



AGENDA

Tuesday, March 8, 2022: 6:00 PM
Town Council Business Meeting
Douglass Community Center: 1185 W. Pennsylvania Ave

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

a. Girl Scout Troop 2301

The troop will lead the Pledge of Allegiance. Mayor Haney will issue a proclamation recognizing Girl Scout Day.

3. TOWN MANAGER'S COMMENTS

4. PUBLIC HEARINGS

a. AX-01-22: 3900 Youngs Road

Michael Tveter and Jamie Tveter are requesting voluntary annexation of a 1.8 acre contiguous parcel of land that is currently outside of the corporate limits of the Town of Southern Pines.

b. PD-01-22: Ace Hardware Conceptual Development Plan

Mr. Bob Koontz of Koontz Jones Design has submitted a Planned Development District – Conceptual Development Plan application for a commercial development containing GB (General Business) and OS (Office Services) uses. The property owner is Southern Pines Ace Land Company, LLC.

c. Z-01-22: Blue Farm Lots Initial Zoning

Benjamin Stout Real Estate Services, Inc. has submitted a request to zone 4.10 acres RS-2 (Residential Single-Family requiring 20,000 SF minimum lot size) following annexation into the corporate limits of the Town of Southern Pines in order to develop five (5) single-family dwellings on five (5) existing lots. The subject parcels are currently located within the Village of Whispering Pines' extra-territorial jurisdiction and are zoned RS (Residential Single-Family).

5. ACTION ITEMS

a. Consider Approval of AR-06-22: The Murphy Insurance Agency Expansion

Jammin Management, LLC has applied for an Architectural Compliance Permit to add approximately 1,140 square feet to the back of an existing commercial structure that is located at 250 W. Pennsylvania Ave. The application is represented by Neal Smith Engineering and was presented at the March 2 agenda meeting.

b. Consider Resolution of Intent to Consider Amending the Town Charter Relative to Municipal Election Structure

Per discussion at the January 24 Council work session, staff has prepared a draft Resolution of Intent

that, once adopted by Council, is the first step in amending the Town's charter relative to the municipal election structure.

c. Consider Condemning the Unsafe Structure at 274 N. Hale Street and Authorizing the Expenditure of \$6,925 for Demolition Work

Chief Building Inspector John Bullock and Code Enforcement Officer Lisa Webb presented, at the March 2 agenda meeting, the recommendation to condemn this unsafe structure. Council also needs to authorize the expenditure to proceed with demolition.

d. Consider Setting a Hearing on April 12, 2022 for RA-01-22: Hill Crest Road

Mr. Will Huntley, on behalf of Longleaf Pines Storage, LLC, has submitted a request to a small section of Hill Crest Road extending from its intersection with Bell Avenue between the parcels identified as PIN 857100865323 (PARID 00055046) and PIN 857100865141 (PARID 00047591). The purpose of the request is to allow the recombination of the aforementioned parcels. Pursuant to NCGS §160A-299 as well as UDO §2.29, in order for a public right-of-way to be abandoned, a public hearing regarding the request must be held and a Resolution to Vacate a Section of Town Right of Way must be adopted by the Town Council.

e. Consider Written Decision for SU-02-21: Patrick's Pointe

Pursuant to UDO §2.14.6(F)(11), "A written decision must be approved for every quasi-judicial application..." Staff has prepared a draft written decision to document the findings and conclusions of the Town Council for this application, which was approved on February 28.

6. CONSENT AGENDA

a. Approve AC Sandhills Property Use Agreement

The AC Sandhills soccer club has been using the Town's fields for a number of years without a formal agreement. Staff has negotiated an agreement with the club's staff and Board and recommends approval.

b. Approve Talamore Irrigation Agreement

The Town has an existing agreement with Talamore golf course, that allows for pumping from Reservoir Park under certain conditions to irrigate the golf course. Staff has negotiated a renewal agreement with the owners and recommends approval.

c. Approve January 2022 Meeting Minutes

Approve January 2022 Town Council Meeting Minutes

- i. January 5, 2022 Town Council Agenda Meeting Minutes
- ii. January 11, 2022 Town Council Business Meeting Minutes
- iii. January 24, 2022 Town Council Work Session Minutes

d. Approve Utility Construction Agreement with NCDOT

Council recently approved a Municipal Agreement with NCDOT and the Town of Aberdeen for the relocation of various water and sewer utilities as part of the US1 roadway project. The Utility Construction Agreement is between Southern Pines and NCDOT for the cost of relocating the Town's facilities.

e. Approve Updated Investment Policy

Staff has identified the need to update the Town's investment policy, which is adopted by Council.

f. Approve Ordinance #1973 Amending the FY 21-22 Budget for Street Resurfacing Projects

The Town has received bids for the FY 21-22 street resurfacing projects. Council will approve a budget amendment, as the low bid is an additional \$206,765 over this year's budget allocation of \$275,000.

g. Approve February 2022 Meeting Minutes

Approve February 2022 Meeting Minutes

- i. February 2, 2022 Town Council Agenda Meeting Minutes
- ii. February 8, 2022 Town Council Business Meeting Minutes
- iii. February 28, 2022 Town Council Work Session Minutes
- iv. February 28, 2022 Work Session CLOSED Meeting Minutes - **Confidential** (not for public release)

7. PUBLIC COMMENTS

a. Public Comment Note

Effective with the April 12, 2022 business meeting, the Town Council plans to move the public comments section to the beginning of the business meetings. Public comments will be limited to three minutes per speaker.

8. ADJOURNMENT

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

Agenda Item

To: Reagan Parsons, Town Manager

From: Cindy Williams, Planning Technician

Subject: AX-01-22: Public Hearing on a Request for Voluntary Annexation of Property Contiguous to the Corporate Limits of the Town of Southern Pines; 1.875 Acres; Petitioners: Michael Tveter and Jamie Tveter

Date: March 8, 2022

I. SUMMARY OF APPLICATION REQUEST:

Michael Tveter and Jamie Tveter are requesting voluntary annexation of a contiguous parcel that is currently outside of the corporate limits of the Town of Southern Pines. The subject parcel is identified as PIN 858100892377 (PARID 20210139) and is owned by Michael Tveter and Jamie Tveter.

II. PRIOR TOWN COUNCIL ACTION:

During the January 24, 2022 Town Council Work Session, the Town Council approved a *Resolution Directing the Clerk to Investigate a Petition Received Under G.S. 160A-31*.

During the February 8, 2022 Town Council Regular Meeting, the Town Council approved a *Resolution Fixing Date of Public Hearing on Question of Annexation Pursuant to G.S. 160A-31, As Amended*.

III. PROJECT INFORMATION:

A. Physical Address:

3900 Youngs Road
Southern Pines, NC 28387

B. Property Owners/Applicants:

Michael and Jamie Tveter
3900 Youngs Road
Southern Pines, NC 28387

C. Property Identification & Parcel Identification Number:

PIN 858100892377; PARID 20210139

D. Size of Property:

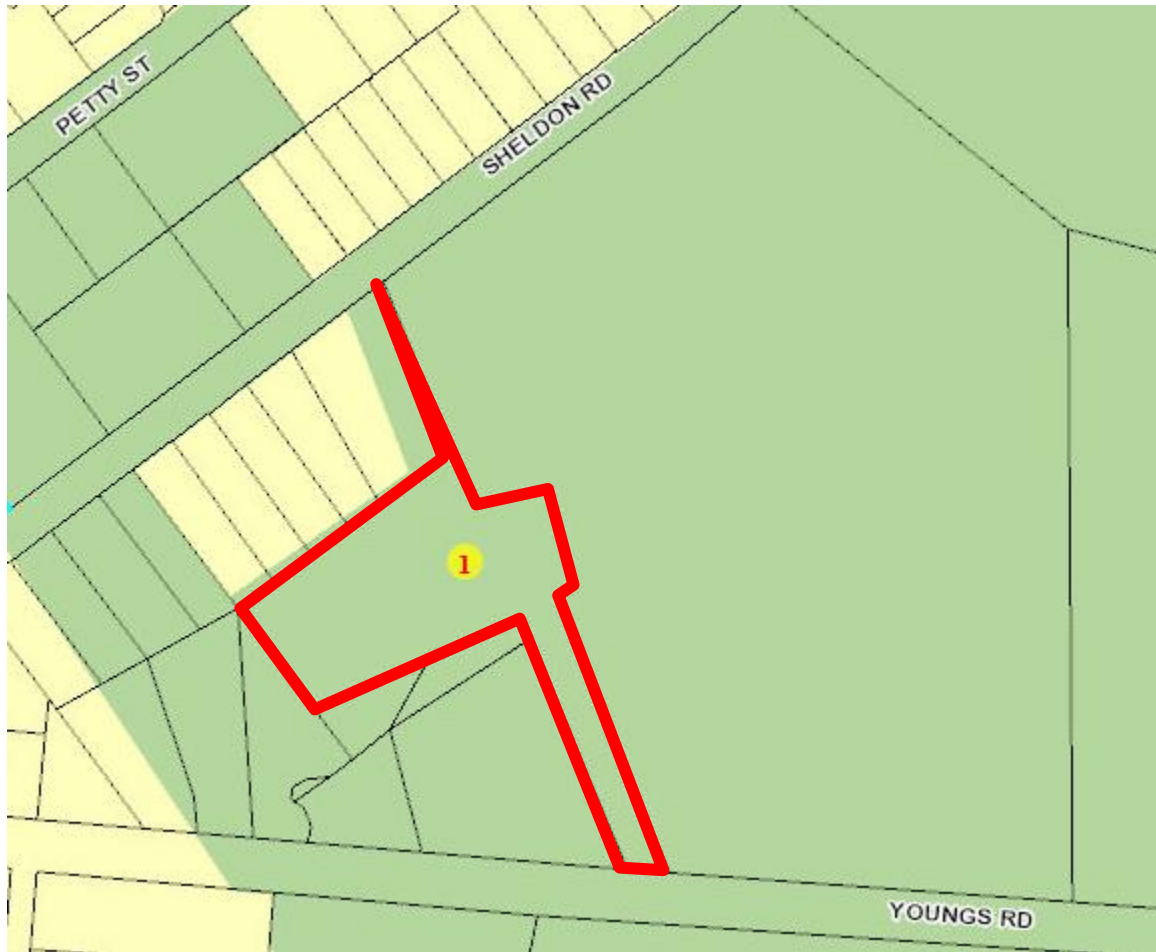
Total current combined acreage: 1.875 acres

IV. STAFF COMMENTS:

- The applicants have submitted an annexation petition accompanied by a map and a written metes and bounds description of the subject property.
- A revised written metes and bounds description of the area to be annexed was forwarded to Moore County for review and confirmed to be accurate.
- The request is a voluntary request for contiguous annexation as the adjacent properties are within the corporate limits of the Town of Southern Pines (see Figure 1).
- A majority of the subject property is presently zoned RS-1 (Residential Single-Family) and the remainder is zoned RE (Rural Estate). The adjacent properties are presently zoned RS-1 (Residential Single-Family) and RE (Rural Estate).
- During the January 24, 2022 Town Council Work Session, the Interim Town Clerk was directed to investigate the sufficiency of the petition for voluntary annexation of the subject property.
- During the February 8, 2022 Town Council Regular Meeting, the Town Council approved a *Resolution Fixing Date of Public Hearing on Question of Annexation Pursuant to G.S. 160A-31, As Amended*.
- The purpose of this agenda item is to hold a public hearing to consider the annexation request.
- **Comprehensive Long Range Plan Analysis:**
 - The subject property is identified as “Rural/Equestrian” on the Comprehensive Long Range Plan (CLRP) Future Land Use Map (see Figure 3). Per the CLRP 2015-2016 update:

“This designation provides for large-lot residential/equestrian use, with property sizes generally ranging upward from five acres per parcel. Land uses under this designation include single-family residential, along with those other ancillary uses normally associated with horse farms, the keeping of large animals or other small-scale architectural pursuits.”

Figure 1: Adjacent Property (Areas to be Annexed Outlined in Red)



 Town of Southern Pines Corporate Limits

 Town of Southern Pines ETJ

Figure 2: Zoning Map (Area to be Annexed Outlined in Black)

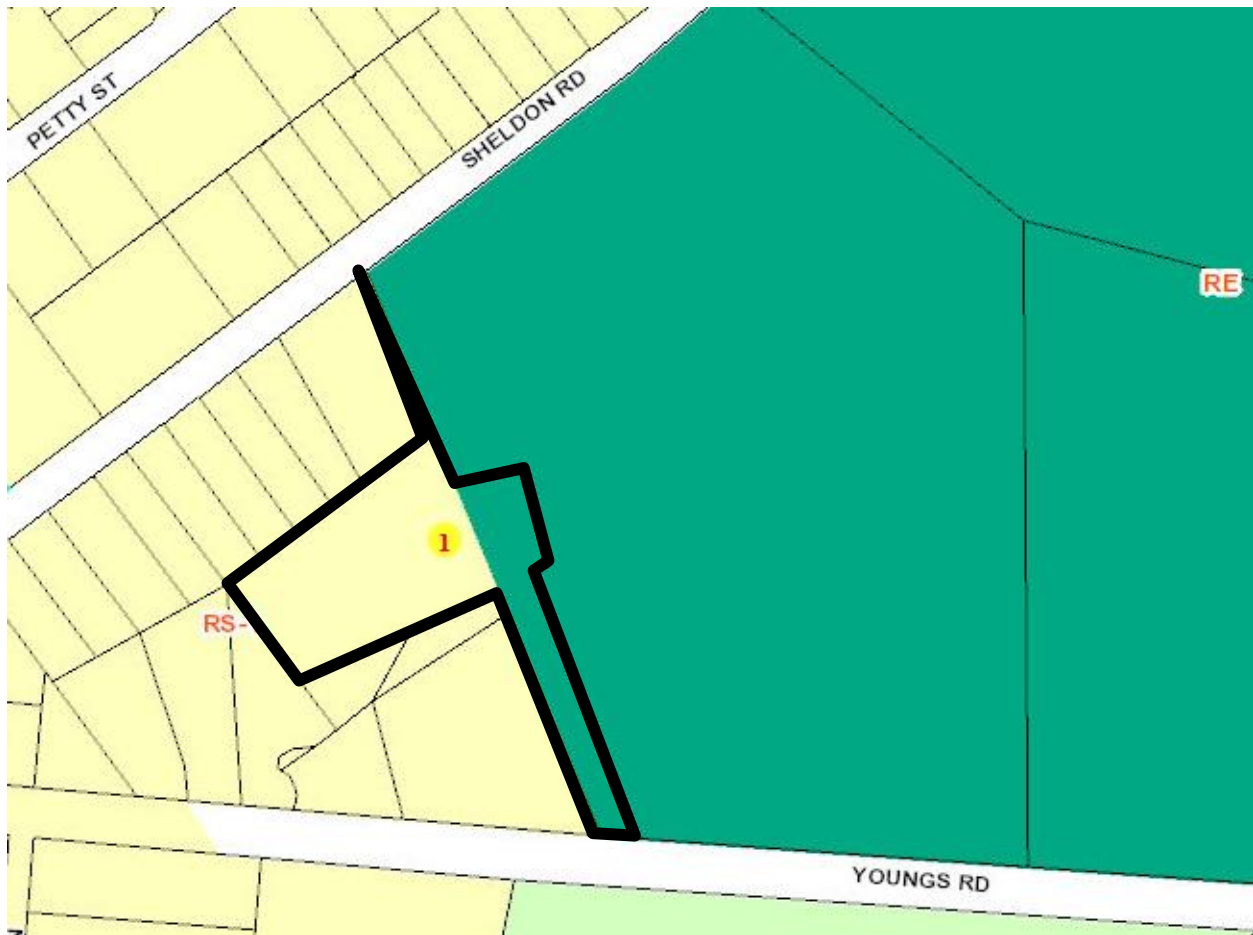


Figure 3: CLRP Future Land Use Map (Area to be Annexed Outlined in Blue)



V. ATTACHMENTS:

1. Petition
2. Revised written metes and bounds description
3. Survey of subject property

VI. TOWN COUNCIL ACTION:

To either approve or deny the Voluntary Annexation, the Town Council may choose one of the following motions or any alternative they wish:

- 1) I move to adopt an Ordinance approving the Voluntary Annexation request in application AX-01-22 for the property as defined in the submitted written metes and bounds description, and to have the Ordinance effective immediately.

-or-

- 2) I move to deny the Voluntary Annexation in application AX-01-22 for the property as defined in the submitted metes and bounds description.

PETITION FOR VOLUNTARY ANNEXATION

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

1. I/We the undersigned owner(s) of real property respectfully request that the area described in the attached Exhibit A be annexed to the Town of Southern Pines.
2. The area to be annexed is **contiguous** to the Town of Southern Pines and the boundaries of such territory are described in the attached metes and bounds description, Exhibit A.
3. The area is identified as PIN: 858100892377; PARID: 20210139.

Property Owner(s):

Name: Michael Tveter

Signature: Michael Tveter

Address: 3900 Youngs Rd

Southern Pines, NC 28387

Name: Jamie Tveter

Signature: Jamie Tveter

Address: 3900 Youngs Rd

Southern Pines, NC 28387

Name: _____

Signature: _____

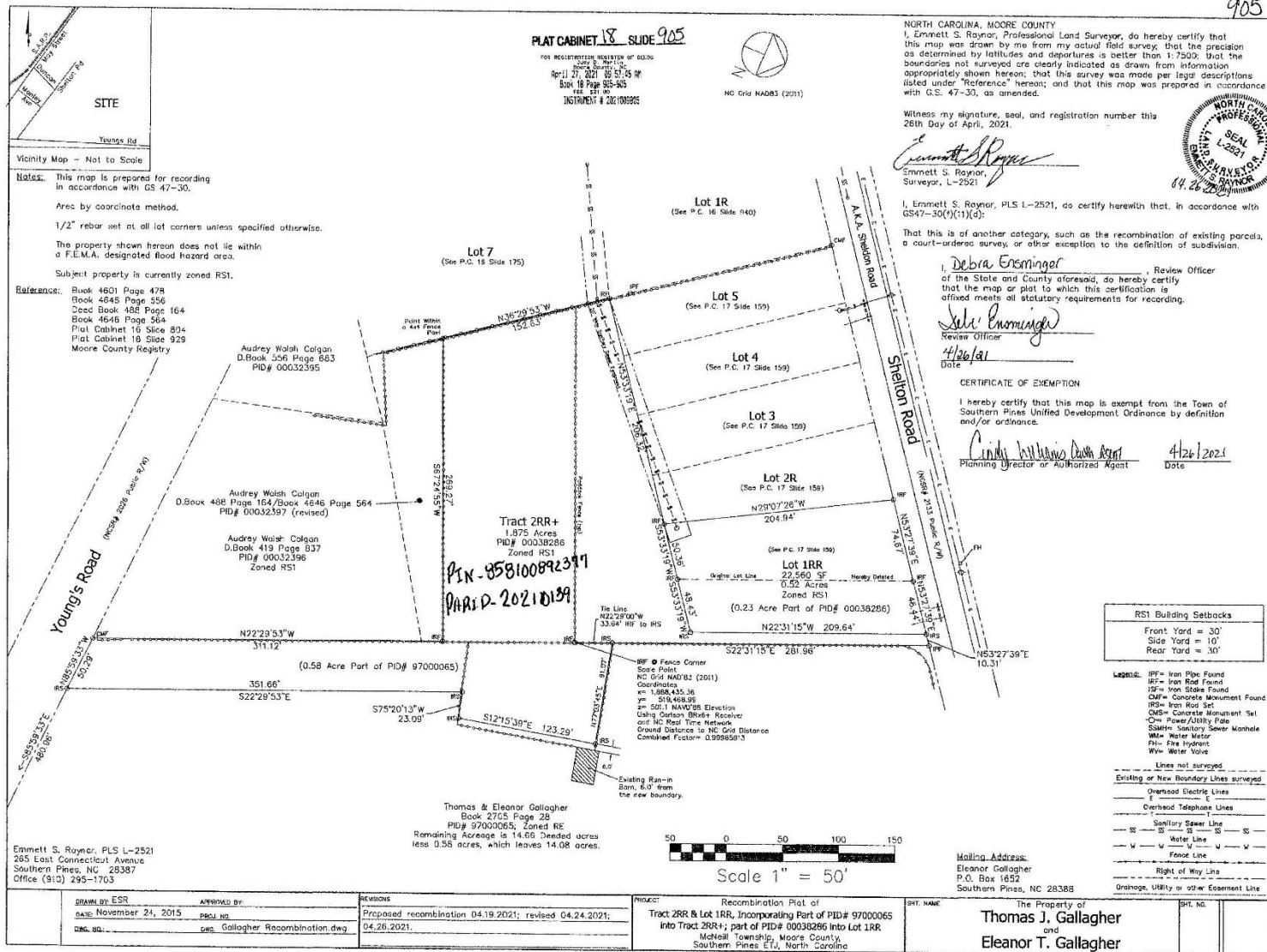
Address: _____

(Duplicate this form to add names, addresses and signatures of property owners, as necessary.)

7-28-21

A certain tract or parcel of land situate in McNeill Township, Moore County, near Southern Pines, North Carolina, fronting and lying on the north side of Young's Road, and being further described as follows:

BEGINNING on an existing concrete monument found in the north right of way line of Young's Road, said monument being the Southeast corner of Audrey Walsh Colgan's PID# 00032396 described in Deed Book 419, Page 837 in the Moore County Register of Deeds Office (ROD); running thence from said beginning N22°29'53"W a distance of 311.12 feet to an iron rod found; thence S67°24'55"W a distance of 269.27 feet to an iron rod found; thence N36°29'53"W a distance of 152.63 feet to an iron rod found; thence N53°33'19"E a distance of 206.32 feet to an iron rod found; thence N53°33'19"E a distance of 50.36 feet to an iron rod found; thence N53°33'19"E a distance of 48.43 feet to an iron rod found; thence N22°31'15"W a distance of 209.64 feet to an iron rod found in the southeast right of way line of Shelton Road (current signage shows "Sheldon Road"); thence with said right of way line N53°27'39"E a distance of 10.31 feet; thence S22°31'15"E a distance of 281.96 feet to an iron rod found; thence N77°03'45"E a distance of 91.07 feet to an iron rod found; thence S12°15'39"E a distance of 123.29 feet to an iron rod found; thence S75°20'13"W a distance of 23.09 feet to an iron rod found; thence S22°29'53"E a distance of 351.66 feet to an iron rod situate in said right of way line of Young's Road; thence N85°59'33"W a distance of 50.29 feet to the BEGINNING, containing 1.875 acres, more or less, and being Lot 2RR+ as shown in Plat Cabinet 18, Slide 905 in the Moore County Register of Deeds Office.



**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS
OF THE TOWN OF SOUTHERN PINES, NORTH CAROLINA
AX-01-22: 3900 YOUNGS ROAD**

THAT WHEREAS, the Town Council has been petitioned under G.S. 160A-31 as amended to annex the area described herein; and

WHEREAS, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency of said petition; and

WHEREAS, the Town Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation, AX-01-22, was scheduled to be held in regular session of the Town Council at the Douglass Community Center at 6:00 P.M. on the 8th day of March, 2022 after due notice by publication on February 20, 2022; and

WHEREAS, after the completion of said public hearing and upon consideration of any comments, objections or presentation at that hearing, and

WHEREAS, based on the certification of the Town Clerk and other information presented at said hearing, Council finds it proper and in the best interest of the Town to annex the following parcel according to the requirements of G.S. 160A-31:

Starting at the southwest corner of 3900 Youngs Rd, go easterly along Youngs Rod for 50.29',
Then northwesterly for 361.66', then northeasterly for 23.09', then northwesterly for 123.29',
then southwesterly for 91.07', then northwesterly for 281.3' to Sheldon Road. Then 10.31' southwesterly along Sheldon Rd.,
then southeasterly for 209.64', then southwesterly for 305.11', then southeasterly for 152.63', then northeasterly for 269.27',
then southeasterly for 311.12' back to Youngs Road.

A map of the area herein described has been recorded at the Moore County Registry of Deeds Plat Cabinet 18 Side 905, a copy of which is provided with this Ordinance as Attachment A.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Southern Pines, North Carolina in regular session this 8th day of March, 2022:

Section 1. By virtue of the authority granted by G.S. 160A-31, as amended, the above described territory is hereby annexed and made part of the Town of Southern Pines as of the 8th day of March, 2022.

Section 2. Upon and after the 8th day of March, 2022 the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Southern Pines and shall be entitled to the same privileges and benefits as other parts of the Town of Southern Pines. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Southern Pines shall cause to be recorded in the office of the Register of Deeds of Moore County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof. Such a map shall also be delivered to the County Board of Elections as required by G.S. 163-288.1.

Section 4. This Ordinance shall be and remain in full force and effect from and after the date of its adoption.

Adopted this 8th day of March, 2022.

ATTEST: TOWN OF SOUTHERN PINES

Elizabeth Robertson, Town Clerk

Carol R. Haney, Mayor

APPROVED AS TO FORM:

Douglas R. Gill, Town Attorney

I certify that Ordinance #1969 was adopted by the Town Council of the Town of Southern Pines at its meeting on March 8, 2022 as shown in the Minutes of the Town Council for that date.

Elizabeth Robertson, Town Clerk



COUNTY OF MOORE
STATE OF NORTH CAROLINA

I swear that this is a true and accurate copy of Ordinance #1969 amending the Zoning Map of the Town of Southern Pines adopted on March 8, 2022 (AX-01-22).

Elizabeth Robertson, Town Clerk

Date

Agenda Item

To: Reagan Parsons, Town Manager

From: BJ Grieve, Planning Director

Subject: PD-01-22: Planned Development District - Conceptual Development Plan for 12.62+/- acres on the south side of Airport Road between Capital Drive and Lindbergh Place

Date: March 8, 2022

I. SUMMARY OF APPLICATION REQUEST:

Mr. Bob Koontz of Koontz Jones Design, on behalf of Rhetson Companies, Inc., has submitted a Planned Development District – Conceptual Development Plan application pursuant to §2.18.4 of the Town of Southern Pines Unified Development Ordinance (UDO) to allow a commercial development containing any of the land uses that are allowed in the Town’s GB-General Business and OS-Office Services zoning districts. Development of the subject property will require connecting Capital Drive through the subject property to Airport Road, providing a greenway connection from Sandhills Community College paths through the development to sidewalks in the Tyler’s Ridge development and on to paths connecting to Reservoir Park, four-sided compliance with UDO 4.10 for commercial structures adjoining Airport Road, and parking configuration oriented internally, towards the proposed Capital Drive extension. The subject parcels are currently zoned PD (Planned Development) and are identified as PIN: 857300963887 (PARID: 00033603) and PIN: 857300974411 (PARID: 00033604). The property owner is Southern Pines Ace Land Company, LLC.

II. PLANNING BOARD RECOMMENDATION:

On February 17, 2022, the Southern Pines Planning Board held a legislative public hearing and heard from those in attendance regarding application PD-01-22. Planning staff presented a review of the Ace Hardware Planned Development (PD) Conceptual Development Plan (CDP) application. Planning staff briefly reviewed the location and orientation of the subject property, deviations from the UDO proposed in the CDP, additional project-specific design standards proposed by the applicants in the CDP, details regarding the Airport Hazard Overlay and Watershed Protection Overlay, open space and greenway path details and a summary of agency comments.

Following staff’s comments, Mr. Bob Koontz with the applicant’s representative KoontzJones Design spoke to the Planning Board. Mr. Koontz presented information regarding paths, proposed deviations from the UDO, orientation and architecture of the proposed buildings, the requested Water Supply Watershed exemption allocation, issues related to Moore County Airport and sidewalks on Capital Drive. Mr. Koontz answered

questions regarding deceleration lanes on Airport Road, landscape buffers, preparation of a Traffic Impact Analysis for the future PDP, residential uses of the subject property, pedestrian connections from Sandhills Community College to the proposed development, the proposed internal roadway cross sections and the number of buildings in the first phase of development (answer: one, a 53,000 square foot Ace Hardware). Mr. Ron Layne from Sandhills Community College answered questions from the Planning Board and Mr. Tony Bornhorst with Rhetson Companies, Inc. (builder) answered questions from the Planning Board.

During public comment, Scotty Malta, Moore County Airport Director presented a copy of his written comments (attached below) and raised overall concerns with the orientation of parking and buildings on proposed outparcels directly beneath the runway approach. Mr. Malta commented on the need for an aviation easement, completion of FAA Form 7460, prohibiting illumination that may distract or disorient pilots, prohibiting balloons, flashing lights, lasers and balloons, prohibiting residential land uses and prohibiting drone use without coordination with the airport. (Note: Planning staff did coordinate with Moore County Airport officials prior to flying the CDP site and collecting aerial imagery.) No additional comment from members of the public was presented to the Planning Board.

Following public comment, the Planning Board asked the applicants a variety of clarifying questions and discussed various aspects of project design. After closing the public hearing, the Planning Board commented that a letter of agreement with Sandhills Community College may be a good idea to present to the Town Council, the use seems appropriate for the subject property, and discussed concerns with regard to airplanes and building height. Following discussion, the Planning Board unanimously found the proposed CDP to be consistent with the CLRP as stated in Attachment A to the staff report for PD-01-22. The Planning Board added one additional matter as part of their written recommendation prior to unanimously recommending approval of PD-01-22.

Please find the signed Planning Board Resolution to Adopt a Written Recommendation for Conceptual Development Plan application PD-01-21 in the attachments section of this report.

Figure 1: Vicinity & Current Zoning Map (Subject Property outlined in Red):

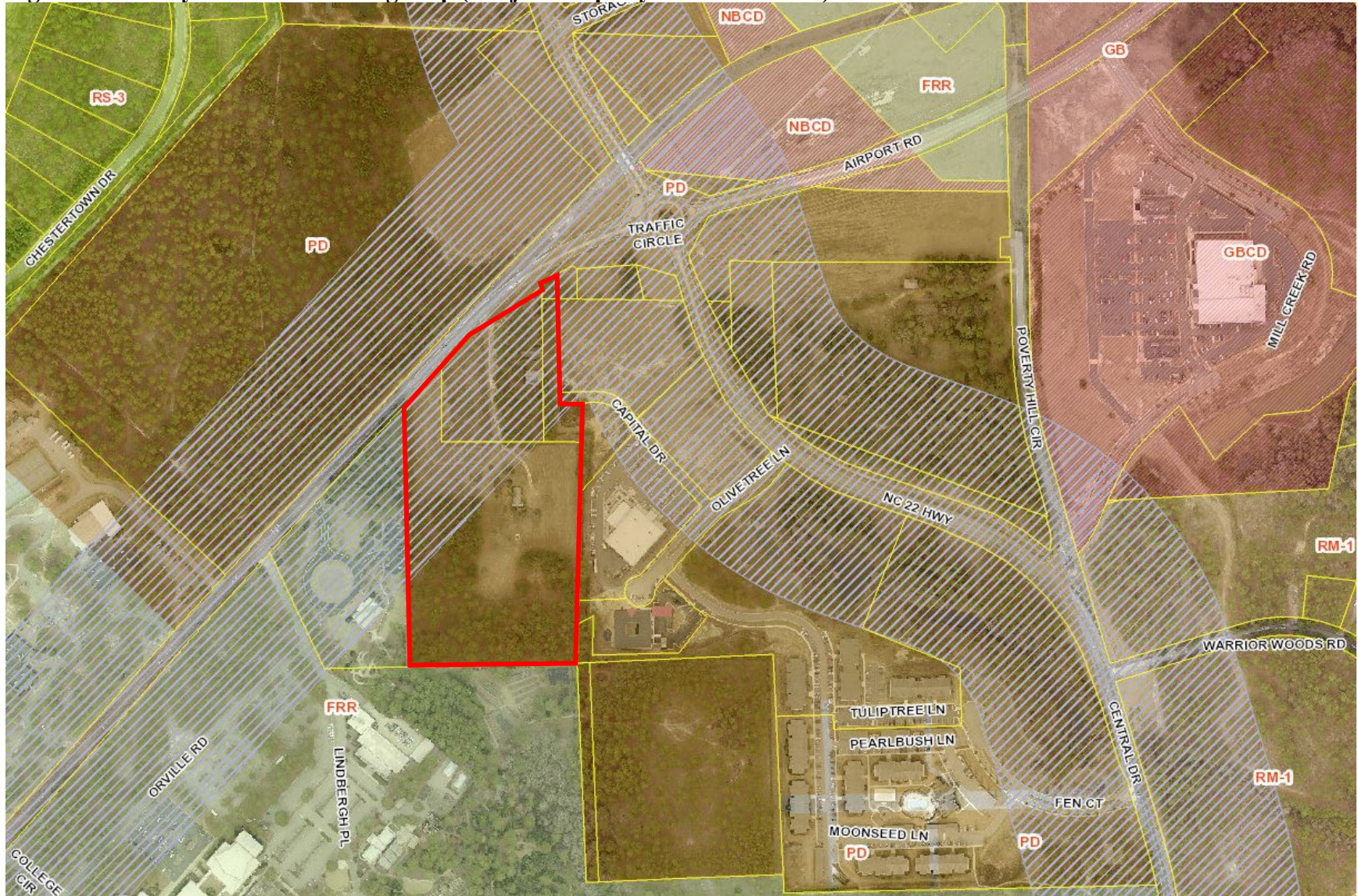
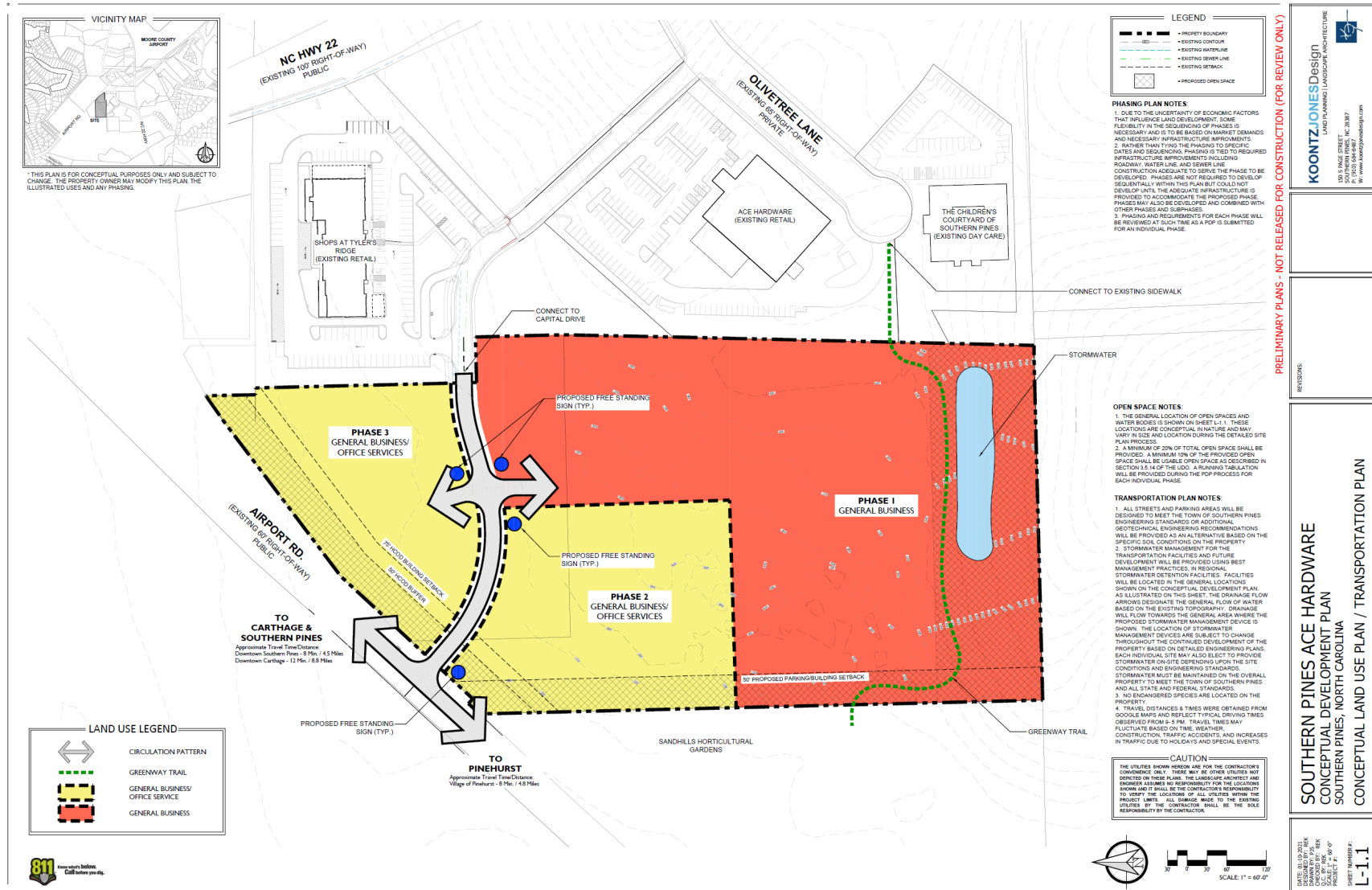


Figure 2: Oblique Aerial Image of Present Condition of Subject Property (January 21, 2022):



Figure 3: Proposed Conceptual Development Plan Layout (PD-01-22):



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 first step, CDP, is when the unique zoning standards to which the entire project will be subject in the future are established via a rezoning process. This application is for a CDP.

B. Application Review Dates:

- CDP Application Submitted: January 10, 2022
- Application Deemed Incomplete: January 13, 2022
- The developers held a Neighborhood Meeting on January 18, 2022 in compliance with UDO §2.18.3(D). Meeting minutes, copies of materials presented and a sign-in sheet from the meeting are all attached to this staff report.
- Application Deemed Complete: January 22, 2022
- Notice of February 17, 2022 Planning Board Public Hearing:
 - Posted On-site: January 25, 2022
 - Mailed: January 28, 2022
 - Publication Dates: February 2 and February 9, 2022
- Planning Board Regular Meeting: February 17, 2022
- Notice of March 8, 2022 Town Council Public Hearing:
 - Posted On-site: January 25, 2022
 - Mailed: February 11, 2022
 - Publication Dates: February 23, 2022 and March 2, 2022
- Town Council Regular Meeting: March 8, 2022

C. Criteria for Review:

The criteria for review and approval of a Conceptual Development Plan (CDP) are found in UDO §2.18.4(H):

Conceptual Development Plan

- 1. The proposed PDD satisfies the criteria for a zoning map amendment established in this chapter;*
- 2. The Conceptual Development Plan represents an overall Development Pattern that is consistent with the goals and policies of the Comprehensive Plan, Official Zoning Map, Capital Improvements Program, and any other applicable planning documents adopted by the Town;*
- 3. The proposed Development is appropriate for the area of the Town in which it is located; and*
- 4. The proposed Development will not generate the need for inefficient extensions and expansions of public facilities, utilities and services.*

D. Staff Comments:

i. Consistency with Goals and Policies of the Comprehensive Long Range Plan (CLRP):

The applicant has provided narratives addressing consistency of the proposed CDP with the Town's Comprehensive Long-Range Plan. The applicant's narratives are attached to this staff report. The CLRP designation of the subject property is "Traditional Mixed Use," a designation with which the proposed Planned Development generally complies.

ii. Consistency with Criteria for a Zoning Map Amendment and for a Conceptual Development Plan:

An application for approval of a Conceptual Development Plan (CDP) follows the procedure for a rezoning because the CDP document, once approved, will constitute the zoning of the subject properties.

The criteria against which a CDP shall be reviewed are found in UDO §2.18.4(H). The applicants have provided a narrative addressing the purpose of a Planned Development per UDO §2.18.4(A), and a narrative addressing the criteria for a CDP per UDO §2.18.4(H). Copies of the applicant's narrative documents containing their descriptions of the manner in which the project meets applicable criteria are attached to this staff report.

iii. Deviations from Unified Development Ordinance (UDO):

The applicant has provided a CDP containing the design standards within the ACE Hardware Planned Development. Any development design requirements not specifically modified within the CDP will default to the requirements set forth in the UDO.

The CDP contains two requests for easing of otherwise-applicable UDO design standards. Section 4.2.2 of the CDP allows a reduction of buffer plantings for outdoor seating areas located within the Highway Corridor Overlay, and Section 4.2.4 appears to permit a reduction of buffer plantings when there is a conflict with the location of a greenway trail.

At planning staff's request, the applicants have included additional restrictions on parking lot orientation for outparcels adjoining Airport Road (to orient parking internally, not adjoining Airport Road) and to require front of building architecture for portions of buildings facing both Capital Drive and/or Airport Road. Following comments made by Scotty Malta with Moore County Airport at the Planning Board meeting, planning staff discussed building and parking orientation on outparcels and it was determined that regardless of the orientation of parking and buildings on outparcels, both are beneath the runway approach and are, in the opinion of Mr. Malta, not ideal land uses beneath a runway approach in case there is an "unscheduled landing" or crash.

iv. Consultation with Technical Review Committee:

The proposed development was presented to the Town of Southern Pines Technical Review Committee (TRC) on February 8, 2022. Discussion was held regarding potential airport concerns based on the concerns that were raised with Tyler's Ridge CUP was undergoing review. It was discussed that the airport authority had been notified and comments were expected (see agency referrals below).

At this time, the TRC is unable to provide further specific feedback because much of the proposed CDP is zoning standards, not specific design to review. Due to the lack of specificity in the CDP regarding future land uses, specific location(s) of land uses and overall site layout (i.e. parking circulation, etc.) the TRC must wait and review more specific plans submitted with future applications for Preliminary Development Plans.

v. Noteworthy Project Elements for Planning Board & Town Council Consideration:

- The proposed Planned Development is located within the Airport Hazard Overlay (AHO). This overlay consists of two restriction areas, a large "Approach Zone" and a smaller, more restrictive "Clear Zone." The proposed Planned Development is located within the "Approach Zone," but not within the more restrictive "Clear Zone." The "Approach Zone" restricts the height of trees and buildings to below an inclined plane located in the sky as described in UDO §3.6.7(B)(1). The Planned Development does not establish building height restrictions that are unique, so the building heights within the Ace Hardware Planned Development default to those set forth in the RM-1 district, per UDO §3.5.14(O)(2). Building heights within the Ace Hardware Planned Development are therefore 40'.
- The proposed Planned Development is located within the Little River Intake No. 2 Water Supply Watershed. Since all phases of development of the property will involve built-upon area in excess of 24%, the applicants have requested 8.83 acres of exemption allocation to be granted by the Town Council concurrently with the Planned Development CDP. The current balance of exemption allocation in the Little River Intake No. 2 Water Supply Watershed is 577.50 acres (not including the pending request for 25.4 acres of allocation for the Patrick's Pointe project). If Town Council grants the requested 8.83 acres of allocation to the Ace Hardware Planned Development, the balance will be 568.67 acres and the proposed development will be permitted to develop to a maximum of 65% built-upon area (maximum per the Urban Transition Highway Corridor Overlay).
- A Traffic Impact Analysis (TIA) is not required to be submitted with a Planned Development CDP application. General transportation planning information is provided on the CDP plan. A TIA will be required with each phase of development that will be reviewed individually as Preliminary Development Plans (PDP).

IV. Cooperating Agency Review and Comments:

A request for comments from agencies was emailed to representatives of the Town's Technical Review Committee (TRC), the North Carolina Department of Transportation (NCDOT), Sandhills Community College (given location of proposed PD), U.S. Fish and Wildlife Service, Regional Land Use Advisory Commission (RLUAC) and Moore County Airport on January 25, 2022.

- Dagoberto JuarezPozos with NCDOT commented on January 25, 2022 that his agency is "...currently working with the developer on access and possible roadway improvements. Do not have things hashed out yet, but definitely will prior to approving a new connection to Airport Rd." A copy of NCDOT's comments are attached to this staff report.
- Vagn Hansen with RLUAC provided written comments via email on January 25, 2022. A copy of RLUAC's comments are attached to this staff report.
- Doug Smith with Sandhills Community College provided written comments via email on January 27, 2022. A copy of SCC's comments are attached to this staff report.
- Comments were received from Moore County Airport on February 9, 2022. The airport stated that prior to construction on the subject property, the developers must complete FAA Form 7460. Furthermore, the airport provided a list of activities that may not take place on the subject property. The airport recommends something to give land owners notice that they are near an airport, and this could be added to the CDP that will guide future development.
- Comments were received from Mr. John Hammond at the US Fish and Wildlife Service on February 10, 2022. Mr. Hammond stated that the CDP site "falls within the ½-mile radius foraging partition of one active red-cockaded woodpecker cluster." A copy of Mr. Hammond's comments are attached to this report.

V. ATTACHMENTS:

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

1. Planning Board Written Recommendation
2. CDP Application
3. Neighborhood Meeting Report
4. Applicant Narratives
 - a. Addressing UDO §2.18.4(A)
 - b. Addressing UDO §2.18.4(H)
5. CDP Plan
6. CDP Text

7. Survey of Subject Property
8. Watershed Protection Permit application
9. RLUAC Comments
10. NCDOT Comments
11. SCC Comments
12. MCA Comments
13. USFWS Comments

VI. TOWN COUNCIL ACTION:

A request for approval of a Conceptual Development Plan is a request for a rezoning. Per North Carolina General Statute 160D-605(a), when approving or denying a request for a rezoning, the Town Council shall also approve a statement addressing consistency with the Comprehensive Long Range Plan. Furthermore, per North Carolina General Statute 160D-605(b), the Town Council must also approve a statement about the reasonableness of the rezoning.

To assist the Town Council, town staff have prepared the following draft motions consideration, modification as necessary, and adoption:

I move that after reviewing the proposed Conceptual Development Plan and the criteria for consideration of a Conceptual Development Plan, and after considering the comments received at the Town Council's public hearing and the Planning Board's written recommendation:

1. The requested Conceptual Development Plan is consistent with the Comprehensive Long Range Plan and is a reasonable request for rezoning for the reasons set forth in the written Planning Board recommendation attached to staff report PD-01-22;
2. The requested Conceptual Development Plan is consistent with the Comprehensive Long Range Plan and is a reasonable request for rezoning for the reasons set forth in the written Planning Board recommendation attached to staff report PD-01-22 and as modified by Town Council as follows:
3. The requested Conceptual Development Plan is inconsistent with the Comprehensive Long Range Plan and is not a reasonable request for rezoning for the following reasons:

And, therefore, I move to:

1. Approve PD-01-22 as submitted and as set forth in attachments to staff report PD-01-22 and also to grant 8.83 acres of Water Supply Watershed Exemption Allocation to the proposed development;

2. Approve PD-01-22 as submitted and as set forth in attachments to staff report PD-01-22 and also to grant 8.83 acres of Water Supply Watershed Exemption Allocation to the proposed development, with the condition that the CDP also be modified as stated below...,
3. Deny PD-11-21;



ATTACHMENT A

PLANNING BOARD RESOLUTION TO ADOPT A WRITTEN RECOMMENDATION FOR CONCEPTUAL DEVELOPMENT PLAN APPLICATION PD-01-22

WHEREAS, Section 160D-604(d) of the North Carolina General Statutes specifies that 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 that 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 amendment by the governing board.

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

WHEREAS, the Planning Board conducted a public hearing on February 17, 2022 for consideration of a Planned Development - Conceptual Development Plan for the Ace Hardware Planned Development;

NOW, THEREFORE BE IT RESOLVED that the Planning Board finds and recommends to the Town Council that the Conceptual Development Plan application PD-01-22 is consistent with the Town of Southern Pines Comprehensive Long Range Plan (CLRP) because the entire subject property is specifically designated for a future land use of “Traditional Mixed Use” and the proposed Conceptual Development Plan (CDP) allows all the land uses permitted in the General Business and Office Services zoning districts. The proposed CDP is adjacent to existing commercial and multi-family residential development, can be served by existing water and sewer facilities, is accessible via existing internal private streets that will connect to Airport Road, and contains design requirements that will mitigate impacts of commercial development. Prior to connecting Capital Drive to Airport Road, the developer will be required to meet the access improvement requirements of the North Carolina Department of Transportation.

AND, THEREFORE, BE IT FURTHER RESOLVED that the following additional matters were considered by the Planning Board as a basis for a recommendation of approval to the Town Council regarding PD-01-22:

1. The applicants will revise the CDP to include site and building design requirements that will mitigate the concerns raised in written comments from Moore County Airport and U.S. Fish and Wildlife Service.

2. The applicants will take into consideration comments raised by Scotty Malta, Airport Manager, at the February 2022 Planning Board public hearing, and receive a letter from Sandhills Community College expressing its position regarding the project.

ADOPTED this the 17th day of February, 2022.



Gary Carroll, Chairman

ATTEST:



Cindy Williams
Secretary to the Planning Board



Planned Development District Conceptual Development Plan Application

Fee: \$1,800.00

Date Received: _____

Case No.: PD-____-____

Project Information:

Project Name: ACE Hardware Conceptual Master Plan

Physical address: TBD Capital Drive, Southern Pines, NC

PIN: 857300963887 and 857300974411
12.62 acres +/- , final acreage to be determined

Parcel ID: 00033603 and 00033604

Site Size: by final Survey

Zoning: CB-CD and PD

Applicant:

Name(s): Rhetson Companies, Inc.

Email: tony@rhetson.com

Phone: (910) 944-0881

Mailing Address: 2075 Juniper Lake Road, West End, NC 27376

Authorized Agent, if different from Applicant:

Name(s): Koontz Jones Design

Email: bkoontz@koontzjones.com

Phone: (910) 684-8487

Mailing Address: 150 S. Page Street, Southern pines, NC 28387

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

Name(s): Southern Pines Ace Land Company, LLC

Email: RSaunders@southernpinesace.com

Phone: _____

Mailing Address: 215 Capital Drive, Whispering Pines, NC 28327

8-27-21

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 – Conceptual 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 Airport Road (St./Ave.), between Capital Drive (St./Ave.) and Lindbergh Place (St./Ave.). The property has a frontage of approx. 660 feet and a depth of approx. 892 feet.

The request is based upon **Section 2.18** of the **Town of Southern Pines Unified Development Ordinance**.

The proposed use of the property is as follows:

General business to include offices, retail, grocery, hardware, equipment repairs, construction related businesses, education/public administration/health care/other institutions, transportation/communication/information/utilities, manufacturing/wholesale trades, and general sales or services

Date:

1/10/2022


Applicant

PLANNING DEPARTMENT
TOWN OF SOUTHERN PINES

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

APPOINTMENT OF AGENT

Rhetson Companies, Inc. and

Koontz Jones Design

The undersigned owner(s), Randall Saunders, hereby appoint(s) Koontz Jones Design 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 – Conceptual 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 Planning Board and Town Council for the approval of a Planned Development District – Conceptual 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 -Conceptual 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 10th day of January, 2022.



Property Owner



Agent ~~Property Owner~~
Rhetson companies, inc



Agent
Koontz Jones Design

NEIGHBORHOOD MEETING REPORT

DATE: January 19, 2022

PROJECT: Ace Hardware CDP

LOCATION: Koontz Jones Design Office
150 South Page Street
Southern Pines, NC

SUBMITTED BY: Bob Koontz

ATTENDEES: Bob Koontz, Koontz Jones Design, PLLC
Paul Saathoff, Koontz Jones Design, PLLC
Randy Saunders, Southern Pines Ace Hardware
Tony Bornhorst, Rhetson Companies, Inc.

An informal Neighborhood Meeting was held on Tuesday January 18, 2022, from 4:00 pm to 6:00 pm in the design office of Koontz Jones Design located at 150 South Page Street in downtown Southern Pines. This meeting is required by the Town of Southern Pines Unified Development Ordinance (UDO) for rezoning applications. The owner and project team held this meeting with the adjoining property owners to present the project and solicit feedback on the preliminary plans for the proposed mixed-use Conceptual Development Plan for Southern Pines Ace Hardware. The development of the +/- 12.62-acre property will allow for a mixture of commercial, retail, restaurant, and office uses that will be carefully integrated into the surrounding area and compatible with the surrounding development areas. All adjoining parcel owners within 200' of the proposed development were notified by letter (see attached copy of the letter) ten (10) days prior to the meeting date.

The meeting was informal in nature to allow adjoining property owners the opportunity to drop by at their convenience to review preliminary plans and ask questions of the development team. No formal presentation was provided. Drawings of the conceptual master plan and site location map were provided for review by the property owners. The land planner/landscape architects, the owner, and the owner's representatives were available to answer questions regarding the proposed project.

Adjoining property owners consisting mainly of representatives from Sandhills Community College and the Tyler's Ridge development took the opportunity to review the plans and discuss the project with the development team. A sign-in sheet, showing the name, address, and email address of the nine (9) attendees was kept and is attached to this document.

Randy Saunders introduced himself and provided information on his business and the proposed relocation to the area described in the CDP. The development team presented and reviewed the preliminary plans

with the attendees. Questions relating to many aspects of the proposed development were raised and responded to by the development team. The following is a list of the questions posed to the development team:

- How/Where will the proposed greenway trail connect to the adjacent properties? The development team discussed possible connection points to the adjacent Sandhills Community College (SCC) properties. After discussing with representatives from SCC, it was agreed that a connection near the parking area of the Horticultural Gardens could be a great opportunity to connect to extend the Southern Pines greenway system. The development team also discussed the connection to the existing sidewalk along Olivetree Lane which would then allow for a connection to the reservoir park via Tyler's Ridge apartments.
- What buffers/setbacks will exist between the proposed development and SCC? The development team reviewed the proposed 50' building/parking setback on the west side of the property along the SCC property. It was explained that due to the flat conditions in much of this area that there was a real possibility to leave much of the existing vegetation in this proposed setback.
- Where will storm water be directed and maintained? The development team advised that the stormwater would be directed and maintained on site in the general area as shown in the CDP towards the southern property boundary. A wet pond or dry retention pond will be designed as required by Town and State of North Carolina requirements.
- Roadway connections and circulation throughout the Conceptual Development Plan Area were presented. The development team explained that a connection to Captial Drive at the existing stub near the Shops at Tyler's Ridge would be made. A Captial Drive intersection at Airport Road would also be created. The development team explained that they are working with NCDOT on the intersection and any improvements that would need to be made and that a road widening and turn lane would be necessary.
- Who are the proposed retailers? The development team explained that Ace Hardware would be relocated to the proposed 'Phase 1' area as shown in the conceptual development plan area. Other phases could have a mixture of office, retail, or restaurant uses. It was explained that a list of permissible uses was included with the CDP which eliminated several GB/OS services that would not fit the character of the property.



Robert Koontz, RLA

These notes reflect the author's interpretation of the events during the referenced meeting. Any additions or modifications required should be submitted to the author in writing.

**ACE HARDWARE CONCEPTUAL DEVELOPMENT PLAN
NEIGHBORHOOD MEETING SIGN-IN SHEET**

Name	Address	Email Address
Randy Saunders	218 Capital Drive Carrboro, NC, 28321	Rsaunders@southernpinesace.com
TONY BORRHOEST	2075 JUNIPER LAKE WEST END, NC 27376	TONY@RHETSON.COM
Jim O'Malley	121 National Drive Pinhook, NC 28374	jomalley@omalleydevelopment.com
Brenda Jackson	3395 Airport Rd Pinhook, NC	jacksonbr@sandhills.edu
John Deady	3525 Airport Rd Pinhook, NC 28374 Abundant	
Tim Carpenter	146 Aqua Shad Ct	tim@lkcengineering.com
For Layne	scc	layner@sandhills.edu
George W. Little	scc	gwlittle51@gmail.com
Doug Smith	scc	smithdo@sandhills.edu

January 6, 2022

Dear adjoining property owner,

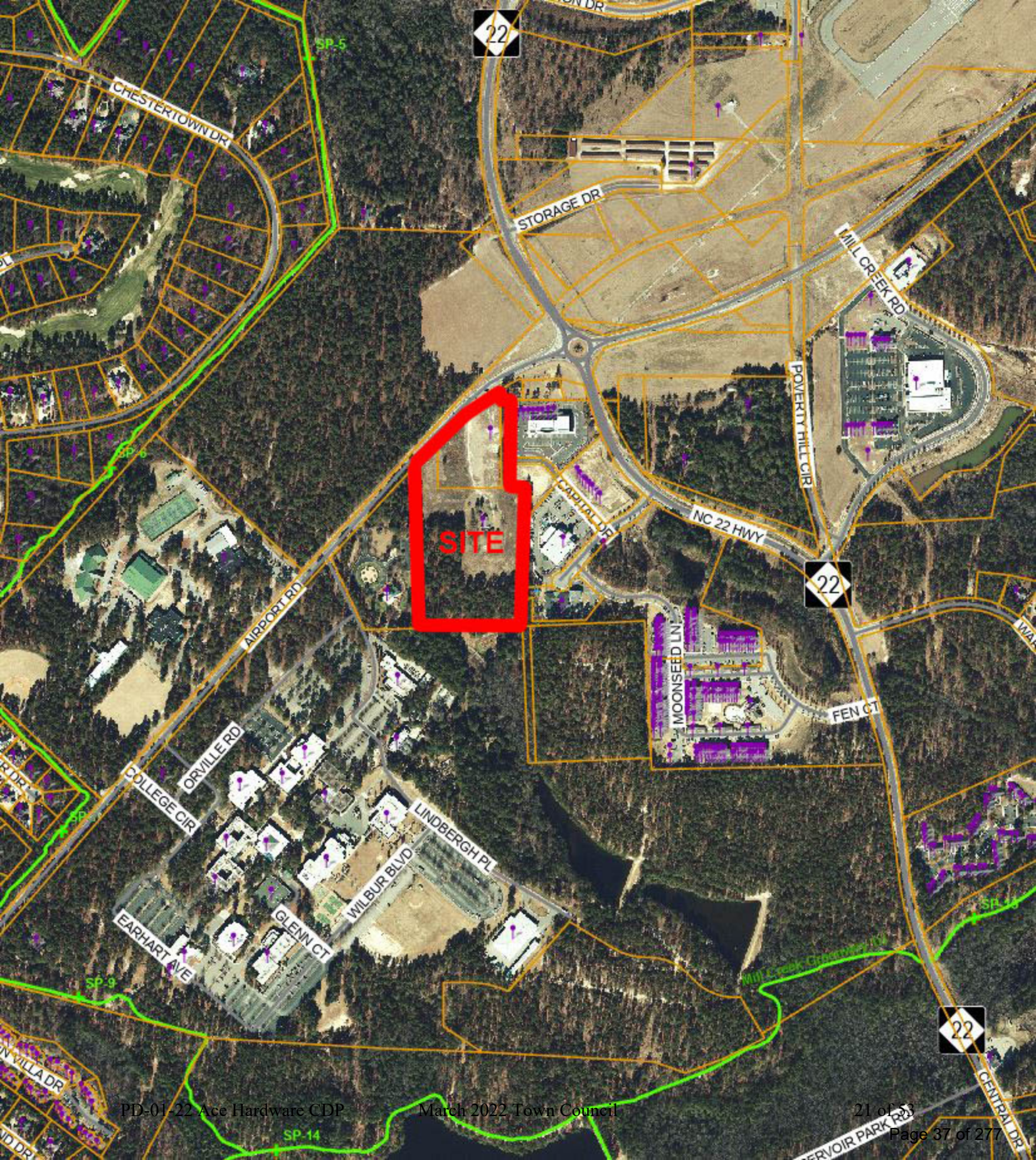
A Neighborhood Meeting will be held to discuss the proposal of a Conceptual Development Plan for a ±13.46-acre property on the south side of Airport Road between Lindbergh Place and NC Highway 22. The property is currently zoned PD (Planned Development). With the proposed Conceptual Development Plan, the applicant is seeking to create a planned development allowing for commercial and office development.

This is not a public hearing. The purpose of this meeting is to inform neighboring property owners of the proposal and to seek comments. The drop-in meeting will be held on Tuesday January 18, 2022, between the hours of 4:00 pm and 6:00 pm at the offices of Koontz Jones Design, located at 150 South Page Street in Southern Pines. This meeting will be informal, with no scheduled presentation, so feel free to come by at your convenience during the designated hours. Conceptual plans will be made available for review and discussion with members of the project team. Anyone seeking additional information regarding this project may call (910) 639-4058.

Best Regards,

A handwritten signature in black ink, appearing to read 'Rt Koontz', with a long horizontal flourish extending to the right.

Robert Koontz, PLA



**Southern Pines Ace Hardware
Conceptual Development Plan Justification**

Below are listed the four (4) criteria required to approve a Conceptual Development Plan (CDP) application as described in Section 2.18.4(A) of the Town of Southern Pines UDO. Following the individual criteria is an explanation, indicated in **red**, describing how the project demonstrates compliance with each of these criteria.

A Conceptual Development Plan is permitted if the Applicant demonstrates that:

- (1) **The mix and intensity of land uses are consistent with the Comprehensive Plan;**

The property is zoned Planned Development (PD) on the official zoning maps. The proposed CDP complies with the submission requirements of the PD district and proposes a mixture of uses. Land uses proposed for the are consistent with the Town's Comprehensive Long-Range Plan (CLRP) and promote its objectives. The CLRP has designated the properties included in the application as Traditional Mixed-Use. This CDP encourages a variety of land uses and building types, including multi-family residential, retail/commercial, and office uses. The CDP results in a master planned development, and discourages disjointed, piecemeal development. These are all goals of the Town's Planning documents.

- (2) **The general street layout is consistent with mobility needs of the Town and the proposed Development;**

Roadway connections will be provided that will efficiently connect adjoining properties to the development's circulation network. Connections to the development will add significant roadway connections and circulation routes for the overall community, adding important mobility connections for all residents. Upon full build-out, connections will be made to existing stub out locations on adjacent parcels and create a comprehensive transportation network.

All roadways and parking areas will be constructed to the Town of Southern Pines standards. Public water and sewer utilities will be connected to existing utilities surrounding the site.

- (3) **The phasing plan enables each phase to be developed in a way that it creates a sustainable neighborhood that will be enhanced as each successive phase is developed; and**

A phasing plan is provided within the CDP documents and is intended to provide a framework that will promote a complete and cohesive development. Due to the uncertainty of economic factors that influence land development some flexibility in the sequencing of phases is necessary and is to be based on market demands and necessary infrastructure improvements. Standards included in the CDP document will govern the development and set the character of each development phase. Even though phases may be developed over different periods, these standards will ensure consistency.

The proposed phasing strategy above will ensure the Town of Southern Pines that development occurs in an orderly fashion, adequate utilities will be developed as needed, and each phase will enhance the overall development area and surrounding development areas.

(4) The proposed arrangement of land uses and the phasing plan are compatible with surrounding neighborhoods.

Uses within the development are compatible with the surrounding land uses. The property is designated as Traditional Mixed-Use in the CLRP. The development proposed in the CDP prescribes a development with retail, commercial, and office elements.

Surrounding development consists of retail/commercial developments, institutional facilities, and multi-family residential. The proposed development is compatible with the surrounding area and will provide additional connections to the adjacent properties. Phasing as proposed allows for adequate infrastructure completion that will ensure the orderly development of the property and provide infrastructure extensions as necessary to serve the overall development area.

**Southern Pines Ace Hardware
Conceptual Development Plan Criteria Justification**

Below are listed the four (4) criteria required to approve a Conceptual Development Plan (CDP) application as described in Section 2.18.4(H) of the Town of Southern Pines UDO. Following the individual criteria is an explanation, indicated in **red**, describing how the project demonstrates compliance with each of these criteria.

A Conceptual Development Plan is permitted if the Applicant demonstrates that:

- (1) The proposed PDD satisfies the criteria for a zoning map amendment established in this chapter;

The property is zoned Planned Development (PD) on the official zoning maps. The proposed CDP complies with the submission requirements of the PD district and proposes a mixture of uses. Land uses proposed for the CDP for Southern Pines Ace Hardware are consistent with the Town's Comprehensive Long-Range Plan (CLRP) and promote its objectives. The CLRP has designated the properties included in the application as Traditional Mixed-Use. This CDP encourages a variety of land uses and building types, including retail/commercial and office uses. The CDP results in a master planned development, and discourages disjointed, piecemeal development.

- (2) The Conceptual Development Plan represents an overall Development Pattern that is consistent with the goals and policies of the Comprehensive Plan, Official Zoning Map, Capital Improvements Program, and any other applicable planning documents adopted by the Town;

The subject property is currently zoned Planned Development (PD). There is no approved Conceptual Development Plan (CDP) in place for the PD zoned area. The property is designated as Traditional Mixed-Use in the Town's CLRP.

The vision for the project is to develop a high-quality commercial center 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 commercial and office uses.

The proposed CDP for the property is consistent with the Town's Comprehensive Long-Range Plan (CLRP) and promotes its objectives. As stated above, the CLRP has designated the property as a Traditional Mixed-Use. This CDP encourages a variety of land uses and building types including retail/commercial, and office uses. The CDP results in a master planned development, and discourages disjointed, piecemeal development.

- (3) The proposed Development is appropriate for the area of the Town in which it is located; and

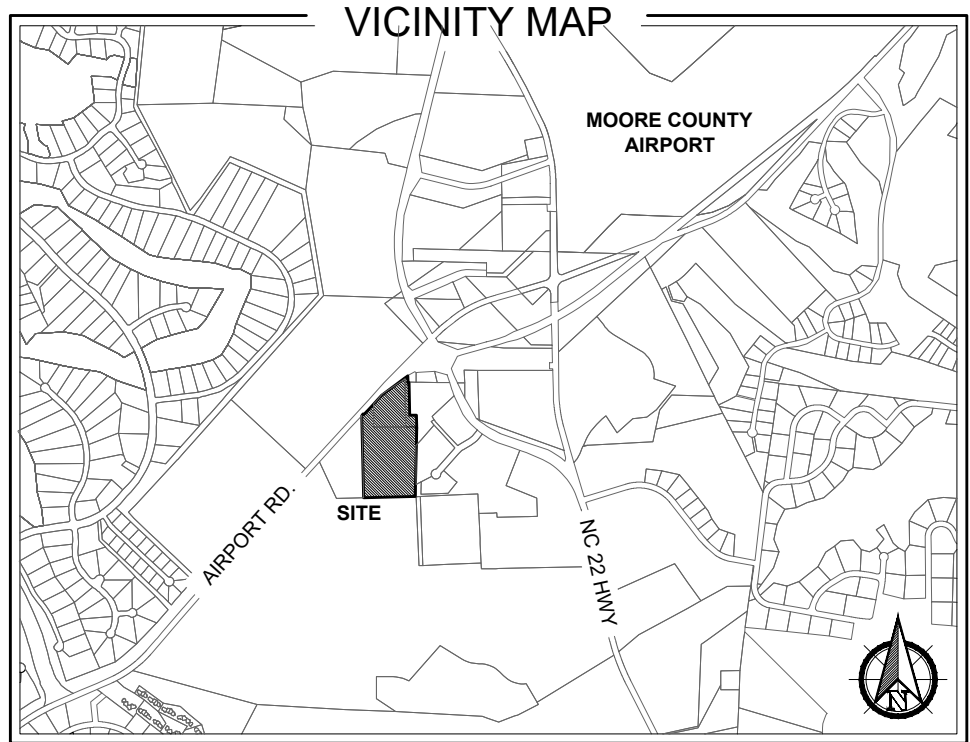
Uses within the development are compatible with the surrounding land uses. The property is designated as Traditional Mixed-Use in the CLRP. The development proposed in the CDP prescribes a development with retail, commercial, and office elements.

Surrounding development consists of retail/commercial developments, institutional facilities, and multi-family residential. The proposed development is compatible with the surrounding area and will provide additional connections to the adjacent properties. Phasing as proposed allows for adequate infrastructure completion that will ensure the orderly development of the property and provide infrastructure extensions as necessary to serve the overall development area.

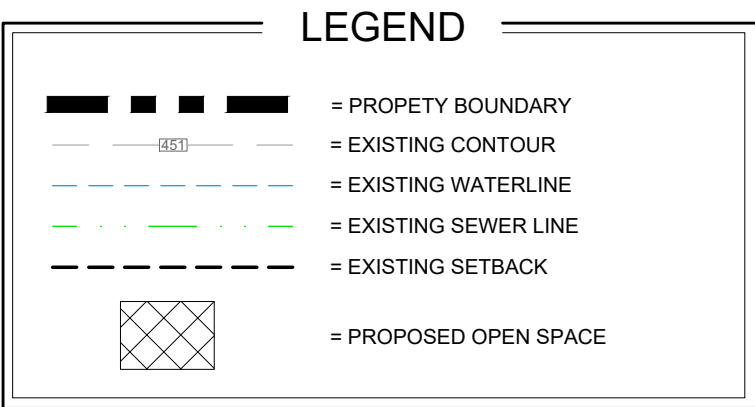
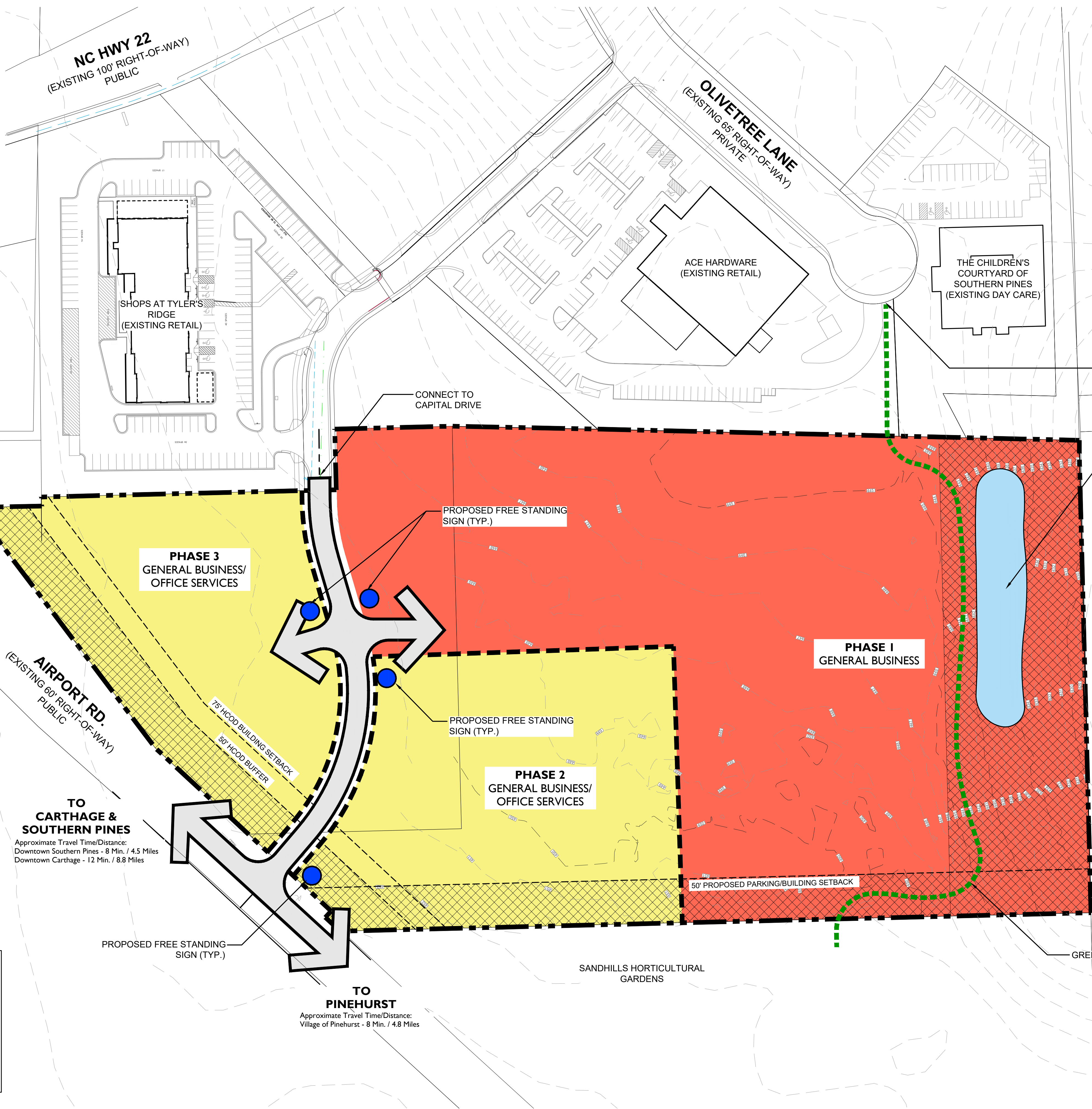
- (4) The proposed Development will not generate the need for inefficient extensions and expansions of public facilities, utilities, and services.

The proposed Development will not generate the need for inefficient extensions and expansions of public facilities, utilities and services. Roadway connections will be provided that will efficiently connect adjoining properties to the development's circulation network.

As described in Sections 4.2.5 of the project narrative, water and sewer utilities are readily available for the project, as well as all other necessary utilities. New utilities to serve the community described in the CDP documents, will follow the existing pattern of utility extensions within the area. Adequate sewer and water capacity to serve the development is available.



* THIS PLAN IS FOR CONCEPTUAL PURPOSES ONLY AND SUBJECT TO CHANGE. THE PROPERTY OWNER MAY MODIFY THIS PLAN, THE ILLUSTRATED USES AND ANY PHASING.



PHASING PLAN NOTES:

1. DUE TO THE UNCERTAINTY OF ECONOMIC FACTORS THAT INFLUENCE LAND DEVELOPMENT, SOME FLEXIBILITY IN THE SEQUENCING OF PHASES IS NECESSARY AND IS TO BE BASED ON MARKET DEMANDS AND NECESSARY INFRASTRUCTURE IMPROVEMENTS.
2. RATHER THAN TYING THE PHASING TO SPECIFIC DATES AND SEQUENCING, PHASING IS TIED TO REQUIRED INFRASTRUCTURE IMPROVEMENTS INCLUDING ROADWAY, WATER LINE, AND SEWER LINE CONSTRUCTION ADEQUATE TO SERVE THE PHASE TO BE DEVELOPED. PHASES ARE NOT REQUIRED TO DEVELOP SEQUENTIALLY WITHIN THIS PLAN BUT COULD NOT DEVELOP UNTIL THE ADEQUATE INFRASTRUCTURE IS PROVIDED TO ACCOMMODATE THE PROPOSED PHASE. PHASES MAY ALSO BE DEVELOPED AND COMBINED WITH OTHER PHASES AND SUBPHASES.
3. PHASING AND REQUIREMENTS FOR EACH PHASE WILL BE REVIEWED AT SUCH TIME AS A PDP IS SUBMITTED FOR AN INDIVIDUAL PHASE.

OPEN SPACE NOTES:

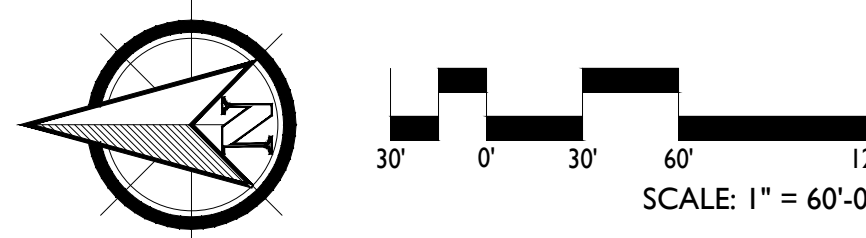
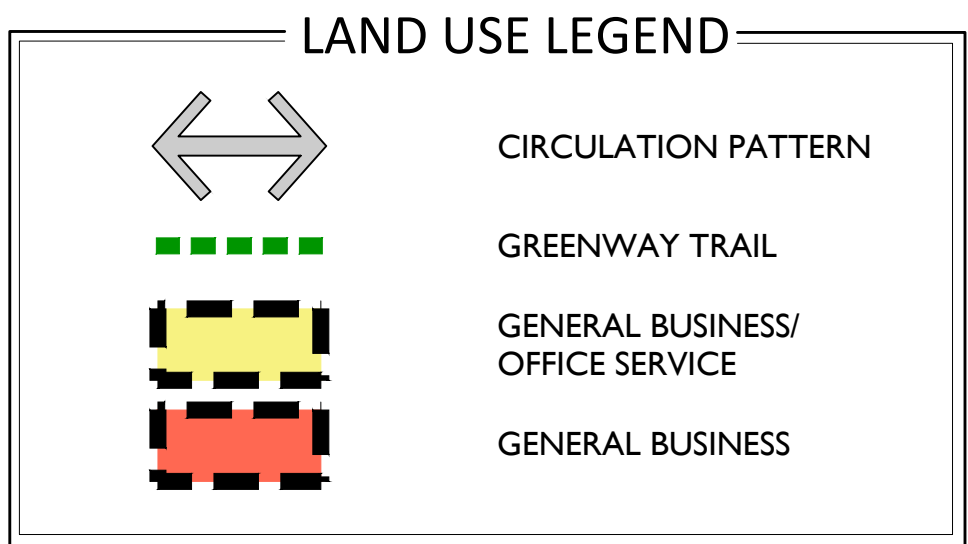
1. THE GENERAL LOCATION OF OPEN SPACES AND WATER BODIES IS SHOWN ON SHEET L-1.1. THESE LOCATIONS ARE CONCEPTUAL IN NATURE AND MAY VARY IN SIZE AND LOCATION DURING THE DETAILED SITE PLAN PROCESS.
2. A MINIMUM OF 20% OF TOTAL OPEN SPACE SHALL BE PROVIDED. A MINIMUM 10% OF THE PROVIDED OPEN SPACE SHALL 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.

TRANSPORTATION PLAN NOTES:

1. ALL STREETS AND PARKING AREAS WILL BE DESIGNED TO MEET THE TOWN OF SOUTHERN PINES ENGINEERING STANDARDS OR ADDITIONAL GEOTECHNICAL ENGINEERING RECOMMENDATIONS WILL BE PROVIDED AS AN ALTERNATIVE BASED ON THE SPECIFIC SOIL CONDITIONS ON THE PROPERTY
2. 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 SHOWN ON THE CONCEPTUAL DEVELOPMENT PLAN. AS ILLUSTRATED ON THIS SHEET, THE DRAINAGE FLOW ARROWS DESIGNATE THE GENERAL FLOW OF WATER BASED ON THE EXISTING TOPOGRAPHY. DRAINAGE WILL FLOW TOWARDS THE GENERAL AREA WHERE THE PROPOSED STORMWATER MANAGEMENT DEVICE IS SHOWN. THE LOCATION OF STORMWATER MANAGEMENT DEVICES ARE SUBJECT TO CHANGE THROUGHOUT THE CONTINUED DEVELOPMENT OF THE PROPERTY BASED ON DETAILED ENGINEERING PLANS. EACH INDIVIDUAL SITE MAY ALSO ELECT TO PROVIDE STORMWATER ON-SITE DEPENDING UPON THE SITE CONDITIONS AND ENGINEERING STANDARDS. STORMWATER MUST BE MAINTAINED ON THE OVERALL PROPERTY TO MEET THE TOWN OF SOUTHERN PINES AND ALL STATE AND FEDERAL STANDARDS.
3. NO ENDANGERED SPECIES ARE LOCATED ON THE PROPERTY.
4. TRAVEL DISTANCES & TIMES WERE OBTAINED FROM GOOGLE MAPS AND REFLECT TYPICAL DRIVING TIMES OBSERVED FROM 9-5 PM. TRAVEL TIMES MAY FLUCTUATE BASED ON TIME, WEATHER, CONSTRUCTION, TRAFFIC ACCIDENTS, AND INCREASES IN TRAFFIC DUE TO HOLIDAYS AND SPECIAL EVENTS.

CAUTION

THE UTILITIES SHOWN HEREON ARE FOR THE CONTRACTOR'S CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT DEPICTED ON THESE PLANS. THE LANDSCAPE ARCHITECT AND ENGINEER ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATIONS OF ALL UTILITIES WITHIN THE PROJECT LIMITS. ALL DAMAGE MADE TO THE EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY BY THE CONTRACTOR.



PRELIMINARY PLANS - NOT RELEASED FOR CONSTRUCTION (FOR REVIEW ONLY)

KOONTZJONESDesign
LAND PLANNING | LANDSCAPE ARCHITECTURE

150 S PAGE STREET
SOUTHERN PINES, NC 28387
P: (910) 684-9467
W: www.koontzjonesdesign.com

REVISIONS:

REVISIONS:

SOUTHERN PINES ACE HARDWARE
CONCEPTUAL DEVELOPMENT PLAN
SOUTHERN PINES, NORTH CAROLINA
CONCEPTUAL LAND USE PLAN / TRANSPORTATION PLAN

DATE: 01-10-2021
DESIGNED BY: REK
DRAWN BY: PJS
CHECKED BY: REK
SCALE: 1" = 60'-0"
PROJECT #:
SHEET NUMBER#:
L-1.1

PD DISTRICT CONCEPTUAL DEVELOPMENT
PLAN APPLICATION
**SOUTHERN PINES ACE
HARDWARE**
SOUTHERN PINES, NORTH CAROLINA

PROJECT NARRATIVE AND DESIGN STANDARDS

1.0 PURPOSE

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

- Prepare a Conceptual Development Plan (CDP) for Southern Pines Ace Hardware as required to develop the property located in an established Planned Development (PD) district.
- Establish the permitted uses, density, standards and conditions under which the subject property shall be developed through this narrative and the associated plans being submitted with this application.

The Town's Conceptual Development Plan application form is included in the submitted documents. All 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 request. The Conceptual Development Plan of this property shall include all standards and conditions included in this document and the submitted supporting documents.

2.0 PROJECT OVERVIEW

2.1 Location

The proposed project described in this application is geographically located north of downtown Southern Pines on the south side of Airport Road, between Lindbergh Place and the NC Hwy 22 traffic circle. A site location map showing the site and immediate surroundings is included with this application. The property is adjacent to the current Ace Hardware building and the Tyler's Ridge business park properties. The site is accessible from NC Hwy 22 via Olivetree Lane and Capital drive and has frontage on Airport Road. The site is fully annexed into the Town of Southern Pines. Utilities are available at the site with capacity to accommodate the proposed development.

2.2 Vision

The vision for the project is to develop a high-quality commercial and office center 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 commercial, retail, restaurant and office uses.

The project will have frontage and access from Airport Road. Access from Airport Road will connect to the existing Capital Drive and connect to the existing adjacent commercial development. The project will also have access from NC Highway 22 via Olivetree Lane and Capital Drive.

Adjoining properties are zoned PD and FRR, and consist of commercial, office, multi-family residential, and institutional uses (Sandhills Community College). The Town's Comprehensive Long-Range Plan (CLRP) designates the property as Traditional Mixed Use. Proposed development under this CDP would provide compatible uses with the surrounding properties and is consistent with the CLRP.

2.3 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. 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 application will apply.

The proposed CDP and land uses are consistent with the Town's Comprehensive Long-Range Plan (CLRP) and is consistent with the uses on surrounding and adjoining properties. The CLRP has designated the property as Traditional Mixed Use and is surrounded by commercial, residential, restaurant, institutional and office uses. This CDP provides locations for land uses which may include commercial, retail, restaurant, or office uses.

3.0 EXISTING CONDITIONS

3.1 Existing Natural Features

3.1.1 Prevalent Tree Canopy and Vegetation

An analysis of the tree canopy and vegetation has been provided in the red-cockaded woodpecker survey provided by Dr. Jay H. Carter III & Associates, Inc. and has been included with this application.

3.1.2 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.

3.1.3 Streams, Wetlands and Floodplain

No streams or wetlands are located on this property. The proposed development is within a high-quality watershed area and is located in the Little River (Intake No. 2) WS-IIIP watershed.

3.1.4 Topographic Features

A topographic map with two (2') foot contours is included in the application exhibits on sheet L-1.0 Existing Conditions.

3.1.5 Unique Land Formations, Endangered/Threatened Species

A red-cockaded woodpecker survey has been prepared by Dr. Jay H. Carter III & Associates, Inc. and has been included with this application.

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 if required for permitting.

3.2 Existing Man-made Features

3.2.1 Streets, Roads, Parking or Other Structures

A gravel drive off of Airport Road is used to access the existing residential structure on site. In addition, Capital Drive is stubbed to the property boundary and will be extended and utilized for the development described in this CDP.

3.2.2 Storm Water Facilities and Structures

There are no existing stormwater facilities located on the property.

3.2.3 Utilities

Sewer – A sewer line is currently located adjacent to the property and is available for connection to this development. The lines can

accommodate future development. Adequate available service for the proposed development is available from the Town of Southern Pines.

Electric - Electric power is available. All new electric lines will be installed underground.

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

Water – Public water line connections are located near the site. The lines are adequate to accommodate development as proposed.

3.3 Existing Legal Features

3.3.1 Zoning Information - The subject property is currently zoned PD (Planned Development) as indicated on the Town's Zoning Map. The property is also indicated as Traditional Mixed Use in the Town's CLRP.

3.3.2 Property Lines - See plans and deeds included with this application

3.3.3 Right of Ways – The Adjacent rights-of-way along Airport Road are shown on plans included with this application on sheet L-1.0 – Existing Conditions.

3.3.4 Easements – No utility easements have been identified.

3.3.5 Ownership Information - See existing conditions plan for depictions of the tracts listed in the table below. Copies of the corresponding recorded deeds evidencing ownership are provided as exhibits with this application.

Tract	Owner	Deed Book	Page Number(s)
1	Southern Pines Ace Land company, LLC	5749	375
2	Southern Pines Ace Land company, LLC	4705	265

Property to be rezoned and annexed will be described by using the property descriptions from the attached deeds and by survey.

3.3.6 Adjacent Parcel information - the adjacent parcel owners, zoning, use, PIN numbers and Parcel ID numbers are listed on

the Adjacent Property Owners list in the exhibit included in this application.

4.0 DEVELOPMENT CONDITIONS

4.1 Development Program

The development of the +/- 12.62-acre property will allow for a mixture of commercial, retail, restaurant, and office uses. All development will follow the standards of the Town's UDO for the specific type of development unless specific development standards are included below.

