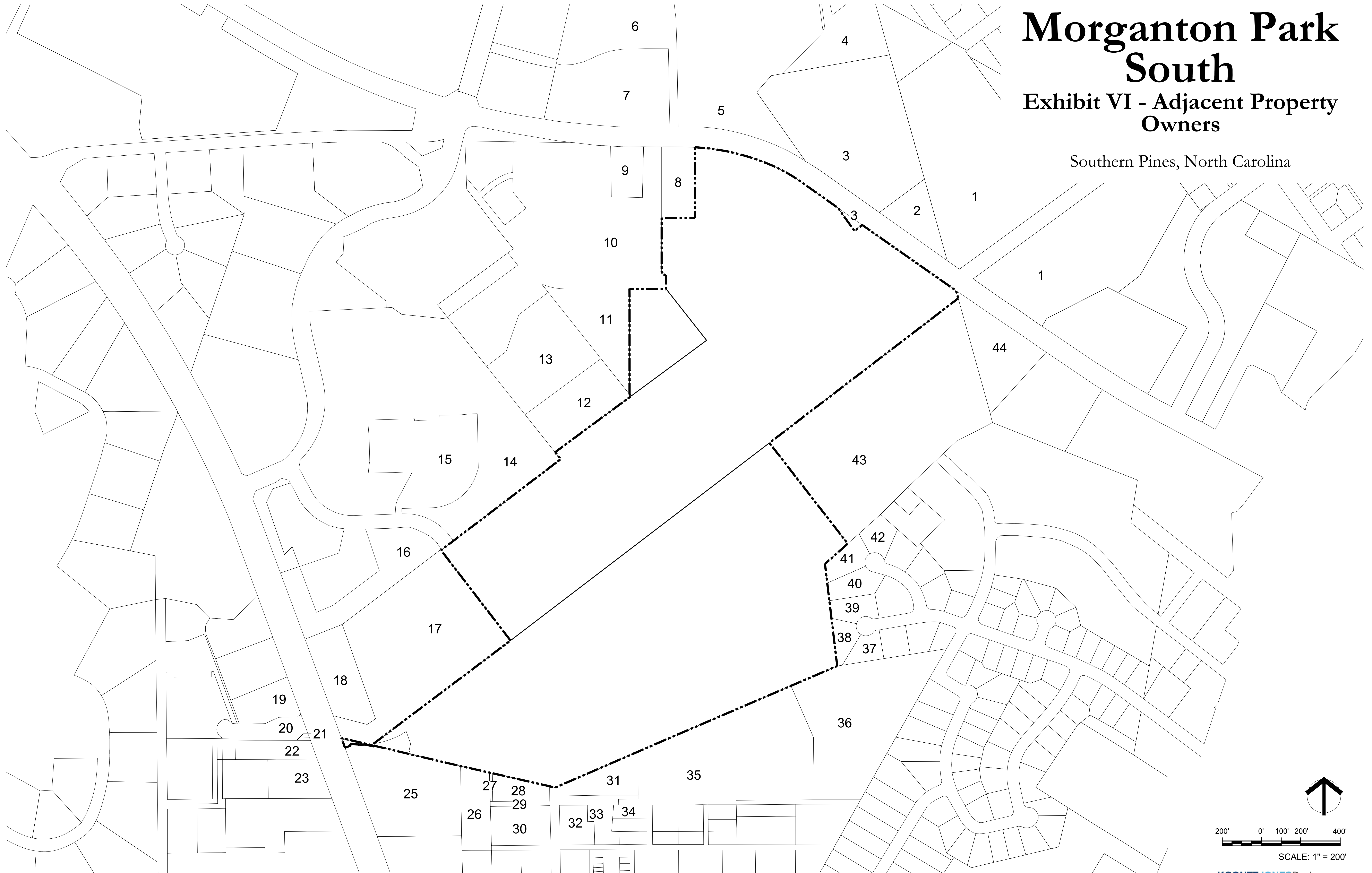
- LEGEND:
- PROPERTY OWNER:**
VAN CAMP, ROBERT W & JULIE M TRUSTEES
1001 OPPENHEIMER DR APT 201
LOS ALAMOS, NM 87544
PARCEL ID: 00052502 PIN: 857100572972
DB: 2783 PG: 119
 - PROPERTY OWNER:**
MORGANTON ROAD ENTERPRISES, LLC
VAN CAMP, THOMAS M TRUSTEE & OTHERS
PO BOX 1389
PINEHURST, NC 28370
PARCEL ID: 98000749 PIN: 857100575720
DB: 5288 PG: 32
 - PROPERTY OWNER:**
HYPERACTIVE COMMERCIAL INVESTMENTS, LLC
25 SHAW ROAD
PINEHURST, NC 28374
PARCEL ID: 00049222 PIN: 857100562348
DB: 4917 PG: 528
 - PROPERTY OWNER:**
HYPERACTIVE COMMERCIAL INVESTMENTS, LLC
25 SHAW ROAD
PINEHURST, NC 28374
PARCEL ID: 20070558 PIN: 857100357805
DB: 4917 PG: 528
 - PROPERTY OWNER:**
R & T PROPERTIES OF NORTH CAROLINA, LLC
1337 WINSTEAD PLACE
GREENSBORO, NC 27408
PARCEL ID: 20070557 PIN: 857100359844
DB: 3264 PG: 271