Uses on the property may include items in the General Business (GB) and Office Services (OS) zoning districts. A list of the permitted uses for the property have been included with this application. 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. Permitted Uses for the property are included by their LBCS code in the table provided.

4.2 Additional Design Conditions

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

4.2.1 Vehicular & Pedestrian Circulation, Parking, and Streets

There will be two (2) points of ingress/egress for the property. The main Ingress/egress to the development will be provided from Airport Road which will connect with Capital Drive and the adjacent commercial properties. Access to the property from NC Highway 22 will be available via Olivetree Lane and the Capital Drive connection. A third additional access point may be provided from Olivetree Lane to the property via a site driveway connection from the existing cul-de-sac. This driveway will be coordinated with the adjacent property owner prior to submission of the Preliminary Development Plan (PDP). A letter permitting the connection will be obtained from the adjoining property owner prior to submission of the PDP and site plan applications.

All roadways and parking facilities will be designed to meet the Town of Southern Pines engineering paving standards or additional geotechnical engineering recommendations will be provided as an alternative based on the specific soil conditions on the property. Deviations to the UDO standards for parking areas, including general parking standards and standards included in the Highway Corridor Overlay District (HCOD) requirements may be requested during the

PDP process, as detailed designs for the site are prepared. On parcels adjacent to Airport Road, parking areas will be oriented toward Capital Drive, with no parking between the building and Airport Road. Service Drives or drive thru lanes may be located in this area, but no parking spaces will be permitted. Roadways adjacent to the community are governed by the NCDOT and therefore ingress/egress locations from Airport Road will require NCDOT approval.

Sidewalks and Trails – Sidewalks will be provided throughout the property and will connect to the existing sidewalk along Capital Drive. In an effort to continue the greenway trail system in this area and connect the shopping center to the community trail system, a trail connection will be made from the sidewalks on Olivetree Lane to the property boundary on western side of the property. This will provide an opportunity to connect to the adjacent property would not prohibit a future greenway connection to the Airport Road trail system.

4.2.2 Open Space

A minimum of 20% of total open space shall be provided. A minimum 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.

Outdoor patio/seating spaces for customers and/or employees may be provided within the development. These seating areas may be permitted in the HCOD setback and buffer area to provide outdoor amenities/open space and activate the streetscape. If these areas are provided in the HCOD, a reduction in the required buffer plantings for the HCOD will reduced by the area of the patio/seating space. Perimeter landscaping will be provided for these outdoor spaces.

4.2.3 Architectural Standards

All buildings will be required to meet the standards of the commercial building design guidelines described in Section 4.10 of the Town of Southern Pines UDO. Architectural plans must be reviewed and approved by the Town's Architectural Review Board (ARB) prior to building permit authorization.

In addition, all building elevations directly facing Capital Drive and/or Airport Road will adhere to the front of building material and design standards contained in Section 4.10.4 and Section 4.10.6, if applicable. Buildings with fronts facing on both Airport Road and Capital Drive will provide common design and materials on all sides of the building.

4.2.4 Landscaping 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, With the exception of areas long the southern property boundary, where the desity of plantings may conflict with a future greenway trail connection. Should a greenway trail be installed in this area, landscape buffering will be provided so as not to prohibit the greenway trail and provide adequate visibility for safety purposes. This buffering will be coordinated with Town staff to provide adequate visibity and screening.

4.2.5 Utilities

Electric, water, and sewer utilities are currently available near the property as described in Section 3.2.3 of this document. Any new utility lines will be installed underground in accordance with the policies of the local utility providers and the Town of Southern Pines.

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. 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 the development phases.

Water and sewer utilities will be provided by the Town of Southern Pines. The cost to construct will be borne by the developer and utility lines, once certified, will be dedicated to the Town of Southern Pines. Power and electric utility will be provided by Duke Energy.

4.2.6 Lighting

Appropriate lighting for any future commercial,retail/office development will be provided. Parking area lighting will be designed in conformance with the requirements of Section 4.8 in the Town of Southern Pines UDO. The cost of installation of any lighting shall not be the responsibility of the Town of Southern Pines. Lighting will be provided by Duke Energy Progress or other utility company.

4.2.7 Signage

All signage will be designed in conformance with the requirements of the Town of Southern Pines UDO in Section 4.6. Signs for “Shopping Centers” will follow Section 4.6.13 and maintain a Unified Sign Plan.

Signs indicated on Sheet L-1.1 of the submission will be permitted in the Unified Sign Plan. Signage, internal to the development, may be provided throughout the property for purposes of identification and wayfinding. Overall Shopping Center signs, along Airport Road, may include signage for businesses from the adjoining retail buildings and shopping center area for parcels with access along Capital Drive and Olivetree Lane.

4.2.8 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. Any temporary uses or special events must obtain the appropriate permits from the Town of Southern Pines.

4.2.9 Storm Water Management and Water Quality Management

The property is located within a state regulated and protected drainage basin. As such stormwater design will fully comply with all aspects of applicable local and state standards and regulations for storm water management and watershed protection, including specific requirements for erosion and sedimentation control. Best management practices at the time of development for each phase shall be utilized in accordance with NCDEQ guidance. Drainage facilities will be located in the general locations as shown on the conceptual site plan included in this application. These locations 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, NCDEQ, and any other stormwater regulations.

As permitted by the Town of Southern Pines based on the commercial nature of this project and location within the watersheds, a Watershed Protection Permit has been submitted with this application. This will allow the development to provide up to 70% impervious surface to develop the commercial and office uses.

4.2.10 Setbacks

The setbacks for the property will follow the standards of the UDO for the specific area and uses. A 400' Urban Transition Highway Corridor Overlay is present along Airport Road. Setbacks and standards within the first 400' along Airport Road will follow the Highway Corridor Overlay District (HCOD) guidelines. Portions of the property outside of the Highway Corridor Overlay Districts, will follow the standards of the UDO

for the specific area and uses. In addition to these setbacks, a 50' setback will be provided along the western property boundary which connects to the Sandhills Horticultural Gardens at Sandhills Community College.

6.0 Phasing

Due to the uncertainty of economic factors that influence land development, some flexibility in the sequencing of phases is necessary and is to be based on market demands and necessary infrastructure improvements. Rather than tying the phasing to specific dates and sequencing, phasing is tied to required infrastructure improvements including roadway, water line, and sewer line construction adequate to serve the phase to be developed. Phases are not required to develop sequentially within this plan but could not develop until the adequate infrastructure is provided to accommodate the proposed phase. Phases may also be developed and combined with other phases and subphases. Phasing and requirements for each phase will be reviewed at such time as a pdp is submitted for an individual phase.

Phase 1 will include the construction of the Capital Drive extension which will connect Airport Road to Olivetree Lane. Any utilities required by the Town of Southern Pines, to be located in this roadway, will be constructed as part of this phase as well.

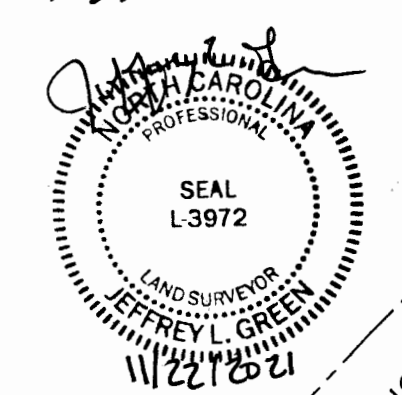
I, JEFFREY L. GREEN, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 4705, PAGE 265; BOOK 3914 PAGE 109); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION AS INDICATED; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY AS CALCULATED IS 1:10,000±; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

FURTHER AS REQUIRED PER G.S. 47-30(F)(11), I JEFFREY L. GREEN, CERTIFY THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXEMPTION OR EXCEPTION TO THE DEFINITION OF SUBDIVISION.

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 22ND DAY OF NOVEMBER, A.D., 2021.

Jeffrey L. Green
PROFESSIONAL LAND SURVEYOR

L-3472
LICENSE NUMBER



I HEREBY CERTIFY THAT THE SURVEY SHOWN AND DESCRIBED HEREON IS SOLELY FOR THE PURPOSE OF RECOMBINING EXISTING LOTS. THE SURVEY SHOWN BELOW AND DESCRIBED HEREON IS EXEMPT FROM THE SOUTHERN PINES UNIFIED DEVELOPMENT ORDINANCE (UDO) BY DEFINITION AND/OR ORDINANCE AND NO APPROVAL OF THIS SURVEY IS REQUIRED BY THIS OFFICE.

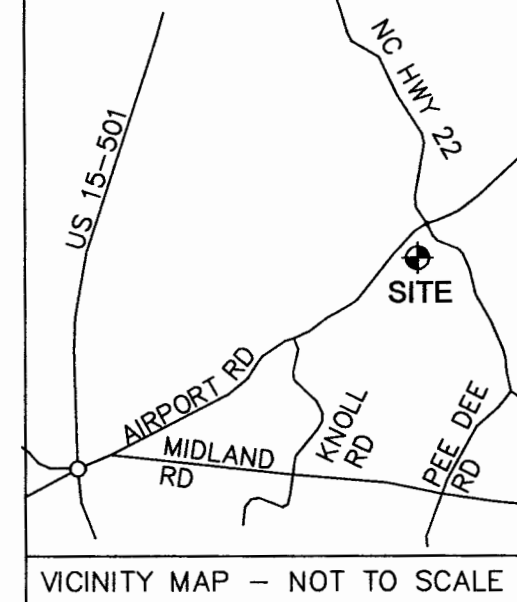
Cindy Williams, Auth Agent
SUBDIVISION ADMINISTRATOR

11/22/21
DATE

I, Jaime Walters, REVIEW OFFICER OF MOORE COUNTY, NORTH CAROLINA, CERTIFY THAT THE MAP OR PLAT WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

Jaime Walters
REVIEW OFFICER

11-22-21
DATE

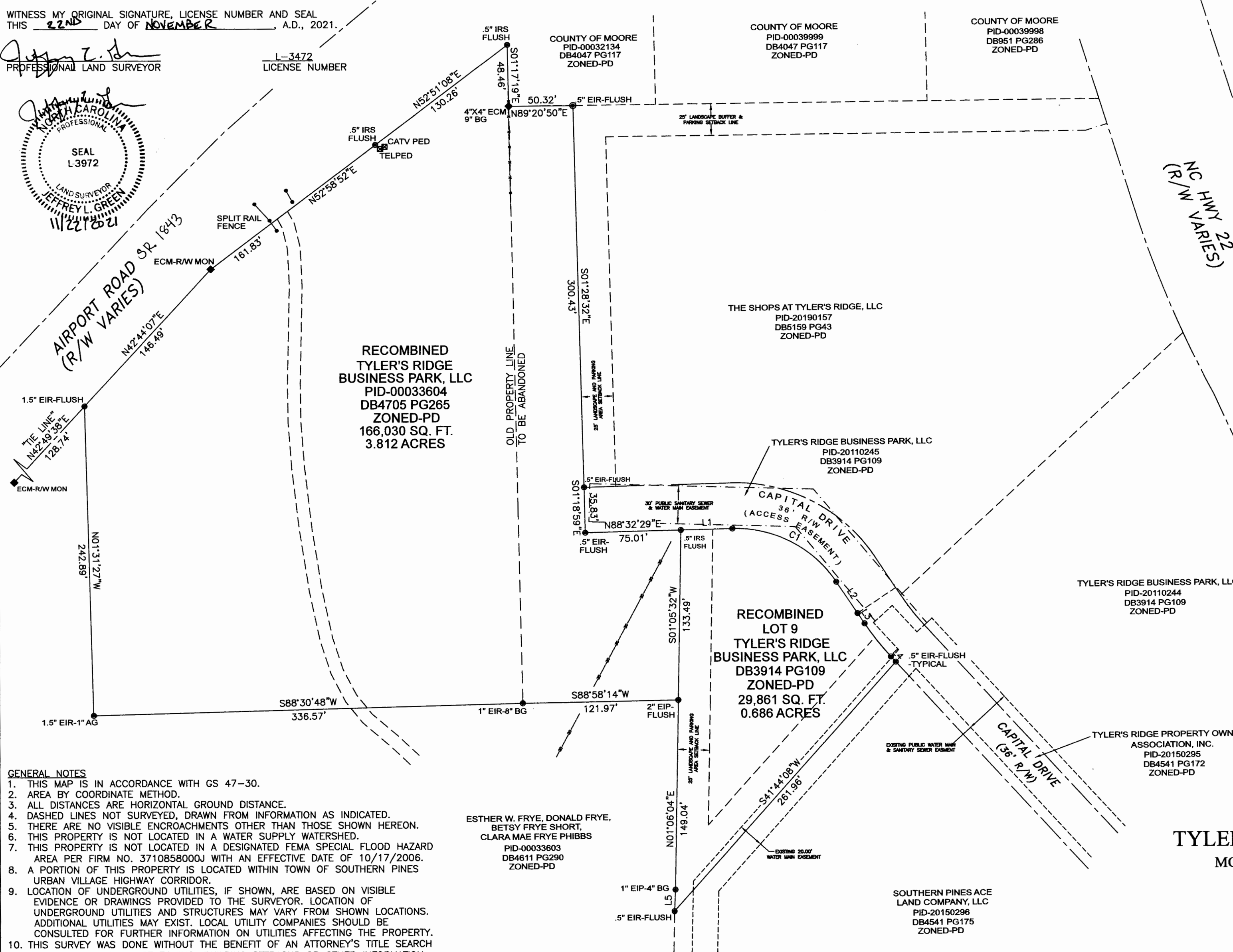


LOT 9, TYLER'S RIDGE BUSINESS PARK, LLC
PID 20190158
PIN 857300976238
DEED BOOK 3914 PAGE 109
PLAT CABINET 18 SLIDE 47
MOORE COUNTY REGISTRY

TYLER'S RIDGE BUSINESS PARK, LLC
PID 00033604
PIN 857300974411
DEED BOOK 4705 PAGE 265
PLAT CABINET 15 SLIDE 772
MOORE COUNTY REGISTRY

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	95.00'	95.45'	91.49'	N62°40'29"W	57°34'04.90"

LINE	BEARING	DISTANCE
L1	N88°32'29"E	40.43'
L2	S33°53'26"E	29.86'
L3	S33°53'26"E	9.72'
L4	S42°37'33"E	5.62'
L5	N02°49'22"E	17.06'



GENERAL NOTES

1. THIS MAP IS IN ACCORDANCE WITH GS 47-30.
2. AREA BY COORDINATE METHOD.
3. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCE.
4. DASHED LINES NOT SURVEYED, DRAWN FROM INFORMATION AS INDICATED.
5. THERE ARE NO VISIBLE ENCROACHMENTS OTHER THAN THOSE SHOWN HEREON.
6. THIS PROPERTY IS NOT LOCATED IN A WATER SUPPLY WATERSHED.
7. THIS PROPERTY IS NOT LOCATED IN A DESIGNATED FEMA SPECIAL FLOOD HAZARD AREA PER FIRM NO. 3710858000J WITH AN EFFECTIVE DATE OF 10/17/2006.
8. A PORTION OF THIS PROPERTY IS LOCATED WITHIN TOWN OF SOUTHERN PINES URBAN VILLAGE HIGHWAY CORRIDOR.
9. LOCATION OF UNDERGROUND UTILITIES, IF SHOWN, ARE BASED ON VISIBLE EVIDENCE OR DRAWINGS PROVIDED TO THE SURVEYOR. LOCATION OF UNDERGROUND UTILITIES AND STRUCTURES MAY VARY FROM SHOWN LOCATIONS. ADDITIONAL UTILITIES MAY EXIST. LOCAL UTILITY COMPANIES SHOULD BE CONSULTED FOR FURTHER INFORMATION ON UTILITIES AFFECTING THE PROPERTY.
10. THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF AN ATTORNEY'S TITLE SEARCH WHICH COULD DISCLOSE ZONING, BUILDING SETBACKS OR OTHER INFORMATION WHICH COULD AFFECT THE SURVEYED PROPERTY.
11. THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, RIGHT-OF-WAYS AND AGREEMENTS OF RECORD PRIOR TO THE DATE OF THIS PLAT.
12. GPS COORDINATES ESTABLISHED USING SPECTRA PRECISION SP80 MODEL; NC GNSS REAL TIME NETWORK.
13. ZONING INFORMATION- ZONED PD.
FOR SETBACK INFORMATION CONTACT THE TOWN OF SOUTHERN PINES PLANNING DEPARTMENT AT 910.692.4003

ESTHER W. FRYE, DONALD FRYE,
BETSY FRYE SHORT,
CLARA MAE FRYE PHIBBS
PID-00033603
DB4611 PG290
ZONED-PD

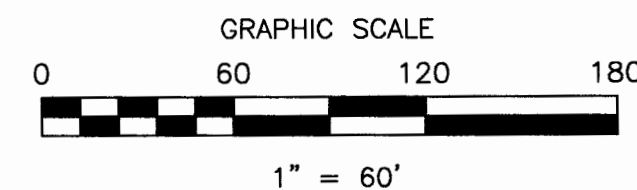
LEGEND

- CP-CALCULATED POINT
- ⊙ EIP-EXISTING IRON PIPE
- ⊙ EIR-EXISTING IRON ROD
- ◆ ECM-EXISTING CONCRETE MONUMENT
- EPK-EXISTING PK NAIL
- PKS-PK NAIL SET
- RIGHT OF WAY
- BOUNDARY LINE
- - - BOUNDARY NOT SURVEYED

PLAT CABINET 19 SLIDE 193

FOR REGISTRATION, REGISTER OF DEEDS
Judy D. Martin
Moore County, NC
November 22, 2021 04:19:31 PM
Book 19 Page 193-193
FEE \$21.00
INSTRUMENT # 2021025554

RECOMBINATION SURVEY
LOT 9 TYLER'S RIDGE &
TYLER'S RIDGE BUSINESS PARK, LLC LOT
MCNEILL TOWNSHIP, TOWN OF SOUTHERN PINES
MOORE COUNTY, NORTH CAROLINA
NOVEMBER 16, 2021 SCALE 1"= 60'
FIELD SURVEY- NOVEMBER, 2021



OWNER: TYLER'S RIDGE BUSINESS PARK, LLC
35 MARTIN DRIVE
WHISPERING PINES, N.C. 28327

SURVEYOR: JEFFREY L. GREEN, PLS
140 AQUA SHED COURT
ABERDEEN, N.C. 28315
(910) 975-2306



Watershed Protection Permit Application

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:

CB-CD

Project Name: ACE Hardware Concept Master Plan Zoning District: and PD Total Property Acreage: 12.62 +/-

PIN: 857300963887 and 857300974411 Parcel ID: 00033603 and 00033604 Watershed: WS-III

Type of Development: Planned Development - General Business Total Built-Up Area*: 18.83 A-

% of Total Property Acreage Proposed to be Built-Up Area*: 70%.

Applicant:

Name(s): Rhetson Companies, Inc. Email: tony@rhetson.com

Mailing Address: 2075 Juniper Lake Road, West End, NC 27376 Phone: (910) 944-0881

Authorized Agent, if different from Applicant:

Name(s): Koontz Jones Design

Email: bkoontz@koontzjones.com Phone: (910) 684-8487

Mailing Address: 150 S. Page Street, Southern Pines, NC 28387

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

Name(s): Southern Pines Ace Land Company, LLC

Email: RSaunders@southernpinesace.com Phone: _____

Mailing Address: 215 Capital Drive, Whispering Pines, NC 28387

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

APPOINTMENT OF AGENT

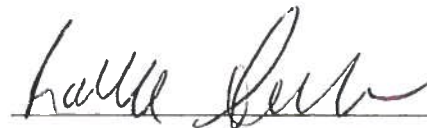
Rhetson Companies, Inc. and
Koontz Jones Design

The undersigned owner(s), Randall Saunders, hereby appoint(s) Koontz Jones Design 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 – Conceptual 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 Planning Board and Town Council for the approval of a Planned Development District – Conceptual 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 -Conceptual Development Plan under the Southern Pines Unified Development Ordinance.

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

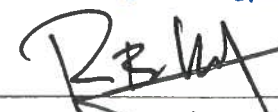
Signed this 10th day of January, 2022.



Property Owner



Agent ~~Property Owner~~
Rhetson companies, inc.



Agent
Koontz Jones Design



Watershed Protection Permit Narrative

Below are listed the criteria required to approve a Watershed Protection Permit application as described in Exhibit 3-14, Table Note 3, of the Town of Southern Pines UDO. Following the individual criteria is an explanation describing how the project demonstrates compliance with each of these criteria.

(A) The use and location of the use are consistent with the Comprehensive Plan;

The property is zoned Planned Development (PD) on the official zoning maps. The proposed CDP complies with the submission requirements of the PD district and proposes a mixture of uses. Land uses proposed for the CDP for Southern Pines Ace Hardware are consistent with the Town's Comprehensive Long-Range Plan (CLRP) and promote its objectives. The CLRP has designated the properties included in the application as Traditional Mixed-Use. This CDP encourages a variety of land uses and building types, including retail/commercial and office uses. The CDP results in a master planned development, and discourages disjointed, piecemeal development.

(B) The design of the project is appropriate for the location and is consistent with the purposes of the WPO district;

The design of the project and its proposed uses are consistent with the area and surrounding properties. The proposed uses are consistent with the Planned Development (PD) zoning district and are compatible with the commercial, office, and residential uses of the surrounding properties. Adjoining properties include retail/commercial, institutional, offices, and residential uses. The project is appropriate for the area in which it is located.

(C) The allocation is minimum necessary to establish the use at a size, scale and design that serves the interests of the neighborhood and the Town as a whole;

The allocation is minimum necessary to develop the property with the proposed uses as described in the proposed CDP. The proposed scale and uses are consistent with the adjoining properties and reflect those of the established businesses and properties in the area.

(D) The allocation will not detract from the viability of similar uses in the area or other parts of the Town

Allocation for this project will not detract from the viability of similar uses in the area or other parts of town. The project will be consistent with the existing land uses in the area and on surrounding properties and not be a burden to existing businesses in the area or Town.

BJ Grieve

From: Cindy Williams
Sent: Tuesday, January 25, 2022 9:55 AM
To: BJ Grieve
Cc: Cindy Williams
Subject: FW: PD-01-22 Ace Hardware CDP

FYI

From: RLUAC Executive Director <director@rluac.com>
Sent: Tuesday, January 25, 2022 9:38 AM
To: Cindy Williams <CWilliams@southernpines.net>
Subject: RE: PD-01-22 Ace Hardware CDP

Cindy,

RLUAC does not have any comments on this 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: Tuesday, January 25, 2022 9:16 AM
To: Scotty Malta <smalta@moorecountyaairport.com>; Douglas Smith <smithdo@sandhills.edu>; Archie Daniel <adaniel@southernpines.net>; Cindi King <CKing@southernpines.net>; Cory Albers <calbers@southernpines.net>; James Michel <JMichel@southernpines.net>; Ken Skipper <KSkipper@southernpines.net>; Maurice Holland <mbholland63@gmail.com>; NCDOT <djuarezpozos@ncdot.gov>; ncsandhillsrcw@fws.gov; Pete Campbell <director@rluac.com>; Ron Istre <Ristre@southernpines.net>
Cc: BJ Grieve <BJGrieve@southernpines.net>
Subject: PD-01-22 Ace Hardware CDP

Good morning,

Please review the attached Notice and proposed site plan and respond with any comments you may have at your earliest convenience.

Thank you.

Please note: The Planning Department has moved to the Community Development Building, 801 SE Service Road.

Sincerely,

Cindy Williams, CZO
Planning Department
Town of Southern Pines
(910) 692-4003

BJ Grieve

From: Cindy Williams
Sent: Tuesday, January 25, 2022 9:55 AM
To: BJ Grieve
Cc: Cindy Williams
Subject: FW: [External] PD-01-22 Ace Hardware CDP
Attachments: PD-01-22 PB PHN - Agency Comments.pdf

FYI

From: JuarezPozos, Dagoberto <djuarezpozos@ncdot.gov>
Sent: Tuesday, January 25, 2022 9:30 AM
To: Cindy Williams <CWilliams@southernpines.net>
Cc: James, Janet R <jrjames2@ncdot.gov>
Subject: RE: [External] PD-01-22 Ace Hardware CDP

Cindy,

We are currently working with the developer on access and possible roadway improvements. Do not have things hashed out yet, but definitely will prior to approving a new connection to Airport Rd.

Dago

From: Cindy Williams <CWilliams@southernpines.net>
Sent: Tuesday, January 25, 2022 9:16 AM
To: Scotty Malta <smalta@moorecountyaairport.com>; Smith, Doug <smithdo@sandhills.edu>; Archie Daniel <adaniel@southernpines.net>; Cindi King <CKing@southernpines.net>; Cory Albers <calbers@southernpines.net>; James Michel <JMichel@southernpines.net>; Ken Skipper <KSkipper@southernpines.net>; Maurice Holland <mbholland63@gmail.com>; JuarezPozos, Dagoberto <djuarezpozos@ncdot.gov>; ncsandhillsrcw@fws.gov; Pete Campbell <director@rluac.com>; ISTRE, RONALD <ristre@southernpines.net>
Cc: BJ Grieve <BJGrieve@southernpines.net>
Subject: [External] PD-01-22 Ace Hardware CDP

CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to [Report Spam](#).

Good morning,

Please review the attached Notice and proposed site plan and respond with any comments you may have at your earliest convenience.

Thank you.

Please note: The Planning Department has moved to the Community Development Building, 801 SE Service Road.

Sincerely,

Cindy Williams, CZO
Planning Department
Town of Southern Pines
(910) 692-4003

Email correspondence to and from this sender is subject to the N.C. Public Records Law and may be disclosed to third parties.

BJ Grieve

From: Cindy Williams
Sent: Friday, January 28, 2022 8:37 AM
To: BJ Grieve
Subject: FW: PD-01-22 Ace Hardware CDP

FYI

Please note: The Planning Department has moved to the Community Development Building, 801 SE Service Road.

Sincerely,

Cindy Williams, CZO
Planning Department
Town of Southern Pines
(910) 692-4003

From: Douglas Smith <smithdo@sandhills.edu>
Sent: Thursday, January 27, 2022 8:21 AM
To: Cindy Williams <CWilliams@southernpines.net>
Cc: Brenda Jackson <jacksonbr@sandhills.edu>
Subject: RE: PD-01-22 Ace Hardware CDP

Good Morning Cindy,
SCC has no comments, per Dr. Dempsey.

Thanks

Doug Smith
Facilities Director



105 McKean Services Center
598 Lindbergh Place • Pinehurst, NC 28374
910.695-3811
smithdo@sandhills.edu

From: Cindy Williams <CWilliams@southernpines.net>
Sent: Tuesday, January 25, 2022 9:16 AM
To: Scotty Malta <smalta@moorecountyairport.com>; Douglas Smith <smithdo@sandhills.edu>; Archie Daniel <adaniel@southernpines.net>; Cindi King <CKing@southernpines.net>; Cory Albers <calbers@southernpines.net>; James Michel <JMichel@southernpines.net>; Ken Skipper <KSkipper@southernpines.net>; Maurice Holland

<mbholland63@gmail.com>; NCDOT <djuarezpozos@ncdot.gov>; ncsandhillsrcw@fws.gov; Pete Campbell
<director@rluac.com>; Ron Istre <Rlstre@southernpines.net>
Cc: BJ Grieve <BJGrieve@southernpines.net>
Subject: PD-01-22 Ace Hardware CDP

Good morning,

Please review the attached Notice and proposed site plan and respond with any comments you may have at your earliest convenience.

Thank you.

***Please note:** The Planning Department has moved to the Community Development Building, 801 SE Service Road.*

Sincerely,

Cindy Williams, CZO
Planning Department
Town of Southern Pines
(910) 692-4003

[EXTERNAL Caution: This email originated outside of the Sandhills Community College's email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

E-mail correspondence to and from this sender may be subject to the North Carolina Public Records law and may be disclosed to third parties.

Moore County Airport
PO Drawer 5809
Pinehurst, NC 28374



(910) 692-3212
7825 Aviation Drive
Carthage, NC 28327

February 9, 2022

BJ Grieve, AICP®, CFM®, CZO
Planning Director
Town of Southern Pines
180 SW Broad Street
Southern Pines, NC 28387

RE: PD-01-22 Planned Development District – Conceptual Plan for 12.62+/- acres on the south side of Airport Road between Capital Drive and Lindbergh Place

Dear Mr. Grieve,

Thank you for the opportunity to review and comment on this proposed “commercial” property development, presumably with a new Ace Hardware Store as an anchor. Based on its location, the airport has several concerns about this development.

Before anything is built in the location, an FAA Form 7460 must be filed with the FAA (Federal Aviation Administration). Additionally, the Moore County Height Ordinance must be reviewed and followed. Our main concerns are:

1. Building and other structure height(s)
2. Illumination that could blind or effect pilots approaching or departing from the airport
3. Marketing devices including, but not limited to balloons, flashing or search lights, laser lights and fireworks are not to be used on the property.
4. No residential dwellings or other sensitive receptors in the parcel
5. No drones without specific coordination with the airport manager

There should also be some acknowledgement by the prospective property owners, perhaps through an Avigation Easement, that the properties are near an airport and particularly in line with the approach and departure paths to the airport and as such they will experience aircraft overflights, noise, vibrations and other effects generated by aircraft. This may already be covered by established ordinance.

If you have any questions, please don’t hesitate to contact me.

Respectfully,

Scott C. Malta, A.A.E., C.A.E., Capt USAF (Ret.)
Airport Manager

1 Atch – PD-01-22 PB PHN – agency referral

**NOTICE OF PUBLIC HEARING BEFORE THE TOWN OF SOUTHERN PINES
PLANNING BOARD
TO CONSIDER A PROPOSED PLANNED DEVELOPMENT**

Notice is hereby given that a regular meeting of the Town of Southern Pines Planning Board will be held on Thursday, February 17, 2022, at 6:00 PM at the Douglass Community Center, 1185 W. Pennsylvania Avenue, Southern Pines, NC. A public hearing on the following proposed Planned Development-Conceptual Development Plan will be held during the meeting:

PD-01-22: Planned Development District - Conceptual Development Plan for 12.62+/- acres on the south side of Airport Road between Capital Drive and Lindbergh Place; Petitioner: Rhetson Companies, Inc. by Koontz Jones Design, Authorized Agent

Mr. Bob Koontz of Koontz Jones Design, on behalf of Rhetson Companies, Inc., has submitted a Planned Development District – Conceptual Development Plan application pursuant to §2.18.4 of the Town of Southern Pines Unified Development Ordinance (UDO) to allow a commercial development containing any of the land uses that are allowed in the Town’s GB-General Business and OS-Office Services zoning districts. Development of the subject property will require connecting Capital Drive through the subject property to Airport Road, providing a greenway connection from Sandhills Community College paths through the development to sidewalks in the Tyler’s Ridge development and on to paths connecting to Reservoir Park, four-sided compliance with UDO 4.10 for commercial structures adjoining Airport Road, and parking configuration oriented internally, towards the proposed Capital Drive extension. The subject parcels are currently zoned PD (Planned Development) and are identified as PIN: 857300963887 (PARID: 00033603) and PIN: 857300974411 (PARID: 00033604). The property owner is Southern Pines Ace Land Company, LLC.

All interested citizens are invited to attend. The complete application may be reviewed at the Town of Southern Pines Planning office, 801 SE Service Road, Southern Pines, NC or online at [www.southernpines.net/Town/Town Services/Agendas & Minutes](http://www.southernpines.net/Town/Town%20Services/Agendas%20&%20Minutes). Substantial changes to the request may be made following the public hearing.

PRELIMINARY PLANS - NOT RELEASED FOR CONSTRUCTION (FOR REVIEW ONLY)



BJ Grieve

From: Cindy Williams
Sent: Thursday, February 10, 2022 1:59 PM
To: BJ Grieve
Subject: FW: [EXTERNAL] PD-01-22 Ace Hardware CDP
Attachments: PD-01-22 PB PHN - Agency Comments.pdf

Please note: The Planning Department has moved to the Community Development Building, 801 SE Service Road.

Sincerely,

Cindy Williams, CZO
Planning Department
Town of Southern Pines
(910) 692-4003

From: Hammond, John <john_hammond@fws.gov> **On Behalf Of** NC Sandhills RCW, FW4
Sent: Thursday, February 10, 2022 1:56 PM
To: Cindy Williams <CWilliams@southernpines.net>
Cc: Mann, Leigh <leigh_mann@fws.gov>
Subject: Re: [EXTERNAL] PD-01-22 Ace Hardware CDP

Good afternoon, Ms. Williams –

The project site for PD-01-22 Ace Hardware CDP falls within the ½-mile radius foraging partition of one active red-cockaded woodpecker cluster. Rhetsen Companies, Inc. hired a consultant, Dr. J.H. Carter III and Associates, Inc. to assess the project for potential impacts to the federally listed red-cockaded woodpecker. Based on our review of the information provided, the Fish and Wildlife Service concurred with the consultant's "may affect, not likely to adversely affect" determination on potential impacts to the red-cockaded woodpecker.

General comments:

The cumulative loss of foraging and nesting habitat caused by residential and commercial construction is one of the primary threats to the continued existence of the red-cockaded woodpecker in the Pinehurst/ Southern Pines area.

To maintain suitability of the remaining habitat, we suggest taking measures to prevent damage to the bole and root system of the remaining longleaf pines.

Where practicable, to minimize loss of pine trees, we recommend retaining smaller pines on the property that are not within the immediate development footprint in order to retain future red-cockaded woodpecker habitat.

In addition to leaving as many small pines in place as possible, we recommend that where cutting is necessary, large branches be removed or trimmed as a first option instead of complete tree removal.

Landscaping, whenever possible, should use native shrub species that do not exceed seven feet in height, and exotic invasive plants should be avoided.

We encourage developers and property owners to reforest with longleaf pine seedlings on their properties wherever practicable.

Thanks for the opportunity to comment on this project.

John S. Hammond
U. S. Fish and Wildlife Service
Fish and Wildlife Biologist
Raleigh Ecological Services Field Office
Post Office Box 33726
Raleigh, North Carolina 27636-3726
919-856-4520 extension 28 (phone)
919-856-4556 (fax)
john_hammond@fws.gov
<http://www.fws.gov/raleigh/>

From: Cindy Williams <CWilliams@southernpines.net>

Sent: Tuesday, January 25, 2022 2:15 PM

To: Scotty Malta <smalta@moorecountyairport.com>; Douglas Smith <smithdo@sandhills.edu>; Archie Daniel <adaniel@southernpines.net>; Cindi King <CKing@southernpines.net>; Cory Albers <calbers@southernpines.net>; James Michel <JMichel@southernpines.net>; Ken Skipper <KSkipper@southernpines.net>; Maurice Holland <mbholland63@gmail.com>; NCDOT <djuarezpozos@ncdot.gov>; NC Sandhills RCW, FW4 <ncsandhillsrcw@fws.gov>; Pete Campbell <director@rluac.com>; Ron Istre <RIstre@southernpines.net>

Cc: BJ Grieve <BJGrieve@southernpines.net>

Subject: [EXTERNAL] PD-01-22 Ace Hardware CDP

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Good morning,

Please review the attached Notice and proposed site plan and respond with any comments you may have at your earliest convenience.

Thank you.

***Please note:** The Planning Department has moved to the Community Development Building, 801 SE Service Road.*

Sincerely,

Cindy Williams, CZO
Planning Department
Town of Southern Pines
(910) 692-4003

**TOWN OF SOUTHERN PINES ORDINANCE
AMENDING THE ZONING MAP OF THE TOWN OF SOUTHERN PINES
PD-01-22**

THAT WHEREAS, after notice being duly given according to law, a public hearing was held before the Town Council of Southern Pines, North Carolina, at its regular business meeting held on March 8, 2022 at 6:00 PM for the purpose of considering a request for a Planned Development Conceptual Development Plan.

WHEREAS, after the completion of said public hearing and upon consideration of any comments, objections or presentations at the hearing, the Town of Southern Pines Town Council deems it advisable and in the best interest of the Town of Southern Pines that the Zoning Map be amended as herein set forth below.

NOW THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Southern Pines, North Carolina assembled in regular session on the 8th day of March, 2022:

Section 1. That the Zoning Map of the Town of Southern Pines be, and the same hereby is, amended by changing the zoning of two existing parcels totaling 12.62 acres from PD (Planned Development) to PD (Planned Development) with an approved Conceptual Development Plan (CDP) to allow a commercial development containing any of the land uses that are allowed in the Town’s GB-General Business and OS-Office Services zoning districts. The subject parcels are identified as PIN: 857300963887 (PARID: 00033603) and PIN: 857300974411 (PARID: 00033604) and are described as follows:

BEING ALL OF THAT 9.59 ACRE TRACT AND THAT 3.03 ACRE TRACT SHOWN ON A PLAT RECORDED IN THE MOORE COUNTY REGISTRY IN PLAT CABINET 15, SLIDE 772.

Section 2. That the Planned Development (PD) zoning classification is subject to the mix of land uses set forth in the Conceptual Development Plan (CDP) approved on this date.

Section 3. That development of the property referenced in Section 1 of this Ordinance is subject to conformance with the text and site plan that accompanied Planned Development - Conceptual Development Plan (CDP) application PD-01-22. A copy of the final approved Conceptual Development Plan (CDP) may be found on file in the Town of Southern Pines Planning office, 801 SE Service Road, Southern Pines, North Carolina.

Section 4. That this Ordinance shall be and shall remain in full force and effect from the date of its adoption.

Adopted this 8th day of March, 2022.

ATTEST:

TOWN OF SOUTHERN PINES

Elizabeth Robertson, Town Clerk

Carol R. Haney, Mayor

APPROVED AS TO FORM:

Douglas R. Gill, Town Attorney

I certify that this Ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting on March 8, 2022 as shown in the Minutes of the Town Council meeting for that date.

Elizabeth Robertson, Town Clerk

Agenda Item

To: Reagan Parsons, Town Manager

Via: BJ Grieve, Planning Director

From: Jennifer Hunt, Planner I

Subject: Z-01-22: Initial zoning of 4.10 acres on NC Hwy 22 presently zoned RS (Residential Single-Family) to RS-2 (Residential Single-Family) following annexation into the Town of Southern Pines; Applicant: Benjamin Stout Real Estate Services Inc.

Date: March 8, 2022

I. SUMMARY OF APPLICATION REQUEST:

Mr. Benjamin Stout, on behalf of Benjamin Stout Real Estate Services, Inc., has submitted a request to establish the zoning of five (5) existing parcels totaling 4.10 acres as RS-2 (Residential Single-Family) following annexation of the subject parcels into the Town of Southern Pines. The subject parcels are located on the northeast side of NC Hwy 22 between Sullivan Drive and Belhaven Drive (See Figure 1 and Figure 1a). The subject parcels were located within the Village of Whispering Pines' Extra Territorial Jurisdiction and zoned RS (Residential Single-Family) prior to approval of a petition for voluntary annexation by the Town of Southern Pines Town Council on February 8, 2022. The proposed RS-2 zoning is the Town of Southern Pines' closest equivalent zoning district to the Village of Whispering Pines' RS zoning. The subject parcels are identified as PIN 857400849276 (PARID 00041291); PIN 857400940142 (PARID 00041293); PIN 857404931919 (PARID 00041294); PIN 857404932803 (PARID 00041296); and PIN 857404932694 (PARID 00041297). Per the Moore County tax records, the property owner is listed as Benjamin Stout Real Estate Services, Inc.

II. PLANNING BOARD RECOMMENDATION:

On February 17, 2022 the Town of Southern Pines Planning Board convened to hold a legislative public hearing regarding application Z-01-22. The public hearing was concluded on the same day, with public comments from Benjamin Stout, the applicant.

Planning staff presented a brief description of the purpose and process of an initial zoning, per UDO §2.17.9. Planning staff provided a summary of the contents of this staff report, describing the existing and proposed zoning and applicable portions of the Comprehensive Long-Range Plan (CLRP). Planning staff concluded by explaining the criteria for consideration of an initial zoning request as well as suggesting a format for a motion by the Planning Board in order to provide a written recommendation to the Town Council.

Following staff's comments, Mr. Benjamin Stout, the applicant, spoke to the Planning Board. Mr. Stout complimented Planning staff as "first-class people to work with" and confirmed that the lots will be built with one single family residence, there will be no

further clearing of the surrounding vegetation and confirmed the primary reason to annex was to access water with the Town of Southern Pines.

After closing the public hearing, a motion was made by Mr. Lemuel Dowdy which was seconded by Mr. Andy Bleggi. The motion stated that after reviewing the proposed amendments to the Town of Southern Pines Zoning Map and after considering the criteria for approval of Zoning Map Amendments found in UDO §2.17.9, the proposed amendments are consistent with the Comprehensive Long-Range Plan. The reasons are set forth in “Attachment A” to staff report Z-01-22 as revised by the Planning Board and therefore the Planning Board recommends approval of Z-01-22 to the Town Council. The motion carried by a vote of 7-0.

III. PROJECT INFORMATION:

A. Physical Addresses:

100 Sullivan Drive
Southern Pines, NC 28387

7521 NC 22 Hwy
Southern Pines, NC 28387

7541 NC 22 Hwy
Southern Pines, NC 28387

7561 NC 22 Hwy
Southern Pines, NC 28387

7581 NC 22 Hwy
Southern Pines, NC 28387

B. Property Owner/Applicant:

Benjamin Stout Real Estate Services, Inc.
PO Box 53798
Fayetteville, NC 28305

C. Existing Comprehensive Long-Range Plan Designation:

The area proposed to be zoned has annexed into the Town of Southern Pines’ corporate limits, but has historically been within the Village of Whispering Pines’ Extra-Territorial Jurisdiction (ETJ). Therefore, the property is not included in the Town of Southern Pines Comprehensive Long-Range Plan (CLRP).

D. Existing Zoning:

The area proposed to be zoned was previously located within the Village of Whispering Pines’ ETJ and was zoned RS (Residential Single-Family). The adjacent properties are currently zoned RS-2 (Residential Single-Family), RR (Rural Residential) and PD-Planned Development (See Figure 1 and Figure 1a below).

E. Proposed Zoning:

The subject properties were recently annexed into the Town of Southern Pines. The Town is proposing to zone the 4.10-acre subject property from the Whispering Pines RS zoning classification to Southern Pines’ RS-2 Residential Single-Family (20,000 sf Lots) zoning classification.

The RS-2 zoning classification has the following purpose (UDO §3.5.4):

“The RS-2 district is established as a district in which to allow primarily low-density Single-Family residential land uses (approximately 2.1 Dwelling Units per acre). The regulations of this district are intended to:

- (1) Preserve existing Single-Family residential neighborhoods that have developed at a low-density; and*
- (2) Encourage new residential Development that is compatible with that in the existing neighborhoods.”*

Building heights and setbacks in the RS-2 zoning district are similar those in the abutting district, however the lot size is less restrictive. In this case, the zoning districts abutting the subject property are the RS-2 and RR residential zoning districts.

Figure 1: Vicinity and Zoning Map (Subject Parcel Outlined Red).

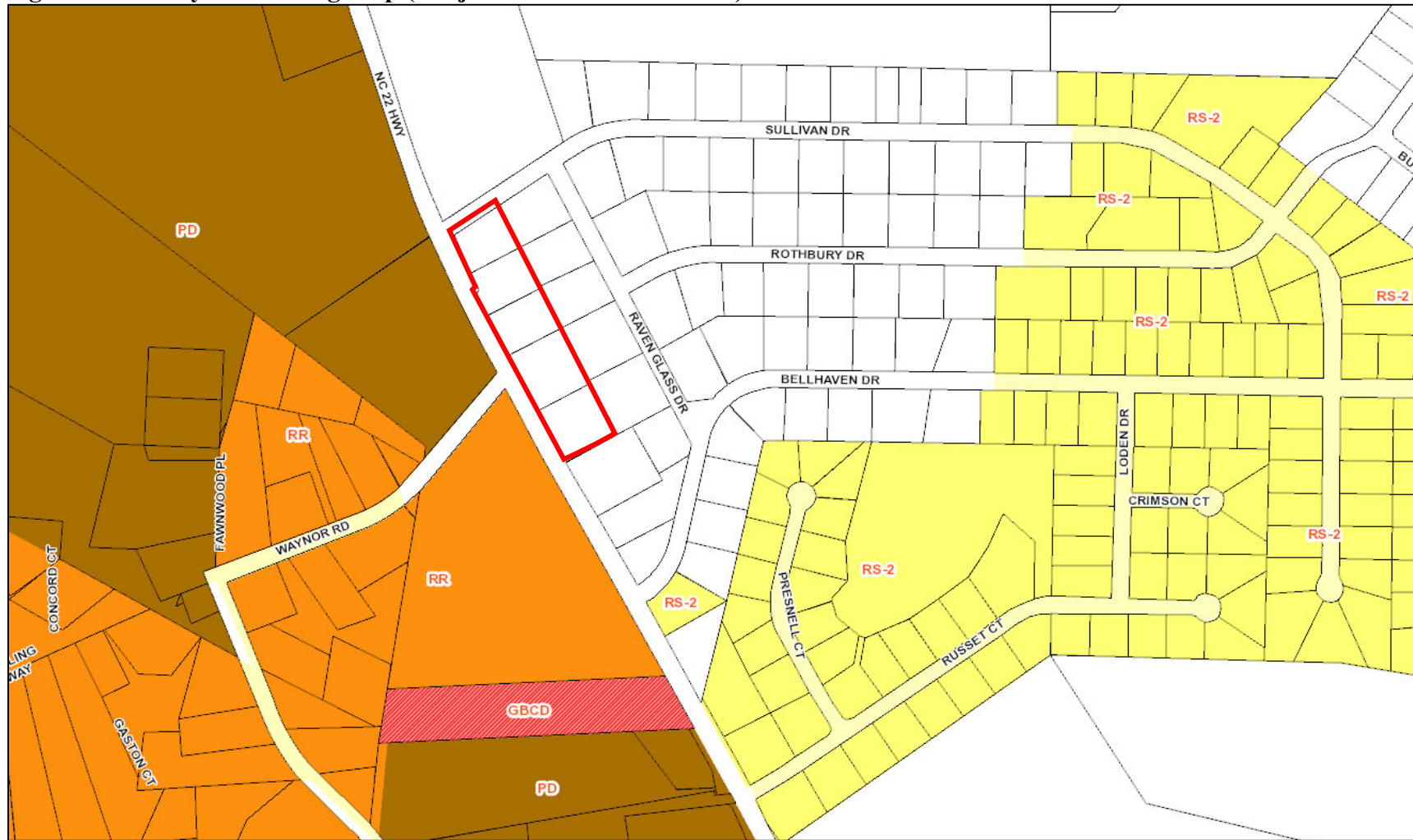
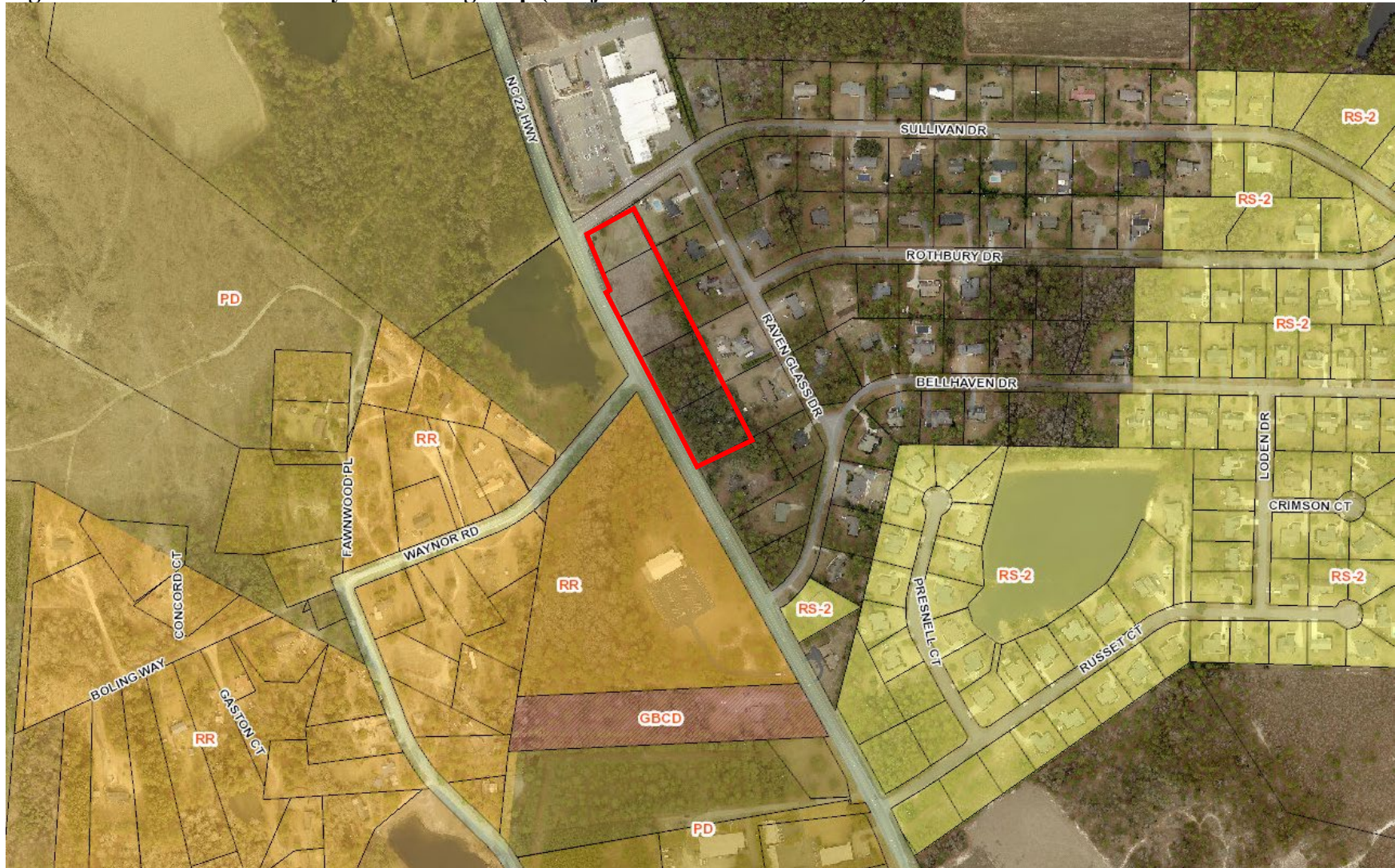


Figure 1a: Aerial 2019 Vicinity and Zoning Map (Subject Parcel Outlined Red).



IV. STAFF REVIEW:

A. Review Process:

Applications for an Initial Zoning are reviewed in accordance with UDO §2.17.9.

B. Application Review Dates:

- Initial Rezoning Application Submitted: January 6, 2022
- Application Deemed Complete: January 21, 2022
- Notice of Planning Board Public Hearing:
 - Posted On-site: January 24, 2022
 - Mailed: January 24, 2022
 - Publication Dates: February 2, 2022 and February 9, 2022
- Planning Board agenda meeting: February 10, 2022
- Planning Board regular meeting and public hearing: February 17, 2022

- Notice of Town Council Public Hearing:
 - Posted On-site: February 10, 2022
 - Mailed: February 11, 2022
 - Publication Dates: February 23, 2022 and March 2, 2022
- Town Council agenda meeting: March 2, 2022
- Town Council Regular Meeting: March 8, 2022

C. Criteria for Review:

The criteria for review and approval of an Initial Zoning are found in UDO §2.17.9:

Zoning Map Amendment

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

(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.

(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.

(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.

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

D. Staff Comments:

i. Consistency with Goals and Policies of the Comprehensive Long-Range Plan (CLRP):

The five subject properties proposed initial zone of RS-2: “Residential Single Family” is consistent with the existing neighborhood character and the future land use zone for this area in our Current Long-Range Plan (CLRP), which is Residential. A copy of the applicant’s narrative is attached to this staff report.

ii. Consistency evaluation with the Unified Development Ordinance (UDO) for the Initial Zoning of Blue Farm Lots:

The proposed zoning is to apply an initial zone to the subject properties following annexation into the Town of Southern Pines. The proposed RS-2 zoning district is the equivalent zoning available in the Town of Southern Pines to the existing zoning in the Village of Whispering Pines. It is important for the Town Council to contemplate all land uses allowed in the RS-2 zoning district for the potential impacts at this particular location. Please reference UDO Exhibit 3-15 *Table of Authorized Land Uses* for a comprehensive list of the permitted land uses in the RS-2 zoning classification.

iii. Consistency with Criteria for a Zoning Map Amendment:

An application for approval of an initial zoning follows the procedure for a rezoning because the initial zoning, once approved, will constitute the zoning of the subject properties. The criteria against which an initial zoning shall be reviewed are found in UDO §2.17.9. The applicants have provided a narrative addressing the criteria for a Zoning Map Amendment per UDO §2.17.9(H).

Copies of the applicant's narrative documents containing their descriptions of the manner in which the project meets applicable criteria are attached to this staff report.

iv. Noteworthy Elements for Town Council:

Overall the applicant's proposal for initial zoning per the Town of Southern Pines and the Village of Whispering Pines Annexation agreement dated from August 8, 2018, is permitted. These five subject properties are part of the agreement and are able to be incorporated via annexation procedures of the Town of Southern Pines, should they desire access to the Town of Southern Pines water or sewer. The annexation agreement states that if they should desire to annex it would be into the Town of Southern Pines. The Town of Southern Pines water line exists along NC HWY 22 and is accessible to the five subject properties.

V. Cooperating Agency Review and Comments:

A request for comments was emailed to agencies on January 24, 2022. Agencies notified include Town of Southern Pines Streets, Utilities, Fire, Recreation and Parks, and Engineering departments, the Regional Land Use Advisory Commission (RLUAC), the Village of Whispering Pines, the Moore County Airport, U.S. Fish and Wildlife Service and the North Carolina Department of Transportation (NCDOT).

- On January 25, 2022 RLUAC emailed to state that they do not have any comments on this case.
- The Planning Department received a letter from the Moore County Airport on February 9, 2022 with comments on this project. They recommend an Avigation Easement, which is an easement or right of overflight in the airspace above a particular property. Please see the attached letter for additional comments from Moore County Airport.
- The U.S. Fish and Wildlife Service sent an email on February 11, 2022 with their comments. The comments are attached to this staff report.

VI. ATTACHMENTS:

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

1. Planning Board Resolution to Adopt a Written Recommendation
2. Zoning Map Amendment Application
3. List of Adjacent Property Owners
4. Deed- Blue Farm Lots 6-10
5. Narrative for Proposed Amendment
6. Plot Plan- Blue Farm Lots 6-10
7. Legal Description/Survey Blue Farm Lots 6-10
8. Moore County Airport Comments
9. U.S. Fish and Wildlife Comments

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 inspections during normal business hours.

VII. TOWN COUNCIL ACTION:

A request for approval of an initial zoning is a request for a rezoning. Per North Carolina General Statute 160D-601(a), before adopting the rezoning, the Town Council shall hold a legislative hearing. Per North Carolina General Statute 160D-605(a) the Town Council shall also approve a statement addressing consistency or inconsistency with the Comprehensive Long-Range Plan. Furthermore, per North Carolina General Statute 160D-605(b), the Town Council must also approve a statement about the reasonableness of the rezoning and shall approve a brief statement describing whether its action is consistent with an adopted comprehensive plan.

To assist the Town Council, town staff have prepared the following draft motions consideration, modification as necessary, and adoption:

I move that after reviewing the proposed initial zoning and the criteria for consideration of zoning amendments, and after considering the comments received at the Town Council's public hearing and the Planning Board's written recommendation:

1. The requested initial zoning is consistent with the Comprehensive Long-Range Plan and is a reasonable request for the reasons set forth in the written Planning Board recommendation attached to staff report Z-01-22;
2. The requested initial zoning is consistent with the Comprehensive Long-Range Plan and is a reasonable request for the reasons set forth in the written Planning Board recommendation attached to staff report Z-01-22 as modified by Town Council as follows:
3. The requested initial zoning is inconsistent with the Comprehensive Long-Range Plan and is not a reasonable request for the following reasons:

And, therefore, I move to:

1. Approve Z-01-22 as submitted and as set forth in attachments to staff report Z-01-22;
2. Deny Z-01-22;



ATTACHMENT A

PLANNING BOARD RESOLUTION TO ADOPT A WRITTEN RECOMMENDATION FOR ZONING MAP AMENDMENT APPLICATION Z-01-22

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 initial zoning which includes the written report, documentation and maps showing the proposed district boundaries and has conducted a public hearing on February 17, 2022 to listen to public comments, ask questions of the Town's planning staff and consider Zoning Map Amendment application Z-01-22.

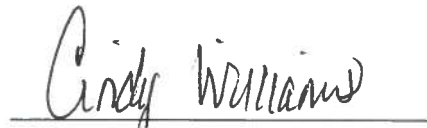
NOW, THEREFORE, BE IT RESOLVED that the Planning Board finds and recommends to the Town Council that the proposed amendment to the Town of Southern Pines Zoning Map is reasonable, in the public interest and consistent with the current character of the residential neighborhood. The Planning Board concludes that zoning the five parcels RS-2 (Residential Single-Family) complies with the Annexation Agreement between the Village of Whispering Pines and the Town of Southern Pines dated August 8, 2018, which states that these parcels may be annexed into the Town of Southern Pines. The Planning Board recommends adopting the requested initial Town of Southern Pines zoning of RS-2 (Residential Single-Family). The proposed initial zoning is consistent with the Town of Southern Pines adopted Comprehensive Long Range Plan as the area is currently zoned Residential by the Village of Whispering Pines, the area will continue to be Residential and is consistent with the Town of Southern Pines Comprehensive Long Range Plan Goal G-4 Neighborhoods, which is to protect and enhance the function, stability and character of the residential neighborhoods. There is no change of land use. The Planning Board recommends that the governing board adopt the initial zoning.

ADOPTED this the 17th day of February, 2022.



Gary Carroll, Chairman

ATTEST:



Cindy Williams
Secretary to the Planning Board



Zoning Map Amendment Application

Fee: \$1,500.00

Date Received: _____

Case No.: Z-____-____

Project Information:

Street Address: 100 SULLIVAN DR, 7521 , 7541, 7561 AND 7581 NC 22 HWY, CARTHAGE, NC 28327

PIN: 857404932694, 857404932803, 857404931919,
857400940142 AND 857400849276 Parcel ID: 00041297, 00041296, 00041294, 000041293 AND 00041291

Site Size: 4.10 ACRES Zoning: RS

Applicant:

Name(s): BENJAMIN STOUT REAL ESTATE SERVICES INC

Email: ben@benstoutconstruction.com Phone: 910.476.4502

Mailing Address: PO BOX 53798, FAYETTEVILLE, NC 28305

Authorized Agent, if different from Applicant:

Name(s): SAME

Email: SAME Phone: SAME

Mailing Address: SAME

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

Name(s): SAME

Email: SAME Phone: SAME

Mailing Address: SAME

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 grant a zoning map amendment 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 EAST side of NC 22 HIGHWAY (St./Ave.), between BELLHAVEN DRIVE (St./Ave.) and SULLIVAN DRIVE (St./Ave.). The property has a frontage of 863 feet and a depth of 200 feet.

The zoning map amendment sought is based upon Section(s) 3.5.3. RS-1 – Residential Single-Family (10,000 sf Lots) of the **Town of Southern Pines Unified Development Ordinance**.

The proposed use of the property is as follows:

THE OWNER PLANS TO BUILD ONE SINGLE FAMILY RESIDENCE ON EACH OF THE FIVE LOTS.

Date: 13 Jan 2022


Applicant

**PLANNING DEPARTMENT
TOWN OF SOUTHERN PINES**

PROPERTY OWNERS WITHIN 200 FEET

- | | |
|---|---|
| 1. FOOD LION LLC
PO BOX 6500
CARLISLE, PA 17013 | 10. JAMES D. MABE
7396 NC HWY 22
CARTHAGE, NC 28327 |
| | |
| 2. WILLIAM AND RITA HAIRSTON
102 RAVEN GLASS DRIVE
CARTHAGE, NC 28327 | |
| | |
| 3. TERRENCE AND DENISE HUTTO
106 RAVEN GLASS DR
CARTHAGE, NC 28327 | |
| | |
| 4. ELIZABETH AND DEREK BRANSON
110 RAVEN GLASS DR
CARTHAGE, NC 28327 | |
| | |
| 5. RANDEL AND LAURA ROY
114 RAVEN GLASS DR
CARTHAGE, NC 28327 | |
| | |
| 6. SHANNON STANLEY
118 RAVEN GLASS DR
CARTHAGE, NC 28327 | |
| | |
| 7. JOSEPH AND MEGAN CONRAD
120 RAVEN GLASS DR
CARTHAGE, NC 28327 | |
| | |
| 8. CHARLES HARGROVE
7601 NC HWY 22
CARTHAGE, NC 28327 | |
| | |
| 9. BIBLE TABERNACLE OF SOUTHERN PINES, NC
PO BOX 685
SOUTHERN PINES, NC 28388 | |

For Registration Register of Deeds

Judy D. Martin

Moore County, NC

Electronically Recorded

October 8, 2021 11:08:09 AM

Book: 5719 Page: 259 - 261 #Pages: 3

Fee: \$26.00 NC Rev Stamp: \$210.00

Instrument# 2021022322

This Instrument Prepared By: H. Craig Phifer, III
 Clarke, Phifer, Vaughn, Brenner & McNeill, PLLC
 135 Applecross Road,
 Pinehurst, North Carolina 28374
 NO TITLE SEARCH COMPLETED BY PREPARER

Revenue Stamps: \$210.00

Parcel ID: LRK#00041297; 00041294; 00041291

RETURN TO ATTY STEVE BUND # 516 28

**STATE OF NORTH CAROLINA
 COUNTY OF MOORE**

GENERAL WARRANTY DEED

THIS DEED, made this 6th day of October, 2021, by Edmund E. Garrison and wife, Margaret L. Garrison, of 514 Dundee Trail, Southern Pines, NC 28387; **GRANTOR**, to Benjamin Stout Real Estate Services, Inc., **GRANTEE**;

Tax Address: PO Box 53796, Fayetteville, NC 28305

WITNESSETH:

That said Grantor, for valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, tract or parcel of land situated in Mineral Springs Township, Moore County, North Carolina, and more particularly described as follows:

BEING all of Lots Numbered 6,8 and 10, as shown on a map entitled "Blue Farm Section Three, Property of A. P. Johnson, and J. H. Wright, McNeills Township, Moore County, North Carolina", made by H. D. Gilhousen, American Surveying & Mapping, Registered Surveyor, dated May 15, 1990, which is recorded in Plat Cabinet 4, at Slide 319, in the Office of the Register of Deeds of Moore County, North Carolina.

This conveyance is made subject to: (i) utility easements of record; (ii) ad valorem taxes for the current year, which taxes shall be prorated as of the date of closing; and (iii) unviolated restrictive covenants of record that do not materially affect the value of the property.

The property hereinabove described was acquired by Grantors by instrument recorded in Book 1483, Page 43, Moore County Registry, Carthage, North Carolina.

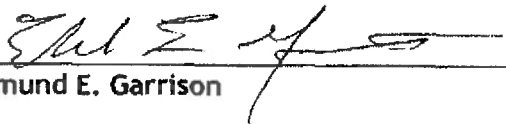
All or a portion of the property herein conveyed [] includes or [X] does not include the primary residence of a Grantor.

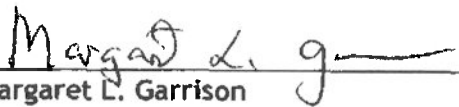
TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions noted herein.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal the day and year first above written.

 (SEAL)
Edmund E. Garrison

 (SEAL)
Margaret L. Garrison

*** THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK ***

STATE OF NORTH CAROLINA

COUNTY OF MOORE

I certify that the following person(s) personally appeared before me this day and ☒ I have personal knowledge of the identity of the principal(s) or, _____ have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a ☐ driver's license or _____, or a credible witness has sworn to the identity of the principal(s); each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

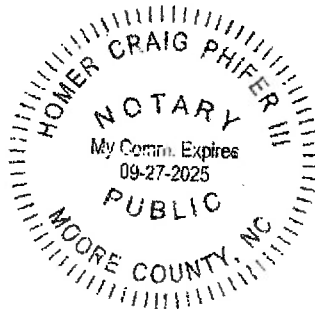
Name of Principal(s): Edmund E. Garrison and wife, Margaret L. Garrison.

Date: October 6, 2021


Notary Public

Homer Craig Phifer III
Printed or typed name of Notary Public

[OFFICIAL SEAL]



My Commission Expires: 07 Sep 2025

For Registration Register of Deeds

Judy D. Martin

Moore County, NC

Electronically Recorded

October 8, 2021 1:47:37 PM

Book: 5720 Page: 35 - 37 #Pages: 3

Fee: \$26.00 NC Rev Stamp: \$140.00

Instrument# 2021022389

This Instrument Prepared By: H. Craig Phifer, III
Clarke, Phifer, Vaughn, Brenner & McNeill, PLLC
135 Applecross Road,
Pinehurst, North Carolina 28374
NO TITLE SEARCH COMPLETED BY PREPARER

Revenue Stamps: \$ 140.00 Parcel ID: LRK#00041296 & 00041293
Return to Catty STEVE Bounce # 51628

**STATE OF NORTH CAROLINA
COUNTY OF MOORE**

GENERAL WARRANTY DEED

THIS DEED, made this 6th day of October, 2021, by Edmund E. Garrison and wife, Margaret L. Garrison, of 514 Dundee Trail, Southern Pines, NC 28387; **GRANTOR**, to Benjamin Stout Real Estate Services, Inc., **GRANTEE**;

Tax Address: PO Box 53798, Fayetteville, NC 28305

WITNESSETH:

That said Grantor, for valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, tract or parcel of land situated in Mineral Springs Township, Moore County, North Carolina, and more particularly described as follows:

BEING all of Lots Numbered 7 and 9, as shown on a map entitled "Blue Farm Section Three, Property of A. P. Johnson, and J. H. Wright, McNeills Township, Moore County, North Carolina", made by H. D. Gilhousen, American Surveying & Mapping, Registered Surveyor, dated May 15, 1990, which is recorded in Plat Cabinet 4, at Slide 319, in the Office of the Register of Deeds of Moore County, North Carolina.

This conveyance is made subject to: (i) utility easements of record; (ii) ad valorem taxes for the current year, which taxes shall be prorated as of the date of closing; and (iii) unviolated restrictive covenants of record that do not materially affect the value of the property.

The property hereinabove described was acquired by Grantors by instrument recorded in Book 1483, Page 43, Moore County Registry, Carthage, North Carolina.

All or a portion of the property herein conveyed [] includes or [X] does not include the primary residence of a Grantor.

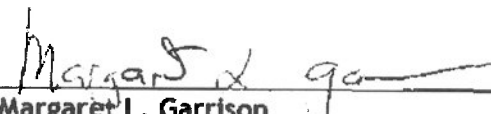
TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions noted herein.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal the day and year first above written.


 _____ (SEAL)
 Edmund E. Garrison


 _____ (SEAL)
 Margaret L. Garrison

*** THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK ***

=====

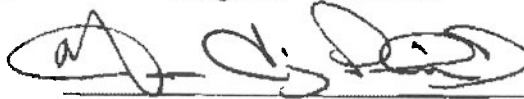
STATE OF NORTH CAROLINA

COUNTY OF MOORE

I certify that the following person(s) personally appeared before me this day and ☒ I have personal knowledge of the identity of the principal(s) or, _____ have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a ☐ driver's license or _____, or a credible witness has sworn to the identity of the principal(s); each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Name of Principal(s): **Edmund E. Garrison and wife, Margaret L. Garrison.**

Date: 10/06/2021

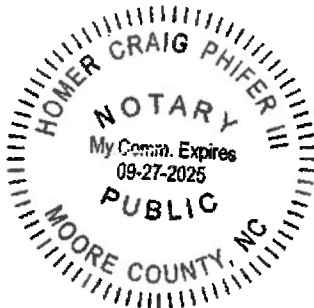


Notary Public

Homer Craig Phifer III

Printed or typed name of Notary Public

[OFFICIAL SEAL]



My Commission Expires: 27 SEP 2025

UDO §2.17.9. Criteria for Zoning Map Amendments

In its review of an application for a zoning map amendment, the Hearing Bodies shall consider the following criteria. No single factor is controlling; instead each must be weighed in relation to the other standards.

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

The subject properties are presently outside of the Town of Southern Pine' planning jurisdiction and are therefor not included in the planning area or Future Land Use Map (see attached portion of said map) in the 2016 Town of Southern Pines Comprehensive Long Range Plan (CLRP). However, the subject parcels are in close proximity of properties designated for residential and across Highway 22 from properties designated for low density residential on said map.

The proposed zoning of these five parcels is RS-~~1~~. The RS-~~1~~ is established as "a district in which to allow primarily medium density Single-Family residential land uses (approximately 4.3 Dwelling Units per acre). The regulations of this district are intended to: (1) Preserve existing Single-Family residential neighborhoods that have developed at a medium-density; and (2) Encourage new residential Development that is compatible with that in the existing neighborhoods."

Therefore, the requested rezoning to RS-~~1~~, which is intended for single family residential neighborhoods is consistent with surrounding areas that are included in the CLRP and the stated purpose of the proposed zoning district.

(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.

The subject properties were recorded as part of a subdivision of similarly sized lots that were also intended for single family residential use. Those lots are to the east and south of the lots in this request. To the north, across Sullivan Drive, is a professional/commercial area comprised of First Health Family Medicine, Domino's Pizza and Food Lion. The area across Hwy 22 is undeveloped and densely vegetated and contains a pond.

Therefore the requested zoning of RS-~~1~~ is the most appropriate zoning classification for the subject properties to avoid adverse impacts to existing or future land uses on neighboring lands and maintains the status quo. It also avoids disruption to neighboring landowners.

(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 stated previously the subject properties are requesting annexation into the Town of Southern Pines' corporate limits and, if approved, the Village of Whispering Pines' RS zoning district will no longer apply to the subject properties. The similarity of permitted uses in the Town of Southern Pines' RS-~~2~~ zoning district to the Village of Whispering Pines' RS zoning district is the basis for zoning the property with the Town of Southern Pines' RS-~~2~~ zoning district upon annexation of the properties.

- (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.*

The subject properties are requesting annexation into the corporate limits of the Town of Southern Pines. If the annexation is approved, the Town of Southern Pines has a limited timeframe within which to apply zoning to the subject properties. Zoning the subject properties with the FRR zoning district is consistent with both the existing zoning under a different jurisdiction and the existing land use. The proposed RS-~~2~~ zoning district therefore serves to protect the public health, safety and general welfare by maintaining a similar zoning during a jurisdictional transition of the subject properties. The proposed zoning also protects and preserves the recreational character and use of the subject properties, for which public services and facilities are presently provided.

- (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.*

According to vision statements found in Chapter 2 of the Town of Southern Pines CLRP, Southern Pines residents recognize the importance and relevance of housing that is diverse, affordable, and compatible with the neighborhood in which it is developed. The Town is committed to promoting these housing goals in all areas of the community.

Much of Southern Pines' charm, livability and pride of place comes from its traditional neighborhood layout and quality of housing stock. Preserving and building upon these characteristics is a Town priority, for reasons including walkability, small-town feel, service efficiency, safety, and community health. Housing types not typical in Southern Pines today but that add to downtown vitality or provide needed options in

under-used areas are also a priority. Appropriate infrastructure is key to neighborhood continuity and value.

As with the full range of services and policies addressing Southern Pines' vision, provisions and support for housing must be based on a comprehensive view of resources, demographic trends, growth projections and civic desire, together helping foster a more sustainable, livable community.

(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 overall size, shape and configuration of the subject properties consistent with a typical single family residential lot in the RS-~~1~~ zoning. Similar arrangements may be found throughout the Town of Southern Pines' planning jurisdiction. The proposed RS-~~1~~ zoning on existing residential property is therefore appropriate in both size and shape in relation to affected neighboring lands and the community as a whole.

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

This request is effective in meeting several of the Town of Southern Pines' visions in the CLRP. The following is taken from Chapter 8:

".....Increase the diversity of housing types, providing buyers with options most suited to their needs, and providing housing options in close proximity to work and services, thereby reducing the household expenses for transportation. As such, many of this Plan's goals, policies and programs work on an indirect level to improve affordability conditions in Southern Pines. These include policies to support infill housing where desired in neighborhoods, and to increase the potential for small-scale commercial areas that are more accessible to neighborhood residents."

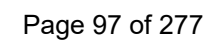
This request is an example of making the most of existing features and services.

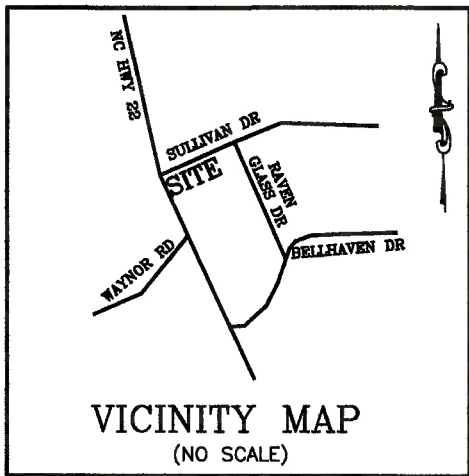
As previously stated, this owner of these properties has requested annexation into the Town Limits of Southern Pines. The time frame for which a zoning, in that jurisdiction, must be applied to the subject parcels is limited. the proposed RS-~~1~~ zoning district is a Southern Pines zoning classification that maintains the historic and existing land use on the subject properties with minimal changes that may impact the

landowner and/or neighboring landowners.

Applicant Representations. Except for rezoning requests submitted in accordance with the provisions herein for conditional use district rezonings, 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 applicant intends to build one single family residence on each of the five lots in this application and the uses will comply with those allowed in the requested zoning classification.





NOTE : CONTRACTOR TO
VERIFY ALL BUILDING
SETBACKS PRIOR TO
CONSTRUCTION.

(5)

BLUE FARM
SECTION THREE
M.B. 4, PG. 319

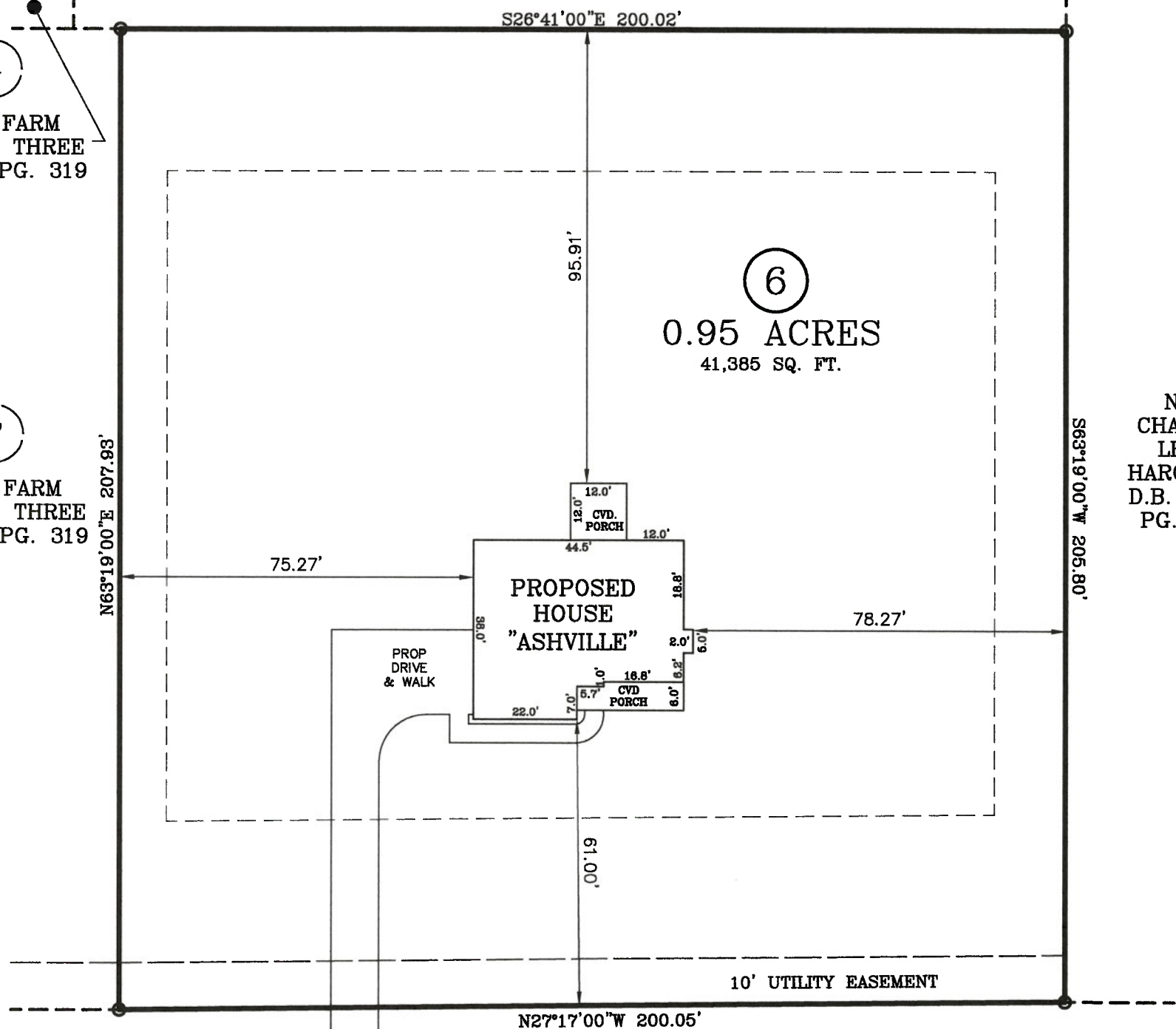
M.B. 4, PG. 319

(4)

BLUE FARM
SECTION THREE
M.B. 4, PG. 319

(7)

BLUE FARM
SECTION THREE
M.B. 4, PG. 319



N/F
CHARLES
LEON
HARGROVE
D.B. 1526,
PG. 328

NC HIGHWAY 22
60 FT. PUBLIC R/W

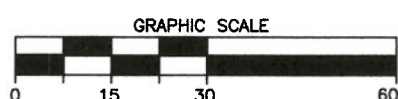
ZONING: RS
SETBACKS:
FRONT - 40'
REAR - 30'
SIDE - 10'

IMPERVIOUS AREA:
HOUSE, PORCHES 1,800 SQ. FT.
DRIVEWAY, SIDEWALK 1,993 SQ. FT.
TOTAL 3,793 SQ. FT.

PLOT PLAN

PLOT PLAN FOR: BEN STOUT CONSTRUCTION
ADDRESS: 7581 NC HIGHWAY 22
CITY OF: SOUTHERN PINES, NC
COUNTY OF: MOORE

TOWNSHIP OF: McNEILLS
REV DATE: NOVEMBER 23RD, 2021
DATE: JULY 27TH, 2021
SCALE: 1" = 30'
REFERENCE: LOT 6
BLUE FARM
SECTION THREE
M.B. 4, PG. 319



I, W. LARRY KING, CERTIFY THAT THIS MAP IS
FOR THE PURPOSE OF PERMITTING ONLY, IT IS
NOT A SURVEY AND NO RELIANCE MAY BE
PLACED ON ITS ACCURACY. THE STRUCTURE
SHOWN ON THIS PLOT PLAN IS PLACED ACCOR-
DING TO THE INSTRUCTIONS GIVEN BY THE
BUILDER. ALL DIMENSIONS AND SETBACKS SHOULD
BE VERIFIED FOR COMPLIANCE WITH ZONING
AND COVENANTS.

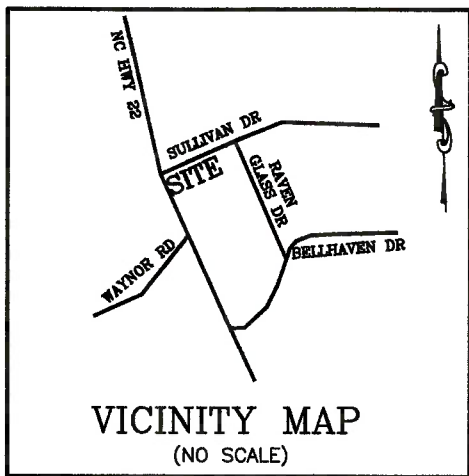
Larry King & Associates, R.L.S., P.A.

P.O. Box 53787
1333 Morganton Road, Suite 201
Fayetteville, NC 28305
Phone: (910)483-4300
Fax: (910)483-4052
www.LKandA.com
NC Firm License C-0887

THIS MAP CAN NOT BE USED FOR RECORDATION
OR ATTACHED TO A DEED TO BE RECORDED.
THIS MAP IS NOT DRAWN IN ACCORDANCE WITH
GS 47-30.

THE BOUNDARY AND LOT INFORMATION SHOWN ON
THIS MAP IS TAKEN FROM THAT DOCUMENT DE-
SCRIBED IN THE "REFERENCE" LINE SHOWN
HEREON. THIS INFORMATION SHOULD BE CONFIRMED
AS THE MOST CURRENT FOR THIS PROPERTY
BEFORE ISSUANCE OF PERMITS OR COMMENCE-
MENT OF CONSTRUCTION. NO TITLE SEARCH WAS
PERFORMED ON THIS PROPERTY BY THIS SURVEYOR.

K:\sds\proj\BEN STOUT\BLUE FARM\LOT 7 - PLOT PLAN 11-23-21.dwg, 11/23/2021 1:16:55 PM, tanderson, 1:30



NOTE : CONTRACTOR TO
VERIFY ALL BUILDING
SETBACKS PRIOR TO
CONSTRUCTION.

4

BLUE FARM
SECTION THREE
M.B. 4, PG. 319

5

BLUE FARM
SECTION THREE
M.B. 4, PG. 319

3

BLUE FARM
SECTION THREE
M.B. 4, PG. 319

8

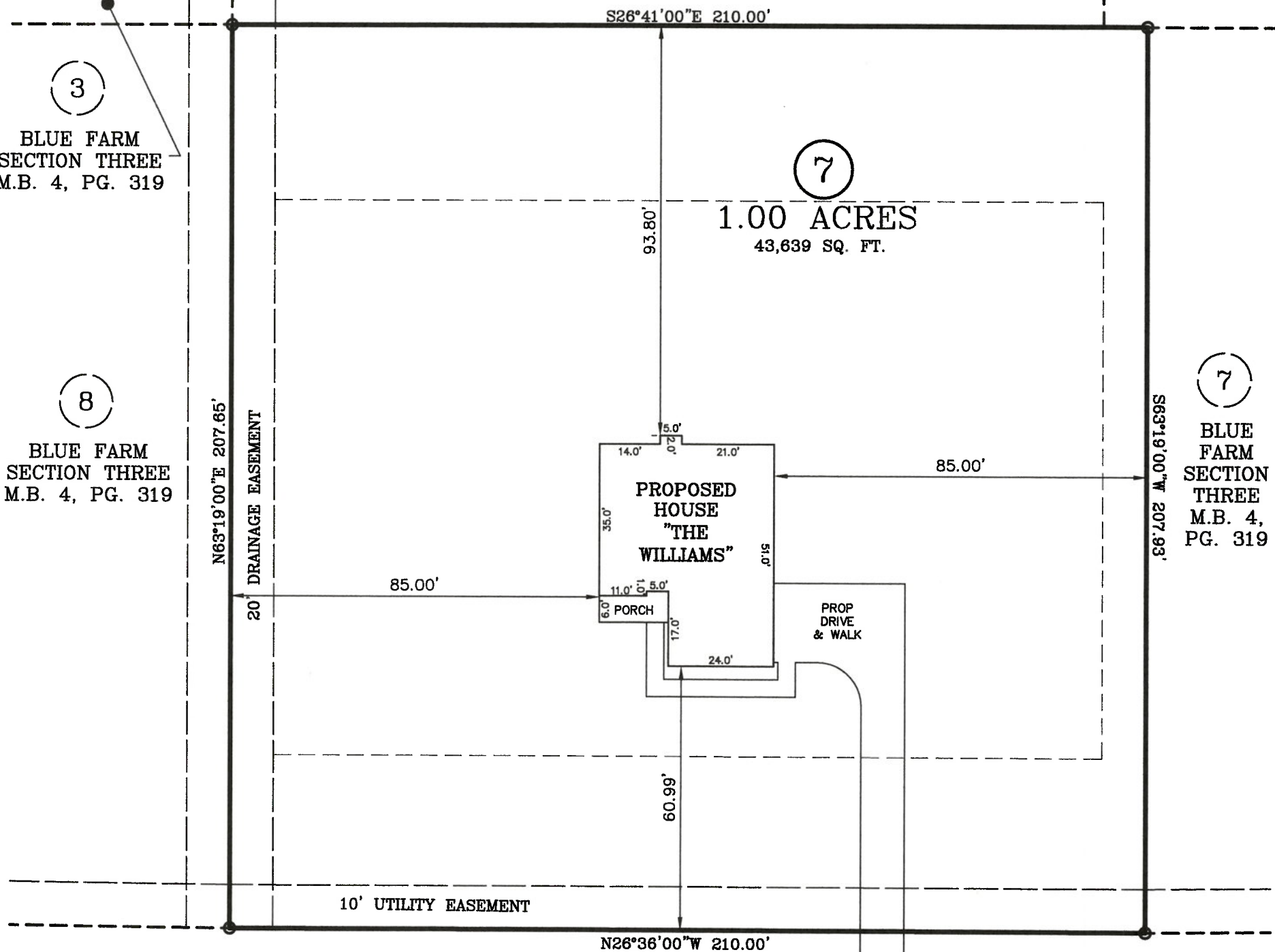
BLUE FARM
SECTION THREE
M.B. 4, PG. 319

7

1.00 ACRES
43,639 SQ. FT.

7

BLUE
FARM
SECTION
THREE
M.B. 4,
PG. 319



NC HIGHWAY 22
60 FT. PUBLIC R/W

ZONING: RS
SETBACKS:

FRONT - 40'
REAR - 30'
SIDE - 10'

IMPERVIOUS AREA:
HOUSE, PORCHES 1,890 SQ. FT.
DRIVEWAY, SIDEWALK 1,993 SQ. FT.
TOTAL 3,883 SQ. FT.

PLOT PLAN

PLOT PLAN FOR: BEN STOUT CONSTRUCTION

ADDRESS: 7561 NC HIGHWAY 22

CITY OF: SOUTHERN PINES, NC

COUNTY OF: MOORE

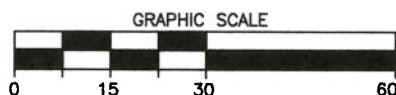
TOWNSHIP OF: McNEILLS

REV DATE: NOVEMBER 23RD, 2021

DATE: JULY 27TH, 2021

SCALE: 1" = 30'

REFERENCE: LOT 7
BLUE FARM
SECTION THREE
M.B. 4, PG. 319



I, W. LARRY KING, CERTIFY THAT THIS MAP IS
FOR THE PURPOSE OF PERMITTING ONLY, IT IS
NOT A SURVEY AND NO RELIANCE MAY BE
PLACED ON ITS ACCURACY. THE STRUCTURE
SHOWN ON THIS PLOT PLAN IS PLACED ACCOR-
DING TO THE INSTRUCTIONS GIVEN BY THE
BUILDER. ALL DIMENSIONS AND SETBACKS SHOULD
BE VERIFIED FOR COMPLIANCE WITH ZONING
AND COVENANTS.

W. LARRY KING, PLS - L-1339

Larry King & Associates, R.L.S., P.A.

P.O. Box 53787

1333 Morganton Road, Suite 201

Fayetteville, NC 28305

Phone: (910)483-4300

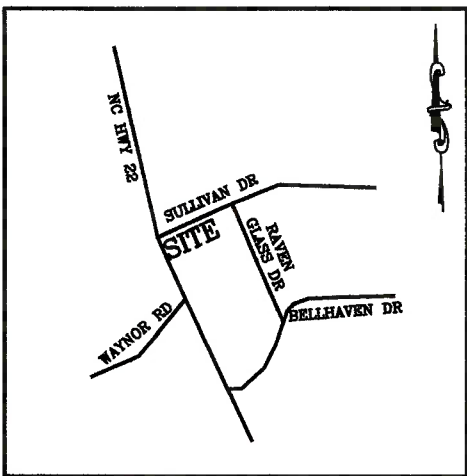
Fax: (910)483-4052

www.LKandA.com

NC Firm License C-0887

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THE BOUNDARY AND LOT INFORMATION SHOWN ON
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AS THE MOST CURRENT FOR THIS PROPERTY
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MENT OF CONSTRUCTION. NO TITLE SEARCH WAS
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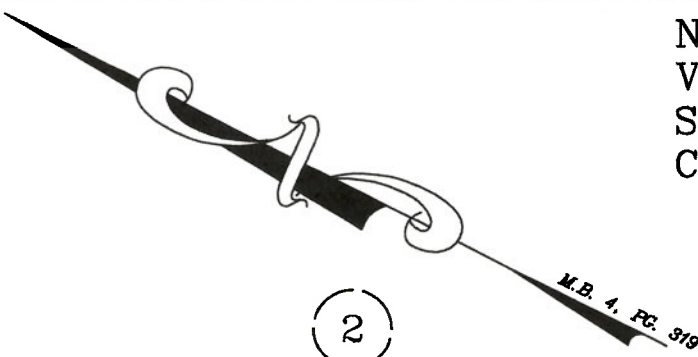
VICINITY MAP
(NO SCALE)

1

BLUE FARM
SECTION THREE
M.B. 4, PG. 319

10

BLUE FARM
SECTION THREE
M.B. 4, PG. 319

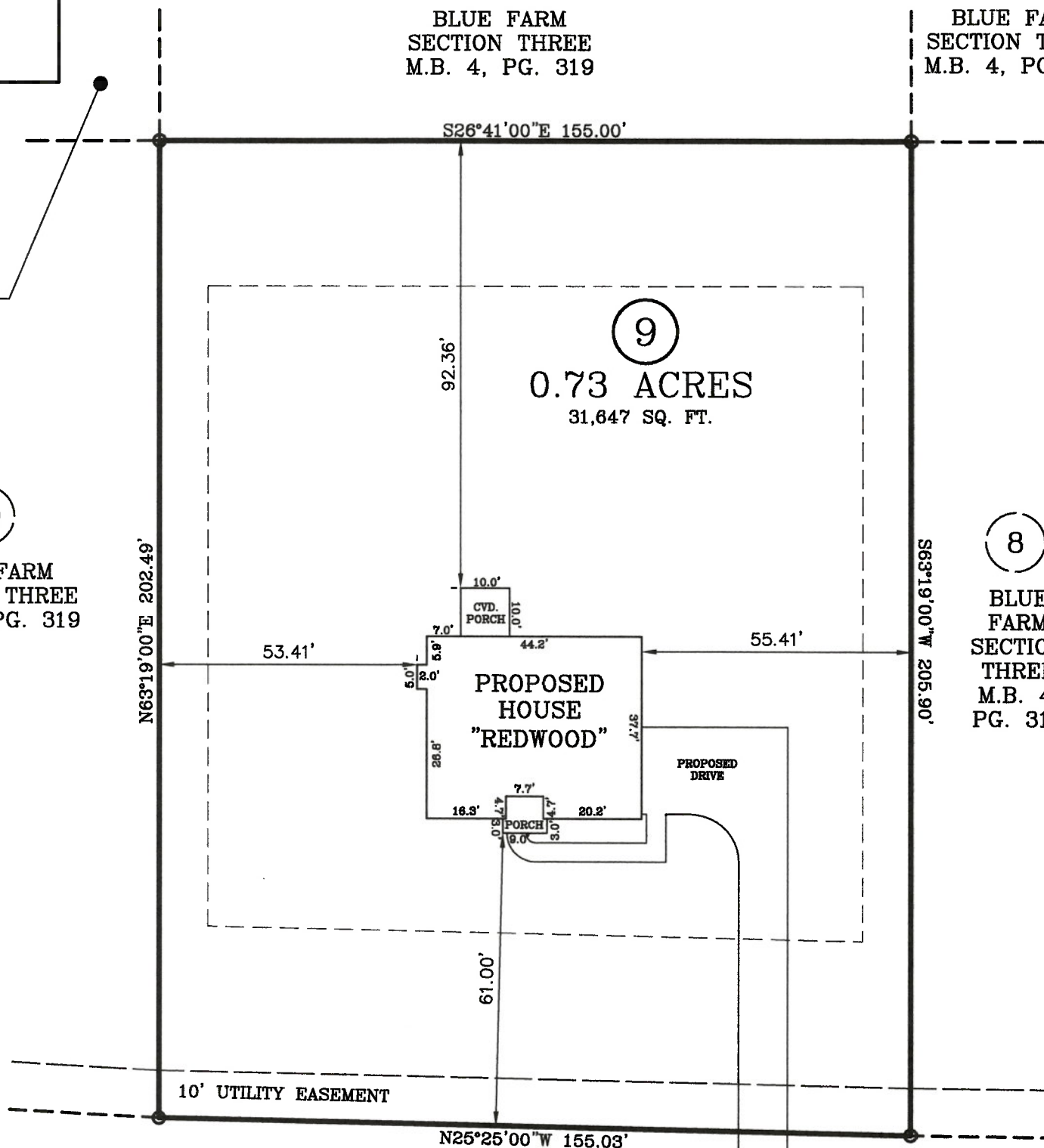


2

BLUE FARM
SECTION THREE
M.B. 4, PG. 319

3

BLUE FARM
SECTION THREE
M.B. 4, PG. 319



8

BLUE FARM
SECTION THREE
M.B. 4, PG. 319

ZONING: RS
SETBACKS:
FRONT - 40'
REAR - 30'
SIDE - 10'

NC HIGHWAY 22
60 FT. PUBLIC R/W

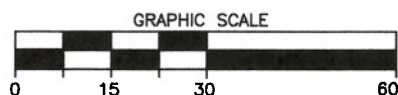
PLOT PLAN

IMPERVIOUS AREA:
HOUSE, PORCHES 1,801 SQ. FT.
DRIVEWAY, SIDEWALK 1,565 SQ. FT.
TOTAL 3,366 SQ. FT.

PLOT PLAN FOR: BEN STOUT CONSTRUCTION
ADDRESS: 7521 NC HIGHWAY 22
CITY OF: SOUTHERN PINES, NC
COUNTY OF: MOORE

TOWNSHIP OF: McNEILLS
REV DATE: NOVEMBER 23RD, 2021
DATE: JULY 27TH, 2021
SCALE: 1" = 30'

REFERENCE: LOT 9
BLUE FARM
SECTION THREE
M.B. 4, PG. 319



I, W. LARRY KING, CERTIFY THAT THIS MAP IS FOR THE PURPOSE OF PERMITTING ONLY, IT IS NOT A SURVEY AND NO RELIANCE MAY BE PLACED ON ITS ACCURACY. THE STRUCTURE SHOWN ON THIS PLOT PLAN IS PLACED ACCORDING TO THE INSTRUCTIONS GIVEN BY THE BUILDER. ALL DIMENSIONS AND SETBACKS SHOULD BE VERIFIED FOR COMPLIANCE WITH ZONING AND COVENANTS.

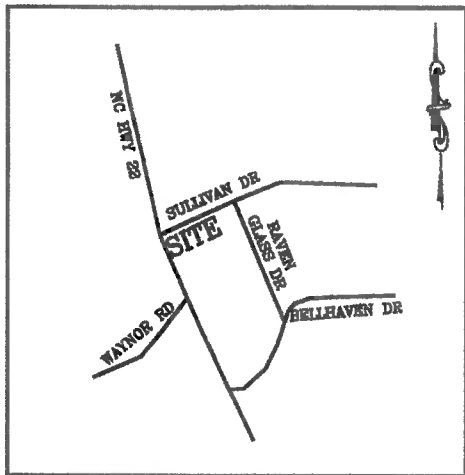
W. LARRY KING, PLS - L-1339

Larry King & Associates, R.L.S., P.A.
P.O. Box 53787
1333 Morganton Road, Suite 201
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Phone: (910)483-4300
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NC Firm License C-0887

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THE BOUNDARY AND LOT INFORMATION SHOWN ON THIS MAP IS TAKEN FROM THAT DOCUMENT DESCRIBED IN THE "REFERENCE" LINE SHOWN HEREON. THIS INFORMATION SHOULD BE CONFIRMED AS THE MOST CURRENT FOR THIS PROPERTY BEFORE ISSUANCE OF PERMITS OR COMMENCEMENT OF CONSTRUCTION. NO TITLE SEARCH WAS PERFORMED ON THIS PROPERTY BY THIS SURVEYOR.

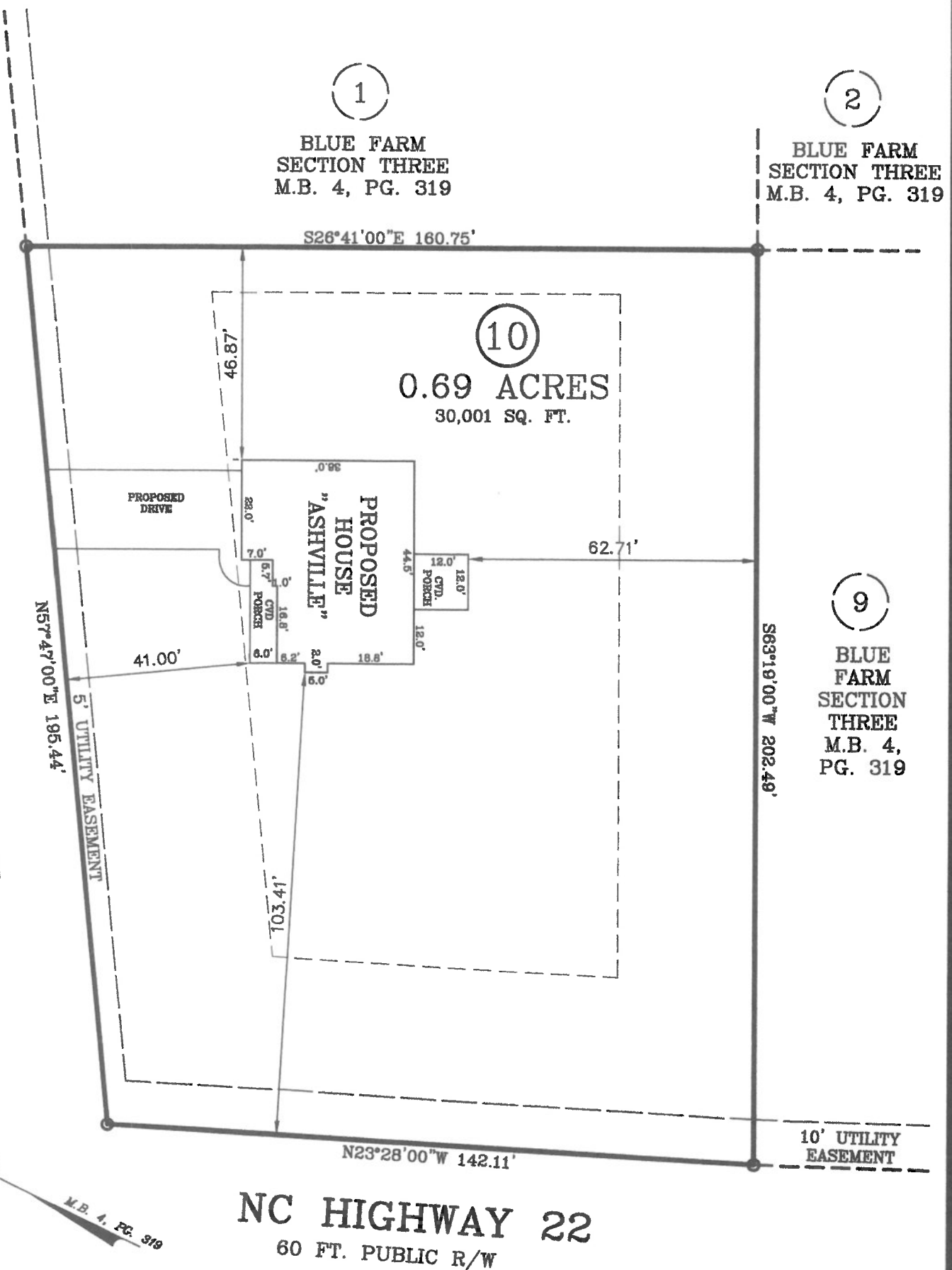
K:\sds\proj\BEN STOUT\BLUE FARM LOT 10.dwg LOT 10 - PLOT PLAN 09-02-21.dwg, 9/2/2021 11:40:11 AM, tanderson, 1:30



VICINITY MAP
(NO SCALE)

NOTE : CONTRACTOR TO VERIFY ALL BUILDING
SETBACKS PRIOR TO CONSTRUCTION.

JACOBS CREEK CIRCLE
30 FT. PUBLIC R/W



ZONING: RS
SETBACKS:
FRONT - 40'
REAR - 30'
SIDE - 10'

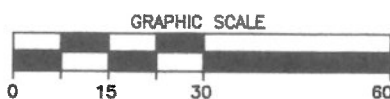
NC HIGHWAY 22
60 FT. PUBLIC R/W

PLOT PLAN

PLOT PLAN FOR: BEN STOUT CONSTRUCTION
ADDRESS: 100 SULLIVAN DR
CITY OF: SOUTHERN PINES, NC
COUNTY OF: MOORE

TOWNSHIP OF: McNEILLS
REV DATE: SEPTEMBER 2ND, 2021
DATE: JULY 27TH, 2021
SCALE: 1" = 30'

REFERENCE: LOT 10
BLUE FARM
SECTION THREE
M.B. 4, PG. 319



I, W. LARRY KING, CERTIFY THAT THIS MAP IS
FOR THE PURPOSE OF PERMITTING ONLY, IT IS
NOT A SURVEY AND NO RELIANCE MAY BE
PLACED ON ITS ACCURACY. THE STRUCTURE
SHOWN ON THIS PLOT PLAN IS PLACED ACCOR-
DING TO THE INSTRUCTIONS GIVEN BY THE
BUILDER. ALL DIMENSIONS AND SETBACKS SHOULD
BE VERIFIED FOR COMPLIANCE WITH ZONING
AND COVENANTS.

Larry King & Associates, R.L.S., P.A.

P.O. Box 53787
1333 Morganton Road, Suite 201
Fayetteville, NC 28305
Phone: (910)483-4300
Fax: (910)483-4052
www.LKandA.com
NC Firm License C-0887

THIS MAP CAN NOT BE USED FOR RECORDATION
OR ATTACHED TO A DEED TO BE RECORDED.
THIS MAP IS NOT DRAWN IN ACCORDANCE WITH
GS 47-30.

THE BOUNDARY AND LOT INFORMATION SHOWN ON
THIS MAP IS TAKEN FROM THAT DOCUMENT DE-
SCRIBED IN THE "REFERENCE" LINE SHOWN
HEREON. THIS INFORMATION SHOULD BE CONFIRMED
AS THE MOST CURRENT FOR THIS PROPERTY
BEFORE ISSUANCE OF PERMITS OR COMMENCE-
MENT OF CONSTRUCTION. NO TITLE SEARCH WAS
PERFORMED ON THIS PROPERTY BY THIS SURVEYOR.



ENGINEERING - SURVEYING - DESIGNING - DRAFTING

Larry King & Associates, R.L.S., P.A.

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December 6, 2021

LEGAL DESCRIPTION

BLUE FARM SECTION THREE

LOTS 6, 7, 8, 9 and 10

Moore County

4.10 ACRES

LYING in McNeills Township, Moore County, North Carolina, this subject tract being bounded on the northeast by Lots 1, 2, 3, 4 and 5, "Blue Farm, Section Three" as described and recorded in Plat Cabinet 4, Page 319, Moore County Registry; bounded on the southeast by the tract as conveyed to Charles Leon Hargrove, as described and recorded in Deed Book 1526, Page 328, Moore County Registry; bounded on the southwest by the northeast right of way margin NC Highway 22, a 60 foot public right of way; bounded on the northwest by the southeast right of way margin of Sullivan Drive, a 60 foot public right of way, and being more particularly described as follows:

COMMENCING from the northernmost corner of Lot 10, "Blue Farm, Section Three" as described and recorded in Plat Cabinet 4, Page 319, Moore County Registry, said corner of Lot 10 also being the **TRUE POINT AND PLACE OF BEGINNING**;

THENCE as and with the southwest boundary line of Lots 1, 2, 3, 4 and 5 "Blue Farm, Section Three" (Plat Cabinet 4, Page 319), South 26 degrees 41 minutes 00 seconds East for a distance of 880.77 feet to the southernmost corner of Lot 5;

THENCE as and with the southeast boundary line of Lot 6, South 63 degrees 19 minutes 00 seconds West for a distance of 205.80 feet to a point, the southernmost corner of Lot 6, located in northeastern right of way margin of NC Highway 22, a 60 foot public right of way;

THENCE as and with the southwest boundary line of Lot 6, North 27 degrees 17 minutes 00 seconds West for a distance of 200.05 feet to a point;

THENCE as and with the southwest boundary line of Lot 7, North 26 degrees 36 minutes 00 seconds West for a distance of 210.00 feet to a point;

THENCE as and with the southwest boundary line of Lot 8, North 26 degrees 01 minutes 00 seconds West for a distance of 155.00 feet to a point;

THENCE as and with the southwest boundary line of Lot 9, North 25 degrees 25 minutes 00 seconds West for a distance of 155.03 feet to a point;

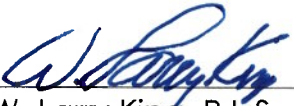
THENCE as and with the southwest boundary line of Lot 10, North 23 degrees 28 minutes 00 seconds West for a distance of 124.99 feet to a point;

THENCE a curve to the right having a radius of 20.00 feet, an arc length of 28.36 feet and a chord bearing and distance of North 17 degrees 09 minutes 30 seconds East for a distance of 26.04 feet to a point located in the southeast right of way margin of Sullivan Drive (S.R. 1911);

THENCE as and with said right of way margin of Sullivan Drive, North 57 degrees 47 minutes 00 seconds East for a distance of 178.14 feet to the northernmost corner of Lot 10, said point also being the **TRUE POINT AND PLACE OF BEGINNING**.

Together with and subject to covenants, easements, and restrictions of record.
Said property contains 4.10 acres (178,591 square feet).

This description prepared by Larry King & Associates, R.L.S., P.A. on this 06th day of December, 2021, under the supervision of W. Larry King, a Professional Land Surveyor.



W. Larry King, P.L.S., L-1339



Moore County Airport
PO Drawer 5809
Pinehurst, NC 28374



(910) 692-3212
7825 Aviation Drive
Carthage, NC 28327

February 9, 2022

BJ Grieve, AICP[®], CFM[®], CZO
Planning Director
Town of Southern Pines
180 SW Broad Street
Southern Pines, NC 28387

RE: Z-01-22: Initial zoning of 4.01 acres located on the east side of NC Highway 22 between Belhaven Drive and Sullivan Drive to RS-2 following annexation

Dear Mr. Grieve,

Thank you for the opportunity to review and comment on this proposed “residential” property annexation. As there is planned to be residential properties in that location, the airport has no concerns about building height and illumination.

There should however be some acknowledgement by the prospective property owners, perhaps through an Avigation Easement, that the properties are near an airport and as such they could experience aircraft overflights, noise, vibrations and other effects generated by aircraft. This may be covered by established ordinance.

If you have any questions, please don’t hesitate to contact me.

Respectfully,

Scott C. Malta, A.A.E., C.A.E., Capt USAF (Ret.)
Airport Manager

1 Atch – Z-01-22 PB PHN – agency referral

**NOTICE OF PUBLIC HEARING BEFORE THE TOWN OF SOUTHERN PINES
PLANNING BOARD
TO CONSIDER A PROPOSED AMENDMENT TO THE
TOWN OF SOUTHERN PINES ZONING MAP**

A regular meeting of the Town of Southern Pines Planning Board will be held on Thursday, February 17, 2022 at 6:00 PM at the Douglass Community Center, 1185 W. Pennsylvania Avenue, Southern Pines, NC. Notice is hereby given that a public hearing on the following Zoning Map Amendment will be held during the meeting:

Z-01-22: Initial zoning of 4.10 acres located on the east side of NC Highway 22 between Bellhaven Drive and Sullivan Drive to RS-2 following annexation; Petitioner: Benjamin Stout Real Estate Services, Inc.

Benjamin Stout Real Estate Services, Inc. has submitted a request to zone 4.10 acres RS-2 (Residential Single-Family requiring 20,000 SF minimum lot size) following annexation into the corporate limits of the Town of Southern Pines in order to develop five (5) single-family dwellings on five (5) existing lots. The subject parcels are currently located within the Village of Whispering Pines' extra-territorial jurisdiction and are zoned RS (Residential Single-Family). The subject parcels are identified as PIN 857404932694 (PARID 00041297); PIN 857404932803 (PARID 00041296); PIN 857404931919 (PARID 00041294); PIN 8857400940142 (PARID 00041293); and PIN 857400849276 (PARID 00041291) and pursuant to the Moore County tax records, the property owner is listed as Benjamin Stout Real Estate Services, Inc.

All interested citizens are invited to attend this hearing and be heard. The complete application may be reviewed at the Planning office, 801 SE Service Road, Southern Pines, North Carolina, or online at [www.southernpines.net/Town Services/Agendas & Minutes](http://www.southernpines.net/Town_Services/Agendas_&_Minutes). Substantial changes in the proposed amendment may be made following the public hearing.





From: [Jennifer Hunt](#)
To: [Cindy Williams](#)
Cc: [BJ Grieve](#)
Subject: RE: DUE DATE: FEBRUARY 17, 2022 Fw: [EXTERNAL] Z-01-22 Blue Farm Lots
Date: Friday, February 11, 2022 8:54:00 AM

Thank you.

Sincerely,

Jennifer Hunt
Planner I
Town of Southern Pines
180 SW Broad St.
Southern Pines, NC 28387

Office: (910) 692-4003
Planning Dept. - Ext. 3



From: Cindy Williams
Sent: Friday, February 11, 2022 8:48 AM
To: Jennifer Hunt <jhunt@southernpines.net>
Cc: BJ Grieve <BJGrieve@southernpines.net>
Subject: FW: DUE DATE: FEBRUARY 17, 2022 Fw: [EXTERNAL] Z-01-22 Blue Farm Lots

Hi Jennifer,

Please see the following comments from US Fish & Wildlife regarding your rezoning application.

Please note: The Planning Department has moved to the Community Development Building, 801 SE Service Road.

Sincerely,

Cindy Williams, CZO
Planning Department
Town of Southern Pines
(910) 692-4003

From: Hammond, John <john_hammond@fws.gov>
Sent: Friday, February 11, 2022 8:45 AM
To: Cindy Williams <CWilliams@southernpines.net>
Cc: Mann, Leigh <leigh_mann@fws.gov>
Subject: Fw: DUE DATE: FEBRUARY 17, 2022 Fw: [EXTERNAL] Z-01-22 Blue Farm Lots

Good morning, Ms. Williams -

The area identified for rezoning for Z-01-22 - 4.10 acres located on the east side of NC Highway 22 between Bellhaven Drive and Sullivan Drive falls within the ½-mile radius foraging partition of an inactive or abandoned red-cockaded woodpecker cluster. The Fish and Wildlife Service is not aware of any recent surveys for undetected red-cockaded woodpecker cavity trees on the property.

General comments:

- Recovery efforts for the red-cockaded woodpecker are underway and may result in potential breeding groups becoming reestablished in currently unoccupied areas.
-
- The cumulative loss of foraging and nesting habitat caused by residential and commercial construction is one of the primary threats to the continued existence of the red-cockaded woodpecker in the Pinehurst/ Southern Pines area.
-
- To maintain suitability of the remaining habitat, we suggest taking measures to prevent damage to the bole and root system of the remaining longleaf pines.
-
- Where practicable, to minimize loss of pine trees, we recommend retaining smaller pines on the property that are not within the immediate development footprint in order to retain future red-cockaded woodpecker habitat.
-
- In addition to leaving as many small pines in place as possible, we recommend that where cutting is necessary, large branches be removed or trimmed as a first option instead of complete tree removal.
-
- Landscaping, whenever possible, should use native shrub species that do not exceed seven feet in height, and exotic invasive plants should be avoided.
- We encourage developers and property owners to reforest with longleaf pine seedlings on their properties wherever practicable.

Thanks,
John

We are currently teleworking to lessen risk of COVID-19 transmission. Email is the best way to reach me.

John S. Hammond
U. S. Fish and Wildlife Service
Fish and Wildlife Biologist
Raleigh Ecological Services Field Office
Post Office Box 33726
Raleigh, North Carolina 27636-3726
919-856-4520 extension 28 (phone)
919-856-4556 (fax)
john_hammond@fws.gov
<http://www.fws.gov/raleigh/>

From: Mann, Leigh <leigh_mann@fws.gov> on behalf of NC Sandhills RCW, FW4 <ncsandhillsrcw@fws.gov>
Sent: Wednesday, January 26, 2022 9:30 AM
To: Hammond, John <john_hammond@fws.gov>
Subject: DUE DATE: FEBRUARY 17, 2022 Fw: [EXTERNAL] Z-01-22 Blue Farm Lots

From: Cindy Williams <CWilliams@southernpines.net>
Sent: Monday, January 24, 2022 5:52 PM
To: Linda Christopher <clerk@vwpsc.org>; rmaness@moorecountyaairport.com <rmaness@moorecountyaairport.com>; Scotty Malta <smalta@moorecountyaairport.com>; Archie Daniel <adaniel@southernpines.net>; Cindi King <CKing@southernpines.net>; Cory Albers <calbers@southernpines.net>; James Michel <JMichel@southernpines.net>; Ken Skipper <KSkipper@southernpines.net>; Maurice Holland <mbholland63@gmail.com>; NCDOT <djuarezpozos@ncdot.gov>; NC Sandhills RCW, FW4 <ncsandhillsrcw@fws.gov>; Pete Campbell <director@rluac.com>; Ron Istre <RIstre@southernpines.net>
Cc: Jennifer Hunt <jhunt@southernpines.net>; Cindy Williams <CWilliams@southernpines.net>
Subject: [EXTERNAL] Z-01-22 Blue Farm Lots

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.
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Good afternoon,

Please review the attached legal notice regarding the initial zoning of five (5) existing parcels which have been submitted for annexation into the Town of Southern Pines' corporate limits and respond with any comments or concerns as soon as possible.

Thank you.

Please note: The Planning Department has moved to the Community Development Building, 801 SE Service Road.

Sincerely,

Cindy Williams, CZO
Planning Department
Town of Southern Pines
(910) 692-4003

**TOWN OF SOUTHERN PINES ORDINANCE
AMENDING THE ZONING MAP OF THE TOWN OF SOUTHERN PINES
Z-01-22**

THAT WHEREAS, after notice duly given according to law, a public hearing was held before the Town of Southern Pines Town Council at its regular business meeting on March 8, 2022 at 6:00 PM for the purpose of considering and passing of an ordinance amending the Zoning Map of the Town of Southern Pines, North Carolina; and

WHEREAS, after the completion of said public hearing, and upon consideration of the reasonableness of the request, compliance with the criteria for a zoning map amendment found in UDO §2.17.9, as well as consistency with the adopted Comprehensive Long Range Plan, the Southern Pines Town Council approved petition Z-01-22 to amend the Zoning Map of the Town of Southern Pines;

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Town of Southern Pines Town Council, in regular session assembled on the 8th day of March, 2022:

Section 1. That the Zoning Map of the Town of Southern Pines on file in the office of the Town Clerk be amended to reflect that the five (5) existing parcels located on the northeast side of NC Highway 22 between Sullivan Drive and Bellhaven Drive which have been annexed into the corporate limits of the Town of Southern Pines be zoned Residential Single-Family (RS-2). The subject parcels are described as follows:

Lying in McNeills Township, Moore County, North Carolina, this subject tract being bounded on the northeast by Lots 1, 2, 3, 4 and 5, “Blue Farm, Section Three” as described and recorded in Plat Cabinet 4, Page 319, Moore County Registry; bounded on the southeast by the tract as conveyed to Charles Leon Hargrove, as described and recorded in Deed Book 1526, Page 328, Moore County Registry; bounded on the southwest by the northeast right of way margin NC Highway 22, a 60 foot public right of way; bounded on the northwest by the southeast right of way margin of Sullivan Drive, a 60 foot public right of way, and being more particularly described as follows:

COMMENCING from the northernmost corner of Lot 10 of “Blue Farm, Section Three” as described and recorded in Plat Cabinet 4, Page 319, Moore County Registry, said corner of Lot 10 also being the TRUE POINT AND PLACE OF BEGINNING; THENCE as and with the southwest boundary line of Lots 1, 2, 3, 4 and 5 “Blue Farm, Section Three” (Plat Cabinet 4, Page 319), South 26 degrees 41 minutes 00 seconds East for a distance of 880.77 feet to the southernmost corner of Lot 5; THENCE as and with the southeast boundary line of Lot 6, South 63 degrees 19 minutes 00 seconds West for a distance of 205.80 feet to a point, the southernmost corner of Lot 6, located in the northeastern right of way margin of NC Highway 22, a 60 foot public right of way; THENCE as and with the southwest boundary line of Lot 6, North 27 degrees 17 minutes 00 seconds West for a distance of 200.05 feet to a point; THENCE as and with the southwest boundary line of Lot 7, North 26 degrees 36 minutes 00 seconds West for a distance of 210 feet to a point; THENCE as and with the southwest boundary line of Lot 8, North 26 degrees 01 minutes 00 seconds West for a distance of 155.00 feet to a point; THENCE as and with the southwest boundary line of Lot 9, North 25 degrees 25 minutes 00 seconds West for a distance of 155.03 feet to a point; THENCE as and with the southwest boundary line of Lot 10, North 23 degrees 28 minutes 00 seconds West for a distance of 124.99 feet to a point; THENCE a curve to the right having a radius of 20.00 feet, an arc length of 28.36 feet and a chord bearing and distance of North 17 degrees 09 minutes 30 seconds East for a distance of 26.04 feet to a point located in the southeast right of way margin of Sullivan Drive (S.R.1911); THENCE as and with said right of way margin of Sullivan Drive, North 57 degrees 47 minutes 00 seconds East for a distance of 178.14 feet to the northernmost corner of Lot 10, said point also being the TRUE POINT AND PLACE OF BEGINNING.

Together with and subject to covenants, easements and restrictions of record. Said property contains 4.10 acres (178,591 square feet).

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

Adopted this 8th day of March 2022.

ATTEST: TOWN OF SOUTHERN PINES

Elizabeth Robertson, Town Clerk Carol R. Haney, Mayor

APPROVED AS TO FORM:

Doug Gill, Town Attorney

I certify that this Ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting on March 8, 2022 as shown in the Minutes of the Town Council meeting for that date.

Elizabeth Robertson, Town Clerk

Agenda Item

To: Reagan Parsons, Town Manager
From: Jennifer Hunt, Planner I
Subject: AR-06-21 The Murphy Insurance Agency
Date: March 8, 2022

I. SUMMARY OF APPLICATION REQUEST:

Neil Smith Engineering, Inc. on behalf of JAMMIN MANAGEMENT, LLC. is requesting approval of an architectural compliance permit for a 1,285 square foot building expansion to an existing building within the CB-Central Business zoning district. This is an addition behind the 1,194 square foot existing building located at 250 W Pennsylvania Avenue. Although the proposed expansion is less than 3,500 square feet, the project requires Town Council review of the Architectural Compliance Permit because one of more of the architectural standards are not met.

II. PROJECT INFORMATION:

1. PARID 20020528; PIN 858105293001

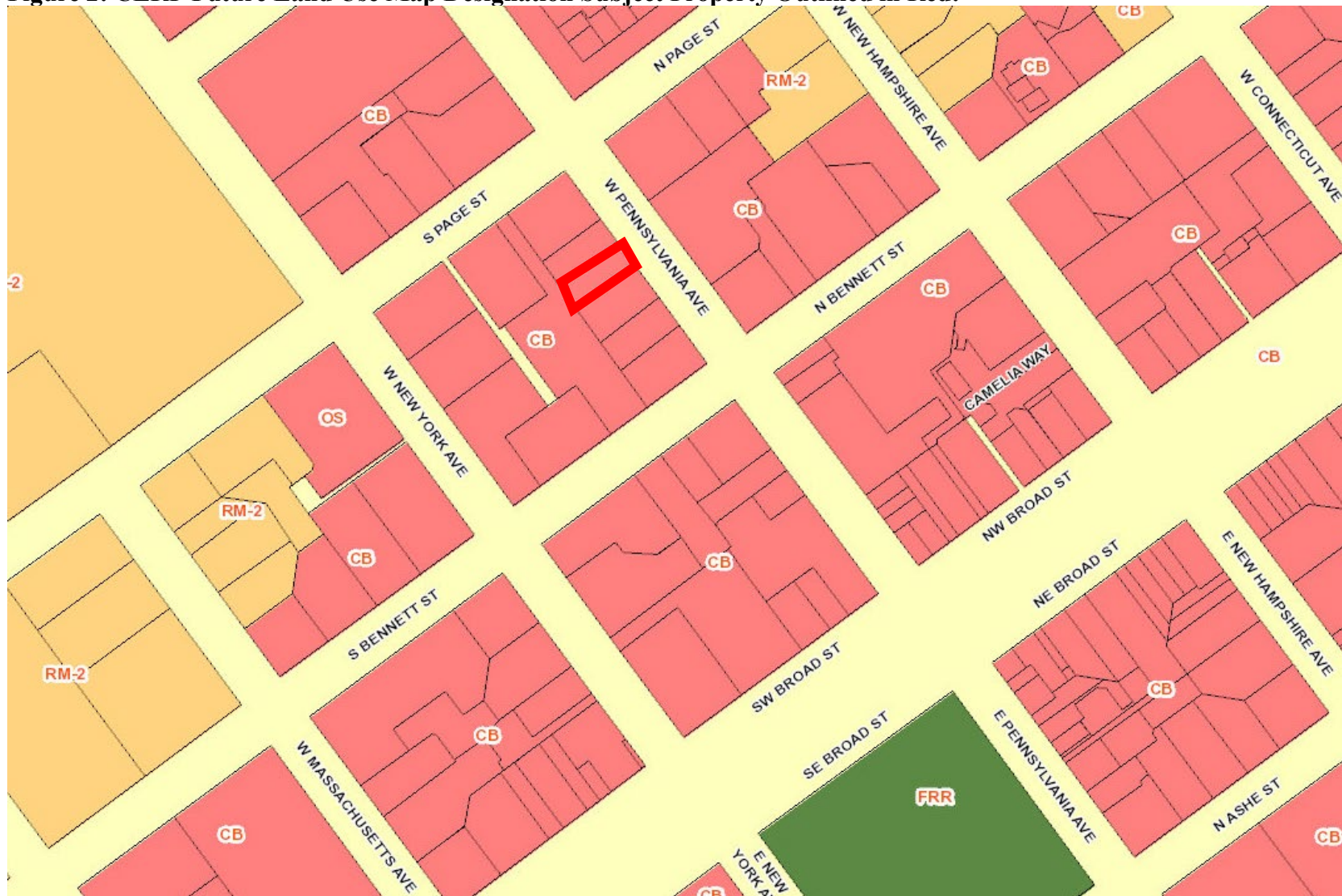
2. Owners:
JAMMIN MANAGEMENT, LLC
250 W. Pennsylvania Avenue
Southern Pines, NC 28387

3. Applicant / Agent:
Neil Smith Engineering, Inc.
139 Pinehurst Avenue
Suite C
Southern Pines, NC 28387

Figure 1: Vicinity Map and Zoning Map for Subject Property Outlined in Red:



Figure 2: CLRP Future Land Use Map Designation Subject Property Outlined in Red:



4. Comprehensive Long-Range Plan Designation:

The area is designated as commercial on the Future Land Use Map in the Comprehensive Long-Range Plan (CLRP). *The commercial designation applies to all land dedicated to retail, professional office, or other primarily non-residential, commercial use. It includes the downtown portions along Broad Street and Pennsylvania Avenue, the regional commercial corridor on US 15/501, and all commercial land in between. Higher density residential may be incorporated into mixed-use developments within areas designated for this future land use category.*

5. Zoning:

The parcel is currently zoned Central Business (CB) (See figure 1). The CB district is designed to accommodate a wide variety of commercial activities (particularly those that are pedestrian oriented) in an intensive Development Pattern in the Town's central business district. The regulations of this district are intended to:

1. Preserve the general character and integrity of the current Development in the central business district;
2. Encourage land uses that provide for a multi-purpose central business district including retail, offices, services, entertainment and living space;
3. Encourage land uses that do not require large amounts of outdoor use areas; and
4. Encourage common or shared off-street parking.

III. STAFF REVIEW:

1. Review Process:

Applications for Architectural Compliance Permits are reviewed pursuant to UDO §2.26.

2. Application Review Dates:

Application Submitted: February 7, 2022

Application Complete: February 18, 2022

Town Council Agenda Meeting: March 2, 2022

Town Council Meeting: March 8, 2022

3. Criteria for Review:

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

1. *The application is consistent with applicable Comprehensive Plan goals and policies;*
2. *The application substantially conforms with the applicable multi-family or commercial design standards and other applicable provisions of the UDO, including the purposes of the zoning district in which the property is located;*
3. *The application is consistent with applicable conditions of prior Development approvals; and*
4. *The development as proposed will be compatible with neighboring development and has mitigated potential conflicts.*

4. Staff Comments based on Commercial Building Design Requirements per UDO §4.10.4:

The proposed new building would be a one story 1,285 square feet in area building. Staff has reviewed the project for compliance for the proposed new building with §4.10.4 *Building Design Requirements*.

- UDO §4.10.4 (A) states that the front of buildings shall face and have the primary customer entry facing that street. Corner lot buildings shall face and have the primary customer entry facing the higher order street, facing the corner or facing each street. Buildings that extend the full depth of a block may be required to have entries on each street frontage. Maximum entries for the GB zoning district between customer entries shall not exceed 150'. This 150' may be increased for buildings located at least 40' back from the sidewalk and buildings that have common entries serving multiple businesses.

Generally Compliant:

- The front of the building already exists and faces W Pennsylvania Avenue, the higher order street.
 - The customer entry already exists in the front existing building and will not change. It does not apply to the new proposed building.
- UDO §4.10.4 (B) states the width of the buildings or building segments shall not be more than twice the building height. Building segments may be created through a combination of vertical features such as changes in material, building offsets, courtyards, changes in rooflines or architectural features that create the appearance of building segments.

Generally Compliant:

- The building width in total measures 40' and the height of the building is 17.45' provided in the "Drawing attachment" of this packet. The CB zoning district allows for a maximum height of 45'. Twice the height would be 90'. Each building segment does not exceed 90'.
 - Building segments are created through changes in rooflines and architectural features for each building segment.
- UDO §4.10.4 (C) states the exterior finish of building walls shall be primarily comprised of brick. Cementitious horizontal lap siding, textured concrete masonry, cast stone and stucco may be used for accents, provided that they cover no more than twenty (20) percent of the exterior walls, exclusive of doors and windows. Wood and metal may be used as trim around doors and windows.

Requesting a Deviation:

- The applicant does not meet the 80% brick requirement. The applicants desire is to use Hardie Board siding to match the existing building façade.
- UDO §4.10.4 (D) states that windows shall be glazed in non-reflective clear glass. Windows and doors shall comprise at least 25% of street facing building facades between the elevations of 2 and 10 feet above the grade of the building entry.

Generally Compliant:

- The applicant has stated that the windows will be glazed in non-reflective clear glass.
- The applicant's proposed building expansion does not have windows that are front facing. The proposed windows are 4' height and 3' wide.
- UDO §4.10.4 (E) states awnings shall be canvas or material of similar appearance and flexibility unless otherwise approved by the Town Council. Street facing awnings shall not be taller than six (6) feet unless specifically approved by the Town Council.

Generally Compliant:

- There are no planned awnings proposed by the applicant.
- UDO §4.10.4 (G) states buildings may use parapets and changes in parapet height or design in the roofline as viewed from any public street shall be required for any building that is wider than 100'.

Generally Compliant:

- The changes in parapet height or design in the roofline as viewed from any public street is not applicable. The building is not wider than 100 feet.
- UDO §4.10.4 (H) states that mechanical equipment shall be screened from view from the street and cannot be located between the building and the street.

Generally Compliant:

- The applicant has stated that all mechanical equipment will be located towards the rear of the property and screened in accordance with our UDO regulations. They will not be located between the street and the building.
- UDO §4.10.4 (I) states garage doors and loading bays shall face an interior lot line alley or service drive and shall not face a street unless buffered or screened per the landscaping code in UDO §4.3.

Generally Compliant:

- The applicant has stated there are no garage doors or loading bays.
- UDO §4.10.4 (J) states no new signage is planned at this time.

IV. ATTACHMENTS PROVIDED BY THE APPLICANT:

1. Application
2. Deed
3. Narrative Addressing Building Design Requirements per UDO §4.10.4
4. Drawings
5. Elevation
6. Color Elevations
7. Color Sample
8. Site Plan

V. TOWN COUNCIL ACTION:

The Town Council should consider the purpose of an architectural compliance permit per UDO §2.26 and shall vote on whether the proposed application complies with the criteria per UDO §2.26 and the commercial building design requirements per UDO §4.10.4 as well as the central business zoning district purpose and development standards per UDO §3.5.8.

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

I move to:

1. Approve AR-06-22;
2. Approve AR-06-22 with the following conditions...
3. Deny AR-06-22;

Architectural Compliance Permit

REQUIRED APPLICATION MATERIALS:

- _____ **Application fee** in the amount of **\$100.00** (gross floor area of 3,499 sq. ft. or less); or **\$300.00** (gross floor area of 3,500 sq. ft. or greater).
- _____ **Completed Application** signed by the applicant. Please do not leave anything blank and make sure that all of the information provided is correct.
- _____ **Appointment of Agent**, if applicable, signed by the property owner(s) and the agent.
- _____ **Deed** copy to provide proof of ownership and property boundaries.
- _____ **Written narrative**: It is the responsibility of the applicant to demonstrate compliance with **UDO §2.26.7**. Please also address **UDO §4.10.4** as part of the narrative.
- _____ **Renderings of elevations** (color).
- _____ **Site plan** if applicable.
- _____ **Electronic copy (PDF) of all application materials** submitted to plan@southernpines.net.

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

REVIEW AND APPROVAL:

1. **Staff review**: Planning staff will review the application and notify the applicant if additional information or materials are needed.
2. **Public hearing**: A public hearing will be held before the Town Council at its regular monthly meeting. (Please refer to the **Application Processing Timeline** to determine the hearing date.) In addition to the regular meeting, the applicant or a representative is expected to attend the Town Council agenda meeting the Wednesday prior to the regular meeting.
3. **Approval**: The Town Council may approve, conditionally approve or deny the application based on the criteria listed in **UDO §2.26.7**.
4. **Issuance of an Architectural Compliance Permit**: If the request is approved by the Town Council, an Architectural Compliance Permit setting forth any conditions of approval will be issued to the applicant.

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



Architectural Compliance Permit Application

Date Received: _____ Fee Paid: _____ Case No.: AR-____-____

TO THE TOWN COUNCIL OF THE TOWN OF SOUTHERN PINES:

I, the undersigned, do hereby make application for an Architectural Compliance Permit regarding for the following project:

Project Information:

Project Name: The Murphy Insurance Agency
Street Address: 250 W. Pennsylvania Ave., Southern Pines, NC 28387
PIN: 858105293001 Parcel ID: 20020528 Zoning: CB
Type of building (retail, office, etc.): Office Total square footage: Ex. 1194/Demo 85/New 1285
Total 2393

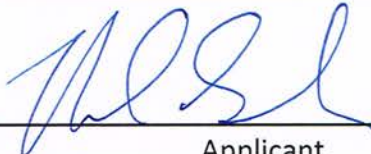
Applicant:

Name: Neal Smith Engineering, Inc.
Email: nsmith@nsengineering.com Phone: 910-695-8825
Mailing Address: 139 Pinehurst Avenue - Ste. C, Southern Pines, NC 28387

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

Name(s): JAMMIN MANAGMENT, LLC
Email: mike@murphinsurance.com Phone: 919-757-9400
Mailing Address: 250 W. Pennsylvania Ave., Southern Pines, NC 28387

Date: 02/03/2022


Applicant

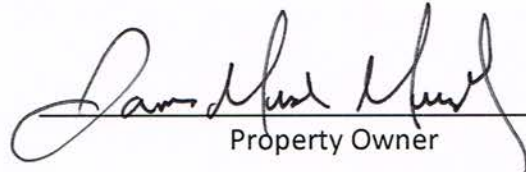
APPOINTMENT OF AGENT

The undersigned owner(s), JAMMIN MANAGMENT, LLC, hereby appoint(s) Neal Smith Engineering, Inc. as the exclusive agent for the purpose of making an application to the Town of Southern Pines for an **Architectural Compliance Permit** for improvements to the property 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:

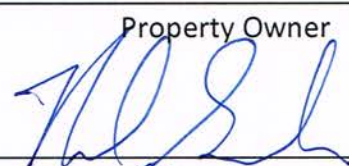
1. to submit an application and required supplemental materials;
2. to appear at public meetings and give representation and comments on behalf of the owner(s);
3. to accept conditions or recommendations made by the Town of Southern Pines Town Council for the issuance of an **Architectural Compliance Permit** for improvements to the subject property; and
4. to act on behalf of the owner(s) without limitations with regard to any and all things directly or indirectly connected with or arising out of any application for an **Architectural Compliance Permit** under the Southern Pines Unified Development Ordinance.

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

Signed this 03 day of February, 2022.



Property Owner

Property Owner


Agent

For Registration Register of Deeds

Judy D. Martin

Moore County, NC

Electronically Recorded

September 2, 2021 1:36:40 PM

Book: 5693 Page: 549 - 552 #Pages: 4

Fee: \$26.00

NC Rev Stamp: \$0.00

Instrument # 2021019669

Brief description for the Index:

Stamps: \$0.00

BLK L 5 PT LOT 11 – Parcel Id. 20020528This instrument was prepared by: **Sandhills Law Group** NO TITLE SEARCH COMPLETED BY PREPARER**NORTH CAROLINA GENERAL WARRANTY DEED**THIS DEED made this 2nd day of September 2021, by and between,

GRANTOR	GRANTEE
The Murphy Agency, LLC, a NC LLC	Jammin Management, LLC
<u>Mailing Address:</u> 250 W. Pennsylvania Avenue Southern Pines, NC 28387	<u>Mailing Address:</u> 250 W. Pennsylvania Ave Southern Pines, NC, 28387 <u>Property Address:</u> 250 W. Pennsylvania Ave Southern Pines, NC, 28387

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, have bargained and sold, and by these presents do grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, tract, or parcel of land situated in **McNeill Township, Moore County, North Carolina**, and more particularly described as follows:

See Exhibit A attached hereto for legal description.

250 W. Pennsylvania Ave, Southern Pines, NC, 28387
Property Identification Number – 20020528

submitted electronically by "Sandhills Law Group"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Moore County Register of Deeds.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 4035, Page 580, Moore County Registry.

All or a portion of the property herein conveyed _____ includes or _____ does not include the primary residence of a Grantor.

TO HAVE AND TO HOLD the aforesaid lot, tract, or parcel of land, and all privileges and appurtenances thereto belonging to the said Grantee in fee simple; subject, however, to the exceptions, reservations and conditions herein above referred to.

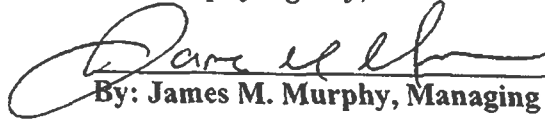
And the Grantor covenants with the Grantee, that Grantor is seized of said premises in fee simple and has the right to convey in fee simple; that the title is marketable and free and clear of all encumbrances; and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except: ad valorem taxes for the current year (prorated to the date of closing); utility easements; unviolated covenants, conditions and restrictions that do not materially affect the value of the property being conveyed herein; and such other encumbrances as may be assumed or specifically approved by Grantee as referenced herein.

The designation Grantor or Grantee as used herein shall include the singular as well as the plural and the masculine, feminine or neuter gender may be read in either the masculine, feminine or neuter gender or a combination thereof as the context may require in order to accurately refer to the person or persons first named hereinabove as Grantor and Grantee.

***** THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK *****

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal, or if Corporate, has caused this instrument to be signed in its Corporate name in the ordinary course of business by its duly authorized officer, pursuant to authorization from the Board of Directors, or if Limited Liability Company (Company), in its Company name in the ordinary course of business by its duly authorized manager, pursuant to authorization from its members, the day and year first above written.

The Murphy Agency, LLC

 (SEAL)
By: James M. Murphy, Managing Member

STATE OF NC,

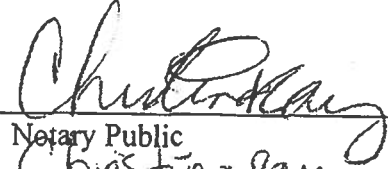
COUNTY OF Moore, to wit:

I certify that the following person(s) personally appeared before me this day, and each acknowledging to me that he or she signed the foregoing document in the capacity indicated:
James M. Murphy, Managing Member of The Murphy Agency, LLC.

Witness my hand and notarial seal this 2nd day of September 2021.

PLACE NOTARY SEAL INSIDE THIS BOX ONLY!

Christina Ray
Notary Public
Montgomery County
North Carolina


Notary Public

Christina Ray
(Printed Name of Notary)

My Commission Expires: 10-22-2024

EXHIBIT A

A certain lot or parcel of land in the Town of Southern Pines, North Carolina, McNeill Township, Moore County, fronting on the southwest line of Pennsylvania Avenue, about 150 feet southeast of the intersection of the southwest line of Pennsylvania Avenue with the southeast line of Page Street, Block L & 5, Southern Pines, adjoining the lands of Pines Associates, Inc. on the northwest and west and Gouger, O'Neal & Saunders Realty & Insurance Co., Inc. on the southeast, and being described as follows

BEGINNING at an iron pipe in the southwest line of Pennsylvania Avenue (80 feet wide), said iron pipe being the common front corner of Lots 11 and 12, Block L & 5, Southern Pines, said iron pipe being further located South 36 degrees 45 minutes East 148.33 feet from a concrete monument at the intersection of the southwest line of Pennsylvania Avenue and the southeast line of Page Street, running thence from said beginning, as the southwest line of Pennsylvania Avenue, South 36 degrees 45 minutes East 54.00 feet to an iron stake in the southwest line of Pennsylvania Avenue and in the center of an alley, the north corner of Gouger, O'Neal & Saunders Realty & Insurance Co., Inc. tract, thence as the centerline of the alley and as the northwest line of Gouger, O'Neal & Saunders Realty & Insurance Co. Inc. South 53 degrees 15 minutes West 125.00 feet to an iron stake in the centerline of said alley, the west corner of Gouger, O'Neal & Saunders Realty & Insurance Co., Inc., thence a new line North 36 degrees 54 minutes West 54.00 feet to an iron pipe, in the common line of Lots 11 and 12, Block L & 5, Southern Pines, thence as said line, North 53 degrees 15 minutes East 125.14 feet to the BEGINNING, containing 6,754 square feet, more or less, and being a portion of Lot No 11 and a portion of the alley adjoining Lot No 11, Block L & 5, Southern Pines, North Carolina.



Neal Smith Engineering, Inc.

139 Pinehurst Ave. – Suite C

Southern Pines, NC 28387

Phone: (910) 695-8825 | Fax: (910) 695-8832

www.nseengineering.com | NC License No. C-1425



**NARRATIVE AND ARCHITECTURAL COMPLIANCE
FOR
THE MURPHY INSURANCE AGENCY
250 W. PENNSYLVANIA AVE.
NSE PROJECT NO. 2124402
FEBRUARY 7, 2022**

NARRATIVE:

This is a project that will consist of a 1285 square footage addition to the existing business located in the business district of downtown. This space will be used for expansion of the current business.

ARCHITECTURAL COMPLIANCE – CHAPTER 4 DEVELOPMENT AND DESIGN STANDARDS:

4.10.4(A)(1): The front of buildings shall face and have the primary customer entry facing that street. Corner Lot buildings shall face and have the primary customer entry facing the higher order street, facing the corner or facing each street. Buildings that extend the full depth of a block may be required to have entries on each street frontage.

The main entry for the business is still the door located at the front of the existing building and fronts on Pennsylvania.

4.10.4(A)(2): Maximum spacing or distance between customer entries shall not exceed the standards established in Exhibit 4-16.

N/A

4.10.4(B)(1): In the CB and DTO districts, buildings or building segments shall be taller than wide.

The building is not taller than it is wide. However, the building is located on a sloping lot and is attaching to the rear of the building and will not be the primary structure seen from the main street.

4.10.4(B)(2): In other districts, the width of buildings or building segments shall not be more than twice the building height.

N/A

4.10.4(B)(3): Building segments may be created through a combination of vertical features such as changes in material, building offsets, courtyards, changes in rooflines or architectural features that create the appearance of building segments.

This addition is located in the rear of an existing building with the roof turned perpendicular to the existing roofs to allow for break in the roof lines. Windows (similar to the existing) are also being used to break up long areas of the building's façade.

4.10.4(B)(4): Large scale retail structures shall comply with Section 4.10.6.

This is not a retail structure.

4.10.4(C): The exterior finish of building walls shall be primarily comprised of brick. Cementitious horizontal lap siding, textured concrete masonry, cast stone and stucco may be used for accents, provided that they cover no more than twenty (20) percent of the exterior walls, exclusive of doors and windows. Wood and metal may be used as trim around doors and windows.

The new building will have Hardie Board siding closely matching the existing building façade. However, the owner is requesting to have the existing building façade replaced (still resembling the current style) with the new material in order to provide consistency between the two buildings.

4.10.4(D): Windows

(1) Windows being added to the addition will match (as close as possible) the existing building and will not be reflective. (2.a) None of the building addition exterior walls will face a main street. (2.b) N/A. There are no upper floors to this building

4.10.4(E): Awnings

None are planned.

4.10.4(F): Galleries and Arcades

None are planned.

4.10.4(G): Roofs

Roof covering will match the existing facility.

4.10.4(H): Mechanical Equipment

All new mechanical equipment will be located towards the rear of the property and screened in accordance with the regulations.

4.10.4(I): Loading Zones and Garage Bays

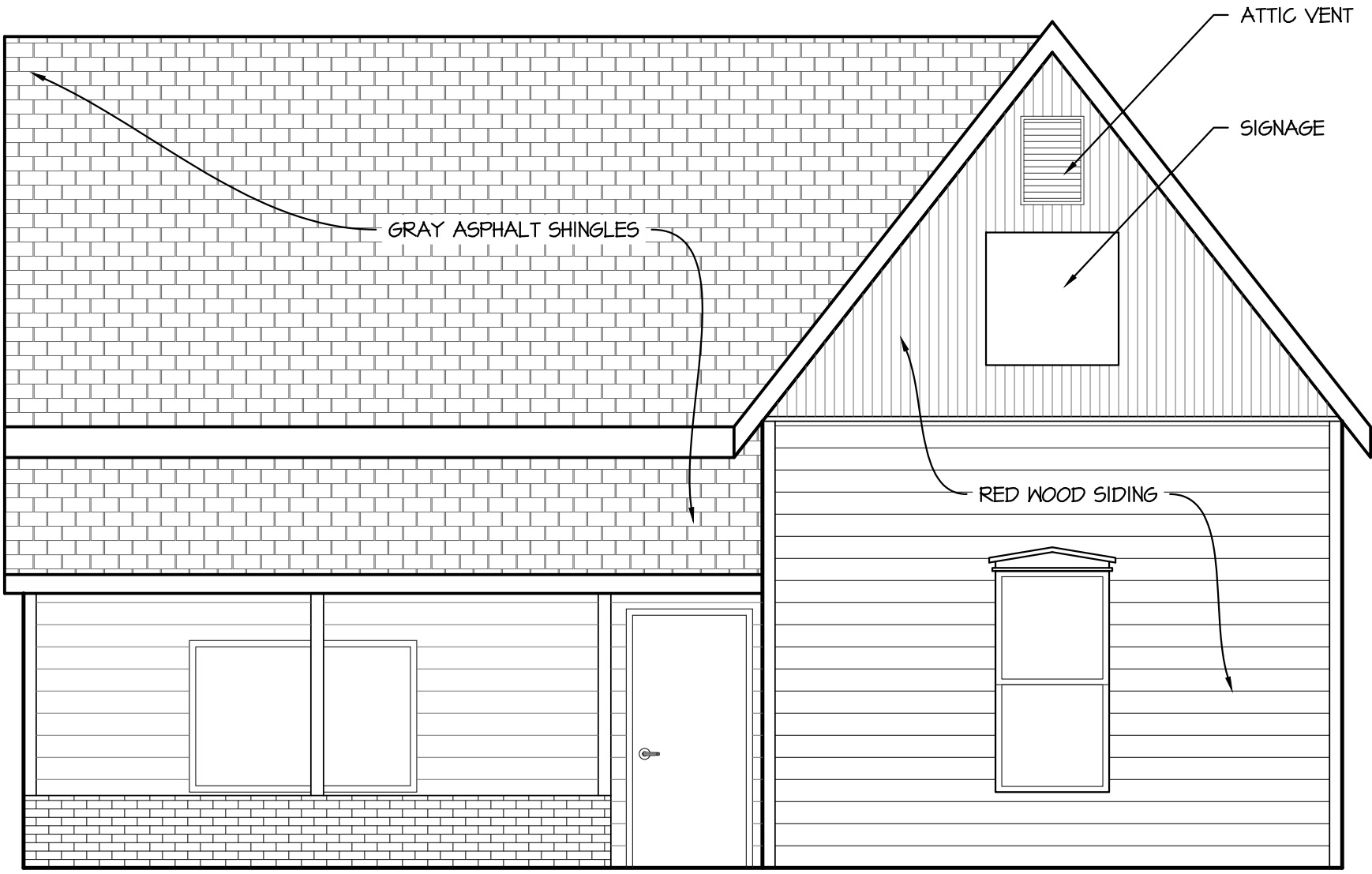
No garage bays are planned for this building addition and the existing loading zone will be used.

4.10.4(J): Signage

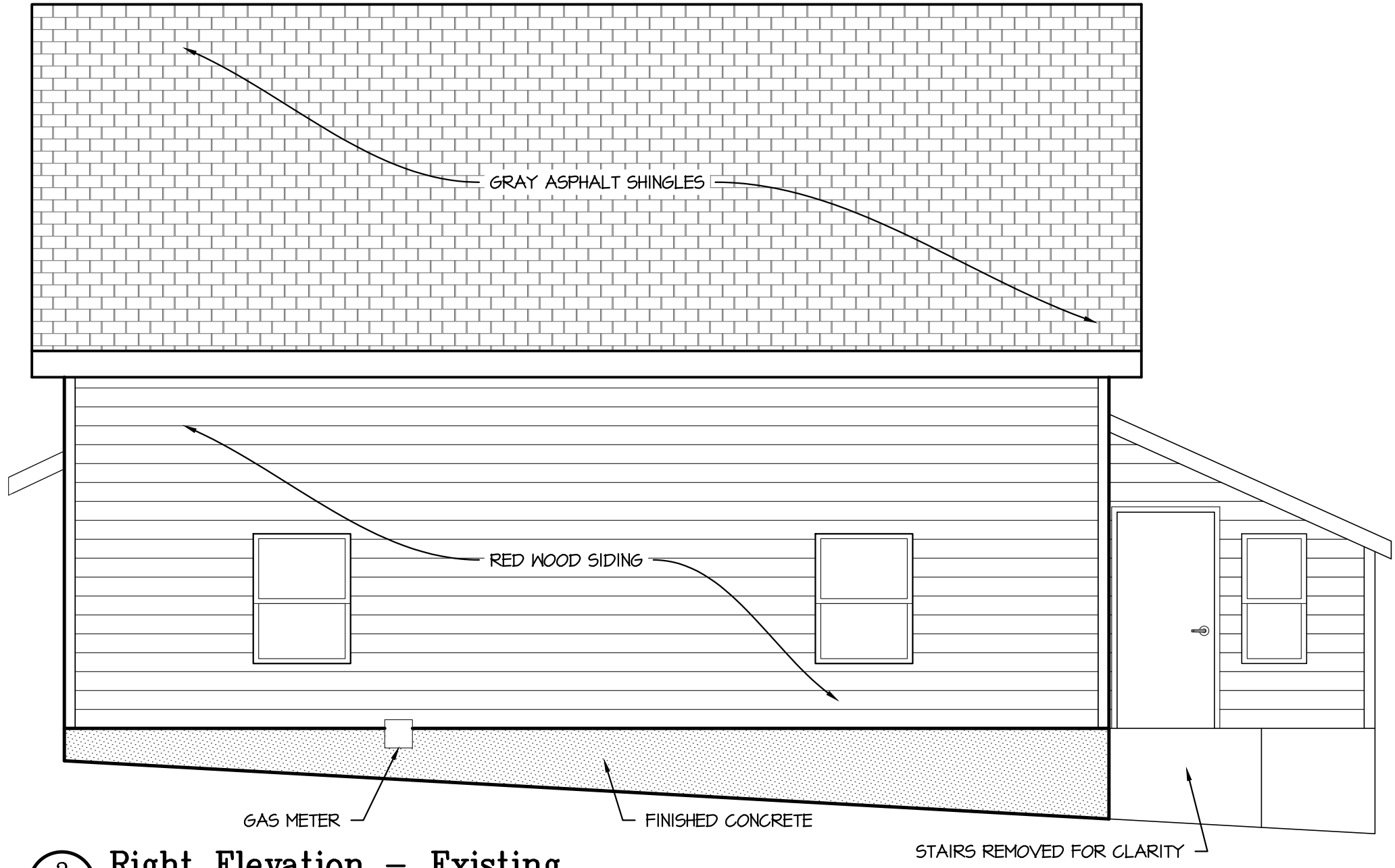
No new signage is planned at this time.

If you any additional questions or concerns, please feel free to contact us at any time.

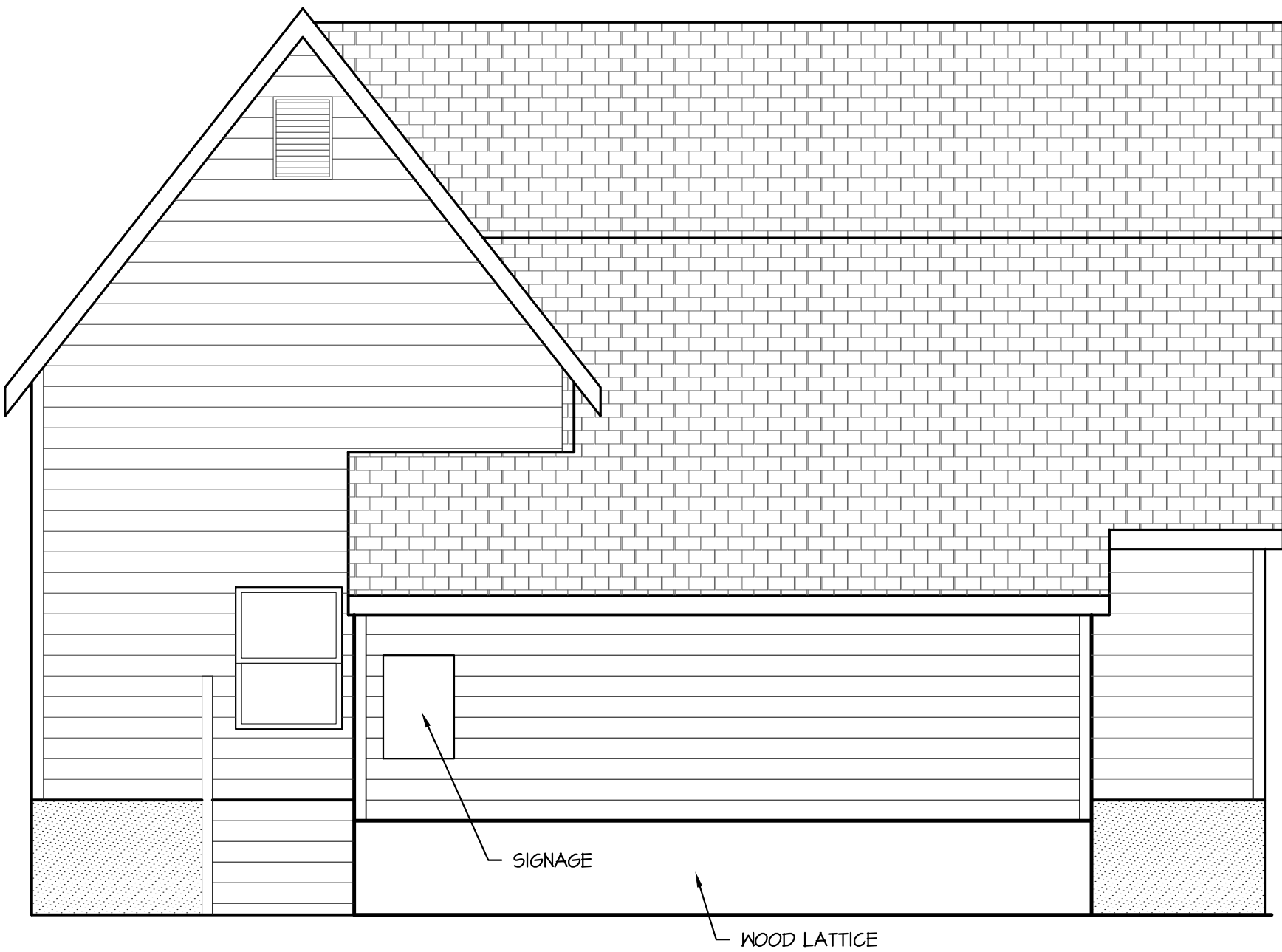
Sincerely,
NEAL SMITH ENGINEERING, INC.



1 Front Elevation - Existing
1/4" = 1'-0"



2 Right Elevation - Existing
1/4" = 1'-0"

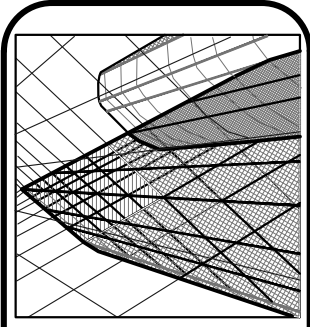


3 Rear Elevation - Existing
1/4" = 1'-0"

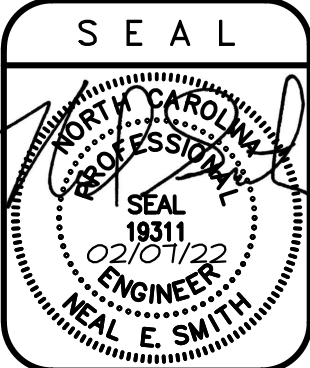


4 Left Elevation - Existing
1/4" = 1'-0"

REVISIONS

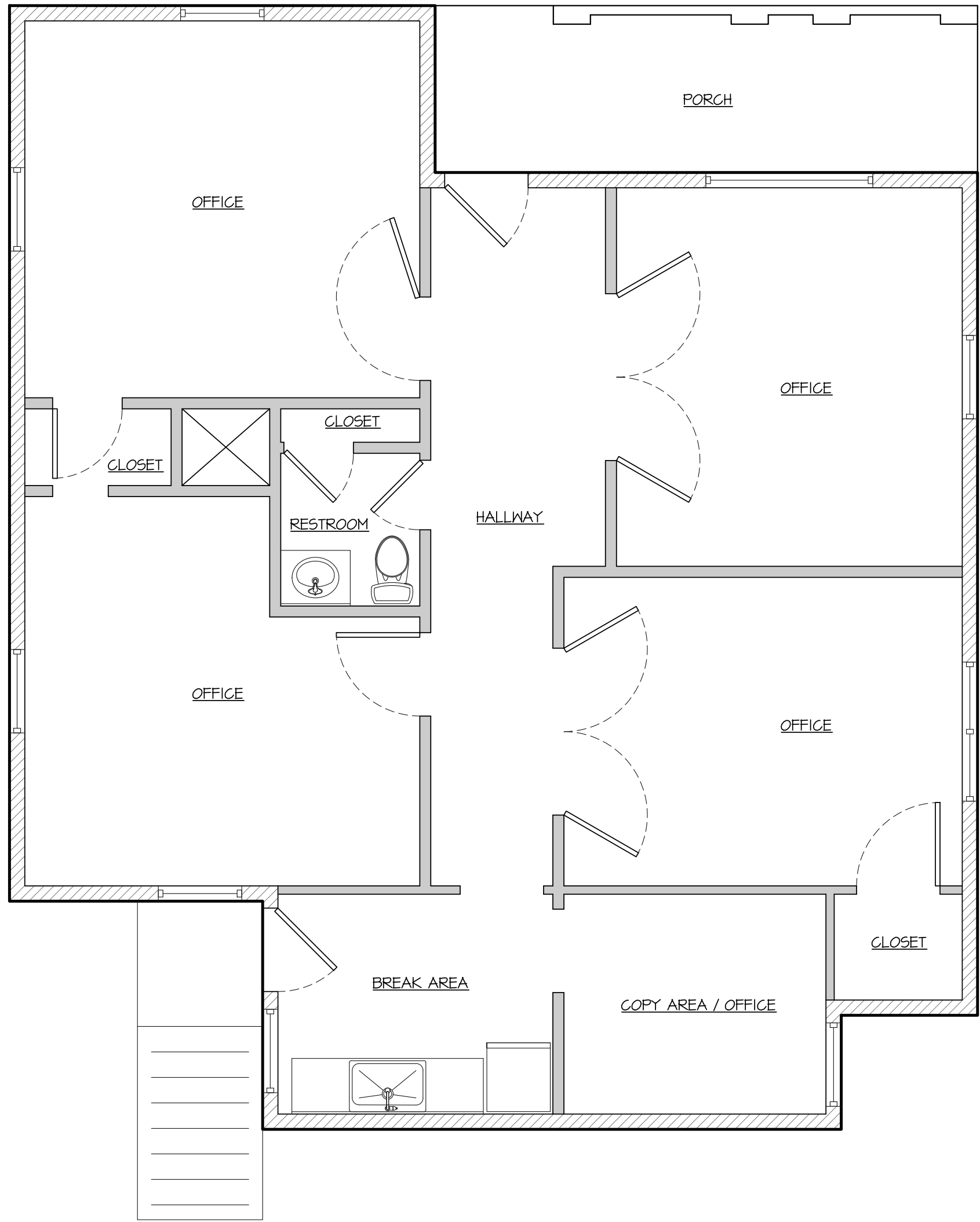


Neal Smith Engineering, Inc.
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Southern Pines, NC 28387
Phone: (910) 695-8825
Fax: (910) 695-8832
www.nseengineering.com
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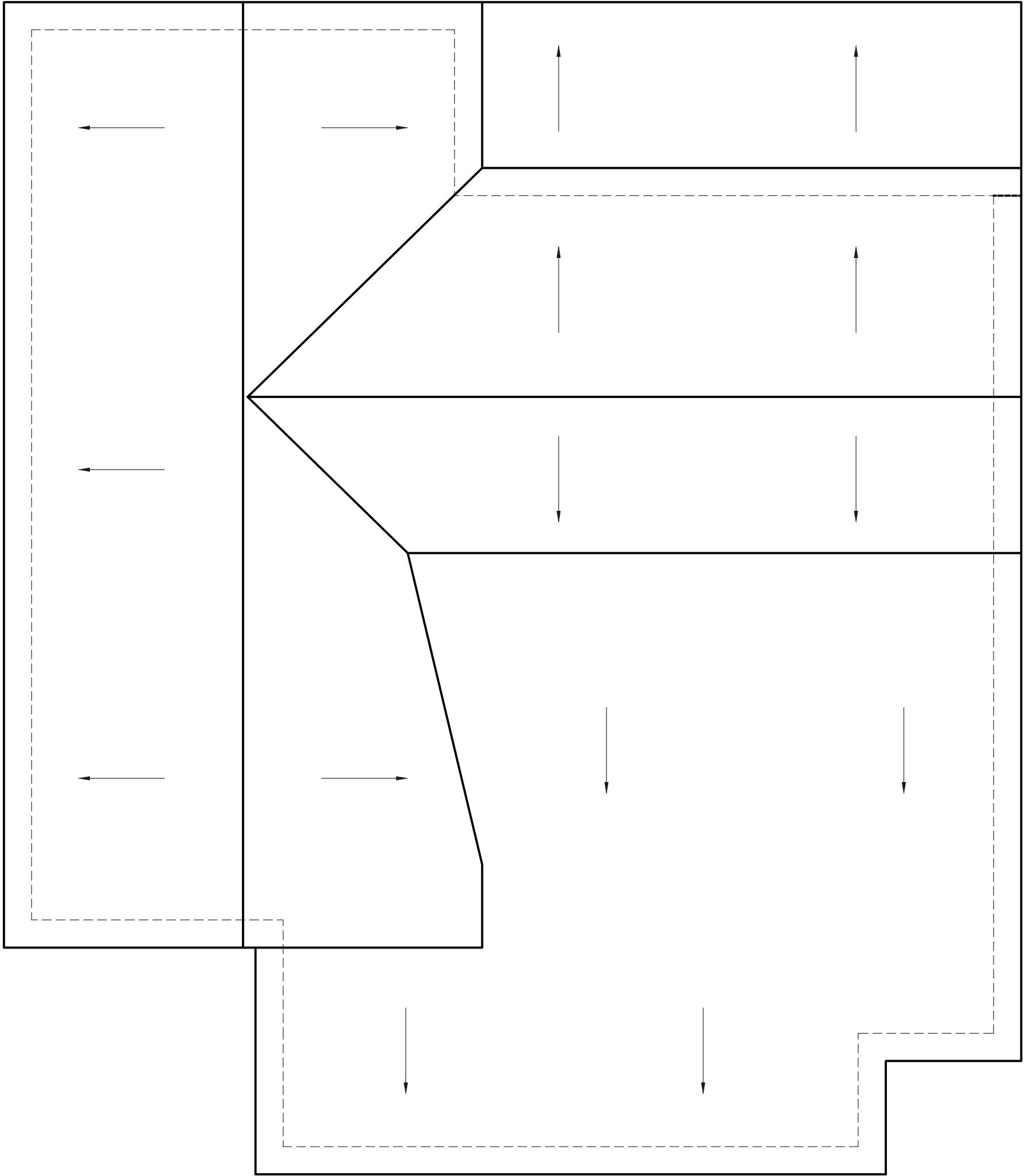


PRELIMINARY
Do not use for
construction

DRAWN BY: BKB
SCALE: As Noted
DATE: 02/01/22
JOB NUMBER: 2124402
DRAWING KEY: XL.I



1 Floor Plan – Existing Layout
X2.1 1/4" = 1'-0"



2 Roof Slope Plan – Existing Layout
X2.1 1/4" = 1'-0"

THE MURPHY INSURANCE AGENCY
Southern Pines, NC

EXISTING FLOOR AND ROOF PLAN

REVISIONS	REVISIONS

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SEAL

PRELIMINARY

Do not use for construction

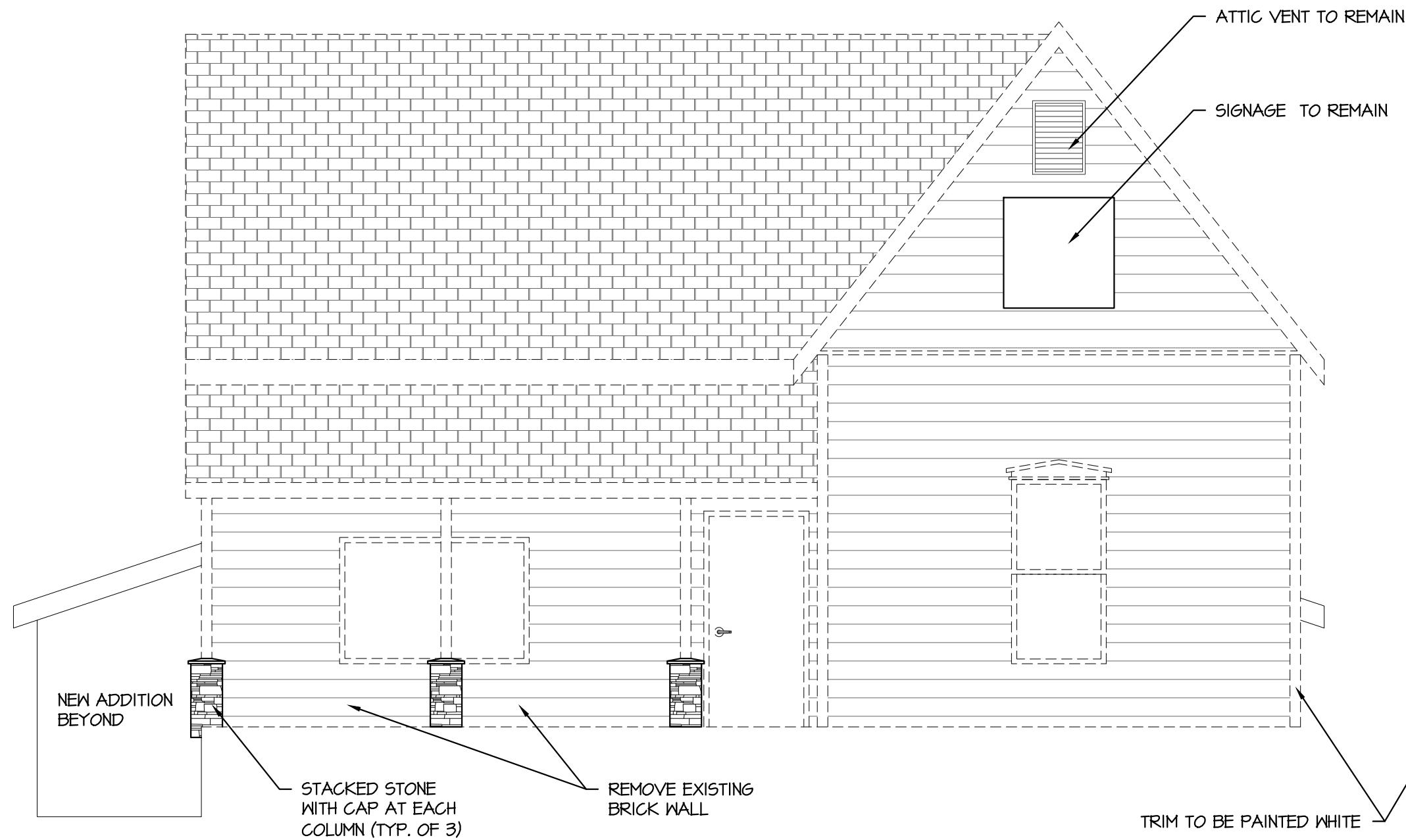
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BKB

SCALE:
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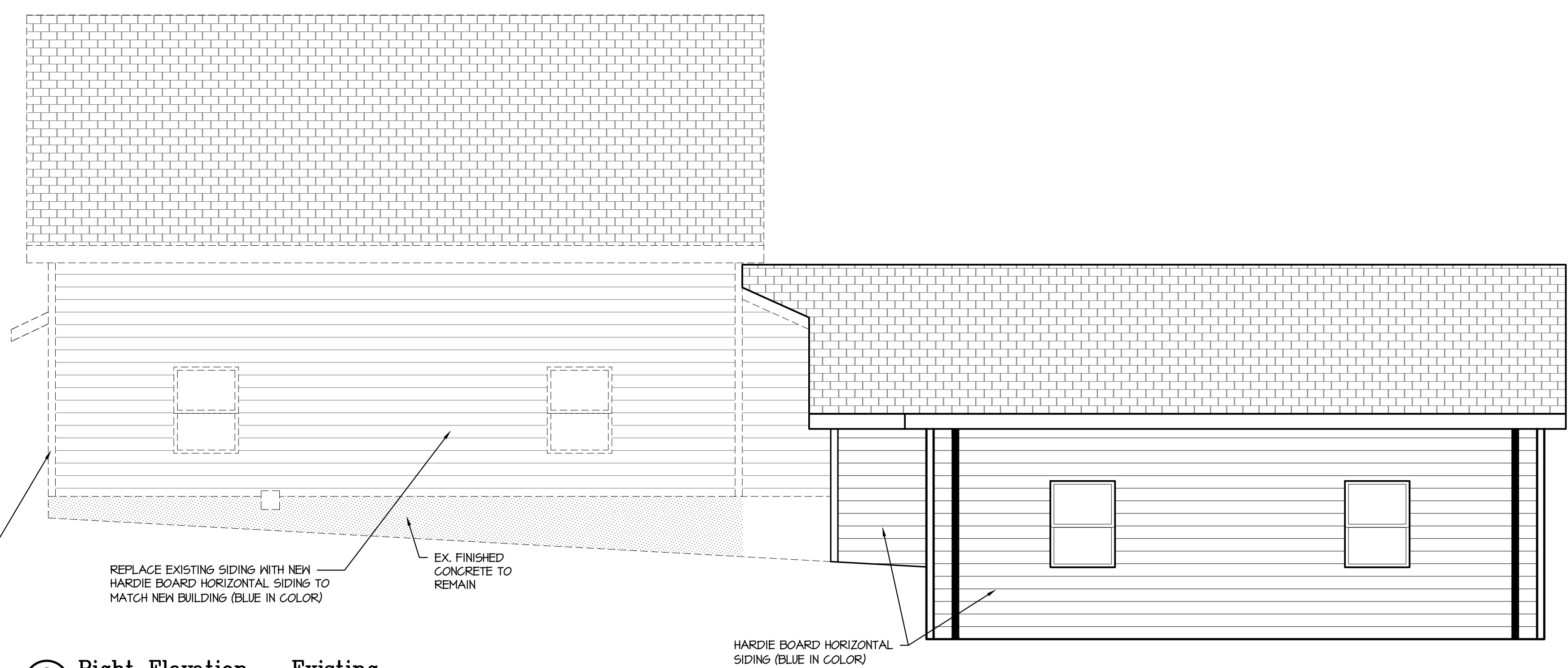
DATE:
02/01/22