Morganton Park South

Exhibit VI - Adjacent Property Owners

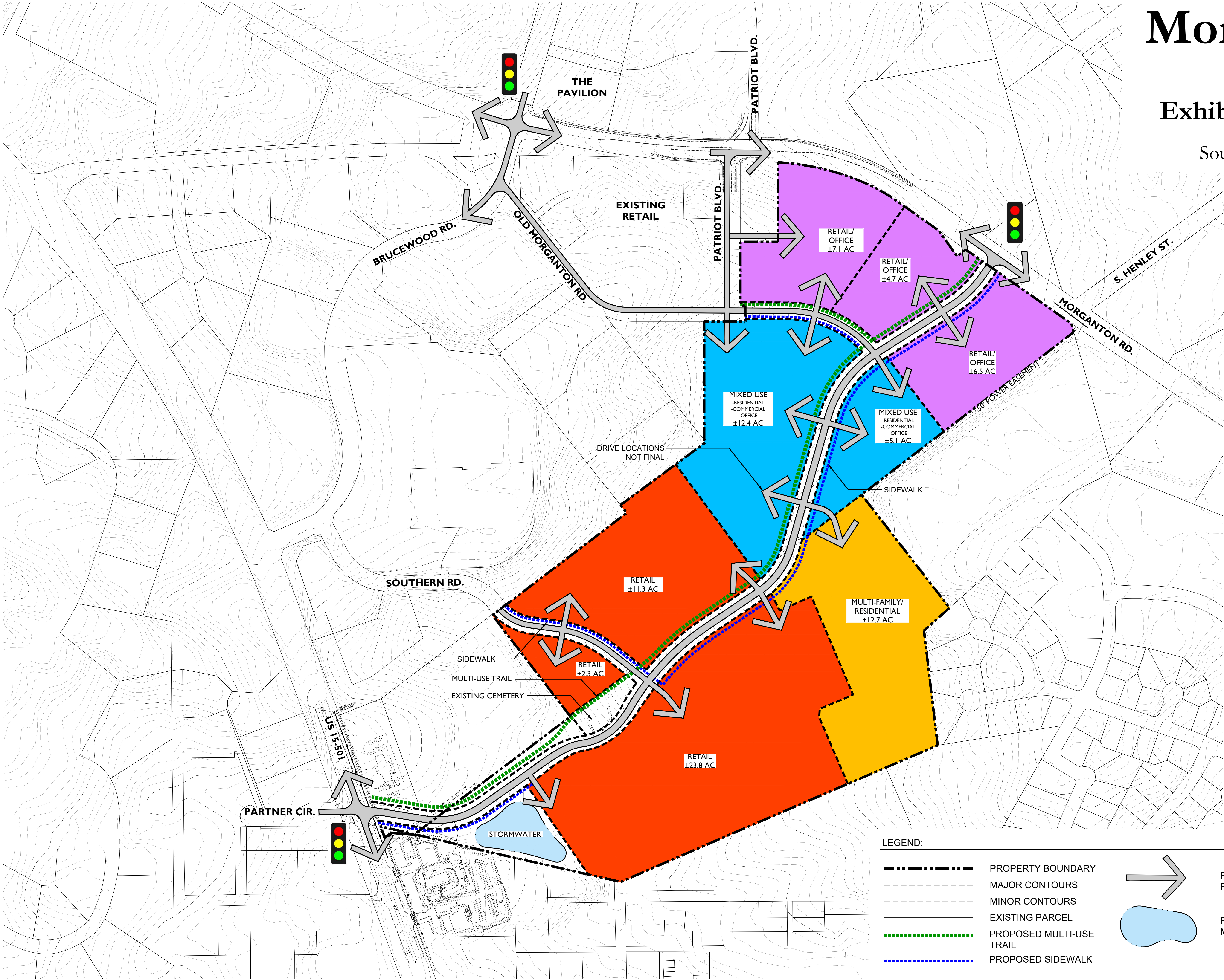
Southern Pines, North Carolina



Morganton Park South

Exhibit VII - Land Use Plan

Southern Pines, North Carolina



LAND USE LEGEND:

	RETAIL	= ±37.4 ACRES
	MULTI-FAMILY/RESIDENTIAL	= ±12.7 ACRES
	MIXED USE	= ±17.5 ACRES
	RETAIL/OFFICE	= ±18.3 ACRES

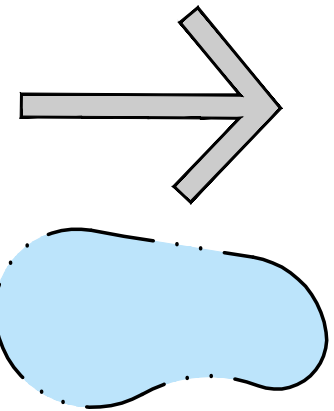
OPEN SPACE REQUIREMENT:

OPEN SPACE SUMMARY:	
CATEGORY	REQUIRED
Overall Open Space	19.8 acres; 20% minimum
Usable Open Space	9.9 acres; 10% minimum

OPEN SPACE NOTES:
1. OPEN SPACE WILL BE PROVIDED THROUGHOUT THE COMMUNITY AS REQUIRED BY THE TOWN'S UDO. A MINIMUM OF 20% OF THE SITE MUST BE DEDICATED TO OPEN SPACE WITH 50% OF THE OVERALL OPEN SPACE BEING USABLE OPEN SPACE AS DESCRIBED IN SECTION 3.5.14 OF THE UDO. EACH PRELIMINARY DEVELOPMENT PLAN (PDP) PREPARED FOR ANY AREA OF THE OVERALL MORGANTON PARK SOUTH PROPERTY SHALL PROVIDE A TABULATION ILLUSTRATING THE OPEN SPACE BEING PROVIDED WITH EACH PHASE, PREVIOUSLY PROVIDED OPEN SPACE FROM OTHER PHASES, AND THE BALANCE OF OPEN SPACE THAT MUST BE PROVIDED IN FUTURE PHASES TO MEET THE OPEN SPACE REQUIREMENTS OF SECTION 3.5.14. SPECIFIC LOCATIONS FOR COMMON AREAS AND OPEN SPACE WILL ALSO BE IDENTIFIED DURING EACH PDP.

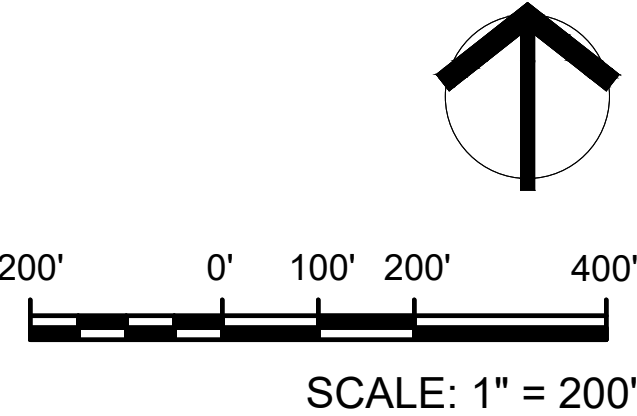
LEGEND:

	PROPERTY BOUNDARY
	MAJOR CONTOURS
	MINOR CONTOURS
	EXISTING PARCEL
	PROPOSED MULTI-USE TRAIL
	PROPOSED SIDEWALK



PROPOSED CIRCULATION PATTERN

PROPOSED STORMWATER MANAGEMENT LOCATION



LAND USE	LBCS CODE	DESCRIPTION	MULTI-FAMILY	MIXED-USE	RETAIL	RETAIL/OFFICE
RESIDENCE OR ACCOMMODATION FUNCTIONS	1000.00	Homes, apartments, housing for the elderly, and hotels				
Private Dwelling	1100.00	Single-Family homes, doubles, apartments, Condominiums, mobile homes, Townhouses; excludes households with special provisions				
Single-Family	1110.00					
Single-Family detached	1111.00	Typical Single-Family Dwelling	X	X		
Single-Family attached (Townhomes) (Ord. # 1601)	1112.00	Each Dwelling Unit on a separate Lot; fire wall may protrude from roof or roofs may be staggered	X	X		
Two-Family (double or Duplex)	1120.00		X	X		
Accessory Dwelling	S1130		X	X		
Multi-Family	S1200	Three or more Dwelling Units				
Multi-Family	1151.00	Three or more Dwelling Units	X	X		
Multi-Family condominium	1153.00	Three or more Dwelling Units that are individually owned and common elements owned by the unit owners as tenants-in-common	X	X		
Housing Services	1200.00	Housing and custodial services for those who cannot care for themselves				
Retirement housing services	1210.00	offer minimal convenience services	X	X		
Congregate living services	1220.00	provide convenience services such as housekeeping, transportation, recreational programs	X	X		
Assisted-living board and care and adult care groups	1230.00	Adult care, group homes, board and care (excludes rehab uses in code #6520)	X	X		
Hotels, Motels, or Other Accommodation Services	1300.00	Lodging and short term accommodation for travelers				
Hotel, motel, tourist home or tourist court	1330.00	Hotels that do not have gambling services; includes extended-stay hotels	X	X	X	X
GENERAL SALES OR SERVICES	2000.00	Comprises the vast majority of establishments associated with commercial land use				
Retail Sales or Service and Repair	2100.00	Establishments with displays of merchandise sold to the general public and other businesses, or after-sales services such as repair				
Automobile sales or service establishment	2110.00	Motor vehicle and parts dealers including repair and maintenance				
parts, accessories, or tires	2115.00	Automotive parts and supply stores, automotive stereo stores, tire and tube shops		X	X	X
gasoline service	2116.00	Gas stations with or without convenience stores or food marts, includes truck stops		X	X	X
automotive repair and maintenance	2117.00	Repair garages, body and paint shops, oil change, car wash		X	X	X
Heavy consumer goods sales or service	2120.00	Heavy or durable goods sales or services				
furniture or home furnishings	2121.00	Furniture, flooring, bedding stores, window treatment		X	X	X

hardware, home center	2122.00	Home building and repair supplies, lighting supply		X	X	X
lawn and garden supplies	2123.00	Nursery and garden products predominantly grown elsewhere, outdoor power equipment sales or services		X	X	X
department store, warehouse club, or superstore	2124.00	Large variety of goods		X	X	X
electronics and appliances	2125.00	Household type appliances, tvs, stereos, including repair shops and cell phone stores		X	X	X
Durable consumer goods sales or service	2130.00	Wide range of product lines such as apparel appliances, hardware, jewelry, etc.				
computer and software	2131.00	Computers and prepackaged software without other electronic equipment, including repair, support, and training		X	X	X
camera and photographic supplies	2132.00	Primary retail cameras and photographic supplies or retail with repair and film developing		X	X	X
clothing, jewelry, luggage, shoes, clocks, sewing	2133.00	Including shoe repair and tailoring		X	X	X
sporting goods, toy and hobby, and musical instruments	2134.00			X	X	X
books, magazines, music, videos, CDs, stationery, greeting cards, seasonal decorations, school and office supplies, etc,	2135.00			X	X	X
Consumer goods, other	2140.00	Establishments that retail merchandise (except groceries or health items) not included in preceding codes				
florist	2141.00			X	X	X
art dealer, supplies, sales and service	2142.00	Including frame shops		X	X	X
mail order or direct selling establishment	2144.00	Retailing other than in stores		X	X	X
Grocery, food, beverage, dairy	2150.00	Retail food and beverage merchandise from fixed point-of-sale locations				
grocery store, supermarket, or bakery	2151.00	Included are meat and seafood markets and delicatessens		X	X	X
convenience store	2152.00	Excludes those with fuel pumps		X	X	X
specialty food store	2153.00	Retail specialty food items such as coffee and gourmet foods		X	X	X
fruit and vegetable store	2154.00			X	X	X
beer, wine, and liquor store	2155.00			X	X	X
Health and personal care	2160.00	Retail health and personal care merchandise from fixed point-of sale locations				
pharmacy or drug store	2161.00	Primarily retail prescription or nonprescription drugs		X	X	X
cosmetic and beauty supplies and personal grooming products	2162.00	Primarily retail cosmetics, perfumes, toiletries		X	X	X
optical and contact lenses	2163.00	Retail prescription or nonprescription eyeglasses		X	X	X
Markets for farm produce or crafts	2199.00			X	X	X

Finance and Insurance	2200.00	Use this category when difficult to differentiate an establishment into a subcategory				
Bank, credit union, or savings institution	2210.00	Central banking functions		X	X	X
Credit and finance establishment	2220.00	Credit card, sales financing, unsecured consumer lending, real estate credit, international trade financing		X	X	X
Investment banking, securities, and brokerages	2230.00	Securities underwriting, brokering, exchange services, managing portfolios		X	X	X
Insurance-related establishment	2240.00	Insurance underwriting, selling insurance		X	X	X
Fund, trust, or other financial establishment	2250.00	Pool assets on behalf of shareholders or beneficiaries		X	X	X
Real Estate, and Rental and Leasing	2300.00	Rent or lease assets				
Real estate services	2310.00	Lease real estate (except buildings) such as manufactured home sites and vacant Lots; includes real estate appraisers		X	X	X
Rental and leasing	2330.00	Rent tangible goods such as consumer goods and mechanical equipment to customers; excludes establishment primarily renting equipment with operators				
cars	2331.00	Lease passenger cars without drivers		X	X	X
consumer goods rental	2335.00	Rent personal and household-type goods and a range of consumer, commercial, and industrial equipment geared toward consumers		X	X	X
intellectual property rental	2336.00	Establishments that assign patents, trademarks, brand names, and franchise agreements		X	X	X
Business, Professional, Scientific, and Technical	2400.00	Perform professional, scientific, and technical services				
Professional services	2410.00	Services provided depend on worker skills and knowledge rather than equipment				
legal services	2411.00	Title abstract, lawyers, notaries		X	X	X
accounting, tax, bookkeeping, payroll services	2412.00			X	X	X
architectural, engineering, surveying and related services	2413.00	Architectural, engineering, building inspection, surveying and mapping, and laboratory testing (except medical, veterinary, or auto emission)		X	X	X
graphic, industrial, interior design services	2414.00	Interior, industrial, and graphic design		X	X	X
consulting services (management, environmental technical)	2415.00	Advise and assist businesses on management, scientific, and technological issues		X	X	X
scientific research and Development services	2416.00	Conduct research or analyze in the physical, engineering, cognitive, or life sciences		X	X	X
advertising, media, and photography services	2417.00	Advertising, public relations, media buying agencies, direct mail advertisers, market research, translation providers		X	X	X
veterinary services	2418.00	Veterinary medicine, testing services for veterinary practitioners		X	X	X

Administrative services	2420.00	Typical office establishments in any business area. Use as a default category for most office buildings (nursing staffing)				
office administrative services	2421.00	Office administration such as billing, record keeping, personnel, organizational planning		X		X
facilities support services	2422.00	provide operating staff for support services within a client's facilities, including janitorial, security, laundry services, etc.		X		X
employment agency	2423.00	Provide employee placement, temporary help		X		X
copy center, private mail center, other business support services	2424.00	Provide document preparation, telephone answering, telemarketing, court reporting, steno typing, FAX, etc.		X		X
collection agency	2425.00	collect payments, compile credit information, repossesses tangible assets		X		X
Travel arrangement and reservation services	2430.00	Promote or sell travel, includes convention and visitors' bureaus		X	X	X
Food Services	2500.00	Prepare meals, snacks, and beverages				
Full-service restaurant	2510.00	Provide services to patrons who order and are served while seated or in combination with takeout		X	X	X
Cafeteria or limited service restaurant	2520.00	Provide services to patrons who order or select items and pay before eating; may be consumed on premises, taken out, or delivered		X	X	X
drive-through restaurants	2521.00	Provides drive-in, drive-through or drive-up service to patrons; includes most fast-food restaurants			X	
Snack or nonalcoholic bar	2530.00	Prepare and serve specialty snacks, such as ice cream, frozen yogurt, cookies, coffee, juices for consumption on or near the premises, snowball stand		X	X	X
Bar or drinking place	2540.00	Bars, taverns, nightclubs primarily serving alcoholic beverages; may provide limited food and entertainment		X	X	X
Mobile food services	2550.00	Prepare and serve meals and snacks for immediate consumption from motorized vehicles		X	X	X
Personal Services	2600.00	Catch-all category for personal service establishments not classified elsewhere such as bail bonding, wedding planning, psychic services, etc.				
Personal care	2610.00	Hair, nail, and skin care and related personal care				
hair, nail, and cosmetic skin care	2611.00	Barber or beauty shop		X	X	X
dieting and weight reducing	2612.00			X	X	X
tanning salon	2614.00			X	X	X
electrolysis, ear piercing, and other personal care services	2616.00			X	X	X
Dry cleaning and laundry	2620.00					
dry cleaning and laundry	2622.00				X	X
linen and uniform supply	2623.00				X	X
Photofinishing	2630.00	Primarily engaged in developing film or making slides, etc.		X	X	X