JOB NUMBER:
2124402

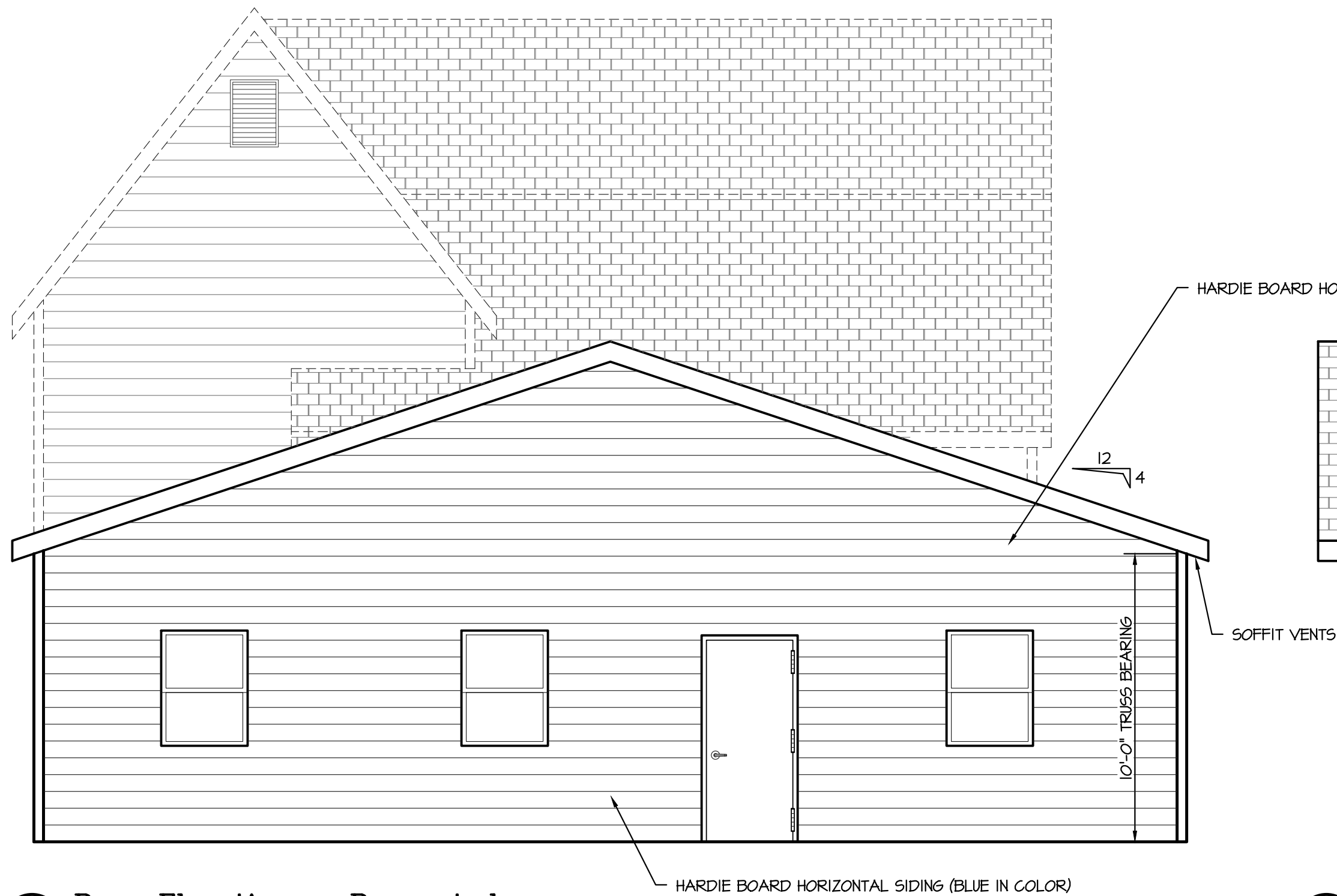
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X2.1



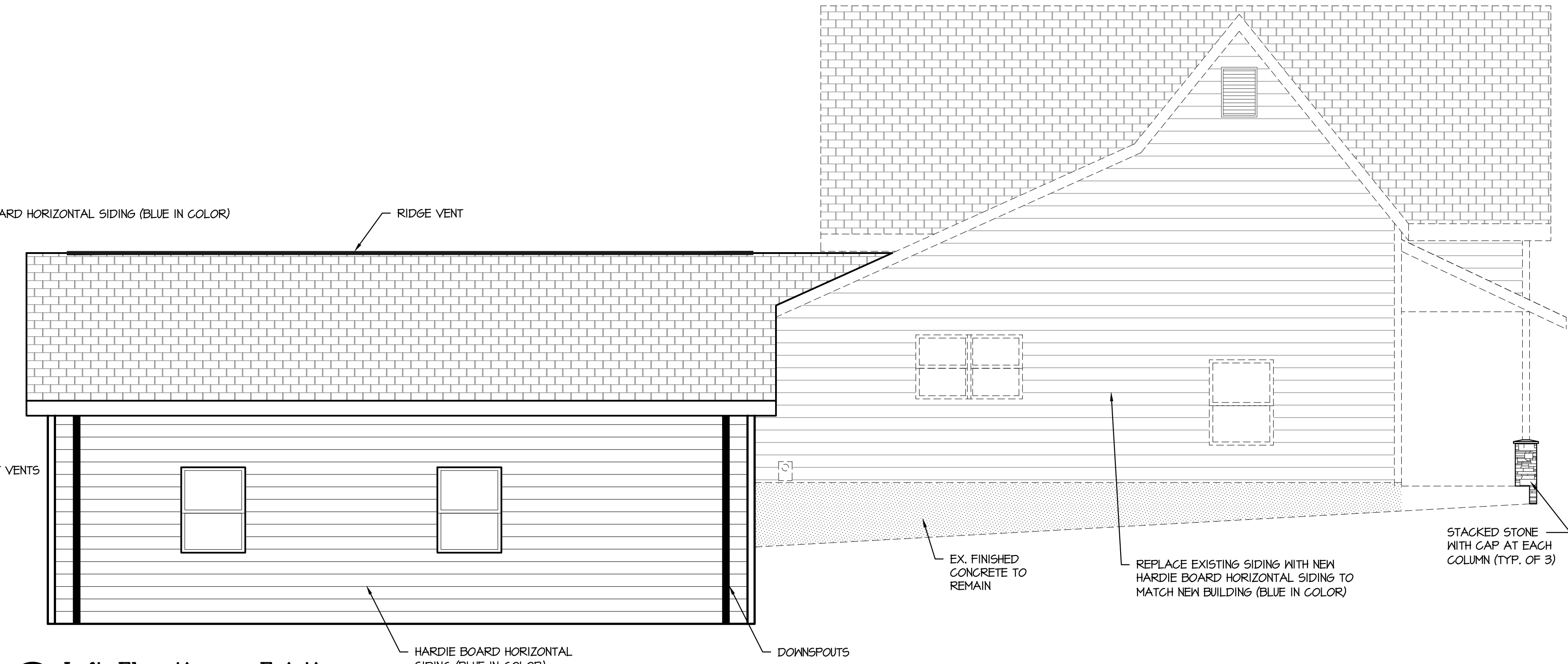
1 Front Elevation - Renovated
G1.1 1/4" = 1'-0"



2 Right Elevation - Existing
G1.1 1/4" = 1'-0"

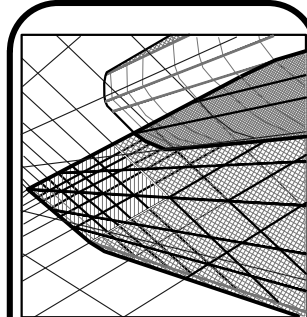


3 Rear Elevation - Renovated
G1.1 1/4" = 1'-0"

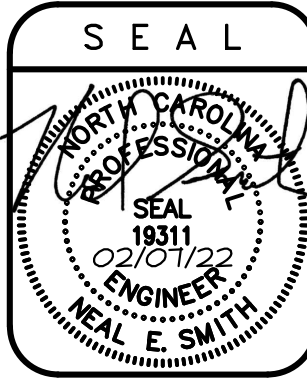


4 Left Elevation - Existing
G1.1 1/4" = 1'-0"

REVISIONS

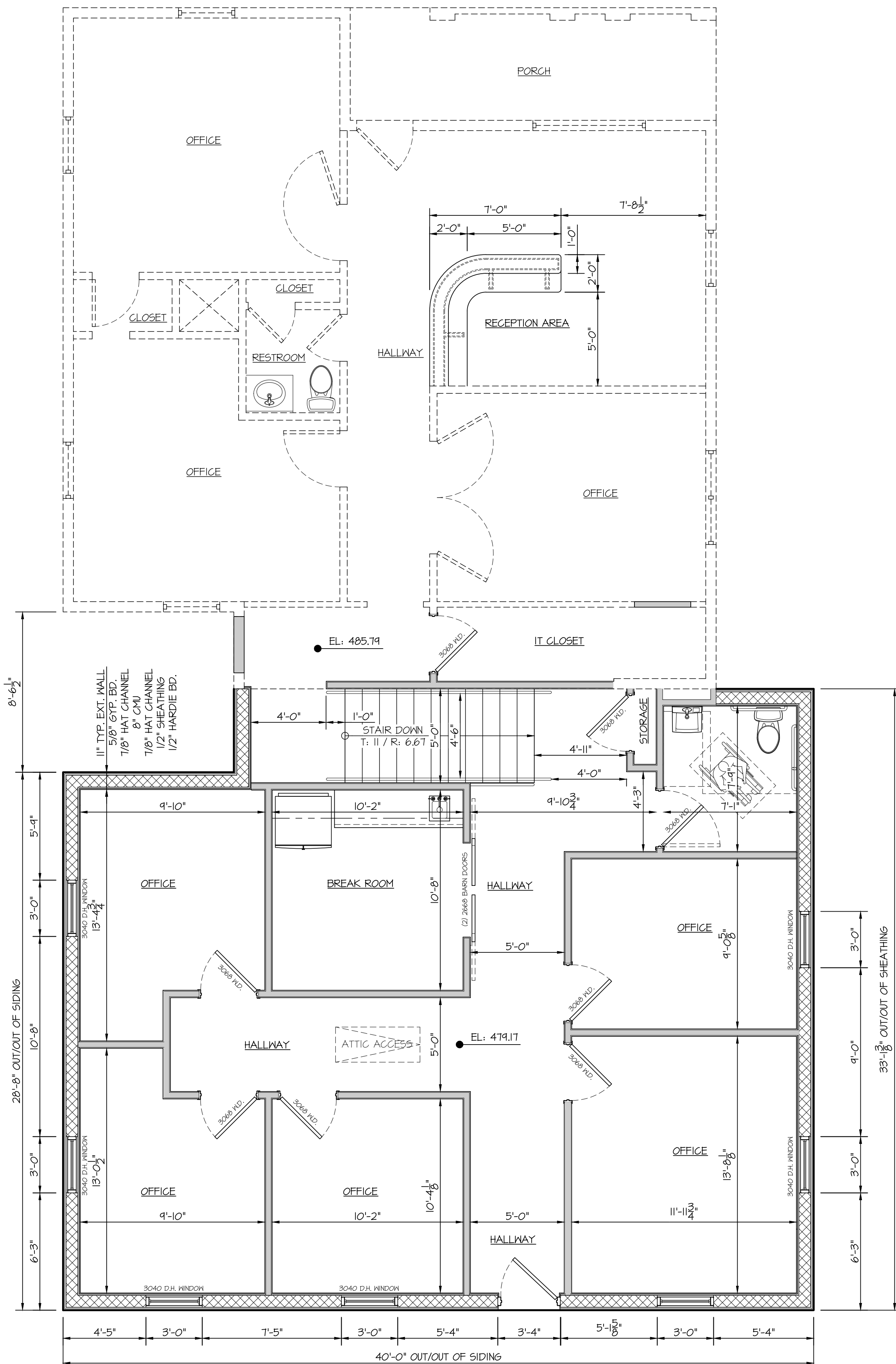


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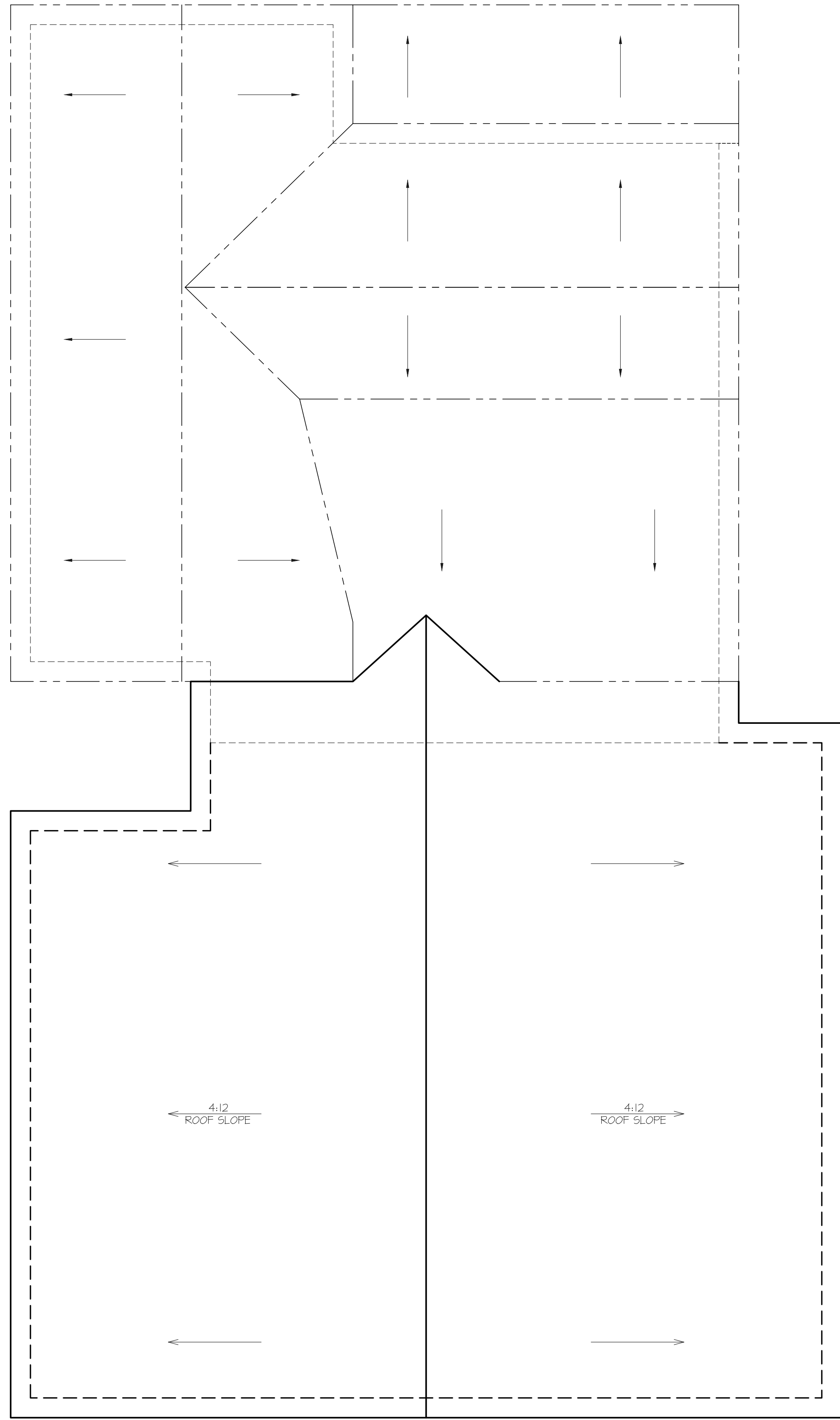


PRELIMINARY
Do not use for
construction

DRAWN BY: BKB
SCALE: As Noted
DATE: 02/01/22
JOB NUMBER: 2124402
DRAWING KEY: G1.1

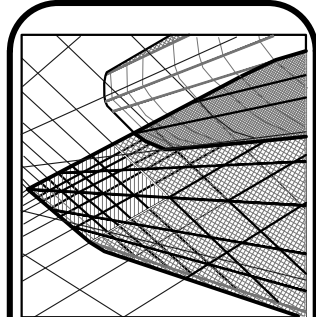


1
G2.1 Floor Plan – Existing Layout with Addition
1/4" = 1'-0"

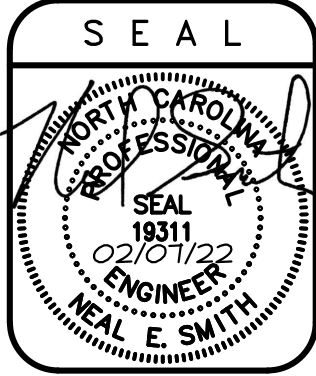


2
G2.1 Roof Slope Plan – Existing Layout with Addition
1/4" = 1'-0"

REVISIONS	REVISIONS

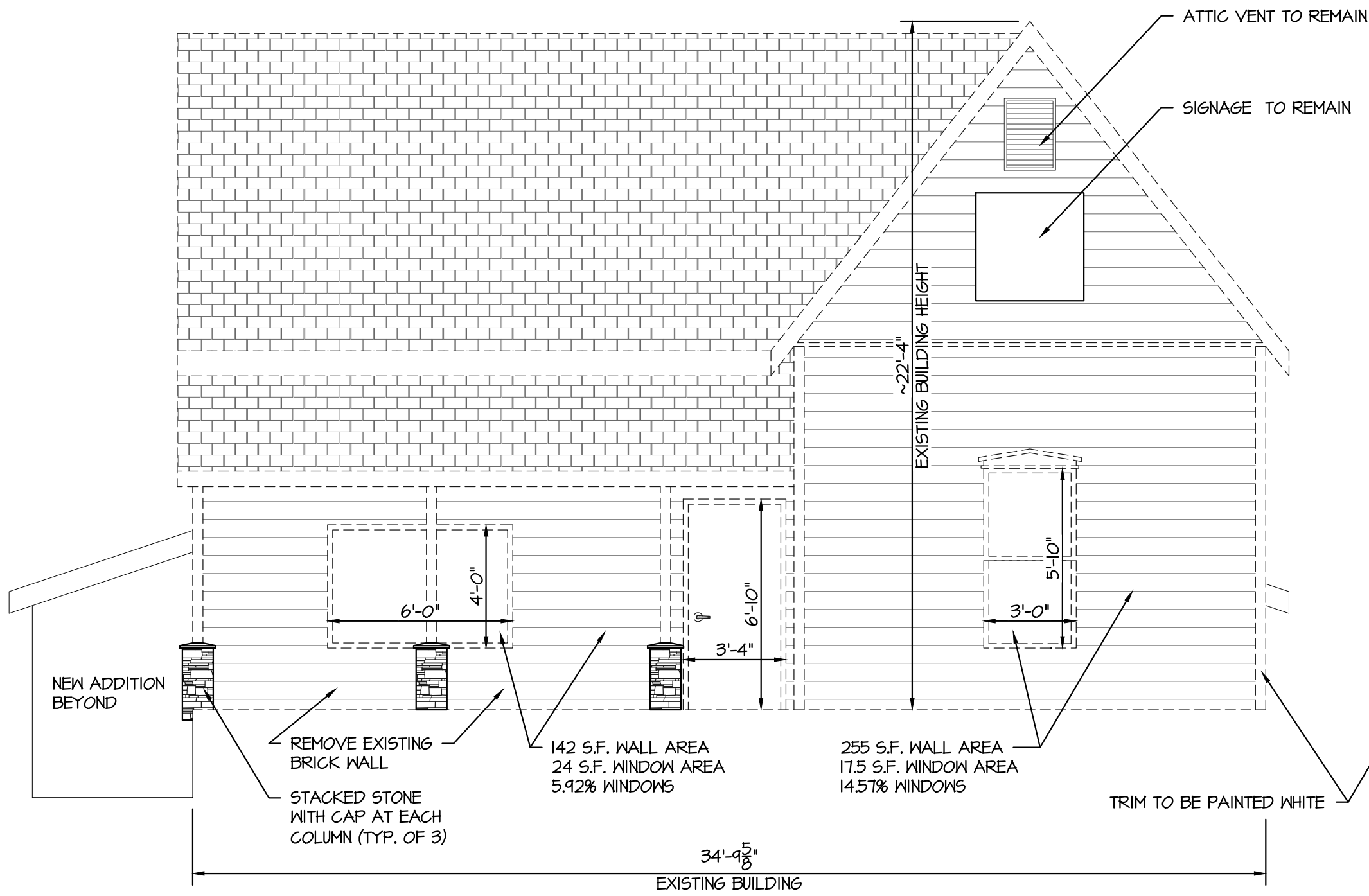


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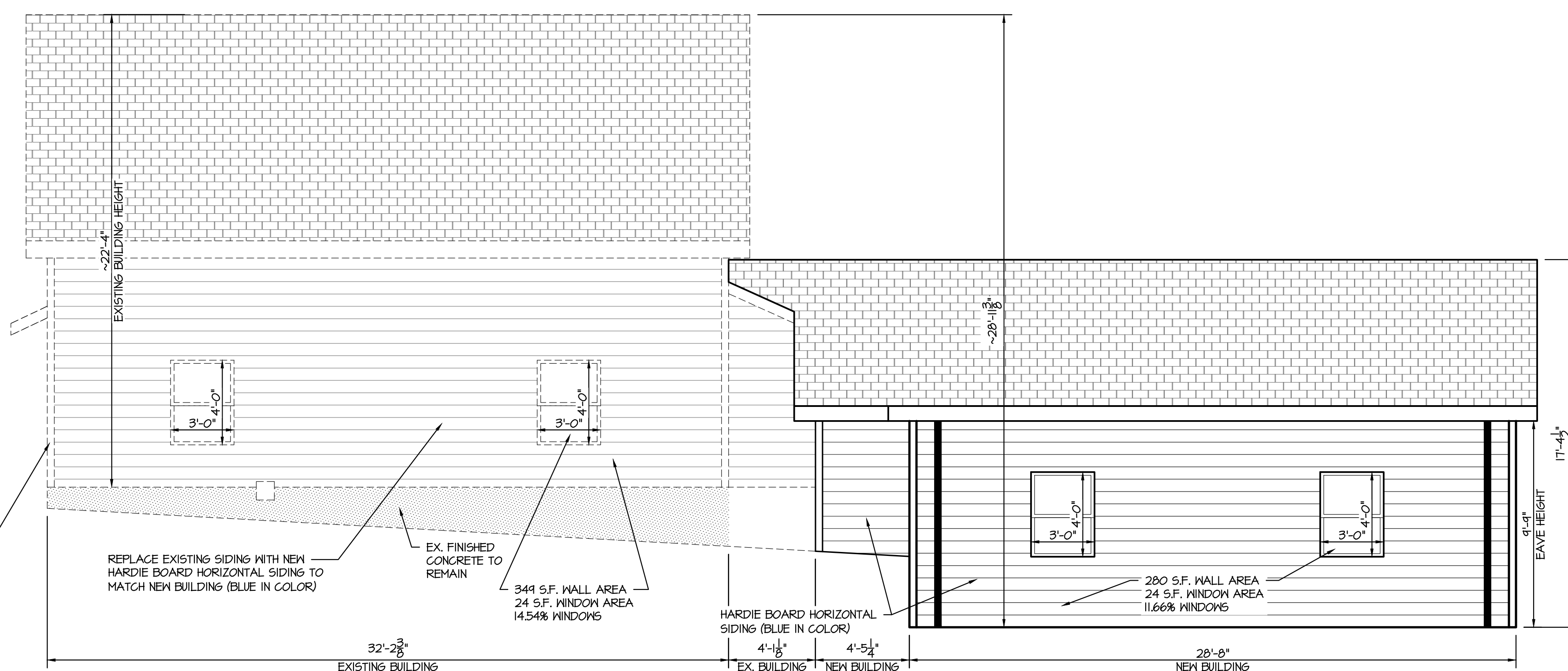


PRELIMINARY
Do not use for
construction

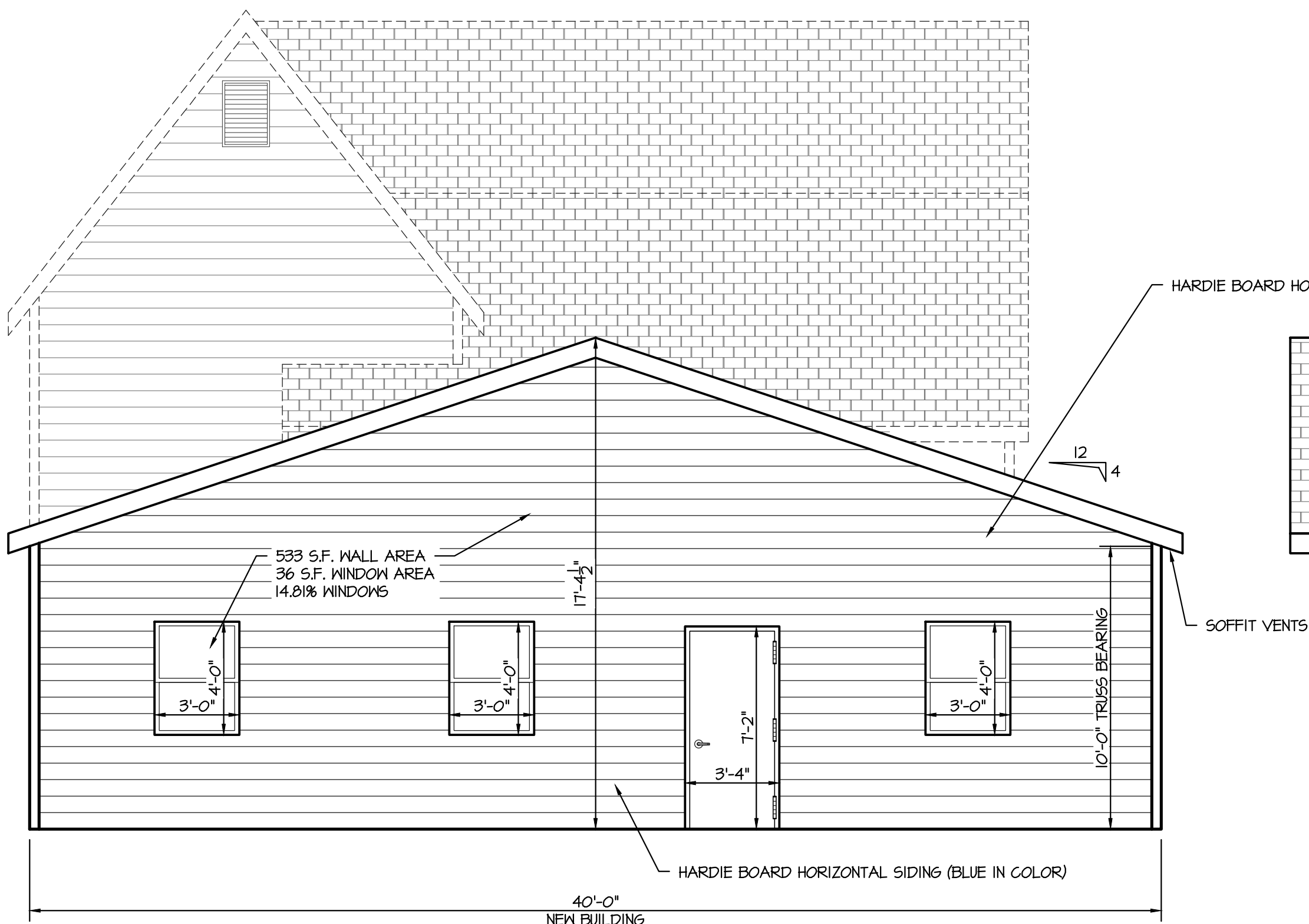
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SCALE: As Noted
DATE: 02/01/22
JOB NUMBER: 2124402
DRAWING KEY: G2.1



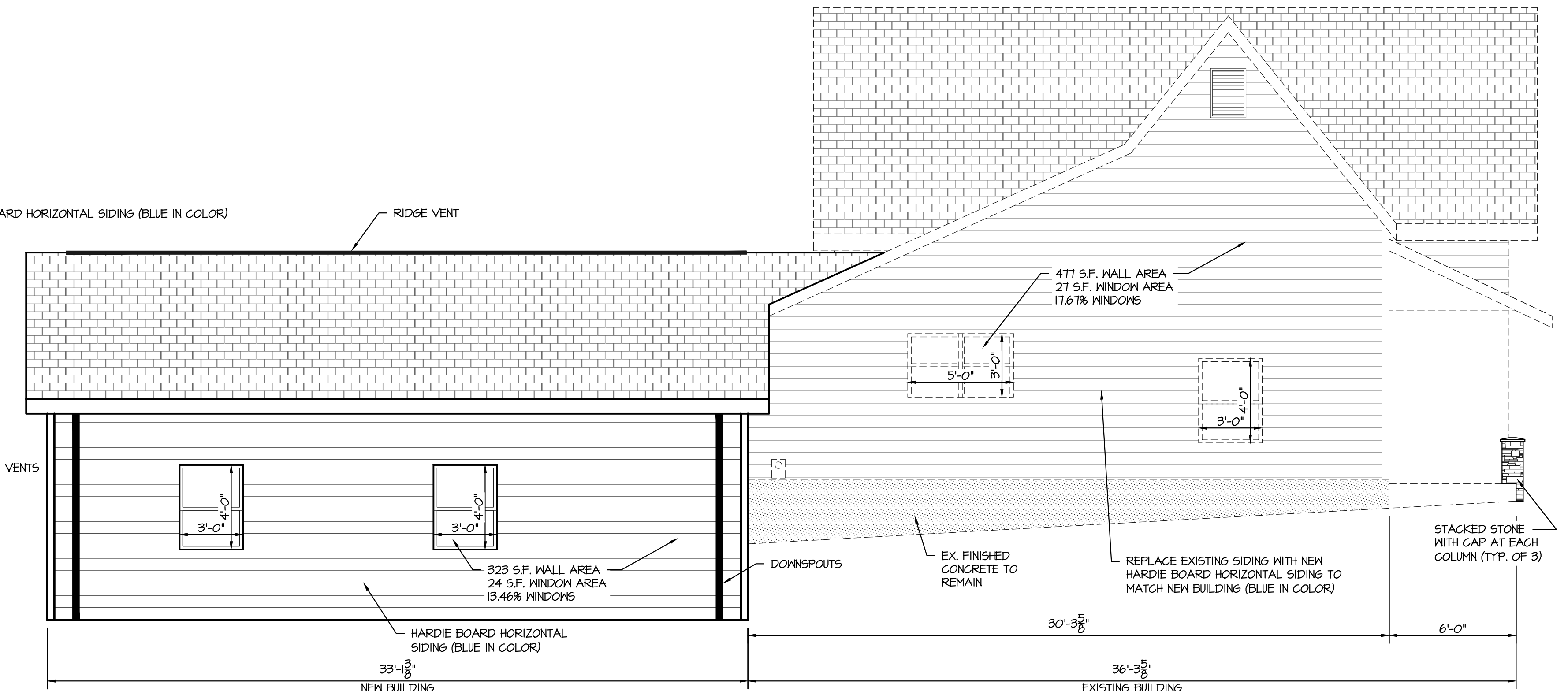
1 Front Elevation - Renovated
G1.1 1/4" = 1'-0"



2 Right Elevation - Existing
G1.1 1/4" = 1'-0"



3 Rear Elevation - Renovated
G1.1 1/4" = 1'-0"

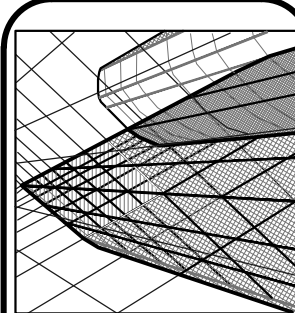


4 Left Elevation - Existing
G1.1 1/4" = 1'-0"

THE MURPHY INSURANCE AGENCY
Southern Pines, NC

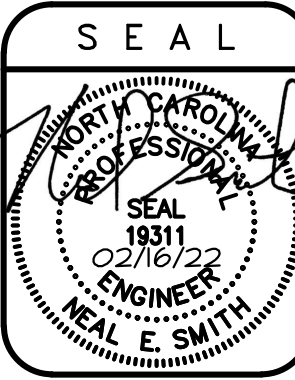
RENOVATED EXTERIOR ELEVATIONS

REVISIONS	
BKB	CRB
02/14/22	02/16/22
1	
2	



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NSE



PRELIMINARY

Do not use for
construction

DRAWN BY:	BKB
SCALE:	As Noted
DATE:	02/01/22
JOB NUMBER:	2124402
DRAWING KEY:	G1.1



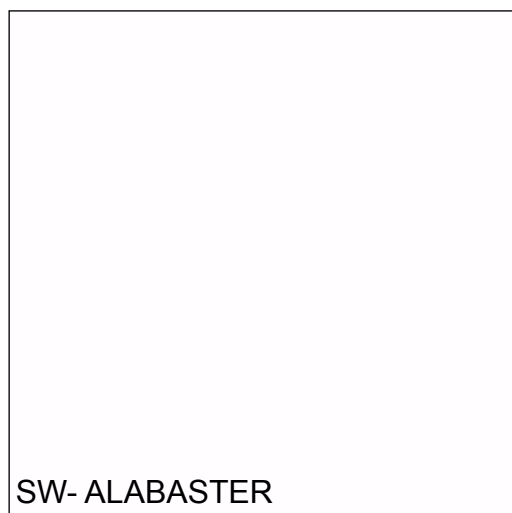
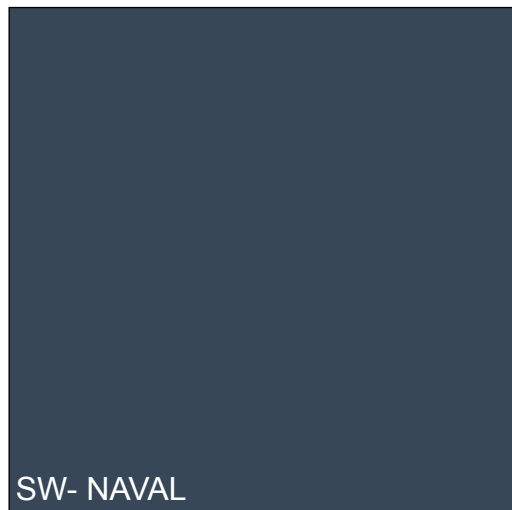
The Murphy
Insurance Agency

SOUTHERN PINES, NC



The Murphy
Insurance Agency

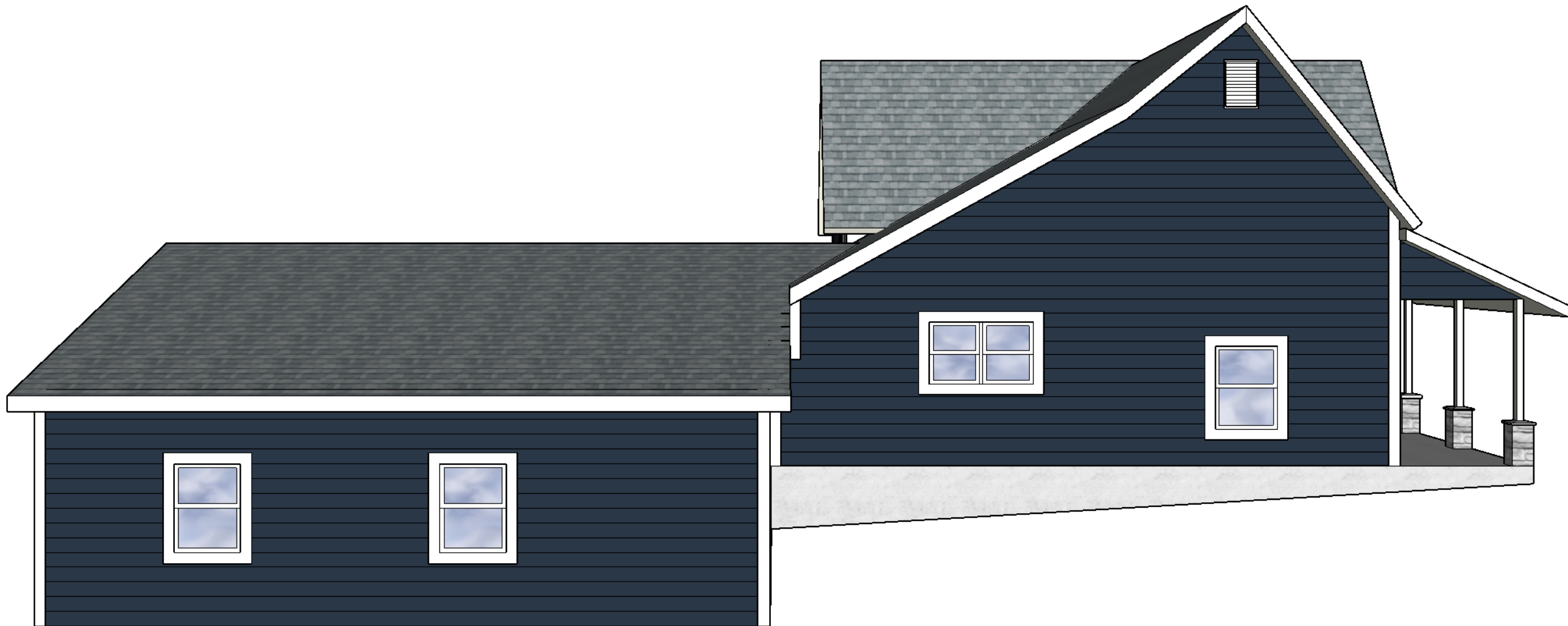
COLOR PALETTE



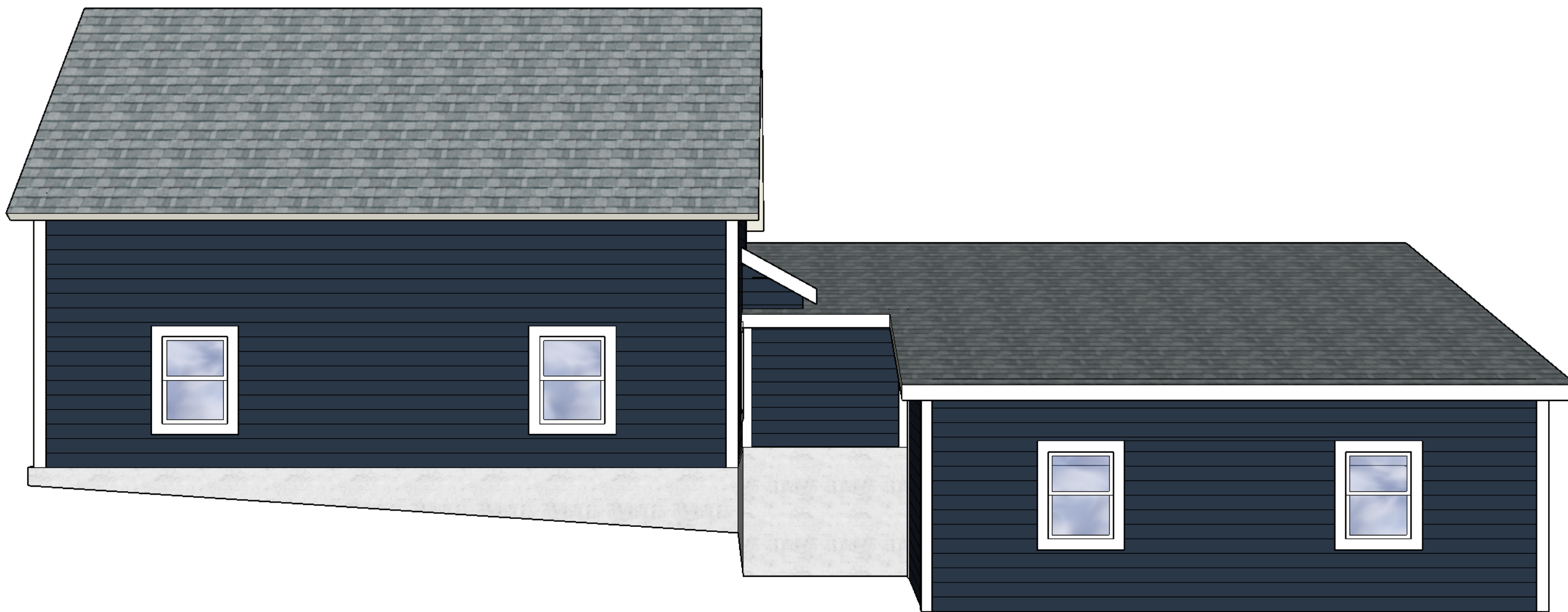
1 FRONT ELEVATION



2 REAR ELEVATION

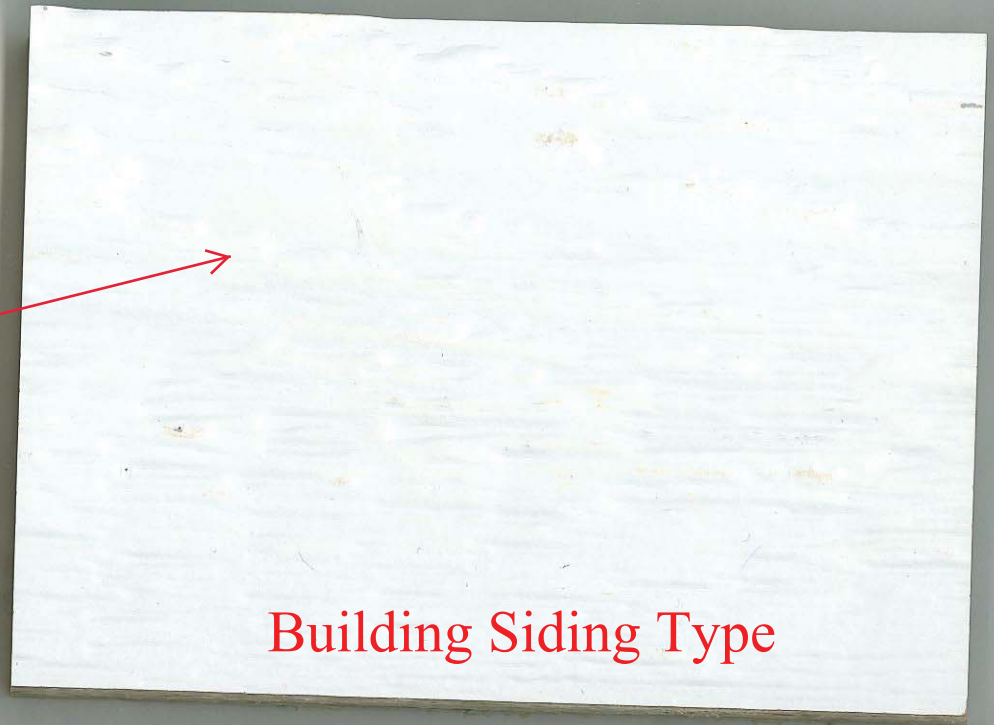


3 LEFT ELEVATION

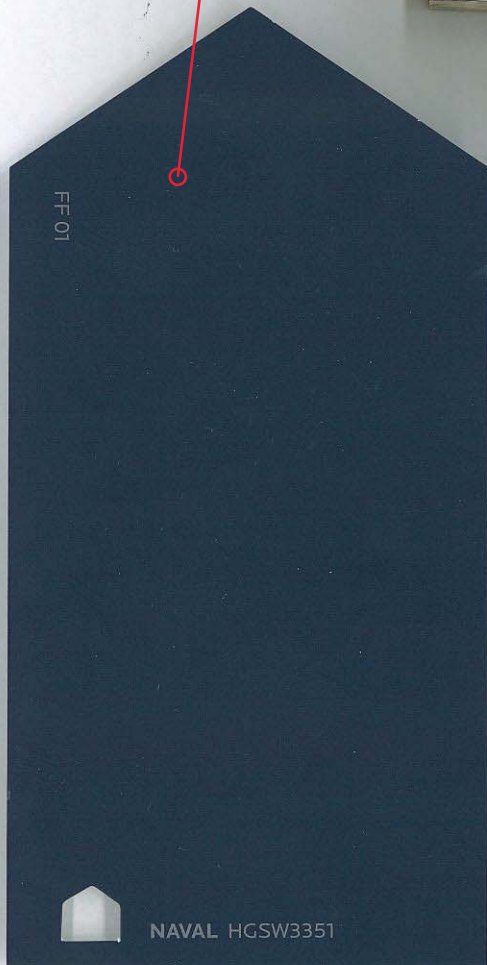


4 RIGHT ELEVATION

A0.1



Building Siding Type



Main Building Color



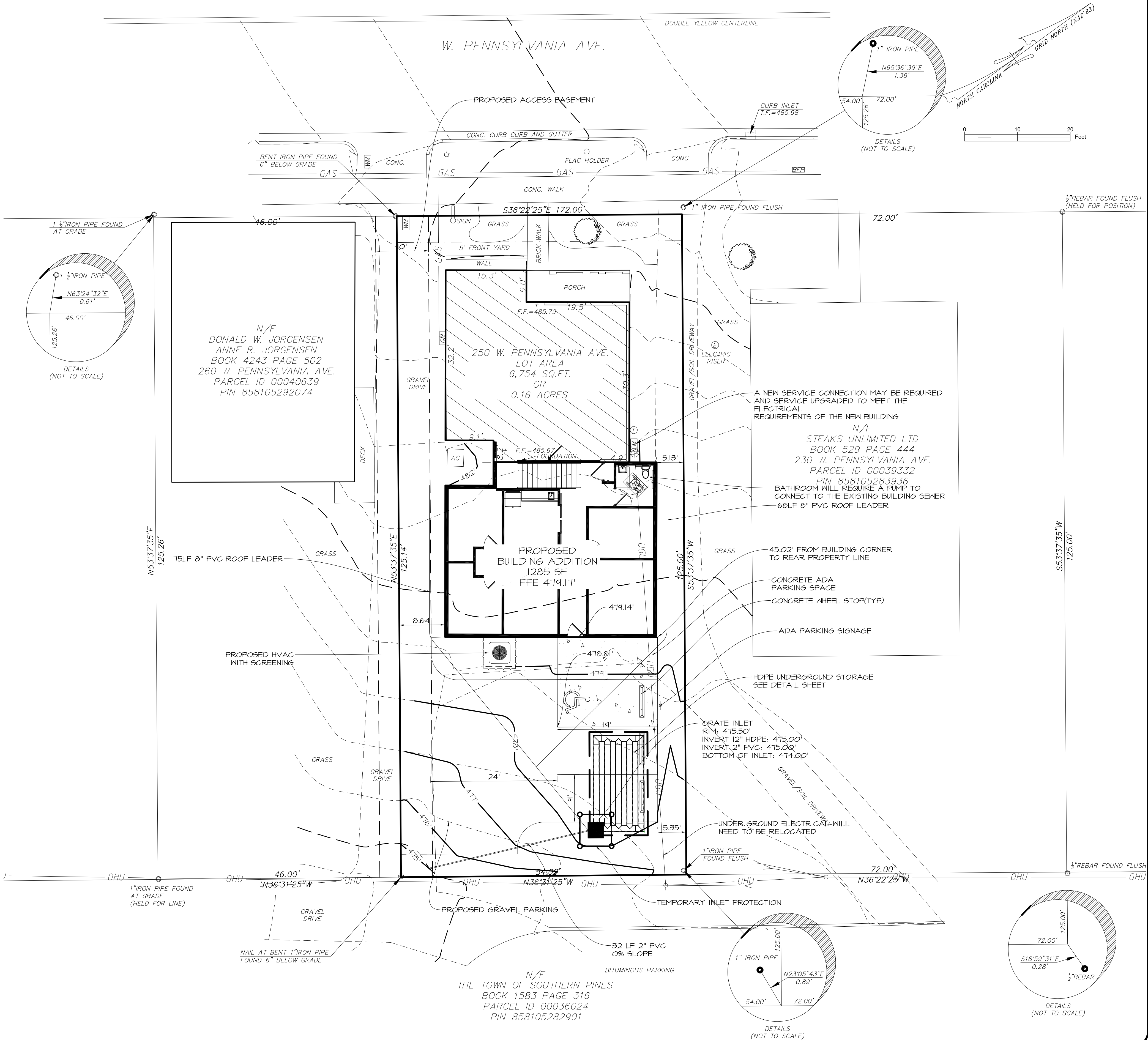
Trim Building Color

Legend:

- IPF = Iron Stake Found
- IPF = Iron Stake Set
- CMF = Concrete Monument Found
- ▲ PKF = PK Nail Found
- PKS = PK Nail Set
- = Existing Right of Way
- = Proposed Right of Way
- = Boundary Line
- = Adjacent Property Lines not Surveyed
- = Existing Setback Lines
- = Proposed Setback Lines
- = Existing Contour
- = Proposed Contour
- 6WL = Approximate Location of Existing Waterline
- 6GL = Approximate Location of Existing Gas line
- 8SS = Existing Sanitary Sewer Line
- 8SS = Proposed 8" Sanitary Sewer Line
- = Existing Easement
- = Proposed Easement
- = Existing Overhead Utility
- = Existing Underground Utility
- = Existing Wetland Limits
- = Existing Fence
- = Proposed Fence
- = Proposed 4" Sewer Service
- = Proposed 2" Water Service
- = Limits of Disturbance
- = Proposed Silt Fence
- = Proposed Temporary Diversion
- = Existing Stream Centerline
- = Existing Soil Road
- = Existing Gravel Road
- = Existing Light Pole
- = Proposed Light Pole
- = Existing Utility Pole
- = Proposed Utility Pole
- = Existing Water Meter
- = Proposed Water Meter
- = Existing Water Valve
- = Proposed Water Valve
- = Existing Fire Hydrant
- = Proposed Fire Hydrant
- = Existing Sanitary Sewer Manhole
- = Proposed Sanitary Sewer Manhole
- = Existing Sewer Clean out
- = Proposed Sewer Clean out
- = Curb Inlet
- = Existing Storm Drain Manhole
- = High Density Polyethylene Pipe
- = Reinforced Concrete Pipe
- = Flared End Section
- = Proposed Spot Elevation
- = 10" Pine (typ.)
- = Existing Tree to be Removed

PARKING DATA

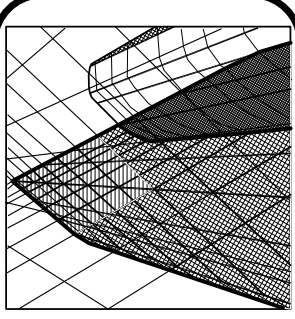
PROPOSED PARKING USE:	OFFICE
BUILDING AREA:	1285 SF
	85 SF PART OF EXISTING BUILDING DEMO
	1200 SF NET
	1200/300 = 4.00
PARKING SPACES REQUIRED	4
PARKING SPACES PROVIDED	3 (ADMINISTRATIVE REDUCTION)
HANDICAP SPACES REQUIRED	1
HANDICAP SPACES PROVIDED	1



THE MURPHY AGENCY, LLC
SOUTHERN PINES, NC

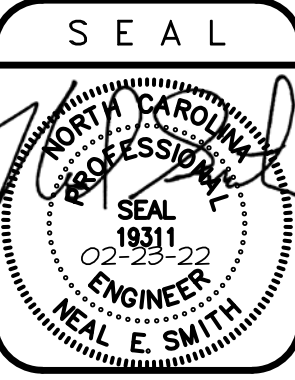
SITE PLAN

REVISIONS:	BCW
02-28-22	



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TSN



PRELIMINARY
Do not use
for
construction

DRAWN BY:	BCW
SCALE:	As Noted
DATE:	10-06-2021
JOB NUMBER:	2124402
DRAWING KEY:	SP-1



MEMORANDUM

To: Reagan Parsons, Town Manager
From: Jessica Roth, Assistant Town Manager
Re: Proposed Charter Amendment to Change Election Method
Date: February 22, 2022

Status Quo in Southern Pines

Per Section 3.1 of the Town's Charter, Southern Pines elects its Mayor and Councilmembers through the nonpartisan primary and election method. Per state law, this method requires a primary if the field of candidates is larger than two candidates for each position to be filled, i.e. 5+ candidates to fill 2 seats or 3+ candidates to fill one seat. In this situation, a primary is held to narrow the field to twice as many candidates as there are seats open who will then appear on the ballot for general election day. During the general election, the candidates who receive the highest number of votes are deemed the winners through a plurality vote.

In reviewing municipal elections held over the past 20 years, there have been 11 election cycles in Southern Pines; 3 of those required primaries. Voter turnout has historically been low for the Town's primary elections, with only 7-8% of registered voters participating in the last two primary elections.¹

The Moore County Board of Elections (BOE) administers the elections and invoices the Town for the actual costs. For the 2021 election, the BOE invoiced the Town \$22,487.89 for the primary and \$15,590.49 for the general election. Given this cost coupled with the historically low voter turnout, Council asked staff to research other options that could be considered for conducting elections.

Council Review

During the work session on January 24, 2022, Council reviewed the four election methods that are authorized for North Carolina municipalities in G.S. [Chapter 163, Article 23](#). While no formal vote was held, there was a general consensus that there would be value in further exploring a change to the nonpartisan plurality method where the winners are the candidates who receive the most votes, even if no one gets a majority. No primary is held, so there is only a general election on the first Tuesday of November in odd numbered years.

Steps to Change the Election Method

Per [G.S. § 160A-102](#), Council is authorized to change the Town's method of electing its Mayor and Councilmembers through a local amendment to the charter. The process for doing so is mandated by state law

¹ Source: North Carolina State Board of Elections (NCSBE)

and requires various steps and accompanying deadlines. Based on discussion at the January work session, the following are the required steps, with suggested dates.

- [March 8, 2022] Council adopts a resolution declaring its intent to consider amending the charter and calling a public hearing to receive comments. The hearing must occur within 45 days of adopting the resolution of intent.
- [April 2, 2022 or earlier] At least 10 days prior to the hearing, the Town publishes a notice of the public hearing in *The Pilot*.
- [April 12, 2022] The Town holds the public hearing. Action may not be taken on the proposed charter amendment during the same meeting.
- [May 10, 2022] The Council votes on an ordinance amending the charter. This vote must take place within 60 days from the public hearing.
- [May 20, 2022 or earlier] Within 10 days of the ordinance approval, the Town publishes a notice in *The Pilot* confirming adoption of the ordinance.
- [June 19, 2022] For the thirty days following the notice of adoption, the ordinance is subject to a petition calling for a voter referendum to approve the charter amendment, per [G.S. 160A-103](#).
- [November 7, 2023] The first nonpartisan plurality election is held for Southern Pines. Should the ordinance not be approved per the above timeline, the last date that the charter can be amended to address the 2023 election is August 9, 2023.
- [December 2025] Per [G.S. 160A-107](#), the charter amendment must be in effect for a minimum of two years after officials who are elected under the new method take office. The earliest that another amendment could be considered to adopt a different election method would be December 2025.

**RESOLUTION OF INTENT TO CONSIDER AN ORDINANCE AMENDING THE CHARTER
OF THE TOWN OF SOUTHERN PINES TO CONDUCT
NONPARTISAN MUNICIPAL ELECTIONS USING THE PLURALITY METHOD AND
SETTING A PUBLIC HEARING ON APRIL 12, 2022**

WHEREAS, pursuant to G.S.160A-101 and 160A-102, the Town Council of the Town of Southern Pines may adopt an ordinance to amend the Town’s Charter to change the type of municipal election method used by the Town; and

WHEREAS, G.S. 160A-102 requires that the Town Council call a public hearing on the proposed charter amendments and that notice thereof be published not less than ten (10) days prior to the public hearing date; and

NOW, THEREFORE, BE IT RESOLVED AND ESTABLISHED by the Town Council of the Town of Southern Pines that:

1. As authorized by G.S. 160A-101(7)(b), the Town Council intends to consider an ordinance amending the Town’s Charter to conduct nonpartisan municipal elections using the plurality method in accordance with G.S. 163-292.
2. A public hearing on the proposed charter amendment is hereby called for 6:00 pm on Tuesday, April 12, 2022 at the Douglass Community Center, 1185 W. Pennsylvania Ave.
3. Following the public hearing, the Town Council will consider adopting the ordinance at its regular meeting on Tuesday, May 10, 2022.
4. The Town Clerk is hereby directed to publish in *The Pilot* notice of the public hearing, which shall contain a summary of the proposed charter amendment.

Adopted this 8th day of March, 2022.

ATTEST:

TOWN OF SOUTHERN PINES:

Elizabeth Robertson, Town Clerk

Carol R. Haney, Mayor

APPROVED AS TO FORM:

Douglas R. Gill, Town Attorney

**NOTICE OF SOUTHERN PINES PUBLIC HEARING ON PROPOSED CHARTER
AMENDMENT REGARDING MUNICIPAL ELECTIONS**

The Southern Pines Town Council will conduct a public hearing at 6:00 pm on Tuesday, April 12, 2022 at the Douglass Community Center, 1185 W. Pennsylvania Ave. The hearing concerns a proposed ordinance amending the Town Charter to conduct nonpartisan municipal elections using the plurality method in accordance with G.S. 163-292.

Elizabeth Robertson, Town Clerk

DRAFT

Work Session Agenda Item

To: Reagan Parsons, Town Manager

From: John Bullock, Chief Building Inspector

Subject: Requesting approval for demolition of unsafe building – Minimum Housing

Date: February 28, 2022

I. SUMMARY:

On August 23, 2021, the Inspections Department received a complaint concerning the abandoned structure at 274 N. Hale Street (Parld0038804/PIN 858217200917) owner listed in Moore County Tax Records as Madeline Strickland,. After site inspection on September 10, 2021, it was verified the structures were below the Minimum Housing Requirements of the Town of Southern Pines, Code of Ordinances, Section 151.21. Photos were taken of the current conditions and the first Violation notice was sent certified on September 14, 2021. This notice stated the violations and asked the property owner(s) to contact the Inspections Department with a plan to correct the structural issues before October 14, 2021. The Town never received certified signature card from USPS showing the notice was delivered. After tracking the parcel, USPS could not locate the mailed notice. A complaint was filed with USPS.

On October 18, 2021, a condemnation notice was placed on the structure. Staff then mailed a certified violation notice informing the owners of a public hearing on November 17, 2021, in the Chief Building Inspectors office to discuss the situation. Public Notice was posted in the Pilot two times concerning the hearing. Again, USPS cannot locate the parcel. Another complaint was filed with USPS.

On December 7, 2021, a notice was mailed certified giving a second public hearing date of January 5, 2022, due to the first notices not being delivered. This hearing was posted twice in the newspaper, along with a Public Hearing Notice placed on the structure itself at 274 N. Hale St. After

tracking this mail, it was found delivered, left with individual, on December 11, 2021.

On January 10, 2022, Town sent the certified notice explaining the necessary demolition paperwork is being processed and notice of demolition will be presented to Town Council for their decision.

The Inspections and Planning Departments have done their due diligence trying to contact Ms. Strickland by US Postal Service, posting legal notices for the hearing in the Pilot twice, as well as posting this date on structure because only one certified letter was delivered. No one has contacted the Inspections Department so the Chief Building Inspector acquired bids for the demolition. The Inspections Department is requesting approval of \$6,925.00 for the demolition of the unsafe structure at 274 N. Hale St. Southern Pines, NC.

II. ATTACHMENTS:

1. Minimum Housing/Demolition Checklist
2. Photos of unsafe building
3. Copy of Notice dated September 14, 2021
4. Copy of Notice dated October 18, 2021
5. Copy of Notice dated December 7, 2021
6. Copy of USPS Delivery Notice
7. Copy of Notice dated January 10, 2022
6. Copy of Legal Notices
7. Copy of bid invoice for \$6,925.00

III. TOWN COUNCIL RECOMMENDED ACTION:

Town Council is being asked to approve the condemnation of the unsafe structure at 274 N. Hale St and approve the requested funding of \$6, 925 for demolition of said property.

Demolition Check List

Property Owner: MADELINE STRICKLAND, C/O STUART SIMPSON

Property Address: 274 N. HALE ST, SOUTHERN PINES

1) 9/6/21 Verify the house is below minimum standards as identified in the Town Ordinance
(Take photos of property)

2) 9/14/21 Send First Notice Certified Mail – Property Owners Plan of Action Notice (Lisa)

3) 9/14 Locate property information
a. Township, subdivision, Block and/or Lot
b. Person(s) listed on Moore Tax Records

4) 10/18 Send Second Notice Certified Mail - to person listed on Tax Record of
date/time/place for Public Hearing. (Lisa)

Put Legal Notice in Paper for 2 Sundays prior to hearing.

*mailed notice again as
neither were
delivered*

5) 11/18 Placard the Building with “Condemned Notice” and take photo for file

6) 11/17/21 At the public hearing, give responsible parties 30 days or less to either obtain a
1/5/22 building permit for repair or demolition permit. *2 public hearings*

If no one appears for hearing, mail certified Third Notice stating what was declared
at hearing and that the necessary paperwork for the demolition will be prepared
(Lisa)

7) 1/7/22 Get bids on cost of Demolition and clean-up

8) 2/28/22 When time expires for responsible persons to respond to #5 (30 days from Public
Hearing), send bid amount and demolition order to the Town Council for Approval

9) _____ Issue service release to ALL applicable utilities for the property prior to demo

10) _____ After Council Approval – Bidder must obtain a Demo Permit

11) _____ When Demolition is complete – check property for cleanup and turn bid into finance
for payment and billing property owner (take photos)



COMPLAINT FORM

Date of complaint: 9/23/2021 Time: _____ Received by: _____

Complaint submitted by: Beth Shaw Phone #: 910-690-4114

Location of concern: 274 N Hill St Southern Pines

Nature of complaint:

Contractor: _____ Unsanitary: X Other: Debris/brushments
Rental property: _____ Illegally occupied: _____
Unsafe: X Condemnation: _____

Details: Property is abandoned - dangerous condition

THIS SECTION TO BE COMPLETED BY TOWN STAFF:

REPORT OF INVESTIGATION:

Date: _____ Time: _____ By: _____

RECOMMENDATIONS:

FINAL DISPOSITION:

Date: _____ Signature: _____

COMMUNITY DEVELOPMENT DEPARTMENT
TOWN OF SOUTHERN PINES
180 SW BROAD STREET, SOUTHERN PINES, NORTH CAROLINA 28387
(910) 692-4003
www.southernpines.net









14 **CONDEMNED**

THIS BUILDING HAS BEEN CONDEMNED
AS UNSAFE BY THE CHIEF BUILDING
INSPECTOR OF THE TOWN OF
SOUTHERN POINTE.

THIS BUILDING IS TO REMAIN CLOSED
AND UNOCCUPIED UNTIL EXISTING
CONDITIONS ARE SAFE TO THE PUBLIC
AND COMPLY TO CODE STANDARDS.
U.S. 1614 CDR JAMES BEALTY
OF THE LAW OFFICE IS PROVIDED
FROM REMOVING THIS NOTICE
UNLESS A LOCAL INSPECTOR

Chief Building Inspector





**PUBLIC
HEARING**
**MINIMUM HOUSING
CONDEMNATION**
274 N. Hale St.
JANUARY 5, 2022
10:30 A.M.
180 SW Broad St.
Southern Pines, NC 28387
Chief Building Insp. Office



Building Department

180 SW Broad Street
Southern Pines, NC 28387

Phone (910) 692-4003
Fax (910) 692-9495

September 14, 2021

Madeline Strickland
C/O Stuart Simpson
149 Moffat St, Apt 2
Brooklyn, NY 11207

RE: 274 N. Hale St., Southern Pines

Dear Mr. Simpson, Ms. Strickland,

It has come to the attention of the Town that the structure at 274 N. Hale St, Southern Pines, does not meet the Minimum Housing Requirements. Per the Town of Southern Pines, Code of Ordinances, 151.21 Structural Conditions: "(A) Walls or partitions or supporting members, sills, joists, rafters, or other structural members shall not list, lean or buckle; shall not be rotted, deteriorated or damaged; and shall not have holes or cracks which might admit rodents" (G) "The roof, flashing, exterior walls, basement walls, floors, and all doors and windows exposed to weather shall be constructed and maintained so as to be weather and watertight".

Also in violation is Section 95.008, Code of Ordinances, (Fire Protection), "No person shall permit any accumulation of waste paper, weeds, litter Every owner or occupant of property shall cut down and remove therefrom all weeds, grass, vines and other growth which endangers the property...."

Please contact the Building/Inspections Department with a plan of action to correct the structural issues with this building. If we do not hear from you before October 14, 2021, we will begin the process of

7018 1130 0000 0341 4823

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For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee \$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$

Postage \$

Total Postage and Fees \$

Sent To \$

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Postmark Here
SEP 14 2021
SOUTHERN PINES NC 28387

274 N. Hale St.



Building Department

180 SW Broad Street
Southern Pines, NC 28387

Phone (910) 692-4003
Fax (910) 692-9495

October 18, 2021

Madeline Strickland
C/O Stuart Simpson
149 Moffat St, Apt 2
Brooklyn, NY 11207

REF: 274 N. Hale St, Southern Pines, NC
ParID / PIN 00038804 / 858217200917

Dear Ms. Strickland,

The Town of Southern Pines Inspections Department has condemned the structure located at the above referenced address. The town of Southern Pines will be following through with the necessary procedures to have this structure demolished and cleaned up. This action has been taken based on the following findings on a recent inspection of the property:

- The general stability of the structure is very unsafe and poses a hazard
- The structure is home to rodents, snakes and poses a health hazard
- Complaints from neighboring property owners
- Multiple windows are broken out
- Roof is leaking and falling in
- There is trash and debris throughout the structure and on the property

IN its current condition the structure and surrounding property is in violation of the Code of Ordinance's North Carolina State Building Code. As a result of the violation, a notice was issued on November 17, 2021, at 10:30 a.m. in the Inspections Department, Southern Pines, NC 28387

Our office Monday through Friday, 8:30 a.m. to 5:00 p.m.

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
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OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$

Sent To **274 N. Hale St**

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



Building Department

180 SW Broad Street
Southern Pines, NC 28387

Phone (910) 692-4003
Fax (910) 692-9495

December 7, 2021

Madeline Strickland
C/O Stuart Simpson
149 Moffat St, Apt 2
Brooklyn, NY 11207

REF: 274 N. Hale St, Southern Pines, NC
ParID / PIN 00038804 / 858217200917

Dear Ms. Strickland,

The Town of Southern Pines Inspections Department has condemned the structure located at the above referenced address. The town of Southern Pines will be following through with the necessary procedures to have this structure demolished and cleaned up. This action has been taken based on the following findings on a recent inspection of the property:

- The general stability of the structure is very unsafe and poses a hazard
- The structure is home to rodents, snakes and poses a health hazard
- Complaints from neighboring property owners
- Multiple windows are broken out
- Roof is leaking and falling in
- There is trash and debris throughout the structure and on the property

In its current condition the structure and surrounding property is in violation of the Code of Ordinance's for the Town of Southern Pines and the North Carolina State Building Code. As a result of the violation, a

structure is scheduled for Wednesday, January 5, 2022 at 10:30 a.m. in the Inspections Department, NC 28387

Office Monday through Friday, 8:30 a.m. to 5:00 p.m.

7018 1130 0000 0347 4997

U.S. Postal Service™
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OFFICIAL USE

Certified Mail Fee \$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$

Postage \$

Total Postage and Fees \$

Sent To *Madeline Strickland*

Street and Apt. No., or PO Box No. *274 N. Hale*

City, State, ZIP+4® *28387*

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

DEC 08 2021

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Anytime, Anywhere

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Tracking Number: 70181130000003414991

Your item was delivered to an individual at the address at 1:32 pm on December 11, 2021 in BROOKLYN, NY 11207.

[USPS Tracking Plus™ Available](#)

Status

Delivered, Left with Individual

December 11, 2021 at 1:32 pm
BROOKLYN, NY 11207

[Get Updates](#)



Building Department

180 SW Broad Street
Southern Pines, NC 28387

Phone (910) 692-4003
Fax (910) 692-9495

January 10, 2022

Madeline Strickland
C/O Stuart Simpson
1419 Moffat St, Apt 2
Brooklyn, NY 11207

RE: 274 N. Hale St., Southern Pines, NC
ParID / PIN 00038804 / 858217200917

Dear Ms. Strickland;

On Wednesday, January 5, 2025, at 10:30 a.m., a hearing was held in the Town of Southern Pines Inspections Office at 180 SW Broad Street, concerning the property and structure located at the above referenced address. The owner of record is Madeline Strickland. All the necessary paperwork was sent to Ms. Strickland by certified mail. The hearing was opened at 10:30 am and closed at 11:00 am. Ms. Strickland nor anyone to speak on their behalf, failed to appear to discuss the condemnation of the structure in question.

The necessary demolition paperwork will be processed and an ordinance of demolition will be sent to the Town Council for their decision on this matter.

Sincerely,

7020 1810 0001 3427 0927

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OFFICIAL USE

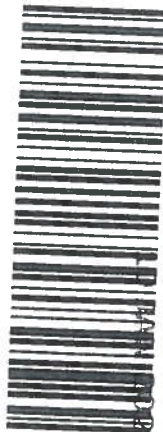
Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$
Sent To	
Street and Apt. No., or PO Box No.	274 N. Hale St
City, State, ZIP+4®	Southern Pines, NC 28387

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Postmark Here
JAN 10 2022
SOUTHERN PINES, NC 28387

Town of
Southern Pines
North Carolina
 The Mid South Resort
 Internationally Recognized for Program Excellence
PLANNING DEPARTMENT
180 S.W. BROAD STREET
SOUTHERN PINES, NC 28387

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
 OF THE RETURN ADDRESS, FOLD AT DOTTED LINE
CERTIFIED MAIL NC 280



JAN 10 2022 PM 5 L

UNITED STATES POSTAGE
\$ 006.990
 PITNEY BOWES
 02 1P
 0000931280
 JAN 10 2022
 MAILED FROM ZIP CODE 28387

7020 1810 0001 3427 0927

NSN

Madeline Strickland
 C/O Stuart Simpson
 1419 Moffat St, Apt 2
 Brooklyn, N

100 DE 1 0001/17/22

RETURN TO SENDER
 INSUFFICIENT ADDRESS
 UNABLE TO FORWARD

BC: 28387540580 *248-00064-10-43

112070-350000

AFFIDAVIT OF PUBLICATION

NORTH CAROLINA
MOORE COUNTY

DAVID WORONOFF, PUBLISHER of The Pilot, LLC, a bi-weekly newspaper published in Moore County and the State of North Carolina, being duly sworn, deposes and says: that the attached advertisement:

condemnation of 274 N. Hale St.

Was published in the aforesaid newspaper for 2 consecutive
week(s)/day(s) beginning with the issue dated December 12,
2021 and ending with the issue dated December 19,
2021

LEGAL NOTICE

Notice of hearing before the Building Inspector under G.S. 160A-428 of Chapter 160A of the General Statutes of North Carolina relating to condemnation of building located at 274 N. Hale St., Southern Pines, NC 28387 (Tax Reference: PIN #858217200917, LRK #00038804, Owner of Record: Madeline Strickland, by the Moore County Tax Department), in the Town of Southern Pines.

The Building is located at the place above designated and is in such condition as appears to constitute a fire or safety hazard or is dangerous to life, health or other property.

A hearing will be held before the Building Inspector of the Town of Southern Pines, North Carolina, at his office located at 180 SW Broad St on Wednesday, January 5, 2022 at 10:30 A.M., for the purpose of finding the facts as to whether or not the condition of such building falls within the scope of the above referenced General Statute. The property owner is entitled to be heard in person or by council at the hearing and to present arguments and evidence pertaining to the matter.

If upon such hearing the Building Inspector shall find that the above described building is a fire or safety hazard or to be dangerous to life, death or to other property, the Building Inspector will require the owner to remedy such conditions so found to exist or to demolish and remove said building(s) as appear appropriate.

Further information is posted at the site of the building and is available from the undersigned.

John Bullock
Building Inspector
Town of Southern Pines
12:12, 19

424817

me, this 20 day of December,

Michele Bungarz

MICHELE BUNGARZ
Notary Public, North Carolina
Moore County
My Commission Expires
6-1-24

AFFIDAVIT OF PUBLICATION

NORTH CAROLINA
MOORE COUNTY

DAVID WORONOFF, PUBLISHER of The Pilot, LLC, a bi-weekly newspaper published in Moore County and the State of North Carolina, being duly sworn, deposes and says: that the attached advertisement:

274 N. Hale St.

Was published in the aforesaid newspaper for 2 consecutive week(s)/day(s) beginning with the issue dated October 24, 2021 and ending with the issue dated October 31, 2021.

LEGAL NOTICE

Notice of hearing before the Building Inspector under G.S. 160A-428 of Chapter 160A of the General Statutes of North Carolina relating to condemnation of building located at 274 N. Hale St., Southern Pines, NC 28387 (Tax Reference: PIN #858217200917, LRK #00038804, Owner of Record: Madeline Strickland, by the Moore County Tax Department), in the Town of Southern Pines.

The Building is located at the place above designated and is in such condition as appears to constitute a fire or safety hazard or is dangerous to life, health or other property.

A hearing will be held before the Building Inspector of the Town of Southern Pines, North Carolina, at his office located at 180 SW Broad St on Wednesday, November 17, 2021 at 10:30 A.M., for the purpose of finding the facts as to whether or not the condition of such building falls within the scope of the above referenced General Statute. The property owner is entitled to be heard in person or by council at the hearing and to present arguments and evidence pertaining to the matter.

If upon such hearing the Building Inspector shall find that the above described building is a fire or safety hazard or to be dangerous to life, death or to other property, the Building Inspector will require the owner to remedy such conditions so found to exist or to demolish and remove said building(s) as appear appropriate.

Further information is posted at the site of the building and is available from the undersigned.

John Bullock
Building Inspector
Town of Southern Pines
10:24,31

422796

[Signature]
his 2 day of November,

Michele Bungarz

MICHELE BUNGARZ
Notary Public, North Carolina
Moore County
My Commission Expires

6-1-24

554559

Statement

DATE

1-7-22

TERMS

TO

Town of Southern Pines
Proposal for Demo work
274 Hale St.

IN ACCOUNT WITH

Kenny Ring Grading
P.O. Box 512 VASS NC 28394

Take down house
& haul away debris

Seed & Straw disturbed
Area.

Proposed Total \$ 6925 ⁰⁰
Amount

CURRENT

OVER 30 DAYS

OVER 60 DAYS

TOTAL AMOUNT

adams DC5512

01-11

CONTRACTORS INVOICE

**TOWN OF SOUTHERN PINES ORDINANCE
AUTHORIZING THE DEMOLITION OF AN UNSAFE BUILDING
274 HALE STREET**

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Southern Pines, North Carolina in regular session this 8th day of March, 2022:

WHEREAS, the Town Council has authorized the demolition of the unsafe buildings – minimum housing located at 274 Hale Street, PARID 0038804 PIN 858217200917 as follows:

Section 1. That in accordance with the General Statues of North Carolina, Section 160A-428 and the Town of Southern Pines Code of Ordinances, Title XV “Land Usage”, Section 151.21, the Building Inspector for the Town of Southern Pines, based upon information at said session is hereby ordered, directed and empowered to cause the buildings at the following location to be demolished and removed, the owner having failed to comply with the order to demolish said buildings declared to be unfit for human habitation and a danger to the adjoining property: Demolition Ordinance for 830 Clark Street, PARID 00032320 PIN 858216726773; Owner of Record per Moore County Tax Office is Madeline Strickland.

Section 2. That in accordance with the General Statues of North Carolina, Section 160A-428, the cost of such demolition shall become a lien against the real property where said buildings are located.

Section 3. This ordinance shall be and remain in full force and effect from the date of adoption.

Adopted this 8th day of March, 2022.

I certify that this Ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting on March 8, 2022 as shown in the Minutes of the Town Council for that date.

Elizabeth Robertson, Town Clerk

Agenda Item

To: Reagan Parsons, Town Manager

From: Cindy Williams, Planning Technician

Subject: RA-01-22: Request for Abandonment of a Town Right-of-Way to Vacate a Section of Hill Crest Road

Date: March 8, 2022

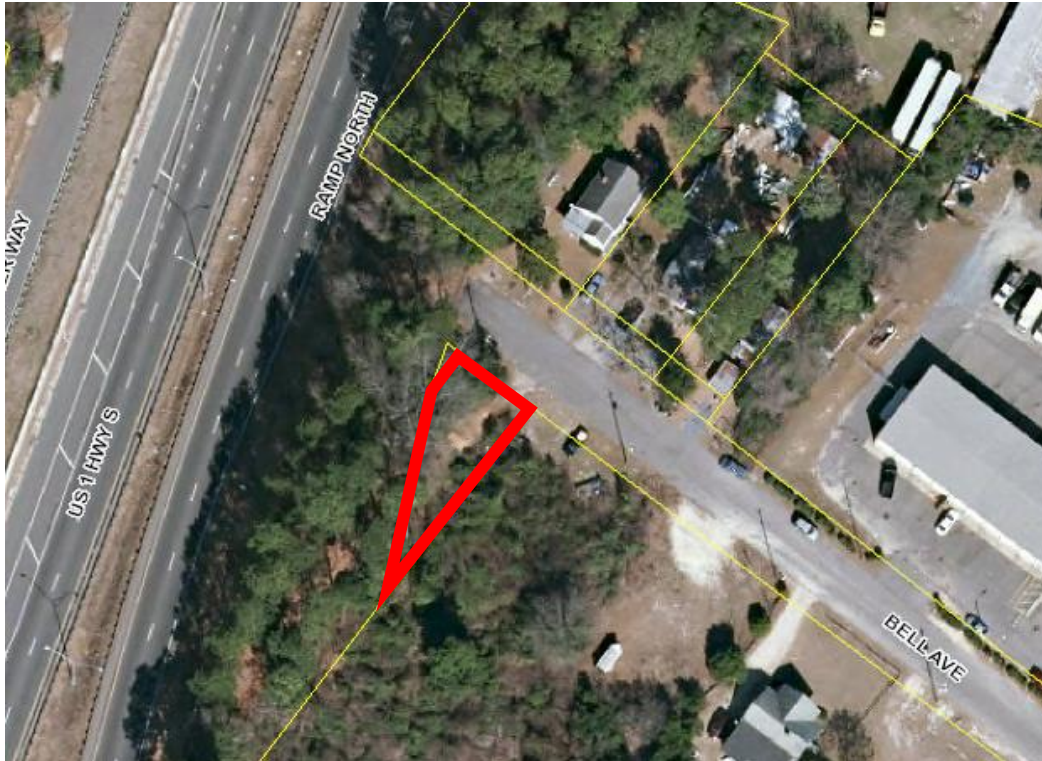
I. SUMMARY OF REQUEST:

Mr. Will Huntley, on behalf of Longleaf Pines Storage, LLC, has submitted a request for the abandonment of a 5,050 square foot section of Hill Crest Road extending from the intersection with Bell Avenue between the parcels identified as PIN 857100865323 (PARID 00055046) and PIN 857100865141 (PARID 00047591) (see Figure 1). The purpose of the request is to allow the recombination of the aforementioned parcels.

II. STAFF COMMENTS:

The section of right-of way for which the petitioner is requesting abandonment is not included in the Town's street listing and the Town does not receive any state street aide allocations under the NCDOT Powell Bill Program for this section of right-of-way. There is no public transportation infrastructure nor are there any public utilities located within the right-of-way. Pursuant to NCGS §160A-299 and UDO §2.29, in order for a public right-of-way to be abandoned, a Resolution of Intent to Vacate a Section of Town Right of Way must be adopted by the Town Council and a public hearing regarding the request must be held. A draft of the Resolution for the Council's consideration is attached to this report.

Figure 1: Vicinity Map (approximate location of right-of-way outlined in red)



III. ATTACHMENTS:

1. Request to abandon the right-of-way
2. Draft Resolution

IV. TOWN COUNCIL ACTION:

The Town Council is being asked to consider a Resolution to call for a public hearing on a request to vacate a section of a Town right-of-way for Hill Crest Road based upon the provisions outlined in UDO §2.29. The Council may choose one of the following motions, or any alternative they wish:

- 1) **I move to** approve the Resolution calling for a public hearing on a request to vacate a section of Town right-of-way for Hill Crest Road under application RA-01-22.

OR

- 2) **I move to** deny approval of the Resolution calling for a public hearing on a request to vacate a section of Town right-of-way for Hill Crest Road under application RA-01-22.

Longleaf Pines Storage, LLC
8 Clark Court
Pinehurst, NC 28374

January 7, 2022

Reagan Parsons, Town Manager,
Town of Southern Pines
125 SE Broad Street
Southern Pines, NC 28387

RE: Right-of-Way Abandonment Request
Hill Crest Road at the intersection of Bell Avenue

Dear Mr. Parsons,

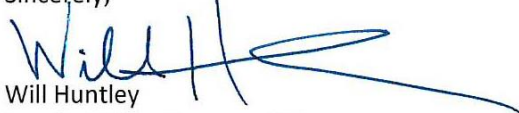
On Behalf of Longleaf Pines Storage LLC we respectfully request the abandonment of the remainder of Hill Crest Road of the original Pinedene Subdivision recorded in Map Book 1 Page 7 of the Moore County Register of Deeds. The remainder of the Hill Crest Road right of way divides our property on Bell Avenue. Hill Crest Road right of way currently dead ends into the Right of Way of US Hwy 1 (NCDOT). Our properties consist of PARID 00055046 and PARID 00047591 the latter being part of a recombination survey recorded in the Moore County Register of Deeds Office PC 19 Slide 110.

According to the Town's GIS website and previous site design plans approved by the Town there are no water or sewer utilities within the remainder of Hill Crest Road, which contains approximately 5,050 sf. This abandonment would allow us to recombine the afore mentioned parcels into our overall site. There are no residences, roadways or other infrastructure located on this parcel of land.

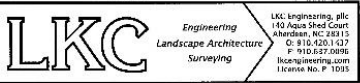
Longleaf Pines Storage, LLC requests the abandonment of the aforementioned road be considered by the Town Council and pursuant to UDO Section 2.29.2 to advertise and conduct a public hearing at its next available meeting.

Please advise of any additional information need by the Town to execute this abandonment process.

Sincerely,



Will Huntley
Longleaf Pines Storage, LLC
8 Clark Court
Pinehurst, NC 28374
919-427-6042



**TOWN COUNCIL RESOLUTION OF INTENT TO VACATE
A SECTION OF TOWN RIGHT-OF-WAY FOR HILL CREST ROAD
RA-01-22**

WHEREAS, Longleaf Pines Storage, LLC has submitted a request for the vacation of an unopened right-of-way for Hill Crest Road which is bounded by the right-of-way for Bell Avenue and US Highway 1;

WHEREAS, G.S. 160A-299 authorizes the Town of Southern Pines Town Council to close any street or public alley within the Town;

WHEREAS, the Town of Southern Pines owns the aforementioned section of right-of-way; and

WHEREAS, the section of right-of-way for which the petitioner has requested vacation is not shown on any Town street listings or transportation maps and the Town has no current or future plans to improve this section of right-of-way;

WHEREAS, there is no public infrastructure or public utility located within the right-of-way; and

WHEREAS, pursuant to § 2.29.2 of the Unified Development Ordinance, in order for a street or alley to be vacated, the Town Council must adopt a Resolution of Intent to Vacate and hold a public hearing.

NOW THEREFORE, BE IT RESOLVED by the Town of Southern Pines Town Council at its regular business meeting held on March 8, 2022 that:

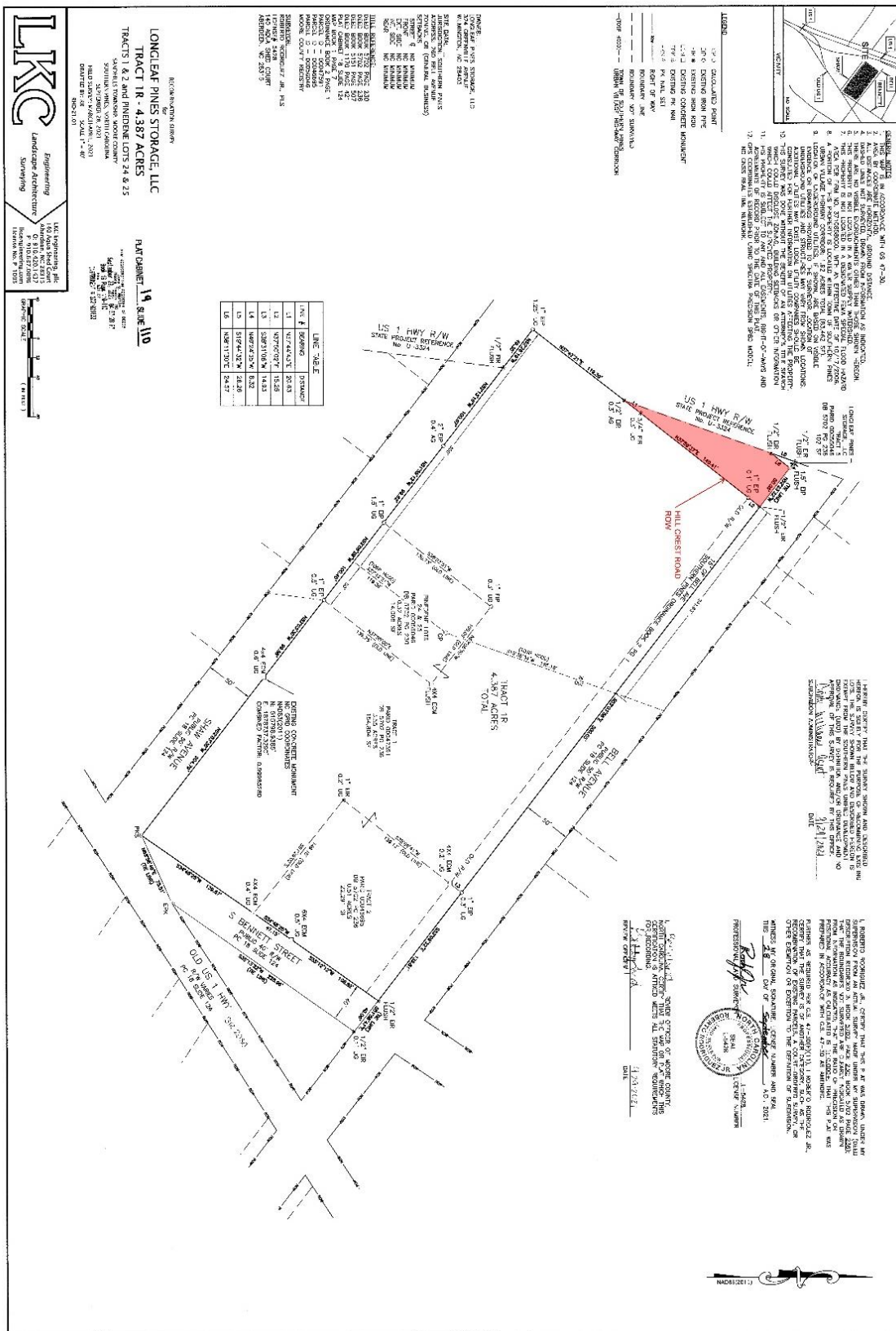
1. The Town of Southern Pines hereby intends to vacate the section of right-of-way for Hill Crest Road bounded by the right-of-way for Bell Avenue and US Highway 1 as shown on the survey attached hereto as Exhibit A.
2. A public hearing will be held during the regular business meeting of the Town of Southern Pines Town Council on April 12, 2022 at 6:00 PM to consider adopting an Order to vacate the section of Town right-of-way for Hill Crest Road as shown on the survey attached hereto as Exhibit A.