Parking Lot and parking garage	2640.00			X	X	X
Special Services	2650.00					
massage therapist	2651.00			X	X	X
Pet and Animal Sales or Service (except Veterinary)	2700.00	Retails pets and other animals (except for farming purposes) and pet supplies, grooming, training, and care taking				
Pet or pet supply store	2710.00	Retail pets, pet foods, pet supplies		X	X	X
MANUFACTURING AND WHOLESALE TRADE	3000.00	When captive services such as accounting are provide by a separate establishment, they are classified in the appropriate function code and not in manufacturing				
Miscellaneous Manufacturing	3400.00	Use for manufacturing establishments not classified elsewhere				
Jewelry and silverware	3410.00			X	X	X
Dolls, toys, games, and musical instruments	3420.00			X	X	X
Office supplies, inks, etc.	3430.00	Except paper		X	X	X
Signs	3440.00			X	X	X
TRANSPORTATION, COMMUNICATION, INFORMATION, AND UTILITIES	4000.00					
Utilities and Utility Services	4300.00	Provide utility services such as electric power, gas, water and sewage removal				
Electric power	4310.00	Provide electric power generation, transmission, control, and distribution				
service distribution lines	4315.00		X	X	X	X
electric substations	4316.00		X	X	X	X
Natural gas, petroleum, fuels	4320.00	Operate gas distribution systems, gas marketers, gas brokers, transmit and distribute gas				
natural gas service	4329.00	Provide natural gas service distribution to retail customers (includes distribution lines and valves)	X	X	X	X
Water, steam, air conditioning supply	4330.00	Public and private utility establishments that offer drinking water, water treatment, water supply, or hot or cool air supply				
water service	4339.00	Provide water service distribution to retail customers (includes distribution lines pumps and valves)	X	X	X	X
ARTS, ENTERTAINMENT, AND RECREATION	5000.00					
Performing Arts or Supporting Establishments	5100.00	Produce or organize and promote live presentations, excludes nightclubs				
Theater, dance or music establishment	5110.00	Companies, groups, or theaters that produce theatrical presentations, dance, dinner theaters, and live musical entertainment		X	X	X
Agent for management services	5150.00	Agents representing artists, athletes, entertainers, etc.		X		X
Independent artist, writer, or performer	5160.00	Independent individuals engaged in art, productions		X		X
Museums and Other Special Purpose Recreational Institutions	5200.00	Public and private museums, historical sites, zoos, and similar establishments				

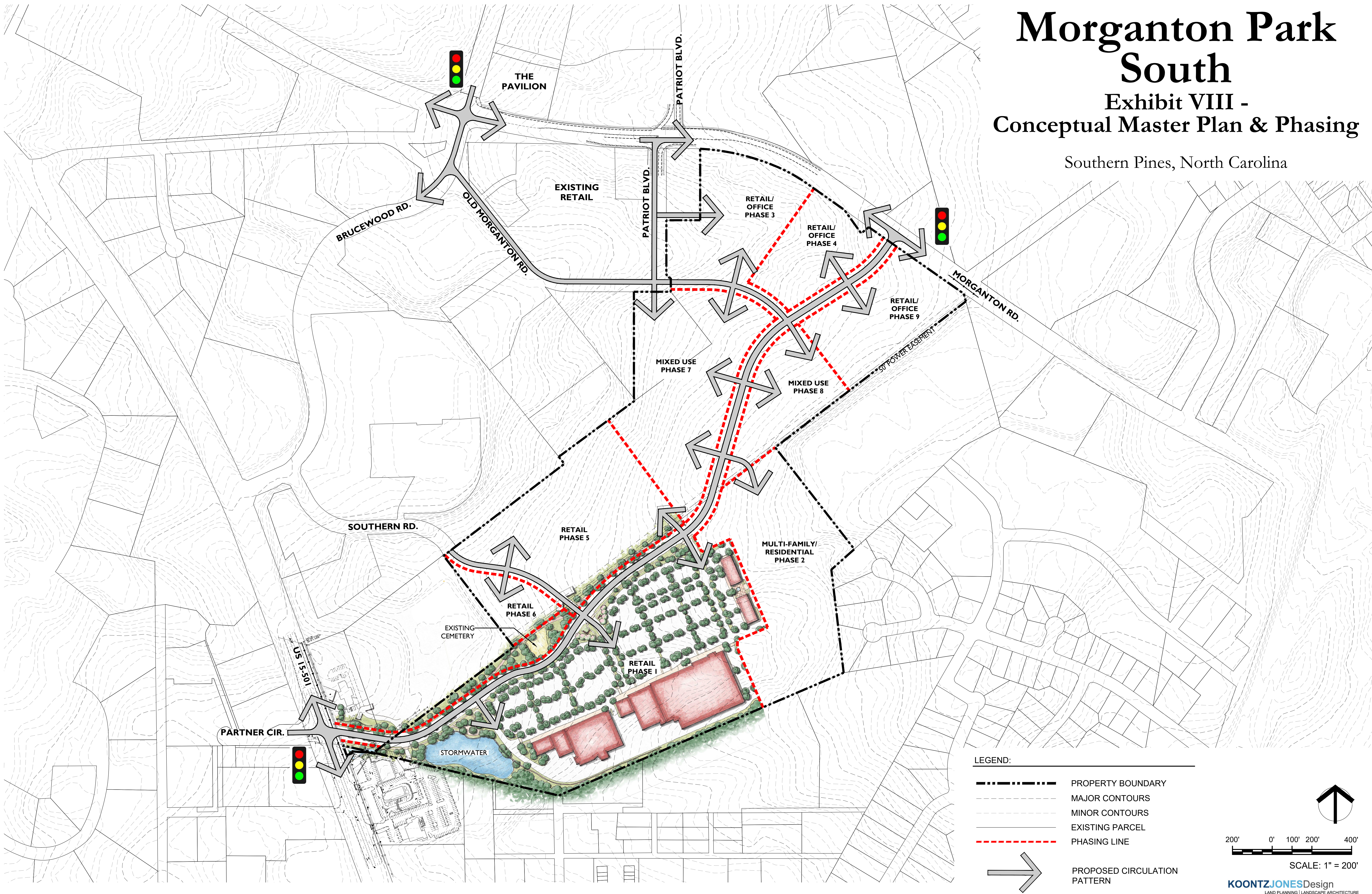
Museum	5210.00			X		
Amusement, Sports, or Recreation Establishment	5300.00	Operate facilities offering activities and provide services				
Amusement or theme park establishment	5310.00	Operate a variety of attractions such as mechanical rides, water rides, games		X	X	X
Games arcade establishment	5320.00	Operate arcades and parlors, except gambling, billiard, or pool		X	X	X
Miniature golf establishment	5340.00			X	X	X
Fitness, recreational sports, gym, athletic club, multipurpose facility	5370.00	Includes archery and shooting ranges, horseback riding, ball parks and courts, fitness clubs, and more				
public facilities	5371.00			X	X	X
private facilities	5372.00			X	X	X
Bowling, billiards, pool	5380.00			X	X	X
Skating rink, roller skating	5390.00			X	X	X
Natural and other Recreational Parks	5500.00	All parks without special economic functions	X	X	X	X
EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE, AND OTHER INSTITUTIONS	6000.00					
Educational Services	6100.00	Offer teaching and learning				
Nursery or preschool	6110.00			X	X	X
Public Administration	6200.00	All government functions, includes federal, state and local government agencies				
Legislative and executive functions	6210.00	Government and public administrative offices		X		X
Public Safety	6400.00	Government-owned establishments providing fire and rescue, police, and emergency response services				
Fire and rescue	6410.00			X	X	X
Police	6420.00	Includes combined police and fire departments		X	X	X
Emergency response	6430.00	Provide ground or air transportation for medical relief purposes		X	X	X
Health and Human Services	6500.00	Provide health care, social assistance, and associated services				
Ambulatory or outpatient care services	6510.00	Offer health care services directly to patients without providing inpatient services				
clinics and health spas (Ord. # 1601)	6511.00	Include physician offices, dentists, chiropractors, optometrists, licensed massage therapists, and other licensed or certified health care providers		X	X	X
family planning or outpatient care clinic	6512.00	Provide outpatient family planning services and outpatient care		X		X
medical or diagnostic laboratory	6513.00	Provide analytic or diagnostic services including medical imaging		X		X
Nursing, supervision and other rehabilitative services, except	6520.00	Provide inpatient nursing and rehabilitative services and can accommodate patients for extended care, includes convalescent homes, nursing homes, inpatient care hospices, alcoholism or drug addiction rehabilitation, mental health Halfway Houses, group homes, and psychiatric convalescent homes		X	X	X

Social assistance, welfare, and charitable services	6560.00	Provide social assistance directly to individuals, does not offer residential or accommodation services except for Homeless Shelters				
child and youth services	6561.00	Offer services such as adoption, foster care, drug prevention services		X	X	X
child daycare	6562.00	Provide care for infants and preschool children, offer pre-kindergarten education programs		X	X	X
Associations, Non-Profit Organizations, Clubs	6800.00	Includes grant making, civic, professional, and similar organizations				
Business association or professional membership	6820.00	Promote the business interests of their members organization or of their profession		X	X	X
Unclassifiable or No Function	9900.00					
Subdivisions	9930.00					
major	9931.00		X	X	X	X
minor	9932.00		X	X	X	X
Combination Uses	9940.00		X	X	X	X
Home Occupations	9950.00		X	X	X	X

Morganton Park South

Exhibit VIII - Conceptual Master Plan & Phasing

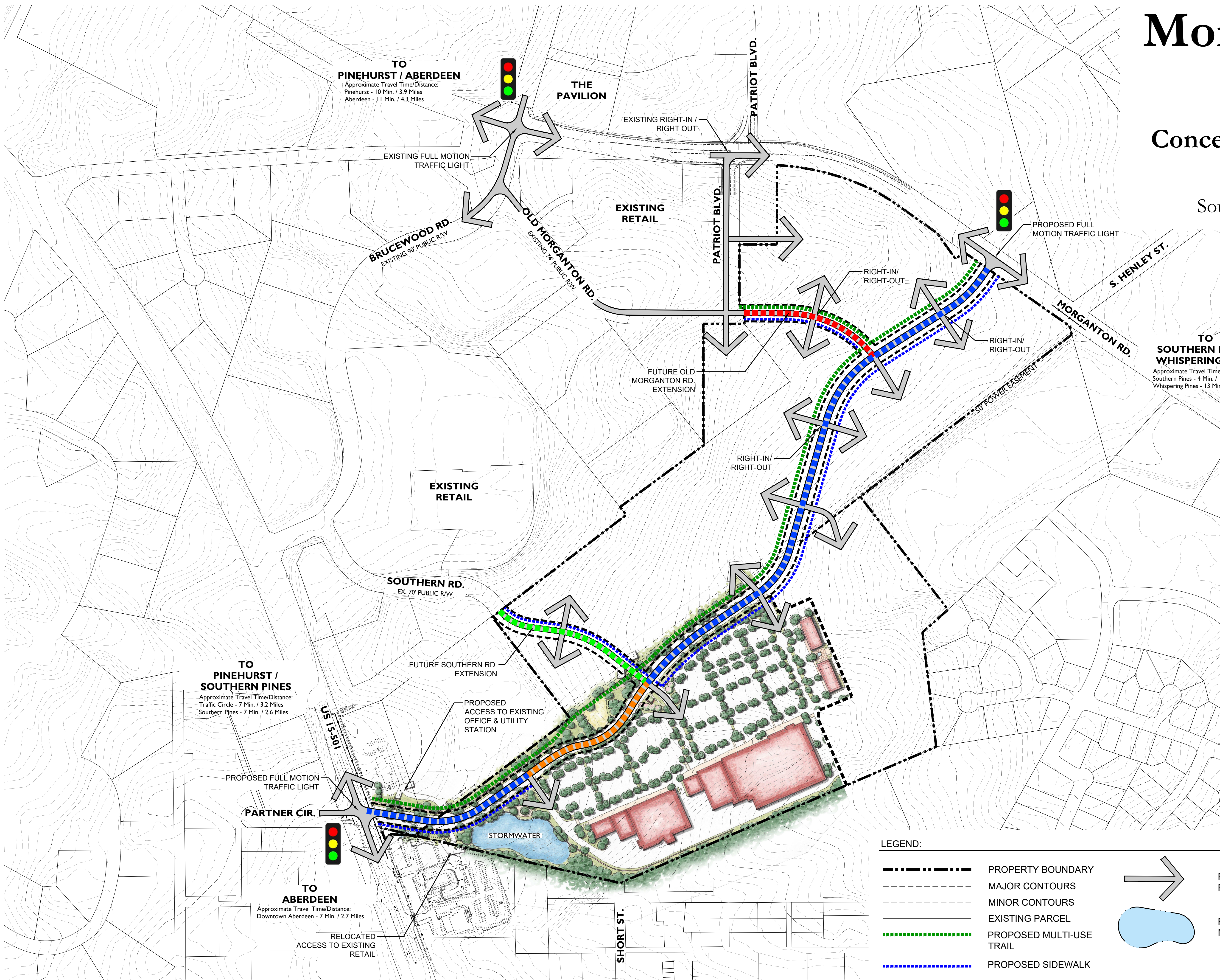
Southern Pines, North Carolina



Morganton Park South

Exhibit IX - Conceptual Transportation & Drainage Plan

Southern Pines, North Carolina



TRANSPORTATION LEGEND	
	= PROPOSED 91' RIGHT-OF-WAY PARKWAY CONNECTOR
	= PROPOSED 75' RIGHT-OF-WAY PARKWAY CONNECTOR
	= PROPOSED 70' RIGHT-OF-WAY SOUTHERN ROAD
	= PROPOSED 74' RIGHT-OF-WAY OLD MORGANTON ROAD

*SEE EXHIBIT X OF THE CONCEPTUAL DEVELOPMENT PLAN FOR ROADWAY CROSS-SECTIONS

TRANSPORTATION PLAN NOTES:

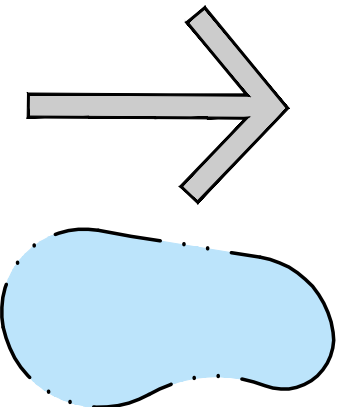
- REFER TO SECTION 5.5.1 OF THE CONCEPTUAL DEVELOPMENT PLAN - VEHICULAR CIRCULATION AND STREET CROSS SECTIONS
- REFER TO SECTION 5.5.2 OF THE CONCEPTUAL DEVELOPMENT PLAN - OPEN SPACE, AMENITY, AND PEDESTRIAN CIRCULATION
- REFER TO SECTION 8.0 OF THE CONCEPTUAL DEVELOPMENT PLAN - STATEMENT ABOUT DEDICATION OF STREETS. ALL PARKING AISLES AND SPACES WITHIN THE DEVELOPMENT WILL BE PRIVATE AND MAINTAINED BY THE DEVELOPER AND/OR THE PROPERTY OWNER'S ASSOCIATION
- REFER TO SECTION 5.4 OF THE CONCEPTUAL DEVELOPMENT PLAN - STATEMENT REGARDING PUBLIC FACILITIES
- ANY DEVIATION FROM THE TOWN OF SOUTHERN PINES STANDARD STREET DESIGN REQUIREMENTS ARE DETAILED IN SECTION 5.5.1 OF THE CONCEPTUAL DEVELOPMENT PLAN AND ILLUSTRATED IN EXHIBIT X
- FOR FURTHER INFORMATION RELATED TO EXISTING TRANSPORTATION FACILITIES, PROPOSED LOCAL PROJECTS, OTHER PLANNED IMPROVEMENTS TO COMMUNITY TRANSPORTATION FACILITIES, TRANSPORTATION FACILITY TIME LINE, AND PROPOSED TRAFFIC CIRCULATION, REFER TO THE TRAFFIC IMPACT ANALYSIS
- ALL TRAVEL DISTANCES & TIMES WERE OBTAINED FROM GOOGLE MAPS AND REFLECT TYPICAL DRIVING TIMES OBSERVED AT THE TIME OF OBSERVATION. TRAVEL TIMES MAY FLUCTUATE BASED ON TIME, WEATHER, CONSTRUCTION, TRAFFIC ACCIDENTS, AND INCREASES IN TRAFFIC DUE TO HOLIDAYS AND SPECIAL EVENTS.
- CONCEPTUAL TRANSPORTATION PLAN PREPARED BY KOONTZ JONES DESIGN BASED ON INFORMATION PROVIDED IN THE TRAFFIC IMPACT ANALYSIS PREPARED BY KIMLEY HORN