Adopted this the 8th day of March, 2022.

Carol Haney
Mayor of the Town of Southern Pines

Elizabeth Robertson
Town Clerk

Exhibit A



**TOWN COUNCIL RESOLUTION OF INTENT TO VACATE
A SECTION OF TOWN RIGHT-OF-WAY FOR HILL CREST ROAD
RA-01-22**

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WHEREAS, G.S. 160A-299 authorizes the Town of Southern Pines Town Council to close any street or public alley within the Town;

WHEREAS, the Town of Southern Pines owns the aforementioned section of right-of-way; and

WHEREAS, the section of right-of-way for which the petitioner has requested vacation is not shown on any Town street listings or transportation maps and the Town has no current or future plans to improve this section of right-of-way;

WHEREAS, there is no public infrastructure or public utility located within the right-of-way; and

WHEREAS, pursuant to § 2.29.2 of the Unified Development Ordinance, in order for a street or alley to be vacated, the Town Council must adopt a Resolution of Intent to Vacate and hold a public hearing.

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Adopted this the 8th day of March, 2022.

ATTEST:

TOWN OF SOUTHERN PINES:

Elizabeth Robertson, Town Clerk

Carol Haney, Mayor

Douglas R. Gill, Town Attorney

I certify that this Order was adopted by the Town Council of the Town of Southern Pines at its meeting on March 8, 2022 as shown in the Minutes of the Town Council meeting for that date.

Elizabeth Robertson, Town Clerk



COUNTY OF MOORE
STATE OF NORTH CAROLINA

I swear that this is a true and accurate copy of an Order vacating a section of Hill Crest Road adopted on March 8, 2022 (RA-01-22).

Elizabeth Robertson, Town Clerk

Date

Agenda Item

To: Reagan Parsons, Town Manager

From: BJ Grieve, Planning Director

Subject: Written Decision for SU-02-21 Special Use Permit; New construction of a 266-unit multi-family residential and office development located along US Highway 1 North between West Connecticut Avenue and Midland Road.

Date: March 8, 2022

I. PURPOSE:

Pursuant to Unified Development Ordinance (UDO) §2.14.6(F)(11) “A written decision must be approved for every quasi-judicial application, either by entering the decision at the end of the hearing or at a subsequent meeting of the hearing body, which shall generally be the next scheduled meeting. As part of the written decision, the hearing body must make findings of fact and conclusions as to applicable standards and any conditions. The chair may direct the planning director or town attorney to draft a written decision for approval by the hearing body at its next regularly scheduled meeting, which approval may be on a consent agenda.”

To wit, staff has prepared a draft Written Decision of the Board document for the application SU-02-21 that was decided by the Town Council at the February 28, 2022 Work Session. The Town Council should review the draft written decision and verify that it accurately reflects the findings and conclusions of the Town Council. If the Town Council approves the document, or approves the document with revisions, the Mayor will sign the document. The original signed version will be delivered to the petitioner, along with the Special Use Permit, and staff will file copies of the signed document in file SU-02-21 in the Planning Office.

II. SUMMARY OF APPLICATION REQUEST:

On behalf of Francis Maser, Mr. Bob Koontz, of Koontz Jones Design, submitted an application for a Special Use Permit for the new construction of a multi-family residential and office development. The applicant has applied to develop 266 multi-family residential units in various apartment and townhouse-style arrangements (as identified in Exhibit Y from the public hearing) as well as one office outparcel. The subject property is located along US Highway 1 North between West Connecticut Avenue and Midland Road and is comprised of three (3) parcels for a total of 25.4 acres of presently undeveloped, wooded land. The subject properties are identified as PIN: 858214321933 (PARID: 00039174), PIN: 858217214672 (PARID: 00032830), PIN: 858217213440 (PARID: 00032829). The property owner for all three parcels according to the Moore County tax records is Maser, Francis T Trustee.

III. TOWN COUNCIL PUBLIC HEARING AND ACTION:

First Meeting: On December 14, 2021 the Town Council opened the public hearing at their Regular Meeting for application SU-02-21. After hearing from staff, the applicant and

those representing the applicant, as well as the public, the Town Council per UDO §2.12.1, continued the SU-02-21 matter to the January 11, 2021 regular meeting of the Town Council to allow for additional research or review to evaluate the issues presented. At this hearing Exhibits A through R were entered into the record of the proceedings.

Second Meeting: On January 11, 2022 the Town Council resumed the public hearing from December 14, 2021 for application SU-02-21. Attorney for the applicant, Mr. Nick Robinson presented the developer, Mr. Burnett, who discussed the overall development and provided an opinion on the wetlands, but deferred to Mr. Koontz for expert testimony. Mr. Koontz then presented a new concept for the site based on the feedback received at the December Town Council Regular Meeting. Mr. Koontz also provided the process for wetland mapping. Mr. Fluitt presented the updated TIA addendum and stated that the current design from a traffic standpoint is adequate in his professional opinion. At this hearing, the applicants entered Exhibits S through U were entered into the record of the proceedings.

Mr. Carson Crooms, attorney for opposition, presented statements regarding his request for continuance as well as the procedures thus far not accommodating everyone's interests to seek a resolution. After hearing from staff, the representation for the applicant and opposition, the Town Council per UDO §2.12.1, continued the SU-02-21 matter to the February 8, 2022 regular meeting of the Town Council to allow for additional research or review to evaluate the issues presented. Town Council instructed the applicants and the opposition's attorney that all additional documentation to be considered for the February 8, 2022 Regular Meeting must be submitted by January 26, 2022 by 5:00 pm and copies must be provided to all parties and staff.

On January 26, 2022 planning staff received cover letters and multiple attachments from Nick Robinson and Carson Crooms. Planning staff uploaded all submittals to the Council's Dropbox folder so that members of Council have access prior to the continued public hearing on February 8, 2022.

Third Meeting: On February 8, 2022 the Town Council resumed the public hearing from January 11, 2022 for application SU-02-21. The applicant's attorney Nick Robinson presented additional testimony from Logan Burnett, Bob Koontz, Travis Fluitt, Frank Dean and Tad Hardy and entered Exhibits V through GG into the record of the proceedings. All the applicant's additional Exhibits had been submitted by the January 26th deadline referenced above. The opponent's attorney Carson Crooms cross-examined the applicant's witnesses Tad Hardy, Frank Dean and Bob Koontz and presented testimony from Linda Brazwill, a resident of Village Green. The opponents' attorney entered Exhibits HH through MM into the record of the proceedings. All the opponent's additional Exhibits had also been submitted by the January 26th deadline referenced above.

After hearing closing arguments from both the applicant's and the opponent's attorneys, a motion was made to close the public hearing and reconvene for discussion and a decision at the February 28, 2022 Town Council Work Session. The motion passed on a 5-0 vote.

On February 22, 2022 the Town Attorney Doug Gill received copies of proposed findings of fact for the Town Council's consideration from both Nick Robinson on behalf of the

applicant Logan Burnett and Carson Crooms on behalf of the opponent Village Green HOA. Both documents were forwarded via email to the Town Council by Assistant Town Manager Jessica Roth on February 22, 2022.

Fourth Meeting: On February 28, 2022 at the regularly-scheduled Town Council Work Session, the Council discussed application SU-02-21 and adopted findings of fact and conclusions as to applicable standards. The Town Council determined that the application was complete by a vote of 5-0. The Council proceeded through each of the six criteria for approval of a Special Use Permit as set forth in UDO §2.21.7. Council discussion on each criterion included the Council's determination of contested facts and their application to the applicable standards.

Following adoption of the findings of fact, the Town Council approved application SU-02-21 by a vote of 4-1, with the following conditions of approval that were agreed to by the applicant:

1. That the sidewalk placement will be done in conjunction with staff during site plan review of the factors of each intersection with the intent to keep it as safe as possible with limited back and forth across the street.
2. That there will be a guaranteed 30' natural undisturbed buffer as part of the 50' landscaped buffer which is part of the 80' setback along the Village Green property boundary.

IV. ATTACHMENTS:

1. Written Decision for SU-02-21 (DRAFT)

V. TOWN COUNCIL ACTION:

The Town Council may wish to take one of the following actions:

1. No action;
2. Accept the Written Decision for SU-02-21 as prepared by the Town staff;
3. An action listed above with the following conditions...
4. Action not listed above...

TOWN OF SOUTHERN PINES

WORK SESSION MEETING OF THE TOWN COUCIL

February 28, 2022

3:00 pm

The C. Michael Haney Community Room

450 West Pennsylvania Avenue, Southern Pines, NC 28387

DECISION OF THE BOARD

Case Number: SU-02-21

A public hearing regarding the proposed Special Use Permit was opened on December 14, 2022 and continued to January 11, 2022 and February 8, 2022. The hearing was held across the three dates with all five (5) members of Town Council present. The oath was administered to all witnesses choosing to speak. Ms. Suzy Russell, Planner II for the Town of Southern Pines presented the staff report on December 14, 2022 and also represented planning staff on January 11, 2022, and Mr. BJ Grieve, Planning Director for the Town of Southern Pines represented planning staff on February 8, 2022. Mr. Nick Robinson, attorney for applicant 1700, LLC presented and brought forth the applicant's witnesses. Mr. Carson Crooms, attorney for opponents Village Green Homeowner's Association, also presented a witness and cross-examined some of the applicant's witnesses.

Matter at Issue:

SU-02-21 Special Use Permit for new construction of a 266-unit multi-family residential and office development located along US Highway 1 North between West Connecticut Avenue and Midland Road.

On behalf of Francis Maser, Mr. Bob Koontz, of Koontz Jones Design, submitted an application for a Special Use Permit for the new construction of a multi-family residential and office development. The applicant has applied to develop 266 multi-family residential units in various apartment and townhouse-style arrangements (as identified in Exhibit Y from the public hearing) as well as one office outparcel. The subject property is located along US Highway 1 North between West Connecticut Avenue and Midland Road and is comprised of three (3) parcels for a total of 25.4 acres of presently undeveloped, wooded land. The subject properties are identified as PIN: 858214321933 (PARID: 00039174), PIN: 858217214672 (PARID: 00032830), PIN: 858217213440 (PARID: 00032829). The property owner for all three parcels according to the Moore County tax records is Maser, Francis T Trustee.

Town Council Hearing Proceedings:

A detailed record of Town Council proceedings on December 14, 2022, January 11, 2022 and February 8, 2022 pertaining to SU-02-21, including all those who spoke during the public hearing and Exhibits that were entered into the record, may be found in Town Council minutes of each meeting date. Having heard all evidence submitted by those wishing to speak and after hearing closing arguments from both the applicant's and the opponent's attorneys at the February 8, 2022 meeting, a motion was made to close the public hearing and reconvene for discussion and a decision at the February 28, 2022 Town Council Work Session. The motion passed on a 5-0 vote.

Town Council Action on SU-02-21:

At the February 28, 2022 Town Council Work Session, a majority of the Town Council voted to approve the following Findings of Fact and Conclusions of Law as required by UDO §2.14.6(F)(11):

Finding of Fact #1: The Town Council finds that the application is complete.

Finding of Fact #2: The Town Council finds that the application complies with UDO §2.21.7 Criteria for a Conditional Use Permit, Criteria A-F, in that:

A. The proposed conditional use shall comply with all regulations of the applicable zoning district and any applicable supplemental use regulations;

The Town Council finds that the application SU-02-21 complies with all regulations of the OS, RM-2 and UTHCO zoning district development standards (including those set forth in UDO Exhibit 3-13) as well as all applicable supplemental use regulations, including the Multi-Family Development Standards set forth in UDO Section 4.10.8. The Applicant is allowed 521 parking spaces and granted the watershed protection permitted for 65% impervious coverage.

B. The proposed conditional use shall conform to the character of the neighborhood in which it is located and not injure the use and enjoyment of property in the immediate vicinity for the purposes already permitted;

The Town Council finds that the subject parcel conforms to the character of the neighborhood in which it is located and will not injure the use and enjoyment of property in the immediate vicinity because the proposed development conforms with the standards of the existing OS, RM-2 and UTHCO zoning districts even though the existing zoning differs from some of the zoning and developments on adjoining parcels. Although the density of the proposed development differs from the density on adjoining parcels and density of other development in the vicinity, the density of the proposed development is consistent with the existing zoning. To address concerns with the use and enjoyment of property that were raised by residents of Village Green, the applicants have provided additional buffers and setbacks from Village Green. The Town Council finds that, based on photos and testimony of residents of Village Green, a buffer consisting at least partially of undisturbed trees and vegetation will better protect the use and enjoyment of properties in Village Green. Finally, no further admissible competent, substantial and material evidence was presented to the Town Council that the proposed development would incontrovertibly harm the character of the neighborhood, nor injure the use and enjoyment of properties in the immediate vicinity.

C. Adequate public facilities shall be provided as set forth herein;

The Town Council finds the subject properties have access to and can be served by adequate public facilities.

D. The proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district or substantially diminish or impair the property values within the neighborhood;

The Town Council finds that the proposed development is consistent with the existing zoning standards. The mixed-use residential and professional office development is located along the highway corridor and provides for compatibility by being a transition between OS-Office Services and RM-2-Residential Mixed Housing zoning districts. The proposed development has demonstrated that landscape buffers will be provided from surrounding properties and that improvements will be made to mitigate impacts to local and state transportation infrastructure. No admissible competent, substantial or material evidence was submitted by expert witnesses to refute expert testimony provided by the applicants regarding impacts of the proposed development on property values in the neighborhood.

E. The establishment, maintenance or operation for the proposed use shall not be detrimental to or endanger the public health, safety, comfort, or general welfare; and

The Town Council finds that the development will not be detrimental to, or endanger, the public health, safety, comfort or general welfare because the applicants submitted a Traffic Impact Analysis prepared by an expert traffic engineer containing recommendations for improvements necessary to mitigate impacts of the proposed development on both local and state roadway facilities and NCDOT and the Town Engineer reviewed and approved the TIA. NCDOT determined what would be required to maintain safety on state roadway facilities. Expert opinion was provided by the applicants that impacts on traffic are acceptable with recommended mitigation and the applicants will follow every NCDOT requirement. Furthermore, the applicant has offered to provide off-site improvements to town sidewalk infrastructure (as depicted on Exhibit V) to mitigate concerns regarding pedestrian safety that were raised during the public hearing. No additional admissible competent, substantial and material testimony was provided during the public hearing refuting testimony and evidence submitted by the applicants that the proposed development meets Criteria E.

F. The public interest and welfare supporting the proposed use shall be sufficient to outweigh individual interests that are adversely affected by the establishment of the proposed use;

The Town Council finds that there was not adequate competent, substantial and material evidence submitted into the record to demonstrate that any alleged adverse impact of the proposed development would be greater than the public interest and welfare that is served by allowing the subject property to be developed in a manner consistent with the existing zoning. Substantial effort was made by the applicants to mitigate impacts resulting from the establishment of the proposed development, including enhanced buffering and modifications to the overall site design that were made throughout the course of the public hearings.

Decision of the Council:

Therefore, by a vote of 4-1, Councilwoman Peterson dissenting, the Town Council voted to approve with conditions the Special Use Permit Application SU-02-21 as requested and modified by the applicants, including granting 25.4 acres of built-upon area as part of this Development Approval, per UDO §2.47.3(A).

SU-02-21 is approved with the following conditions, as recited by Councilman Pate and as specifically agreed to by Logan Burnett representing 1700, LLC:

1. That the sidewalk placement will be done in conjunction with staff during site plan review of the factors of each intersection with the intent to keep it as safe as possible with limited back and forth across the street.
2. That there will be a guaranteed 30' natural undisturbed buffer as part of the 50' landscaped buffer which is part of the 80' setback along the Village Green property boundary.

This is the 8th day of March, 2022.

FOR THE TOWN COUNCIL:

Carol Haney, Mayor

Cc: Logan Burnett, 1700, LLC lburnett@voltaglobal.com
Bob Koontz, KoontzJones Design PLLP, bkoontz@koontzjones.com

PROPERTY USE AGREEMENT

THIS AGREEMENT is entered into this 8th day of March, 2022, between THE TOWN OF SOUTHERN PINES, an incorporated municipality, a body corporate and politic in Moore County, North Carolina (hereinafter referred to as the "Town"), and A.C. SANDHILLS (hereinafter referred to as the "Organization"). The agreement is for the Organization's use of the Town's Soccer Facilities, associated concession stand and restroom facilities, as part of the Morganton Rd. Sports Complex at 190 Fire Ln. Southern Pines, NC 28387. These facilities, which consist of four soccer fields, one baseball field (divided into 2 spaces), a concession stand, and restrooms shall collectively be known as the "Soccer Facilities." (The fields for soccer use are numbered 1-6 and will be referred to as fields 1-6 for booking purposes.) The Recreation and Parks Director is hereinafter referred to as the "Director."

This agreement provides for the Organization's seasonal use of the Soccer Facilities for soccer related purposes during the specified dates and time ranges as laid out in Exhibit A. The Town will continue its multi-purpose use of the Soccer Facilities outside of these agreed upon dates and times, with scheduling and oversight led by the Director or designated staff, specifically Athletics Coordinator. The Town and the Organization wish to cooperate in the continued joint operation of the Soccer Facilities, in accordance with the following terms:

1. **Ownership:** The Town owns all areas at the Morganton Rd. Sports Complex, including all Soccer Facilities, bathrooms, concession stand, and playground area.
2. **Length of Agreement:** The term for which the Organization may use and occupy the Soccer Facilities shall be two (2) years from the date of this agreement, subject to the requirements of law and this agreement, ending on February 10th, 2024. The parties may extend these terms by mutual consent. This agreement may be reviewed and modified at any point during the agreement term upon consensus by both parties. Revisions will be provided within thirty (30) days.
3. **Scheduling:**
For the purposes of this agreement, there shall be three (3) seasons of use for the Soccer Facilities: "Spring season", "Fall season", and "Off-season." The remainder of the year will be known as the off-season.
 1. During the Spring and Fall seasons, the Organization may use the Soccer Facilities on a schedule approved by the Director/designated staff. The Organization must submit a proposed schedule to the Director/designated staff at least thirty (30) days prior to the intended start date of each season. The schedule shall fall within the range of dates and times as stated above and listed in Exhibit A. The Director/ designated staff reserves the right to deny any request for Soccer Facility use outside of the agreed upon range of dates and times listed in Exhibit A.
 2. The Organization shall accommodate the ability of Town personnel to perform scheduled maintenance during normal business hours. The Organization may use the Soccer Facilities according to that schedule unless the Director has reasonably disapproved the schedule within fifteen (15) days of its receipt. In the event the Soccer Facilities need to be closed due to inclement weather, poor field conditions, and/or maintenance reasons, the Director/designated staff shall notify the Organization with as much advanced notice as possible, but will make that determination no later than

1pm on the day the Organization is scheduled to use the Facilities.

4. **Responsibility for Essential Functions:** During the "Spring and Fall season," the Organization will bear the costs for all supplies necessary to maintain the facility in a clean, safe, and sanitary condition. Examples include, but not limited to, field paint, string lines, paint sprayers, trash bags, and bathroom supplies. The Town will provide all labor for essential functions to be carried out during normal business hours. The organization will carry out its assigned essential functions at the end of each day, such as emptying trash and cleaning restrooms. Exhibit B further outlines the required maintenance responsibilities for each party during the spring and fall seasons. The parties must review and update the exhibit annually.
 - A. The Organization will be responsible for correcting any deficiencies in maintenance or violations of fire or building codes within thirty (30) days of notice from the Director/designated staff or any code official. These responsibilities must be addressed regardless of whether they are caused by the Organization's use of the Soccer Facilities.
 - B. Should the Organization fail to address any deficiencies as noted above, the Town may undertake the necessary corrective work and bill the Organization the costs thereof, plus a 10% administrative fee.

5. **Insurance, Liability, and Loss of Use:**

- A. If the Soccer Facilities are damaged by fire, natural disaster, other casualty, act of God, or deterioration and the cost of remediation is so great that Town decides not to repair or rebuild, the Town may terminate this agreement. Upon written notice of termination, the Organization must vacate the Soccer Facilities.

The Town is not financially responsible for the Organization's loss of income and/or increased expenses for operating elsewhere in the event of fire, natural disaster, other casualty, act of God, deterioration to the Soccer Facilities, and/or federal, state, or local restrictions that impact the operation of the Soccer Facilities.

- i. The Organization must indemnify the Town against any third party claims by reason of the Organization's use or occupancy of the Soccer Facilities. The Organization must secure and maintain, at its own expense, public liability insurance in an amount of not less than one million dollars (\$1,000,000) in respect to bodily injury, disease, illness, death, or property damage suffered by any one person or entity and/or arising out of any one accident.
 - ii. The Organization must list the Town as an additional insured on said policy(ies) and provide a certificate(s) of insurance to the Town confirming these minimum coverages at the beginning of each Fall season. Should the Organization make changes associated with its insurance policy(ies), it must provide the Town written notice and updated certificates of insurance within thirty (30) days of said change.
6. **Rental Fees:** The Organization shall pay the following rental fees to the Town for the use of the Facilities:
 - A. The Soccer Facilities will be rented to the Organization for its soccer program(s) on the following quarterly payment schedule:

Year One \$11,000:

\$2,500 due by March 15 2022
\$2,500 due by June 15 of 2022
\$3,000 due by Sept 15 2022
\$3,000 due by January 15 2023

Year Two \$12,000:

\$3,000 due by March 15 2023
\$3,000 due by June 15 2023
\$3,000 due by Sept 15 2023
\$3,000 due by January 15 2024

*Any field rental requested outside of the designated days/month must be requested 2 weeks in advance, must be approved by Director/designated staff and will be an additional \$200/week.

**Any outside tournaments collecting participant fees, AC Sandhills will remit payment of \$5/participant within 2 weeks of the end of the tournament.

7. Expenses:

- A. Supplies: Supplies covered under this section include routine supplies such as field paint, trash bags, bathroom supplies, and the like.
 - i. During the "off-season," the Town will incur one hundred percent (100%) of all expenses for supplies.
 - ii. During the "spring and fall seasons," the Organization must pay one hundred percent (100%) of all expenses for supplies.
 - iii. The Town will invoice the Organization for their portion of the expenses as described herein. Payment must be remitted within thirty (30) days of the invoice date.
- B. Operating Expenses: The Organization must pay one hundred percent (100%) of the expenses for its operations, including programs, staff, and similar.
- C. Capital Expenses: The Organization must pay one hundred percent (100%) of capital expenses that are required to keep the Soccer Fields operating properly and/or for code compliance. Capital expenses covered under this section include field resurfacing (sod at goalie areas and any other areas as needed), netting and goals.
Little Tykes Soccer: The Organization will remain a sponsor to the Town's Little Tykes Soccer program and will pay \$500 at the beginning of the season, separate from other fees. The Organization will provide training material and one (1) 30-minute training clinic for players and coaches on the first Tuesday after Labor Day.

8. Policies:

- A. The Organization may establish policies for the use of the Soccer Fields, or portions of the facility, during its occupancy so long as those policies are consistent with federal, state, and local laws, ordinances, and regulations.
- B. The policies adopted by the Organization, as referred to above, may include controlling or denying access to the facility during its sole use as booked through the Recreation & Parks Department.
- C. If portable toilets or food trucks are to be utilized, permission and approval must be obtained through the Recreation & Parks department at least 2 weeks prior.

9. Improvements to the Soccer Fields:

- A. If the Organization wishes to construct capital improvements to the Soccer Fields or surrounding facilities, install equipment, erect signage, or the like, the Organization must submit a written request to the Director. If the Director does not reply within thirty (30) days, then the request is deemed denied.

- B. The Organization must pay one hundred percent (100%) of the costs for any improvements, which includes purchase, installation, maintenance, and removal or rehabilitation in the event of deterioration or safety concerns.
- C. The Organization must provide in Exhibit C of this agreement an inventory of everything which it has purchased and/or installed at the Soccer Fields. Said Exhibit must include a description of each item, an estimated date of purchase/installation, the cost of purchase or construction, and the estimated useful lifespan. The Organization must review and update the Exhibit at least annually or at the point when an improvement is added or removed to the Soccer Facilities by the Organization.

10. Appeals to Decisions and Termination of Agreement:

- A. The Director shall have the authority to review issues of discretion and make decisions as described in this agreement. Should the Organization wish to appeal any of the Director's decisions surrounding this agreement, the Organization must submit a written appeal to the Town Manager within ten (10) days.
- B. Either party may terminate this agreement upon providing written notice of sixty (60) days.
- C. The Organization, upon termination of this lease, may remove all improvements, equipment, etc. as described in Exhibit C so long as they may be removed without damage to the Soccer Facilities. All expenses of such removal must be paid by the Organization and must be completed by the time this agreement terminates.
- D. Effective February 10th, 2022, this agreement supersedes all previous agreements between the two parties.
- E. This agreement constitutes the entire understanding between the parties and must not be notified except in writing signed by both parties. The agreement is binding on the parties hereto, their heirs, and permitted assigns.

IN WITNESS WHEREOF, the Town and the Organization have executed this agreement in duplicate.

By: _____ Date: _____
Kristen Hudson, A.C. Sandhills President

By: _____ Date: _____
Carol Haney, Mayor, Town of Southern Pines

ATTEST: _____ Date: _____
Elizabeth Robertson, Town Clerk

Exhibit A:

Fall Schedule | AUGUST 15-NOVEMBER 30

To be updated annually pending Director's approval

	AC SANDHILLS (Soccer Fields)	AC SANDHILLS (Optimist Field)	TOSP (Soccer Fields)	TOSP (Optimist Field)
MONDAYS	4:00pm – 8:00 pm	N/A	Sunrise – 4:00pm	Sunrise - Sunset
TUESDAYS	4:00pm – 8:00 pm	5:00pm-8:00pm	Sunrise – 4:00pm	Sunrise – 5:00pm
WEDNESDAYS	4:00pm – 8:00 pm	N/A	Sunrise – 4:00pm	Sunrise - Sunset
THURSDAYS	4:00pm – 8:00 pm	5:00pm-8:00pm	Sunrise – 4:00pm	Sunrise – 5:00pm
FRIDAYS	4:00pm – 8:00 pm	N/A	Sunrise – 4:00pm	Sunrise - Sunset
SATURDAYS	7:00am – 7:00pm	N/A	N/A	Sunrise - Sunset
SUNDAYS	7:00am – 7:00pm	N/A	N/A	Sunrise - Sunset

Spring Schedule | FEBRUARY 21-JUNE 15

To be updated annually pending Director's approval

	AC SANDHILLS (Soccer Fields)	AC SANDHILLS (Optimist Field)	TOSP (Soccer Fields)	TOSP (Optimist Field)
MONDAYS	4:00pm – 8:00 pm	N/A	Sunrise – 4:00pm	Sunrise - Sunset
TUESDAYS	4:00pm – 8:00 pm	N/A	Sunrise – 4:00pm	Sunrise – Sunset
WEDNESDAYS	4:00pm – 8:00 pm	N/A	Sunrise – 4:00pm	Sunrise - Sunset
THURSDAYS	4:00pm – 8:00 pm	N/A	Sunrise – 4:00pm	Sunrise – Sunset
FRIDAYS	4:00pm – 8:00 pm	N/A	Sunrise – 4:00pm	Sunrise - Sunset
SATURDAYS	7:00am – 7:00pm	N/A	N/A	Sunrise - Sunset
SUNDAYS	7:00am – 7:00pm	N/A	N/A	Sunrise - Sunset

- While routine maintenance and repairs can typically occur with minimal or no impact to the public's access to the facility, both parties acknowledge that it may be necessary to close the Soccer Facilities for an extended time to complete more significant repairs. In this situation, every attempt will be made to schedule non-emergency work on Mondays (1st priority), Wednesday (2nd priority) or Friday (3rd priority) to minimize cancellations to the Organization's activities and weekend closures.

Exhibit B:**Assignments for Essential Functions**

TOSP = Town of Southern Pines | AC = AC Sandhills

MAINTENANCE RESPONSIBILITIES DURING BUSINESS HOURS	Spring/Fall Season	Off Season
Mowing Grass	TOSP	TOSP
Lining Fields with Field Paint	TOSP	TOSP
Cleaning Restrooms	TOSP	TOSP
Emptying Trash/ Replacing Trash Bags	TOSP	TOSP
END OF DAY RESPONSIBILITIES	Spring/Fall Season	Off Season
Removing trash/ Replacing Trash Bags	AC	TOSP
Cleaning Restrooms	AC	TOSP
*Cleaning Concession Stand (No storage in this area)	AC	TOSP

"Spring/Fall season" shall be defined from the day AC Sandhills begins the season through the end of soccer operations that season. "Off season" shall be defined as the period from when AC Sandhills stops operating soccer until the day soccer operations begin again.

*Organization will obtain any required permit or inspection (if needed) to operate concession stand in conjunction with Moore County regulations.

Exhibit C: AC Sandhills Inventory*Current as of February 10, 2022*

Item	Purchase Date	Purchase Price
Nets		
Goals		

MOORE COUNTY

NORTH CAROLINA

AGREEMENT BETWEEN THE TOWN OF SOUTHERN PINES AND TALAMORE GOLF PARTNERS
REGARDING IRRIGATION WATER FROM RESERVOIR PARK

This agreement is made this 18 day of Feb, 2022 between the Town of Southern Pines, a North Carolina municipal corporation (referred to after this as "'Town'"), and Talamore Golf Partners Limited Partnership, a Pennsylvania Limited Partnership, (referred to after this as "Talamore").

1. Talamore, in consideration for the use of water by Talamore as provided in this agreement, will pay to the Town the sums indicated below on or before the date indicated for use at Reservoir Park.

Due Date	Amount
March 31, 2022	\$6,500.00
March 31, 2023	\$6,662.50
March 31, 2024	\$6,829.00
March 31, 2025	\$7,000.00
March 31, 2026	\$7,175.00

2. Talamore is authorized by the Town of Southern Pines to retain the existing pump and associated accessories in the reservoir at Reservoir Park, as shown on Exhibit "A." Said pump may be used to remove water to irrigate the Talamore golf course from January 1, 2022, through December 31, 2026 as provided below.
3. In the event of drought or low water conditions, Talamore will suspend its pumping of any water from the reservoir. This is defined as any time that the water level in the reservoir drops more than two feet below the elevation of the reservoir spillway. Pumping may resume when the water level has increased to a point that is less than or equal to two feet below the spillway elevation.
4. Talamore will maintain or relocate the pump(s) only in a location in the reservoir authorized by the Town; said authorization will not be unreasonably withheld by the Town. The Town acknowledges that the current location of the pump, shown on "Exhibit A," is currently acceptable.
5. Talamore will indemnify and hold harmless the Town from any claims, liability, costs, or other expenses associated with the use and maintenance of the pump(s).
6. If Talamore at any time fails to make a payment as provided in this agreement, the Town, at its option may take any of the following actions: a) terminate this agreement and take necessary steps to prevent Talamore

from removing additional water; b) take necessary steps to prevent Talamore from removing additional water until the payments are current; or c) declare all unpaid amounts and all future payments as due and payable, prohibit the removal of additional water until the payments are made, and pursue collection of the entire amount owed.

7. In the event it is necessary for the Town to drain the lake to a point that is greater than two feet below the spillway, the Town agrees to provide six (6) months' notice to Talamore. If said notice is not possible, the Town will provide notice as soon as reasonably possible following knowledge of the upcoming event.
8. Talamore agrees to maintain the pump(s) and all associated accessories in a manner that is safe and does not detract from the aesthetics of Reservoir Park. Should Talamore fail to meet this requirement, the Town may take necessary steps to a) prevent Talamore from removing additional water until the maintenance needs are met; or b) terminate this agreement and require Talamore to remove the pump(s) and all associated accessories, at Talamore's expense.
9. Current contact information for both parties is as follows. In the event of a personnel change, notification shall be provided to the other party.

	TOWN OF SOUTHERN PINES	TALAMORE GOLF PARTNERS
Contact Name	Cory Albers, Assistant Director of Public Works	Matt Hausser, PGA General Manager
Phone	910-692-1983	910-692-5884 x125
E-mail	calbers@southernpines.net	matt@talamore.com
Mailing Address	801 SE Service Rd. Southern Pines, NC 28387	48 Talamore Dr. Southern Pines, NC 28387

TOWN OF SOUTHERN PINES

TALAMORE GOLF PARTNERS

Carol R. Haney, Mayor



Signature

ATTEST:

Elizabeth Robertson, Town Clerk



Printed Name



MINUTES

Wednesday, January 5, 2022: 6:00 PM

Town Council Agenda Meeting

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

1. CALL TO ORDER

Mayor Haney called the meeting to order. The following members of Town Council were present: Mayor Carol Haney; Taylor Clement; Paul Murphy; Bill Pate; and Ann Petersen.

2. TOWN MANAGER'S COMMENTS

Town Manager Reagan Parsons reviewed the agenda.

3. REVIEW PUBLIC HEARING APPLICATIONS FOR UPCOMING BUSINESS MEETING AGENDA

Town Manager Parsons questioned the ordering of items under Section 3, asking the Council if they would like to reorder them to group all of the quasi-judicial hearings together and then all of the legislative together to minimize procedural questions. The Council agreed to reorder the items so like types of hearings were grouped together.

a. SU-02-21 Patrick's Pointe

On behalf of Francis Maser, Mr. Bob Koontz, of Koontz Jones Design, has submitted an application for a Special Use Permit for the new construction of a multi-family residential and office development. The applicant is proposing to develop 13 apartment buildings with 276 multi-family residential units and one (1) office outparcel. The subject property is located along US Highway 1 North between West Connecticut Avenue and Midland Road and is comprised of three (3) parcels for a total of 25.4 acres of presently undeveloped, wooded land. A public hearing was held on this application on December 14, 2021. Council continued this item to the January 11, 2022 meeting.

Town Manager Parsons asked if there were any procedural questions regarding this item.

b. OA-02-21 Various staff-initiated text amendments to UDO

The Planning Division of the Town of Southern Pines Community Development Department is proposing to amend the Unified Development Ordinance (UDO) with a variety of text amendments and are asking for Town Council review per UDO §2.17.

Town Manager Parsons asked if the Council had any questions regarding this item.

Councilmember Petersen questioned the changes in regards to zoning infractions.

Discussion ensued.

Councilmember Clement questioned the origins and reasons behind the height

requirements for structures listed in the UDO. Discussion ensued.
Councilmember Petersen asked for clarification on the code regarding vegetation credits and the measurement unit being used. Discussion ensued.

c. PD-10-21 Pinehurst Surgical Center Site 3N PDP

The applicant has applied for a preliminary development plan (PDP) for the purpose of developing a medical office building as phase 8 of the Morganton Park North. The medical office is a proposed 60,000-68,000 square foot building located on 5.19 acres. The property must be annexed as it is in the Town's ETJ, along S. Carlisle Street on the western side of Patriot Boulevard.

Town Manager Parsons gave a brief overview of the item which is a quasi-judicial hearing.

d. PD-11-21 Waterworks CDP Amendment

Mr. Kevin Lindsay has applied to amend the current approved CDP for the Waterworks development. The proposed project is a mixed-use development with up to 80,000 square feet of retail and/or offices and up to 80 residential units over four phases of development on +28.79 acres. The property is located on the East side of Central Drive/ NC HWY 22 between Warrior Woods Road and Aiken Road.

Town Manager Parsons gave an overview of the item, which will be a legislative hearing.

e. SU-03-21 Townhomes on S. Bennett St.

This application is for a Special Use Permit to develop 20 single-family attached dwelling units on the southeast side of S. Bennett Street between W. Wisconsin Avenue and W. Morganton Road.

Town Manager Parsons asked if they had any procedural questions regarding this quasi-judicial hearing.

4. REVIEW PROPOSED ACTION ITEMS FOR UPCOMING BUSINESS MEETING AGENDA

a. AX-07-21 Morganton Park South (Set Hearing Date)

Robert & Julie Van Camp and Morganton Road Enterprises, LLC have petitioned the Town for a voluntary annexation of a parcel totaling +54.94 acres. The parcels are identified as PIN 857100575720 and 857100572972 and are located between US 15-501 and W. Morganton Rd. The public hearing will be scheduled for February 8, 2022.

Town Manager Parsons gave a brief overview of the application.

b. AX-08-21 Blue Farm Lots (Set Hearing Date)

Mr. Benjamin Stout is requesting voluntary annexation of five parcels totaling +4.10 acres, collectively known as Blue Farm, Section Three and located on NC Hwy 22. The public hearing will be scheduled for February 8, 2022.

Town Manager Parsons gave a brief overview of the application.

5. REVIEW PROPOSED CONSENT AGENDA FOR BUSINESS MEETING

a. Appointment to Library Advisory Board

The Library Advisory Board recommends that Council appoint Carrie Dugas. Ms. Dugas will fill the seat held by Jeff Hutchinson, who has served the maximum two full terms. If appointed, Ms. Dugas' term will be January 1, 2022 through December 31, 2024.

Town Manager Parsons gave a brief overview of the application.

b. Approve Ordinances Amending the FY 21-22 Budget

- 1. \$43,250 insurance reimbursement to Police Dept.**
- 2. \$2,500 donation monies transferred to Fire Department**
- 3. \$8,060 donation monies transferred to Library**
- 4. \$19,528 transfer from Fund Balance to Legislation**

These budget amendments will allocate donations received to the fire department and library, as well as an insurance reimbursement to the police department. Additionally, funds will be transferred from Fund Balance to Legislation to cover the invoice for the primary election.

Town Manager Parsons gave a brief overview of the budget amendment requests. Councilmember Clement questioned the need for primary elections, which required a budget amendment. Town Manager Parsons suggested that the Council schedule a work session discussion on that issue and presented to the Council a memo regarding that process prepared by Asst. Town Manager Roth that outlined elections options authorized by NCGS.

6. COUNCIL UPDATES & DISCUSSION

Town Manager Parsons requested to add an item to the Agenda. Federal S.A.F.E.R. Grant rules have been announced and the application window is only 30 days. These grants are used to hire firefighters. Chief Cameron is requesting the Council give its support to him applying for the grant monies to be used to hire the 6 positions needed to fully staff the 2 fire stations. Discussion ensued. The council was in general concurrence and gave Chief Cameron its support on the application.

a. Membership Qualifications - Appearance Commission & Library Board

Staff would like to discuss some recommendations related to the Appearance Commission and Library Advisory Board, such as eliminating term limits and other restrictive membership qualifications.

Town Manager Parsons gave a brief overview of the item outlining the changes suggested by staff and the history of the rules currently in place. Discussion ensued. Council was in general concurrence and will vote on the changes in the Code once the legislation is drafted.

b. FFCRA Voluntary Extension

The Town voluntarily extended the FFCRA program through December 31, 2021. With

the surge of the Omicron variant, staff recommends that Council consider an extension through at least March 31, 2022.

Town Manager Parsons gave a brief overview of the request to continue the program. Discussion ensued.

Councilmember Petersen made a motion to continue the FFCRA Program through June 30, 2022. Mayor Pro Tem Murphy seconded and the vote was unanimous.

7. ADJOURNMENT

Councilmember Pate motioned to adjourn the meeting. Mayor Pro Tem Murphy seconded and the vote was unanimous. The meeting adjourned at 7:01 pm.

Respectfully submitted:



MINUTES

Tuesday, January 11, 2022: 6:00 PM

Town Council Business Meeting

Douglass Community Center: 1185 W. Pennsylvania Ave

1. CALL TO ORDER

Mayor Haney called the meeting to order. The following members of Town Council were present: Mayor Carol Haney; Taylor Clement; Paul Murphy; Bill Pate; and Ann Petersen.

2. PLEDGE OF ALLEGIANCE

3. TOWN MANAGER'S COMMENTS

Town Manager Reagan Parsons reviewed the agenda.

4. PUBLIC HEARINGS

Mayor Haney provided some general comments on quasi-judicial hearings.

a. SU-01-21 Patrick's Pointe

On behalf of Francis Maser, Mr. Bob Koontz, of Koontz Jones Design, has submitted an application for a Special Use Permit for the new construction of a multi-family residential and office development. The applicant is proposing to develop 13 apartment buildings with 276 multi-family residential units and one (1) office outparcel. The subject property is located along US Highway 1 North between West Connecticut Avenue and Midland Road and is comprised of three (3) parcels for a total of 25.4 acres of presently undeveloped, wooded land.

Mayor Haney shared that this hearing was opened on December 14, 2021 and continued to January 11, 2022. She swore in new witnesses who did not testify on December 14.

The applicant's attorney, Nick Robinson, submitted the following exhibits to support the application:

- Exhibit T: amended TIA prepared by Travis Fluitt
- Exhibit U: presentation and revised site plan prepared by Bob Koontz

The following witnesses spoke on behalf of the application:

1. Nick Robinson, attorney for the applicant. Mr. Robinson called the following witnesses to testify on behalf of the application. Mr. Robinson and the witnesses discussed some revisions that were being proposed following the December meeting related to density, buffers, dwelling unit design, and similar.

2. Logan Burnett, Volta Global, LLC
3. Bob Koontz, 150 S. Pate Street, Southern Pines, land planner and landscape architect for the application.
4. Travis Fluitt, Kimley Horn, 421 Fayetteville Street, Raleigh, traffic engineer.

There was general consensus from the Council that they needed time to review the new evidence. Mr. Robinson agreed to suspend witness testimony until the hearing.

Carson Crooms, attorney for the opposition, 305 S. Weymouth Road, requested the hearing be continued to a future date in order to allow time to secure witnesses to provide expert testimony.

Councilmember Petersen motioned to continue the hearing to February 8, 2022 at 6pm, which was seconded by Mayor Pro Tem Murphy. The vote was unanimous.

Mayor Haney directed counsel for both parties that all evidence to be considered must be received in the Town's Planning Office by 5pm on January 26 and copied to opposing counsel.

b. PD-10-21 Pinehurst Surgical Center Site 3N PDP

The applicant has applied for a preliminary development plan (PDP) for the purpose of developing a medical office building as phase 8 of the Morganton Park North. The medical office is a proposed 60,000-68,000 square foot building located on 5.19 acres. The property must be annexed as it is in the Town's ETJ, along S. Carlisle Street on the western side of Patriot Boulevard.

Mayor Haney swore in pending witnesses for the hearing. She asked Councilmembers to disclose the following relative to the application and property: any specialized knowledge; a fixed opinion not subject to change; close relation to the applicant or property owner; and/or a financial interest in the outcome.

Councilmember Pate motioned to open the hearing, which was seconded by Mayor Pro-Tem Murphy. The vote was unanimous.

- Town Planner II Suzy Russell presented the staff report and submitted it as Exhibit A.
- Town Engineer James Michel discussed future evaluations that will be considered when the site connects to the Town's water and sewer system.
- Paul Saathof and Bob Koontz, of Koontz Jones Design, presented the application, confirming that the property will be offered to the Town for annexation prior to site plan approval. The application was submitted as Exhibit B.

Councilmember Pate motioned to close the hearing, seconded by Councilmember

Clement, the vote was unanimous.

Councilmember Pate moved to adopt Attachment "A" of the staff report as Findings of Fact regarding the proposed Preliminary Development Plan PD-10-21, seconded by Mayor Pro Tem Murphy, the vote was unanimous.

c. SU-03-21 Townhomes on S. Bennett St.

This application is for a Special Use Permit to develop 20 single-family attached dwelling units on the southeast side of S. Bennett Street between W. Wisconsin Avenue and W. Morganton Road.

Mayor Haney swore in pending witnesses for the hearing. She asked Councilmembers to disclose the following relative to the application and property: any specialized knowledge; a fixed opinion not subject to change; close relation to the applicant or property owner; and/or a financial interest in the outcome. It was noted by the Council that they had received some e-mails from community members which will be entered into the record.

Councilmember Clement motioned to open the hearing, which was seconded by Councilmember Pate. The vote was unanimous.

- Town Planner II Suzy Russell presented the staff report and submitted it as Exhibit A. She confirmed the Council emails will be Exhibit B.
- Town Engineer James Michel clarified some questions from Council on the existing right-of-way.
- The applicant's representative, Kevin Lindsay of 130 Evergreen Court in Pinehurst, presented the application, which was submitted as Exhibit C.
- The applicant, Colin Webster, addressed some questions on the architecture.
- Resident Leslie Brian of 265 W. Illinois Avenue presented herself as an expert in architecture and submitted some comments on the application.

Councilmember Pate motioned, seconded by Mayor Pro Tem Murphy to adopt Attachment A of the SU-03-21 staff report as Findings of Fact, noting that Finding of Fact 'C' shall be amended to read, "The Town Council finds the subject properties have access to and can be served by TOSP public facilities. The Town shall require as minimal right-of-way as necessary based on review with Town staff." The motion passed 4-1 with Councilmember Petersen casting the dissenting vote.

Motion by Councilmember Pate, seconded by Mayor Pro Tem Murphy to approve SU-03-21. The motion passed 4-1 with Councilmember Petersen casting the dissenting vote.

Motion by Councilmember Clement, seconded by Mayor Pro Tem Murphy to adopt Attachment B of the staff report for Preliminary Plat Application S-47-21 as Findings of Fact. The motion passed 4-1 with Councilmember Petersen casting the dissenting vote.

Motion by Councilmember Pate, seconded by Mayor Pro Tem Murphy to approve Preliminary

Plat Application S-47-21. The motion passed 4-1 with Councilmember Petersen casting the dissenting vote.

d. OA-02-21 Various staff-initiated text amendments to UDO

The Planning Division of the Town of Southern Pines Community Development Department is proposing to amend the Unified Development Ordinance (UDO) with a variety of text amendments and are asking for Town Council review per UDO §2.17.

Motion by Councilmember Pate, seconded by Mayor Pro Tem Murphy to open the hearing. The vote was unanimous.

Planning Director BJ Grieve reviewed the proposed changes.

- The following attendees shared concerns about the proposed changes to building heights:
 - Susan Ward, 575 Clark Street
 - Jennifer Williams, 145 W. Maine Avenue
 - John McInerney, Southern Pines, NC
 - Kathleen Simon, 600 W. Rhode Island Avenue

Councilmember Petersen moved to close the hearing. Seconded by Mayor Pro Tem Murphy, the vote was unanimous.

Councilmember Petersen moved to adopt the changes to the language in UDO 2.18, 2.20 and 2.21, respectively, to eliminate evidentiary hearings by the Planning Board and place those hearings with "Preliminary Forums" per UDO 2.5.2. Seconded by Councilmember Pate, the vote was unanimous.

Councilmember Pate moved to adopt amendments to UDO 2.42.7, 4.13.5, 4.13.5, 4.13.6, 5.9.4, 8.18.1 and 8.19.6 to remove criminal penalties for zoning violations per Session Law 2021-138, Part XIII and to clarify that violations of zoning shall simply be subject to a civil penalty in the form of a fine of up to \$50 for each day that the violation continues to exist. Seconded by Mayor Pro Tem Murphy, the vote was unanimous.

Councilmember Pate moved to amend UDO 4.2.1 so that only building height is restricted, rather than restricting both the building height and the maximum number of stories inside any building in the CB, GB, PD and I Districts. Seconded by Mayor Pro Tem Murphy, the motion passed with a vote of 3-2 as follows:

Mayor Haney: aye

Mayor Pro Tem : aye

Councilmember Pate: aye

Councilmember Clement: nay

Councilmember Petersen: nay

Councilmember Pate moved to adopt the amendment to UDO 4.3.13 to remove the term

"DBH" so that only the term "caliper" is used throughout the UDO for the measurement of both existing and required trees with the addition of "or 4.5' above ground height" and to clarify that the caliper of a tree is the diameter of the tree measured at breast height. Seconded by Mayor Pro Tem Murphy, the vote was unanimous. t

e. PD-11-21 Waterworks CDP Amendment

Mr. Kevin Lindsay has applied to amend the current approved CDP for the Waterworks development. The proposed project is a mixed-use development with up to 80,000 square feet of retail and/or offices and up to 80 residential units over four phases of development on +28.79 acres. The property is located on the East side of Central Drive/ NC HWY 22 between Warrior Woods Road and Aiken Road.

Councilmember Pate moved to open the public hearing for PD-11-21. Seconded by Mayor Pro Tem Murphy, the vote was unanimous.

- Planning Director Grieve gave an overview of the project and staff report.
- The applicant, Andy Bleggi spoke about the project and answered the Council's questions.
- Bennie Sient of 600 Rhode Island Ave. voiced concerns regarding the traffic volume this project will create.

Councilmember Pate moved to close the public hearing for PD-11-21. Seconded by Mayor Pro Tem Murphy, the vote was unanimous.

Councilmember Pate moved that after reviewing the proposed Conceptual Development Plan and the criteria for consideration of a Conceptual Development Plan, and after considering the comments received at the Town Council's public hearing and the Planning Board's written recommendation, the requested Conceptual Development Plan is consistent with the Comprehensive Long Range Plan and is a reasonable request for rezoning for the reasons set forth in the written Planning Board recommendation attached to staff report PD-11-21. Mayor Pro Tem Murphy seconded, the vote was unanimous.

Councilmember Pate motioned to approve PD-11-21 as submitted and as set forth in attachments to the staff report PD-11-21 with the condition that the CDP be modified to change table 1.1 to a maximum of 40 residential units from it's current number of 8. Mayor Pro Tem Murphy seconded. The vote was unanimous.

5. CONSENT AGENDA

Town Manager Reagan Parsons reviewed the Consent Agenda.

Concilmember Pate moved to approve the Consent Agenda. Seconded by Mayor Pro Tem

Murphy, the vote was unanimous.

a. AX-07-21 Morganton Park South: Set Hearing Date

Robert & Julie Van Camp, Trustees, Thomas Van Camp, Trustee, and Morganton Road Enterprises, LLC have petitioned the Town for a voluntary annexation of a parcel totaling +54.94 acres. The parcels are identified as PIN 857100575720 and 857100572972 and are located between US 15-501 and W. Morganton Rd. The public hearing will be scheduled for February 8, 2022.

b. AX-08-21 Blue Farm Lots: Set Hearing Date

Mr. Benjamin Stout is requesting voluntary annexation of five parcels totaling +4.10 acres, collectively known as Blue Farm, Section Three and located on NC Hwy 22. The public hearing will be scheduled for February 8, 2022.

c. Appoint Carrie Dugas to the Library Advisory Board with a Term to Expire 12/31/2024

The Library Advisory Board recommends that Council appoint Carrie Dugas. Ms. Dugas' term will be January 1, 2022 through December 31, 2024.

d. Approve Ordinances Amending the FY 21-22 Budget

1. **\$43,250 insurance reimbursement to Police Dept.**
2. **\$2,500 donation monies transferred to Fire Department**
3. **\$8,060 donation monies transferred to Library**
4. **\$19,528 transfer from Fund Balance to Legislation**

These budget amendments will allocate donations received to the fire department and library, as well as an insurance reimbursement to the police department. Additionally, funds will be transferred from Fund Balance to Legislation to cover the invoice for the primary election.

6. PUBLIC COMMENTS

No public comments were voiced.

7. ADJOURNMENT

Upon motion by Councilmember Pate, seconded by Mayor Pro Tem Murphy and carried unanimously, Council adjourned at 11:43 pm.

Respectfully submitted:



MINUTES

**Monday, January 24, 2022: 3:00 PM
Town Council Work Session**

VIRTUAL MEETING VIA GOTO WEBINAR

At the meeting start time, please attend using one of the following three options:

Online at <https://attendee.gotowebinar.com/register/6656393237553247504>

Via GoToWebinar app on tablet/smartphone by entering Webinar ID 933-242-555.

By phone*, dial (415) 930-5321, then use Audio Access Code 434-838-719.

1. CALL TO ORDER

Mayor Haney called the meeting to order. The following members of Town Council were present: Mayor Carol Haney; Taylor Clement; Paul Murphy; Bill Pate; and Ann Petersen.

Mayor Haney thanked the Town staff and Duke Energy staff who helped us all get through the recent storm.

2. TOWN MANAGER'S COMMENTS

Town Manager Reagan Parsons reviewed the agenda.

a. CivicClerk Review

Staff will review the recently launched CivicClerk platform.

Assistant Town Manager Jessica Roth gave the Council an overview of the program and its capabilities.

3. ACTION ITEMS

a. Authorize Demolition of Unsafe Building at 830 Clark Street and Expenditure of \$7,200 for Demolition Work

Chief Building Inspector John Bullock and Code Enforcement Officer Lisa Webb will present the request and history on this property.

Chief Building Inspector John Bullock reviewed the request and answered the Council's questions.

Councilmember Pate moved to approve Condemnation of the Unsafe Structure at 830 Clark Street, Southern Pines and to approve the requested funding of \$7,200.00 for

demolition of said property. The motion was seconded by Mayor Pro Tem Murphy and the vote was unanimous.

b. AX-01-22: Direct Clerk to Investigate Petition for Annexation at 3900 Youngs Road

Michael Tveter and Jamie Tveter are requesting voluntary annexation of a contiguous parcel that is currently outside of the corporate limits of the Town of Southern Pines.

Per the Moore County tax records, the subject parcel is identified as PIN 858100892377; PARID 20210139 and is owned by Michael Tveter and Jamie Tveter.

Town Manager Reagan Parsons reviewed the request for the Council.

Councilmember Pate moved to approve the Resolution Directing the Clerk to Investigate a Petition for Voluntary Annexation of 3900 Youngs Road. The motion was seconded by Mayor Pro Tem Murphy and the vote was unanimous.

c. SU-03-21 Townhouses on Bennett Written Decision

Planning staff has prepared a draft written decision for SU-03-21 that was heard by the Town Council on January 11, 2022.

Planning Director Grieve presented the report to the Council. This is a written version of a decision that was already voted on and approved by the Council.

Councilmember Pate moved to approve the Written Decision for SU-03-21: Townhouses on Bennett Street. The motion was seconded by Mayor Pro Tem Murphy and the vote was unanimous.

d. PD-10-21: Adopt Written Decision for Pinehurst Surgical Center Site 3N PDP

Planning staff has prepared a draft written decision for PD-10-21 that was heard by the Town Council on January 11, 2022.

Planning Director Grieve presented the request to the Council. This is a written version of a decision that was already voted on and approved by the Council.

Councilmember Pate moved to approve the Written Decision for PD-10-21: Pinehurst Surgical Center Site 3N PDP. The motion was seconded by Mayor Pro Tem Murphy and the vote was unanimous.

4. COUNCIL UPDATES AND DISCUSSION

a. Arts Council of Moore County Public Art Program

Mr. Chris Dunn, Executive Director of the Arts Council of Moore County, has requested time to speak with the Town Council. He wishes to brief the Council about a revised version of a public art program to install privately-funded murals on buildings in Southern Pines. Consideration of such a program was originally initiated as a request from Mr. Steve Harbour in June of 2020.

Planning Director Grieve gave a brief overview of the request and background.

Chris Dunn, Executive Director of the Arts Council of Moore County, detailed the proposed program and answered any questions raised by the Council.

All of the Council members expressed their support for the project.

b. EPA Inspection of Southern Pines Water System

On October 19th, representatives of the Environmental Protection Agency (EPA) performed an inspection of the Town's water treatment and distributions systems. The Town was the only water system in North Carolina that was inspected. The Town passed the inspection with flying colors and no violations were noted by EPA.

The Town's water system passed its recent EPA Inspections. The Council congratulated staff on a job well done.

c. Municipal Elections Discussion

Council-initiated discussion on options for future municipal elections.

Assistant Town Manager Roth presented a report on recent election numbers and costs as well as options authorized under NCGS. Council discussed the rising costs of holding primary elections and the voter turn out numbers. The Council asked staff to proceed with starting the process of amending the Town Charter to eliminate primary elections, asking that the matter be addressed again at the March 2022 Town Council Meeting.

5. ADJOURNMENT

Councilmember Pate motioned, seconded by Mayor Pro Tem Murphy, to adjourn the meeting. The vote was unanimous.

The meeting adjourned at 4:11 pm.

Respectfully submitted:

NORTH CAROLINA
MOORE COUNTY

UTILITY CONSTRUCTION AGREEMENT (UCA)

DATE: 2/7/2022

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION

AND

Project: U-5815BA
WBS Elements: 54041.1.4.FR1
54041.3.5

TOWN OF SOUTHERN PINES

THIS AGREEMENT is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the "Department" and the Town of Southern Pines, hereinafter referred to as the "Municipality."

WITNESSETH:

WHEREAS, the Department has prepared and adopted plans to make certain street and highway improvements under Project U-5815BA, in Moore County, said plans consists of relocating a water transmission line; and,

WHEREAS, the Department, the Municipality and the Town of Aberdeen, on 1/27/2022, entered into an agreement to identify the responsibilities and proposed cost participation by each Party, relative to the above scope of work; and,

WHEREAS, the parties hereto wish to enter into an agreement for said work to be performed by the Department's construction contractor with full reimbursement by the Municipality for the costs thereof as hereinafter set out.

NOW, THEREFORE, it is agreed as follows:

PRELIMINARY ENGINEERING

1. The Department shall use its utility limited service agreement for Project U-5815BA, Moore County.

2. The Municipality shall be responsible for the costs of the Preliminary Engineering Design. The actual cost to the Municipality is \$7,561.50 as shown on the attached cost estimate, Exhibit "B". It is understood by both the Department and the Municipality that this is a final cost unless the Municipality requests additional work not covered under this Agreement, or plan review by the Department and/or Municipality does not properly identify all existing conflicts or Department revises highway plans before or during construction. Under this agreement, the Municipality reserves the right to re-engineer plans due to the Department's plan revisions.
3. Upon the satisfactory completion of the utility construction plans covered under this Agreement, the Municipality shall review and approve the plans, the associated estimated utility construction cost and special provisions to be made part of the Department's roadway contract for highway construction; the Municipality shall release the Department of any future responsibility for the design of the utility construction plans. Said releases shall be deemed to be given by the Municipality upon completion of the plans, estimate, special provisions and acceptance by the Department and Municipality for the plans to be made part of the highway roadway contract.

CONSTRUCTION

4. The Department shall place provisions in the construction contract for Project U-5815BA Moore County, for the contractor to adjust and relocate the existing 18" transmission main. The Department will also include a line item for an upgrade to a 24" transmission main. Upon opening bids, the Municipality will determine which size transmission main shall be installed.
 - If the Municipality selects to relocate the existing 18" transmission main, the estimated cost to the Municipality is \$514,900.00.
 - If the Municipality selects to upgrade to a 24" transmission main, then the estimated betterment cost difference is \$1,378,215.00. Including the estimated relocation, the total estimated reimbursement will be \$1,893,115.

Said work shall be accomplished in accordance with plan sheets, attached hereto as Exhibit "A", cost estimate attached hereto as Exhibit "B", and project specific provisions, if applicable, attached hereto as Exhibit "C".

It is understood by both parties that these are estimated costs and are subject to change. The Municipality shall reimburse the Department for said costs as follows:

REIMBURSEMENT TO THE DEPARTMENT – FINAL BILLING

5. The Municipality shall reimburse the Department for said costs as follows:

- A. Upon completion of the utility construction plans, the Department shall submit an invoice to the Municipality for costs incurred. Billing will be based upon the negotiated cost and any supplemental agreements made part of this agreement. Reimbursement shall be made by the Municipality in one final payment within sixty (60) days of said invoice.
- B. Upon completion of the highway work, the Department shall submit an itemized invoice to the Municipality for costs incurred. Billing will be based upon the actual bid prices and actual quantities used.
- C. Reimbursement shall be made by the Municipality in one final payment within sixty (60) days of said invoice.
- D. If the Municipality does not pay said invoice within sixty (60) days of the date of the invoice, the Department shall charge interest on any unpaid balance at a variable rate of the prime plus (1%) in accordance with G.S. 136-27.3.
- E. Said interest rate shall be set upon final execution of the Agreement by the Department. The Municipality will be notified of the set interest rate by the Department's approval letter upon receipt of the fully executed agreement.
- F. Any cost incurred due to additional utility work requested by the Municipality after award of the construction contract, shall be solely the responsibility of the Municipality. The Municipality shall reimburse the Department 100% of the additional utility cost.
- G. In the event the Municipality fails for any reason to pay the Department in accordance with the provisions for payment hereinabove provided, North Carolina General Statute 136-41.3 authorizes the Department to withhold so much of the Municipality's share of funds allocated to said Municipality by North Carolina General Statute, Section 136-41.1, until such time as the Department has received payment in full.

- H. At any time prior to final billing by the Department, the Municipality may prepay any portion of the estimated cost by sending a check with the WBS Element noted to the below address. The Department will provide a final billing based on actual costs, less any previous payments that have been made.

REMITTANCE ADDRESS:

NC Department of Transportation
ATTN: Accounts Receivable
1514 Mail Service Center
Raleigh, NC 27699-1514

6. Upon the satisfactory completion of the relocations and adjustments of the utility lines covered under this Agreement, the Municipality shall assume normal maintenance operations to the said utility lines. Upon completion of the construction of the highway project, the Municipality shall release the Department from any and all claims for damages in connection with adjustments made to its utility lines; and, further, the Municipality shall release the Department of any future responsibility for the cost of maintenance to said utility lines. Said releases shall be deemed to be given by the Municipality upon completion of construction of the project and its acceptance by the Department from its contractor unless the Municipality notifies the Department, in writing, to the contrary prior to the Department's acceptance of the project.
7. It is further agreed that the following provisions shall apply regarding the utilities covered in this Agreement.
- I. The Municipality obligates itself to service and to maintain its facilities to be retained and installed over and along the highway within the Department's right-of-way limits in accordance with the mandate of the North Carolina General Statutes and such other laws, rules, and regulations as have been or may be validly enacted or adopted, now or hereafter.
- J. If at any time the Department shall require the removal of or changes in the location of the encroaching facilities which are being relocated at the Municipality's expense, the Municipality binds itself, its successors and assigns, to promptly remove or alter said facilities, in order to conform to the said requirement (if applicable per G.S. 136-27.1), without any cost to the Department.
8. The other party to this Agreement shall comply with Title VI of the Civil Rights Act of 1964 (Title 49 CFR, Subtitle A, Part 21) and related nondiscrimination authorities. Title VI and related

authorities prohibit discrimination on the basis of race, color, national origin, disability, gender, and age in all programs or activities of any recipient of Federal assistance.

9. A copy or facsimile copy of the signature of any party shall be deemed an original with each fully executed copy of the Agreement as binding as an original, and the parties agree that this Agreement can be executed in counterparts, as duplicate originals, with facsimile signatures sufficient to evidence an agreement to be bound by the terms of the Agreement.
10. By Executive Order 24, issued by Governor Perdue, and N.C. G.S. § 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e., Administration, Commerce, Environmental Quality, Health and Human Services, Information Technology, Military and Veterans Affairs, Natural and Cultural Resources, Public Safety, Revenue, Transportation, and the Office of the Governor).

IN WITNESS WHEREOF, this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the Department and the Municipality by authority duly given.

L.S. ATTEST:

TOWN OF SOUTHERN PINES

BY: _____ BY: _____

TITLE: _____ TITLE: _____

DATE: _____

N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

(SEAL)

(FINANCE OFFICER)

Federal Tax Identification Number

Remittance Address:

Town of Southern Pines

DEPARTMENT OF TRANSPORTATION

BY: _____
(CHIEF ENGINEER)

DATE: _____

APPROVED BY BOARD OF TRANSPORTATION ITEM O: _____ (Date)

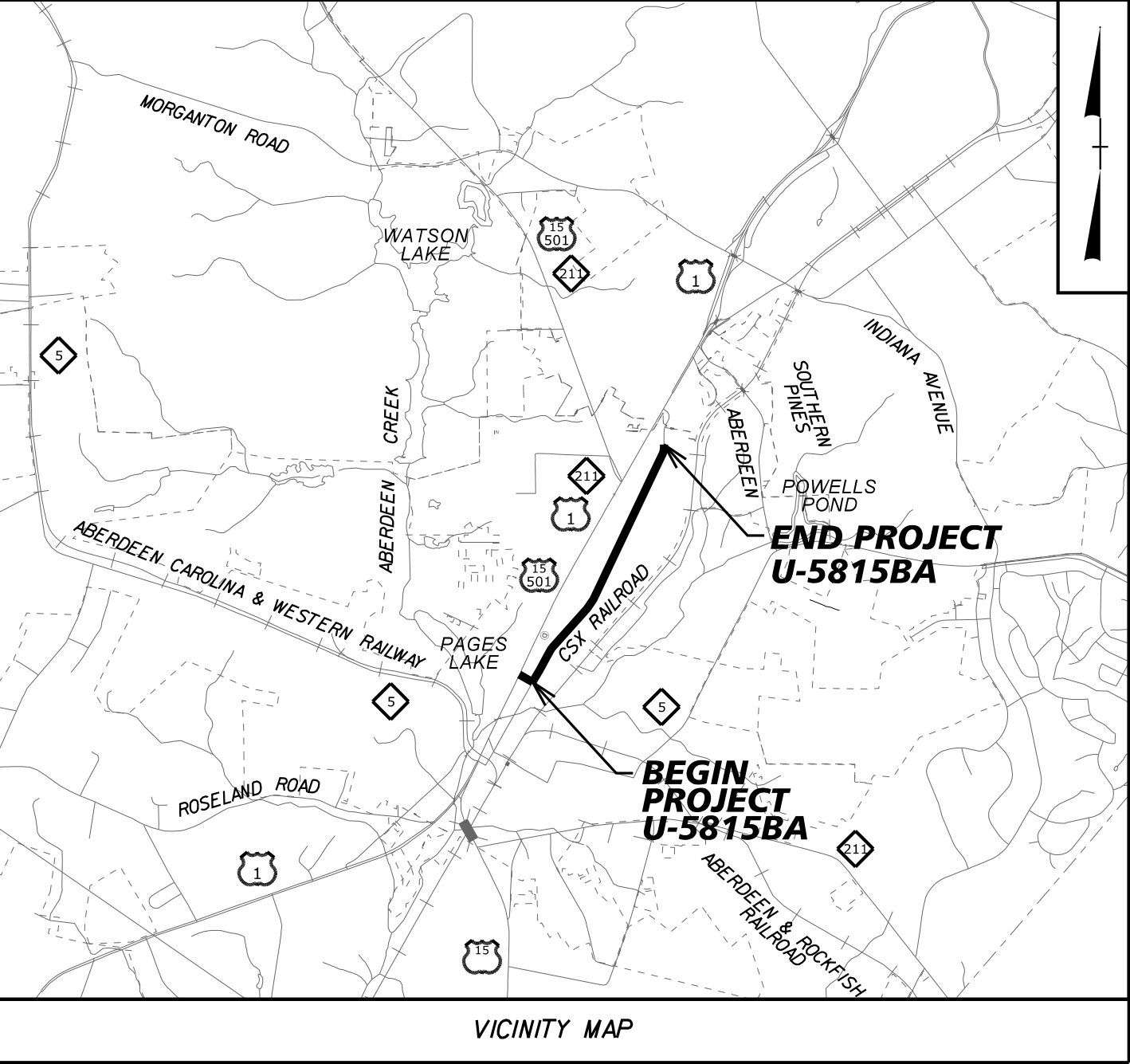
09/08/199

2/15/2022

TIP PROJECT: U-5815BA

CONTRACT: C204374

See Sheet 1-A For Index of Sheets
See Sheet 1-B For Conventional Plan Sheet Symbols



FINAL PLANS

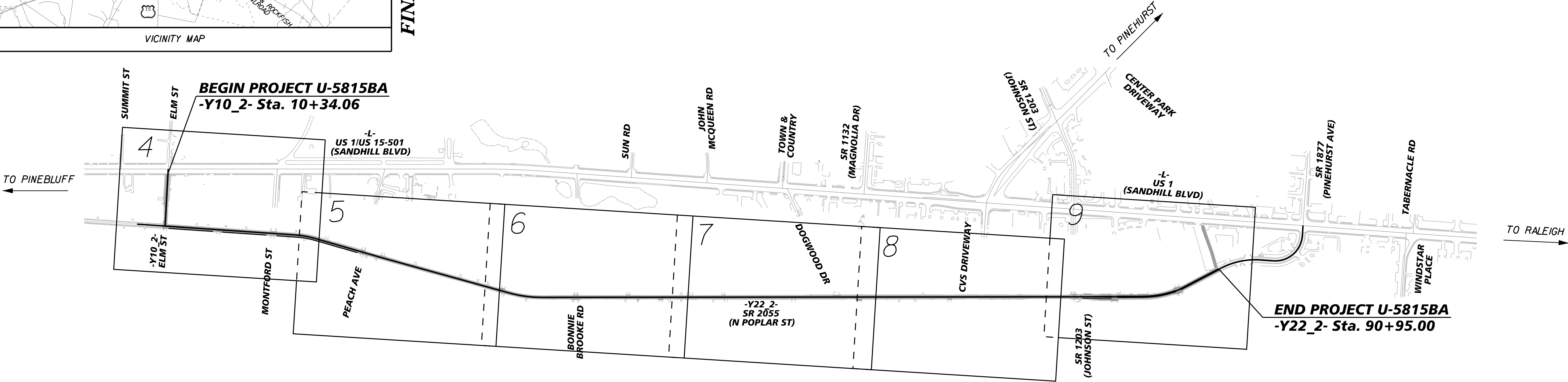
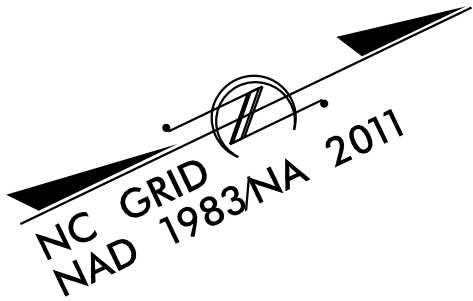
STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS
MOORE COUNTY

LOCATION: SR 2055 (N POPLAR ST) FROM ELM ST IN ABERDEEN TO 500' NORTH OF
BLUES CROSSING LN IN SOUTHERN PINES.

TYPE OF WORK: PAVING AND UTILITY CONSTRUCTION

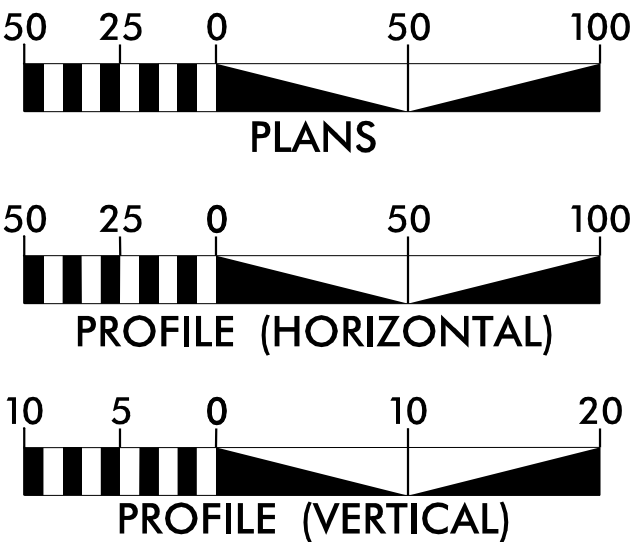
STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	U-5815BA	1	
STATE PROJ. NO.	F.A. PROJ. NO.	DESCRIPTION	
54041.1.FR1	NHP-0001(148)	P.E. (U-5815BA)	
54041.3.5		CONST. (U-5815BA)	

Exhibit "A"



NCDOT CONTACT: TRAVIS MORGAN, P.E.
DIVISION 8, UTILITY ENGINEER
(910) 773-8030

GRAPHIC SCALES



PROJECT LENGTH

LENGTH ROADWAY
TIP PROJECT U-5815BA = 1.453 MILES
TOTAL LENGTH
TIP PROJECT U-5815BA = 1.453 MILES

PLANS PREPARED FOR
THE NCDOT BY:

Kimley »Horn

2018 STANDARD SPECIFICATIONS

RIGHT OF WAY DATE:

MATTHEW WEST, PE
PROJECT ENGINEER

LETTING DATE:
April 2022

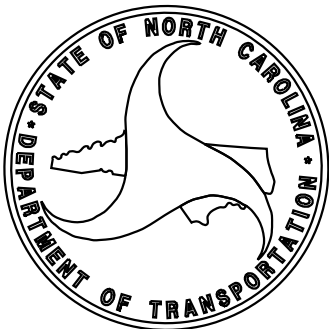
SEAN KANE, PE
PROJECT DESIGN ENGINEER

HYDRAULICS ENGINEER

SIGNATURE: P.E.
ROADWAY DESIGN ENGINEER



SIGNATURE: P.E.



REVISIONS

2/15/2022

BOUNDARIES AND PROPERTY:

State Line	
County Line	
Township Line	
City Line	
Reservation Line	
Property Line	
Existing Iron Pin	
Computed Property Corner	
Property Monument	
Parcel/Sequence Number	
Existing Fence Line	
Proposed Woven Wire Fence	
Proposed Chain Link Fence	
Proposed Barbed Wire Fence	
Existing Wetland Boundary	
Proposed Wetland Boundary	
Existing Endangered Animal Boundary	
Existing Endangered Plant Boundary	
Existing Historic Property Boundary	
Known Contamination Area: Soil	
Potential Contamination Area: Soil	
Known Contamination Area: Water	
Potential Contamination Area: Water	
Contaminated Site: Known or Potential	

BUILDINGS AND OTHER CULTURE:

Gas Pump Vent or U/G Tank Cap	
Sign	
Well	
Small Mine	
Foundation	
Area Outline	
Cemetery	
Building	
School	
Church	
Dam	

HYDROLOGY:

Stream or Body of Water	
Hydro, Pool or Reservoir	
Jurisdictional Stream	
Buffer Zone 1	
Buffer Zone 2	
Flow Arrow	
Disappearing Stream	
Spring	
Wetland	
Proposed Lateral, Tail, Head Ditch	
False Sump	

STATE OF NORTH CAROLINA, DIVISION OF HIGHWAYS
CONVENTIONAL PLAN SHEET SYMBOLS

RAILROADS:

Standard Gauge	
RR Signal Milepost	
Switch	
RR Abandoned	
RR Dismantled	

RIGHT OF WAY & PROJECT CONTROL:

Secondary Horiz and Vert Control Point	
Primary Horiz Control Point	
Primary Horiz and Vert Control Point	
Exist Permanent Easment Pin and Cap	
New Permanent Easement Pin and Cap	
Vertical Benchmark	
Existing Right of Way Marker	
Existing Right of Way Line	
New Right of Way Line	
New Right of Way Line with Pin and Cap	
New Right of Way Line with Concrete or Granite RW Marker	
New Control of Access Line with Concrete C/A Marker	
Existing Control of Access	
New Control of Access	
Existing Easement Line	
New Temporary Construction Easement	
New Temporary Drainage Easement	
New Permanent Drainage Easement	
New Permanent Drainage / Utility Easement	
New Permanent Utility Easement	
New Temporary Utility Easement	
New Aerial Utility Easement	

ROADS AND RELATED FEATURES:

Existing Edge of Pavement	
Existing Curb	
Proposed Slope Stakes Cut	
Proposed Slope Stakes Fill	
Proposed Curb Ramp	
Existing Metal Guardrail	
Proposed Guardrail	
Existing Cable Guiderail	
Proposed Cable Guiderail	
Equality Symbol	
Pavement Removal	

VEGETATION:

Single Tree	
Single Shrub	

*S.U.E. = Subsurface Utility Engineering

Hedge	
Woods Line	
Orchard	
Vineyard	

EXISTING STRUCTURES:

MAJOR:	
Bridge, Tunnel or Box Culvert	
Bridge Wing Wall, Head Wall and End Wall	
MINOR:	
Head and End Wall	
Pipe Culvert	
Footbridge	
Drainage Box: Catch Basin, DI or JB	
Paved Ditch Gutter	
Storm Sewer Manhole	
Storm Sewer	

UTILITIES:

POWER:	
Existing Power Pole	
Proposed Power Pole	
Existing Joint Use Pole	
Proposed Joint Use Pole	
Power Manhole	
Power Line Tower	
Power Transformer	
U/G Power Cable Hand Hole	
H-Frame Pole	
U/G Power Line LOS B (S.U.E.*)	
U/G Power Line LOS C (S.U.E.*)	
U/G Power Line LOS D (S.U.E.*)	

TELEPHONE:

Existing Telephone Pole	
Proposed Telephone Pole	
Telephone Manhole	
Telephone Pedestal	
Telephone Cell Tower	
U/G Telephone Cable Hand Hole	
U/G Telephone Cable LOS B (S.U.E.*)	
U/G Telephone Cable LOS C (S.U.E.*)	
U/G Telephone Cable LOS D (S.U.E.*)	
U/G Telephone Conduit LOS B (S.U.E.*)	
U/G Telephone Conduit LOS C (S.U.E.*)	
U/G Telephone Conduit LOS D (S.U.E.*)	
U/G Fiber Optics Cable LOS B (S.U.E.*)	
U/G Fiber Optics Cable LOS C (S.U.E.*)	
U/G Fiber Optics Cable LOS D (S.U.E.*)	

WATER:

Water Manhole	
Water Meter	
Water Valve	
Water Hydrant	
U/G Water Line LOS B (S.U.E.*)	
U/G Water Line LOS C (S.U.E.*)	
U/G Water Line LOS D (S.U.E.*)	
Above Ground Water Line	

TV:

TV Pedestal	
TV Tower	
U/G TV Cable Hand Hole	
U/G TV Cable LOS B (S.U.E.*)	
U/G TV Cable LOS C (S.U.E.*)	
U/G TV Cable LOS D (S.U.E.*)	
U/G Fiber Optic Cable LOS B (S.U.E.*)	
U/G Fiber Optic Cable LOS C (S.U.E.*)	
U/G Fiber Optic Cable LOS D (S.U.E.*)	

GAS:

Gas Valve	
Gas Meter	
U/G Gas Line LOS B (S.U.E.*)	
U/G Gas Line LOS C (S.U.E.*)	
U/G Gas Line LOS D (S.U.E.*)	
Above Ground Gas Line	

SANITARY SEWER:

Sanitary Sewer Manhole	
Sanitary Sewer Cleanout	
U/G Sanitary Sewer Line	
Above Ground Sanitary Sewer	
SS Forced Main Line LOS B (S.U.E.*)	
SS Forced Main Line LOS C (S.U.E.*)	
SS Forced Main Line LOS D (S.U.E.*)	

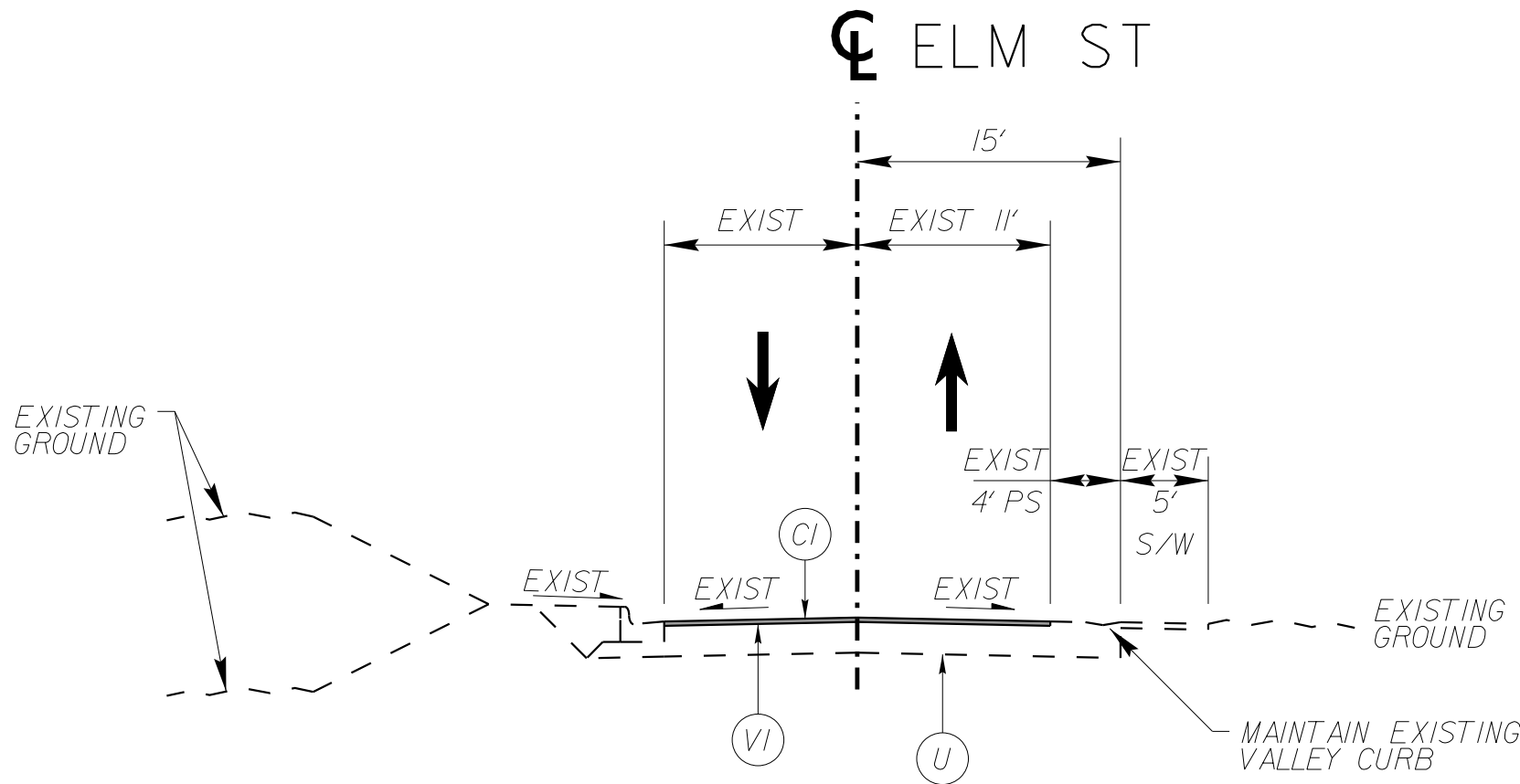
MISCELLANEOUS:

Utility Pole	
Utility Pole with Base	
Utility Located Object	
Utility Traffic Signal Box	
Utility Unknown U/G Line LOS B (S.U.E.*)	
U/G Tank; Water, Gas, Oil	
Underground Storage Tank, Approx. Loc.	
A/G Tank; Water, Gas, Oil	
Geoenvironmental Boring	
U/G Test Hole LOS A (S.U.E.*)	
Abandoned According to Utility Records	AATUR
End of Information	E.O.I.

5/14/99

REVISIONS

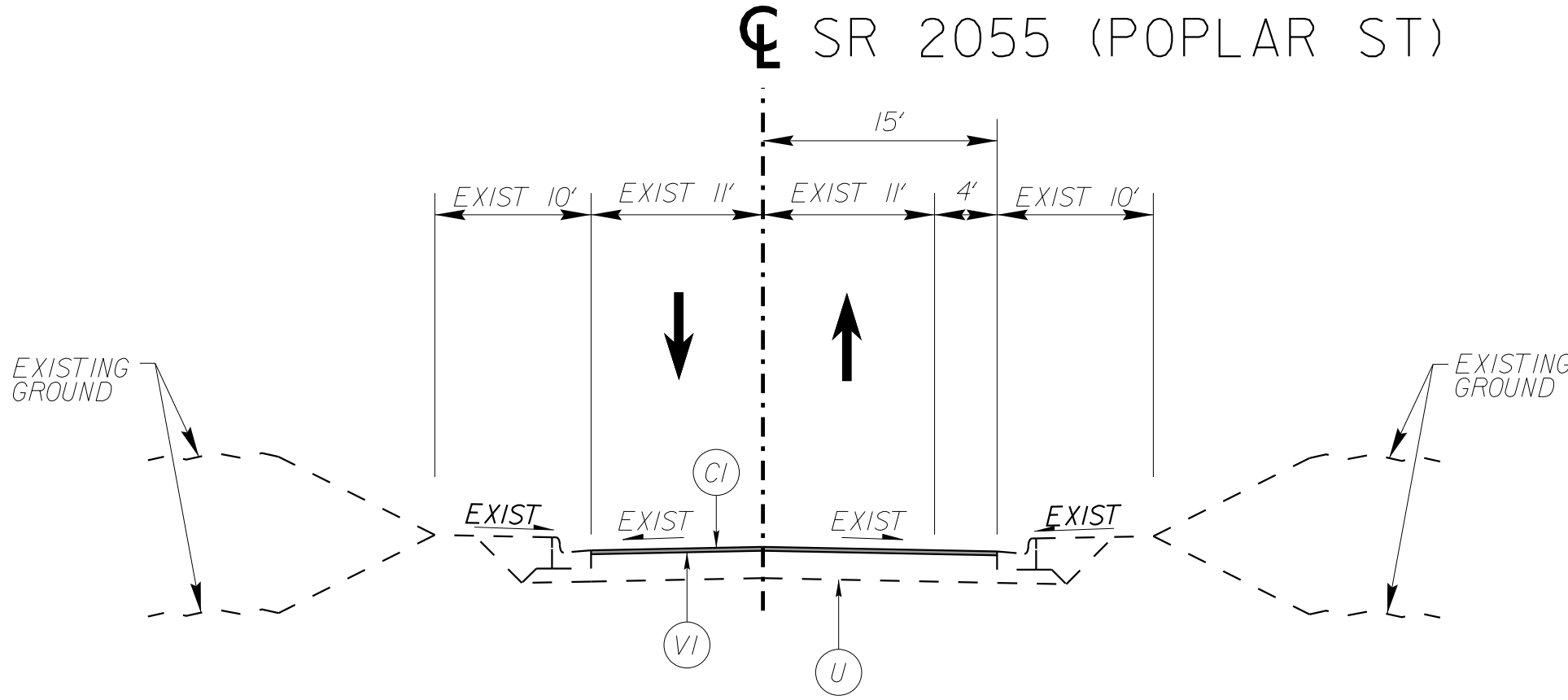
2/15/2022



TYPICAL SECTION NO. 1

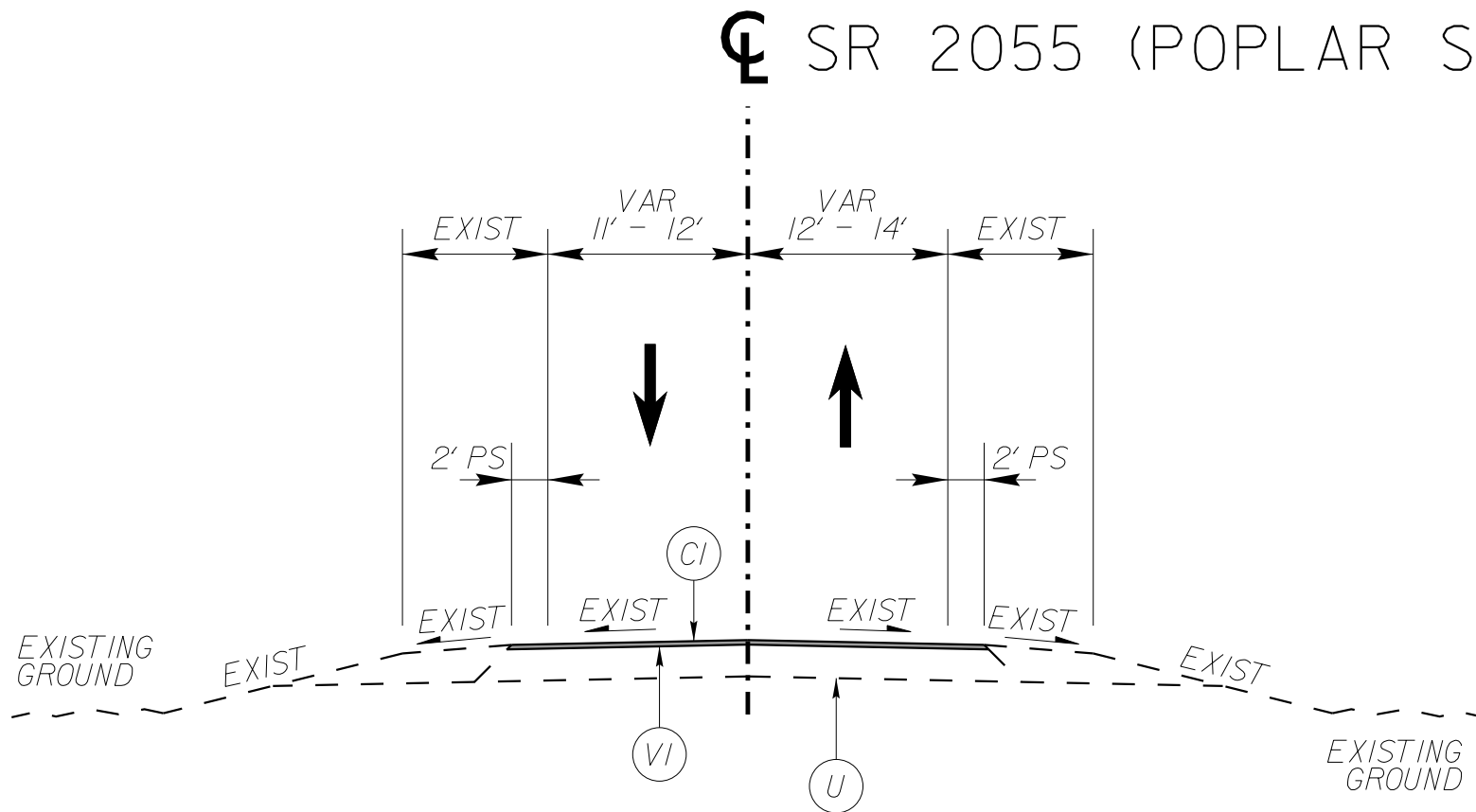
-Y10_2- STA 10+34.06 TO 12+73.23

NOTE: CONTRACTOR TO REMOVE AND REPLACE EXISTING ASPHALT SWALE AS NECESSARY TO INSTALL PROPOSED WATERLINE. ASPHALT SWALE TO BE RECONSTRUCTED TO ORIGINAL CONDITION PROVIDEING POSITIVE DRAINAGE, OR AS DIRECTED BY THE ENGINEER.



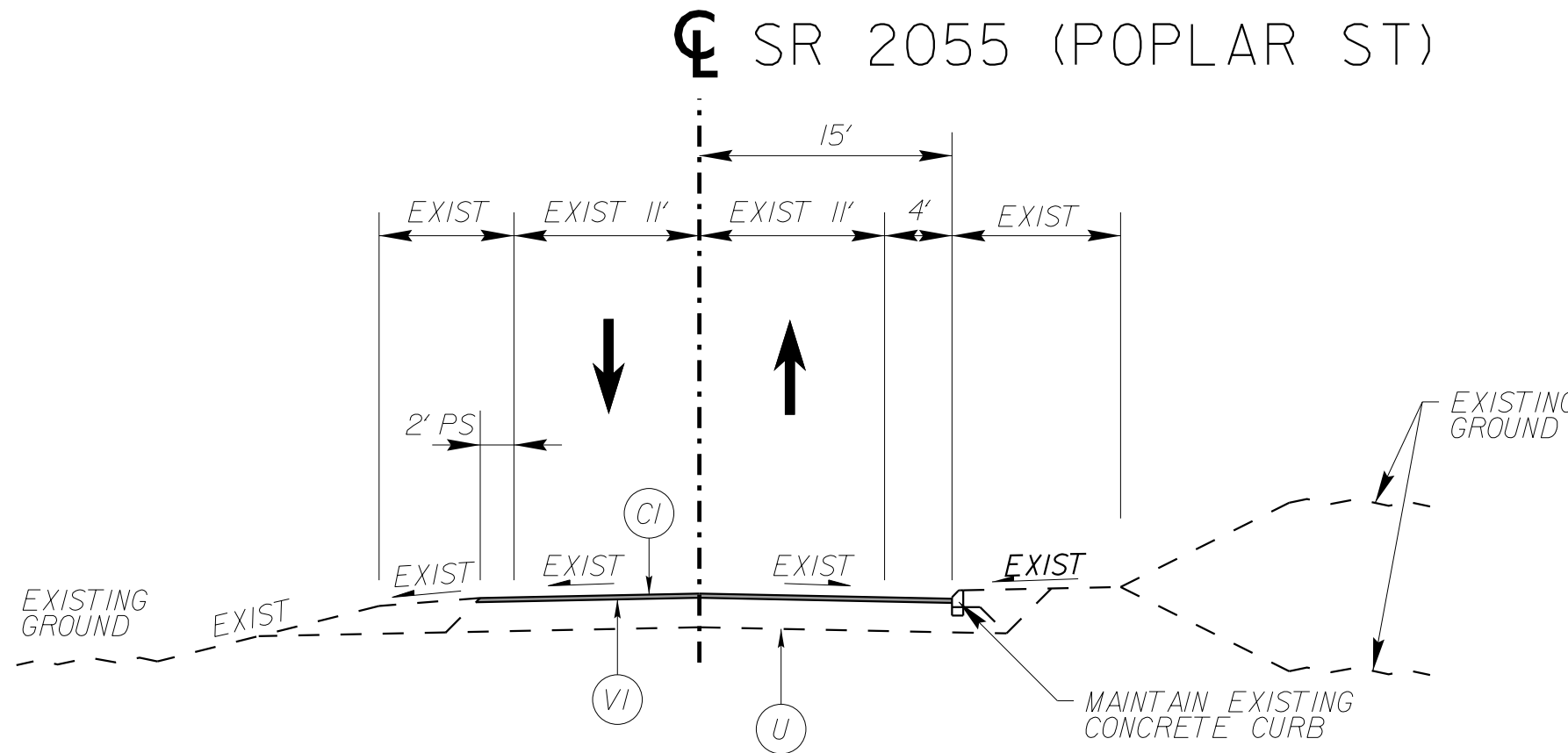
TYPICAL SECTION NO. 2

-Y22_2- STA 14+21.44 TO 26+75.00



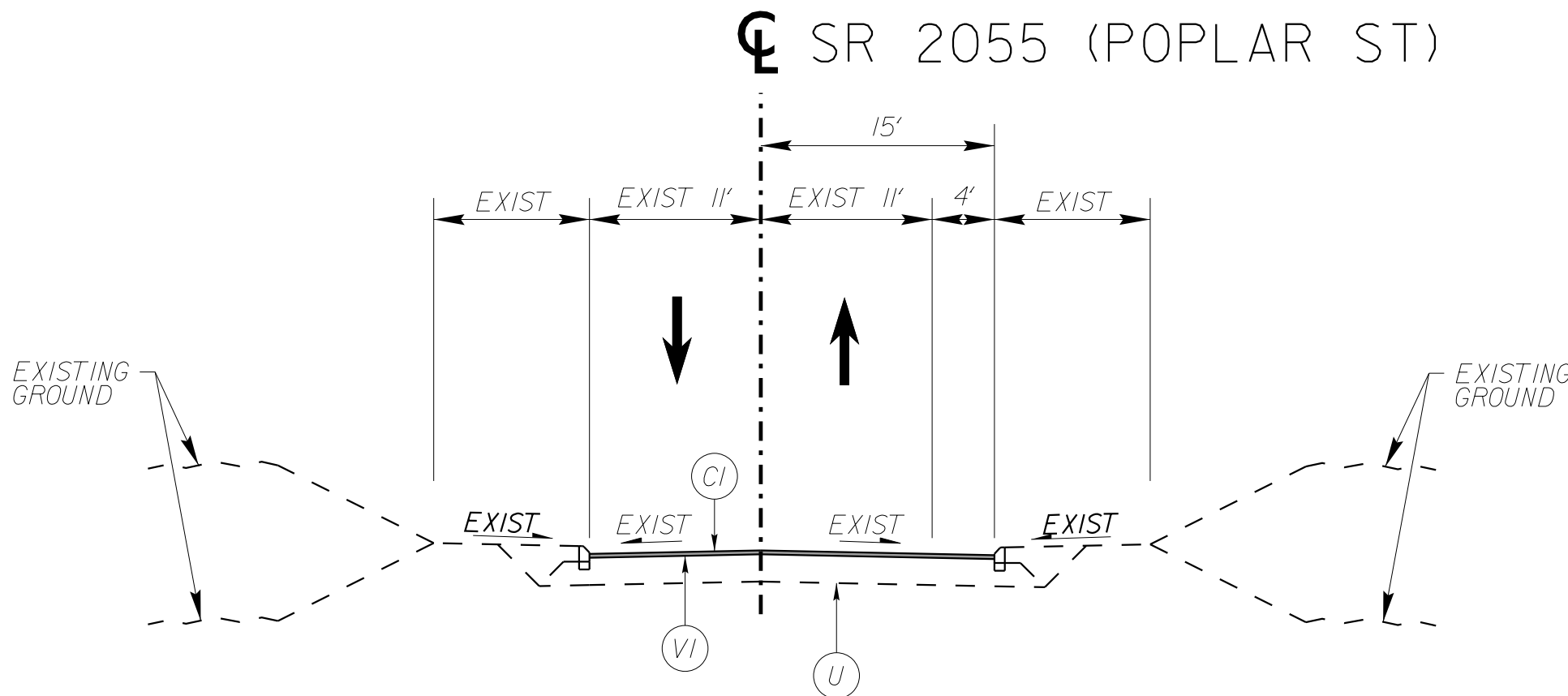
TYPICAL SECTION NO. 3

-Y22_2- STA 26+75.00 TO 54+10.00



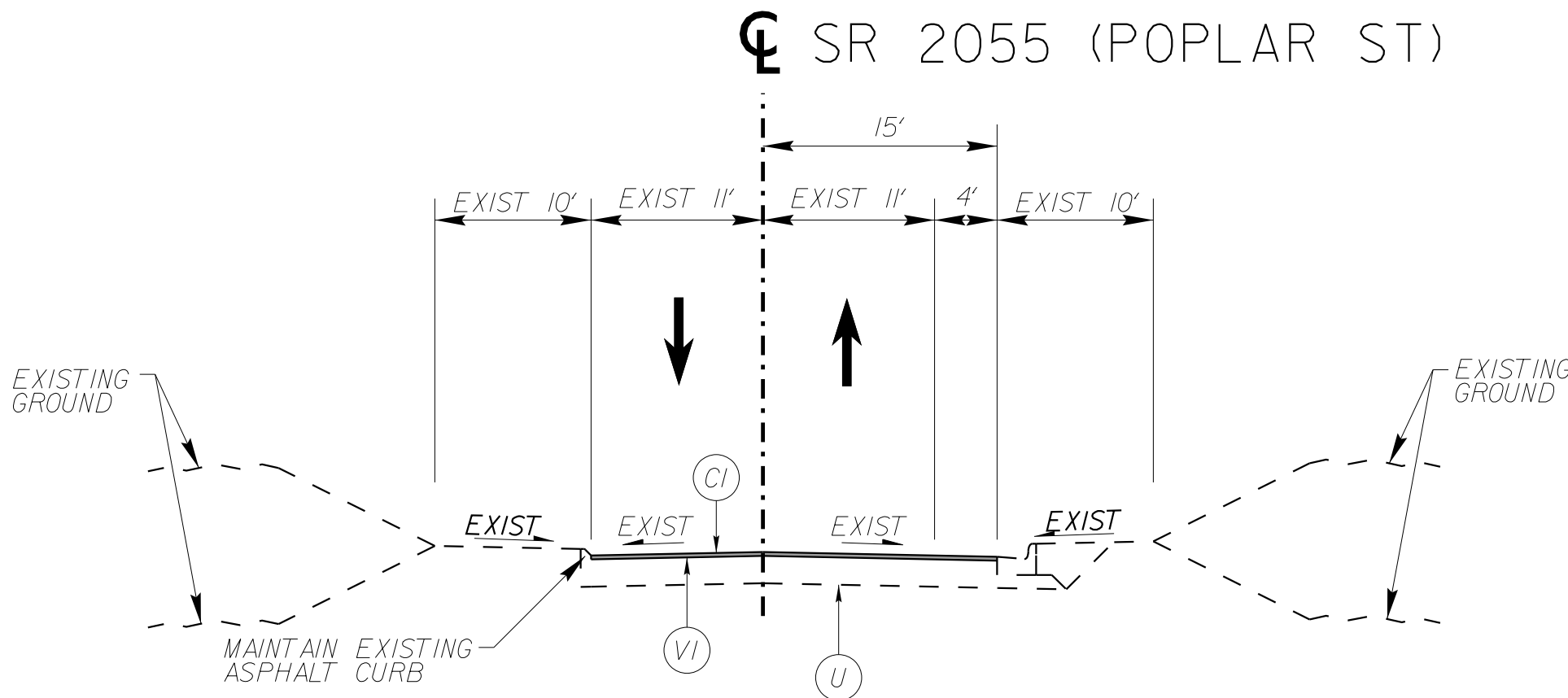
TYPICAL SECTION NO. 4

-Y22_2- STA 54+10.00 TO 62+30.00



TYPICAL SECTION NO. 5

-Y22_2- STA 62+30.00 TO 79+75.00



TYPICAL SECTION NO. 6

-Y22_2- STA 79+75.00 TO 90+95.00

Kimley»Horn

421 FAYETTEVILLE STREET, SUITE 600
RALEIGH, NC 27601

RIGHT-OF-WAY REV.

CONST. REV.

PROJECT REFERENCE NO.

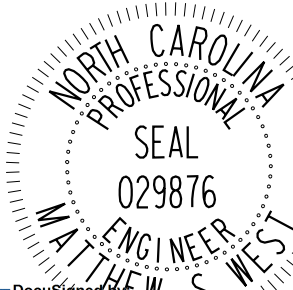
U-5815BA

SHEET NO.

2A-1

ROADWAY DESIGN
ENGINEER

PAVEMENT DESIGN
ENGINEER



Matthew West 2/15/2022

PAVEMENT SCHEDULE

(PRELIMINARY PAVEMENT DESIGN)

CI	PROPOSED APPROX. 1.5" ASPHALT CONCRETE SURFACE COURSE, TYPE S9.5C, AT AN AVERAGE RATE OF 168 LBS. PER SQ. YD.
C2	PROPOSED APPROX. 3" ASPHALT CONCRETE SURFACE COURSE, TYPE S9.5C, AT AN AVERAGE RATE OF 168 LBS. PER SQ. YD. IN EACH OF TWO LAYERS.
DI	PROPOSED APPROX. 4" ASPHALT CONCRETE INTERMEDIATE COURSE, TYPE I19.0C, AT AN AVERAGE RATE OF 456 LBS. PER SQ. YD.
EI	PROPOSED APPROX. 4" ASPHALT CONCRETE BASE COURSE, TYPE B25.0C, AT AN AVERAGE RATE OF 456 LBS. PER SQ. YD.
RI	PROPOSED 2'-6" CONCRETE CURB & GUTTER
T	EARTH MATERIAL
U	EXISTING PAVEMENT
VI	PROPOSED 15' MILLING

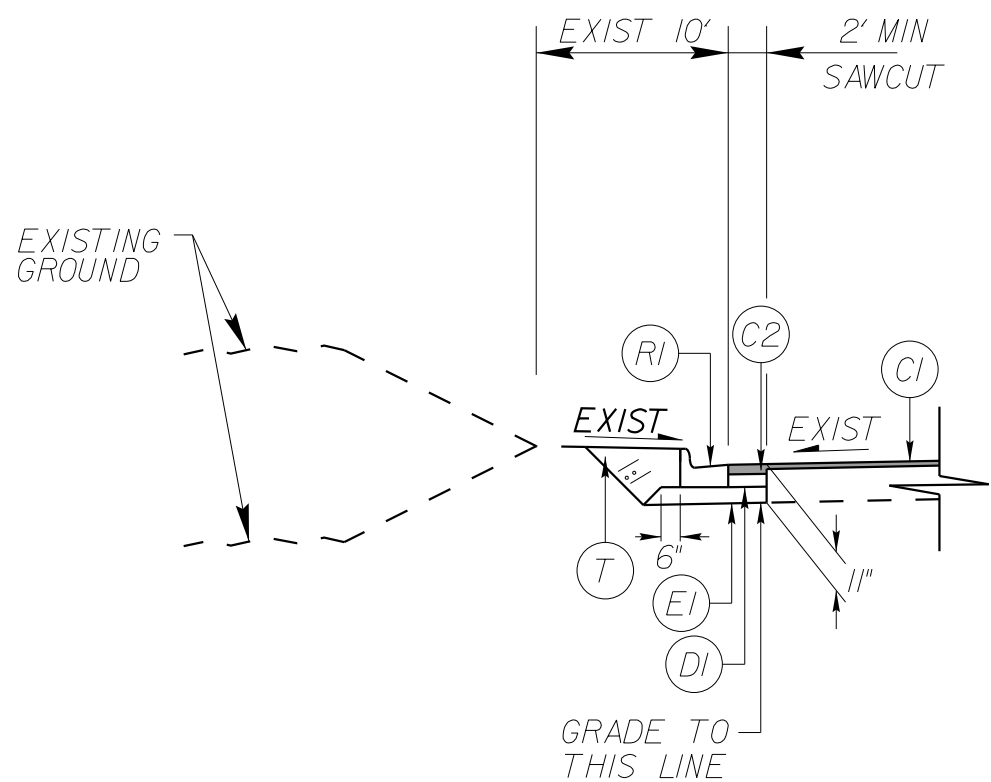
PAVEMENT EDGE SLOPES ARE
1:1 UNLESS OTHERWISE INDICATED

- REPLACE IN PLACE NEW CURB DUE TO DRAINAGE, WATER, AND SANITARY SEWER INSTALLATION.
- SEE PLANS FOR DETAILS OF VARIATIONS TO TYPICAL SECTION WIDTHS DUE TO TURN LANES, ETC.

5/14/99

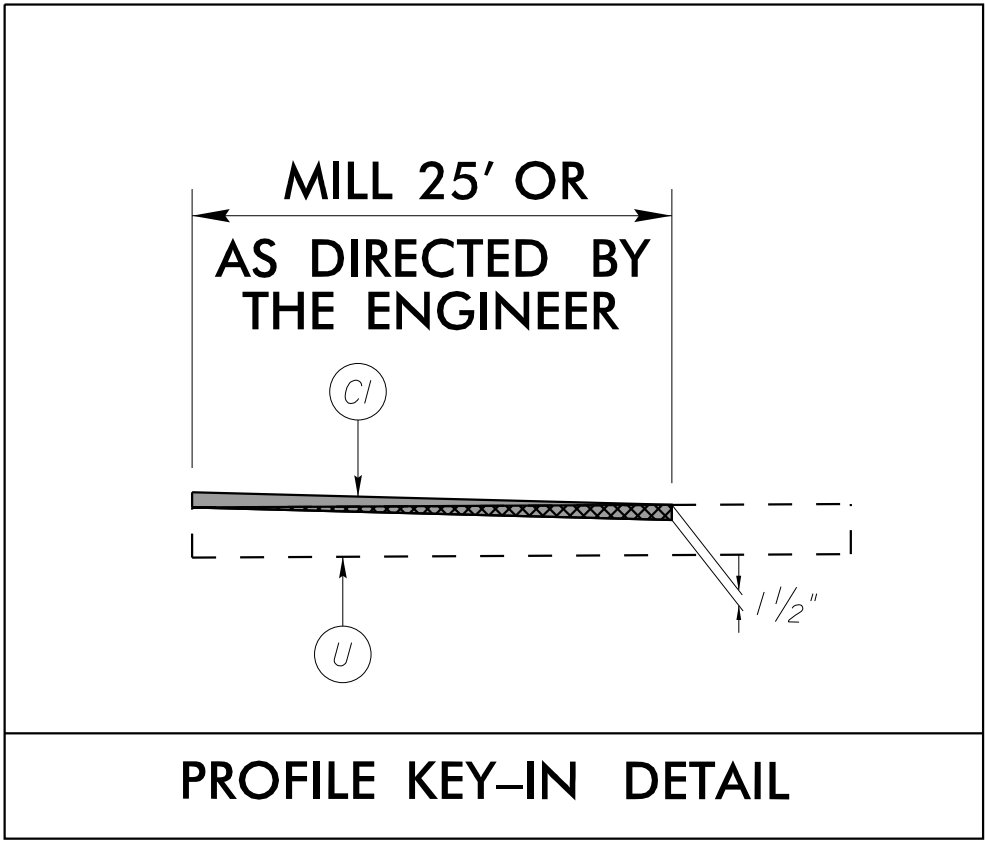
REVISIONS

2/15/2022



SAWCUT DETAIL NO. 1

- L- STA 82+82.36 TO 83+68.63 (RT)
- Y22_2- STA 21+40.00 TO 22+70.00 (LT)
- Y22_2- STA 22+84.00 TO 26+71.54 (RT)



PROFILE KEY-IN DETAIL

Kimley»Horn

421 FAYETTEVILLE STREET, SUITE 600
RALEIGH, NC 27601

RIGHT-OF-WAY REV.

CONST. REV.

PROJECT REFERENCE NO.

U-5815BA

SHEET NO.

2A-2

ROADWAY DESIGN
ENGINEER

PAVEMENT DESIGN
ENGINEER



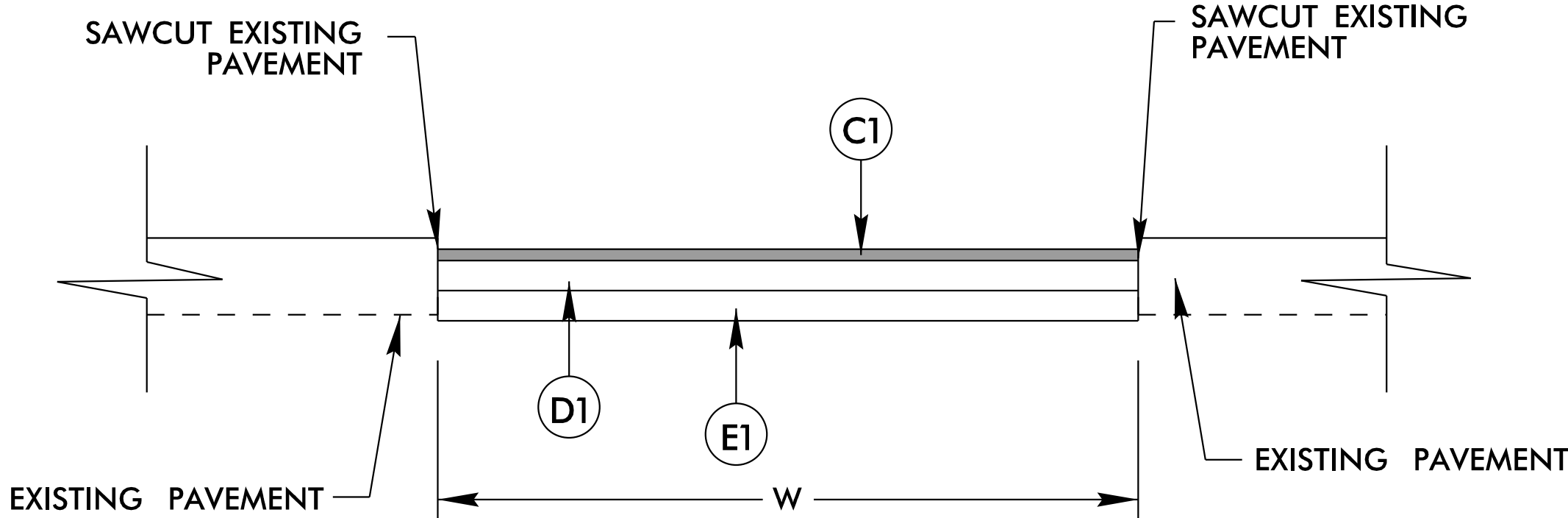
PAVEMENT SCHEDULE

(PRELIMINARY PAVEMENT DESIGN)

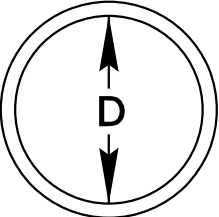
C1	1.5" S9.5C
C2	3" S9.5C
DI	4" 119.0C
EI	4" TYPE B25.0C
RI	2'-6" CONCRETE CURB & GUTTER
T	EARTH MATERIAL
U	EXISTING PAVEMENT
VI	1.5" MILLING

PAVEMENT EDGE SLOPES ARE
1:1 UNLESS OTHERWISE INDICATED

- ① REPLACE IN PLACE NEW CURB DUE TO DRAINAGE, WATER, AND SANITARY SEWER INSTALLATION.



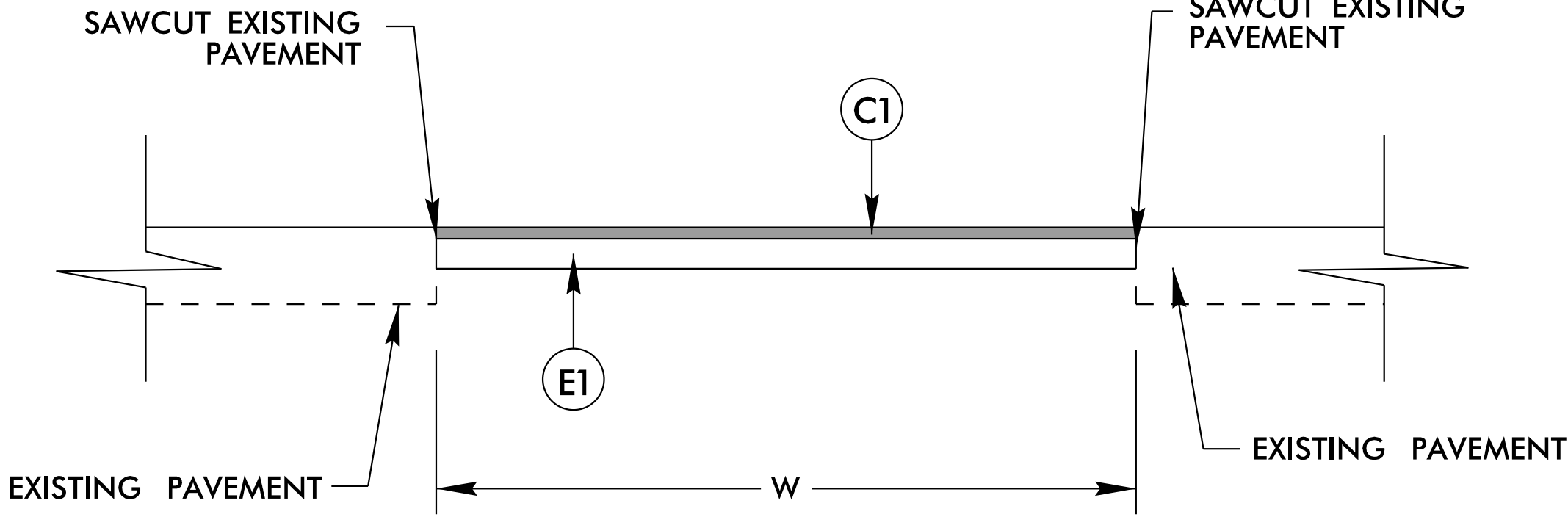
D	W
12"	7'-4"
15"	7'-7"
18"	7'-10"
24"	8'-6"
30"	9'-1"
36"	9'-8"
42"	10'-5"



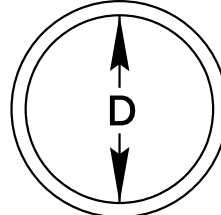
NOT TO SCALE

DETAIL 2 - ROADWAY PAVEMENT REPAIRS

PAVEMENT REPAIR TO BE PAID FOR AS SQUARE FOOTAGE OF PAVEMENT REPAIR UP TO FINAL SURFACE LAYER



D	W
12"	7'-4"
15"	7'-7"
18"	7'-10"
24"	8'-6"
30"	9'-1"
36"	9'-8"
42"	10'-5"



NOT TO SCALE

DETAIL 3 - PARKING LOT PAVEMENT REPAIRS

PAVEMENT REPAIR TO BE PAID FOR AS SQUARE FOOTAGE OF PAVEMENT REPAIR UP TO FINAL SURFACE LAYER

Kimley » Horn

421 FAYETTEVILLE STREET, SUITE 600
RALEIGH, NC 27601

RIGHT-OF-WAY REV.
CONST. REV.

PROJECT REFERENCE NO.

U-5815BA

SHEET NO.

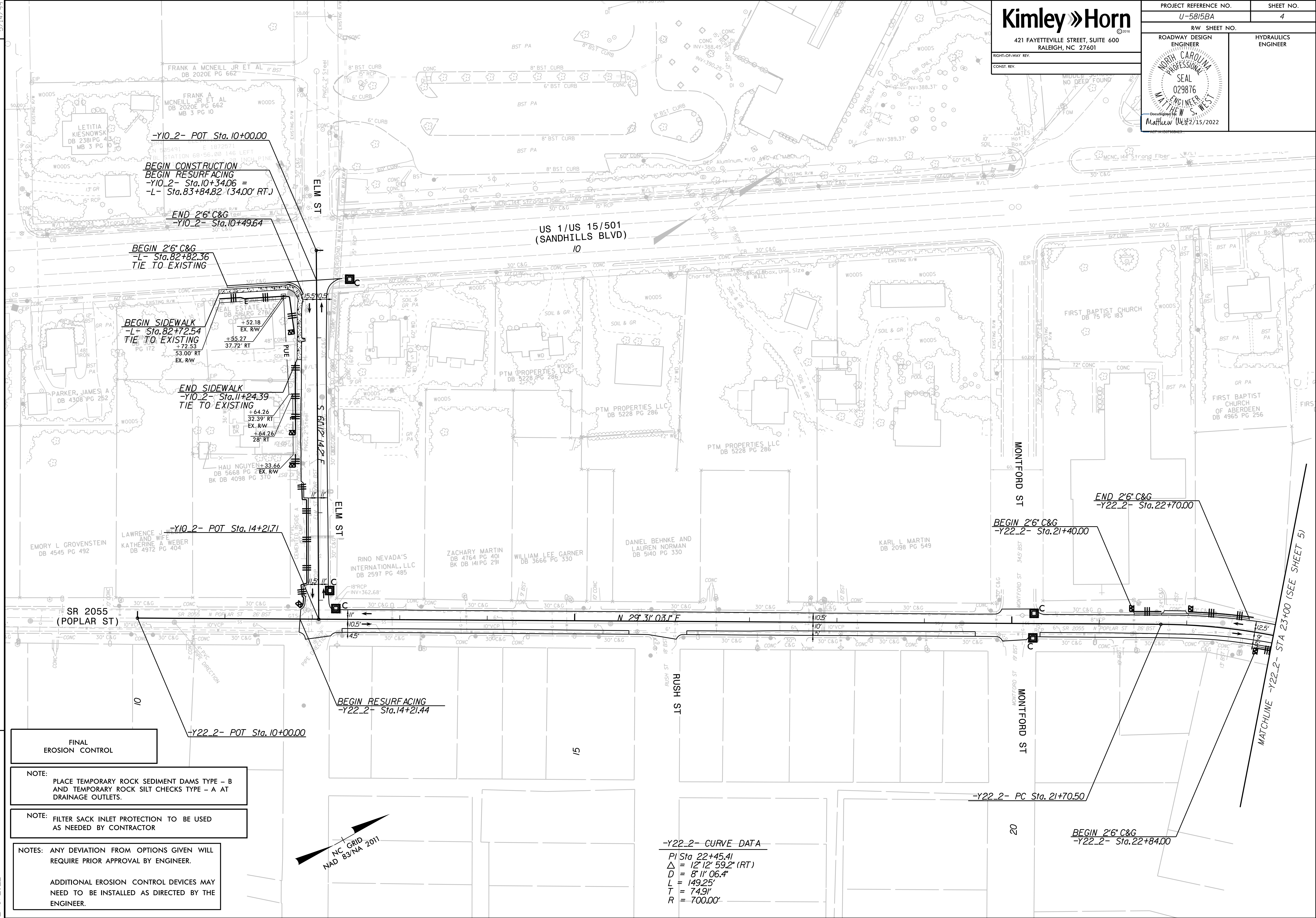
4

RW SHEET NO.

ROADWAY DESIGN
ENGINEER

HYDRAULICS
ENGINEER

NORTH CAROLINA
PROFESSIONAL
SEAL
029876
ENGINEER
MATTHEW S. WEST
Matthew West 2/15/2022



5/14/99

REVISIONS

2/15/2022

SB INVESTMENTS LLC
DB 4951 PG 574
BK DB 2872 PG 218
MB 3 PG 26

WEBB INVESTMENT
PROPERTIES, LLC
DB 4223 PG 591
MB 3 PG 26

PROPERTIES, LLC
DB 4223 PG 591
MB 3 PG 26

ROGER DALE WADELL
DB 2575 PG 419
MB 3 PG 26

EXISTING R/W

Kimley»Horn

421 FAYETTEVILLE STREET, SUITE 600
RALEIGH, NC 27601

RIGHT-OF-WAY REV.

CONST. REV.

PROJECT REFERENCE NO.

U-58/5BA

R/W SHEET NO.

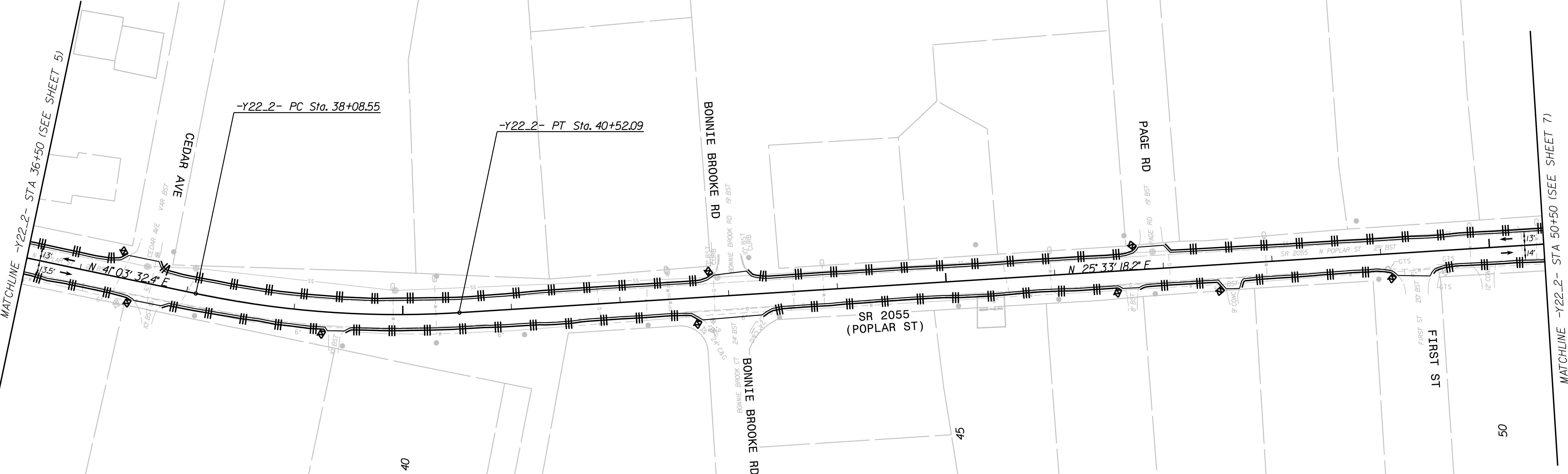
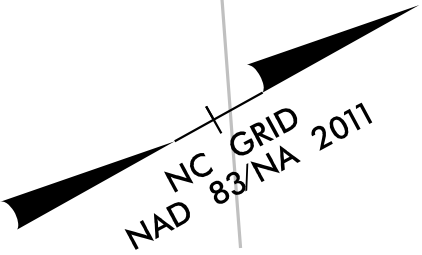
ROADWAY DESIGN
ENGINEER

HYDRAULICS
ENGINEER

NORTH CAROLINA
PROFESSIONAL
SEAL
029876
ENGINEER
MATTHEW S. WEST

Document
Matthew West/15/2022

10214410202069436



FINAL
EROSION CONTROL

NOTE:
PLACE TEMPORARY ROCK SEDIMENT DAMS TYPE - B
AND TEMPORARY ROCK SILT CHECKS TYPE - A AT
DRAINAGE OUTLETS.

NOTE: FILTER SACK INLET PROTECTION TO BE USED
AS NEEDED BY CONTRACTOR

NOTES: ANY DEVIATION FROM OPTIONS GIVEN WILL
REQUIRE PRIOR APPROVAL BY ENGINEER.

ADDITIONAL EROSION CONTROL DEVICES MAY
NEED TO BE INSTALLED AS DIRECTED BY THE
ENGINEER.

-Y22.2- CURVE DATA
PI Sta 39+31.07
Δ = 15° 30' 14.2" (LT)
D = 6' 21" 58.3"
L = 243.54'
T = 122.52'
R = 900.00'

5/14/99

REVISIONS

2/15/2022



HUNTLEY FAMILY LI
DB 0233 PG 339
BK DB 26 PG
MB 3 PG 80

Kimley»Horn
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421 FAYETTEVILLE STREET, SUITE 600
RALEIGH, NC 27601

RIGHT-OF-WAY REV.

CONST. REV.

PROJECT REFERENCE NO.

U-58/5BA

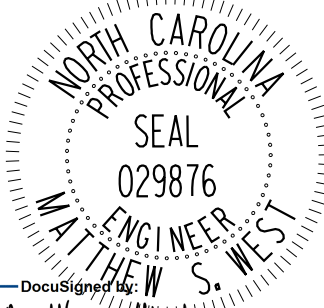
SHEET NO.

7

R/W SHEET NO.

ROADWAY DESIGN
ENGINEER

HYDRAULICS
ENGINEER



DocuSign
Matthew West 2/15/2022

HUNTLEY F
DB
ME

NC GRID
NAD 83/NA 2011

DOGWOOD DR

1S FOURTH ST
MATCHLINE -Y22-2- STA 64+00 (SEE SHEET 8)

FINAL
EROSION CONTROL

NOTE:
PLACE TEMPORARY ROCK SEDIMENT DAMS TYPE - B
AND TEMPORARY ROCK SILT CHECKS TYPE - A AT
DRAINAGE OUTLETS.

NOTE:
FILTER SACK INLET PROTECTION TO BE USED
AS NEEDED BY CONTRACTOR

NOTES: ANY DEVIATION FROM OPTIONS GIVEN WILL
REQUIRE PRIOR APPROVAL BY ENGINEER.

ADDITIONAL EROSION CONTROL DEVICES MAY
NEED TO BE INSTALLED AS DIRECTED BY THE
ENGINEER.

REVISIONS

Kimley»Horn

421 FAYETTEVILLE STREET, SUITE 600
RALEIGH, NC 27601

RIGHT-OF-WAY REV.

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ENGINEER

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ENGINEER



DocuSigned by
Matthew West
2/15/2022

NC GRID
NAD 83/NA 2011



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2/15/2022

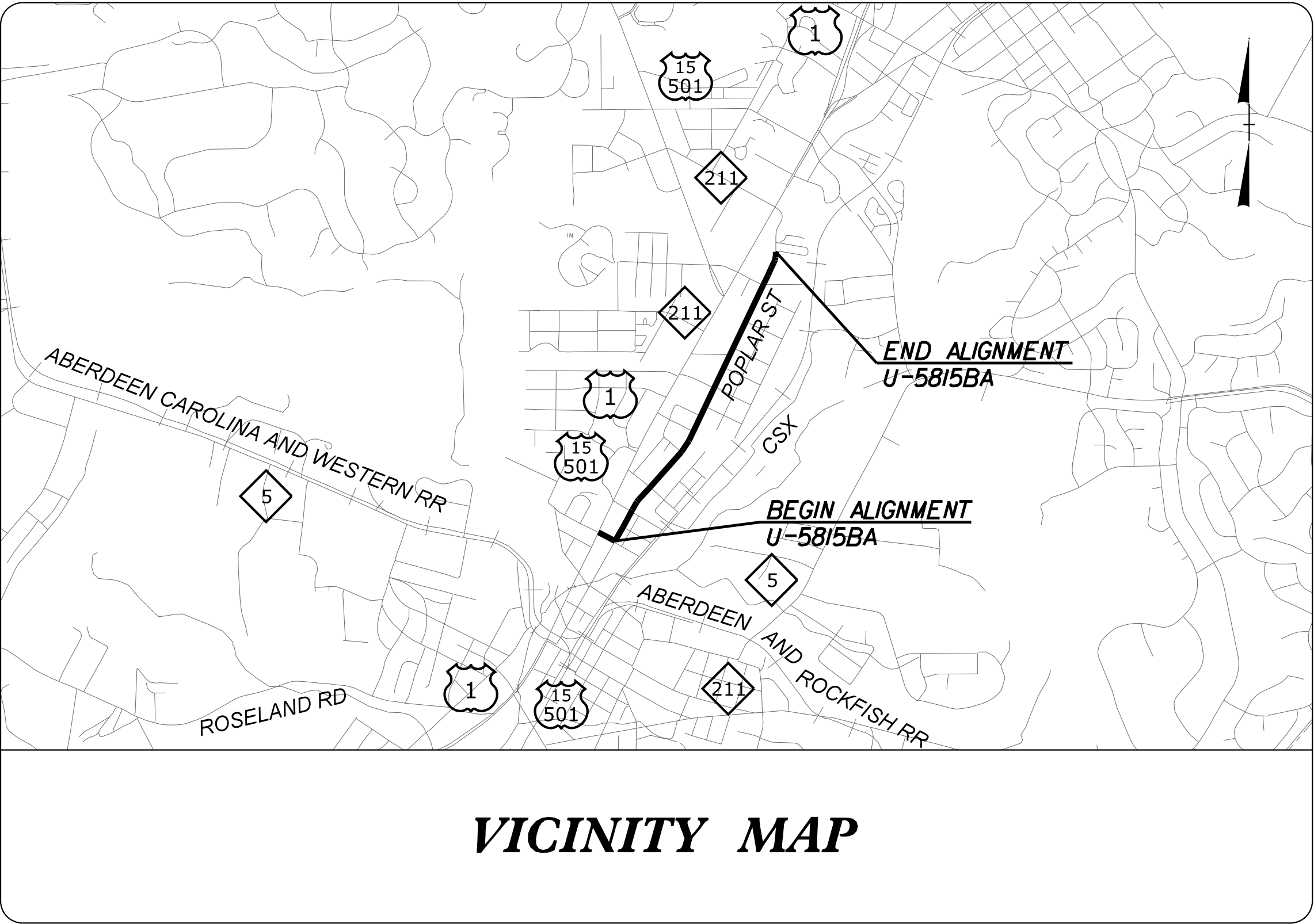
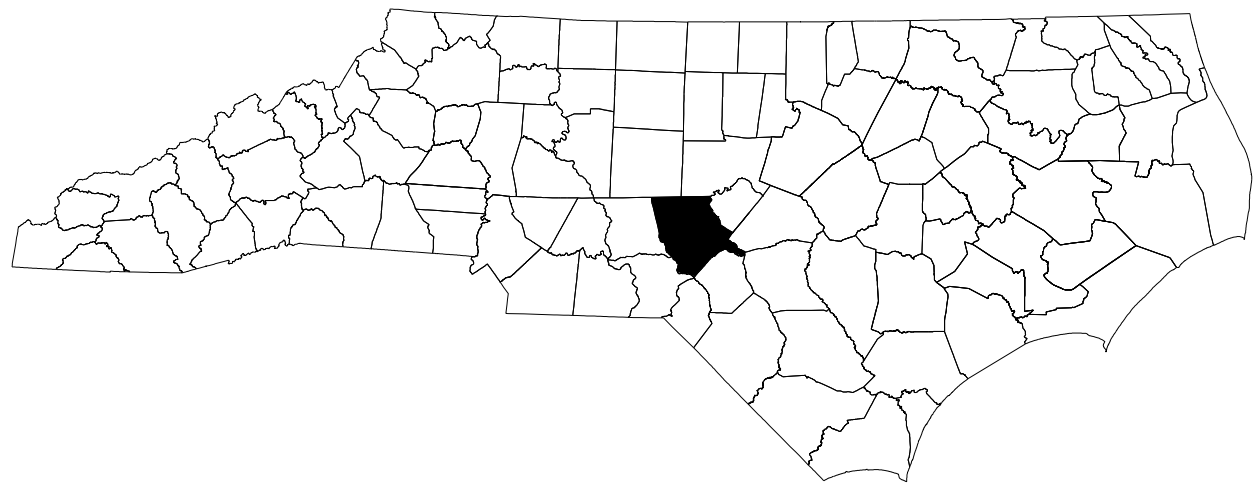


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STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

TRANSPORTATION MANAGEMENT PLAN

MOORE COUNTY



VICINITY MAP

INDEX OF SHEETS

SHEET NO.	TITLE
TMP-1	TITLE SHEET, AND INDEX OF SHEETS
TMP-1A TO TMP-1C	LIST OF APPLICABLE ROADWAY STANDARD DRAWINGS, GENERAL NOTES, AND PHASING NOTES

02/1/22 DATE SUBMITTED

SUBMITTAL:

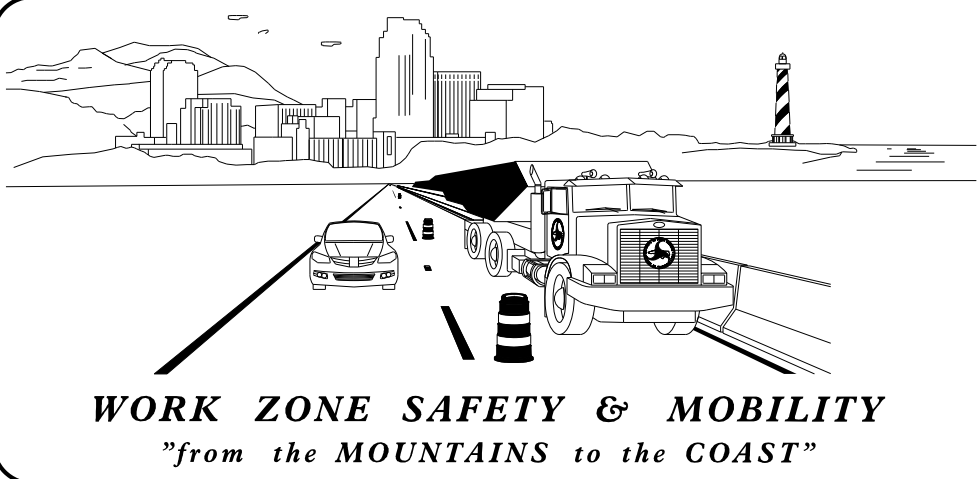
☐ STAGING CONCEPT

☐ MIDPOINT

☒ PRE-FINAL

☐ FINAL

Kimley»Horn



PLANS PREPARED BY:

MATT WEST, P.E.

SEAN KANE, P.E.

NCDOT CONTACTS:

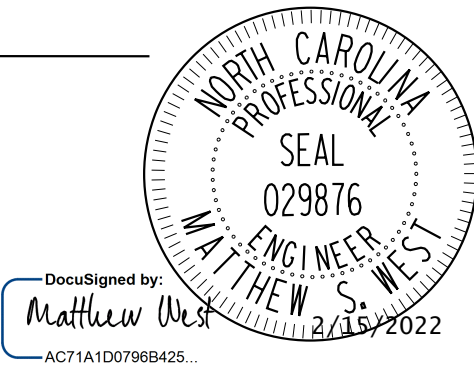
JERRY PAGE, P.E.
PROJECT ENGINEER



APPROVED: _____

DATE: _____

SEAL



U-5815BA

TIP PROJECT:

SHEET NO.
TMP - 1

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ROADWAY STANDARD DRAWINGS

THE FOLLOWING ROADWAY STANDARDS AS SHOWN IN "ROADWAY STANDARD DRAWINGS" - PROJECT SERVICES UNIT - N.C. DEPARTMENT OF TRANSPORTATION - RALEIGH, N.C., DATED JANUARY 2018 ARE APPLICABLE TO THIS PROJECT AND BY REFERENCE HEREBY ARE CONSIDERED A PART OF THESE PLANS:

STD. NO.	TITLE
1101.01	WORK ZONE ADVANCE WARNING SIGNS
1101.02	TEMPORARY LANE CLOSURES
1101.03	TEMPORARY ROAD CLOSURES
1101.04	TEMPORARY SHOULDER CLOSURES
1101.05	WORK ZONE VEHICLE ACCESSES
1101.11	TRAFFIC CONTROL DESIGN TABLES
1110.01	STATIONARY WORK ZONE SIGNS
1110.02	PORTABLE WORK ZONE SIGNS
1115.01	FLASHING ARROW BOARDS
1130.01	DRUMS
1135.01	CONES
1150.01	FLAGGING DEVICES
1160.01	TEMPORARY CRASH CUSHION
1165.01	TRUCK MOUNTED ATTENUATOR
1180.01	SKINNY-DRUM

MANAGEMENT STRATEGIES

PROPOSED IMPROVEMENTS ALONG POPLAR ST. AND ELM ST., AND ALL OTHER SIDE STREETS WILL BE CONSTRUCTED WHILE MAINTAINING TRAFFIC AND USING TEMPORARY LANE CLOSURES. LOCAL ACCESS TO RESIDENTS AND BUSINESSES WILL BE MAINTAINED AT ALL POSSIBLE TIMES DURING CONSTRUCTION.

GENERAL NOTES

CHANGES MAY BE REQUIRED WHEN PHYSICAL DIMENSIONS IN THE DETAIL DRAWINGS, STANDARD DETAILS, AND ROADWAY DETAILS ARE NOT ATTAINABLE TO MEET FIELD CONDITIONS OR RESULT IN DUPLICATE OR UNDESIRED OVERLAPPING OF DEVICES. MODIFICATION MAY INCLUDE: MOVING, SUPPLEMENTING, COVERING, OR REMOVAL OF DEVICES AS DIRECTED BY THE ENGINEER.

THE FOLLOWING GENERAL NOTES APPLY AT ALL TIMES FOR THE DURATION OF THE CONSTRUCTION PROJECT EXCEPT WHEN OTHERWISE NOTED IN THE PLAN OR DIRECTED BY THE ENGINEER.

TIME RESTRICTIONS

A) DO NOT CLOSE OR NARROW TRAVEL LANES AS FOLLOWS:

ROAD NAME	DAY AND TIME RESTRICTIONS
-L- US 1	MONDAY THRU SUNDAY 6:00 AM TO 8:00 PM

B) DO NOT CLOSE OR NARROW TRAVEL LANES DURING HOLIDAYS AND SPECIAL EVENTS AS FOLLOWS:

ROAD NAME

-L- US 1
POPLAR ST
ELM ST

HOLIDAY

- FOR ANY UNEXPECTED OCCURRENCE THAT CREATES UNUSUALLY HIGH TRAFFIC VOLUMES, AS DIRECTED BY THE ENGINEER.
- FOR NEW YEAR'S, BETWEEN THE HOURS OF 6:00 A.M. DECEMBER 31st TO 8:00 P.M. JANUARY 2ND. IF NEW YEAR'S DAY IS ON A FRIDAY, SATURDAY, SUNDAY, OR MONDAY THEN UNTIL 6:00 A.M. THE FOLLOWING TUESDAY.
- FOR EASTER, BETWEEN THE HOURS OF 6:00 A.M. THURSDAY AND 8:00 P.M. MONDAY.
- FOR MEMORIAL DAY, BETWEEN THE HOURS OF 6:00 A.M. FRIDAY TO 8:00 P.M. TUESDAY.
- FOR INDEPENDENCE DAY, BETWEEN THE HOURS OF 6:00 A.M. THE DAY BEFORE INDEPENDENCE DAY AND 8:00 P.M. THE DAY AFTER INDEPENDENCE DAY.

IF INDEPENDENCE DAY IS ON A FRIDAY, SATURDAY, SUNDAY OR MONDAY THEN BETWEEN THE HOURS OF 6:00 A.M. THE THURSDAY BEFORE INDEPENDENCE DAY AND 8:00 P.M. THE TUESDAY AFTER INDEPENDENCE DAY.
- FOR LABOR DAY, BETWEEN THE HOURS OF 6:00 A.M. FRIDAY AND 8:00 P.M. TUESDAY.
- FOR THANKSGIVING DAY, BETWEEN THE HOURS OF 6:00 A.M. TUESDAY TO 8:00 P.M. MONDAY.
- FOR CHRISTMAS, BETWEEN THE HOURS OF 6:00 A.M. THE FRIDAY BEFORE THE WEEK OF CHRISTMAS DAY AND 8:00 P.M. THE FOLLOWING TUESDAY AFTER THE WEEK OF CHRISTMAS.

GENERAL NOTES (CONT.)

C) DO NOT CLOSE ROADS AS FOLLOWS:

ROAD NAME	DAY AND TIME RESTRICTIONS
-L- US 1 POPLAR ST ELM ST	ANYTIME

D) DO NOT CONDUCT ANY HAULING OPERATIONS AGAINST THE FLOW OF TRAFFIC OF AN OPEN TRAVELWAY UNLESS THE HAULING OPERATION IS PROTECTED BY BARRIER OR GUARDRAIL OR AS DIRECTED BY THE ENGINEER.

LANE AND SHOULDER CLOSURE REQUIREMENTS

E) REMOVE LANE CLOSURE DEVICES FROM THE LANE WHEN WORK IS NOT BEING PERFORMED BEHIND THE LANE CLOSURE OR WHEN A LANE CLOSURE IS NO LONGER NEEDED OR AS DIRECTED BY THE ENGINEER.

F) WHEN PERSONNEL AND/OR EQUIPMENT ARE WORKING WITHIN 15 FT OF AN OPEN TRAVEL LANE, CLOSE THE NEAREST OPEN SHOULDER USING ROADWAY STANDARD DRAWING NO. 1101.04 UNLESS THE WORK AREA IS PROTECTED BY BARRIER OR GUARDRAIL OR A LANE CLOSURE IS INSTALLED.

G) WHEN PERSONNEL AND/OR EQUIPMENT ARE WORKING ON THE SHOULDER ADJACENT TO AN UNDIVIDED FACILITY AND WITHIN 5 FT OF AN OPEN TRAVEL LANE, CLOSE THE NEAREST OPEN TRAVEL LANE USING ROADWAY STANDARD DRAWING NO. 1101.02 UNLESS THE WORK AREA IS PROTECTED BY BARRIER OR GUARDRAIL.

WHEN PERSONNEL AND/OR EQUIPMENT ARE WORKING ON THE SHOULDER ADJACENT TO A DIVIDED FACILITY AND WITHIN 10 FT OF AN OPEN TRAVEL LANE, CLOSE THE NEAREST OPEN TRAVEL LANE USING ROADWAY STANDARD DRAWING NO. 1101.02 UNLESS THE WORK AREA IS PROTECTED BY BARRIER OR GUARDRAIL.

H) WHEN PERSONNEL AND/OR EQUIPMENT ARE WORKING WITHIN A LANE OF TRAVEL OF AN UNDIVIDED OR DIVIDED FACILITY, CLOSE THE LANE ACCORDING TO THE TRAFFIC CONTROL PLANS, ROADWAY STANDARD DRAWINGS, OR AS DIRECTED BY THE ENGINEER. CONDUCT THE WORK SO THAT ALL PERSONNEL AND/OR EQUIPMENT REMAIN WITHIN THE CLOSED TRAVEL LANE.

I) DO NOT WORK SIMULTANEOUSLY WITHIN 15 FT ON BOTH SIDES OF AN OPEN TRAVELWAY, RAMP, OR LOOP WITHIN THE SAME LOCATION UNLESS PROTECTED WITH GUARDRAIL OR BARRIER.

TRAFFIC PATTERN ALTERATIONS

J) NOTIFY THE ENGINEER THIRTY (30) CALENDAR DAYS PRIOR TO ANY TRAFFIC PATTERN ALTERATION.

SIGNING

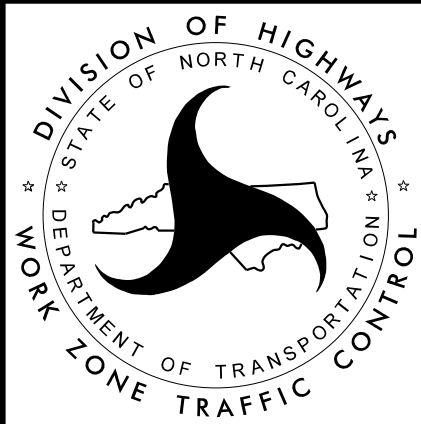
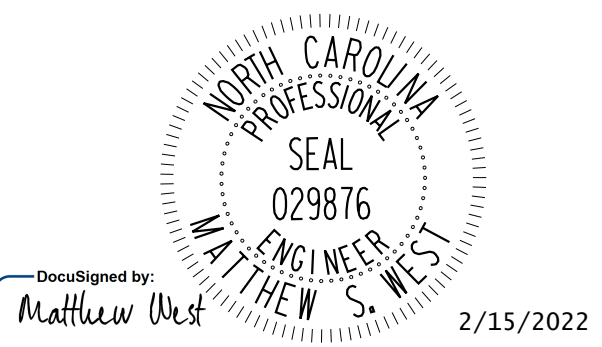
K) INSTALL ADVANCE WORK ZONE WARNING SIGNS WHEN WORK IS WITHIN 40 FT FROM THE EDGE OF TRAVEL LANE AND NO MORE THAN THREE (3) DAYS PRIOR TO THE BEGINNING OF CONSTRUCTION.

TRAFFIC CONTROL DEVICES

L) PLACE TYPE III BARRICADES, WITH "ROAD CLOSED" SIGN R11-2 ATTACHED, OF SUFFICIENT LENGTH TO CLOSE ENTIRE ROADWAY.

Kimley»Horn

ROADWAY STANDARD
DRAWINGS & GENERAL
NOTES

APPROVED: _____ DATE: _____		ROADWAY STANDARD DRAWINGS & GENERAL NOTES
 DocuSigned by: Matthew West 2/15/2022		

PROJ. REFERENCE NO.	SHEET NO.
U-5815BA	TMP-1B

GENERAL NOTES (CONT.)

- M) PLACE ADDITIONAL SETS OF THREE CHANNELIZING DEVICES PERPENDICULAR TO THE EDGE OF TRAVELWAY ON 500 FT CENTERS WHEN UNOPENED LANES ARE CLOSED TO TRAFFIC.
- O) CONTRACTOR SHALL MAINTAIN SIDEWALK ACCESS AT ALL TIMES AS STATED IN THE PHASING. CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE TEMPORARY SIDEWALKS (CONCRETE, ASPHALT, OR OTHER SUITABLE MATERIAL AS APPROVED BY THE ENGINEER) AT ALL LOCATIONS WHERE THE OPEN PEDESTRIAN TRAVELWAY HAS BEEN REMOVED FOR CONSTRUCTION OPERATIONS (UTILITIES, DRAINAGE, ETC.).

LOCAL NOTES

- 1) MAINTAIN EXISTING PEDESTRIAN ROUTES DURING CONSTRUCTION. AT ALL POSSIBLE TIMES, MAINTAIN EXISTING SIDEWALK UNTIL NEW SIDEWALK IS IN PLACE, USING SAFETY FENCE AS NEEDED TO KEEP PEDESTRIANS OUT OF THE WORK AREAS.

PHASING

WHILE MAINTAINING TRAFFIC USING RSD 1101.04 FOR SHOULDER CLOSURES AND RSD 1101.02 FOR LANE CLOSURES AS NECESSARY, PERFORM THE FOLLOWING:

STEP 1:
INSTALL ADVANCE WARNING SIGNS IN ACCORDANCE WITH RSD 1101.01

AREA 1: ELM STREET

STEP 2:
USING TEMPORARY LANE CLOSURE AND ONE-LANE TWO-WAY TRAFFIC PATTERN CONSTRUCT WATERLINE TIE TO US 1/ US 15-501

STEP 3:
USING TEMPORARY LANE CLOSURE AND ONE-LANE TWO-WAY TRAFFIC PATTERN INSTALL UTILITY LINES AT CONSTRUCTABLE INCREMENTS MOVING CLOSURE AS NECESSARY

RECOMMEND CONSTRUCTION OF ONLY ONE WATERLINE/SEWERLINE AT A TIME ALONG ELM STREET.

STEP 4:
INSTALL FINAL LAYER OF ASPHALT, FINAL PAVEMENT MARKINGS, MARKERS AND SIGNAGE. REMOVE ALL TRAFFIC CONTROL DEVICES AND OPEN ALL LANES TO TRAFFIC

AREA 2: POPLAR STREET (FROM ELM STREET TO PEACH AVE)

STEP 2:
USING TEMPORARY LANE CLOSURE AND ONE-LANE TWO-WAY TRAFFIC PATTERN INSTALL UTILITY LINES AT CONSTRUCTABLE INCREMENTS MOVING CLOSURE AS NECESSARY

RECOMMEND CONSTRUCTION OF ONLY ONE WATERLINE/SEWERLINE AT A TIME ALONG POPLAR STREET.

STEP 3:
INSTALL FINAL LAYER OF ASPHALT, FINAL PAVEMENT MARKINGS, MARKERS AND SIGNAGE. REMOVE ALL TRAFFIC CONTROL DEVICES AND OPEN ALL LANES TO TRAFFIC

AREA 3: POPLAR STREET (FROM PEACH AVE TO LIMITS OF THE PARKING LOT)

STEP 2:
USING TEMPORARY LANE CLOSURE AND ONE-LANE TWO-WAY TRAFFIC PATTERN INSTALL UTILITY LINES AT CONSTRUCTABLE INCREMENTS MOVING CLOSURE AS NECESSARY

STEP 3:
INSTALL FINAL LAYER OF ASPHALT, FINAL PAVEMENT MARKINGS, MARKERS AND SIGNAGE. REMOVE ALL TRAFFIC CONTROL DEVICES AND OPEN ALL LANES TO TRAFFIC

AREA 4: PARKING LOT

STEP 2:
CLOSE PARKING FOR THE LIMITS OF WORK BEING PERFORMED

STEP 3:
USING TEMPORARY LANE CLOSURES AND FLAGGERS TO MAINTAIN TRAFFIC ACCESS TO THE PARKING AREA FROM ADJACENT ROADS. INSTALL WATERLINE AND TIE TO EXISITNG SYSTEM ALONG US 1 / US 15-501

WHEN WORK IS NOT BEING PERFORMED THE CONTRACTOR SHALL COVER THE ACTIVE WORK AREA WITH A TRAFFIC BEARING STEEL PLATE

STEP 4:
REOPEN PARKING AREA UPON COMPLETION OF WATERLINE INSTALLATION

STEP 5:
INSTALL FINAL LAYER OF ASPHALT, FINAL PAVEMENT MARKINGS, MARKERS AND SIGNAGE. REMOVE ALL TRAFFIC CONTROL DEVICES AND OPEN ALL LANES TO TRAFFIC

Kimley»Horn

APPROVED:DATE:

DocuSigned by:
Matthew West

NORTH CAROLINA
PROFESSIONAL
SEAL
029876
ENGINEER
MATTHEW S. WEST

2/15/2022

DIVISION OF HIGHWAYS
STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION
WORK ZONE TRAFFIC CONTROL

GENERAL NOTES
AND PHASING
NOTES

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2/15/2022 \$FILEL\$

CONTRACT: C204374

TIP PROJECT: U-5815BA

STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PAVEMENT MARKING PLAN
MOORE COUNTY

LOCATION: SR 2055 (N POPLAR ST) FROM ELM ST IN ABERDEEN TO 500' NORTH OF
BLUES CROSSING LN IN SOUTHERN PINES.

TIP NO.
U-5815BA

SHEET NO.
PMP-1

APPROVED: _____

DATE: _____

SEAL

DocuSigned by:
Matthew West
F0C2A3D0D989D8E

NORTH CAROLINA
PROFESSIONAL
SEAL
029876
ENGINEER
MATTHEW S. WEST

2/15/2022

INDEX

<u>SHEET NO.</u>	<u>DESCRIPTION</u>
PMP-1	PAVEMENT MARKING PLAN TITLE AND SCHEDULE SHEET

ROADWAY STANDARD DRAWING

THE FOLLOWING ROADWAY STANDARDS AS APPEAR IN "ROADWAY STANDARD DRAWINGS" - PROJECT SERVICES UNIT - N.C. DEPARTMENT OF TRANSPORTATION - RALEIGH, N.C., DATED JANUARY 2018 ARE APPLICABLE TO THIS PROJECT AND BY REFERENCE HEREBY ARE CONSIDERED A PART OF THESE PLANS:

<u>STD. NO.</u>	<u>TITLE</u>
1205.01	PAVEMENT MARKINGS - LINE TYPES AND OFFSETS
1205.02	PAVEMENT MARKINGS - TWO-LANE AND MULTILANE ROADWAYS
1205.04	PAVEMENT MARKINGS - INTERSECTIONS
1205.08	PAVEMENT MARKINGS - SYMBOLS AND WORD MESSAGES
1250.01	RAISED PAVEMENT MARKERS - INSTALLATION SPACING
1251.01	RAISED PAVEMENT MARKERS - PERMANENT AND TEMPORARY

PAVEMENT
MARKING SCHEDULE

SYMBOL	DESCRIPTION
	FINAL PAVEMENT MARKINGS
	THERMOPLASTIC (24", 90 MILS)
T61	WHITE STOPBAR
	THERMOPLASTIC (4", 90 MILS)
T1 T10	WHITE EDGELINE YELLOW EDGELINE
	THERMOPLASTIC (4", 90 MILS)
T2 T13 T5	WHITE SOLID LANE LINE YELLOW DOUBLE CENTER WHITE 2' - 6'/SP MINI-SKIP
	THERMOPLASTIC (8", 90 MILS)
T42	YELLOW DIAGONAL
	THERMOPLASTIC (12", 90 MILS)
T62	CROSSWALK
	THERMOPLASTIC (90 MILS)
T70	LEFT TURN ARROW

GENERAL NOTES

THE FOLLOWING GENERAL NOTES APPLY AT ALL TIMES FOR THE DURATION OF THE CONSTRUCTION PROJECT, EXCEPT WHEN OTHERWISE NOTED IN THE PLAN, OR DIRECTED BY THE ENGINEER.

- A) NO DETAILED PAVEMENT MARKING PLANS ARE INCLUDED IN THIS PLAN SET.
- B) PRIOR TO CONSTRUCTION CONTRACTOR TO SURVEY / INVENTORY ALL EXISTING PAVEMENT MARKINGS, IN ORDER TO REPLACE MARKINGS IN EXISTING CONDITION.
- C) INSTALL PAVEMENT MARKINGS ON THE FINAL SURFACE AS FOLLOWS:
- | ROAD NAME | MARKING | MARKER |
|------------|---------------|--------|
| POPLAR ST. | THERMOPLASTIC | N/A |
- D) TIE PROPOSED PAVEMENT MARKING LINES TO EXISTING PAVEMENT MARKING LINES.
- E) REMOVE/REPLACE ANY CONFLICTING/DAMAGED PAVEMENT MARKINGS AND MARKERS.
- F) PASSING ZONES WILL BE DETERMINED IN THE FIELD AND MUST BE APPROVED BY THE ENGINEER.
- G) STOP BAR LOCATION AT NON-SIGNALIZED INTERSECTIONS MAY BE ADJUSTED AS DIRECTED BY THE ENGINEER.
- H) UNLESS OTHERWISE SPECIFIED, HEATED-IN-PLACE THERMOPLASTIC MAY BE USED IN LIEU OF EXTRUDED THERMOPLASTIC FOR ARROWS, STOP BARS, SYMBOLS, CHARACTERS AND DIAGONALS. IF HEATED-IN-PLACE IS USED, IT SHALL BE PAID FOR USING THE EXTRUDED THERMOPLASTIC PAY ITEM.

PLAN REVIEWED BY: N.C.D.O.T. DIVISION 8

JERRY PAGE, P.E. PROJECT ENGINEER



PLAN PREPARED BY: Kimley-Horn and Associates

MATTHEW WEST, PE PROJECT DESIGN ENGINEER
SEAN KANE, PE DESIGNER

Kimley»Horn

09/08/199

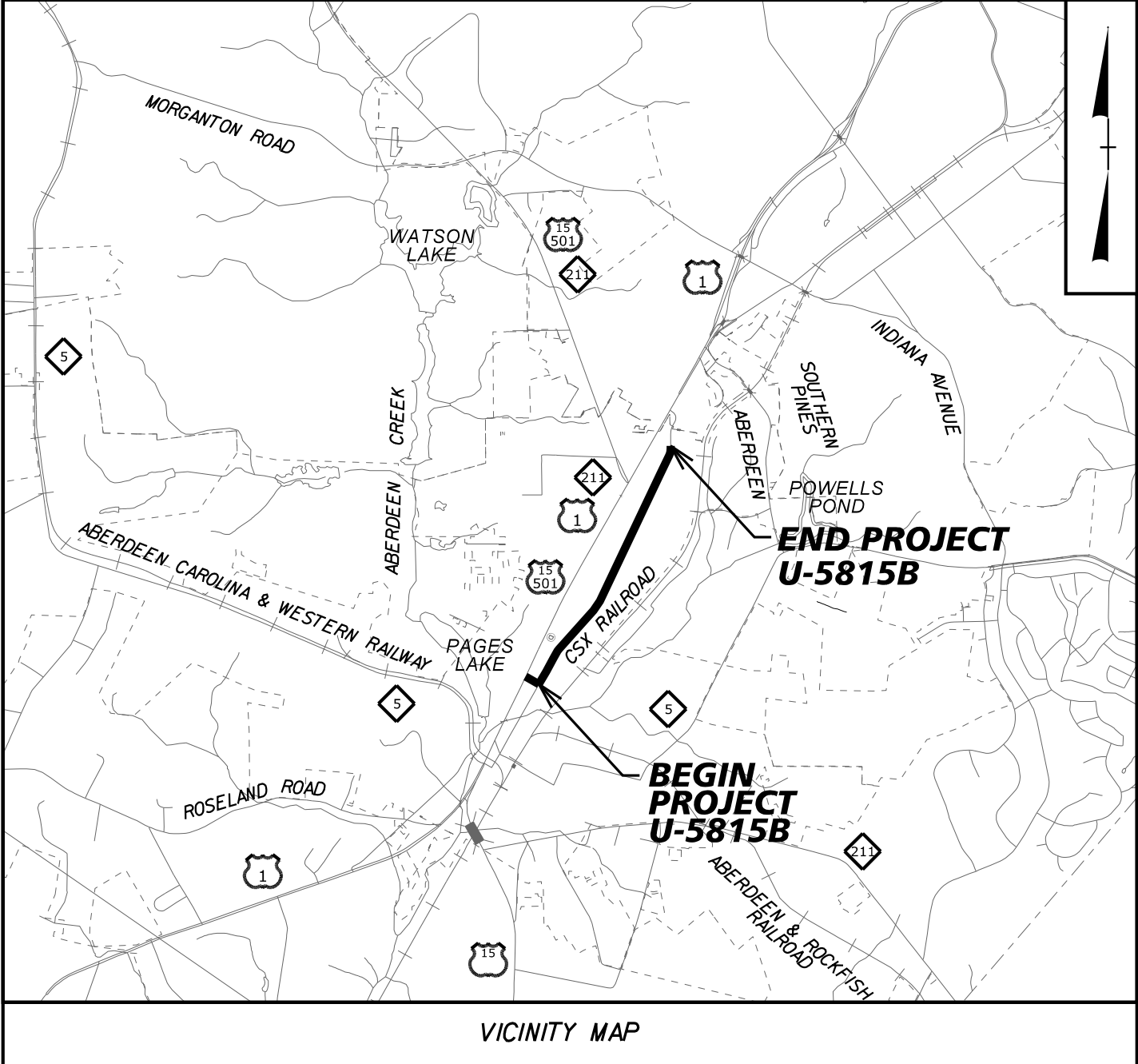
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2/15/2022

TIP PROJECT: U-5815BA

CONTRACT: C204374

See Sheet 1-A For Index of Sheets
See Sheet 1-B For Conventional Plan Sheet Symbols



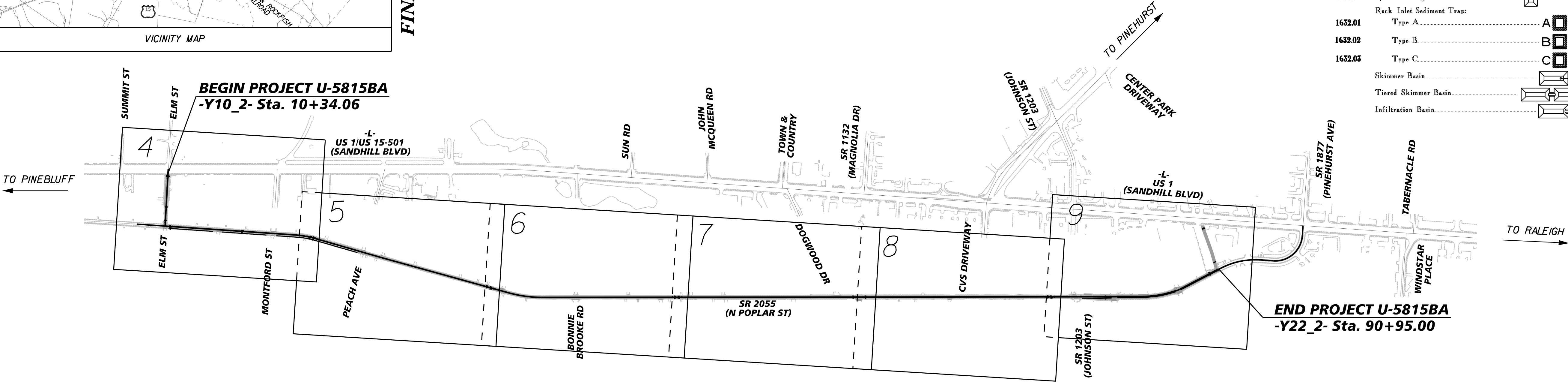
FINAL PLANS

STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

MOORE COUNTY

LOCATION: SR 2055 (N POPLAR ST) FROM ELM ST IN ABERDEEN TO 500' NORTH OF BLUES CROSSING LN IN SOUTHERN PINES.

TYPE OF WORK: PAVING AND UTILITY CONSTRUCTION



EROSION AND SEDIMENT CONTROL MEASURES

Std. #	Description	P.E.	Symbol
1630.03	Temporary Silt Ditch	TD	
1630.05	Temporary Diversion	TD	
1605.01	Temporary Silt Fence	III III III	
1606.01	Special Sediment Control Fence	III III III	
1622.01	Temporary Berms and Slope Drains		
1630.02	Silt Basin Type B		
1633.01	Temporary Rock Silt Check Type-A		
	Temporary Rock Silt Check Type-A with Matting and Polyacrylamide (PAM)		
1633.02	Temporary Rock Silt Check Type-B		
	Wattle / Coir Fiber Wattle		
	Wattle / Coir Fiber Wattle with Polyacrylamide (PAM)		
1634.01	Temporary Rock Sediment Dam Type-A		
1634.02	Temporary Rock Sediment Dam Type-B		
1635.01	Rock Pipe Inlet Sediment Trap Type-A		
1635.02	Rock Pipe Inlet Sediment Trap Type-B		
1630.04	Stilling Basin		
1630.06	Special Stilling Basin		
	Rock Inlet Sediment Trap:		
1632.01	Type A	A	
1632.02	Type B	B	
1632.03	Type C	C	
	Skimmer Basin		
	Tiered Skimmer Basin		
	Infiltration Basin		

GRAPHIC SCALE



THESE EROSION AND SEDIMENT CONTROL PLANS COMPLY WITH THE APPLICABLE REGULATIONS SET FORTH BY THE NCG-010000 GENERAL CONSTRUCTION PERMIT EFFECTIVE APRIL 1, 2019 AND ISSUED BY THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY DIVISION OF WATER RESOURCES.

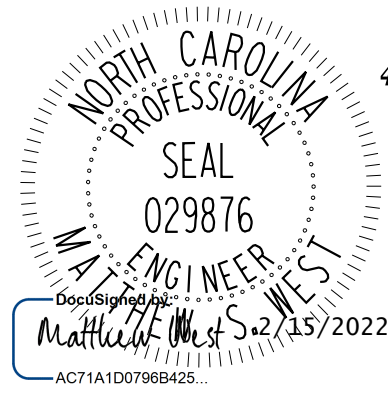
Kimley » Horn

Prepared in the Office of:

Kimley-Horn

421 Fayetteville Street, Suite 600
Raleigh, NC 27601

Designed by:



MATT WEST

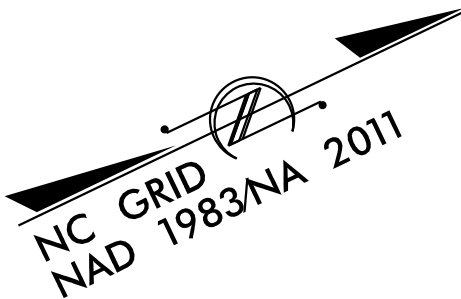
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LEVEL III CERTIFICATION NO.

Roadway Standard Drawings

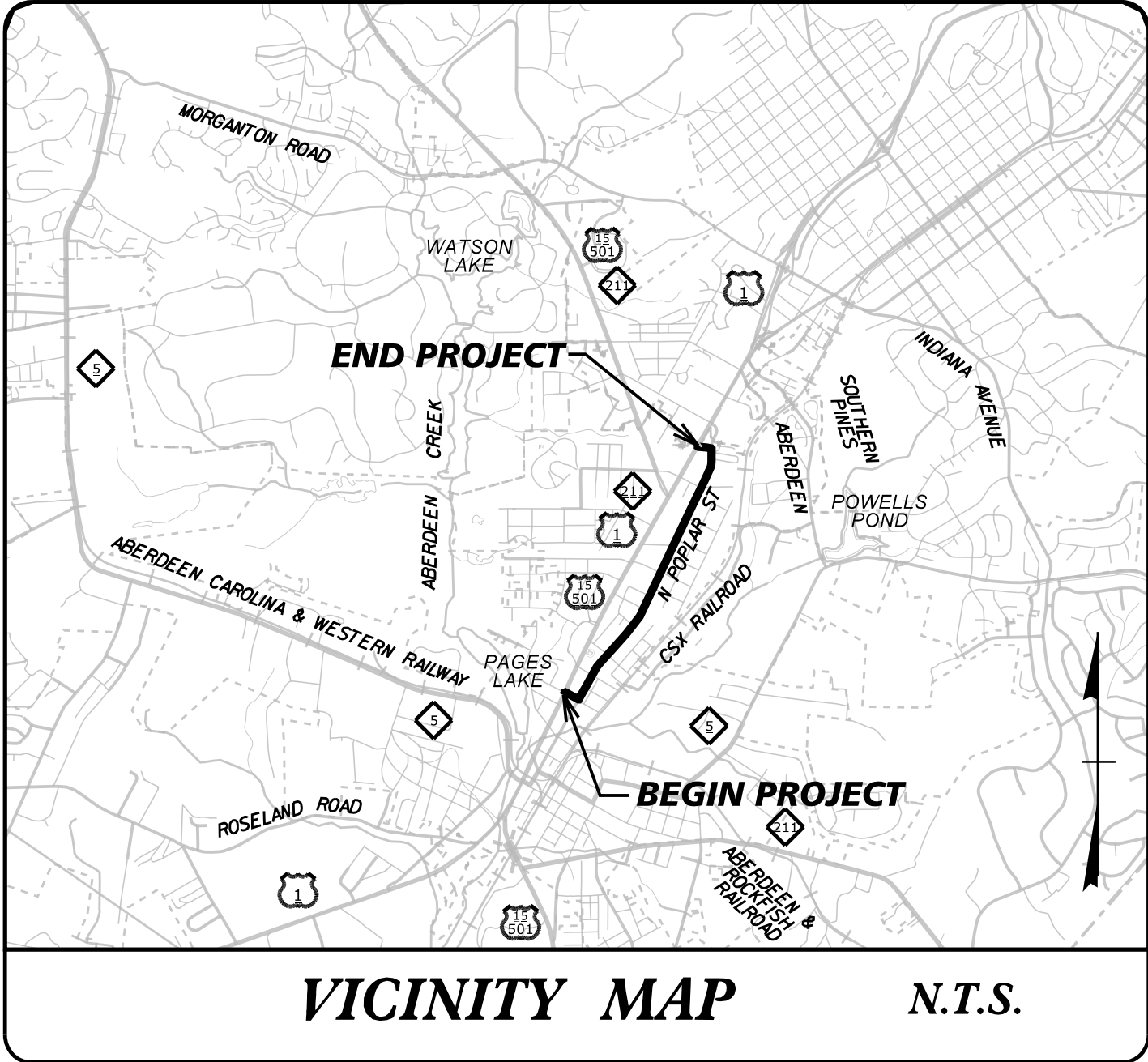
The following roadway english standards as appear in "Roadway Standard Drawings"- Roadway Design Unit - N. C. Department of Transportation - Raleigh, N. C., dated January 2018 and the latest revision thereto are applicable to this project and by reference hereby are considered a part of these plans.