DRAINAGE PLAN NOTE:

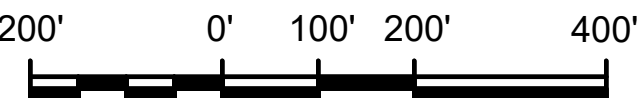
- STORMWATER MANAGEMENT FOR THE TRANSPORTATION FACILITIES AND FUTURE DEVELOPMENT WILL BE PROVIDED USING BEST MANAGEMENT PRACTICES, IN REGIONAL STORMWATER DETENTION FACILITIES. FACILITIES WILL BE LOCATED IN THE GENERAL LOCATIONS AS SHOWN ON THE PLAN. THESE LOCATIONS ARE SUBJECT TO CHANGE THROUGHOUT THE CONTINUED DEVELOPMENT OF THE PROPERTY BASED ON DETAILED ENGINEERING PLANS. STORMWATER MUST BE MAINTAINED ON THE OVERALL PROPERTY TO MEET THE TOWN OF SOUTHERN PINES AND ALL STATE AND FEDERAL STANDARDS.

LEGEND:

- PROPERTY BOUNDARY
- MAJOR CONTOURS
- MINOR CONTOURS
- EXISTING PARCEL
- PROPOSED MULTI-USE TRAIL
- PROPOSED SIDEWALK

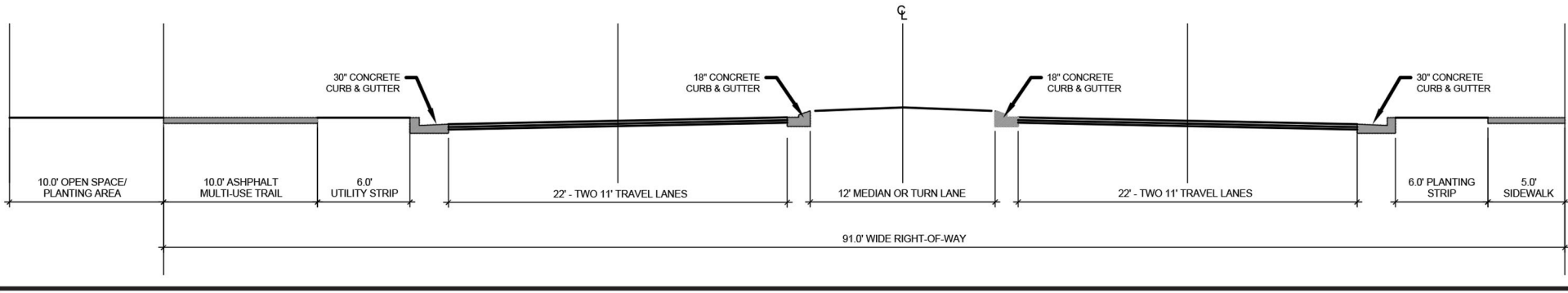


- PROPOSED CIRCULATION PATTERN
- PROPOSED STORMWATER MANAGEMENT LOCATION

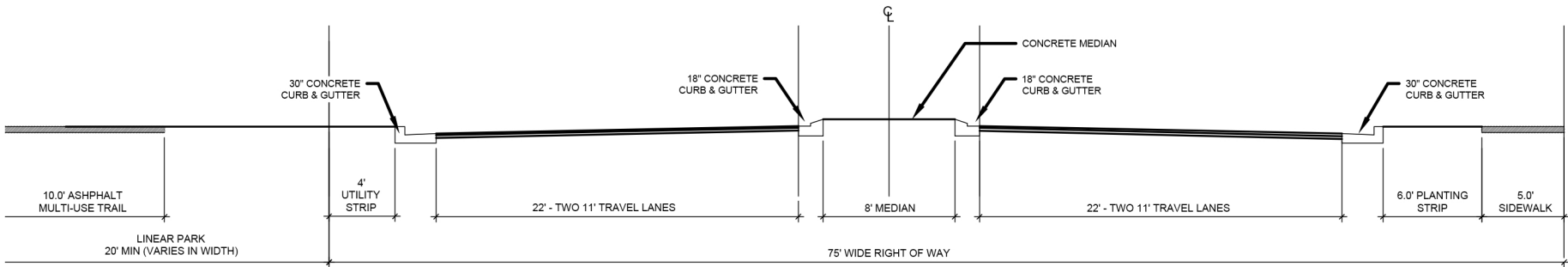


SCALE: 1" = 200'

Exhibit X

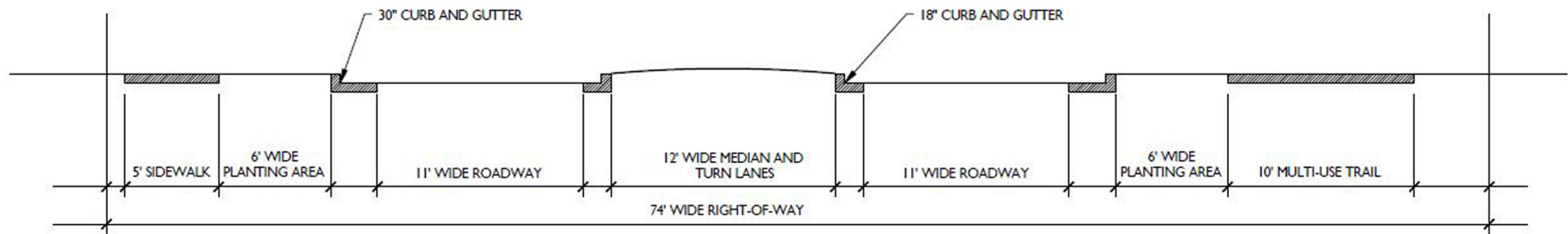


91' Right-of-Way (Parkway Collector Street) NOT TO SCALE

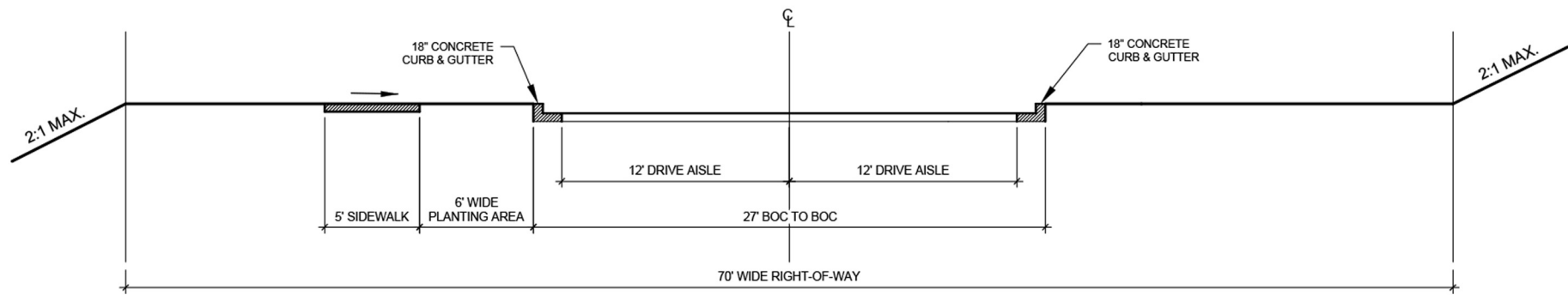


75' Right-of-Way (Parkway Collector Street) NOT TO SCALE

Exhibit X



74' Right-of-Way (Old Morganton Road) NOT TO SCALE
*OR TO MATCH EXISTING OLD MORGANTON ROAD CROSS SECTION