- 1605.01 Temporary Silt Fence
- 1606.01 Special Sediment Control Fence
- 1607.01 Gravel Construction Entrance
- 1632.03 Rock Inlet Sediment Trap Type C



09/08/2011

TIP PROJECT: U-5815BA



UC PLANS

STATE OF NORTH CAROLINA DIVISION OF HIGHWAYS

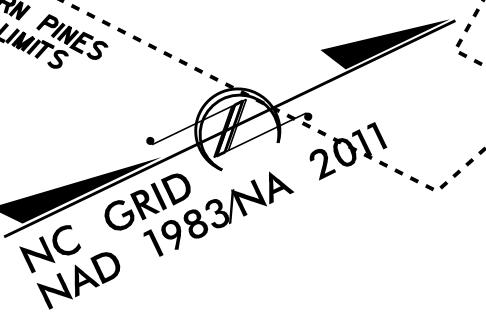
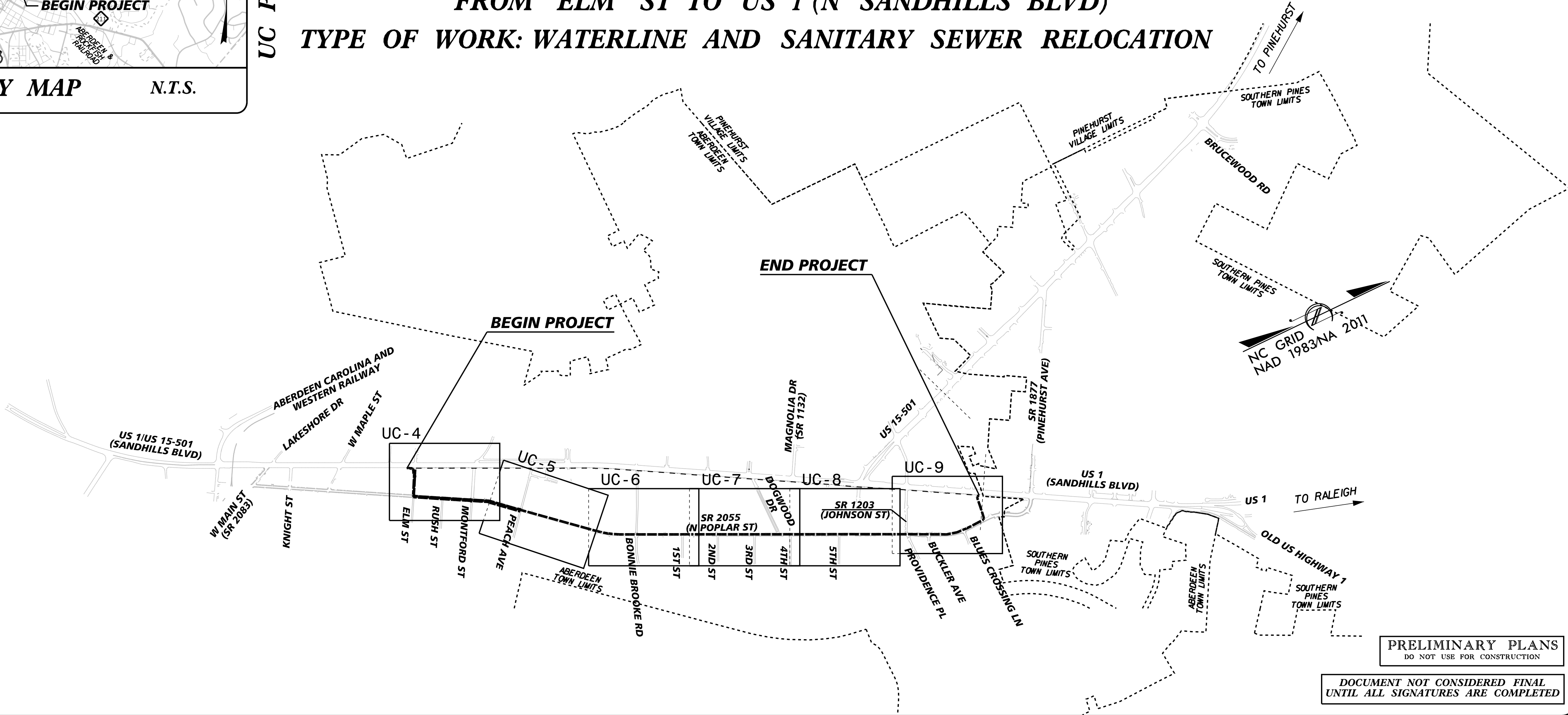
UTILITY CONSTRUCTION PLANS MOORE COUNTY

LOCATION: ELM STREET FROM US 1 (SANDHILLS BLVD) TO SR 2055 (NORTH POPLAR ST) AND SR 2055 (NORTH POPLAR ST) FROM ELM ST TO US 1 (N SANDHILLS BLVD)

TYPE OF WORK: WATERLINE AND SANITARY SEWER RELOCATION

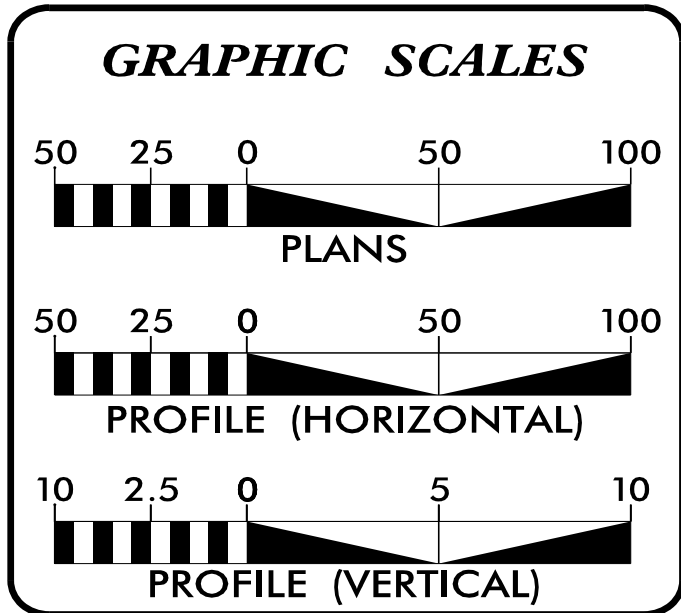
T.I.P. NO.	SHEET NO.
U-5815BA	UC-1

WBS Element	Description
54041.1.4	P.E.
54041.2.7	ROW
54042.2.8	UTILITIES
54041.3.5	CONSTRUCTION



PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

**DOCUMENT NOT CONSIDERED FINAL
UNTIL ALL SIGNATURES ARE COMPLETED**



SHEET NO.:	DESCRIPTION:
UC-1	TITLE SHEET
UC-2	UTILITY SYMBOLOGY
UC-3	UTILITY NOTES
UC-3A THRU UC-3F	UTILITY DETAILS
UC-4 THRU UC-9	UTILITY CONSTRUCTION SHEETS
UC-10 THRU UC-14	UTILITY PROFILE SHEETS

**WATER AND SEWER
OWNERS ON PROJECT**

(A) WATER (TRANSMISSION) - SOUTHERN PINES
(B) WATER (DISTRIBUTION)- ABERDEEN
(C) SANITARY SEWER - ABERDEEN

PREPARED IN THE OFFICE OF

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5/14/99

1/26/2022

STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

PROJECT REFERENCE NO.	SHEET NO.
U-5815BA	UC-2

UTILITIES PLAN SHEET SYMBOLS

PROPOSED WATER SYMBOLS

Water Line (Sized as Shown)	12" WL
11¼ Degree Bend	+
22½ Degree Bend	+x
45 Degree Bend	+x
90 Degree Bend	+
Plug	
Tee	+
Cross	+
Reducer	►
Gate Valve	GV
Butterfly Valve	BV
Tapping Valve	TGV
Line Stop	LS
Line Stop with Bypass	LS/BP
Blow Off	BO
Fire Hydrant	PFH
Relocate Fire Hydrant	RFH
Remove Fire Hydrant	REM FH
Water Meter	PWM
Relocate Water Meter	RPWM
Remove Water Meter	REM WM
Water Pump Station	PST(W)
RPZ Backflow Preventer	RPZ
DCV Backflow Preventer	PBFP
Relocate RPZ Backflow Preventer	RRPZ
Relocate DCV Backflow Preventer	PBFP

PROPOSED SEWER SYMBOLS

Gravity Sewer Line (Sized as Shown)	12" SS
Force Main Sewer Line (Sized as Shown)	12" FSS
Manhole (Sized per Note)	•
Sewer Pump Station	PST(SS)

PROPOSED MISCELLANOUS UTILITIES SYMBOLS

Power Pole	⦿
Telephone Pole	⦿
Joint Use Pole	⦿
Telephone Pedestal	TEL PED
Utility Line by Others (Type as Shown)	PROP O/H POW LINES
Trenchless Installation	12" TL INSTALL
Encasement by Open Cut	24" ENCAS BY OC
Encasement	24" ENCASEMENT

Thrust Block	
Air Release Valve	AR
Utility Vault	UV
Concrete Pier	CP
Steel Pier	SP
Plan Note	NOTE
Pay Item Note	PAY ITEM

EXISTING UTILITIES SYMBOLS

Power Pole	•
Telephone Pole	•
Joint Use Pole	•
Utility Pole	•
Utility Pole with Base	□
H-Frame Pole	••
Power Transmission Line Tower	⊠
Water Manhole	⊙
Power Manhole	⊙
Telephone Manhole	⊙
Sanitary Sewer Manhole	⊙
Hand Hole for Cable	⊠
Power Transformer	⊠
Telephone Pedestal	⊠
CATV Pedestal	⊠
Gas Valve	◇
Gas Meter	◇
Located Miscellaneous Utility Object	○
Abandoned According to Utility Records	AATUR
End of Information	E.O.I.

*Underground Power Line	P
*Underground Telephone Cable	T
*Underground Telephone Conduit	TC
*Underground Fiber Optics Telephone Cable	T FO
*Underground TV Cable	TV
*Underground Fiber Optics TV Cable	TV FO
*Underground Gas Pipeline	G
Aboveground Gas Pipeline	A/G Gas
*Underground Water Line	W
Aboveground Water Line	A/G Water
*Underground Gravity Sanitary Sewer Line	SS
Aboveground Gravity Sanitary Sewer Line	A/G Sanitary Sewer
*Underground SS Forced Main Line	FSS
Underground Unknown Utility Line	UUL
SUE Test Hole	⦿
Water Meter	⊙
Water Valve	⊙
Fire Hydrant	⊙
Sanitary Sewer Cleanout	⊙

*For Existing Utilities	
Utility Line Drawn from Record (Type as Shown)	W
Designated Utility Line (Type as Shown)	W

5/14/2022

1/26/2022

GENERAL NOTES:

1. ALL WORK SHALL COMPLY WITH APPLICABLE STATE, FEDERAL, AND LOCAL CODES, AND ALL NECESSARY LICENSES AND PERMITS SHALL BE OBTAINED BY THE CONTRACTOR AT ITS EXPENSE, UNLESS PREVIOUSLY OBTAINED BY THE OWNER(S) AND PROVIDED AT THE PRECONSTRUCTION CONFERENCE.
2. DEVIATION FROM THESE PLANS AND NOTES WITHOUT THE PRIOR WRITTEN CONSENT OF THE UTILITY OWNER OR THEIR AUTHORIZED REPRESENTATIVE MAY BE CAUSE FOR THE WORK TO BE UNACCEPTABLE.
3. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY SHOULD ANY FIELD CONDITIONS BE ENCOUNTERED THAT VARY FROM THE INFORMATION PROVIDED IN THE CONTRACT DOCUMENTS.
4. CONTRACTOR SHALL PLAN AND CONSTRUCT WORK SO AS TO CAUSE MINIMUM INCONVENIENCE TO THE UTILITY OWNER(S) AND PUBLIC. THE CONTRACTOR SHALL PROVIDE TRAFFIC CONTROL IN ACCORDANCE WITH THE WORK ZONE TRAFFIC CONTROL PLANS AND SHALL ERECT AND MAINTAIN AT ALL TIMES DURING THE PROGRESS OR TEMPORARY SUSPENSION OF WORK, SUITABLE BARRIERS, FENCES, SIGNS OR OTHER ADEQUATE PROTECTION, TO ENSURE THE SAFETY OF THE PUBLIC AS WELL AS THOSE ENGAGED IN THE CONSTRUCTION WORK.
5. ALL WATER AND SEWER CONSTRUCTION SHALL CONFORM TO NCDEQ REGULATIONS, AND TO CURRENT UTILITY OWNER REGULATIONS, STANDARDS, AND SPECIFICATIONS. CONTRACTOR SHALL OBTAIN FROM EACH UTILITY OWNER AND ENGINEER APPROVED SUBMITTALS FOR ALL MATERIALS PROPOSED TO BE INCORPORATED IN THE WORK PRIOR TO ORDERING ANY MATERIALS OR COMMENCING UTILITY CONSTRUCTION.
6. CONTRACTOR SHALL COORDINATE ALL WORK WITH UTILITY OWNERS LEAST 48 HOURS PRIOR TO THE START OF CONSTRUCTION, OR AS OTHERWISE SPECIFIED HEREIN. TOWN OF SOUTHERN PINES INSPECTIONS CAN BE REACHED VIA PHONE AT 910-692-1983. TOWN OF ABERDEEN PUBLIC WORKS CAN BE REACHED VIA PHONE AT (910) 944-4504.
7. ALL PIPE LENGTHS ARE MEASURED ALONG A HORIZONTAL PLANE. SANITARY SEWER LINES ARE MEASURED TO CENTER OF MANHOLE.
8. THE CONTRACTOR SHALL PROVIDE ALL STAKEOUT SURVEY. ANY EXISTING STAKEOUT OR BENCHMARKS SHALL NOT BE RELIED UPON BY THE CONTRACTOR.
9. COORDINATES SHOWN ON THE DRAWINGS ARE BASED ON THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM (NAD 83).
10. ANY NECESSARY FIELD REVISIONS ARE SUBJECT TO REVIEW & APPROVAL OF AN AMENDED PLAN &/OR PROFILE BY THE UTILITY OWNER PRIOR TO CONSTRUCTION.
11. LOCATIONS OF EXISTING SHOWN UTILITIES ARE APPROXIMATE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE SIZE, DEPTH, MATERIAL AND LOCATION OF ALL EXISTING UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION AND TO TAKE WHATEVER STEPS ARE NECESSARY TO PROVIDE FOR THEIR PROTECTION. THE ENGINEER HAS ATTEMPTED TO LOCATE AND INDICATE ALL EXISTING FACILITIES ON THE PLANS; HOWEVER, THIS INFORMATION IS SHOWN FOR THE CONTRACTOR'S CONVENIENCE ONLY. THE ENGINEER AND THE OWNER(S) ASSUME NO RESPONSIBILITY FOR THE LOCATIONS OF UTILITIES SHOWN OR NOT SHOWN. PRIOR TO DIGGING ON AND OFF SITE, THE CONTRACTOR SHALL HAVE ALL UTILITIES LOCATED BY "NC 811" 1-800-632-4949. THE CONTRACTOR SHALL CONTACT ANY UTILITY OWNER WHOSE UTILITIES ARE NOT LOCATED BY "NC 811" FOR EXACT LOCATION OF THEIR UTILITIES PRIOR TO STARTING CONSTRUCTION. IT SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR TO REPAIR AND/OR REPLACE ANY AND ALL DAMAGE MADE TO UTILITIES BY THE CONTRACTOR TO PRECONSTRUCTION CONDITION OR BETTER AT THE CONTRACTOR'S EXPENSE.
12. DEPTH AND LOCATION OF BURIED DATA AND TELECOMMUNICATIONS CABLES (FIBER OPTICS AND CONVENTIONAL) ARE KNOWN TO VARY DUE TO INSTALLATION TECHNIQUES. CONTRACTOR SHALL COORDINATE ITS WORK WITH CONFLICTING CABLES AS NECESSARY FOR INSTALLATION OF THE PROPOSED WATER AND SEWER. COORDINATION WITH EXISTING UTILITIES SHALL BE INCLUDED IN THE PROJECT SCHEDULE. COORDINATION AND PHASING RELATED TO EXISTING UTILITIES ARE INCLUSIVE TO THE PROJECT AND NO SPECIFIC OR ADDITIONAL PAYMENT SHALL BE MADE.
13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING WITH UTILITY PROVIDERS ANY SUPPORT OF EXISTING UTILITY POLES OR OTHER ITEMS AS REQUIRED FOR TRENCH EXCAVATION. ALL COSTS OF SUCH WORK SHALL BE PAID BY THE CONTRACTOR.
14. THE CONTRACTOR SHALL VERIFY THE VOLTAGES OF ALL ELECTRICAL UTILITIES AND FOLLOW THE APPROPRIATE OSHA STANDARDS WHEN WORKING IN THEIR VICINITY.
15. UNLESS OTHERWISE INDICATED, ALL GRADE ELEVATIONS SHOWN ARE ALONG THE PIPE CENTERLINE.
16. ALL PAVEMENT CUTS SHALL BE SAWCUT OR MILLED ALONG A CONTINUOUS STRAIGHT LINE AND REPAVED PER NCDOT REQUIREMENTS AND AS SPECIFIED HEREIN.
17. TRAFFIC ISLANDS, CURBS, CONCRETE DRIVEWAYS, AND OTHER CONCRETE SURFACINGS SHALL BE REPLACED TO THE FIRST EXPANSION JOINT BEYOND THE TRENCH EXCAVATION LIMITS AND TO THE FULL WIDTH. ALL CONCRETE WORK SHALL MATCH EXISTING.
18. THE CONTRACTOR SHALL FURNISH AND INSTALL ALL SHEETING AND/OR ACTIVE SHORING REQUIRED FOR THE INSTALLATION OF THE UTILITY. ALL EXCAVATIONS SHALL BE KEPT WITHIN THE LIMITS SPECIFIED. EXCAVATION WITHIN PAVED AREAS SHALL BE KEPT TO A MINIMUM. SHEETING AND/OR ACTIVE SHORING SHALL BE INSTALLED AS REQUIRED TO PROTECT EXISTING UTILITIES.
19. PLACED RIP-RAP SHALL HAVE A MINIMUM DEPTH OF 1.5 TIMES THE MAXIMUM STONE DIAMETER AND SHALL HAVE A LAYER OF TYPE II GEOTEXTILE SEPARATOR PLACED BETWEEN THE SOIL AND STONE.
20. IMMEDIATELY PRIOR TO DISTURBANCE, CONTRACTOR SHALL OBTAIN DIGITALLY RECORDED VIDEO OF THE UTILITY ALIGNMENTS INCLUDING EACH DRIVEWAY, SIDEWALK, SIGN, LANDSCAPING, ETC., TO BE DISTURBED. EACH SHALL BE RESTORED TO ITS ORIGINAL CONDITION OR BETTER. VIDEO SHALL BE SUBMITTED TO THE UTILITY OWNER(S) AND THE ENGINEER PRIOR TO WORK.
- 21.CONTRACTOR SHALL MAINTAIN A MEANS FOR ACCESS TO EACH PROPERTY, RESIDENCE, AND BUSINESS AT ALL TIMES.

22. DURING CONSTRUCTION, EMERGENCY VEHICLE APPARATUS ACCESS AND ACCESS TO FIRE HYDRANTS SHALL BE MAINTAINED AT ALL TIMES.
23. ALL CONSTRUCTION SHALL BE LIMITED TO STREET RIGHTS-OF-WAY AND OBTAINED EASEMENTS. WHERE THE CONTRACTOR DETERMINES THAT ENCROACHMENT ONTO PRIVATE PROPERTY IS NECESSARY AND AN EASEMENT HAS NOT BEEN PROVIDED, THE CONTRACTOR SHALL CONTACT INDIVIDUAL PROPERTY OWNERS AND OBTAIN WRITTEN APPROVAL FOR THAT ENCROACHMENT. SUCH APPROVALS SHALL BE PROVIDED TO THE UTILITY OWNER, NCDOT, AND THE ENGINEER.
24. CONTRACTOR SHALL NOTIFY PROPERTY OWNERS AND TENNANTS AT LEAST 7 DAYS PRIOR TO CONSTRUCTION THAT CONSTRUCTION ACTIVITY WILL TAKE PLACE IN THEIR AREA.
25. CONTRACTOR SHALL REMOVE AND REPLACE ALL CONFLICTING MAIL BOXES, CULVERTS, HEADWALLS, ORNAMENTAL STRUCTURES, SIGNS, HARDSCAPING, ETC. WITHIN THE RIGHT OF WAY OR PERMANENT EASEMENT UNLESS OTHERWISE SHOWN ON THE PLANS OR IN THE CONTRACT DOCUMENTS. CONFLICTING TREES WITHIN THE RIGHT OF WAY SHALL BE REMOVED AND NOT REPLANTED.
26. THE CONTRACTOR SHALL INSTALL AND MAINTAIN ALL TRAFFIC CONTROL MEASURES AND PUBLIC NOTICE AS REQUIRED BY NCDOT ALONG STATE ROADWAYS AND AS REQUIRED BY TOWN OF SOUTHERN PINES OR TOWN OF ABERDEEN ALONG TOWN STREETS AND PUBLIC PARKING AREAS.
27. TRENCHES AND EXCAVATIONS SHALL BE BACKFILLED OR COVERED WITH ROAD PLATES AT THE END OF EACH WORK DAY. OPEN ENDS OF INSTALLED LINE SHALL BE CAPPED WITH A WATERTIGHT CAP DESIGNED FOR THE INTENDED USE.
28. CONTRACTOR SHALL PATCH ALL ROADWAY PAVEMENT DISTURBANCES TO RECEIVE TRAFFIC BY THE END OF EACH WEEK. TEMPORARY PATCHES OF COMPACTED AGGREGATE BASE COURSE (ABC) OR COMPACTED ASPHALT MILLINGS SHALL BE PROVIDED DAILY AND MAINTAINED FLUSH WITH ADJACENT PAVEMENT UNTIL PAVEMENT PATCH IS PROVIDED. EROSION CONTROL SHALL BE PROVIDED AS NECESSARY FOR TEMPORARY PATCH AREAS.
29. AT THE COMPLETION OF THE WORK, CONTRACTOR SHALL REMOVE FROM THE SITE ALL TOOLS, APPLIANCES, CONSTRUCTION EQUIPMENT AND MACHINERY, SURPLUS MATERIALS, AND DEBRIS AND SHALL RESTORE TO ORIGINAL CONDITION OR BETTER ALL PROPERTY NOT DESIGNATED FOR ALTERATION BY THE CONTRACT DOCUMENTS.
30. CONTRACTOR SHALL PROVIDE RECORD DRAWINGS FOR ALL UTILITY CONSTRUCTION AND MEET ALL UTILITY OWNER REQUIREMENTS PRIOR TO PLACING THE PIPELINE(S) IN SERVICE OR, IF SO AUTHORIZED BY THE UTILITY OWNER, IMMEDIATELY THEREAFTER. SEE UC PROJECT SPECIAL PROVISIONS FOR RECORD DRAWING REQUIRMENTS.
- UTILITY NOTES:
1. UTILITY SEPARATION REQUIREMENTS:

A. DISTANCE OF 100' SHALL BE MAINTAINED BETWEEN SANITARY SEWER & ANY PRIVATE OR PUBLIC WATER SUPPLY SOURCE SUCH AS AN IMPOUNDED RESERVOIR USED AS A SOURCE OF DRINKING WATER. IF ADEQUATE LATERAL SEPARATION CANNOT BE ACHIEVED, FERROUS SANITARY SEWER PIPE SHALL BE SPECIFIED & INSTALLED TO WATERLINE SPECIFICATIONS. HOWEVER, THE MINIMUM SEPARATION SHALL NOT BE LESS THAN 25' FROM A PRIVATE WELL OR 50' FROM A PUBLIC WELL.

B. WHEN INSTALLING WATER &/OR SEWER MAINS, THE HORIZONTAL SEPARATION BETWEEN UTILITIES SHALL BE 10'. IF THIS SEPARATION CANNOT BE MAINTAINED DUE TO EXISTING CONDITIONS, THE VARIATION ALLOWED IS THE WATER MAIN IN A SEPARATE TRENCH WITH THE ELEVATION OF THE WATER MAIN AT LEAST 18" ABOVE THE TOP OF THE SEWER & MUST BE APPROVED BY THE OWNER. ALL DISTANCES ARE MEASURED FROM OUTSIDE DIAMETER TO OUTSIDE DIAMETER.

C. WHERE IT IS IMPOSSIBLE TO OBTAIN PROPER SEPARATION, OR ANYTIME A SANITARY SEWER PASSES OVER A WATERMAIN, DIP MATERIALS OR STEEL ENCASEMENT EXTENDED 10' ON EACH SIDE OF CROSSING MUST BE SPECIFIED & INSTALLED TO WATERLINE SPECIFICATIONS.

D. 5.0' MINIMUM HORIZONTAL SEPARATION IS REQUIRED BETWEEN ALL SANITARY SEWER & STORM SEWER FACILITIES, UNLESS DIP MATERIAL IS SPECIFIED FOR SANITARY SEWER.

E. MAINTAIN 18" MIN. VERTICAL SEPARATION AT ALL WATERMAIN & RCP STORM DRAIN CROSSINGS; MAINTAIN 18" MIN. VERTICAL SEPARATION AT ALL SANITARY SEWER & RCP STORM DRAIN CROSSINGS. WHERE ADEQUATE SEPARATIONS CANNOT BE ACHIEVED, DIP MATERIALS & A CONCRETE CRADLE IN ACCORDANCE WITH DETAIL 4/UC-3D SHALL BE INSTALLED.

F. ALL OTHER UNDERGROUND UTILITIES SHALL CROSS WATER & SEWER FACILITIES WITH 18" MIN. VERTICAL SEPARATION REQUIRED.
2. MINIMUM PIPE COVER FOR DISTRIBUTION WATER MAINS SHALL BE 3 FEET AND TRANSMISSION WATER MAINS SHALL BE 5 FEET, UNLESS DUCTILE IRON PIPE IS USED AND LESS COVER IS SPECIFICALLY SHOWN ON DRAWINGS OR AS APPROVED BY THE UTILITY OWNER OR ENGINEER.
3. TRENCH EXCAVATION SHALL BE PER DETAIL 3/UC-3D. BEDDING AND BACKFILL FOR SERVICE LINES SHALL BE PER DETAIL 1/UC-3D, AND BEDDING AND BACKFILL FOR MAINS SHALL BE IN ACCORDANCE WITH DETAIL 2/UC-3D.
4. CONTRACTOR SHALL MAINTAIN CONTINUOUS WATER & SEWER SERVICE TO EXISTING USERS THROUGHOUT CONSTRUCTION OF PROJECT. ANY NECESSARY SERVICE INTERRUPTIONS SHALL BE COORDINATED WITH AND TAKE PLACE AT A TIME AND DATE ACCEPTABLE TO THE UTILITY OWNER. A 72 HOUR ADVANCE NOTICE SHALL BE PROVIDED TO AFFECTED CUSTOMERS.
5. ALL UTILITY PIPELINES FOR THIS PROJECT SHALL BE MATERIAL AND SIZE AS NOTED ON THE DRAWINGS.
6. ALL PRESSURIZED FITTINGS SHALL BE DUCTILE IRON MECHANICAL JOINT WITH PRESSURE RATING EQUAL TO OR HIGHER THAN HOST PIPE, UNLESS OTHERWISE SHOWN ON THE DRAWINGS.
7. ALL MECHANICAL JOINTS SHALL BE FITTED WITH WEDGE-TYPE MECHANICAL RESTRAINT ACCESSORY KITS DESIGNED FOR THE INTENDED USE AND MATERIAL, AS APPROVED BY UTILITY OWNER. RESTRAINED JOINT PIPING SHALL BE INSTALLED TO THE STATIONS SHOWN ON THE PROFILE DRAWINGS AT MINIMUM. DEVIATIONS FROM THE DESIGN MAY RESULT IN ADDITIONAL REQUIRED RESTRAINED LENGTH. SEE GENERAL NOTE 2.
8. PIPE ALIGNMENT SHOWN IS BASED ON STANDARD DUCTILE IRON MECHANICAL JOINT FITTINGS. JOINT DEFLECTIONS SHALL NOT EXCEED 75 PERCENT OF MANUFACTURER'S RECOMMENDED DEFLECTION. CONTRACTOR SHALL ADJUST PIPELINE ALIGNMENT AND DEFLECT JOINTS AS NECESSARY TO ACCOMMODATE THE STANDARD BENDS SHOWN.

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PROJECT REFERENCE NO. U-5815BA		SHEET NO. UC-3
DESIGNED BY: NLH		UTILITY CONSTRUCTION PLANS ONLY
DRAWN BY: JNB		
CHECKED BY: CPM		
APPROVED BY: NLH		
REVISED:		
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION		
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UTILITY CONSTRUCTION

9. DETECTABLE WARNING TAPE AND TRACER WIRE IS REQUIRED FOR ALL BURIED PIPE AND SHALL BEAR THE APPROPRIATE AWPA COLORING AND TEXT FOR THE APPLICABLE UTILITY. INSULATED 14GA TRACER WIRE SHALL BE INSTALLED ALONG ALL PIPELINES AND SHALL BE ACCESSIBLE FROM THE FINISHED GRADE WITHIN ALL VALVE BOXES, MANHOLES, AND OTHER END POINTS OF TRACER WIRE. SPLICES IN TRACER WIRE SHALL BE MADE WITH SPLICE CONNECTORS DESIGNED FOR THE INTENDED PURPOSE AND IN ACCORDANCE WITH TRACER WIRE MANUFACTURER'S RECOMMENDATIONS.
10. ALL MANHOLE COVERS AND VALVE BOX LIDS FOR WATER SHALL READ "WATER", ALL MANHOLE COVERS AND VALVE BOX LIDS FOR SEWER SHALL READ "SEWER", AND ALL SHALL BE IN ACCORDANCE WITH NCDOT AND APPLICABLE UTILITY OWNER STANDARDS AND DETAILS.
11. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS IN THE FIELD PRIOR TO FABRICATION AND ERECTION OF ANY MATERIAL. ANY UNUSUAL CONDITIONS SHALL BE REPORTED TO THE ATTENTION OF THE OWNER(S) AND ENGINEER.
12. EXISTING WATER SERVICES SHALL REMAIN IN SERVICE AT ALL TIMES UNTIL THE PROPOSED MAIN IS TESTED AND PHASED INTO SERVICE.

GENERAL SEQUENCE:

1. FOR EACH WATER LINE AND SEWER LINE RELOCATION, THE CONTRACTOR SHALL PROVIDE THE UTILITY OWNER WITH A DETAILED INSTALLATION, CONNECTION, AND SERVICE INTERRUPTION PLAN FOR APPROVAL AT LEAST SEVEN (7) DAYS PRIOR TO THE RELOCATION. AT A MINIMUM, EACH PLAN SHALL ADDRESS THE FOLLOWING:

A. SEQUENCE OF CONSTRUCTION OPERATIONS.

B. PROCEDURE FOR FLUSHING, TESTING, AND DISINFECTION OF ALL AFFECTED PIPING AND VALVES, AS REQUIRED BY THE UTILITY OWNER.

C. PHASING AND SCHEDULE FOR ALL CONNECTIONS, INCLUDING PLANNED SERVICE OUTAGES, DURATION, AND CONTINGENCY PLAN.
2. NO INTERRUPTION OF SERVICE WILL BE PERMITTED UNTIL THE FOREGOING PLAN HAS BEEN APPROVED BY THE UTILITY OWNER. THE UTILITY OWNER'S PERSONNEL SHALL OPERATE THE UTILITY OWNER'S EXISTING FACILTITIES INVOLVED IN THE INTERRUPTIONS OF SERVICE.
3. PLANNED SERVICE CONNECTION INTERRUPTIONS SHALL LAST NO LONGER THAN 8 HOURS UNLESS OTHERWISE APPROVED BY THE UTILITY OWNER. ALL INTERRUPTIONS OF SERVICES SHALL BE COORDINATED WITH AND SCHEDULED AT TIMES ACCEPTABLE TO THE UTILITY OWNER.
4. WRITTEN WATER SERVICE INTERRUPTION NOTICES SHALL BE PROVIDED TO ALL AFFECTED CUSTOMERS AT LEAST 72 HOURS PRIOR TO EACH PLANNED INTERRUPTION.

TRANSMISSION MAIN SEQUENCE:

1. ALL REQUIREMENTS LISTED UNDER "GENERAL SEQUENCE" NOTES SHALL APPLY TO THE TOWN OF SOUTHERN PINES TRANSMISSION MAIN.
2. INSTALL PROPOSED TRANSMISSION WATER MAIN TO THE MAXIMUM EXTENT POSSIBLE, FILL/FLUSH VIA THE JUMPER SHOWN ON SHEET UC-4, AND PASS ALL ACCEPTANCE TESTS REQUIRED BY OWNER PRIOR TO MAKING FINAL CONNECTIONS. FILL, FLUSH, AND TEST WITHIN A SCHEDULE AND DURATION ACCEPTABLE TO THE OWNER AND THE DEPARTMENT.
4. TAKE ALL PREPARATIONS NECESSARY TO MINIMIZE SHUTDOWN DURATION PRIOR TO INITIATING SHUTDOWN, INCLUDING BUT NOT LIMITED TO TRENCHING AND EXCAVATION FOR CONNECTIONS, REMOVAL OF TEMPORARY PIPING AND BLOWOFF(S), ENSURING ALL NECESSARY EQUIPMENT, PERSONNEL, AND MATERIALS ARE ON SITE.
5. INSTALL PROPOSED LINE STOP SHOWN ON SHEET UC-9, ALLOWING CONCRETE FOR THRUST RESTRAINT AND FOOTING TO CURE MIN 7-DAYS. ACTIVATE LINE STOP AND REPLACE 18" BUTTERFLY VALVE SHOWN ON SHEET UC-9. LINE STOPPAGE AND VALVE REPLACEMENT MUST TAKE PLACE BETWEEN THE HOURS OF 11:00PM AND 5:00AM. REMOVE LINE STOP.
6. MAKE FINAL CONNECTIONS AT -W1- STA 96+50 AND -W1- STA 10+00. FINAL CONNECTIONS MUST BE MADE SIMULTANEOUSLY BETWEEN 9:00AM AND 4:00PM. DISINFECT FINAL CONNECTION COMPONENTS BY SWABBING/SPRAYING AND VISUALLY LEAK CHECK PRIOR TO LINE ACTIVATION.
7. ABANDON 18" TRANSMISSION MAIN BY DRAINING ALL WATER AND CAPPING WITH DI MJ CAPS.

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PROJECT REFERENCE NO.
U-5815BA

SHEET NO.
UC-3A

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STANDARD DETAILS
DESIGNED BY
TOWN OF ABERDEEN
UTILITY CONSTRUCTION
PLANS ONLY

UTILITY CONSTRUCTION

TRACER WIRE NOTE:
TRACER WIRE SHALL BE #12 COPPER
WIRE COATED FOR DIRECT BURIAL
CONNECTIONS SHALL BE WATER TIGHT
USING DB PLUS WATERPROOF WIRE
CONNECTORS OR EQUAL.

NOTE:
CONTRACTOR SHALL PROVIDE CONCRETE FORCE MAIN AND WATER MAIN GATE
VALVE MARKERS ON RIGHT OF WAY LINE. MARKER SHALL HAVE THE LETTERS.

FM - FORCE MAIN VALVE
MV - WATER MAIN VALVE

NOTE:
ALL GATE VALVES SHALL
BE PLACED ON AN 80 LB.
BAG OF SACRETE.

1. FIRE HYDRANTS SHALL BE INSTALLED NO MORE THAN ONE FOOT WITHIN THE N.C. D.O.T. RIGHT-OF-WAY.

2. THE DISTANCE FROM THE WATER MAIN TO THE FIRE HYDRANT VARIES. THE CONTRACTORS BID PRICE FOR FIRE HYDRANT ASSEMBLIES SHALL INCLUDE THE COST FOR THE VARYING FIRE HYDRANT LEG LENGTH.

3. COSTS TO INSTALL THE FIRE HYDRANT TO GRADE SHALL BE PAID BY THE CONTRACTOR.

4. APPROVED FIRE HYDRANT MANUFACTURERS: MUELLER OR CLOW

5. DISTANCE BETWEEN HYDRANT AND GATE VALVE SHALL NOT EXCEED 8 FEET WITHOUT APPROVAL FROM ENGINEER AND/OR TOWN OF ABERDEEN.

6. THE FIRE HYDRANT SHALL BE SUPPLIED WITH A STORZ PUMPER CAP AS REQUIRED BY THE TOWN OF ABERDEEN.

REVISED 7/28/2020

1. VALVE BOX SHALL HAVE RAISED LETTERS "WATER" CAST INTO COVER.

2. VALVE BOX ACCOMMODATES 4" THRU 12" VALVES.

3. VALVE BOX SHALL HAVE 8" HOLE DRILLED IN TOP SECTION THRU WHICH A 1/2" X 1 1/2" GALVANIZED BOLT SHALL BE USED TO SECURE A 12GA. THIN TRACER WIRE FOR NON-FERROUS PIPE. A 3/4" WASHER SHALL BE USED BETWEEN NUT AND INSIDE OF BOX.

4. TIGHTEN HAND TIGHT.

5. SCREW TYPE VALVE BOXES ARE REQUIRED.

6. DIMENSIONS SHOWN MAY VARY DEPENDING UPON THE MANUFACTURER.

5-3/4"

5-1/4"

1/4"

1-1/2"

7-5/16"

5-3/4"

7"

19" OR 2"

9"

7-5/8"

6-3/8"

6-1/2"

10-1/4"

8"

3/8"

6-1/2"

1-1/2"

6-3/8"

7-1/8"

10"

15"

24"

24"

36"

36"

48"

48"

60"

60"

TOP

BOTTOM

DIMENSIONS IN INCHES LENGTH

COMPLETE BOX

1. INSTALL MARKER POSTS ON EDGE OF THE NCDOT RIGHT-OF-WAY LINE, OR TOWN OF ABERDEEN EASEMENT OR RIGHT-OF-WAY.

2. PROVIDE MARKER POSTS AT ALL LINE VALVES.

3. THE CONTRACTOR SHALL PROVIDE CONCRETE FORCE MAIN AND WATER MAIN GATE VALVE MARKERS ON RIGHT-OF-WAY LINE. MARKER SHALL HAVE FM FOR FORCE MAIN AND MV FOR WATER MAIN VALVE.

5 1/2"

5 1/2"

4"

2"

2"

2'-6"

2'-0"

2'-0"

PLATE W/DIRECTIONAL ARROW POINTED TO VALVE TO NEAREST FOOT

BRASS MARKER PLATE

2" BRASS MARKER PLATE W/ANCHOR

3/4" CHAMFER AT EACH CORNER

EXISTING GROUND

2-NO. 3 REINFORCEMENT BARS

2 CUBIC FEET CONCRETE MINIMUM

ITEM

DESCRIPTION

PART NO.

QTY

1

PLASTIC METER BOX BASE (TYP.)

2

CAST IRON METER BOX BASE (TYP.)

3

3/4" INLINE CHECK

4

3/4" INLINE CHECK

5

1" X 3/4" CTS 110 COMPRESSION FITTING

6

1" X 3/4" CTS 110 COMPRESSION FITTING

7

1" X 3/4" CTS 110 COMPRESSION FITTING

8

1" X 3/4" CTS 110 COMPRESSION FITTING

9

1" X 3/4" CTS 110 COMPRESSION FITTING

10

1" X 3/4" CTS 110 COMPRESSION FITTING

11

1" X 3/4" CTS 110 COMPRESSION FITTING

12

1" X 3/4" CTS 110 COMPRESSION FITTING

13

1" X 3/4" CTS 110 COMPRESSION FITTING

14

1" X 3/4" CTS 110 COMPRESSION FITTING

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1" X 3/4" CTS 110 COMPRESSION

PREPARED BY:
Kimley»Horn
421 FAYETTEVILLE STREET, SUITE 600
RALEIGH, NC 27601

PROJECT REFERENCE NO.
U-5815BA

SHEET NO.
UC-3B

DESIGNED BY: NLH
DRAWN BY: JNB
CHECKED BY: CPM
APPROVED BY: NLH
REVISED:
NORTH CAROLINA
DEPARTMENT OF
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STANDARD DETAILS
DESIGNED BY
TOWN OF ABERDEEN
UTILITY CONSTRUCTION
PLANS ONLY

UTILITY CONSTRUCTION

WATER SYSTEM DETAILS
FOR THE
TOWN OF ABERDEEN
MOORE COUNTY, NORTH CAROLINA

2 Inch Water Service
With Backflow Preventer

W.11

WATER SYSTEM DETAILS
FOR THE
TOWN OF ABERDEEN
MOORE COUNTY, NORTH CAROLINA

Town Streets Open Cut
And Patch Detail

W.14

WATER SYSTEM DETAILS
FOR THE
TOWN OF ABERDEEN
MOORE COUNTY, NORTH CAROLINA

NCDOT Open Cut And
Patch At Crossings And
Intersections

W.15

SEWER SYSTEM DETAILS
FOR THE
TOWN OF ABERDEEN
MOORE COUNTY, NORTH CAROLINA

Precast Manhole Detail

S.1

SEWER SYSTEM DETAILS
FOR THE
TOWN OF ABERDEEN
MOORE COUNTY, NORTH CAROLINA

Heavy Duty Watertight
Manhole Ring And
Cover Detail

S.4

SEWER SYSTEM DETAILS
FOR THE
TOWN OF ABERDEEN
MOORE COUNTY, NORTH CAROLINA

Gravity Sewer Main
Trench Detail

S.5

SEWER SYSTEM DETAILS
FOR THE
TOWN OF ABERDEEN
MOORE COUNTY, NORTH CAROLINA

Service Lateral Detail

S.7

SEWER SYSTEM DETAILS
FOR THE
TOWN OF ABERDEEN
MOORE COUNTY, NORTH CAROLINA

Sewer Cleanout Box Detail

S.8

SEWER SYSTEM DETAILS
FOR THE
TOWN OF ABERDEEN
MOORE COUNTY, NORTH CAROLINA

NCDOT Open Cut And
Patch At Crossing And
Intersections

S.18

SEWER SYSTEM DETAILS
FOR THE
TOWN OF ABERDEEN
MOORE COUNTY, NORTH CAROLINA

Town Streets Open Cut
And Patch Detail

S.19

PREPARED BY:
Kimley»Horn
© 2022
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RALEIGH, NC 27601

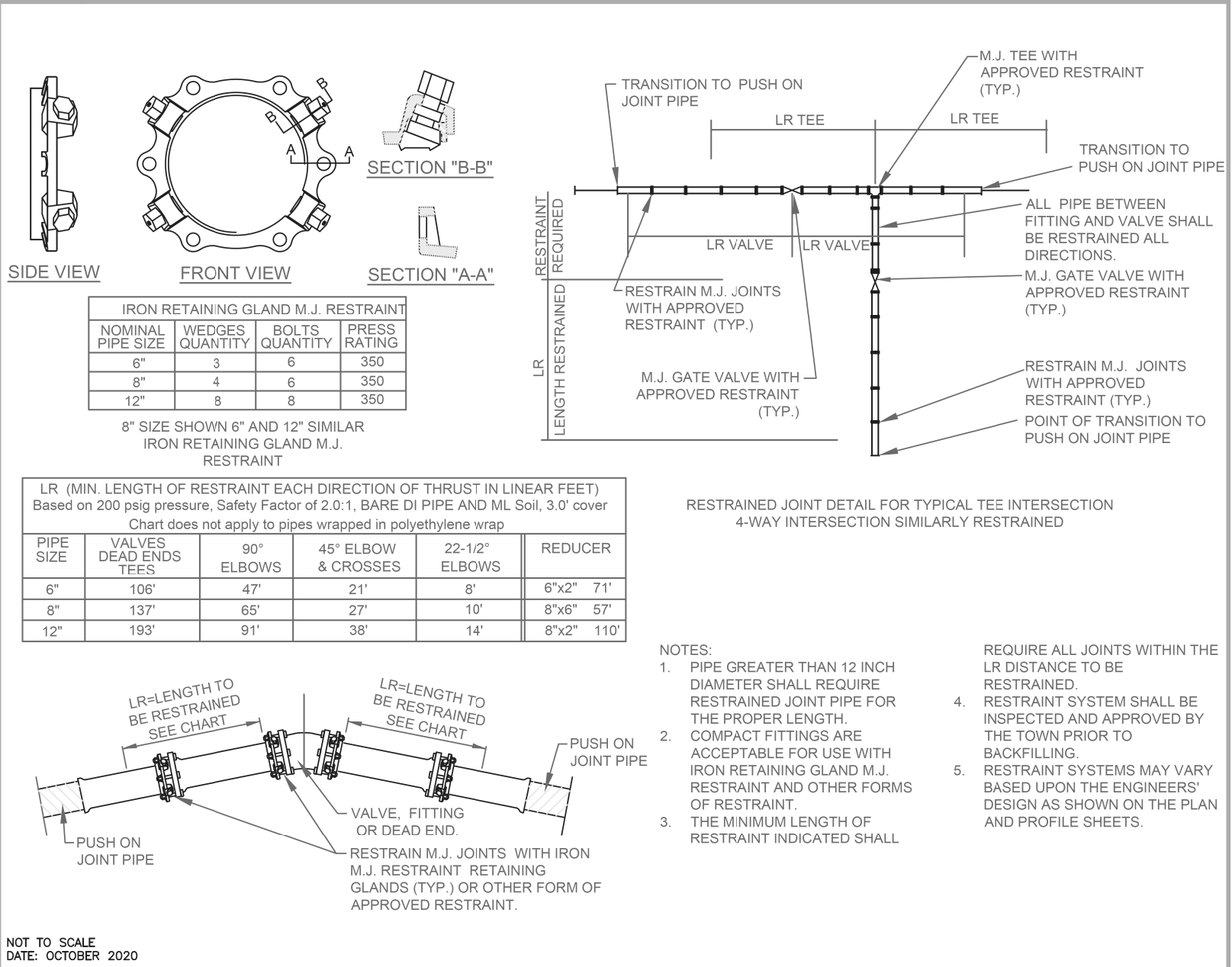
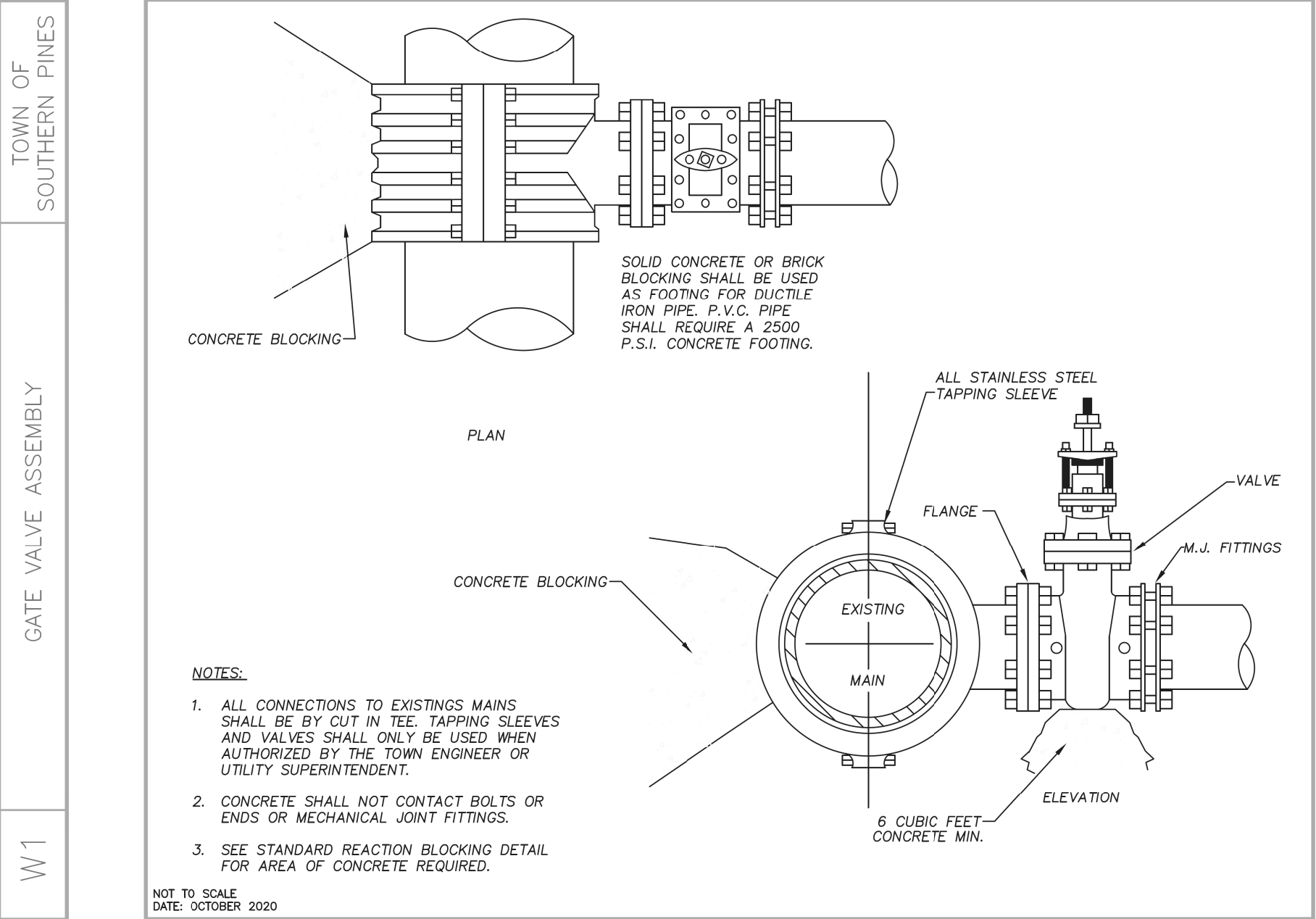
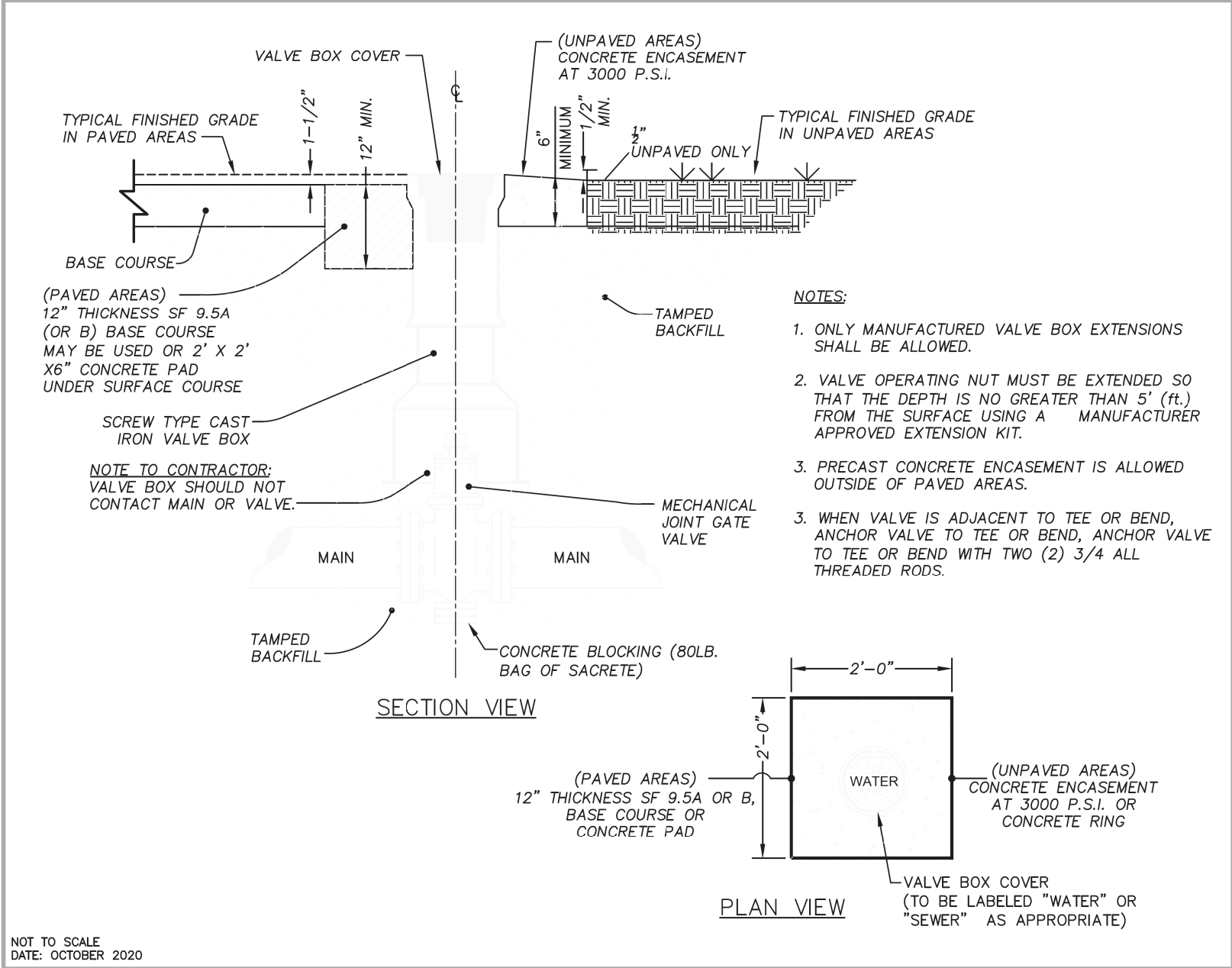
PROJECT REFERENCE NO.
U-5815BA

SHEET NO.
UC-3C

DESIGNED BY: NLH
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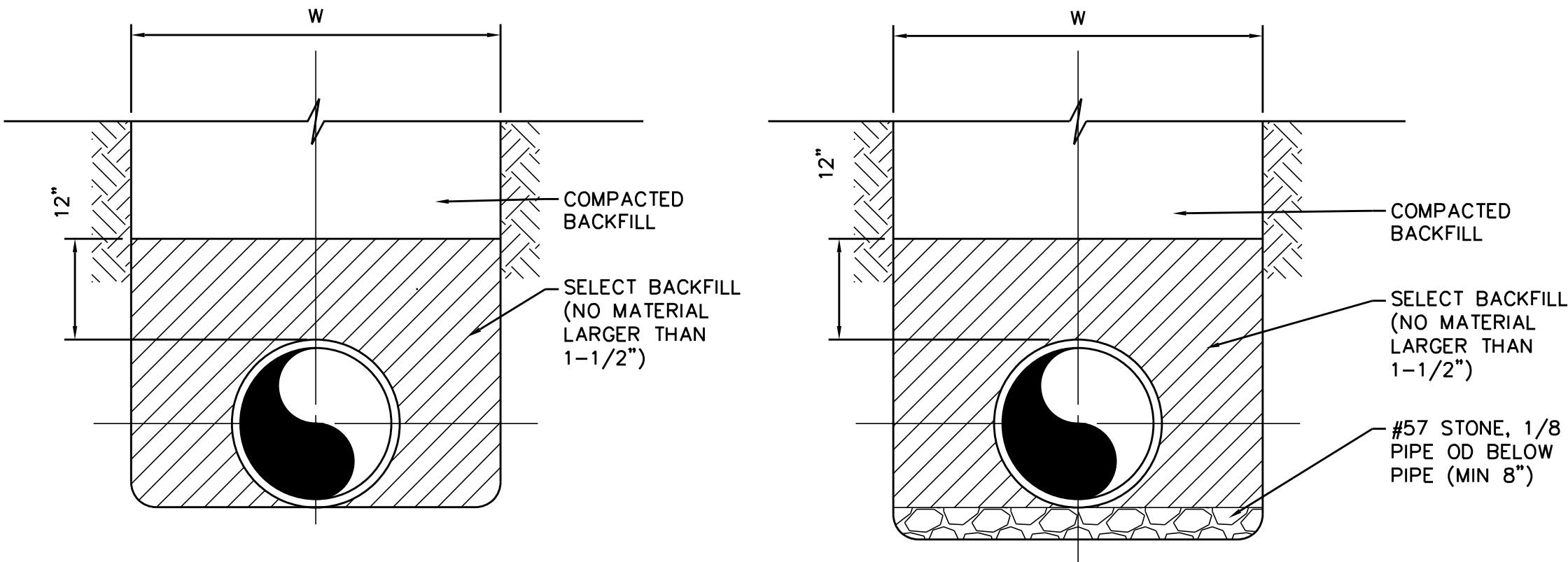
STANDARD DETAILS
DESIGNED BY
TOWN OF SOUTHERN
PINES
UTILITY CONSTRUCTION
PLANS ONLY

UTILITY CONSTRUCTION



5/14/99

1/26/2022

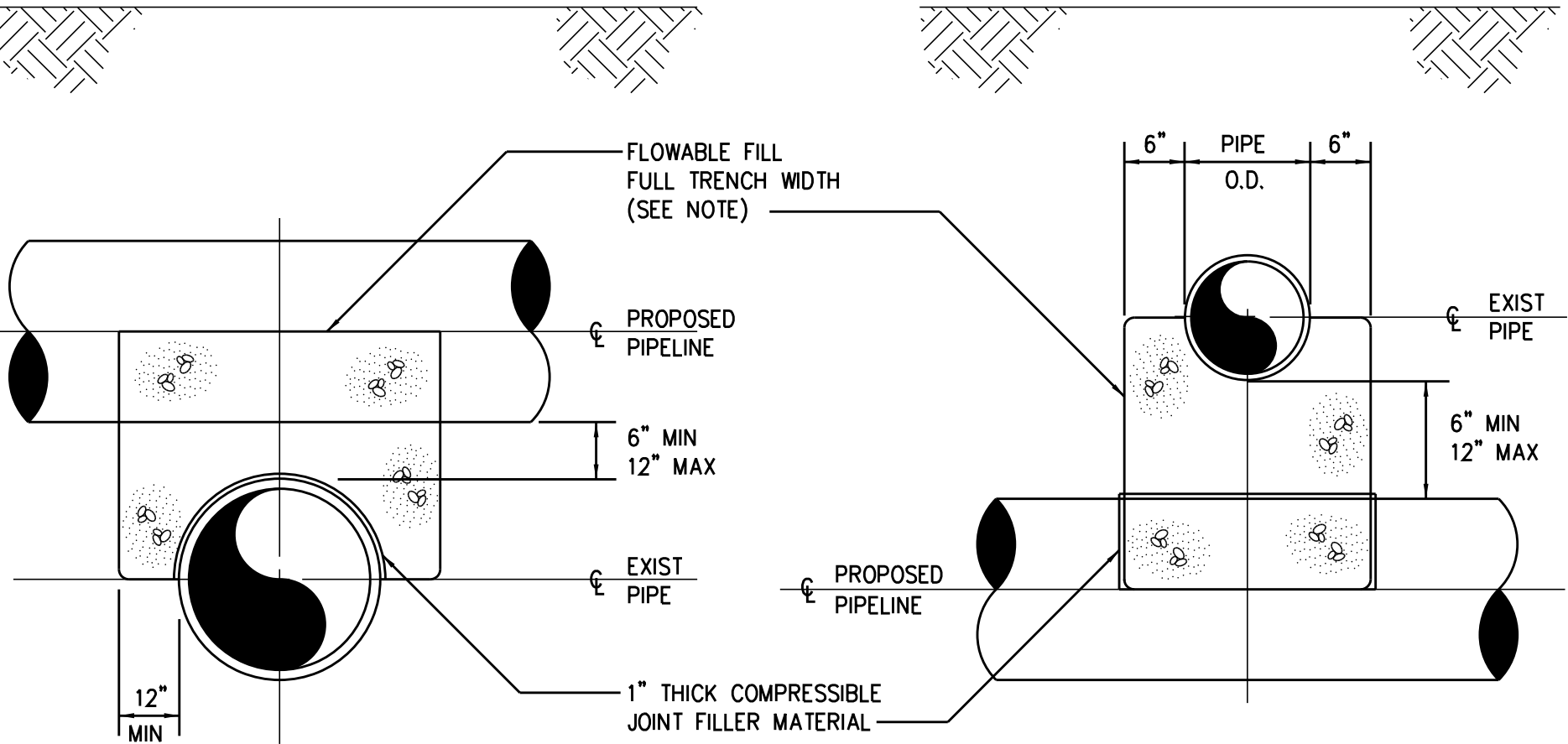


TRENCH EXCAVATION LIMITS		
INTERNAL DIAMETER OF PIPE	WIDTH OF TRENCH	
	MAX	W=MIN
4'-6"	3'-9"	2'-0"
8'-10"	3'-9"	2'-2"
12"	3'-9"	O.D.+2'
14'-16"	4'-2"	O.D.+2'
18"	4'-4"	O.D.+2'
20'-21"	4'-8"	O.D.+2'
24"	4'-11"	O.D.+2'
W = TRENCH WIDTH AT BOTTOM OF PIPE.		

1 BEDDING TYPE A - SERVICE LINES
UC-3D SCALE: N.T.S.

2 BEDDING TYPE B - UTILITY MAINS
UC-3D SCALE: N.T.S.

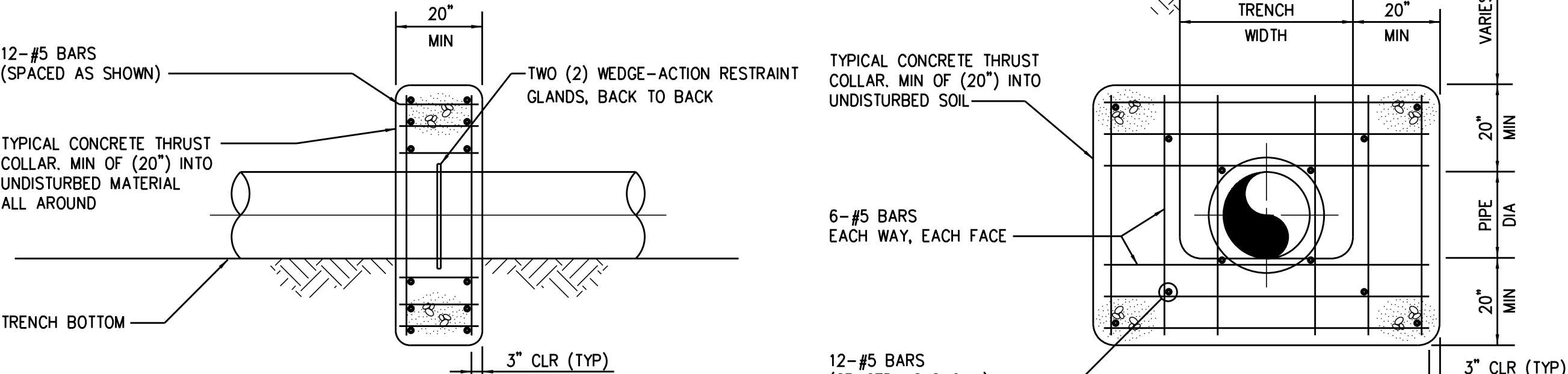
3 TRENCH EXCAVATION LIMITS
UC-3D SCALE: N.T.S.



PROPOSED PIPELINE OVER EXIST PIPE PROPOSED PIPELINE UNDER EXIST PIPE

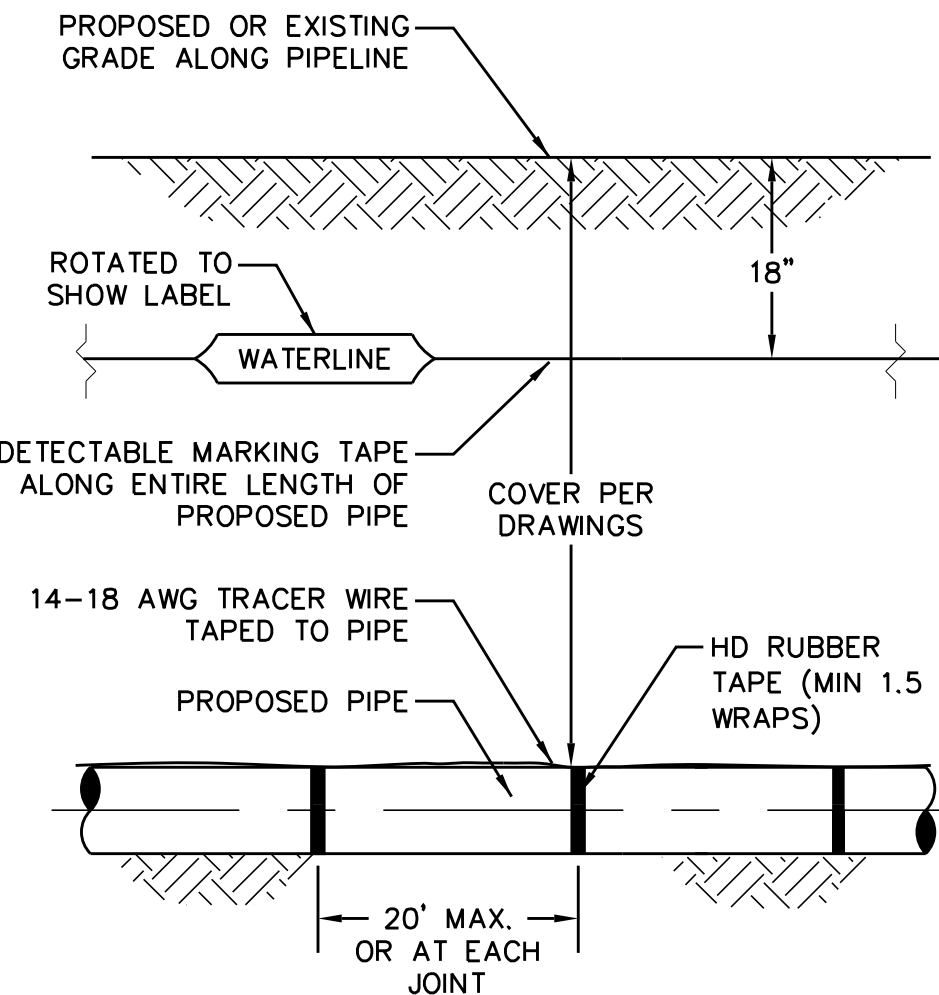
NOTE: NO ENCASEMENT REQUIRED FOR SPACE GREATER THAN 12"

4 PROPOSED PIPELINE OVER/UNDER EXIST PIPE
UC-3D SCALE: N.T.S.



ELEVATION 1 ELEVATION 2

5 THRUST COLLAR
UC-3D SCALE: N.T.S.



6 DETECTABLE MARKING TAPE AND WIRE
UC-3D SCALE: N.T.S.

PREPARED BY:
Kimley»Horn
421 FAYETTEVILLE STREET, SUITE 600
RALEIGH, NC 27601

PROJECT REFERENCE NO.
U-5815BA

SHEET NO.
UC-3D

DESIGNED BY: NLH
DRAWN BY: JNB
CHECKED BY: CPM
APPROVED BY: NLH
REVISED:
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
UTILITIES ENGINEERING SEC.
PHONE: (919) 707-6690
FAX: (919) 250-4151

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045249
NORTH CAROLINA PROFESSIONAL ENGINEER
24FED016064401019/2022

UTILITY CONSTRUCTION
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UTILITY CONSTRUCTION

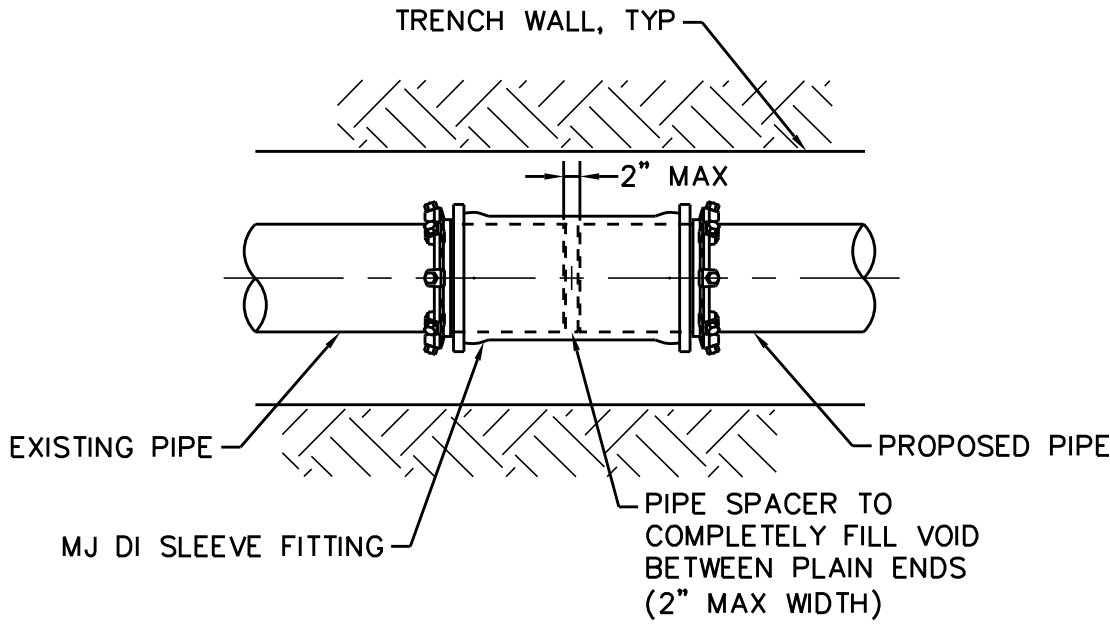
5/14/99

1/26/2022

DESIGN PRESSURE		
200 PSI		
PIPE SIZE	ROD DIA	NUMBER REQ'D
4" TO 8"	3/4"	2
10" TO 20"	3/4"	4
24"	3/4"	6
30"	1"	6
36"	1"	8

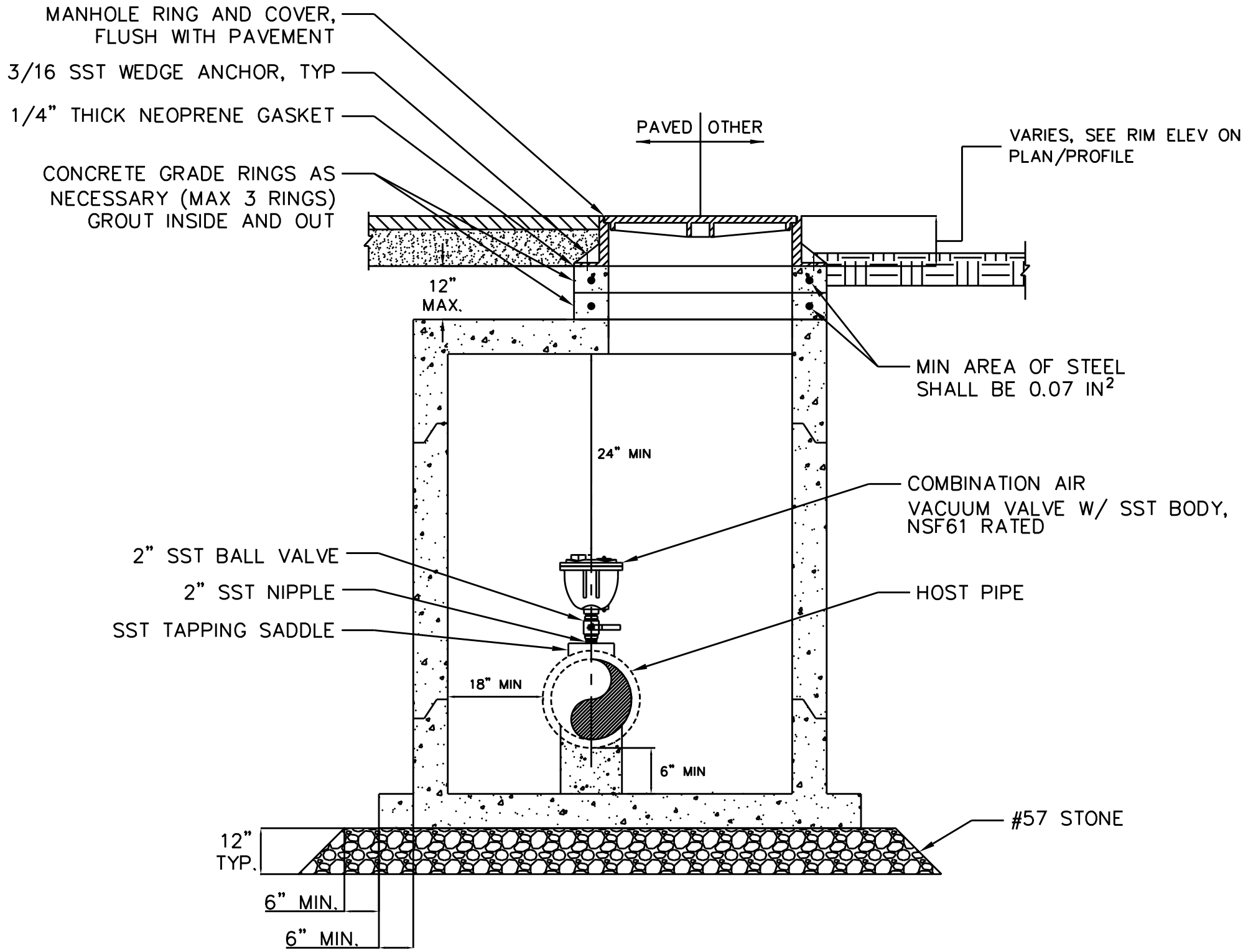
1. THREADED RODS FOR PIPE DIAMETERS LARGER THAN 12" SHALL BE ASTM A193 (GRADE B7). ALL OTHER THREADED RODS SHALL BE ASTM A36.
2. ALL HARDWARE IN CONTACT WITH SOIL SHALL BE PAINTED WITH TWO COATS HIGH BUILD COAL TAR EPOXY (MIN 26 MIL DRY FILM THICKNESS)
5. RODS SHALL BE EQUALLY SPACED AROUND PIPE.

1	THREADED ROD SCHEDULE
UC-3E	SCALE: N.T.S.



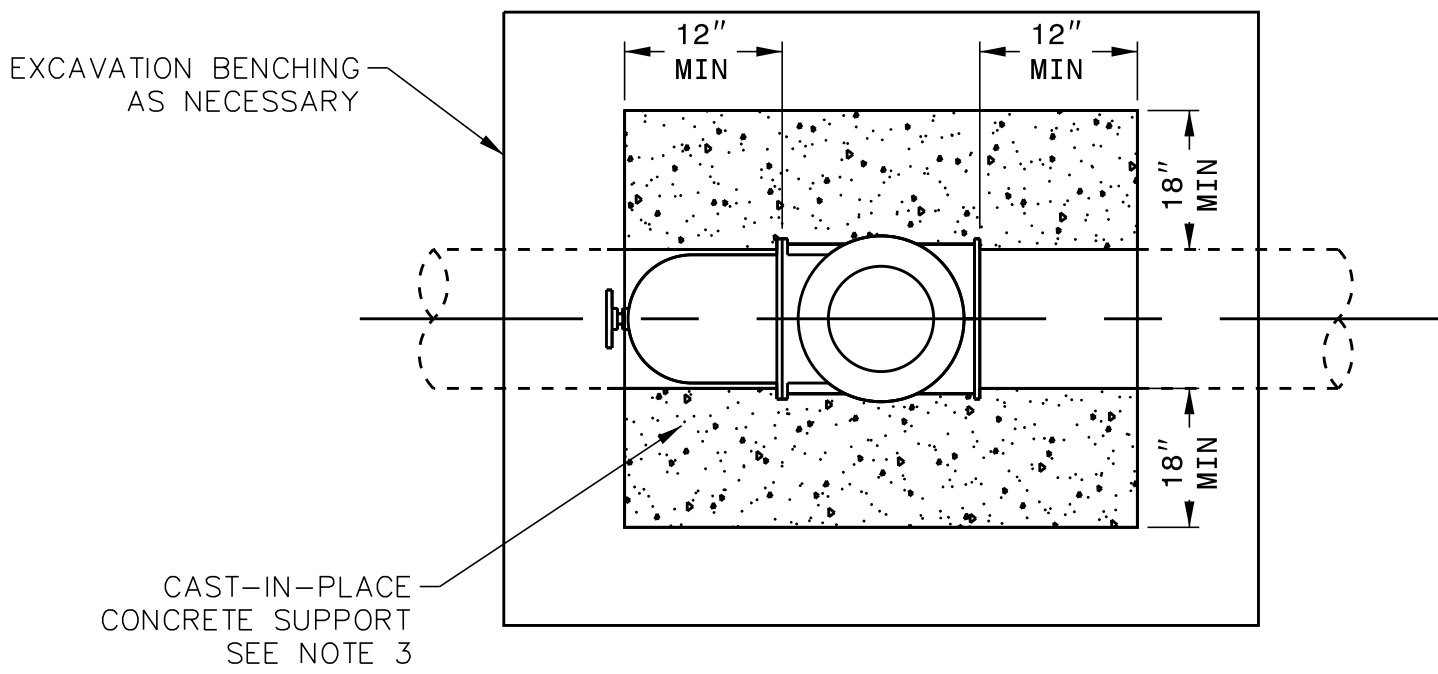
- NOTES:
1. SLEEVES SHALL BE DUCTILE IRON MECHANICAL JOINT (DI MJ) OF THE SAME OR HIGHER PRESSURE RATING AS THE HOST PIPE.
 2. RESTRAINT GLANDS SHALL BE DESIGNED FOR THE INTENDED USE AND SHALL CONSIST OF MULTIPLE GRIPPING WEDGES INCORPORATED INTO A FOLLOWER GLAND AND BOLT-ACTUATED BY TORQUE-LIMITING TWIST OFF NUTS.

2	RESTRAINED MJ SOLID SLEEVE
UC-3E	SCALE: N.T.S.

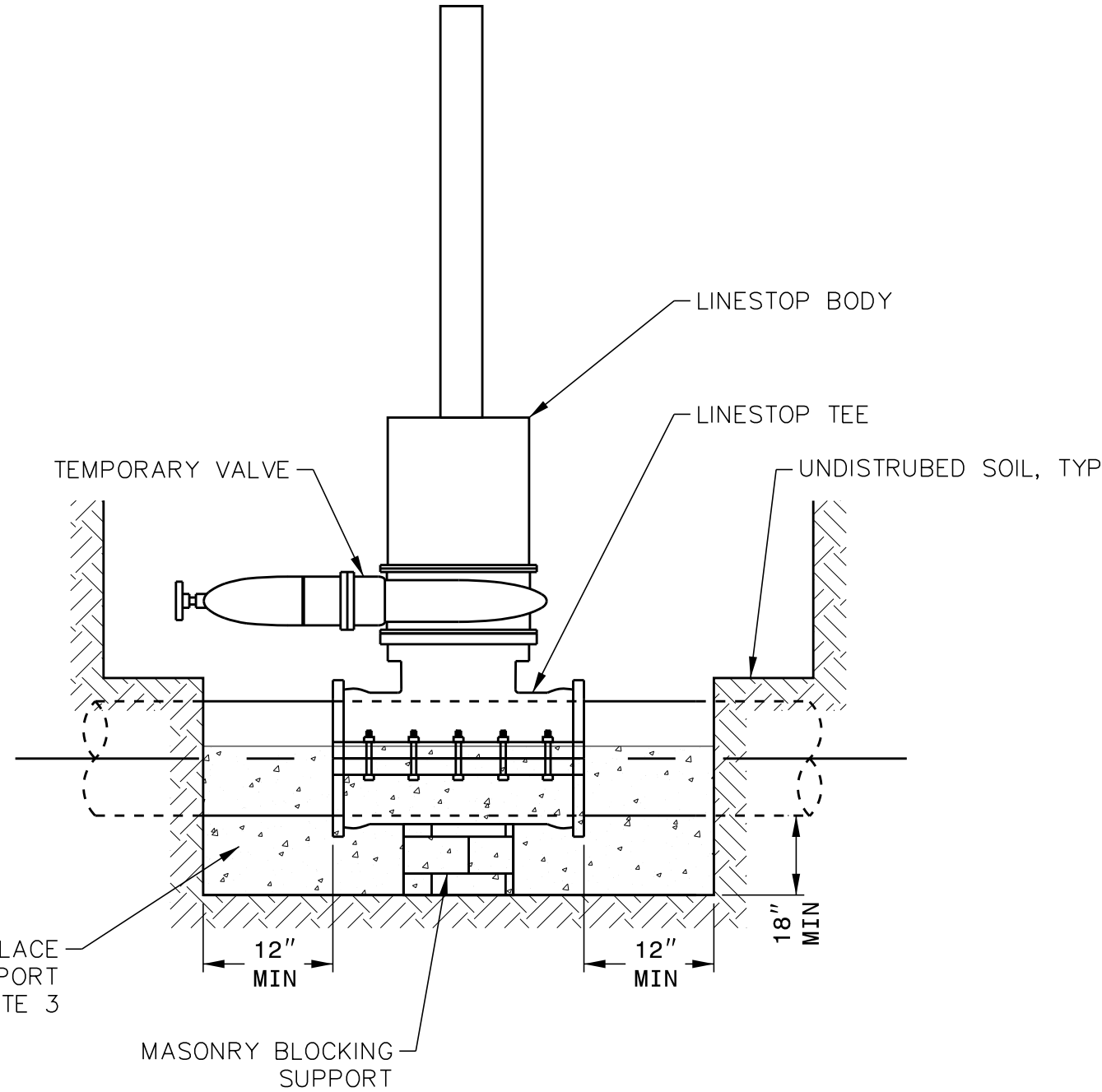


- NOTES:
1. ALL METALLIC PIPING AND HARDWARE SHALL BE STAINLESS STEEL.
 2. PROVIDE SUFFICIENT SPACING BETWEEN BALL VALVE, ARV, AND TAPPING SADDLE SUCH THAT THE BALL VALVE WILL OPERATE PROPERLY.
 3. MALE THREADED END OF ARV SHALL BE COATED WITH ANTI-SEIZE THREAD COMPOUND PRIOR TO INSTALLATION.
 4. PROVIDE BUSHINGS AND ADAPTERS AS NECESSARY TO CONNECT TO TAP.
 5. MANHOLE SHALL BE STANDARD 5' WITH CONE TOP (SLAB TOP WHEN INSTALLED OUTSIDE PAVED SURFACES) AND EXTENDED BASE.
 6. PIPE PENETRATIONS THROUGH MANHOLE SHALL BE SEALED WITH RUBBER BOOTS.

3	AIR VACUUM MANHOLE
UC-3E	SCALE: N.T.S.



LINESTOP ASSEMBLY-PLAN



LINESTOP ASSEMBLY-PROFILE

- NOTES:
1. LINESTOP AND CONCRETE SUPPORT MUST BE LOCATED ENTIRELY WITHIN ONE PIPE JOINT.
 2. ISOLATE ALL METALLIC COMPONENTS OF LINE STOP FROM CONCRETE WITH POLYETHYLENE SHEETING.
 3. CAST-IN-PLACE CONCRETE SUPPORT SHALL CURE MINIMUM 7 DAYS PRIOR TO ENGAGING LINE STOP.

4	LINE STOP WITH BYPASS
UC-3E	SCALE: N.T.S.

PREPARED BY:
Kimley»Horn
421 FAYETTEVILLE STREET, SUITE 600
RALEIGH, NC 27601

PROJECT REFERENCE NO.
U-5815BA

SHEET NO.
UC-3E

DESIGNED BY: NLH
DRAWN BY: JNB
CHECKED BY: CPM
APPROVED BY: NLH
REVISED:
NORTH CAROLINA
DEPARTMENT OF
TRANSPORTATION
UTILITIES ENGINEERING SEC.
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FAX: (919) 250-4151

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ENGINEER
2/26/2022

UTILITY CONSTRUCTION
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5/14/99

1/26/2022

D	X	W
12"	1'-4"	7'-4"
15"	1'-7"	7'-7"
18"	1'-10"	7'-10"
24"	2'-6"	8'-6"
30"	3'-1"	9'-1"
36"	3'-8"	9'-8"
42"	4'-5"	10'-5"
48"	5'-0"	11'-0"

2"-3" S9.5B OR S9.5C
SURFACE COURSE

11" B25.0B OR B25.0C
BASE COURSE

EXISTING

1'-0"2'-0"X2'-0"1'-0"

EXISTING

PAVEMENT REPAIRS ON ROADS TO BE RESURFACED
(PIPE IS PLACED UNDER EXISTING PAVEMENT)

2" S9.5B OR S9.5C
SURFACE COURSE

11" B25.0B OR B25.0C
BASE COURSE

EXISTING

1'-0"2'-0"X2'-0"1'-0"

EXISTING

PAVEMENT REPAIRS ON ROADS NOT TO BE RESURFACED
(PIPE IS TO BE PLACED UNDER EXISTING PAVEMENT)

1-1B

STATE OF
NORTH CAROLINA
DEPT. OF TRANSPORTATION
DIVISION OF HIGHWAYS
RALEIGH, N.C.

ROADWAY STANDARD DRAWING FOR
PAVEMENT REPAIRS
FOR SUPERPAVE MIX TYPES

SHEET 1 OF 1

654.01

PREPARED BY:

Kimley»Horn
© 2022
421 FAYETTEVILLE STREET, SUITE 600
RALEIGH, NC 27601

PROJECT REFERENCE NO.

U-5815BA

SHEET NO.