70' Right-of-Way (Southern Road) NOT TO SCALE
*OR TO MATCH EXISTING SOUTHERN ROAD CROSS SECTION

Morganton Park South

Exhibit X- Street and Sidewalk Standards | Sections
Southern Pines, North Carolina

Morganton Park South

Exhibit XI - Signage Plan

Southern Pines, North Carolina

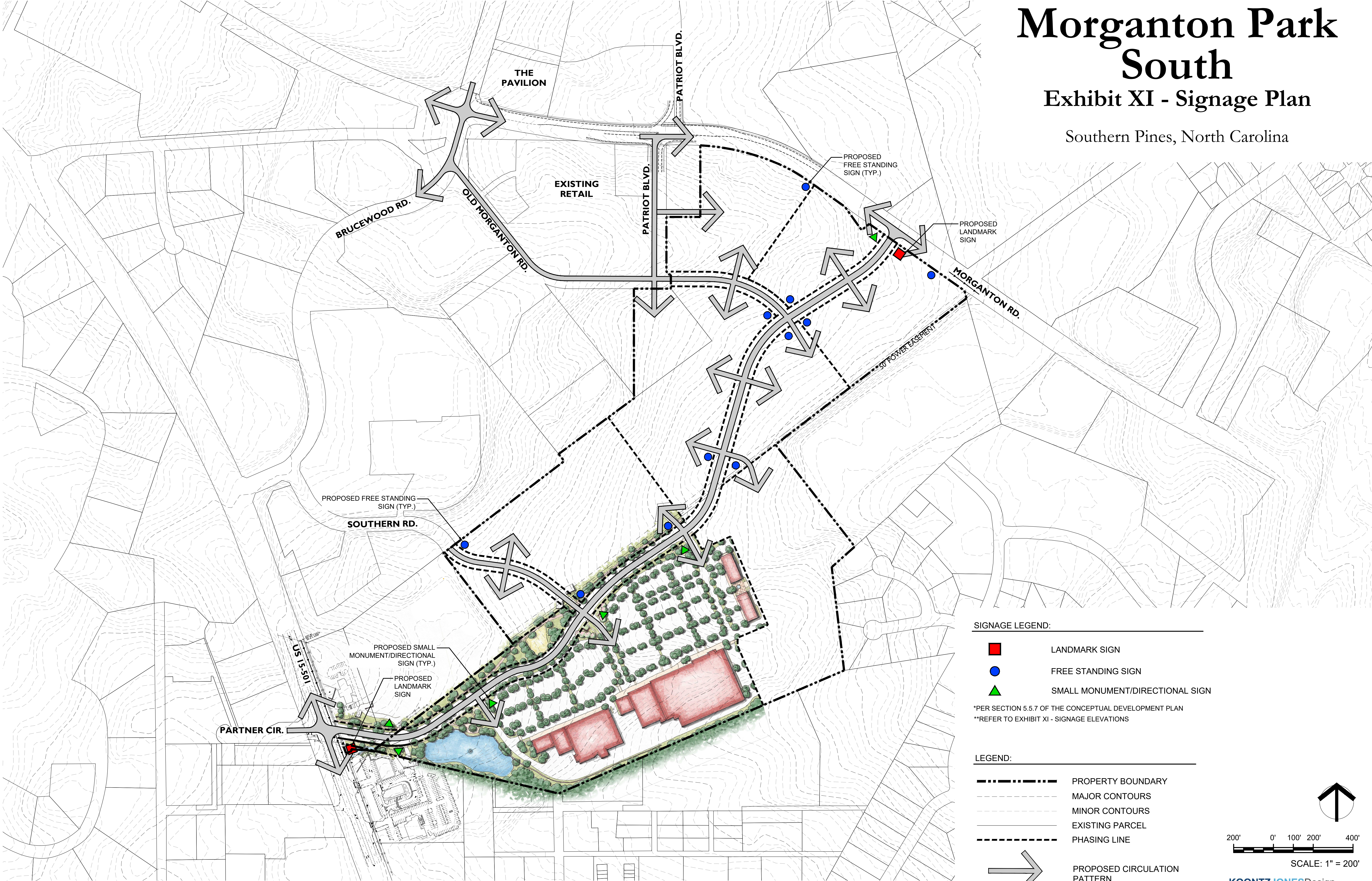
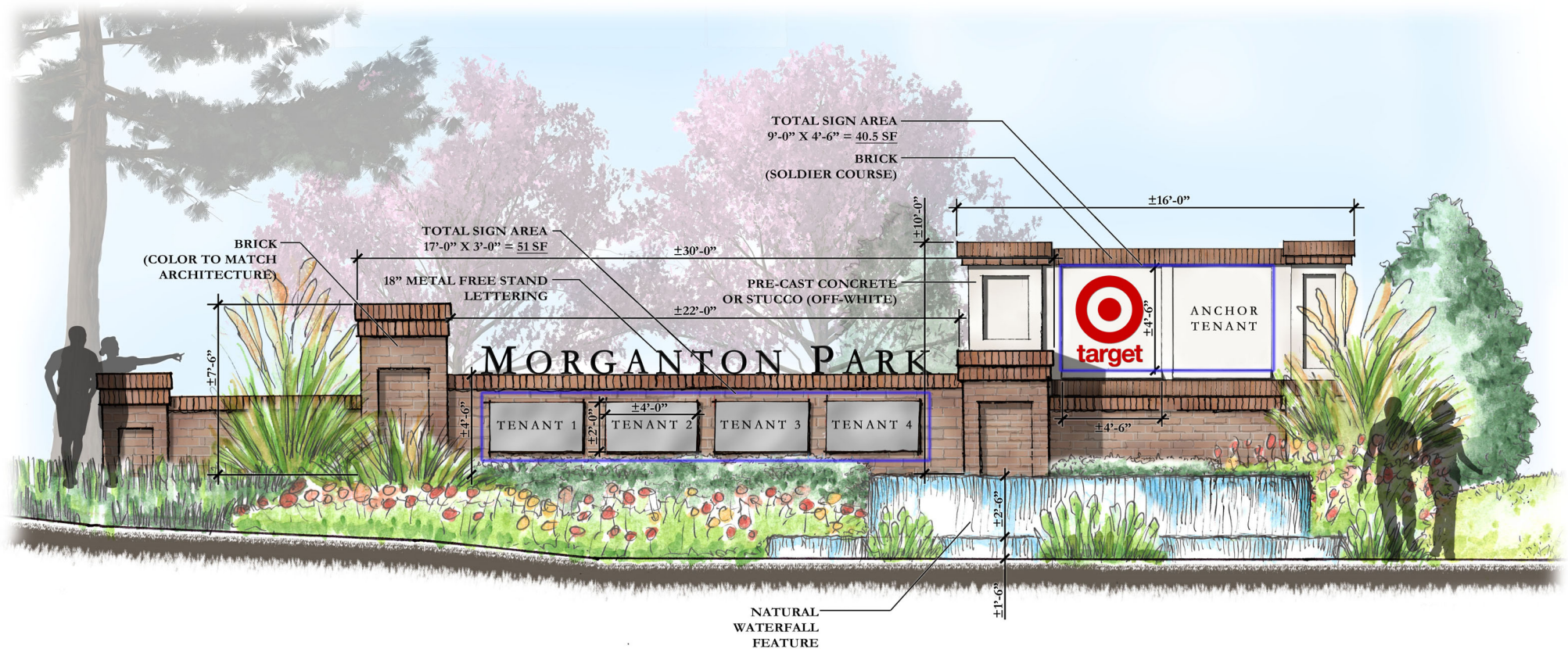


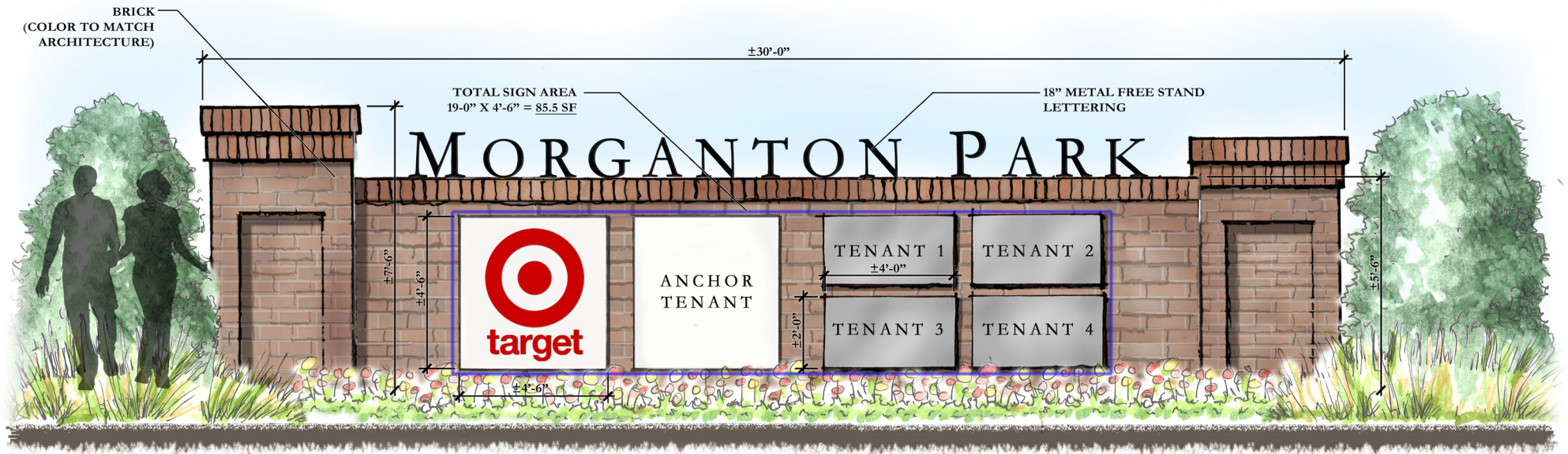
Exhibit XI



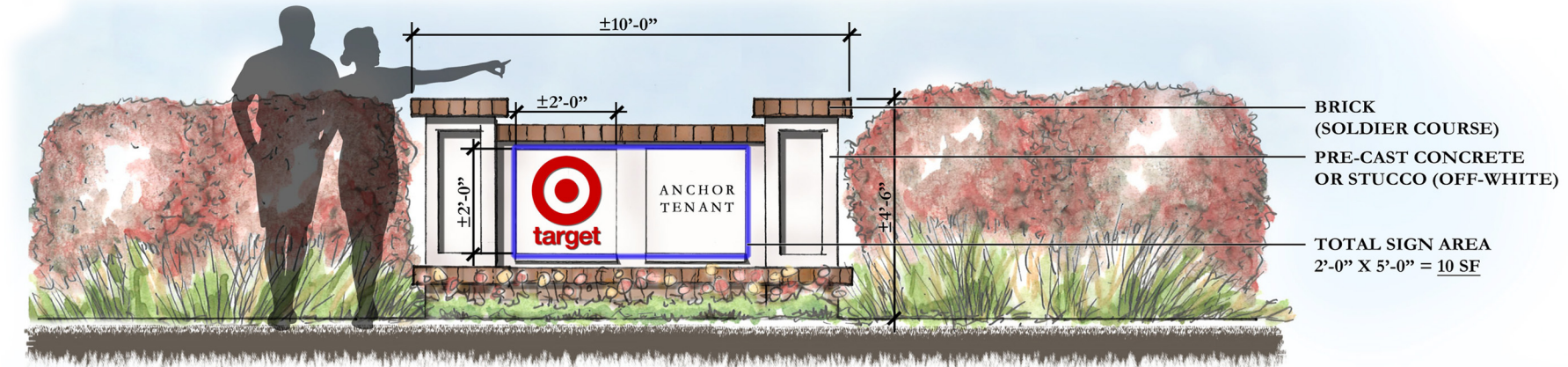
Landmark Sign
NOT TO SCALE

Morganton Park South
Exhibit XI- Signage Standards | Elevations
Southern Pines, North Carolina

Exhibit XI



Free Standing Sign
NOT TO SCALE



Small Monuement / Directional Sign
NOT TO SCALE

Morganton Park South

Exhibit XI- Signage Standards | Elevations
Southern Pines, North Carolina

From: [RLUAC Executive Director](#)
To: [Cindy Williams](#)
Subject: RE: Town of Southern Pines Planning Board Pending Applications
Date: Tuesday, November 5, 2024 10:59:06 AM
Attachments: [Town of Southern Pines Courtesy Review - Z-05-24.pdf](#)

Cindy,

A review letter for the rezoning case is attached. No comments on the other case.

Thanks,

Vagn

Vagn K. Hansen II, AICP, Executive Director
Regional Land Use Advisory Commission
6205 Raeford Road
Fayetteville, NC 28304
(910) 398-3743
director@rluac.com
www.rluac.com

From: Cindy Williams <CWilliams@southernpines.net>
Sent: Thursday, October 31, 2024 12:05 PM
To: Archie Daniel <adaniel@southernpines.net>; Cory Albers <calbers@southernpines.net>; David Byrd <DByrd@southernpines.net>; DeAngelo Jones <djjones1@ncdot.gov>; Director <director@rluac.com>; Greg Thompson <GThompson@southernpines.net>; James Michel <JMichel@southernpines.net>; Ken Skipper <KSkipper@southernpines.net>; NCDOT <djuarezpozos@ncdot.gov>; ncsandhillsrcw@fws.gov; Rick Cloutier <rcloutier@moorecountyaairport.com>; Ron Istre <RIstre@southernpines.net>
Cc: Gene Ruiz <GRuiz@southernpines.net>; Mason Mattox <MMattox@southernpines.net>
Subject: Town of Southern Pines Planning Board Pending Applications

Good afternoon,

Please review the attached legal notices, etc. and respond with any comments or concerns at your earliest convenience.

Sincerely,

Cindy Williams
Planning Department
Town of Southern Pines

From: [Ron Istre](#)
To: [Cindy Williams](#)
Subject: RE: Town of Southern Pines Planning Board Pending Applications
Date: Friday, November 1, 2024 8:40:34 AM

No comments at this time.

Ron Istre
Utilities Superintendent



801 SE Service Rd
Southern Pines, NC 28387

910-692-1983 ext. 6228

ristre@southernpines.net

*"Corruption is controlled by making ambition
subordinate to principle." - Anonymous*

From: Cindy Williams <CWilliams@southernpines.net>

Sent: Thursday, October 31, 2024 12:05 PM

To: Archie Daniel <adaniel@southernpines.net>; Cory Albers <calbers@southernpines.net>; David Byrd <DByrd@southernpines.net>; DeAngelo Jones <djjones1@ncdot.gov>; Director <director@rluac.com>; Greg Thompson <GThompson@southernpines.net>; James Michel <JMichel@southernpines.net>; Ken Skipper <KSkipper@southernpines.net>; NCDOT <djuarezpozos@ncdot.gov>; ncsandhillsrcw@fws.gov; Rick Cloutier <rcloutier@moorecountyaairport.com>; Ron Istre <Ristre@southernpines.net>

Cc: Gene Ruiz <GRuiz@southernpines.net>; Mason Mattox <MMattox@southernpines.net>

Subject: Town of Southern Pines Planning Board Pending Applications

Good afternoon,

Please review the attached legal notices, etc. and respond with any comments or concerns at your earliest convenience.

Sincerely,

Cindy Williams
Planning Department
Town of Southern Pines
801 SE Service Rd.
Southern Pines, NC 28387
(910) 692-4003

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Southern Pines, NC 28387
(910) 692-4003