UC-3F

DESIGNED BY: NLH

DRAWN BY: JNB

CHECKED BY: CPM

APPROVED BY: NLH

REVISED:

NORTH CAROLINA
DEPARTMENT OF
TRANSPORTATION

UTILITIES ENGINEERING SEC.
PHONE: (919) 707-6690
FAX: (919) 250-4151

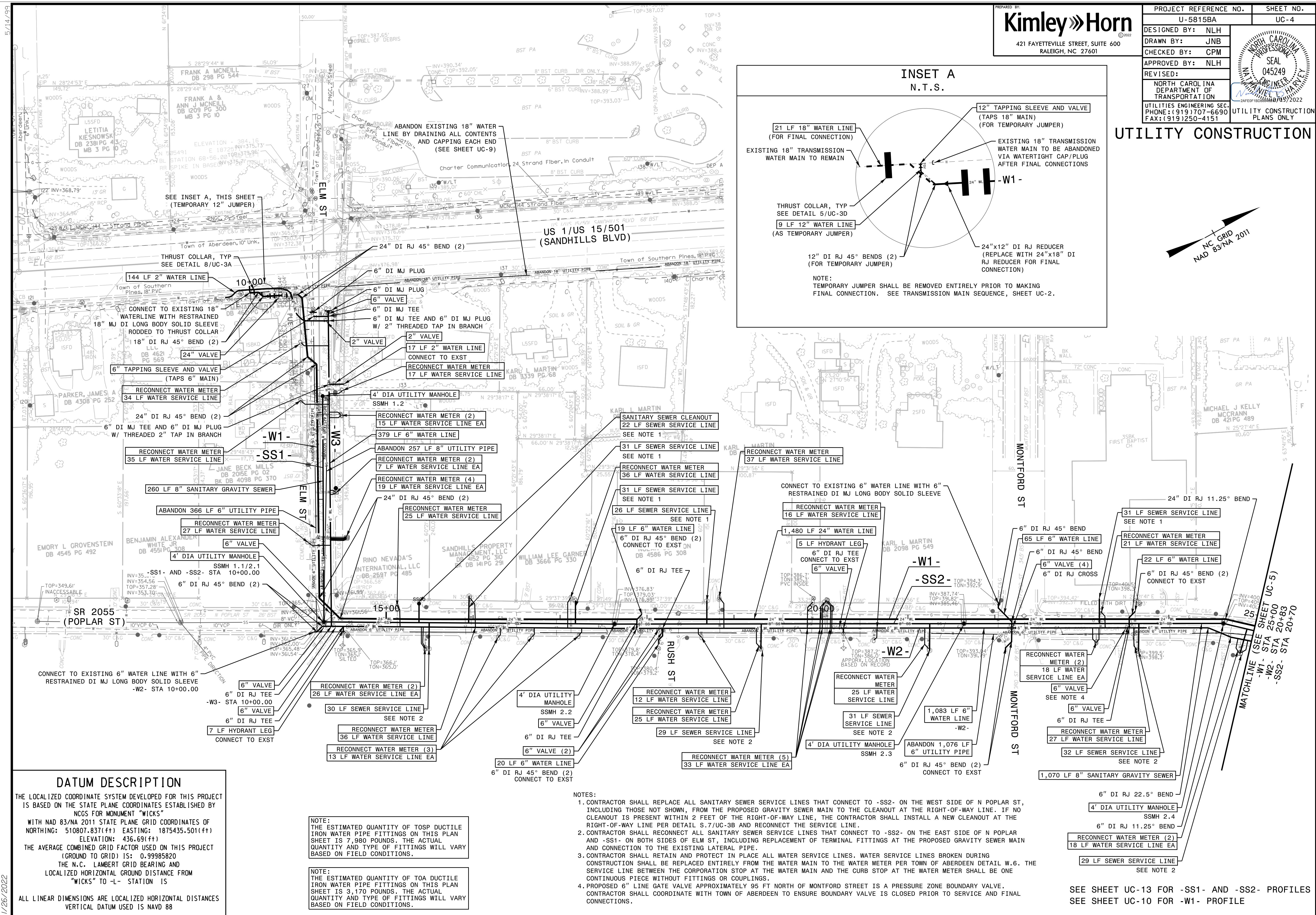
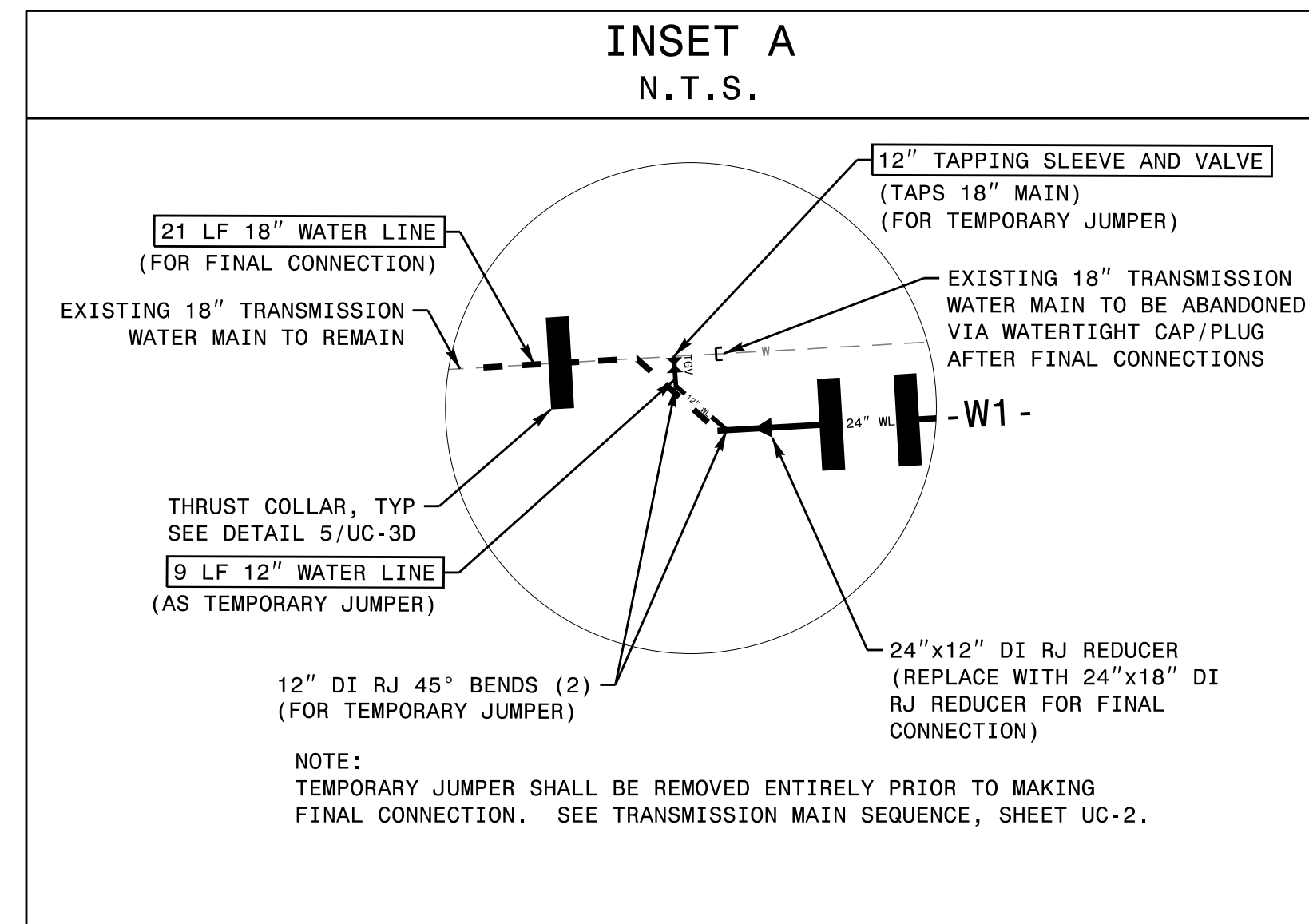
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UTILITY CONSTRUCTION

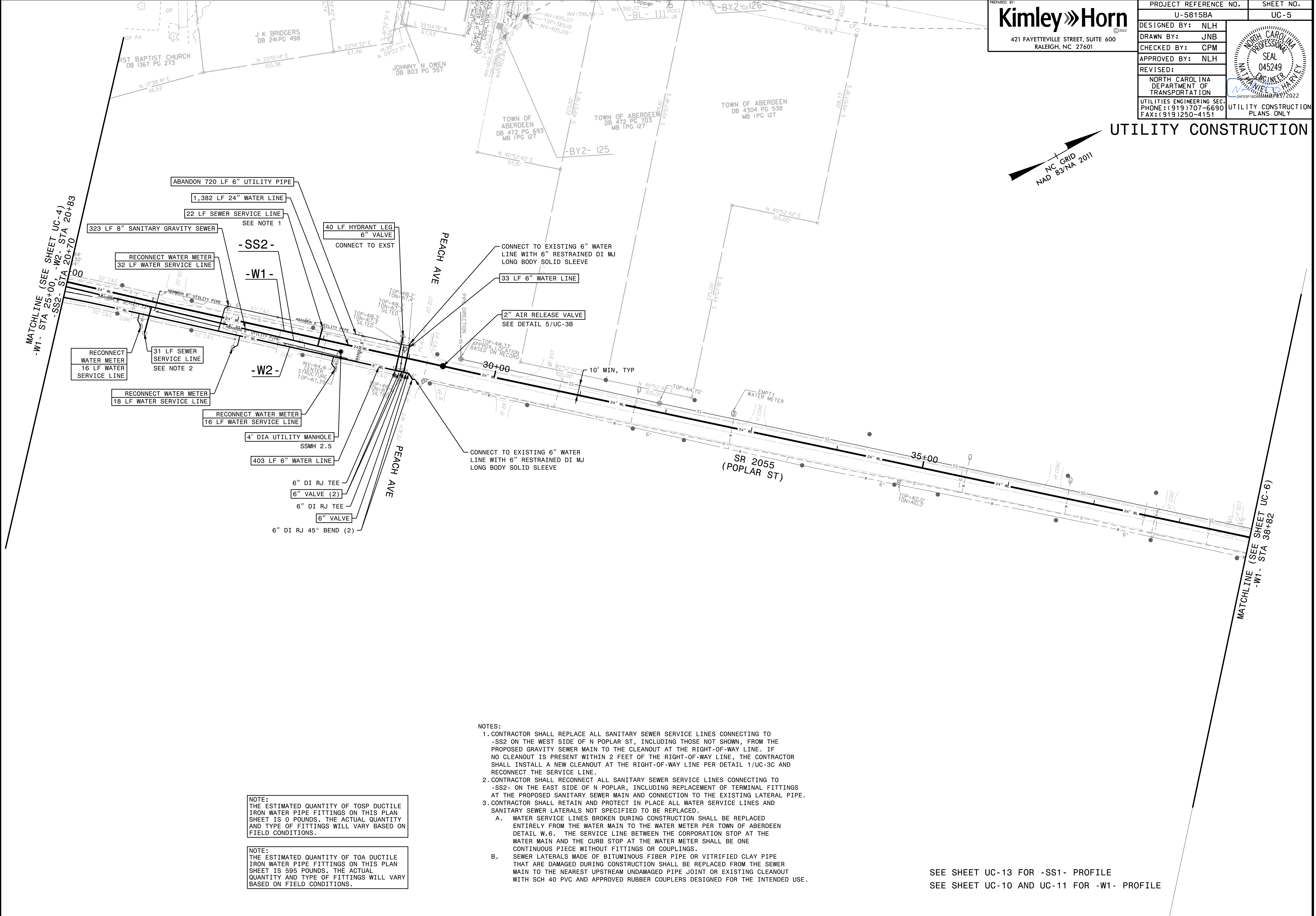
Page 233 of 277

NC GRID
NAD 83/NA 2011



5/14/99

1/26/2022



5/14/99

1/26/2022

PREPARED BY:
Kimley»Horn
421 FAYETTEVILLE STREET, SUITE 600
RALEIGH, NC 27601

PROJECT REFERENCE NO.
U-5815BA

SHEET NO.
UC-6

DESIGNED BY: NLH

DRAWN BY: JNB

CHECKED BY: CPM

APPROVED BY: NLH

REVISED:

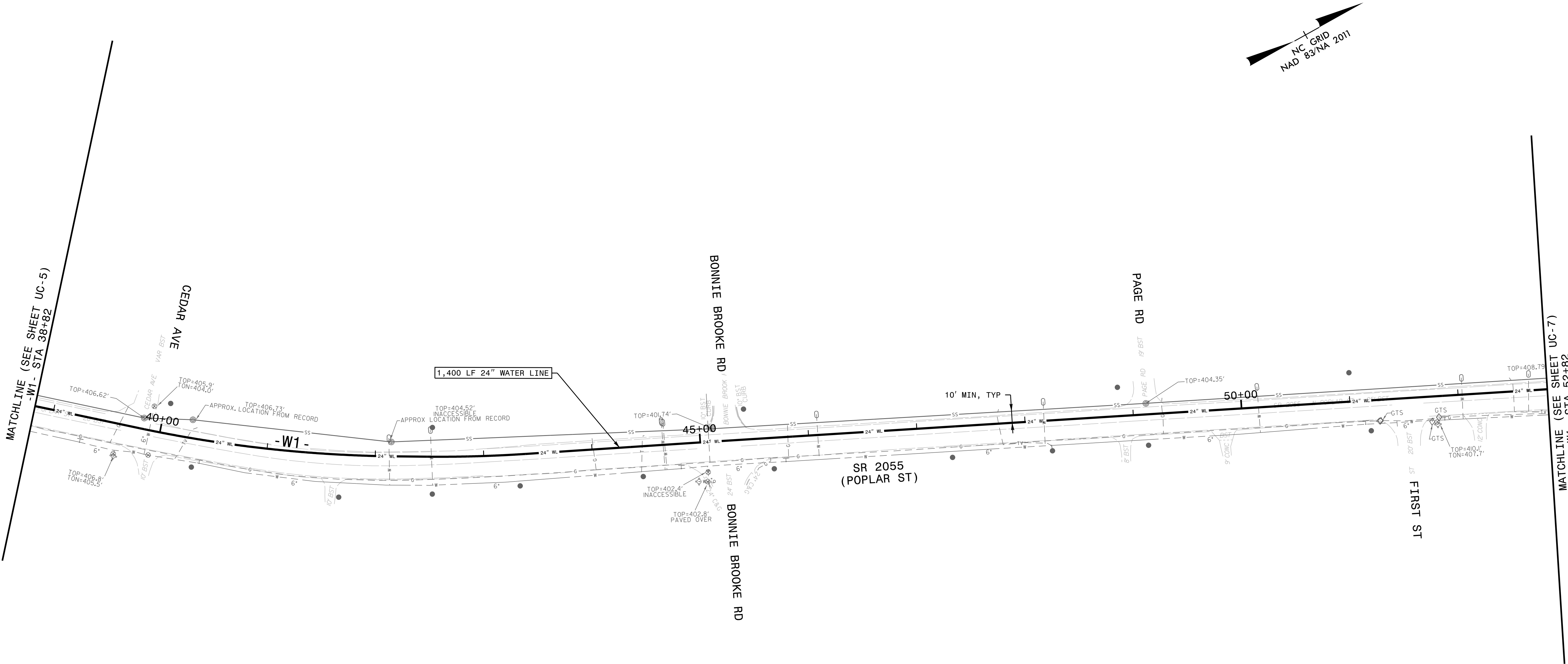
NORTH CAROLINA
DEPARTMENT OF
TRANSPORTATION

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NORTH CAROLINA
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NORTH CAROLINA
ENGINEER
2/26/2019

UTILITY CONSTRUCTION
PLANS ONLY

UTILITY CONSTRUCTION



NOTE:
THE ESTIMATED QUANTITY OF TOSP DUCTILE
IRON WATER PIPE FITTINGS ON THIS PLAN
SHEET IS 0 POUNDS. THE ACTUAL QUANTITY
AND TYPE OF FITTINGS WILL VARY BASED ON
FIELD CONDITIONS.

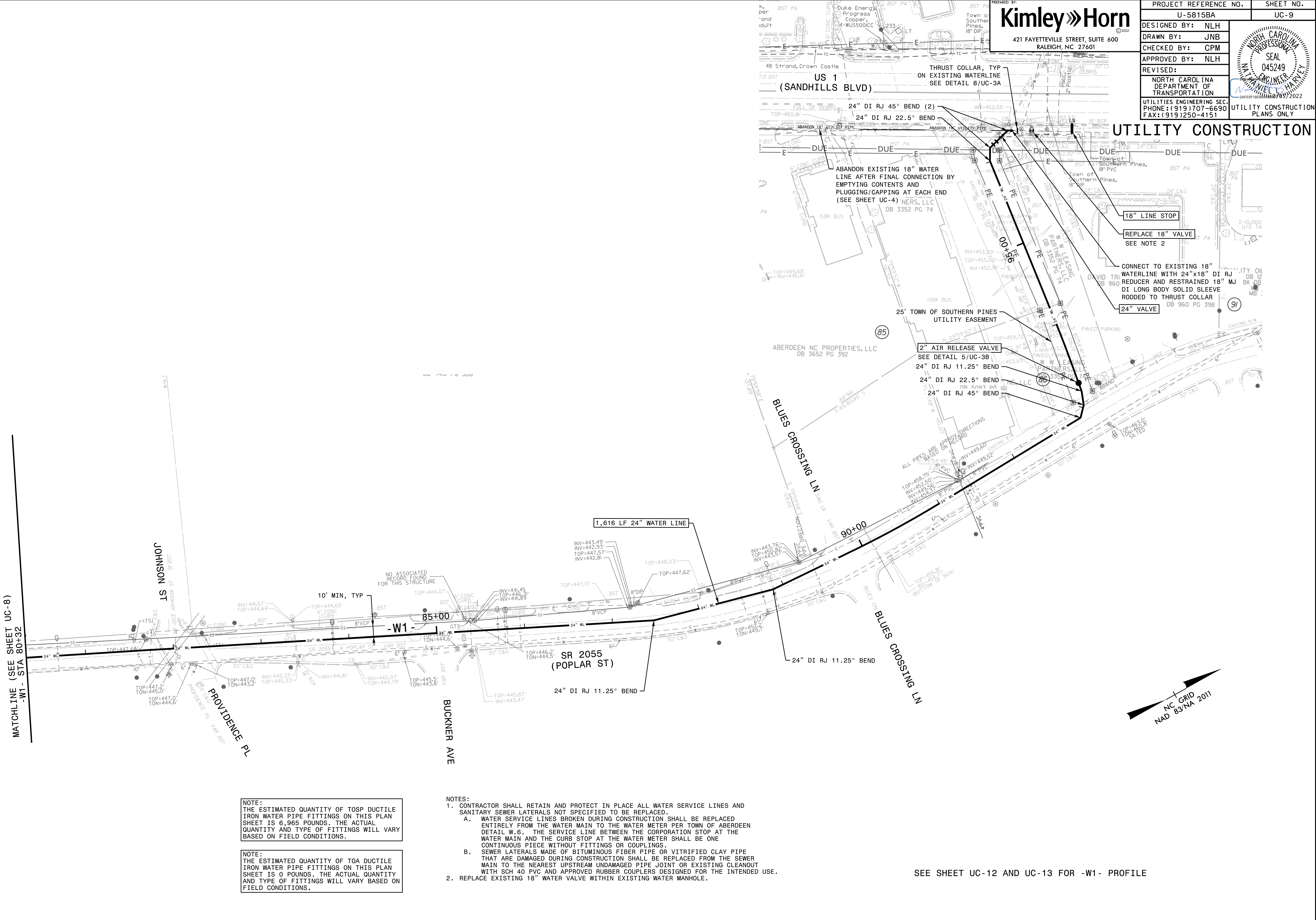
NOTE:
THE ESTIMATED QUANTITY OF TOA DUCTILE
IRON WATER PIPE FITTINGS ON THIS PLAN
SHEET IS 0 POUNDS. THE ACTUAL QUANTITY
AND TYPE OF FITTINGS WILL VARY BASED ON
FIELD CONDITIONS.

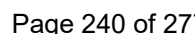
- NOTES:
- CONTRACTOR SHALL RETAIN AND PROTECT IN PLACE ALL WATER SERVICE LINES AND SANITARY SEWER LATERALS NOT SPECIFIED TO BE REPLACED.
 - WATER SERVICE LINES BROKEN DURING CONSTRUCTION SHALL BE REPLACED ENTIRELY FROM THE WATER MAIN TO THE WATER METER PER TOWN OF ABERDEEN DETAIL W.6. THE SERVICE LINE BETWEEN THE CORPORATION STOP AT THE WATER MAIN AND THE CURB STOP AT THE WATER METER SHALL BE ONE CONTINUOUS PIECE WITHOUT FITTINGS OR COUPLINGS.
 - SEWER LATERALS MADE OF BITUMINOUS FIBER PIPE OR VITRIFIED CLAY PIPE THAT ARE DAMAGED DURING CONSTRUCTION SHALL BE REPLACED FROM THE SEWER MAIN TO THE NEAREST UPSTREAM UNDAMAGED PIPE JOINT OR EXISTING CLEANOUT WITH SCH 40 PVC AND APPROVED RUBBER COUPLERS DESIGNED FOR THE INTENDED USE.

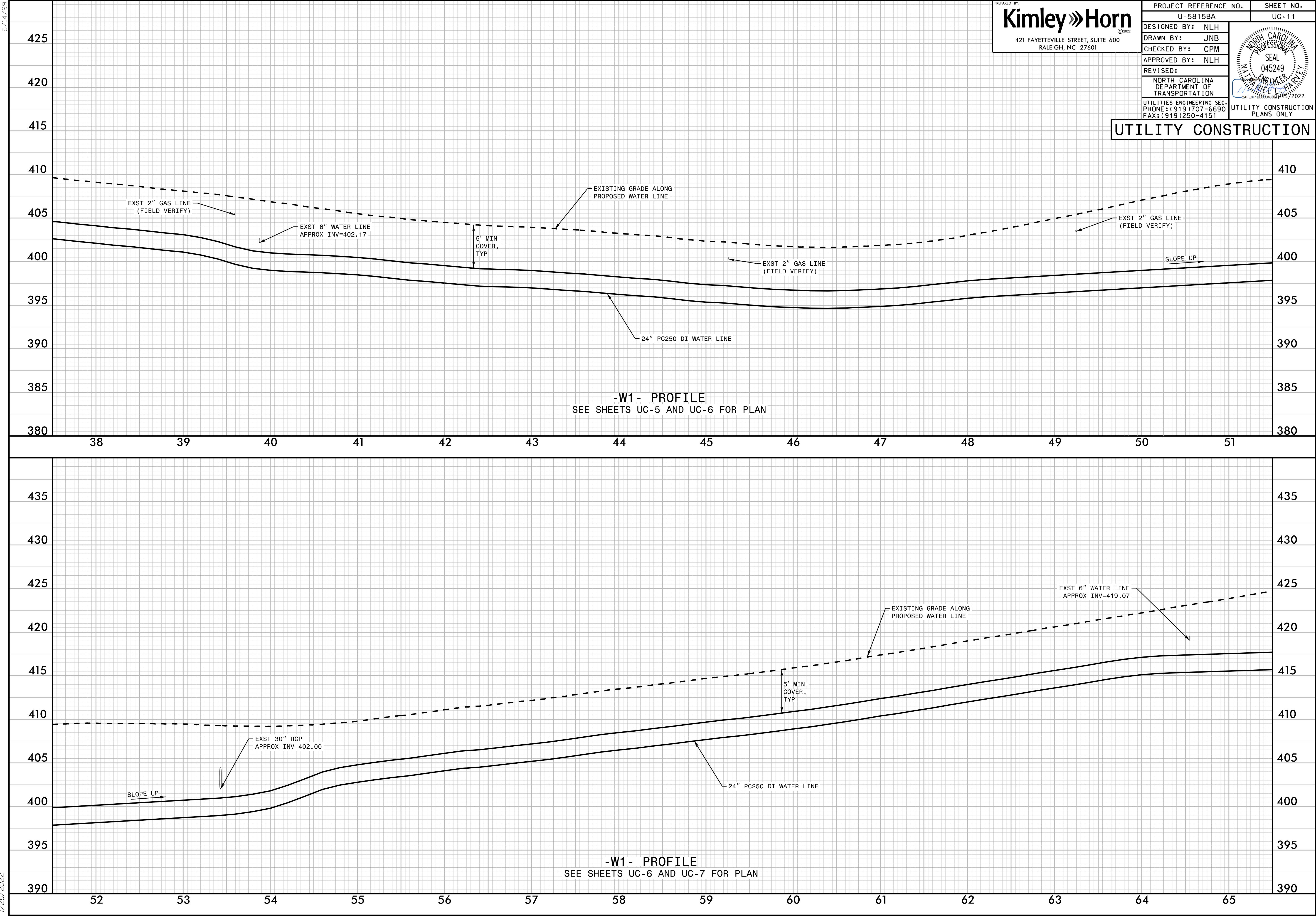
SEE SHEET UC-11 FOR -W1- PROFILE

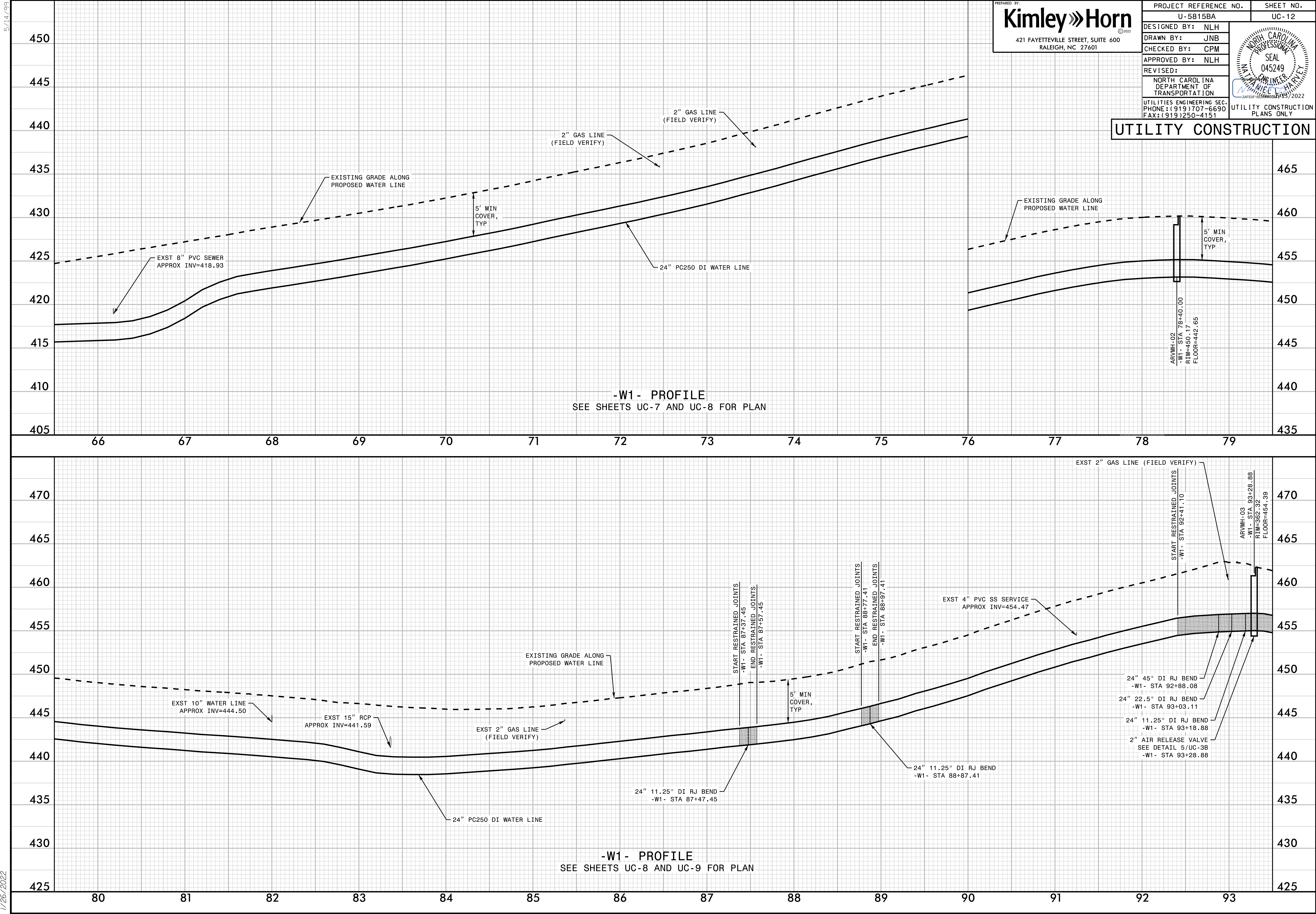
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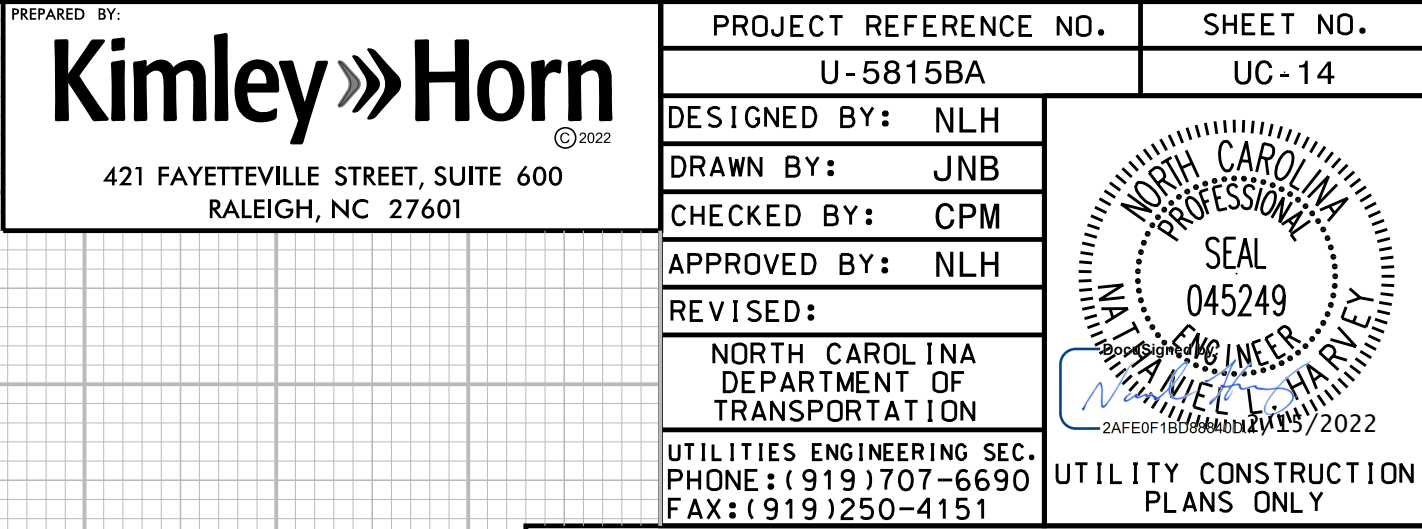
1/26/2022











PREPARED BY: 

DATE: 2/10/2022

UTILITY OWNERS:
Town of Southern Pines
Town of Aberdeen

OPINION OF PROBABLE CONSTRUCTION COST		
TOSP	\$	1,900,676.50
NCDOT	\$	3,524,226.03
TOA	\$	-
TOTAL	\$	5,424,902.52

ROAD NAME: SR-2055 (Poplar St)
LOCATION: Moore County
MUNICIPALITY: Aberdeen/Southern Pines
DESCRIPTION: Utility Relocation for U-5815B

General

Line Item	Betterment	% NCDOT Cost Share	Item Number	NCDOT Section	Item Description	Quantity	Units	Unit Price	Amount
G1	N	100%	0000100000-N	800	Mobilization (5%)	1	LS	\$ 344,508.60	\$ 344,508.60
G2	N	100%	0036000000-E	225	Undercut Excavation	230	CY	\$ 15.00	\$ 3,450.00
G3	N	100%	1693000000-E	654	Asphalt Plant Mix, Pavement Repair	3920	TON	\$ 165.00	\$ 646,800.00
G4	N	100%	4457000000-N	SP	Temporary Traffic Control	1	LS	\$ 110,000.00	\$ 110,000.00
General Subtotal (100% NCDOT)									\$ 1,104,758.60

Town of Southern Pines Facilities

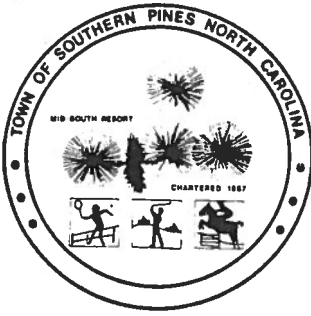
Line Item	Betterment	% NCDOT Cost Share	Item Number	NCDOT Section	Item Description	Quantity	Units	Unit Price	Amount	TOSP Cost Share	TOSP Betterment	NCDOT Cost Share
TOSP1	N	75%	5235000000-E	1510	18" Water Line	8649	LF	\$ 210.00	\$ 1,816,290.00	\$ 454,072.50	\$ (1,811,880.00)	\$ 1,362,217.50
TOSP2	N	75%	5326200000-E	1510	12" Water Line	9	LF	\$ 270.00	\$ 2,430.00	\$ 607.50	\$ -	\$ 1,822.50
TOSP3	Y ¹	0%	5327400000-E	1510	24" Water Line	8628	LF	\$ 360.00	\$ 3,106,080.00	\$ -	\$ 3,106,080.00	\$ -
TOSP4	N	75%	5329000000-E	1510	Ductile Iron Water Pipe Fittings (for 18")	8580	LB	\$ 11.00	\$ 94,380.00	\$ 23,595.00	\$ -	\$ 70,785.00
TOSP5	Y ¹	0%	5329000000-E	1510	Ductile Iron Water Pipe Fittings (24" Betterment)	6365	LB	\$ 11.00	\$ 70,015.00	\$ -	\$ 70,015.00	\$ -
TOSP6	N	75%	5534000000-E	1515	18" Valve	2	EA	\$ 23,000.00	\$ 46,000.00	\$ 11,500.00	\$ (46,000.00)	\$ 34,500.00
TOSP7	Y ¹	0%	5558600000-E	1515	24" Valve	2	EA	\$ 30,000.00	\$ 60,000.00	\$ -	\$ 60,000.00	\$ -
TOSP8	N	75%	5589400000-E	1515	Air Release Valve in Manhole	3	EA	\$ 8,500.00	\$ 25,500.00	\$ 6,375.00	\$ -	\$ 19,125.00
TOSP9	N	75%	5678000000-E	1515	18" Line Stop	1	EA	\$ 25,000.00	\$ 25,000.00	\$ 6,250.00	\$ -	\$ 18,750.00
TOSP10	N	75%	5689000000-E	1515	GENERIC UTILITY ITEM - 18"x12" Tapping Sleeve and Valve	1	EA	\$ 28,000.00	\$ 28,000.00	\$ 7,000.00	\$ -	\$ 21,000.00
TOSP11	N	75%	5689000000-E	1516	GENERIC UTILITY ITEM - Replace 18" Valve	1	EA	\$ 22,000.00	\$ 22,000.00	\$ 5,500.00	\$ -	\$ 16,500.00
	N	75%	N/A		Utility Design of TOSP Relocations	1		\$ 30,245.98	\$ 30,245.98	\$ 7,561.50	\$ -	\$ 22,684.49
Subtotal for TOSP Facilities ²									\$ 5,325,940.98			
TOSP Cost Share ¹									\$ 522,461.50			
TOSP Betterment ¹										\$ 1,378,215.00		
NCDOT Cost Share ¹											\$ 1,567,384.49	

¹ The cost to upsize from 18" to 24" water line and appurtenances is a betterment. Cost share subtotals reflect a 75%/25% NCDOT cost for non-betterments. Betterment subtotal reflects only the cost difference between 18" and 24" water line and appurtenances.

² Subtotal for TOSP Facilities accounts for all water line as BOTH 18" AND 24". The intent is to select EITHER 18" OR 24" size, therefore the Subtotal for TOSP Facilities does not equal the sum of cost share and betterment lines.

Town of Aberdeen Facilities

Line Item	Betterment	% NCDOT Cost Share	Item Number	NCDOT Section	Item Description	Quantity	Units	Unit Price	Amount
A1	N	100%	5325200000-E	1510	2" Water Line	161	LF	\$ 80.00	\$ 12,880.00
A2	N	100%	5325600000-E	1510	6" Water Line	2024	LF	\$ 120.00	\$ 242,880.00
A3	N	100%	5329000000-E	1510	Ductile Iron Water Pipe Fittings	3800	LB	\$ 11.00	\$ 41,800.00
A4	N	100%	5536000000-E	1515	2" Valve	2	EA	\$ 1,800.00	\$ 3,600.00
A5	N	100%	5540000000-E	1515	6" Valve	18	EA	\$ 3,200.00	\$ 57,600.00
A6	N	100%	5571600000-E	1515	6" Tapping Sleeve & Valve	1	EA	\$ 11,000.00	\$ 11,000.00
A7	N	100%	5649000000-N	1515	Reconnect Water Meter	40	EA	\$ 1,080.00	\$ 43,200.00
A8	N	100%	5673000000-E	1515	Fire Hydrant Leg	52	LF	\$ 120.00	\$ 6,240.00
A9	N	100%	5686500000-E	1515	Water Service Line	903	LF	\$ 60.00	\$ 54,180.00
A10	N	100%	5691300000-E	1520	8" Sanitary Gravity Sewer	1673	LF	\$ 160.00	\$ 267,680.00
A11	N	100%	5768000000-N	1520	Sanitary Sewer Cleanout	1	EA	\$ 4,200.00	\$ 4,200.00
A12	N	100%	5768500000-E	1520	Sewer Service Line	345	LF	\$ 80.00	\$ 27,600.00
A13	N	100%	5775000000-E	1525	4' DIA Utility Manhole	6	EA	\$ 4,000.00	\$ 24,000.00
A14	N	100%	5781000000-E	1525	Utility Manhole Wall 4' DIA	1	LF	\$ 325.00	\$ 325.00
A15	N	100%	5800000000-E	1530	Abandon 6" Utility Pipe	2162	LF	\$ 12.00	\$ 25,944.00
A16	N	100%	5801000000-E	1530	Abandon 8" Utility Pipe	257	LF	\$ 14.00	\$ 3,598.00
A17	N	100%	5912000000-N	SP	Generic Utility Item - Maintenance of Sanitary Sewer Flows Plan	1	LS	\$ 2,500.00	\$ 2,500.00
A18	N	100%	5912000000-N	SP	Generic Utility Item - Bypass Pumping	1	LS	\$ 5,000.00	\$ 5,000.00
	N/A	100%	N/A		Utility Design of TOA Relocations	1	LS	\$ 17,855.94	\$ 17,855.94
Subtotal for TOA Facilities (100% NCDOT)									\$ 852,082.94



Town of Southern Pines

POST OFFICE BOX 870
SOUTHERN PINES, NORTH CAROLINA 28387

MEMORANDUM

TO: Kyle Sonnenberg, Town Manager

FROM: Melissa C. Miller, Finance Officer *run*

DATE: June 1, 1993

SUBJECT: Investment Policy

As Finance Officer for the town I am obligated to manage the funds of the Town in a disciplined and professional manner. To that end I am proposing the attached investment policy for council approval.

The adoption of a formal investment policy helps insure that public funds are properly managed and gives the investment manager guidelines within which to operate. This also insures that the Council's wishes regarding the investment of these funds are followed.

The investment policy being proposed is based on Government Finance Officers Association and Local Government Commission guidelines. The adoption of these guidelines will help ensure that the Town achieves the highest investment return with maximum security while meeting the Town's daily cash flow demands.

Please present this policy to the Council at the next meeting for their review and approval.

Thank you.

INVESTMENT POLICY
ADOPTED: JULY 13, 1993

**INVESTMENT
PHILOSOPHY:**

It is the policy of the Town of Southern Pines ("the Town") to preserve capital and invest public funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow demands of the Town and conforming to all state and local statutes governing the investment of public funds.

SCOPE:

This investment policy applies to all financial assets of the Town. These funds are accounted for in the Town's annual financial report and include:

- General fund
- Special revenue funds
- Capital projects funds
- Water and sewer fund
- Trust and agency funds
- Any new fund created by the Town Council, unless specifically exempted by the Town Council.

This investment policy applies to all transactions involving the financial assets and related activity of all the foregoing funds.

OBJECTIVES:

Safety of principal shall be the foremost investment objective of the Town. Investments of the Town shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, diversification is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.

The investment portfolio of the Town shall be designed to attain a market-average rate of return while minimizing risk and retaining liquidity.

Investment officials and employees involved in the investment process shall recognize that the investment portfolio is subject to public review and evaluation. The overall program shall be designed and managed with a degree of professionalism worthy of the public trust. The governing body, however, recognizes that in a diversified portfolio, occasional measured losses

are inevitable and must be considered within the context of the overall portfolio's investment return, provided adequate diversification has been implemented.

**DELEGATION OF
AUTHORITY:**

The responsibility for conducting investment transactions resides with the Finance Officer in accordance with North Carolina G.S. 159-25(a)(6). The Finance Officer shall establish and maintain written procedures for the operation of the investment program consistent with this investment policy. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Finance Officer and approved by the Town Manager. The Finance Officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinates.

PRUDENCE:

The standard of prudence to be used by investment officials shall be the 'prudent person' and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

**ETHICS AND
CONFLICTS OF
INTEREST:**

Officers and employees involved in the investment program shall refrain from personal business activity that could conflict with proper execution of the investment program or which could impair their ability to make impartial decisions. Employees and investment officials shall disclose to the Town Manager any material financial interests in financial institutions that conduct business within this jurisdiction, and they shall further disclose any large personal financial/investment positions that could be related to the performance of this jurisdiction's portfolio. Employees and officials shall subordinate their personal investment transactions to those of this jurisdiction, particularly with regard to the timing of purchases and sales.

**INVESTMENT
INSTRUMENTS:**

The Town is empowered by North Carolina G.S. 159-30 (c) to invest in the following types of securities.

1. Obligations of the United States or obligations fully guaranteed both as to principal and interest by the United States.
2. Obligations of the Federal Financing Bank, the Federal Farm Credit Bank, the Bank for Cooperatives, the Federal Intermediate Credit Bank, the Federal Land Banks, the Federal Home Loan Banks, the Federal Home Loan Mortgage Corporation, the Federal National Mortgage Association, the Government National Mortgage Association, the Federal Housing Administration, the Farmers Home Administration, and the United States Postal Service.
3. Obligations of the State of North Carolina.
4. Bonds and notes of any North Carolina local government or public authority.
5. Certificetes of deposit issued by financial institutions organized under the laws of the State of North Carolina or having its principal office in North Carolina.
6. Prime quality commerical paper bearing the highest rating of at least one nationally recongnized rating service and not bearing a rating below the highest by any nationally recognized rating service which rates the particular obligation.
7. Banker's acceptances of a commercial bank provided that the bank or its holding company is either incorporated in North Carolina or has the highest long-term debt rating of at least one nationally recognized rating service and does not bear a rating below the highest by any such service.
8. Mutual funds certified by the Local Government Commission.
9. Repurchase agreements with respect to either direct obligations of the United States or obligations the princial of and the interst on which are guaranteed by the United States if

entered into with a broker or dealer, as defined by the Securities Exchange Act of 1934, which is a dealer recognized as a primary dealer by a Federal Reserve Bank, or any commercial bank, trust company, or national banking association, the deposits of which are insured by the Federal Deposit Insurance Corporation or any successor thereof.

MATURITIES AND VOLATILITY: Investments of the Town shall be limited to instruments maturing within one year at the time of purchase.

DIVERSIFICATION: The Town will diversify use of investment instruments to avoid incurring unreasonable risks inherent in overinvesting in specific instruments or individual financial institutions.

Diversification by instrument:	<u>Maximum Percent of Portfolio</u>
U.S. Government Treasuries,	
Agencies and Instrumentalities	40%
Bankers' Acceptances	15%
Certificates of Deposit	15%
Commercial Paper	10%
LGC Certified Mutual Funds	40%

With the exception of U.S. Treasury Securities, authorized pools, and banker acceptances no more than 50% of the total portfolio may be invested with any one issuer.

SAFEKEEPING AND CUSTODY: All security transactions entered into by the Town shall be conducted on a delivery-versus-payment (DVP) basis. Securities will be held by a contracted third party custodian designated by the Finance Officer and evidenced by safekeeping receipts.

→ Funds are not transferred until the security is received.

REPORTING: The Finance Officer is charged with the responsibility of a quarterly investment inventory report which includes investment type, cost, market value, maturity date, and yield.

I. Scope

Applicability. North Carolina General Statute (NCGS) 159-30 authorizes local governments to invest all or part of the cash balance of any fund. The Town of Southern Pines Investment Policy, ("investment policy"), sets forth procedures for the Town's investment program in order to ensure all public monies are appropriately and safely invested. The term "investment program" encompasses all investment actions in which the Finance Director and investment officer(s) engage with the purpose of earning investment revenue on public funds. The investment policy and program refer to the shorter-term investment of operating monies. The investment of unspent bond proceeds, employees' retirement monies or other non-operating monies are not within the scope of this policy or managed by this investment program.

Pooling. In accordance with NCGS 159-30(e), The Town of Southern Pines consolidates cash balances from numerous funds, with the possible exception of certain restricted or specialized funds, to maximize investment revenue. Monthly, investment revenues are allocated across funds based on individual average monthly fund balances.

II. Objectives

The Town of Southern Pines' investment program objectives, in order of priority, are:

1. **Safety.** Protecting the principal of public monies is the primary objective of the investment program. Careful consideration of credit and interest rate risks help mitigate the risks of principal losses.
 - a. **Credit risk.** The risk of loss of a security's value, due to the failure of the issuer of the security, is defined as credit risk. The Town of Southern Pines mitigates this risk by:
 1. Investing only in legally authorized securities as defined by NCGS 159-30(c).
 2. Transacting only with pre-qualified financial institutions, brokers and dealers.
 3. Diversifying its portfolio to minimize the effect of an individual security's loss on the Town's portfolio.
 - b. **Interest rate risk.** The risk of loss of a security's market value due to changes in interest rates is defined as interest rate risk. The Town of Southern Pines mitigates this risk by:
 1. Investing primarily in shorter-term securities. The Town will not invest in any security with a maturity date of more the twelve (12) months from the date of purchase without first receiving approval from the Town Council.
 2. Staggering the maturities of investments using a laddering strategy so that maturities will meet cash requirements, avoiding the need to sell on the open market.
2. **Liquidity.** Ensuring the Town has access to monies to meet anticipated cash needs is defined as liquidity. All investment purchases are made with the intent to hold the investment to maturity. The risk of an illiquid portfolio, however, can be avoided by ensuring a portion of the investment portfolio is placed in the North Carolina Capital Management Trust (NCCMT) accounts or the custodian sweep account, which offer access on the same or next day to ensure the Town's operational needs are met.

3. *Yield.* The Town builds its investment portfolio to obtain the best possible yield after the primary objectives of safety and liquidity are met. The Town Council recognizes that occasional, measured losses are inevitable in order to achieve a diversified portfolio to maximize safety and liquidity.

III. Standards of care

1. *Delegation of authority.* NCGS 159-30(a) authorizes the Finance Director to invest on behalf of the governing board. The Finance Director is responsible for managing the investment program in accordance with the investment policy. No other individual may engage in any investment transactions on behalf of The Town of Southern Pines.
2. *Due diligence.* Provided due diligence was performed when purchasing an investment, the Finance Director shall be relieved of personal responsibility in the event unexpected circumstances arise that cause a loss of principal. Due diligence is evidenced by purchasing and managing the investment program in accordance with this investment policy.
3. *Conflicts of interest.* The Finance Director is prohibited from making personal investments with a broker or dealer with whom The Town of Southern Pines utilizes to purchase investments. In addition, he/she must disclose, to the Town Manager (and to the governing board, at the discretion of the Town Manager) any material interests in any financial institutions with whom the Town of Southern Pines utilizes in the investment program. The Finance Director must refrain from any act that could impair the ability to make unbiased investment decisions, including any action that could result in personal gain.

IV. Safekeeping and custody

1. *Third-party safekeeping.* The Town of Southern Pines will contract with a third-party safekeeping institution who will serve as custodian of investments. Investment trades must be executed on a delivery vs. payment (DVP) method to ensure purchased securities are delivered prior to the release of any funds. Evidence of proper safekeeping may be monitored through online access to the Town's custodial account. Also, the custodian must present the Town with a monthly safekeeping statement.
2. *Authorized dealers, brokers and financial institutions.* The Finance Director will maintain a listing of approved financial institutions, dealers (primary or regional), and brokers providing investment services to the Town of Southern Pines. Financial institutions, dealers and brokers are selected by the Finance Director based upon the needs of The Town of Southern Pines. The Finance Director is responsible for completing the proper due diligence of the approved and proposed financial institutions, dealers (primary or regional), and brokers providing investment services to the Town of Southern Pines. The Finance Director must review the following documentation before approval and on an annual basis:
 - a. Audited financial statements
 - b. FINRA (BrokerCheck)
 - c. Credit Ratings from at least two reporting agencies

V. Authorized investments

Authorized investments. NCGS 159-30(c) provides a comprehensive listing of legally authorized investments. The Town of Southern Pines' portfolio may only include the classes of securities specifically authorized by this statute. The following is not an exhaustive list but includes the most common legally authorized investments:

1. Obligations of the United States or obligations fully guaranteed as to principal and interest by the United States.
2. Obligations of the Federal Farm Credit Bank, Federal Home Loan Banks, Federal Home Loan Mortgage Corporation, Fannie Mae, and Governmental National Mortgage Association,
3. Obligations of the State of North Carolina.
4. Bonds and notes of any North Carolina local government or public authority.
5. Prime quality commercial paper bearing the highest rating of at least one nationally recognized rating service, provided it does not bear a rating below the highest by any nationally recognized rating service which rates the particular obligation.
6. Certificates of Deposit issued by a financial institution organized under the law of the State of North Carolina or having its principal office in North Carolina.
7. Participating shares in a mutual fund for local government investment, approved by the Local Government Commission.

VI. Internal controls and reporting

1. *Internal controls.* Adequate segregation of the investment program duties of transacting, approving and reporting will be accomplished by following these internal control procedures:
 - a. The Accounting Supervisor is delegated authority under this policy to communicate directly with financial institutions, brokers and dealers in order to obtain quotes on investment rates and other necessary information that will be provided to the Finance Director to build and manage the Town's investment portfolio.
 - b. The Finance Director will review, pre-audit and sign documentation of an investment purchase.
 - c. The Senior Accountant will maintain adequate records to identify all investment purchases and maturities. These records will serve as supporting documentation for all investment journal entries made to the Town's general ledger.
 - d. The Senior Accountant will prepare a monthly reconciliation of the Town's investment portfolio, supported by a custodial account safekeeping statement, to the Town's general ledger.
 - e. The Finance Director or Accounting Supervisor will review the supporting documentation and approve the reconciliation.

At no time may the Finance Director, Accounting Supervisor or any other authorized investment officer perform both the duties of transacting and approving.

2. *Reporting.* An investment officer will be responsible for maintaining adequate records for investments.
 - a. *Schedule of investments.* A schedule of investments will be maintained that includes the security name, purchase date, cost, maturity date and yield. This schedule will be used as supporting documentation for the monthly reconciliation.
 - b. *Mark-to-market.* At the end of the fiscal year, the Finance Director will mark the value of investments, when appropriate, to market value in accordance with the guidance promulgated by the Governmental Accounting Standards Board (GASB). On the monthly reconciliation, an investment officer will report the variance between the cost and market value of investment portfolio. If the Finance Director believes this variance is material, and may adversely impact the financial statements, the Finance Director and investment officer will determine what action, if any, is necessary and will report the decision to the Town Manager.

Semi-annual LGC-203 report. A semi-annual report of cash and investments will be prepared and submitted by the Finance Director each January and July as required by NCGS 159-33. This required report provides the Local Government Commission division of the North Carolina State Treasurer's Office with all cash and investment balances at December 31 and June 30.

M E M O R A N D U M

TO: Town Council
Reagan Parsons, Town Manager

FROM: Tess Brubaker - Speis, Finance Director

DATE: March 2, 2022

SUBJECT: Investment Policy

The Town has an investment policy that was originally submitted in June of 1993 and approved in July 1993. With the recent events, specifically COVID-19, it brought to my attention the need to update this policy.

The new policy still provides maximum security and falls within the guidelines proposed by the Local Government Commission. These proposed guidelines will ensure the Town achieves the highest investment return possible while still meeting the daily cash flow demands.

Please consider approval of the updated Investment Policy.

Thank you.



Town of
Southern Pines
North Carolina

MEMORANDUM

To: Reagan Parsons, Town Manager
Jessica Roth, Assistant Town Manager

From: Cory Albers, Assistant Public Works Director

Re: Street Resurfacing Bids

Date: February 22, 2022

The Town has allocated \$275,000 in the FY21-22 budget for the annual resurfacing projects. Based on this amount and the Town's recent projects averaging 1.60 of resurfaced roadway a year, the Town released the following projects for bid:

1. Resurfacing 1.61 miles on 6 low-volume, residential streets – the typical scope of recent annual projects
2. Resurfacing 1 mile of Knoll Road, from the traffic circle to Arboretum Drive. Staff recommends adding this section to the FY 21-22 program due to the current condition and the PCR (Pavement Condition Rating) of 64. Knoll Road is a higher volume, collector street, which means its pavement life cycle is shorter and resurfacing carries additional costs, including pavement markings.

Staff recommends including Knoll Road in this year's program, as the PCR of 64 means the roadway has slipped from "fair" condition to the beginning stages of being in "poor" condition. Further decline will require the more extensive and costly work associated with reconstruction, compared to the preventive resurfacing that can be provided at this point. As Council may recall, staff documented in an October 2021 presentation that the costs for reconstruction are generally seven times higher than preventive resurfacing.

The Town received 3 bids on February 14, 2022 with the low bidder (Turner Asphalt) at \$481,763.97. Staff has reviewed all bids and analyzed the breakdown of the low bid for the project scope. Staff has identified the two most viable options for Council consideration:

- **RECOMMENDED SCOPE:** Award the contract for \$481,763.97 to complete the full scope of 2.61 miles, including Knoll Road. This would require a budget amendment in the amount of \$206,763.97 to cover the difference from the \$275,000 which was budgeted. The low bid is priced as follows:
 - \$307,952.30 for the 1.61 miles of low-volume residential streets
 - \$173,811.67 for Knoll Road

While this scope requires a budget amendment, this is the option that staff recommends as the pricing is very favorable and this is the optimum time to resurface Knoll Road. The overall bid for Turner Asphalt is approximately \$185K per mile, compared to around \$250K for the other two bidders. Additionally, Turner's pricing for the required pavement marking on Knoll Road is 20% the cost of the other two bidders

(around \$6K compared to \$30K).

- **REDUCED SCOPE:** Award the contract for \$307,952.30 for the 1.61 miles of low-volume residential streets. This would require a budget amendment in the amount of \$32,952.30 to cover the difference from the \$275,000 which was budgeted. With this option, Knoll Road would not be included in the FY 21-22 program and would be reconsidered in FY 22-23.

Town of Southern Pines
Street Resurfacing
Southern Pines, NC

BID SUMMARY

Bid Date: Monday February 14, 2022
Time: 2:00 PM

	Contractor	License No.	Total Bid
1.	Barnhill Construction	3194	\$ 638,287
2.	Turner Asphalt	55042	\$ 481,763.97
3.	Fred Smith Company	43848	\$ 644,947.63
4.			
5.			
6.			
7.			

Bids Received and Read by:

Archie Daniel

Cory Albers / James Michel
Town of Southern Pines

2-14-2022
Date

**TOWN OF SOUTHERN PINES ORDINANCE #1973
AMENDING THE 2021/2022 FISCAL YEAR BUDGET
PAVING PROJECT**

BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Southern Pines in regular session assembled this 8th day of March, 2022 that the Operating Budget for the Fiscal Year 2021/2022 be and hereby is amended as follows:

<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>CODE</u>	<u>INCREASE</u>	<u>DECREASE</u>
Street	Paving	10-560-7300	\$206,765.00	
General Fund	Fund Balance Appropriations	10-397-1000	\$206,765.00	

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of March 8, 2022 as shown in the minutes of the Town Council for that date.

Elizabeth Robertson, Town Clerk



MINUTES

Wednesday, February 2, 2022: 6:00 PM
Town Council Agenda Meeting
Community Development Conference Room
801 SE Service Road

1. CALL TO ORDER

Mayor Haney called the meeting to order. The following members of Town Council were present: Mayor Carol Haney; Taylor Clement; Paul Murphy; Bill Pate; and Ann Petersen.

2. TOWN MANAGER'S COMMENTS

Assistant Town Manager Jessica Roth reviewed the agenda.

3. ACTION ITEMS

Mayor Haney announced the appointment of Elizabeth Robertson to the position of Town Clerk and gave her the oath of office.

a. Appointment and Oath of Office for Town Clerk, Elizabeth Robertson

Beth Robertson has served as the Town's Deputy Clerk and is currently serving as the Interim Clerk.

Mayor Haney executed the oath of office for Elizabeth Robertson. Her appointment was effective immediately.

4. REVIEW PUBLIC HEARING APPLICATIONS FOR UPCOMING BUSINESS MEETING AGENDA

a. AX-07-21 Morganton Park South

Robert & Julie Van Camp, Trustees, Thomas Van Camp, Trustee, and Morganton Road Enterprises, LLC have petitioned the Town for a voluntary annexation of a parcel totaling +54.94 acres. The parcels are identified as PIN 857100575720 and 857100572972 and are located between US 15-501 and W. Morganton Rd.

Mayor Haney reviewed the item and asked if there were any questions. No questions were asked.

b. AX-08-21 Blue Farm Lots

Mr. Benjamin Stout is requesting voluntary annexation of five parcels totaling +4.10 acres, collectively known as Blue Farm, Section Three and located on NC Hwy 22.

Mayor Haney reviewed the item and asked if there were any questions. No questions were asked.

c. SU-01-21 Patrick's Pointe (Continued)

On behalf of Francis Maser, Mr. Bob Koontz, of Koontz Jones Design, has submitted an application for a Special Use Permit for the new construction of a multi-family residential and office development. The subject property is located along US Highway 1 North between West Connecticut Avenue and Midland Road and is comprised of three (3) parcels for a total of 25.4 acres of presently undeveloped, wooded land.

This item will be moved to the end of Section #4 in deference to the length of the hearing.

d. PD-12-21 Waterworks Phase 1 PDP

Andy Bleggi with PTAH, LLC has applied for a Preliminary Development Plan (PDP) for Phase 1 of the Waterworks development. Waterworks Phase 1 will include construction of a 33,000 square foot expansion of the existing 4,260 square foot recently-renovated Waterworks building. The new expanded building will be used for office space as permitted by the Waterworks Conceptual Development Plan (CDP). A new, additional 9,600 square foot building will also be built as part of the Phase 1 PDP. The building is presently planned to be occupied by Workhorse Fitness, a by-right use in the Waterworks CDP. However, any other by-right use may occupy the building in the future subject to UDO design standards. Phase 1 will also include construction of 152 permanent parking spaces and 20 temporary gravel parking spaces to serve the proposed buildings. Access will be provided off Central Drive, directly across from Reservoir Park Road.

Councilmember Petersen asked for a copy of some documents to be provided to the Council for review prior to next week's Business Meeting.

e. PD-13-21 Old Morganton Park South Parcel 1 PDP

The applicant has applied for a preliminary development plan for the purpose of developing a retail building. The proposed Old Morganton Road Lot 1 development will be located in the planned development known as Morganton Park South. The retail building is a 7,000 square foot building located on 1.12 acres that are currently located in the Town of Southern Pines limits. The subject property is located on the corner of West Morganton Road and Brucewood Road with Old Morganton Road on its southwest corner, lies within the Morganton Road Overlay and is designated as traditional mixed use on the future land use map in the comprehensive long-range plan.

Mayor Haney reviewed the item and asked if there were any questions. No questions were asked.

5. REVIEW PROPOSED ACTION ITEMS FOR UPCOMING BUSINESS MEETING AGENDA

No action items were presented.

6. REVIEW CONSENT AGENDA FOR UPCOMING BUSINESS MEETING AGENDA

The Council agreed to keep the suggested items on the consent agenda.

Assistant Town Manager Roth requested the addition of two ordinances related to Capital Project Funds:

- 1) to close the CPF for the E. Morganton Rd. waterline
- 2) to transfer the remaining balance from that CPF to the CPF for the Pennsylvania-PeeDee waterline project.

There was consensus from the Council to add these two ordinances to the consent agenda for the 2/8 meeting.

a. Approve December 8, 2021 Town Council Agenda Meeting Minutes

Approve December 8, 2021 Town Council Agenda Meeting Minutes

b. Approve December 14, 2021 Town Council Business Meeting Minutes

Approve December 14, 2021 Town Council Business Meeting Minutes

c. Adopt Ordinance #1963 to Amend the Code of Ordinances to Address Membership Qualifications for the Appearance Commission

Based on previous discussion with the Town Council, staff has prepared a draft ordinance that removes term limits for members of the Appearance Commission.

d. Adopt Ordinance #1964 to Add the Library Board to Chapter 33 of the Code of Ordinances

Staff recommends adding the Library Board membership qualifications, terms of appointments, powers and duties, and similar to the Town's Code of Ordinances, which is consistent with the Town's other appointed boards.

e. AX-01-22: Set Public Hearing for Annexation at 3900 Youngs Road

Michael Tveter and Jamie Tveter are requesting voluntary annexation of a contiguous parcel that is currently outside of the corporate limits of the Town of Southern Pines. Per the Moore County tax records, the subject parcel is identified as PIN 858100892377; PARID 20210139 and is owned by Michael Tveter and Jamie Tveter. The public hearing for this application will be March 8, 2022.

7. CLOSED SESSION

Mayor Haney requested that Council add a closed session to the agenda, in order to seek the advice of the Town Attorney for quasi-judicial procedures, in compliance with NCGS 143-318.11(a)(3).

Councilmember Pate moved to enter closed session, seconded by Mayor Pro Tem Murphy. The vote was unanimous.

There was no action taken by Council during the closed session. Councilmember Pate motioned to exit closed session, seconded by Mayor Pro Tem Murphy. The vote was unanimous.

8. ADJOURNMENT

Upon motion by Councilmember Pate, seconded by Mayor Pro Tem Murphy and carried unanimously, Council adjourned at 6:43 pm.

Respectfully submitted:

DRAFT



MINUTES

Tuesday, February 8, 2022: 6:00 PM

Town Council Business Meeting

Douglass Community Center: 1185 W. Pennsylvania Ave

1. CALL TO ORDER

Mayor Haney called the meeting to order. The following members of Town Council were present: Mayor Carol Haney; Taylor Clement; Paul Murphy; Bill Pate; and Ann Petersen.

2. PLEDGE OF ALLEGIANCE

3. TOWN MANAGER'S COMMENTS

Mayor Haney recognized Beth Robertson as the newly appointed Town Clerk.

Mayor Haney advised the public that the Town staff are working diligently on cleaning up from the last storm and asked for patience due to the volume of debris needing to be disposed of.

The Town Manager, Reagan Parsons, reviewed the agenda.

4. PUBLIC HEARINGS

a. AX-07-21 Morganton Park South

Robert & Julie Van Camp, Trustees, Thomas Van Camp, Trustee, and Morganton Road Enterprises, LLC have petitioned the Town for a voluntary annexation of a parcel totaling +54.94 acres. The parcels are identified as PIN 857100575720

and 857100572972 and are located between US 15-501 and W. Morganton Rd.

Planning Director BJ Grieve gave an overview of the request and staff report.

Councilmember Clement motioned to open the hearing. Mayor Pro Tem Murphy seconded the motion and the vote was unanimous. Motion passed.

There were no questions or public comments.

Councilmember Pate motioned to close the hearing. Councilmember Clement seconded and the vote was unanimous. Motion Passed.

Councilmember Pate moved to approve the voluntary annexation of AX-07-21: Morganton Park South. Mayor Pro Tem Murphy seconded and the vote was unanimous. Motion passed.

b. AX-08-21 Blue Farm Lots

Mr. Benjamin Stout is requesting voluntary annexation of five parcels totaling +4.10 acres, collectively known as Blue Farm, Section Three and located on NC Hwy 22.

Planning Director BJ Grieve gave an overview of the request and staff report.

Mayor Pro Tem Murphy moved to open the hearing. Councilmember Pate seconded the motion and the vote was unanimous. Motion passed.

There were no questions or public comments.

Town Manager Parsons and Planning Director Grieve noted to council that a zoning petition for this property will be coming before Council next month should this annexation application be approved.

Councilmember Pate moved to close the hearing. Mayor Pro Tem Murphy seconded the motion and the vote was unanimous. Motion passed

Councilmember Pate moved to approve the voluntary annexation of AX-08-21: Blue Farm.

Mayor Pro Tem Murphy seconded the motion and the vote was unanimous. Motion passed.

c. PD-12-21 Waterworks Phase 1 PDP

Andy Bleggi with PTAH, LLC has applied for a Preliminary Development Plan (PDP) for Phase 1 of the Waterworks development. Waterworks Phase 1 will include construction of a 33,000 square foot expansion of the existing 4,260 square foot recently-renovated Waterworks building. The new expanded building will be used for office space as permitted by the Waterworks Conceptual Development Plan (CDP). A new, additional 9,600 square foot building will also be built as part of the Phase 1 PDP. The building is presently planned to be occupied by Workhorse Fitness, a by-right use in the Waterworks CDP. However, any other by-right use may occupy the building in the future subject to UDO design standards. Phase 1 will also include construction of 152 permanent parking spaces and 20 temporary gravel parking spaces to serve the proposed buildings. Access will be provided off Central Drive, directly across from Reservoir Park Road.

This is a quasi-judicial hearing and Mayor Haney swore in all interested parties. No Council members had anything to declare. Councilmember Clement motioned to open the public hearing. Councilmember Petersen seconded the motion and the vote was unanimous. Motion passed.

- Planning Director Grieve presented the staff report on the proposed project, entered into the record as Exhibit A.
- Councilmember Petersen asked for clarification on the square footage being added now versus the original plan.
- Mayor Haney questioned Mr. Bledgie onto a previously agreed upon agreement regarding a preservation agreement.
- Councilmember Petersen questioned the timing of the new traffic circle and the TIA presented at that time (2008).
 - Town Engineer James Michel introduced himself, his job and qualifications. Mr. Michel then answered staff questions.
 - Councilmember Clement questioned Mr. Michel regarding population growth triggering traffic growth.
 - Councilmember Pate clarified that the TIA will be reviewed again before each

phase.

- Town Manager Parsons clarified that DOT's required traffic improvements are proposed to be finished early in the project and are in excess of the original agreement.
- Kevin Lindsey of Crawford Design spoke for the applicant. Mr. Lindsey reviewed the proposed street improvements planned to help with increased traffic in that area. Mr Lindsey's PowerPoint presentation was entered into the record as Exhibit B.
- Councilmember Petersen asked for a breakdown of the proposed uses and questioned Mr. Lindsey on his qualifications.
- Mr. Andy Bledgie, applicant, addressed the TIA.
- Councilmember Clement questioned if the applicant plans to whitewash the brick on the building. Mr. Bledgie responded that it is not in the plans at this time and he plans to keep the look as original as possible.
- Marsh Smith, 568 Sandkey Road, Southern Pines, an attorney since 1989, discussed multiple lawsuits involving NCDOT and road projects with an emphasis on environmental protection. Mr. Smith asked for a continuance to allow him to review the application given his concerns about the environmental impact of the project and his belief that the TIA is being interpreted inaccurately. Mr. Smith submitted documents into the record as Exhibit C.
 - Mr. Blegie presented his rebuttal to Mr. Smith's points.
 - Councilmember Clement asked if Mr. Blegie still intends to record the conservation easement, per the terms he agreed to in the 2018 minutes.
 - Councilmember Petersen asked Mr. Blegie if he had a rebuttal in regards to the TIA remarks from Mr. Smith. Mr. Blegie and Mr. Lindsey restated their intent to put dedicated turn lanes to access their development and Reservoir Park.
- Councilmember Clement asked Mr. Michel, if he defined Southern Pines to be rural or urban in light of the exhibits submitted by Mr. Marsh. Mr. Michel stated that while he does not agree with the definitions submitted by Mr. Marsh, there is not a clear way to define those terms and the definitions can vary widely; Town Manager Parsons concurred.
- Councilmember Pate moved to close the hearing. Mayor Pro Tem Murphy seconded the motion and the vote was unanimous. The motion passed.
- Following discussion, Councilmember Clement moved to adopt Attachment 'A' of the staff report as Finding of Fact regarding the proposed Preliminary Development Plan PD-12-21. Mayor Pro Tem Murphy seconded and the motion passed 4-1 as follows: Aye (Haney, Murphy, Pate, Clement); Nay (Petersen)
- Councilmember Clement moved to approve the Preliminary Development Plan for PD-12-21. Mayor Pro Tem Murphy seconded and the motion passed 4-1 as follows:

Aye (Haney, Murphy, Pate, Clement); Nay (Petersen).

d. PD-13-21 Old Morganton Park South Parcel 1 PDP

The applicant has applied for a preliminary development plan for the purpose of developing a retail building. The proposed Old Morganton Road Lot 1 development will be located in the planned development known as Morganton Park South. The retail building is a 7,000 square foot building located on 1.12 acres that are currently located in the Town of Southern Pines limits. The subject property is located on the corner of West Morganton Road and Brucewood Road with Old Morganton Road on its southwest corner, lies within the Morganton Road Overlay and is designated as traditional mixed use on the future land use map in the comprehensive long-range plan.

This is a quasi-judicial hearing and Mayor Haney swore in all interested parties. No Council members had anything to declare. Mayor Pro Tem Murphy motioned to open the hearing. Councilmember Pate seconded the motion and the vote was unanimous. Motion passed.

- Planning Director Grieve presented the staff report on the proposed project. The staff report and all attachments are entered into the record as Exhibit A.
- Councilmember Clement questioned the use of maximum parking requirements vs. minimum parking requirements and the use in the application. Discussion ensued on the subject of the application's requested deviation of increased parking.
- Mr. Kevin Lindsey, civil engineer for the applicant, entered a series of documents into record as Exhibit B and presented details of the application and the requested parking deviation.
- Councilmember Pate asked a question in regards to procedure. Discussion ensued.
- Councilmember Petersen motioned to close the hearing. Mayor Pro Tem Murphy seconded the motion and the vote was unanimous. Motion passed
- Councilmember Pate moved to adopt Attachment A of the staff report as Findings of Fact regarding the proposed Preliminary Development Plan PD-13-21, noting the request for the parking requirement deviation is denied. Mayor Pro-Tem Murphy seconded the motion and the vote was unanimous. Motion passed.
- Councilmember Pate moved to approve PD-13-21 Old Morganton Park South Parcel 1 PDP. Mayor Pro Tem Murphy seconded and the vote was unanimous. Motion passed.

e. SU-01-21 Patrick's Pointe (Continued)

On behalf of Francis Maser, Mr. Bob Koontz, of Koontz Jones Design, has submitted an application for a Special Use Permit for the new construction of a multi-family residential and office development. The subject property is located along US Highway 1 North between West Connecticut Avenue and Midland Road and is comprised of three (3) parcels for a total of 25.4 acres of presently undeveloped, wooded land.

This is a quasi-judicial hearing that has been continued. Mayor Haney swore in any new parties not previously sworn in during previous hearings. Council declarations:

Councilmember Clement did a site visit, Councilmember Petersen and Mayor Haney have close relatives that live in the Village on the Green.

- Carson Crooms, Crockett and Oldham Attorneys, PLLC., attorney for Village Green, made himself known.
- Nick Robinson of Bradshaw, Robinson, Slawter, LLP located at 128 Hillsboro St., Pittsboro, as attorney for the applicant, made himself known and presented a review of the previous hearings and outlined his plans for today's testimony.
- Logan Burnett, applicant, presented regarding some changes to the site plan due to completed mapping of the wetlands area and entered the document as Exhibit V by Atty. Robinson.
 - Councilmember Petersen questioned Mr. Burnett's residence and the companies which he is associated with and their background.
- Mr. Robinson and Mr. Bob Koontz, landscape architect and land planner of Koontz Jones Design reviewed the:
 - Townhom Design Comparison, entered into the record as Exhibit W
 - Wetland Survey, entered into the record as Exhibit X
 - Revised Site Plan, entered into the record as Exhibit Y
 - Black's Law Definition of Neighborhood as Exhibit Z
- Councilmember Petersen questioned the definition of "neighborhood".
- Mr. Robinson called Travis Fluitt of Kimely Horne & Assoc. and entered the following into the record:
 - 2022.01.11 First TIA Addendum (Exec Summary)- Exhibit AA
 - 2022.01.26 Second TIA Addendum (Exec Summary) - Exhibit BB
 - 2022.01.26 Second TIA Addendum Full Version - Exhibit CC
- Councilmember Petersen and Councilmember questioned the data regarding traffic around Saylor Street and Pennsylvania Avenue. Mayor Pro Tem Murphy clarified the data when turning left off Saylor Street onto Pennsylvania. Discussion ensued.
- Mr. Robinson called Mr. Frank Dean of Village Appraisals, LLC regarding property value impact and entered the following into the record:
 - 2022.01.26 Patrick's Pointe MAI Appraisal Addendum - Exhibit DD
- Mr. Robinson questioned Tad Hardy, a traffic engineer with Kimely Horne & Assoc., regarding the noise analysis and entered the following into the record:
 - 2022.01.11 Noise Analysis Addendum - Exhibit EE

- Carson Crooms, attorney for Village on the Green, addressed Council and called the following witnesses:
 - Mr. Crooms cross-examined Tad Hardy with Kimley Horne on the Noise Analysis Study on some of his data.
 - Mr. Crooms then recalled Franklin Dean regarding a Sept 2021 letter (exh k) and questioned him about the properties he used for comparison in his study.
 - Mr. Crooms recalled Bob Koontz and questioned him regarding the definition of neighborhood and character along with several details on the project in regards to density. SP CLRP was entered as Exhibit HH
- Linda Brazwill of 19 Village Green Circle - was called by Mr. Crooms as an expert on the character of the neighborhood and gave her educational and work history; Mr. Robinson objected to her standing as an expert. Pictures (Exhibit JJ) were used to show the character of the neighborhood and Ms. Brazwill stated she did not feel the new development will not complement the neighborhood's aesthetics and her concern regarding rentals being introduced so close to a neighborhood filled with home owners. The following were entered into the record:

- SP UDO - Exhibit II
- Village on the Green Pictures - Exhibit JJ
- Village Green Map - Exhibit KK
- Village by the Lake Map - Exhibit LL
- Village in the Woods Map - Exhibit MM

- Mr Robinson presented his rebuttal to Ms. Brazwill's testimony.
- Mr Robinson presented his closing remarks touching on the role and duty of council to determine the extent to which the applicant has put forth the evidence to support the 6 findings required to approve the permit.
- Mr. Crooms presented his closing remarks and commented on the effect this project will have on the neighborhood and questioned if the project meets the intent of the UDO and CLRP.
- Councilmember Petersen moved to close the hearing. Councilmember Pate seconded and the vote was unanimous. Motion passed.
- Mayor Haney stated that as per NC General Statute 160D.406, the board shall determine contested facts and make its decision within a reasonable time and asked for a motion to render a decision at the next Town Council meeting scheduled for February 28, 2022.
- Councilmember Petersen moved to render a decision at the February 28, 2022 Town Council meeting. Mayor Pro Tem Murphy seconded and the vote was unanimous. Motion passed.

5. ACTION ITEMS

There were no action items for consideration.

6. CONSENT AGENDA

Councilmember Pate moved to approve the Consent Agenda, seconded by Mayor Pro Tem Murphy. The vote was unanimous. Motion passed.

a. Approve December 8, 2021 Town Council Agenda Meeting Minutes

Approve December 8, 2021 Town Council Agenda Meeting Minutes

b. Approve December 14, 2021 Town Council Business Meeting Minutes

Approve December 14, 2021 Town Council Business Meeting Minutes

c. AX-01-22: Set Public Hearing for Annexation at 3900 Youngs Road

Michael Tveter and Jamie Tveter are requesting voluntary annexation of a contiguous parcel that is currently outside of the corporate limits of the Town of Southern Pines. Per the Moore County tax records, the subject parcel is identified as PIN 858100892377; PARID 20210139 and is owned by Michael Tveter and Jamie Tveter. The public hearing for this application will be March 8, 2022.

d. Adopt Ordinance #1963 to Amend the Code of Ordinances to Address Membership Qualifications for the Appearance Commission

Based on previous discussion with the Town Council, staff has prepared a draft ordinance that removes term limits for members of the Appearance Commission.

e. Adopt Ordinance #1964 to Add the Library Board to Chapter 33 of the Code of Ordinances

Staff recommends adding the Library Board membership qualifications, terms of appointments, powers and duties, and similar to the Town's Code of Ordinances, which is consistent with the Town's other appointed boards.

f. Adopt Ordinances #1966 and #1967 to Amend Capital Project Funds Associated with Water Line Projects

By adopting these ordinances, the Capital Project Fund (CPF) for the E. Morganton Rd. water line project is closed and the remaining balance of \$109,452 is transferred to the CPF for the Pennsylvania-Peedee water line project.

7. PUBLIC COMMENTS

Mayor Haney recognized the good work of the Town of Southern Pines Police Department and Fire Department.

Councilmember Petersen recognized and thanked the Town's IT Department for their help this past week.

John MacInerney of 460 Crest Road asked the Council to consider the influx of people and

development, urging Council to review the direction the town is heading as it will be forever changed. Mr. MacImerney pointed to the proposed townhomes on Bennet St. as an example of density in a small area.

8. ADJOURNMENT

Upon motion by Councilmember Pate and seconded by Mayor Pro Tem Murphy, the vote was unanimous and the Council adjourned at 12:27 am on February 9, 2022.

Respectfully submitted:

DRAFT



MINUTES

Monday, February 28, 2022: 3:00 PM

Town Council Work Session

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

1. CALL TO ORDER

Mayor Haney called the meeting to order. The following members of Town Council were present: Mayor Carol Haney; Taylor Clement; Paul Murphy; Bill Pate; and Ann Petersen.

2. TOWN MANAGER'S COMMENTS

Town Manager Reagan Parsons reviewed the agenda.

3. ACTION ITEMS

a. Consider SU-01-21 Patrick's Pointe SUP

Council has conducted and closed a quasi-judicial hearing on a Special Use Permit for a multi-family residential and office development. The subject property is located along US Highway 1 North between West Connecticut Avenue and Midland Road and is comprised of three (3) parcels for a total of 25.4 acres of presently undeveloped, wooded land.

Mayor Haney gave a brief overview of the quasi-judicial process.

Planning Director BJ Grieve explained what was needed from the council to produce a written decision.

Attorney Gill shared what he felt was the best way to address the voting procedure and clarified exactly what the Council was voting on.

Finding of Fact #1: Councilmember Clement motioned to approve; seconded by Mayor Pro Tem Murphy, Attachment "A" Findings of Fact #1 of the 2nd draft Town Council Findings of Fact found in the Staff Report dated February 28, 2022 as follows: The Town Council finds that the application is complete and that the facts submitted are relevant to the case because the request for Special Use Permit approval has met the specified submittal requirements as required in the Town of Southern Pines UDO Appendices and the evidence submitted was sworn testimony by qualified experts or provided through substantiated documentation.

Motion Passed. The vote was unanimous.

Findings of Fact #2A: The proposed special use shall comply with all regulations of the applicable zoning district and any applicable supplemental use regulations.

Mayor Pro Tem Murphy moved to accept 2A as follows: The Town Council finds that the application SU-02-21 complies with all regulations of the OS, RM-2 and UTHCO (including those set forth in UDO Exhibit 3-13) zoning district development standards as well as all applicable supplemental use regulations, including the Multi-Family Development Standards set forth in Udo Section 4.10.8. The applicant is allowed 521 parking spaces and granted the watershed protection permitted for 65% impervious coverage. The motion was seconded by Councilmember Pate.

- Councilmember Pate commented that while he might not agree with the current zoning regulations, the applicant has met the current requirements.
- Councilmember Clement stated that she wants more clarity on the issue of density.
- Councilmember Petersen has an issue with the variance asked for in regards to density.
- Councilmember Pate questioned the definition of density. Planning Director Grieve defined the current zoning and the density allowed under the UDO.
- The applicant stated that they are unwilling to reduce the density of the current application.

Motion Passed. The Council voted 4-1 as follows:

- Mayor Haney - aye
- Mayor Pro Tem Murphy - aye
- Councilmember Pate - aye
- Councilmember Clement - aye
- Councilmember Petersen - nay

Findings of Fact 2B: The proposed special use shall conform to the character of the neighborhood in which it is located and not injure the use and enjoyment of property in the immediate vicinity for the purposes already permitted.

Councilmember Clement moved to approve Findings of Fact 2B as follows: The Town Council finds that the proposed special use permit will conform to the character and density of the neighborhood in which it is located and, with lack of material evidence to the contrary, will not injure the use and enjoyment of property in the immediate vicinity for the purposes already permitted with the addition that 30 feet of the 50 foot buffer remain undisturbed buffer remaining undisturbed along the Village Green boundary. The motion was seconded by Councilmember Pate.

- Councilmember Clement notes that while the density conforms with the current UDO requirements, in her opinion, it does not appear to be compatible with current housing in that area.
- Councilmember Pate is unhappy with the current answers on the 80 ft buffering zone being undisturbed.
- Mr. Koontz stated that it's not possible in their current plans to guarantee an 80 foot buffering zone. The applicant states that they will make every effort but cannot guarantee it. The current plan submitted has a proposed 80 foot setback with a 50 foot buffer, 30 feet of which is undisturbed.
- Mr. Koontz guarantees that 30 feet of the 80 foot buffer will remain undisturbed between the project and Village Green.

- Councilmember Petersen confirmed that the rest of the buffers around the project are only 50 feet.
- Councilmember Pate is unhappy with the current density regulations.

Motion Passed. The Council voted 4-1 as follows:

- Mayor Haney - aye
- Mayor Pro Tem Murphy - aye
- Councilmember Pate - aye
- Councilmember Clement - aye
- Councilmember Petersen - nay

Findings of Fact 2C: Adequate public facilities shall be provided as set forth herein.

Councilmember Clement moved to approve Findings of Fact 2C as follows: The Town Council finds the subject properties have access to and can be served by TOSP public facilities, seconded by Councilmember Petersen.

Motion Passed. The vote was unanimous.

Findings of Fact 2D: The proposed use shall not impede the orderly development and improvement of surrounding property for use permitted within the zoning district or substantially diminish or impair the property values within the neighborhood.

Councilmember Clement moved, seconded by Mayor Pro Tem Murphy to approve Findings of Fact 2D as follows: The Town Council finds that the proposed development is consistent with the existing zoning standards. The mixed use residential and professional office development is located along the highway corridor and proved for compatibility by being a transition within the Office Services zoning district and multi-family residential zoning district.

- Councilmember Clement stated that without material evidence from the opposition, she feels that she has to go with the evidence presented by the applicant.
- Councilmember Petersen feels that the applicants' acknowledgment of the fact that the cars entering US 1 from a dead stop and the addition of 500 extra drivers was not included in their TIA has presented some contrary evidence.
- Councilmember Pate feels that the applicant is doing everything allowed by DOT.

Motion Passed. The vote was unanimous.

Findings of Fact 2E: The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety, comfort, or general welfare.

- Councilmember Clement questioned the applicant regarding the ability to alter the service road leading onto US1. The applicant stated that DOT doesn't want improvements past the entrance/exit of the facility to discourage travel in that direction.
- Mayor Haney questioned if the town could petition DOT at a later date to improve the service road. Discussion ensued and the consensus was yes.
- Councilmember Petersen feels it's important to note that an extra 2,100 vehicle trips are estimated for that area with the implementation of this project as well as the lack

of an acceleration lane onto US 1.

Councilmember Clement moved that with lack of material evidence to the contrary that the application does meet the criteria set forth in Findings of Fact #2E, seconded by Councilmember Pate.

Motion Passed. The Council voted 4-1 as follows:

- Mayor Haney - aye
- Mayor Pro Tem Murphy - aye
- Councilmember Pate - aye
- Councilmember Clement - aye
- Councilmember Petersen - nay

Findings of Fact 2F: The public interest and welfare supporting the proposed use shall be sufficient to outweigh individual interests that are adversely affected by the establishment of the proposed use.

- Councilmember Clement stated that, based on the current UDO guidelines, that she feels the applicant has met the requirement.
- Mayor Haney stated that without contrary evidence from the opposition, the applicants' reports must be used.

Councilmember Clement moved that, based on the current UDO guidelines, she feels that the application does meet the criteria set forth in Findings of Fact #2F, seconded by Mayor Pro Tem Murphy.

Motion Passed. The vote was unanimous.

Councilmember Pate moved to approve the application for Special Use Permit SU-02-21, having met the criteria set forth in the Finding of Facts, seconded by Mayor Pro Tem Murphy with the following conditions:

1. The sidewalk plan will be prepared in conjunction with staff during future site plan reviews and inspections to facilitate the safe movement of pedestrians back and forth across the street.
2. The 50-foot buffer includes 30 feet of undisturbed vegetation.

The applicants agreed on record to accept the conditions.

Motion Passed. The Council voted 4-1 as follows:

- Mayor Haney - aye
- Mayor Pro Tem Murphy - aye
- Councilmember Pate - aye
- Councilmember Clement - aye
- Councilmember Petersen - nay

b. Consider Written Decision for PD-12-21 Waterworks Phase 1 PDP

Staff has prepared a draft of the written decision of the board document for the application PD-12-21 that was heard by the Town Council at the regular meeting on February 8, 2022 and that the Town Council may now wish to adopt.

Mayor Haney presented the item. Councilmember Petersen asked for the inclusion of the agreement between Mr. Smith and Mr. Bledgie on a conservation easement. Planning

Director Grieve stated that he doesn't believe this was ever a legal requirement that the Town could enforce. Discussion ensued.

Councilmember Pate motioned, seconded by Mayor Pro Tem Murphy, to adopt the written decision for PD-12-21 Waterworks Phase 2 PDP as written by Town staff.

Motion passed. The vote was unanimous.

c. Consider Written Decision for PD-13-21 Old Morganton Park South Parcel 1 PDP

Staff has prepared a draft of the written decision of the board document for the application PD-13-21 that was heard by the Town Council at the regular meeting on February 8, 2022 and that the Town Council may now wish to adopt.

Planning Director Grieve gave an overview of the written decision. Discussion ensued.

Councilmember Pate motioned, seconded by Mayor Pro Tem Murphy, to adopt the written decision for PD-13-21 Old Morganton Park South Parcel 1 PDP.

Motion passed. The vote was unanimous.

4. COUNCIL UPDATES AND DISCUSSION

a. Street Resurfacing Contract

The Town has received bids for the FY 21-22 street resurfacing projects. Staff is seeking direction from Council on the total contract amount to authorize, as a budget amendment will be required since the low bid exceeds this year's budget allocation of \$275,000.

Town Manager Parsons gave a report on the current proposed contract to pave the area planned. A proposed budget amendment is requested to include Knoll Road in the scope as the pricing received was favorable and this project will only continue to increase as the road condition declines.

Town Engineer James Michel answered some general questions about the Town's paving projects and prioritization.

There was consensus from Council to complete the full scope recommended by staff and to add a budget amendment reflecting this to the March 8th agenda for approval.

b. Skate Park Update

Staff will provide a brief status update on the skate park project for Memorial Park.

Assistant Town Manager Jessica Roth gave an update on the progress of the proposed skate park.

Discussion ensued.

5. CLOSED SESSION

Councilmember Pate thanked the staff, other councilmembers, and the public for their patience over the last 3 months of hearings.

Councilmember Clement spoke in favor of changing the timing of the public comment period to place it toward the beginning of the agenda. Discussion ensued and there was consensus from Council to try this change, announcing the update at the March 8th meeting and proceeding with it at the April business meeting.

a. Council Closed Session

Council will hold a closed session as authorized in N.C.G.S. §143-318.11(a)(6) to discuss a personnel matter.

Councilmember Pate moved, seconded by Mayor Pro Tem Murphy, to enter closed session as authorized in N.C.G.S. §143-318.11(a)(6) to discuss a personnel matter. The vote was unanimous and the Council entered into closed session at 5:41 pm.

There was no action taken during or following the closed session. Council exited closed session at 6:13 pm.

6. ADJOURNMENT

Upon motion by Mayor Pro-Tem Murphy and seconded by Councilmember Clement, the Council unanimously adjourned at 6:13 pm.

Respectfully submitted:
