



AGENDA

Tuesday, May 10, 2022: 6:00 PM
Town Council Business Meeting
Douglass Community Center: 1185 W. Pennsylvania Ave

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. TOWN MANAGER'S COMMENTS

4. PUBLIC COMMENTS

a. The Town Council encourages public input and participation in its Council meetings. This part of the meeting is reserved for individuals who would like to bring issues to the attention of the Council and/or to share information. Comments on items that have a Public Hearing shall be reserved until the Council opens the specific hearing. Each speaker is allotted three minutes during this portion of the meeting.

5. PUBLIC HEARINGS

a. PD-04-22 St. John Paul CDP

Mr. Pete Bogle has submitted a Conceptual Development Plan application to allow a private school, athletic fields, cemetery, rectory and religious institution. The subject parcels are currently zoned RE (Rural Estate) and are identified as PARID 00038409, 00991755, and 10001608.

b. MSD 01-22 Creation of a Municipal Service District Under NCGS Article 23 Chapter 160A to Fund Parkway Improvements Related to a Reimbursement Agreement.

A Municipal Service District (MSD) is proposed in the area between W. Morganton Rd. and 15-501. Following this hearing, state statutes require two votes by the Council to establish the MSD. The second vote is planned for the June 14th business meeting.

c. Initial Presentation of the Fiscal Year 2022-2023 Budget

Town Manager Reagan Parsons will present the proposed FY 22-23 budget. This is the first of two public hearings, prior to the proposed adoption on June 14.

6. ACTION ITEMS

a. Consider AR-09-22: Pinehurst Surgical Center Site 3N

Harold Dean Peacock on behalf of Morganton Park Realty, LLC requests approval of an Architectural Compliance Permit for a 52,905 square foot medical office, located in the planned development known as Morganton Park North and owned by Pinehurst Medical Group, LLC.

b. Consider AR-11-22: Old Morganton Park South Outparcel 2

Barry Byrd Architecture and Bradford Equities II, LLC request approval of an Architectural Compliance Permit for a 6,760 square foot commercial retail building in Morganton Park.

c. Consider Ordinance #1988 - Charter Amendment to Conduct Nonpartisan Municipal Elections Using the Plurality Method

NC General Statutes permit the Town to amend its Charter to change the type of elections. Per the public notice published on March 27, the Council held a public hearing on April 12, 2022 to receive comments on a proposed amendment to conduct future municipal elections according to the nonpartisan plurality method in accordance with G.S. 163-292.

d. Consider MSD-01-22: Initial Adoption of a Municipal Service District (MSD) for the Purpose of Funding a Parkway & Associated Infrastructure Between Morganton Road and 15-501

This is the first of two votes required by the Town Council to create a MSD between W. Morganton Rd. and 15-501. The second is scheduled for the June 14th business meeting.

7. CONSENT AGENDA

a. Condemn the Unsafe Structure at 875 Clark Street and Authorize the Expenditure of \$9,850 for Demolition Work

Chief Building Inspector John Bullock and Code Enforcement Officer Lisa Webb request that Council condemn this unsafe structure and authorize the expenditure to proceed with demolition.

b. Donate Playground at Elizabeth Rounds Park to the Lions Club of Ellerbe

As discussed at the April 25 work session, staff is working on a project to replace the playground equipment at Elizabeth Rounds Park. The Lions Club of Ellerbe has requested that the Town donate the old equipment. The Town will not incur any costs or liability associated with transporting the equipment to Ellerbe and re-installing it. This also saves the Town costs that would otherwise be incurred to transport and dispose it.

c. Approve Town Council Meeting Minutes for April 2022

1. April 6, 2022 Town Council Agenda Meeting
2. April 6, 2022 Town Council Budget Retreat
3. April 12, 2022 Town Council Business Meeting
4. April 25, 2022 Town Council Work Session

d. Approve Resolution and Agreement to Consolidate the Water Systems Serving The Carolina (Caropines)

At the May 2021 Council work session, staff reviewed a proposal to transfer a small portion of Moore County's water system (serving part of the Carolina Development - Caropines) to the Town. Council directed staff to continue negotiations with the County, resulting in a mutually accepted agreement to complete this transfer. Town Council must adopt a resolution approving the agreement. The Town Attorney is drafting the resolution for consideration on the May 10 agenda.

e. Approve Budget Amendment for PeeDee/ Pennsylvania Road Water Line Replacement

This budget amendment will update the project budget based on actual bids received on April 27, 2022.

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: BJ Grieve, Planning Director

Subject: PD-04-22: Planned Development District - Conceptual Development Plan for 42.2+/- acres on the north side of Camp Easter Road between Pine Barrens Vista and McDeeds Creek Road

Date: May 10, 2022

I. SUMMARY OF APPLICATION REQUEST:

Mr. Pete Bogle of Bogle Firm Architecture, on behalf of Very Reverend John J. Forbes, VF, 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 private school, athletic fields, cemetery, rectory and religious institution as the permitted land uses. The subject parcels are currently zoned RE (Rural Estate). The owner of the parcel identified as PIN 858315538280 (PARID 00038409) is listed as Michael F. Burbidge, Bishop of the Roman Catholic Diocese of Raleigh, North Carolina; and the owner of the parcels identified as PIN 858315635655 (PARID 00991755) and PIN 858315635197 (PARID 10001608) is listed as F. Joseph Gossman, Bishop of the Catholic Diocese of Raleigh.

II. TOWN COUNCIL REVIEW & ACTION:

On April 12, 2022 a public hearing was held by the Southern Pines Town Council regarding the proposed rezoning to PD-Planned Development. After opening the public hearing, the Town Council heard a brief presentation about the application from planning staff and planning staff distributed written comments that had been received prior to the hearing. The Town Council then heard a presentation by Mr. Pete Bogle on behalf of the applicants. Following Mr. Bogle's presentation, Mr. Thomas Van Camp also spoke on behalf of the applicant. Three members of the public then spoke before Mr. Andy Petesch, speaking on behalf of the Curry family, requested a continuance due to the late hour and amount of detail provided in Mr. Bogle's presentation. Those in attendance were given an opportunity to speak, and the Town Council heard from one additional member of the public before voting 5-0 to continue the hearing to May 10. Mr. Thomas Van Camp then spoke again.

Details of the April 12, 2022 public hearing are available in the Town Council's minutes of that meeting. A copy of Mr. Pete Bogle's presentation to the Town Council, including the changes to the CDP presented at the April 12, 2022 hearing by the applicants, is attached to this report for the Town Council's reference.

III. PLANNING BOARD RECOMMENDATION:

On March 25, 2022, the Southern Pines Planning Board held a public hearing and heard from those in attendance regarding application PD-04-22. Planning staff presented a review of the St. John Paul Planned Development (PD) Conceptual Development Plan (CDP) application. Planning staff briefly reviewed the location of the subject property and general orientation of the proposed land uses in the CDP. Planning staff reviewed deviations from the UDO proposed in the CDP, additional project-specific design standards proposed by the applicants in the CDP, details regarding the Watershed Protection Overlay, parking, and a summary of agency comments.

Following staff's comments, Mr. Pete Bogle, the applicant's representative, spoke to the Planning Board. Mr. Bogle presented information regarding the purpose and design of the proposed PD and the general nature of the two phases of development set forth in the CDP. Mr. Bogle responded to concerns raised by planning staff in the Planning Board staff report:

1. Mr. Bogle agreed to limit built-upon area to 24%.
2. Mr. Bogle proposed to reduce overall parking by sharing future phases parking with the 127 existing spaces and 20 future spaces that serve the St. John Paul School.
3. Mr. Bogle offered the use of "grass pave" parking since churches use parking infrequently and vegetation in "grass pave" has a higher likelihood of survival than in higher turnover parking areas.
4. Mr. Bogle suggested moving the footprint of the church closer to the school.

Mr. Bogle discussed the presence of an easement on the west side of the property and the site design constraints created by the location of the easement. Mr. Bogle concluded by addressing the matter of parking and stating that the Archdiocese feels that they need one parking space per 2.5 seats.

Following the applicant's presentation, the Planning Board heard from approximately nine residents of Pine Barrens (a large-lot subdivision located west of the proposed PD), one attorney representing a resident of Pine Barrens, and two members of the general public who all expressed concerns with the proposed Planned Development. A summary list of concerns raised include:

1. Proximity of the proposed land uses and parking lot to an area designated as "Rural Equestrian" on the CLRP Future Land Use Map.
2. Inconsistency with Goal 5 in the CLRP: "**G-5. Horse Country.** Retain the aesthetic and functional characteristics of Horse Country."
3. Impacts of noise and traffic on horses in Pine Barrens.
4. The slope of the property from east to west and runoff from impervious surfaces.
5. Light pollution from the proposed land use.
6. Negative impacts to the "horse lifestyle."

7. Negative impacts to “horse country” and the economic impacts of developing horse country to other land uses.
8. Traffic from the proposed land use.
9. Future expansion of the proposed parking area and/or the proposed land use.
10. Pollution.
11. Concerns that a Planned Development with only “institutional” land uses does not contain an adequate mix of land uses, per UDO 3.5.14(D).
12. Insufficiency of a 10’ planted buffer between the proposed driveway and the Pine Barrens property line.
13. Inappropriate use of a Planned Development.
14. Concerns that the application is being “fast tracked” since the Town Council hearing is already scheduled.
15. Planning staff’s draft documents appear to support approval.
16. Inconsistency with the description of the “Residential” Future Land Use designation because the school is k-8, not elementary and disagreement with Planning staff that “civic uses” includes religious institutions/places of worship.
(Planning staff note: Following the Planning Board meeting, staff conducted some additional research, on definitions of “civic land uses.” Clearly the term means different things to different people in different places. There are many examples of places that consider churches to be “civic land uses,” such as Garner, NC¹ and Austin, TX², and examples of long range plans that consider “civic buildings” to include churches, such as Painesville, OH.³ However, there are some legal definitions of “civic use” found online⁴ that appear to restrict civic land uses to only governmental land uses like post offices, libraries, police stations, schools, parks, etc. The Southern Pines CLRP does not define “civic land uses” as referenced in the “Residential” Future Land Use designation, and the American Planners Association Planner’s Dictionary does not define the term. Chapter 3 of the UDO lists Religious Institutions (LBCS 6600) as by-right (permitted) uses in Rural Residential (RR) and General Business (GB) zones. The Town Council may determine if Religious Institutions are an acceptable land use in the proposed Planned Development located in an area with a “Residential” Future Land Use designation.)
17. Overall inappropriateness of the area of town in which the proposed PD is located.
18. Desire for a much bigger buffer since McDeed’s Creek School has a 100’ buffer.
19. Future complaints from churchgoers and students and parents at the school about smells and noises from working horse farms.
20. Negative impacts to the tax contributions of horse people.

¹ [637496785356700000 \(garnernc.gov\)](https://www.garnernc.gov/637496785356700000)

² [zoning_landuse_chart.pdf \(austintexas.gov\)](https://www.austintexas.gov/landuse_chart.pdf)

³ [Microsoft PowerPoint - 2009-02-06 Painesville book - draft \(govoffice2.com\)](https://govoffice2.com/2009-02-06/Painesville-book-draft)

⁴ [civic use Definition: 116 Samples | Law Insider](#)

Following public comments, Father John Forbes spoke regarding the church's desire to be good neighbors and the history of how the catholic church came to acquire the property. Father Forbes shared that the Town of Southern Pines staff (in 2001) encouraged them to move outside of downtown to allow for future church growth. Father Forbes stated that there are many uses in the area with which he feels the proposed church and school are compatible, such as Belle Meade, McDeed's Creek School and the Knollwood Planned Development and the Anglican Church. Father Forbes expressed thoughts about quality of life including the practicing of religion.

A period of back and forth discussion between representatives of the church and residents of Pine Barrens took place, with concerns, points and counter-points being raised by both sides. Pete Bogle, on behalf of the applicant, stated that the applicants were willing to take a closer look at the design of the CDP and may make further modifications to the CDP based on feedback received.

Following public comment, the Planning Board closed the public hearing. The Planning Board discussed the issues raised during the hearing. Kim Wade shared thoughts regarding runoff and the character of the neighborhood. Cooper Carter shared thoughts regarding being guided by the CLRP and how the campus plan and school are consistent with the CLRP but the church is inconsistent. Cooper also discussed inconsistencies with policies in the CLRP regarding horse country. Lem Dowdy shared thoughts regarding the applicant stating that they will make changes to the proposal prior to the Town Council hearing. Cooper Carter shared concerns with a lack of traffic information with the CDP application. After Planning Board discussion, two main concerns were determined by the Planning Board. The first concern was regarding compatibility with the adjoining rural equestrian land use, and inconsistency with Goal 5 in the CLRP. The second concern was regarding future phases and churches not being consistent with the "Residential" Future Land Use Designation. Following discussion, the Planning Board unanimously found the proposed CDP is inconsistent with the CLRP as stated in Attachment A to the staff report for PD-04-22 as modified by the Planning Board. The Planning Board unanimously recommended denial of PD-04-22.

Please find the signed Planning Board Resolution to Adopt a Written Recommendation for Conceptual Development Plan application PD-04-22 in the attachments section of this report.

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

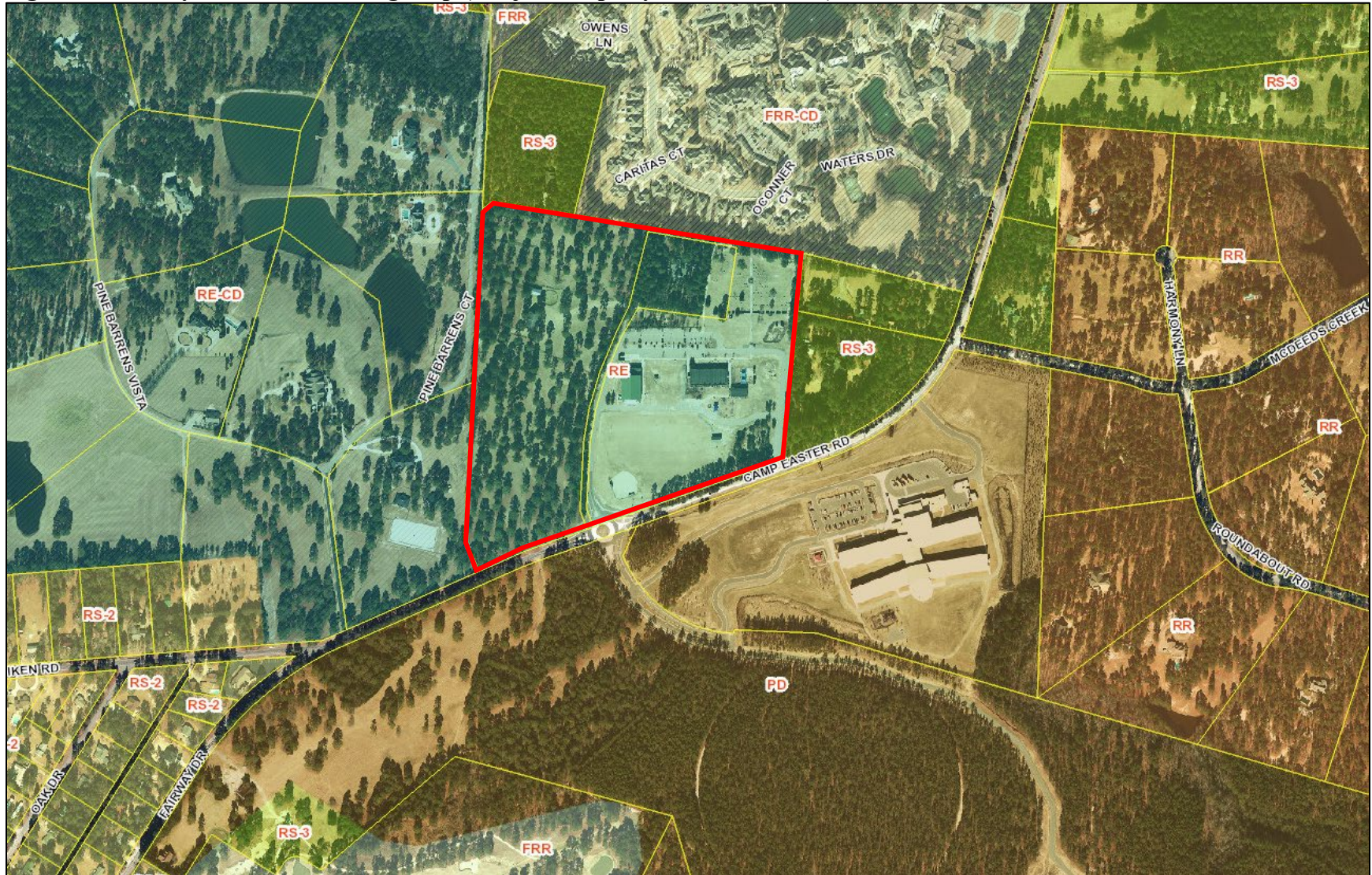


Figure 2: Aerial Image Looking Northeast at Subject Property (February 25, 2022):



[illegible]

Figure 4: DRAFT REVISED Conceptual Development Plan Layout (Emailed to Planning Staff March 30, 2022):

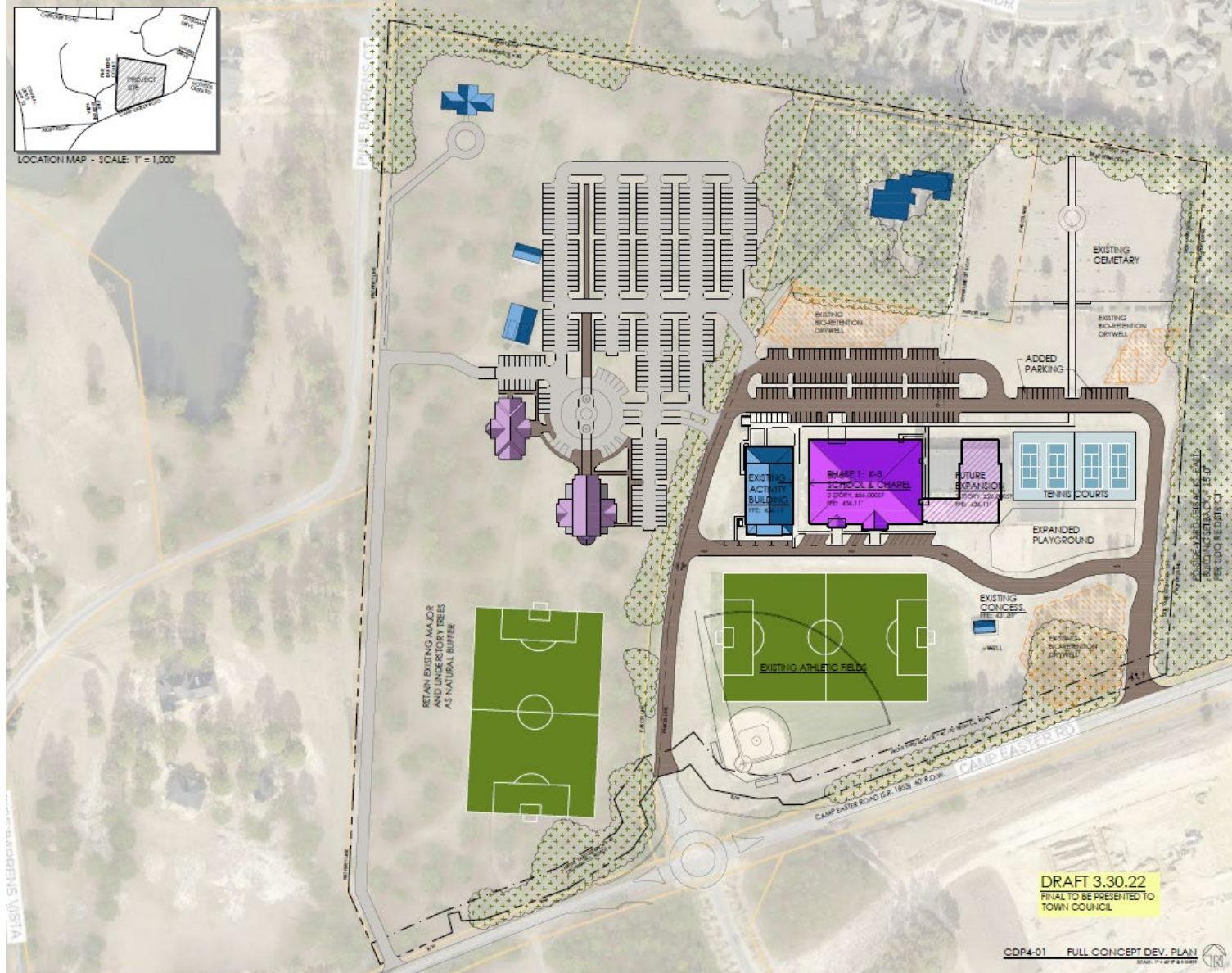
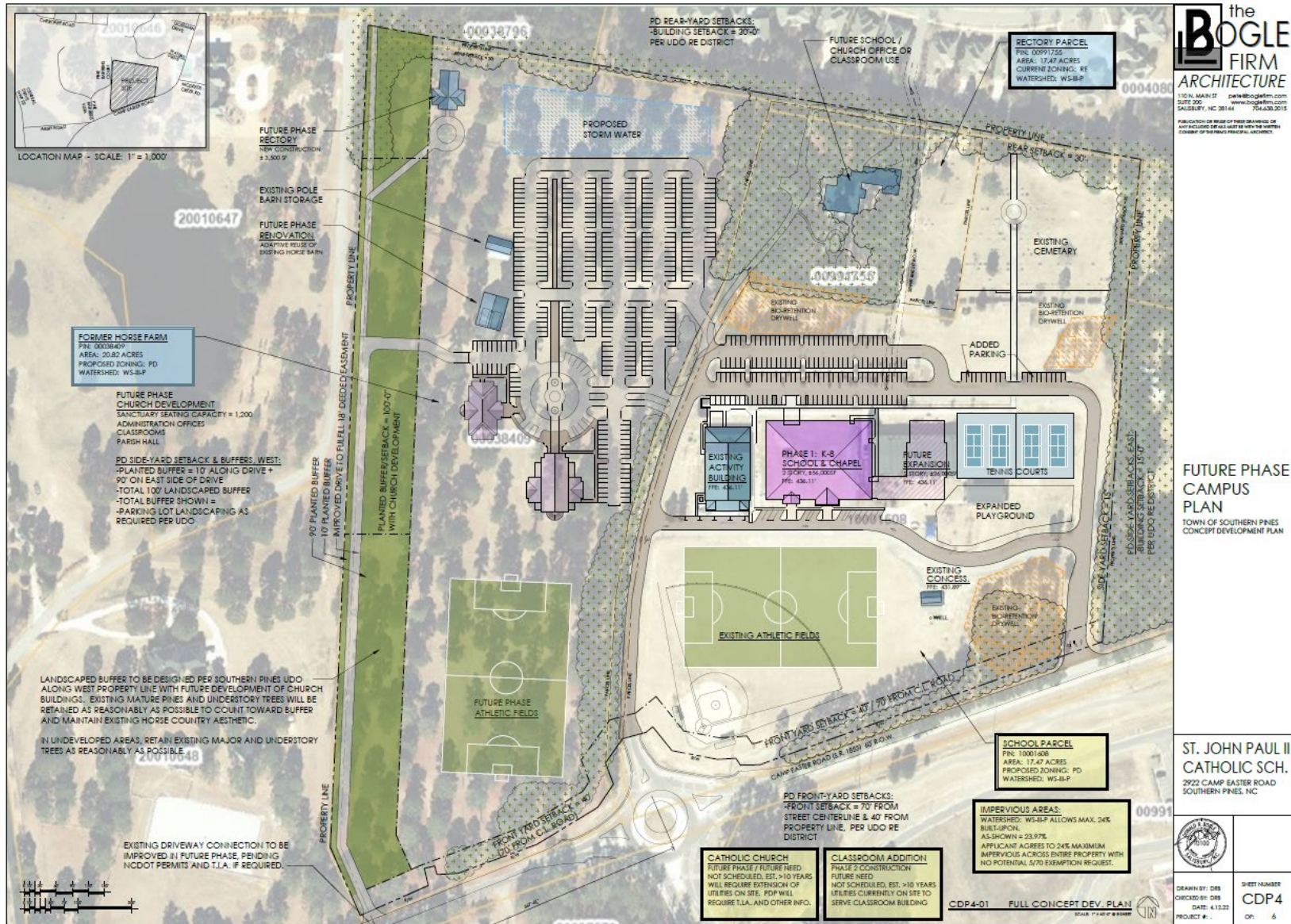


Figure 5: 2nd DRAFT REVISED Conceptual Development Plan Layout (Presented at April 12, 2022 T.C. Hearing):



IV. 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:

- Prior to submittal of the CDP application, the applicants held a Neighborhood Meeting on January 25, 2022 in compliance with UDO §2.18.3(D). Adjacent property notification, meeting minutes, copies of materials presented and a sign-in sheet from the meeting are all attached to this staff report.
- CDP Application Submitted: February 14, 2022
- Application Deemed Incomplete: February 21, 2022
- Application Deemed Complete: February 22, 2022
- Notice of March 24, 2022 Planning Board Public Hearing:
 - Posted On-site: March 2, 2022
 - Mailed to Adjacent Property Owners: March 4, 2022
 - Newspaper Publication Dates: March 9 & 16, 2022
 - Posted on Town website: March 3, 2022.
- Planning Board Regular Meeting: March 24, 2022
- Notice of April 12, 2022 Town Council Public Hearing:
 - Posted On-site: March 2, 2022
 - Mailed to Adjacent Property Owners: March 21, 2022
 - Newspaper Publication Dates: March 30 & April 6, 2022
 - Posted on Town website: March 21, 2022.
- Town Council Regular Meeting: April 12, 2022 (continued)
- Town Council Regular Meeting: May 10, 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 subject property is designated “Residential” on the Future Land Use Map found in the 2016 Comprehensive Long-Range Plan. The “Residential” future land use designation is described in the CLRP as follows:

“This designation encompasses the majority of Southern Pines’ residential land, providing for single-family and attached housing at development densities ranging from one unit per acre in areas that are less intensively developed to up to twelve units per acre in places that are clearly more urban. Elementary schools, civic uses, parks and neighborhood scale commercial services may be authorized through the rezoning process without amending the future land use map.”

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.

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 criteria for a CDP per UDO §2.18.4(H) and a narrative addressing the criteria for a zoning map amendment per UDO §2.18.4(A). 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 proposed CDP proposes unique design standards, most of which equal or exceed the standards set forth in the UDO. The applicant has detailed all proposed modifications in Section 5.2.2 of the CDP. The following modifications are of particular interest for purposes of reviewing and considering the application:

- **Parking:** The proposed Planned Development calls for 480 parking spaces to serve the large religious institution land use. The applicant states that this exceeds UDO Exhibit 4-6, but that exhibit is a minimum parking requirement, not a maximum. The applicants may propose as much parking as they choose for consideration by the Planning Board and Town Council. However, planning staff recommends capping parking in the CDP at a *maximum* of 1 space per 4 seats for a large religious institution, or utilizing a shared parking arrangement with the existing school parking.
- **Transportation (Streets):** The proposed Planned Development makes clear that the internal transportation network may be built as private driveways, not public or private streets.
- **Sidewalks:** The proposed Planned Development requires sidewalks connecting buildings and parking areas, but not connecting uses on the campus. This is a deviation from UDO 4.11.15(D) that would require sidewalks to connect all on-site activity centers.

iv. Consultation with Technical Review Committee:

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:

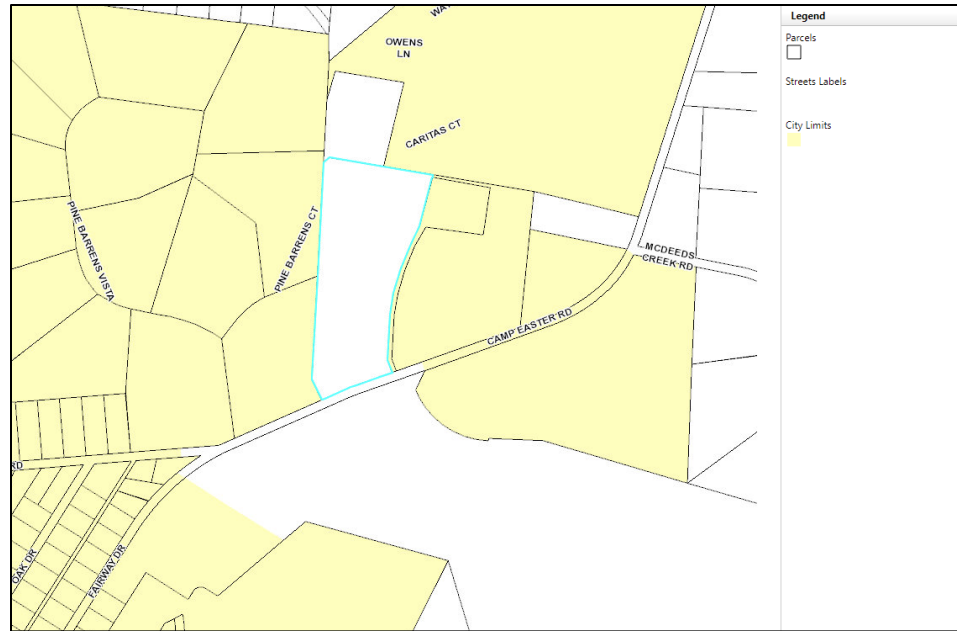
- The only allowed uses within the St. John Paul Planned Development are as follows, taken from Section 5.1 of the CDP:

Primary Uses:

- Private School (Pre-K through 8th grade) LBCS-6110, 6121, 6122, 6125
- Religious Institution (large church) LBCS-6600
- Residential, single-family home (rectory) LBCS-1111

Accessory Uses:

- Administrative Services (associated with the school/church) LBCS-2421
 - Athletic Fields / Tennis Courts / Playgrounds (associated with school/church)
 - Cemetery (accessory to religious institution) LBCS 6720
 - Temporary Uses (subject to UDO 5.18 and 5.22 with permitting)
 - Accessory Uses (subject to UDO 5.3)
- The proposed Planned Development is located within the Little River Intake No. 2 Water Supply Watershed. Presently, all phases of development of the properties appear to involve built-upon area in excess of 24%. Rather than allocate 42.2 acres of exemption allocation to a project that appears to have a future built-upon surface of only 26.2% for the west parcel and 26.9% for the east parcel, planning staff recommends that Section 5.2.2 of the CDP be modified to restrict built-upon area to no more than 24% of the 42.2 acre Planned Development zoning district.
 - The western portion of the proposed Planned Development (Parcel ID 00038409) is not presently annexed into the Town of Southern Pines. Prior to approval of a Preliminary Development Plan for development of “Phase II,” the subject parcel should be annexed into the Town of Southern Pines.



- The applicants have provided information regarding an access easement along the west side of the property that has a noteworthy impact on site design and the use of buffers along the west boundary of the Planned Development.
- 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).
- The proposed Parking Setback directly adjacent to the required 20' Planted Buffer does not leave room for Vehicle Use Area Perimeter Landscaping which must be located with a planting area of no less than 10', per UDO 4.3.6(C)(2). Staff recommends maintaining the 20' buffer to comply with UDO Exhibit 4-2 and adding 10' between the buffer and the parking setback to accommodate perimeter parking standards.
- Following the Planning Board meeting on March 24, 2022, Pete Bogle emailed planning staff a draft revised CDP layout plan, see Figure 4 above and attachments to this staff report. Mr. Bogle stated that he would present to the Town Council at their public hearing a list of changes made as a result of feedback at the Planning Board meeting. However, Mr. Bogle wanted a draft of a revised CDP to be available to the public, staff and Town Council as part of the staff report.

- During the April 12, 2022 Town Council public hearing, Mr. Pete Bogle presented a further revised draft CDP. A copy of this revised CDP, from Mr. Bogle's presentation, is included as Figure 5 above.

V. 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), U.S. Fish and Wildlife Service, the Regional Land Use Advisory Commission (RLUAC) and Moore County Airport on March 3, 2022.

- Dagoberto JuarezPozos with NCDOT commented on March 4, 2022: *"Due to the expansion of the site they will need to submit a driveway permit. We will also need to see a more detailed breakdown of the land uses. Maximum number of students and a more definitive church size so we can run a trip gen and see if (any) roadway improvements are triggered."* A copy of NCDOT's comments are attached to this staff report.
- John McNeill and Vagn Hansen with the Regional Land Use Advisory Commission (RLUAC) provided written comments via email on March 8, 2022. A copy of RLUAC's comments are attached to this staff report.

VI. ATTACHMENTS:

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

1. Planning Board Written Recommendation
2. Draft Revised Campus Master Plan (Received via email March 30, 2022):
 - a. Cover letter describing changes
 - b. Revised Future Phases Plan
3. Design Narrative and Design Guidelines
 - a. CDP
 - b. Existing Property Information
 - c. Narrative Addressing CDP Criteria, UDO §2.18.4(H)
 - d. Narrative Addressing Rezoning Criteria, UDO §2.18.4(A)
4. Application and Support Documents
5. RLUAC Comments
6. NCDOT Comments
7. Mr. Pete Bogle's presentation from April 12, 2022 Town Council Public Hearing.

VII. 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 for 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 inconsistent with the Comprehensive Long Range Plan and is not a reasonable request for rezoning for the reasons set forth in the written Planning Board recommendation attached to staff report PD-04-22;
2. The requested Conceptual Development Plan is inconsistent with the Comprehensive Long Range Plan and is not a reasonable request for rezoning for the reasons set forth in the written Planning Board recommendation attached to staff report PD-04-22, and as modified by Town Council as follows:
3. The requested Conceptual Development Plan is consistent with the Comprehensive Long Range Plan and is a reasonable request for rezoning for the following reasons:

And, therefore, I move to:

1. Deny PD-04-22.
2. Approve PD-04-22 as submitted and as modified by the applicant in response to concerns raised by the Planning Board.
3. Approved PD-04-22 as submitted and as modified by the applicant in response to concerns raised by the Planning Board and with the following modifications:



ATTACHMENT A

PLANNING BOARD RESOLUTION TO ADOPT A WRITTEN RECOMMENDATION FOR CONCEPTUAL DEVELOPMENT PLAN APPLICATION PD-04-22

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 March 24th, 2022 for consideration of a Planned Development - Conceptual Development Plan for the St. John Paul Planned Development;

NOW, THEREFORE BE IT RESOLVED that the Planning Board supports the immediate school development purpose of constructing a new classroom building to replace mobile classroom units for St. John Paul II Catholic School. The Planning Board appreciates the need for rezoning the parcel with the existing school as it is inconsistent with the UDO, which only allows Elementary Schools within the RE district. The planning board however finds that this Conceptual Development Plan, PD-04-22, specifically the “Future Phase Church Development” work proposed solely on Parcel ID 00038409, represents an overall Development Pattern that is inconsistent with the goals and policies of the Comprehensive Long Range Plan, most notably Goal 5 of the CLRP, which is the retention of the aesthetic and functionary characteristics of Horse Country. The planning board finds that the scale, location, and buffering issues surrounding the “Future Phase Church Development” could be inconsistent with the residential future land use designation. The Planning Board also finds that the proposed development’s scale may be inappropriate for the area of the Town in which it is located, and is concerned particularly about the impacts on traffic Camp Easter Road and surrounding properties.

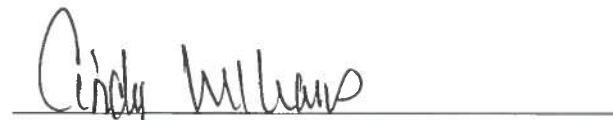
AND, THEREFORE, BE IT FURTHER RESOLVED that there were no additional matters considered by the Planning Board as a basis for a recommendation of denial to the Town Council regarding PD-04-22:

ADOPTED this the 24th day of March, 2022.



Gary Carroll, Chairman

ATTEST:



Cindy Williams
Secretary to the Planning Board



Subject: REVISIONS

Project: St. John Paul II Catholic School & Campus Master Plan

Date: 3.30.2022

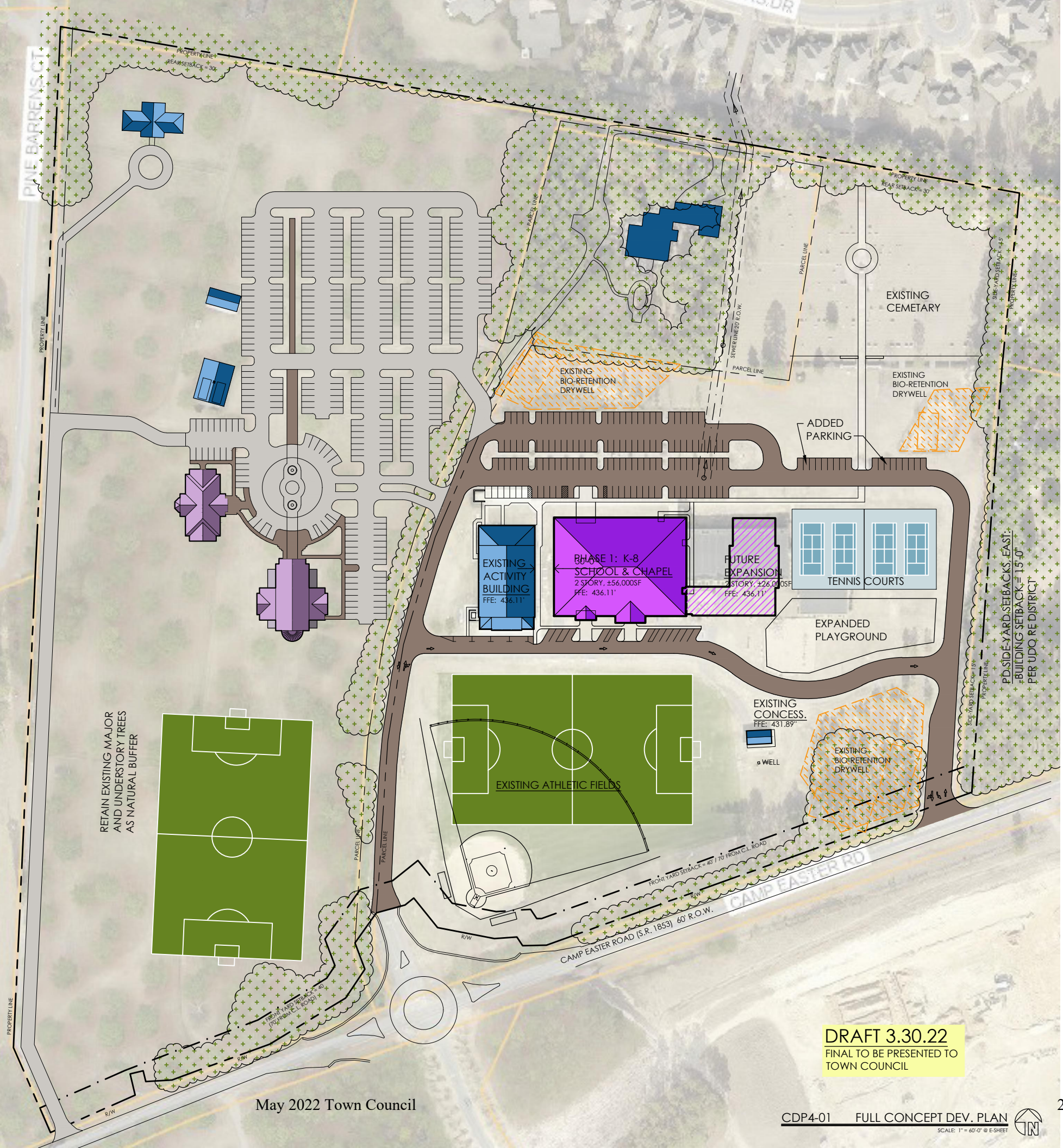
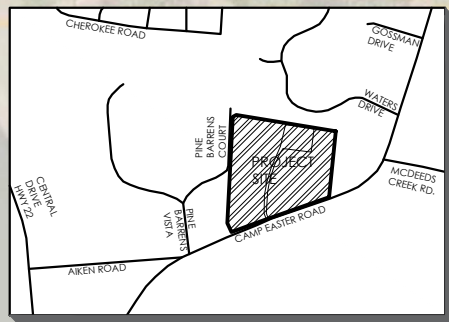
Town Council Members

Our team wants you to know that we are diligently working on revisions to the CDP site plan based on the concerns we heard from neighbors and addressing the comments made by Planning Board. The Planning Board unanimously voted to deny the CDP as presented, but discussions by the Board made it very clear that they believed that the uses shown on the CDP could be approved with the right site plan revisions.

I'm attaching a DRAFT revision of the CDP site plan to show you where we're headed. We will have the final CDP site plan, with all required information, ready to present at your April 12th meeting. For your information, during your preview of the project, here's some of what we will be adjusting based on comments at Planning Board:

- Increase setback along west property line
- Agree to a 24% maximum impervious surface area for the entire site (no future 5/70 exemption requests to increase above this amount)
- Local church development closer to school to utilize school parking as overflow for church needs.
- Connect church parking through school parking to provide connection to the existing driveway exit to Camp Easter Road at the far east end of the property.

Thank you for your consideration and we look forward to presenting to you on April 12th.





Subject: REVISIONS
Project: St. John Paul II Catholic School & Campus Master Plan
Date: 3.30.2022

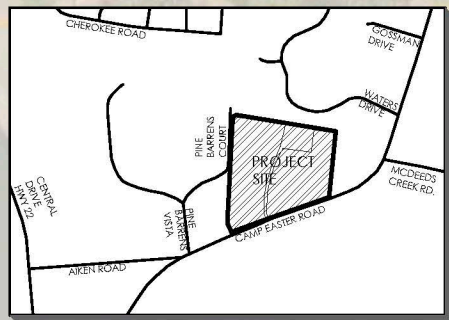
Town Council Members

Our team wants you to know that we are diligently working on revisions to the CDP site plan based on the concerns we heard from neighbors and addressing the comments made by Planning Board. The Planning Board unanimously voted to deny the CDP as presented, but discussions by the Board made it very clear that they believed that the uses shown on the CDP could be approved with the right site plan revisions.

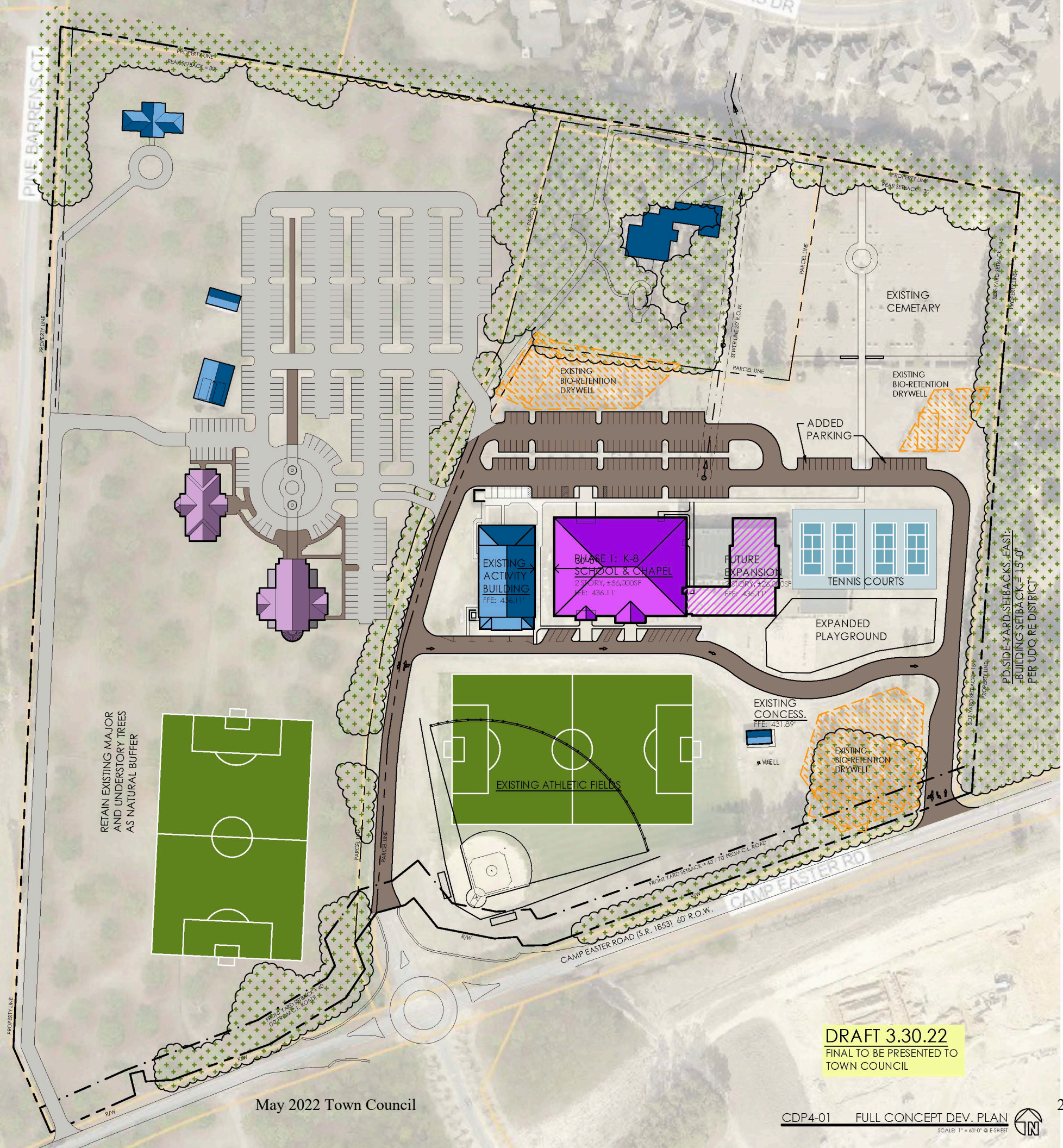
I'm attaching a DRAFT revision of the CDP site plan to show you where we're headed. We will have the final CDP site plan, with all required information, ready to present at your April 12th meeting. For your information, during your preview of the project, here's some of what we will be adjusting based on comments at Planning Board:

- Increase setback along west property line
- Agree to a 24% maximum impervious surface area for the entire site (no future 5/70 exemption requests to increase above this amount)
- Local church development closer to school to utilize school parking as overflow for church needs.
- Connect church parking through school parking to provide connection to the existing driveway exit to Camp Easter Road at the far east end of the property.

Thank you for your consideration and we look forward to presenting to you on April 12th.



LOCATION MAP - SCALE: 1" = 1,000'



DRAFT 3.30.22
FINAL TO BE PRESENTED TO
TOWN COUNCIL





Planned Development District **Conceptual Development Plan**

Prepared for:

St. John Paul II Catholic School Campus Master Plan

Submitted by:

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and

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Planned Development District **Conceptual Development Plan Narrative & Design Guidelines** **St. John Paul II Catholic School & Future Church Campus Master Plan**

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1.0: PURPOSE / SUMMARY:

Request Rezoning for three parcels from RE to PD to establish zoning criteria for future development of the combined ±42.2 acre property and for the immediate purpose of constructing a New Classroom Building to replace mobile classroom units for St. John Paul II Catholic School.

- Need for Rezoning: Existing Pre-K through 8th grade school is non-compliant with current UDO, which only allows Elementary Schools within RE district. In order to build a permanent Classroom Building and remove mobile units, property must meet current UDO standards. Southern Pines Planning staff recommend rezoning to Planned Development (PD) as is consistent with the recently PD rezoned McDeed's Creek Elementary School directly across Camp Easter Road from the St. John's property. PD will establish zoning criteria to direct future phases of development on the entire 42.2 acre property.
- For clarity within this document:
 - "School Development" includes work proposed primarily on Parcel ID 10001608, which includes the existing St. John Paul II Catholic School facilities. Athletic fields shown on Parcel ID 00038409 are included within School Development.
 - "Church Development" includes work proposed solely on Parcel ID 00038409 and involves church facilities, parking lots, and drives.
- **Development Phasing**
 - Phase 1 – Immediate Need
 - New Classroom Building on previously prepared building pad
 - Expected Timeline = Completion within 2 to 3 years
 - Future Phases
 - Classroom Expansion Building adjacent to Phase 1
 - Expected Timeline = More than 10 years
 - Athletic Fields / Tennis Courts
 - Expected Timeline = 5 to 10 years
 - Church Facilities and parking
 - Expected Timeline = More than 10 years
 - New Rectory
 - Expected Timeline = 5 to 10 years

2.0: PROJECT OVERVIEW:

2.1 LOCATION

The proposed development is located along Camp Easter Road between Pine Barren's Court and McDeed's Creek Road. St. John Paul II Catholic School is the current major use of the site. Minor uses include a Rectory, a former horse stable building being used as school administration offices, and an existing cemetery. These parcels are within Southern Pines City limits and ETJ. Utilities are available to the site and are currently run into the site to a prepared building pad for the Phase 1 Classroom Building project. *See Appendix 1, Property Information*

2.2 DEVELOPMENT VISION:

Catholic School: St. John Paul II Catholic School seeks to replace the mobile classroom units with a ±56,000 square foot, permanent school building on the existing prepared building pad adjacent to the existing Activity building and expand their student population from 250 students to a maximum cap of 450 to 500 students (10 grade levels x 2 classrooms each). This permanent classroom building was anticipated and shown on the Activity Building project which was approved and constructed in 2017. Much of the infrastructure for the permanent classroom building was designed and installed as part of this most recent project (water/sewer/fire lines, stormwater management).

Catholic Church: Local Catholic Church leadership and the Roman Catholic Diocese of Raleigh see a need to respond to the continuing development in Southern Pines by building a larger church with seating up to 1,200 to accommodate the growing Catholic community. There is no established timeline for this new sanctuary and church campus

The Phase 1 classroom building will add approximately 30 to 40 parking spaces along the existing drive aisles within the center of the site. School traffic patterns will remain unchanged. As needs arise and funding is met, a tennis court complex and playground improvements will be constructed within the site, with the closest portion of the tennis court being greater than 75 feet from the east property line.

The future phase church facilities will be designed to present an architecturally attractive, large sanctuary building in view through the existing pine trees along Camp Easter Road. Administration, Classroom, and Parish Hall building(s) will be constructed of similar architectural detailing adjacent to the sanctuary, to establish a campus environment with potential fountains, wide sidewalks, formal landscaping, and other site appurtenances. In order to improve contextual appropriateness to adjacent residential districts, Major and Minor buildings have been defined at a threshold of 7,000 sf with greater setback requirements for Major buildings.

2.3 APPLICANT AND PROJECT TEAM:

The applicant is St. John Paul II Catholic School. Property Owner is the Roman Catholic Diocese of Raleigh. Consultants on the CDP are Rhetson Companies and Bogle Firm Architecture.

2.4 COMPLIANCE:

All development within the site must adhere to the approved standards and conditions stated in this document. As stated in UDO 3.5.14 "Development within a PD district shall occur in accordance with unique conditions and standards established during the rezoning process that may vary from those contained with other sections of the UDO." The conditions stated within this document shall supersede those established in the UDO. Each phase of development must submit and obtain approval of a Preliminary Development Plan (PDP). To the extent this document does not otherwise establish a development standard, the UDO standard in effect at the time of the application will apply.

3.0 CONCEPTUAL DEVELOPMENT PLAN APPLICATION, CHECKLISTS, & SUPPORT DOCUMENTS

See separate document, Exhibit A

4.0 EXISTING CONDITIONS

4.1 EXISTING NATURAL FEATURES

Existing trees and vegetation are the expected pine and hardwood mix typical to the area. Coverage on the west parcel is as expected for a former horse farm with scattered trees and no undergrowth. The Rectory parcel is more densely wooded and contains understory trees and shrubs. The existing School parcel is mostly open with clusters of trees around the perimeter and along the interior private road.

Land is relatively flat with a natural grade flow from Camp Easter Road (southern border) to the northwest corner of the property. High elevation is approximately 436' at Camp Easter Road (at traffic circle). Low elevation is approximately 418' near the northwest corner. Approximately 1,400 linear feet separate high and low elevations.

No streams, wetlands, or floodplains are present on the property. The property is identified as a WS-III-P watershed area for the Cape Fear Basin, Little River Stream. WS-III-P is defined by NCDEQ (15A NCAC 02B .0202) as "Moderately Developed" areas. WS-III has two intensity levels with CA (critical area) having greater requirements and PA (protected area) having lesser requirements.

Prevalent soil type is CaB (Candor fine sandy loam) with an average expected permeability of 6.0 to 20 inches per hour, a typical high-water table of greater than 6 feet and bedrock of greater than 60 feet. (USDA Soils Survey of Moore County, NC). Soils are generally highly permeable and well suited for underground stormwater control devices.

Approximately 2/3 of the site is within an Active Red Cockaded Woodpecker Foraging Area. Construction of Phase 1, Classroom Building, and other development that does not remove any pine trees, will not require a Woodpecker Survey. See letter from Dr. J. H. Carter, III & Associates, dated 22 October 2021. Development of any portion of the site that proposes tree removal will require further surveys.

4.2 EXISTING MAN-MADE FEATURES

The property contains many existing man-made features, including the Catholic School, Rectory, and horse barn / office building. Accessory structures include concession stand, dumpster pad / enclosure, playground canopies, and a storage shed (at horse barn). Paved private drives with parking areas provide connection to Camp Easter Road. A large, grassed area between the school and Camp Easter Road serves as both a baseball/softball and soccer field.

School Development: A building pad was prepared for the proposed Phase 1 Classroom Building. Stormwater calculations from the 2017 Activity Building project included impervious areas for the proposed Classroom Building. Sanitary sewer, water, power, telephone/data, and gas services are available at or very near this existing building pad, ready for use. The existing mobile classrooms will be removed once the Phase 1 Classroom Building is completed and occupied. Utility capacities for the Classroom Expansion will be further explored during the future phase PDP.

Church Development: Stormwater control facilities will be constructed as needed and may include underground detention systems similar to those installed on the school property. Utilities are available and existing on the existing School site. Phase 2 extensions of water, sewer, power, telephone/data, and/or gas will be made either on-site or along Camp Easter Road, whichever is deemed more appropriate during the PDP for that portion of the work.

4.3 EXISTING LEGAL FEATURES

Zoning information, property lines, rights-of-way, and easements can be seen on the Concept Development Plans, CDP1, CDP2, CDP3, and CDP4.

Ownership and Property Information is included in Appendix A of this document. Deeds are included in Exhibit A.

Adjacent parcel information can be seen on CDP1.

5.0 DEVELOPMENT CONDITIONS

5.1 ALLOWABLE USES

Uses within this PD will be limited to the following:

- PRIMARY USES
 - Private School (Pre-K through 8th grade) LBCS-6110, 6121, 6122, 6125
 - Religious Institution (large church) LBCS-6600
 - Residential, single-family home (rectory) LBCS-1111
- ACCESSORY USES
 - Administrative Services (associated with the school/church) LBCS-2421
 - Athletic Fields / Tennis Courts / Playgrounds (associated with school/church)
 - Cemetery (accessory to religious institution) LBCS 6720
 - Temporary Uses (subject to UDO 5.18 and 5.22 with permitting)
 - Accessory Uses (subject to UDO 5.3)
- Other uses not listed here are excluded from this PD.

5.1 LAND USE

Land use areas are defined on the Conceptual Design Plan. Uses from 5.1 shall be implemented within the areas outlined on this plan. Accessory Uses are not limited to specified areas.

- Total land area = ±42.2 acres
- Existing Built-Up Upon Area = 9% Impervious

Built-Up Upon / Impervious Areas are projected as follows at the completion of each phase as listed:

- PHASE 1 Classroom Building = 12% Impervious Maximum
- FUTURE PHASE Classroom Expansion and Tennis Courts = 15% Impervious Maximum
- FUTURE PHASE Church Development = 30% Impervious Maximum
 - Note: 5/70 Exemption will be required for WS-III-P compliance once built-upon areas exceed 24%.

5.2 DEVELOPMENT STANDARDS / ADDITIONAL DESIGN CONDITIONS

In general, dimensional standards for the development including building heights, buffers, setbacks, and landscaping will follow the standard UDO unless modified within this document. Any modified standard in this document will supersede the UDO requirements.

5.2.1 Basis: Unless modified herein, development and design standards will meet the most restrictive requirement of the zoning districts adjacent to the development site (RE, RS3, FRR)

5.2.2 Summary of PD Development Standards

- Maximum Building Height: 2 stories + 35 feet to upper floor ceiling height. Buildings will have pitched roofs or parapets that face front and side yards.
 - More restrictive than 4.2.1(F) & (H)
 - Height of spires is unlimited and regulated per 4.2.1(I)

- Setbacks:
 - Front Yard = 40 feet from ROW / 70 feet from centerline of Camp Easter Road (RE)
 - Side Yard, West = 50 feet to Parking, 75 feet to Minor Buildings, 100 feet to Major Buildings (major/minor as defined by 5.15 = 7,000 sf)
 - Side Yard, East = 15 feet (RE)
 - Rear Yard = 30 feet (RS3)
- Buffers:
 - Existing 18' easement must be maintained along west property line. Future development will improve this easement as a paved drive.
 - In order to maintain this easement, drive will run parallel within buffer. Landscaping will be provided to screen drive.
 - Side Yard, West = 10 feet landscaped buffer from property line to drive
 - Side Yard, West = 20 feet landscaped buffer on east side of improved drive
- Lot Size, Density, and Lot Width (per RE)
- Landscaping: per UDO requirements except as follows
 - Buffers for PDD as established above.
 - NOTE: Proposed buffer at west property line is based on UDO Exhibit 4-2 buffer requirements between RE and GB. Per UDO 5.15 Supplemental Requirements for Religious Institutions only allows large Religious Institutions in GB district. Thus, buffer required width is based on GB district.
 - Buffers will become required with development activity per parcel.
 - West buffer will be required with development of church and parking lot.
 - Phase 1 Classroom Building, Future Phase Classroom Expansion, and Tennis Courts do not require additional buffers but will require existing buffers to be maintained or replaced.
 - Landscaping for Vehicle Use Areas, per UDO 4.3.6
 - NOTE: Added parking spaces at Existing Cemetery are below the 5,000 sf threshold for Internal Parking Lot listed in UDO 4.3.6(B)(3)
 - NOTE: Added parking spaces south of new Classroom Building are below the 5,000 sf threshold for Internal Parking Lot listed in UDO 4.3.6(B)(3)
- Off Street Parking: UDO Exhibit 4-6 shall apply with the following calculations and modifications
 - Elementary and Middle School = 1.175 spaces per classroom x 46 classrooms (Phase 1 + Future) = 55 spaces required (no modification)
 - Bicycle Parking = 0.25 per classroom x 46 classrooms = 12 spaces
 - NOTE: Provided parking spaces shown on CDP at school development = ±160 spaces (125 existing).
 - Church Development: Minimum number of spaces required by Diocese exceeds Exhibit 4-6. Parking areas will be designed with curb and gutter as necessary to capture and control stormwater toward underground basins or similar stormwater control systems.
- Lighting: UDO 4.8 shall apply with the following modifications
 - School Development: New lighting shall comply with UDO. Existing lighting shall remain if unaltered by development.
 - Church Development: New lighting shall comply with UDO and...
 - Parking lot lighting shall be full cut-off, dark-sky compliant, LEDs
 - Parking lot lighting shall be self-dimming with motion sensors per parking section (defined by landscape islands) – OR – Parking lot lighting shall be on timers set to come on at dusk and turn off at

11:00 PM. Church reserves the right to leave lights on during special events as defined in Accessory Uses UDO 5.3.

- Building mounted area lights facing adjacent properties shall be controlled with parking lot lights.
- Building mounted area lights may provide illumination for security purposes within the site and are subject to UDO 4.8
- Development / Building Standards: UDO 4.10 shall apply unless modified by other sections within this document.
- Transportation (Streets) UDO 4.11 shall apply with the following notes
 - Existing streets serving School Development were designed with the permanent Classroom Buildings in mind. Traffic patterns will not be changed with School Development
 - Church Development will require further TIA during PDP phase of development. As shown, the majority of traffic ingress and egress will be directed through the traffic circle on Camp Easter Road.
 - Distance between center of traffic circle and centerline of Improved Drive at west property line is approximately 565 feet. Driveway permitting will be required per NCDOT during PDP phase of Church Development.
 - All streets shown on CDP are intended to remain as Private Streets.
 - 4.11.14(B): Private drives do not serve multiple lots and therefore are not required to be built with the same standards and specifications as would apply to public streets.
 - 4.11.14(B) shall not apply to Deeded Easement access to 6 acre tract in northwest corner (Parcel ID 00038796)
 - 4.11.15(B): Church development drives will comply as required.
 - 4.11.15: Sidewalks will connect parking lots to the closest major building but will not be required to connect between uses except as shown on CDP.
- Supplemental Conditions for Specific Uses (UDO 5.15 Religious Institutions)
 - 5.15.1(A): PD shall allow Large Religious Institutions (seating capacity of largest assembly area greater than 250 seats).
 - 5.15.6 Setbacks for Large Religious Institutions:
 - To encourage construction of smaller scale buildings adjacent to residential properties in this PD, and in lieu of 3 story allowed by 4.2.1(F) and 50 foot height allowed for Religious Institutions by 4.2.1(H), this PD establishes setbacks and buffers for Major and Minor building sizes based on the 7,000 sf definition in 5.15.6.
 - Major Building: Setback from Residential Property Line = 100 feet
 - Minor Building: Setback from Residential Property Line = 75 feet
 - Buffers are as established above.

APPENDIX 1
EXISTING PROPERTY INFORMATION:
Property Information by parcel

- **School Property:**
 - Property Owner: Roman Catholic Diocese, Raleigh
 - Parcel ID: 10001608
 - Address: 2878 Camp Easter Road (school mailing address is 2922 Camp Easter)
 - Acres: 17.47 acres
 - Current Zoning: RE
 - Current Use: Pre-K through 8th Grade Private Catholic School, associated athletic fields, and existing cemetery
 - Watershed: WS-III-P ; Basin = Cape Fear ; Stream = Little River
 - Property Description: Existing property is located on the north side of Camp Easter Road between Pine Barrons Vista to the west and McDeed's Creek Road to the east. Structures consists of an existing Pre-K through 8th grade private Catholic School with Activity Building, mobile classroom buildings, athletic fields, out-buildings, and associated parking, drives, etc. Civil drawings from the Activity building project (2009) included utilities and storm water control for planned New Classroom Building. An existing cemetery is located in the northeast corner of the property. The site is relatively flat with an overall slope from southeast to northwest and is located within the WS-III-P watershed.
 - Utilities: The site currently has access to public water, public sewer, electrical, gas, telephone, cable, and internet services. A building pad, sewer and water connections, and stormwater control were provided for the proposed new classroom building during the construction of the Activity Building.
 - The proposed development will not require any utility extensions.
- **Rectory Property:**
 - Property Owner: Roman Catholic Diocese, Raleigh
 - Parcel ID: 00991755
 - Address: 2952 Camp Easter Road
 - Acres: 3.91 acres
 - Current Zoning: RE
 - Current Use: Residential
 - Watershed: WS-III-P ; Basin = Cape Fear ; Stream = Little River
 - Property Description: Existing property is located on the north side of Camp Easter Road between Pine Barrons Vista to the west and McDeed's Creek Road to the east. Property is mostly wooded and structures consists of an existing large estate house that is currently being used as a Rectory by the Diocese.
 - Utilities: The existing estate house currently has water, septic, electrical, telephone, cable, and internet services.
 - No development is proposed to this parcel and thus no utility extensions.
- **Former Horse Farm Property:**
 - Property Owner: Roman Catholic Diocese, Raleigh
 - Parcel ID: 00038409
 - Address: 2978 Camp Easter Road
 - Acres: 20.82 acres
 - Current Zoning: RE
 - Current Use: Existing offices above horse barn being used by school. No other current use.

- Watershed: WS-III-P ; Basin = Cape Fear ; Stream = Little River
- Property Description: Existing property is located on the north side of Camp Easter Road between Pine Barrons Vista to the west and McDeed's Creek Road to the east. Existing property was a former horse farm with one horse barn (offices above), a utility shed, scattered trees within open pasture area. The existing horse barn / office currently has water, septic, electrical, telephone, cable, and internet services.
 - No development is proposed to this parcel during this phase of work
 - Utilities are available along Camp Easter Road to be extended into the site as needed for future development of potential church facilities. More study will be required to evaluate these if the diocese moves forward with development of this site.

APPENDIX 2

CONCEPTUAL DEVELOPMENT PLAN CRITERIA:

Responses to UDO Section 2.18.4(H) Conceptual Development Plan Criteria

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

This CDP conforms to all applicable provisions of Chapter 2 of the Southern Pines UDO. The narrative describes compliance and is further demonstrated by responses to UDO Section 2.17.9 Criteria for Zoning Map Amendments below.

- 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.*

This CDP seeks consistency with the goals and policies of the UDO by the following:

- a) The CDP district supports the existing St. John Paul II Catholic School and provides UDO compliant means for expansions through master planned and phased growth.
- b) The CDP limits the potential uses of the site to only those listed within the PD documents and establishes land areas where these uses may be expected to occur within the Concept Development master plans.
- c) The CDP establishes setbacks and buffers to minimize impact to adjacent residential properties.
- d) This CDP establishes these regulations and proposed development patterns in general and requires a PDP process for each of the development phases.

- 3) *The proposed Development is appropriate for the area of the Town in which it is located;*
The School Development portion of this CDP proposes expansion of the existing Pre-K through 8th grade school. McDeed's Elementary School was recently constructed directly across Camp Easter Road from the St. John Paul II site, thus supporting that area is appropriate for educational facilities.

Development of a Catholic Church adjacent to the Catholic School is a reasonable and congruous use within the 42.2 acre total site. The proposed future church facilities are an appropriate use within the developing residential zoned neighborhoods. Churches traditionally serve communities and thus are appropriately developed within growing residential areas. Care will be taken to assure that the future church is developed with minimal adverse effects to existing residences.

Camp Easter Road, the new traffic circle, and the planned extension road from the traffic circle, south, will be studied during the Church Development PDP to assure transportation support is adequate or to identify additional needs, remembering that traffic for Church use is heavy only at very limited times through the week, which are also generally times when other traffic is light.

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

The site has access to public water, sewer, electrical, gas, telephone/data and other utilities currently being used on site by the Catholic School. The proposed CDP will not require public utility extensions.

APPENDIX 3

ZONING MAP AMENDMENT CRITERIA:

Responses to UDO Section 2.17.9 Criteria for Zoning Map Amendments

A. **Consistency.** *Rezoning shall be consistent with the adopted Comprehensive plan.*

This CDP is consistent with the Comprehensive Plan – Southern Pines’ Vision (Chapter 2)

- **Natural resources will be protected, with sustainable growth and development:** School development will be accomplished on the existing building pad, thus minimizing any loss of natural resources. Church development will seek to maintain as many existing trees as is reasonably appropriate to the development needs. Further woodpecker foraging area studies will be performed prior to Church development.
- **Economic development efforts will diversify employment opportunities and create a more sustainable local economy:** The expanded school will employ more teachers, but of greater impact is that the expanded school will provide additional private schooling options to help attract more families to seek jobs within the area. Church development will have a similar economic affect.
- **Education opportunities will be available for residents of all ages:** Rezoning will allow for the construction of the new classroom building which will increase the total number of students which directly increases the education opportunities for Pre-K through 8th grade students.
- **Recreational opportunities meeting the diverse needs of residents will be met through public and private facilities and services:** Athletic fields are currently made available to outside groups who are connected to the school or Catholic community.
- **Goal G1 – Community Well-Being:** School Development will allow St. John Paul II Catholic School to serve more students, hire more teachers, and build a wider community of parents, supporters, and alumni. Church Development will respond to the continuing development in Southern Pines by providing a larger church with seating up to 1,200 to accommodate the growing Catholic community. These have direct positive impact on Community Well-Being.
- **Goal G2 – Natural Resources:** Construction of the New Classroom Building will be on a previously prepared building pad. No trees will be removed for this proposed construction. Church Development will seek to minimize loss of trees and will require more study to ensure that natural resources are carefully managed.
- **Goal G3 – Downtown:** The proposed CDP is not within the Downtown area.
- **Goal G4 – Neighborhoods:** School Development is built within the center of the existing campus and will have no adverse impact on neighboring properties. Proposed PD establishes setbacks, buffers, and landscaping requirements that minimize impact to neighbors for the Church Development phase. Traffic studies will be performed during PDP of Church Development, bearing in mind that heavy traffic for a church happens at minimal hours each week and is generally during low traffic volume days and times.
- **Goal G5 – Horse Country:** The proposed CDP has no adverse to existing equestrian facilities. Church Development is on land that was prepared for but not used as a horse farm. The open pasture aesthetic of “horse country” will be reflected in the final campus design by maintaining perimeter trees and as many of the pasture trees as is reasonably conducive to the development goals.

- **Goal G6 – Parks & Open Space:** The proposed CDP maintains large open spaces to be used as athletic fields, playgrounds, and other outdoor spaces for the school. The existing cemetery will be a permanent open space.
- **Goal G7 – Golf:** N/A
- **Goal G8 – Mobility:** N/A
- **Goal G9 – Connections:** N/A
- **Goal G10 – Economy:** The expanded school will employ more teachers, but of greater impact is that the expanded school will provide additional private schooling options to help attract more families to seek jobs within the area. Church development will have a similar economic affect.
- **Goal G11 – Housing:** N/A
- **Goal G12 – Fiscal Health and Public Services:** The proposed School Development does not require extensions of any public utility or public services and therefore will not be a burden on municipal funds. Church Development will require utilities to be run to the parcel. These may be either private, on-site extensions or minor public extensions, whichever is deemed more appropriate during the PDP / engineering portion of the Church Development phase.
- **G-13 Growth:** The proposed School Development and Church Development will serve as a catalyst for growth of families considering a move to the area as both school and church will be able to serve a larger population.
- **G14 – Community Involvement:** N/A.

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, rezoning may promote mixed uses subject to a high degree of design control.*

- The proposed School Development is an expansion of the site's current use. The proposed rezoning to PD will not change the use, but instead will allow the existing school to replace their mobile classroom units with a permanent building and to expand the study body to their goal of 450 to 500 students, as was outlined by the school in their approved 2017 Activity Building project.

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.*

- Adjacent property to the south of the site was rezoned PD for the new McDeed's Creek Elementary School.
- Church Development adjacent to the school is an appropriate connection of uses.
- St. Joseph of the Pines, a large, Catholic-based senior living community owned by the Diocese, is located adjacent to the project site.

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.*

- School Development will provide private education opportunities to more students within a permanent structure. In comparison to the mobile classrooms currently being used, this new structure will be visually more attractive, will

provide greater safety for students, be more energy efficient, and provide a healthier interior environment for students and staff.

- Church Development will provide worship opportunities to fit the needs of the growing Catholic population of the area. Churches, by nature, promote the health, safety, and welfare of the community.
- No historic or cultural places will be affected by the proposed development.

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.*

- The planned growth of St. John Paul II Catholic School will allow provide private education opportunities to more students, thus serving a greater number of families to help meet the growing residential population in Southern Pines.
- Future Church Development will respond to the growing Catholic population in the Southern Pines area.

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.*

- Existing property is a total of approximately 42.2 acres. Existing site Built-Up / Impervious areas calculate to approximately 9%.
- Built-Up / Impervious Areas are projected as follows at the completion of each phase as listed:
 - PHASE 1 Classroom Building = 12% Impervious Maximum
 - FUTURE PHASE Classroom Expansion and Tennis Courts = 15% Impervious Maximum
 - FUTURE PHASE Church Development = 30% Impervious Maximum
 - Note: 5/70 Exemption will be required for WS-III-P compliance once built-upon areas exceed 24%.

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

- None submitted.

H. **Applicant Representations.** *Except for rezoning requests submitted in accordance with the provisions herein for conditional zoning 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 proposed PD district does not increase the range of permitted uses on the site, rather limits the uses and adds control to the site based on the required master plan. Therefore, a possible range of uses is not of concern.

APPENDIX 4

CONCEPTUAL TRANSPORTION PLAN:

Responses to Conceptual Transportation Checklist from UDO Appendicies

- A. *The project boundary and the area surrounding the project that is included in the Conceptual Transportation Plan.*
See Overview Concept Plan, sheet CDP1 for graphics depicting CTP.
- B. *Proposed transportation facilities within the project boundary including:*
- 1) *Location and type of transportation facilities. Examples may include (but are not limited to) streets, sidewalks, bridges, shared-use paths and trails.*
See CDP1 for location of private drives, parking lots, and sidewalks
 - 2) *Location and type of intersections where transportation facilities cross.*
See CDP1 for intersections. Intersections on site are private and controlled with signage. Connection to Camp Easter Road is discussed below.
 - 3) *Location and type of stormwater management facilities that will serve proposed transportation facilities.*
See CDP1 for locations of existing and proposed stormwater management facilities. Existing stormwater devices were designed with capacity to serve Phase 1 Classroom Building. Engineering will be submitted in PDP to verify. Future stormwater devices will be of similar underground design, which are appropriate for the sandy soil types found on site and will be located within the general areas shown on CDP1.
 - 4) *Identification of street classifications (arterial, collector, local, service, etc.).*
 - All existing roadways are privately owned and in good condition.
 - Private Driveway: Drive from Rectory to intersection at Camp Easter Road. This section of roadway is primarily an access to the future Rectory, serves as the deeded easement for Parcel ID 00038796, and provides a secondary connection to Camp Easter Road from the rear Church Development Parking lots.
 - All other transportation facilities are privately owned connections from parking lots to existing privately owned, existing drives.
 - 5) *Identification of ownership arrangement for proposed transportation facilities (public or private).*
Privately owned.
 - 6) *For transportation facilities that are to be privately owned, information on long term maintenance and replacement of facilities.*
Maintenance of privately owned paved surfaces shall be the sole responsibility of the property owner.
 - 7) *Estimated rights of way necessary for proposed transportation facilities.*
Deeded Easement, per description from deed, is 18 feet.
No other rights of way are proposed for transportation facilities
 - 8) *Cross-section illustrations with labelled dimensions of proposed transportation facilities.*
See CTP1, attached below.
 - 9) *Identification and description of unique transportation elements to be utilized within the project. Examples may include (but are not limited to) complete streets, traffic calming, noise mitigation, public art, landscaping and wayfinding.*
See descriptions of buffering and easements in PD Design Guidelines.
- C. *For proposed transportation facilities within the project boundary that deviate from the standard design requirements found in Chapter 4 of the UDO, clear identification of the deviation(s) and explanation of the purpose of the deviation(s).*

No deviations. All paved areas are private drives and parking lot access / drive aisles.

- D. *Location of proposed connection points or "gateways" between project transportation facilities and existing or future community transportation facilities. Include a description of the reason for the selected locations as well as a discussion of compliance with basic transportation engineering concepts with regard to the selected locations.*

Existing connections to Camp Easter Road will remain at the traffic circle and approximately 825 feet east of the traffic circle.

Existing connection to Camp Easter Road will be improved at the exiting deeded easement connection, approximately 565 feet west of the traffic circle.

- E. *Route distances and approximate travel times from project gateways to common community destinations. Examples may include (but are not limited to) shopping centers, schools, parks, major employers and downtown.*

Site is roughly 3 miles North of Downtown Southern Pines, along Fairway and Midland Roads, with an approximate travel time of less than 5 minutes.

Site is roughly 4.5 miles East of the traffic circle at US Hwy 15/501, along Aiken Road, Pee Dee Road, and Highway 2, with an approximate travel time of less than 10 minutes.

- F. *An inventory of existing community transportation facilities in the vicinity of the proposed development including:*

- 1) *Location and type of facility,*

Primary arterial road = Camp Easter Road

- 2) *Connectivity to other community facilities*

Camp Easter Road / Fairway Drive provides connection to US Hwy 2 to the southwest (less than 2 miles), then connection to US Hwy 1 (less than ½ mile) to the east or connection to the traffic circle at US Hsy 15/501 to the west (3.5 miles).

- 3) *Information on the condition and capacity of each facility*

Existing transportation facilities are in good condition. A recent TIA was performed in association with the McDeed's Elementary School site development by Kimberly Horn. St. John Paul II Catholic School was interviewed as part of this TIA and reported their growth goals of a 500 student body prior to the design of the existing traffic circle.

- G. *A description of entitled development projects in the vicinity of the proposed development that involve planned improvements to community transportation facilities.*

McDeed's Creek Elementary School (PD district zoning)

- H. *Planned improvements to community transportation facilities intended to mitigate impacts of the proposed development. Examples may include (but are not limited to) improvements to connectivity, safety, capacity and aesthetics.*

Improved connection to Camp Easter at existing deeded easement, including appropriate site triangles, pavement design, etc.

- I. *If the timeline for completion of any portion of the transportation facility improvements associated with the project does not match the overall project timeline or phasing plan as set forth in the Conceptual Development Plan, a separate timeline or phasing plan for transportation facility improvements shall be included in the Conceptual Transportation Plan.*

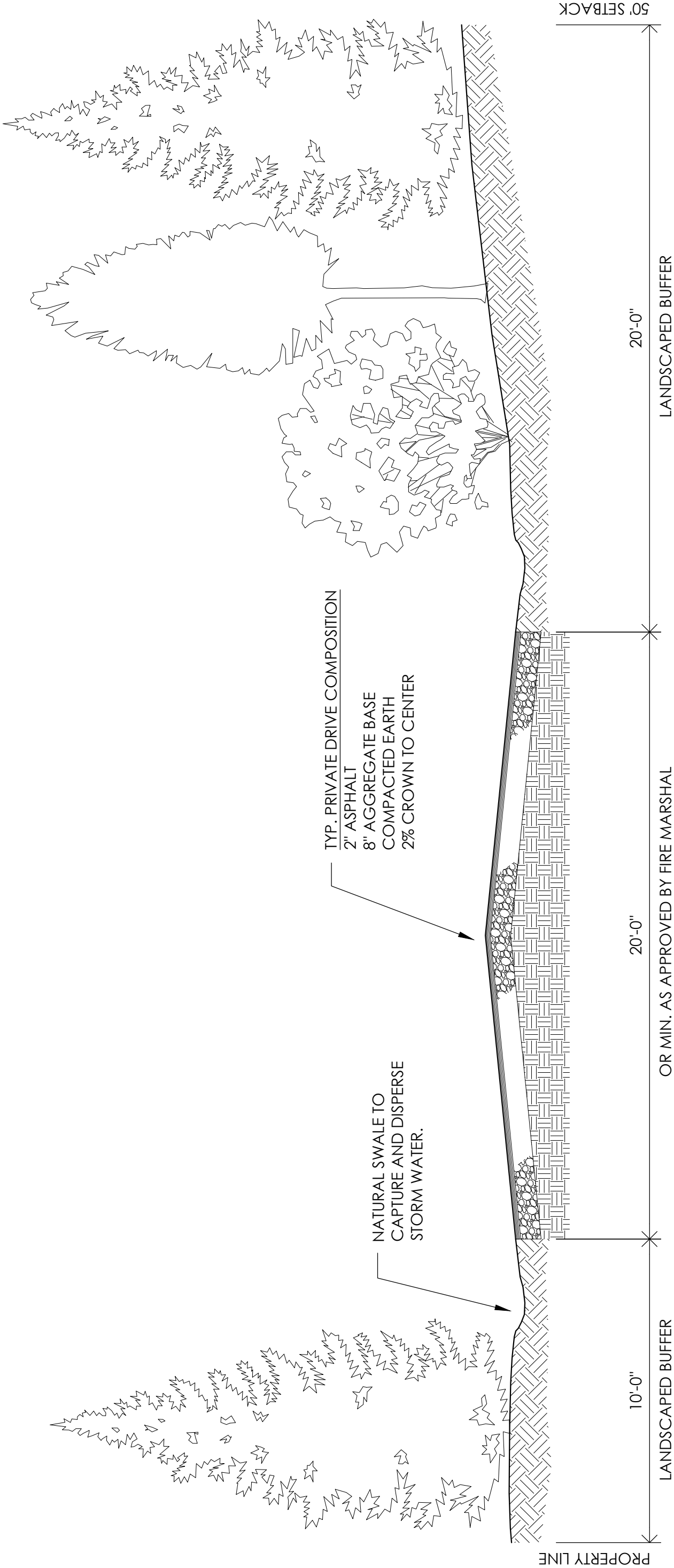
School Development will not require any transportation facility improvements. Proposed transportation improvements will be implemented with the Church Development phase of the proposed CDP.

- J. *Name and professional affiliation(s) of the individual(s) that prepared the CTP.*

Pete Bogle, AIA, LEED-AP

Principal / Owner

Bogle Firm Architecture, PLLC



CTP1 PRIVATE DRIVE SECTION

SETBACKS AND BUFFERS SHOWN ARE AS DESCRIBED IN THE PD DESIGN GUIDELINES
ALONG THE WEST PROPERTY LINE. N.T.S.

OTHER PRIVATE DRIVES CURRENTLY EXISTING ON SITE AND WILL REMAIN
UNCHANGED.

PARKING LOT ACCESS DRIVE AND OTHER PAVING WILL BE FURTHER DEFINED
DURING THE PDP SUBMITTAL FOR THAT PHASE OF THE WORK.

FURTHER ENGINEERING DURING PDP SUBMITTAL RESERVES THE RIGHT TO PROPOSE
IMPROVEMENTS OR ALTERNATIVES TO DRIVE SECTION SHOWN HERE.



Planned Development District **Conceptual Development Plan**

EXHIBIT A

Checklists, Applications and Additional Documentation

Prepared for:

St. John Paul II Catholic School Campus Master Plan

Checklists

- PDD CDP Checklist
- Appendix A – CDP Application Checklist
- Appendix A – Conceptual Transportation Checklist

Planned Development District Conceptual Development Plan

REQUIRED APPLICATION MATERIALS:

-  **Application fee** in the amount of **\$1,800.00**.
-  **Completed Application** for a Planned Development District - Conceptual Development Plan signed by the applicant.
-  **Appointment of Agent**, if applicable, signed by the property owner(s) and the agent.
-  **List of Adjacent Property Owners**: Please list all properties that are that are within two hundred (200) feet of the outermost boundaries of the subject property (**not counting streets, railroads or other transportation corridors**). Attach additional pages if needed. No fewer than ten (10) property owners shall be notified by mail.
-  **Deed** copy to provide proof of ownership and property boundaries.
-  **Written narrative**: It is the responsibility of the applicant to demonstrate compliance with all applicable criteria. Please address **UDO §2.18.4(H) Criteria (1) through (4)**. The list of criteria is attached.
-  **Additional documentation**: Additional text and/or maps to demonstrate consistency with the approval criteria listed in **UDO §2.18.4(H) Criteria (1) through (4)**.
-  **Neighborhood meeting materials**: Submit copies of graphics presented at the meeting; a copy of the sign-in sheet showing attendees; representations made by the Applicant regarding the proposed development; and a summary of public comments and responses.
-  **PDD Conceptual Development Plan**: One (1) full-size copy of a scaled drawing (1" to 100') of the entire tract to be subdivided. Please refer to the **UDO Appendices** to obtain plan requirements.
-  **Nature of service**: Planned utility services and providers.
-  **Drainage concept plan** if applicable.
-  **Conceptual Transportation 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 hearings**: The applicant is expected to attend a public hearing on the application before the Planning Board and before the Town Council the following month. (Please refer to the **Application Processing Timeline** to determine the hearing dates.) The Planning Board will recommend approval, conditional approval or denial to the Town Council. The Town Council will consider that recommendation, as well as evidence and testimony presented, and approve, conditionally approve or deny the request.
3. **Approval**: Please see **UDO §2.18.4(I) Effect of Approval**.

PLANNED DEVELOPMENT DISTRICT CONCEPTUAL DEVELOPMENT PLAN APPLICATION CHECKLIST

Process Overview

Decision Making Body	Review	Recommend	Decision
Technical Review Committee	X		
Director	X		
Planning Board		X	
Town Council			X
X = indicates required action ● = indicates action that may be applicable based on potential impacts.			

Submittal Requirements*

Please include the following information on all applications for a PDD Conceptual Development Plan. If any of the information or required materials is missing or incomplete, the application will not be processed.



PROOF OF OWNERSHIP – Filed deed, vendor’s lien, act of donation or tax assessment with legal description.



DEVELOPMENT NAME (if applicable) – The proposed name must be unique and not similar to an existing subdivision in the Town.



NOTIFICATION MATERIALS – List of the owners of all property located within 200 feet of the perimeter of the property being rezoned and including not fewer than the 10 closest property owners.



NEIGHBORHOOD MEETING RECORDS – Records shall include the following:

- a. Copies of graphics presented at the meeting;
- b. A copy of the sign-in sheet showing attendees;
- c. Representations made by the Applicant regarding the proposed development; and
- d. A summary of public comments and responses provided by the Applicant.



PDD CONCEPTUAL DEVELOPMENT PLAN – Copies (4 full sized, 1 11” by 17” copy and digital copy) of scaled drawing (1” to 100’ or other scale approved by the Director) of the entire tract to be subdivided showing:

- a. property boundaries;
- b. a project location map at a scale of one (1) inch equals two thousand (2,000) feet or other scale approved by the Director;
- c. the location and right-of-way width of public streets and roads adjoining, providing access to, or crossing the property;
- d. the location and proposed functional classification of proposed public and private streets;
- e. the location and size of proposed development areas, their proposed uses, amount of development (maximum dwelling units for residential, maximum square footage of building area for non-residential) and proposed Built-Up Area for each development

- area if within Watershed Protection Overlay District;
- f. the location and area of common areas, open spaces and water bodies;
 - g. the location of easements for pipelines, utilities, drainage or other purposes; and
 - h. proposed phasing schedule for development and infrastructure and delivery of building lots, if applicable.



NATURE OF SERVICES – Planned utility services and providers.



DRAINAGE CONCEPT PLAN (*if applicable*) - see separate checklist.



CONCEPTUAL TRANSPORTATION PLAN (*if applicable*) - see separate checklist.



WRITTEN NARRATIVE - describing the application's consistency with the Conceptual Development Plan, the UDO, and any other applicable regulations.



APPLICATION FEE – as specified in Appendix H.



SIGNED APPLICATION – by the applicant or authorized agent. A property owner authorized agent requires an affidavit giving permission to sign the application.



ADDITIONAL DOCUMENTATION – Additional text and/or maps provided to demonstrate consistency with the approval criteria in section 2.17 of the UDO.

**Additional information may be required. Fees are subject to change.*

CONCEPTUAL TRANSPORTATION PLAN CHECKLIST

A Conceptual Transportation Plan submitted with a Conceptual Development Plan shall consist of text, photos, illustrations and maps as necessary to provide the following information:

- A. The project boundary and the area surrounding the project that is included in the Conceptual Transportation Plan.
- B. Proposed transportation facilities within the project boundary including:
 - (1) Location and type of transportation facilities. Examples may include (but are not limited to) streets, sidewalks, bridges, shared-use paths and trails.
 - (2) Location and type of intersections where transportation facilities cross.
 - (3) Location and type of stormwater management facilities that will serve proposed transportation facilities.
 - (4) Identification of street classifications (arterial, collector, local, service, etc.).
 - (5) Identification of ownership arrangement for proposed transportation facilities (public or private).
 - (6) For transportation facilities that are to be privately owned, information on long-term maintenance and replacement of facilities.
 - (7) Estimated rights of way necessary for proposed transportation facilities.
 - (8) Cross-section illustrations with labelled dimensions of proposed transportation facilities.
 - (9) Identification and description of unique transportation elements to be utilized within the project. Examples may include (but are not limited to) complete streets, traffic calming, noise mitigation, public art, landscaping and wayfinding.
- C. For proposed transportation facilities within the project boundary that deviate from the standard design requirements found in Chapter 4 of the UDO, clear identification of the deviation(s) and explanation of the purpose of the deviation(s).
- D. Location of proposed connection points or "gateways" between project transportation facilities and existing or future community transportation facilities. Include a description of the reason for the selected locations as well as a discussion of compliance with basic transportation engineering concepts with regard to the selected locations.
- E. Route distances and approximate travel times from project gateways to common community destinations. Examples may include (but are not limited to) shopping centers, schools, parks, major employers and downtown.
- F. An inventory of existing community transportation facilities in the vicinity of the proposed development including:
 - (1) Location and type of facility,
 - (2) Connectivity to other community facilities,
 - (3) Information on the condition and capacity of each facility,
- G. A description of entitled development projects in the vicinity of the proposed development that involve planned improvements to community transportation facilities.

- H. Planned improvements to community transportation facilities intended to mitigate impacts of the proposed development. Examples may include (but are not limited to) improvements to connectivity, safety, capacity and aesthetics.
- I. If the timeline for completion of any portion of the transportation facility improvements associated with the project does not match the overall project timeline or phasing plan as set forth in the Conceptual Development Plan, a separate timeline or phasing plan for transportation facility improvements shall be included in the Conceptual Transportation Plan.
- J. Name and professional affiliation(s) of the individual(s) that prepared the CTP.

Application & Forms

- PDD CDP Application
- Applicant Signature Page
- Appointment of Agent Forms (Bogle Firm & Rhetson)



Planned Development District Conceptual Development Plan Application

Fee: \$1,800.00

Date Received: _____

Case No.: PD-____-____

Project Information:

Project Name: St. John Paul II Catholic School & Future Church

Physical address: 2878, 2952, & 2978 Camp Easter Road, Southern Pines

PIN: 858315538280, 858315635655, & 858315635197 Parcel ID: 00038409, 00991755, & 10001608

Site Size: 20.82, 3.91, & 17.47 acres Zoning: RE

Applicant:

Name(s): Very Reverend John J. Forbes, VF

Email: fr.john.forbes@raldioc.org Phone: 919.353.4960

Mailing Address: 300 Dundee Rd. Pinehurst, NC 29374

Authorized Agent, if different from Applicant:

Name(s): Pete Bogle, AIA - Principal/Owner - Bogle Firm Architecture

Email: pete@boglefirm.com Phone: 704.638.2015

Mailing Address: 110 N Main St., Suite 200, Salisbury, NC 28144

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

Name(s): Luis Rafael Zarama, Bishop of the Roman Catholic Diocese of Raleigh, NC

Email: Michael.Wengenroth@raldioc.org Phone: 919.728.7125

Mailing Address: 7200 Stonehenge Drive, Raleigh, NC 27613

Owner's Contact: Michael Wengenroth, AIA
Dir. of Property, Construction and Risk Management
The Catholic Diocese of Raleigh

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 NORTH side of CAMP EASTER RD. (St./Ave.), between PINE BARRENS VISTA (St./Ave.) and MCDEEDS CREEK (St./Ave.). The property has a frontage of ± 1435 feet and a depth of ± 925 to 1630 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:

Private Catholic School PreK-8th (6120 current use), Rectory (1110, current use), Cemetery (current use), Athletic Fields (as part of 6120 current use)
Education High School (6123 potential future use), Religious Institution (6600 potential future church)

Date: 2/7/2022


Applicant

PLANNING DEPARTMENT
TOWN OF SOUTHERN PINES
plan@southernpines.net (910) 692-4003 www.southernpines.net

APPOINTMENT OF AGENT

Pete Bogle, AIA
Principal Architect / Owner
Bogle Firm Architecture

The undersigned owner(s), Luis Rafael Zarama, Bishop, hereby appoint(s) Bogle Firm Architecture 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 31ST day of January, 2022.

FOR LUIS RAFAEL ZARAMA, BISHOP
BY ATTORNEY-IN-FACT:

Russell C. Elway
Property Owner

Property Owner

Agent

8-27-21

APPOINTMENT OF AGENT

The undersigned owner(s), Luis Rafael Zarama, Bishop, hereby appoint(s) Tony Bornhorst Rhetson Companies, Inc. 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 31ST day of January, 2022.

FOR LUIS RAFAEL ZARAMA, BISHOP
BY ATTORNEY-IN-FACT:

Russell Celwaga
Property Owner

Property Owner

Agent

List of Adjacent Property Owners

**St. John Paul Catholic School, Southern Pines
Surrounding Property Owners List**

SJPCS Properties:

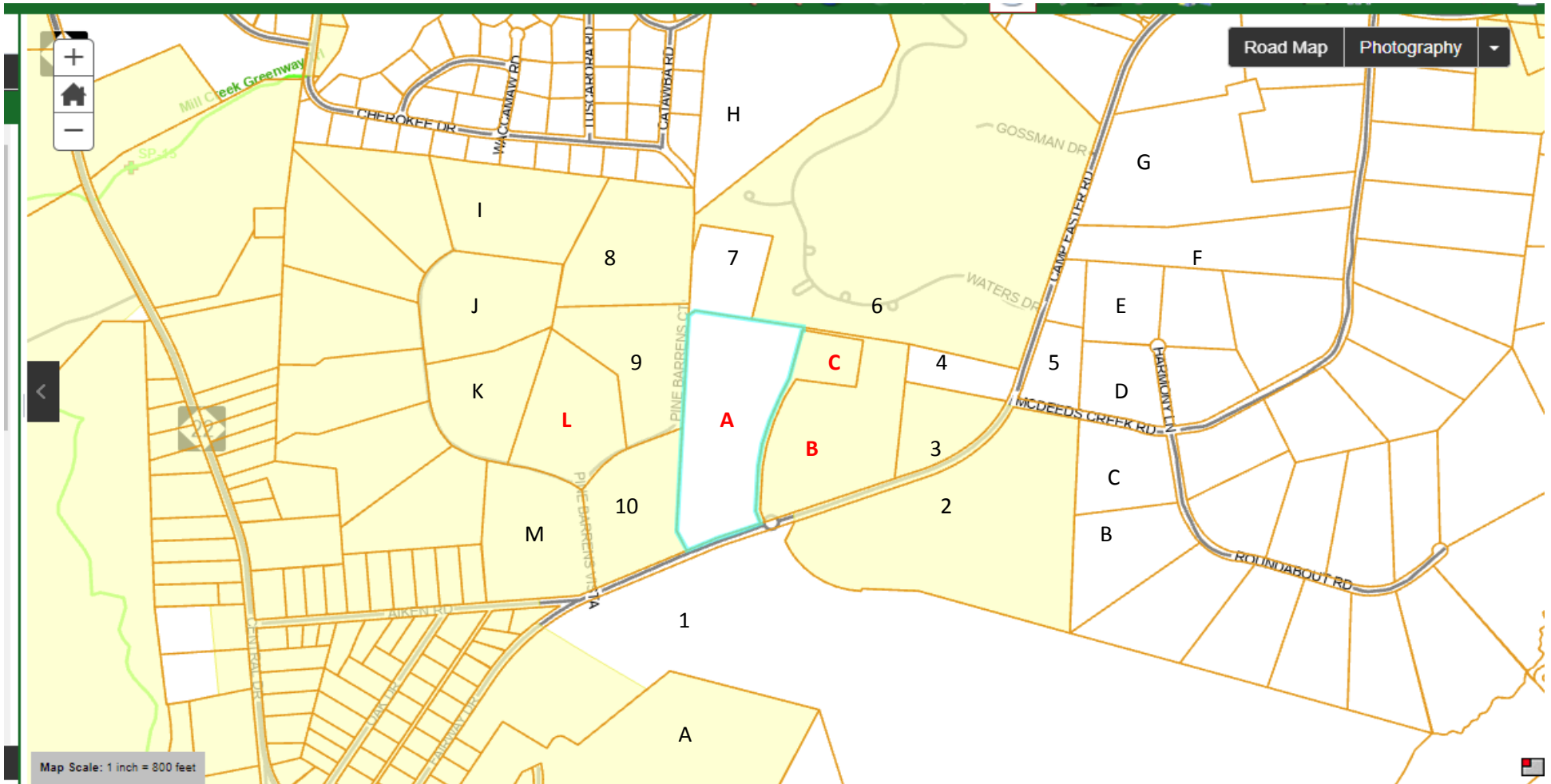
- A.** 2978 Camp Easter Rd
- B.** 2878 Camp Easter Rd
- C.** 2952 camp Easter Rd

Required List of Owners:
(within 200 feet, minimum of 10)

1. Knollwood Partners, LLC
1010 Midland Rd
Southern Pines, NC 28387
2. County of Moore
PO Box 905
Carthage, NC 28327
3. Benjamin Cramer
2795 Camp Easter Rd
Southern Pines, NC 28387
4. William Johnstone
2764 Camp Easter Rd
Southern Pines, NC 28387
5. Robert Pecha
2741 Camp Easter Rd
Southern Pines, NC 28387
6. St Joseph of the Pines
C/O Trinity Senior Living Communities
17410 College Parkway, Ste 200
Livonia, MI 48152
7. Robert & Mary Carrington
PO Box 1276
Southern Pines, NC 28388-1276
8. Robin Cummings
265 Pine Barrens Vista
Southern Pines, NC 28387
9. Lloyd & Sheri Sullivan
PO Box 406
Southern Pines, NC 28388-0406
10. James & Frances Current
141 Pine Barrens Ct
Southern Pines, NC 28387

Secondary List of Owners:
(beyond required notification range)

- A. Pineneedles Co Club Inc
1010 Midland Rd
Southern Pines, NC 28387-0088
- B. Stephen Gent
420 Roundabout Rd
Carthage, NC 28327
- C. Jonathan Drew
635 McDeeds Creek Rd
Carthage, NC 28327
- D. Sharon Hakas
530 McDeeds Creek Rd
Southern Pines, NC 28387
- E. George Rhodes
150 Harmony Lane
Southern Pines, NC 28387
- F. Lucy Miller – Arrowhead Farms
2635 Camp Easter Rd
Southern Pines, NC 28387
- G. Connemara Farm, LLC
PO Box 336
Pinehurst, NC 28370
- H. Pinehurst Area Realty, Inc.
PO Box 1511
Pinehurst, NC 28370
- I. Thomas McFadyen
245 Woodland Drive
Pinehurst, NC 28374
- J. Donald & Laurie Trexler
PO Box 2288
Southern Pines, NC 28388
- K. Peter & Corine Longanbach
290 Pine Barrens Vista
Southern Pines, NC 28387
- L. Peter & Joanne Mace
PO Box 2605
Southern Pines, NC 28388-2605
- M. Adam Kiker
140 Aqua Shed Ct
Aberdeen, NC 28315



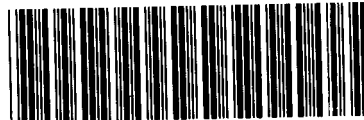
Deeds & Proof of Ownership

FOR REGISTRATION REGISTER OF DEEDS

Judy D. Martin
Moore County, NC
June 01, 2012 01:46:47 PM
Book 4034 Page 345-347
FEE: \$26.00

NC REVENUE STAMP: \$1,500.00
INSTRUMENT # 2012007969

HM



INSTRUMENT # 2012007969

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$1,500.00

Parcel Identifier No. _____ Verified by _____ County on the _____ day of _____, 20____

By: _____

Mail/Box to: _____

This instrument was prepared by: H. Chalk Broughton, Jr. of Poyner Spruill LLP, Attorneys at Law
P.O. Box 371, Southern Pines, NC 28388

Brief description for the Index: 20.82 acres, McNeill Township

THIS DEED made this 22 day of May, 2012, by and between

GRANTOR

GRANTEE

DONALD W. LONGSTREET, Unmarried
P.O. Box 56
Southern Pines, NC 28387

MICHAEL F. BURBIDGE, BISHOP
of the Roman Catholic Diocese of Raleigh,
North Carolina
715 Nazareth Street
Raleigh, NC 27506-2187

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.

WITNESSETH, that the Grantor, for a 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 or parcel of land situate near the Town of Southern Pines, McNeill Township, Moore County, North Carolina and more particularly described as follows:

**SEE "EXHIBIT A" ATTACHED WHICH IS INCORPORATED BY REFERENCE AS IF
FULLY SET FORTH HEREIN**

The property hereinabove described was acquired by Grantor by instruments recorded in Record Book 3607, Page 109, and Record Book 957, Page11, Moore County Registry.

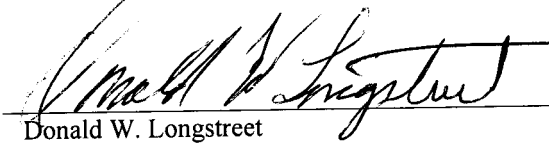
TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

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 hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

- 1. 2012 ad valorem property taxes to the County of Moore, not yet due and payable, to be prorated between the parties herein at closing.
- 2. Reservations, restrictions, and easements of record which are enforceable against the property.
- 3. Rights of others in and to the access easements running along the western boundary of the property.
- 4. Zoning ordinances of the Town of Southern Pines.
- 5. Right of way of Camp Easter Road as shown on Plat described above.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

 (SEAL)
Donald W. Longstreet

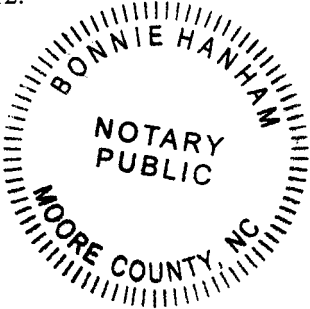
By: _____ (SEAL)

By: _____ (SEAL)
Title: _____

By: _____ (SEAL)
Title: _____

State of North Carolina - County of Moore

I, Bonnie Hanham, a Notary Public of the County and State aforesaid, certify that **DONALD W. LONGSTREET, Unmarried**, Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal, this 22nd day of May, 2012.



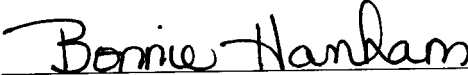
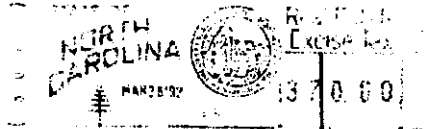

Notary Public
Bonnie Hanham
Print or Type Name of Notary Public
My Commission Expires: July 5, 2015

EXHIBIT A

All that certain tract or parcel of land comprising 20.82 acres, more or less, as more particularly shown on a survey entitled "Survey for Roman Catholic Diocese of Raleigh, North Carolina, 20.82 acres", dated May 2, 2012 and revised May 8, 2012, prepared by Ryan McBryde, PLS, and recorded in Plat Cabinet 15, Slide 660, Moore County Registry.

806 Bethesda Ave
Asheboro, N.C. 27315

TAX ADDRESS
RECORDING \$10.00
STAMP 370.00
TOTAL \$380.00



BOOK PAGE
00827 00079
Mar 26 2 29 PM '92

MRS. JUDITH M. ADAMS
REGISTER OF DEEDS
MOORE COUNTY, N.C.

Excise Tax Recording Time, Book and Page
Tax Lot No. Parcel Identifier No.
Verified by County on the day of 19
by
Mail after recording to Arthur Rowe
155 E. New Hampshire Rd. Southern Pines, N. C. 28387
This instrument was prepared by Barclays Bank of North Carolina
Brief description for the Index 6.13 acres
Camp Easter Road

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 17th day of March, 1992, by and between

GRANTOR
BARCLAYS BANK OF NORTH CAROLINA
P. O. Box 31488
Charlotte, N. C. 28231

GRANTEE
Robert W. Carrington and
Mary Frances Carrington

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

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.

WITNESSETH, that the Grantor, for a 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 or parcel of land situated in the City of Moore County, North Carolina and more particularly described as follows:

See Exhibit A Attached Hereto

Row

14-3993

The property hereinabove described was acquired by Grantor by instrument recorded in Book 794 at Page 42
of the Moore County Registry

A map showing the above described property is recorded in Plat Book page

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 hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

All applicable zoning and land use ordinances, statutes and regulations, 1992 ad valorem taxes; and all applicable restrictive covenants and easements of record.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

BARCLAYS BANK OF NORTH CAROLINA

By: *[Signature]*
Senior Vice President

ATTEST: *[Signature]*
Assistant Secretary (Corporate Seal)

USE BLACK INK ONLY

(SEAL)
(SEAL)
(SEAL)
(SEAL)

SEAL-STAMP

NORTH CAROLINA, County.

I, a Notary Public of the County and State aforesaid, certify that
personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this day of 19.

My commission expires: Notary Public

SEAL-STAMP

NORTH CAROLINA, Mecklenburg County.

I, a Notary Public of the County and State aforesaid, certify that Caryn R. Johnson
personally came before me this day and acknowledged that s. he is Assistant Secretary of
Barclays Bank of North Carolina a North Carolina corporation, and that by authority duly
given and as the act of the corporation, the foregoing instrument was signed in its name by its Senior Vice
President, sealed with its corporate seal and attested by herself as its Assistant Secretary.
Witness my hand and official stamp or seal, this 17th day of March, 1992.

My commission expires: April 29, 1994 Mary A. Miller Notary Public

North Carolina--Moore County

The foregoing Certificate(s) of Mary A. Miller, Notary Public

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

Judith M. Adams REGISTER OF DEEDS FOR Moore COUNTY
By *[Signature]* Deputy/Assistant - Register of Deeds

A certain tract of land located North of the Town of Southern Pines and lying about 600 yards North of State Road No. 1853 (Aiken Road), adjoining the lands of Kelly Miller, et al on the North, East, and South and the 18 feet wide Camp Easter Road on the West, described as follows: BEGINNING at iron stake, said stake lying in the east line of the 18 feet wide Camp Easter Road, located from the beginning monument of the Edwin Longcope 275 Acre Tract as recorded in Deed Book 184 at Page 116 in the Office of the Register of Deeds for Moore County, said monument lying in the west side of the Camp Easter Road, S 4 55' W 193.00 feet to a concrete monument, also in the west side of the Camp Easter Road; thence N. 18 06' E 78.92 feet to the point of Beginning; running thence as a new line the following calls; N 18 06' E 199.28 feet to a concrete monument, at the end of a wire fence; thence S 77 54' E 468.20 feet to a concrete monument, near the intersection of the wire fence with another wire fence; thence with the wire fence S 16 15' W 584.62 feet to an iron stake near the intersection of a wire fence with along the north side of a soil road, N 77 58' W 397.15 feet to an iron stake, in the east side of the 18 feet wide Camp Easter Road; thence with the east side of the Camp Easter Road, N 4 46' E 388.52 feet to the point of beginning, containing 6.00 acres more or less and being a portion of the Edwin Longcope 275 acre tract as recorded in Deed Book 184 at Page 116 in the office of the Register of Deeds for Moore County, North Carolina.

ACCESS EASEMENT TO 6.00 ACRE TRACT

BEGINNING at an iron stake, said stake being in the east line of the 18 feet wide Camp Easter Road and being the southwest corner of the above described 6.00 acre tract, running thence with the south line of the 6.00 acre tract, S 77 54' E 27.00 feet; thence S 50 06' W 37.77 feet to the east side of the 18 feet wide Camp Easter Road; thence with the east side of the Camp Easter Road N 4 55' E 30.00 feet to the point of beginning, and being an easement across the Kelly Miller et al property. Also conveyed is the right to use the 18 foot wide Camp Easter Road that extends from Aiken Road (S.R. No. 1853) northerly to the Camp Easter in the Pines Property.

ACCESS EASEMENT TO 6.00 ACRE TRACT

BEGINNING at an iron stake, said stake being in the east line of the 18 feet wide Camp Easter Road and being the southwest corner of the above described 6.00 acre tract, running thence with the south line of the 6.00 acre tract, S 77 54' E 27.00 feet; thence S 50 06' W 37.77 feet to the east side of the 18 feet wide Camp Easter Road; thence with the east side of the Camp Easter Road N 4 55' 30.00 feet to the point of beginning, **and being an easement across the Kelly Miller et al property. Also conveyed is the right to use the 18 foot wide Camp Easter Road that extends from Aiken Road (S.R. No. 1853) northerly to the Camp Easter in the Pines Property.**

Tax Address Same

FOR REGISTRATION REGISTER OF DEEDS
JUDY D. MARTIN
MOORE COUNTY, NC
2002 MAR 28 11:35:54 AM
BK: 1958 PG: 523-527 FEE: \$425.00
NC REVENUE STAMP: \$402.00
INSTRUMENT # 2002005989

Excise Stamps \$

Recording Time, Book & Page

Drafted by John M. May, Attorney at Law
No Title Examination by drafting attorney
Pinehurst, NC 28374

Brief Description for Index 18.23 acres, McNeills Twp

UPDATED SURVEY AND
GIS SHOWS 17.47 ACRES

NORTH CAROLINA GENERAL WARRANTY DEED

THIS GENERAL WARRANTY DEED made this 26th day of March, 2002, by and between **Royal & Ancient Investors, Ltd., a North Carolina limited partnership** (hereafter "Grantor"), of Southern Pines, NC, and **F. Joseph Gossman, Bishop of the Catholic Diocese of Raleigh** (hereafter "Grantee")

WITNESSETH

The 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 or parcel of land situated in/near the Town of Southern Pines, McNeills Township, Moore County, North Carolina, and more particularly described as follows

See Exhibit "A" attached hereto and herein incorporated by reference

Subject and together with utility easements and restrictive covenants that are enforceable against the property, if any, and the lien for ad valorem property taxes for the current year to be prorated at closing

The property hereinabove described was acquired by Grantor by instrument recorded in Book 783, Page 405, Moore County Registry

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 designations "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 caused this Deed to be executed in its appropriate capacity, the day and year first above written

ROYAL & ANCIENT INVESTORS, LTD

By



Kelly R. Miller, General Partner

NORTH CAROLINA, MOORE COUNTY

I, Notary Public of the County and State aforesaid, certify that Royal & Ancient Investors, Ltd, by and through its General Partner, Kelly R Miller, Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument Witness my hand and official stamp or seal, this 26 day of March, 2002

My commission expires _____

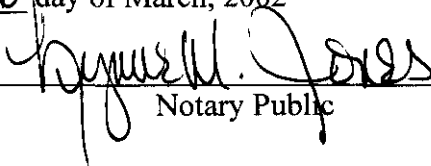
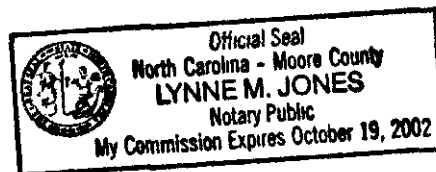

Notary Public

EXHIBIT "A"

That certain tract or parcel of land situated on the north side of State Road 1853 about 330 yards west of McDeeds Creek Road, bounded on the west by Longstreet, on the north by St Joseph of the Pines, and on the east by Black and Storch and being more particularly described as follows BEGINNING at an existing iron stake in the centerline of State Road 1853, a common corner with Storch, thence as the centerline of State Road 1853 South 70 degrees 25 minutes 50 seconds West 927 97 feet to an existing iron stake, thence leaving the road North 20 degrees 58 minutes 09 seconds West 130 80 feet to an existing iron stake, thence North 3 degrees 40 minutes 19 seconds East 306 50 feet to an existing iron stake, thence North 9 degrees 15 minutes 47 seconds East 149 39 feet to an existing iron stake, thence North 16 degrees 32 minutes 22 seconds East 170 79 feet to an existing iron stake, thence North 23 degrees 11 minutes 38 seconds East 183 57 feet to an existing iron stake, thence North 26 degrees 58 minutes 47 seconds East 128 29 feet to an existing iron stake, thence North 14 degrees 29 minutes 40 seconds East 341 05 feet to an existing iron stake; thence North 18 degrees 35 minutes 11 seconds East 12 39 feet to an existing iron stake in the St Joseph line, thence South 80 degrees 22 minutes 56 seconds East 317 08 feet to an existing iron stake, thence South 79 degrees 44 minutes 44 seconds East 376 31 feet to an existing iron stake, a corner with Black, thence South 5 degrees 43 minutes 29 seconds West 261 32 feet to an existing concrete monument, a corner with Black and Storch, thence South 4 degrees 03 minutes 32 seconds West 675 06 feet to an existing iron stake, the Beginning point, containing **22.14 acres**, more or less

THERE IS EXCEPTED FROM THE ABOVE DESCRIBED PROPERTY A 3.91 ACRE TRACT DESCRIBED AS FOLLOWS:

EXHIBIT "A"

A certain tract or parcel of land in McNeills Township, Moore County, North Carolina, near the town of Southern Pines, fronting on the northwest side of State Road No. 1853 about 0.6 miles east of its intersection with N.C. Hwy. No. 22, and being described as follows:

Beginning at a corner in the centerline of the pavement of State Road No. 1853, said beginning corner being located N88°30'E 559.33 feet from a concrete monument on the east side of the paved drive leading from State Road No. 1853 to Camp Easter, said concrete monument being the southwest corner of the Edwin Longcope 275 acre tract recorded in Deed Book 184 at Page 116 in the Moore County Registry, said concrete monument also being the northwest corner of the Edwin Longcope 0.40 acre Kelly parcel; running thence from the beginning leaving State Road No. 1853 the following six calls that lie on the west side of the 10 foot wide paved drive that leads from State Road No. 1853 to the Longcope residence; N18°52'W 130.29 feet; N05°55'E 305.80 feet; N11°25'E 149.37 feet; N18°41'E 170.81 feet; N25°20'E 183.56 feet; N29°08'E 128.27 feet to an iron pipe near a fence; thence a new line N16°39'E 341.21 feet to an iron pipe on the south side of a soil drive; thence a new line generally along the south edge of a soil drive S77°57'E 399.09 feet to an iron pipe on the south edge of said soil drive; thence S11°14'W 324.24 feet to an iron pipe at the edge of a field; thence N80°02'W 388.93 feet to a corner on the east side of the aforementioned 10 foot wide paved drive; thence the following six calls that lie on the east side of the said 10 foot wide paved drive; S33°10'W 142.61 feet; S25°20'W 179.76 feet; S18°41'W 167.17 feet; S11°25'W 146.03 feet; S05°55'W 297.72 feet; S18°52'E 124.55 feet to the centerline of the pavement of State Road No. 1853; thence as the centerline of the pavement of State Road No. 1853 S72°38'W 30.00 feet to the point of beginning containing 3.91 acres more or less and being a portion of the Edwin Longcope 275 acre tract recorded in Deed Book 184, at Page 116, in the Moore County Registry.

The above described 3.91 acre tract being subject to the right of way of State Road No. 1853.

FOR REGISTRATION REGISTER OF DEEDS
JUDY D. MARTIN
MOORE COUNTY, NC
2002 MAR 28 11:35:54 AM
BK: 1958 PG: 519-522 FEE: \$1,019.00
NC REVENUE STAMP: \$999.00
INSTRUMENT # 2002005988

5999 00
Excise Stamps \$1,000.00

Recording Time, Book & Page

Drafted by John M. May, Attorney at Law
No Title Examination by drafting attorney
Pinehurst, NC 28374

Brief Description for Index 3.91 acres, McNeills Twp

NORTH CAROLINA GENERAL WARRANTY DEED

THIS GENERAL WARRANTY DEED made this 26th day of March, 2002, by and between **Kelly R. Miller and wife, Peggy A. Miller** (hereafter "Grantor"), of Southern Pines, North Carolina, and **F. Joseph Gossman, Bishop of the Catholic Diocese of Raleigh** (hereafter "Grantee")

WITNESSETH

The 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 or parcel of land situated in/near the Town of Southern Pines, McNeills Township, Moore County, North Carolina, and more particularly described as follows

See Exhibit "A" attached hereto and herein incorporated by reference

Subject and together with utility easements and restrictive covenants that are enforceable against the property, if any, and the lien for ad valorem property taxes for the current year to be prorated at closing

The property hereinabove described was acquired by Grantor by instrument recorded in Book 783, Page 405, Moore County Registry.

Hayes

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 designations "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 their hands and seals, the day and year first above written

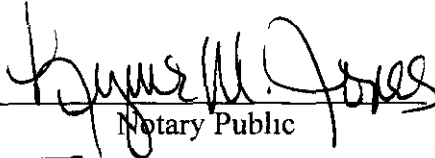

_____(SEAL)
Kelly R. Miller


_____(SEAL)
Peggy A. Miller

NORTH CAROLINA, MOORE COUNTY

I, Notary Public of the County and State aforesaid, certify that Kelly R. Miller and wife, Peggy A. Miller, Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 26 day of March, 2002

My commission expires _____


Notary Public

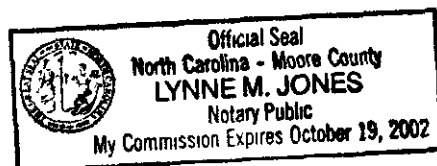
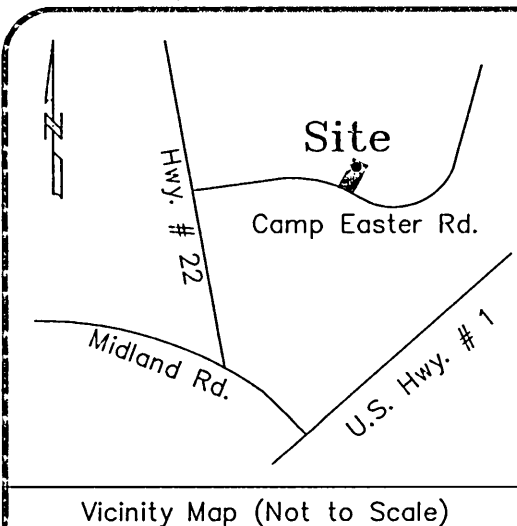


EXHIBIT "A"

A certain tract or parcel of land in McNeills Township, Moore County, North Carolina, near the town of Southern Pines, fronting on the northwest side of State Road No. 1853 about 0.6 miles east of its intersection with N.C. Hwy. No. 22, and being described as follows:

.Beginning at a corner in the centerline of the pavement of State Road No. 1853, said beginning corner being located N88°30'E 559.33 feet from a concrete monument on the east side of the paved drive leading from State Road No. 1853 to Camp Easter, said concrete monument being the southwest corner of the Edwin Longcope 275 acre tract recorded in Deed Book 184 at Page 116 in the Moore County Registry, said concrete monument also being the northwest corner of the Edwin Longcope 0.40 acre Kelly parcel; running thence from the beginning leaving State Road No. 1853 the following six calls that lie on the west side of the 10 foot wide paved drive that leads from State Road No. 1853 to the Longcope residence; N18°52'W 130.29 feet; N05°55'E 305.80 feet; N11°25'E 149.37 feet; N18°41'E 170.81 feet; N25°20'E 183.56 feet; N29°08'E 128.27 feet to an iron pipe near a fence; thence a new line N16°39'E 341.21 feet to an iron pipe on the south side of a soil drive; thence a new line generally along the south edge of a soil drive S77°57'E 399.09 feet to an iron pipe on the south edge of said soil drive; thence S11°14'W 324.24 feet to an iron pipe at the edge of a field; thence N80°02'W 388.93 feet to a corner on the east side of the aforementioned 10 foot wide paved drive; thence the following six calls that lie on the east side of the said 10 foot wide paved drive; S33°10'W 142.61 feet; S25°20'W 179.76 feet; S18°41'W 167.17 feet; S11°25'W 146.03 feet; S05°55'W 297.72 feet; S18°52'E 124.55 feet to the centerline of the pavement of State Road No. 1853; thence as the centerline of the pavement of State Road No. 1853 S72°38'W 30.00 feet to the point of beginning containing 3.91 acres more or less and being a portion of the Edwin Longcope 275 acre tract recorded in Deed Book 184, at Page 116, in the Moore County Registry.

The above described 3.91 acre tract being subject to the right of way of State Road No. 1853.



I, Ryan D. McBryde, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book 3607, Page 109); that the boundaries not surveyed are clearly indicated as drawn from information as indicated; that the ratio of precision as calculated is 1:20,000; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature and official number and seal this 8th day of May, 2012.

Ryan D. McBryde
Professional Land Surveyor

L-4394
Registration Number

Notes: This map is in accordance with GS 47-30.
Area by coordinate method.
No Horizontal control within 2000 feet.
Dashed lines not surveyed, drawn from information as indicated.
There are no visible encroachments other than those shown hereon.
Survey is subject to any Declaration of Restrictions, Conditions, Easements, Covenants, Agreement, Liens and Charges of Record.

Legend: IPF = Iron Pipe Found
IPS = Iron Pipe Set
IRF = Iron Rod Found
IRS = Iron Rod Set
CMF = Concrete Monument Found
⊙ = Sewer Manhole
⊠ = Water Meter
⊕ = Fire Hydrant
○ = Utility Pole
CATV = Cable Television
PSO = Power Stub Out
TP = Telephone Pedestal
WV = Water Valve
☆ = Aerial Light
--- = Building Setback Line
-OHU- = Overhead Utilities
SSO = Sanitary Stub Out
⊠ = Electrical Transformer
⊠ = HVAC
-SS- = Sanitary Sewer
○ = Calculated Point

I, Ryan D. McBryde, a Professional Land Surveyor L-4394, certify to one or more of the following as indicated:

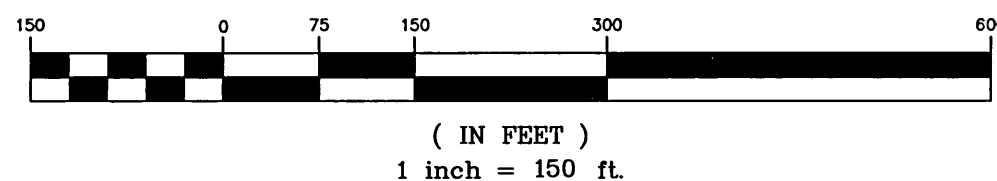
- ☐ A. That this plat is a survey that created a subdivision of land within the area of the county or municipality that has an ordinance that regulates parcels of land.
- ☐ B. That this plat is of a survey that is located in such portion of a county or municipality that is unregulated as to an ordinance that regulates parcels of land.
- ☒ C. That this plat is of a survey of an existing parcel or parcels of land and does not create a new street or change an existing street.
- ☐ D. That this plat is of a survey of another category, such as the recombination of existing parcels, a court survey, or an exception to the definition of subdivision.
- ☐ E. That the information available to this surveyor is such that I am unable to make a determination to the best of my professional ability as to provisions contained in (A) through (D) above.

Ryan D. McBryde
Professional Land Surveyor

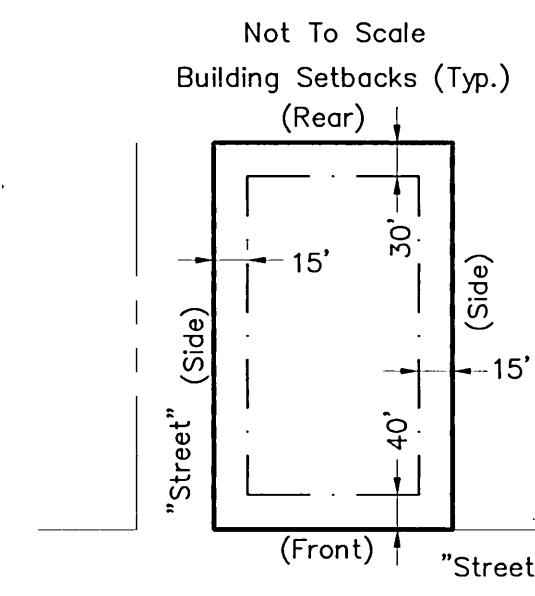
L-4394
Registration Number

5/8/12
Date

GRAPHIC SCALE



LINE	LENGTH	BEARING
L1	41.60	N02°33'37"E
L2	12.37	N18°36'33"E
L3	128.24	S26°57'47"W
L5	100.30	S21°01'08"E
L6	29.97	S21°01'33"E
L7	14.11	N75°40'24"W
L8	18.88	S23°36'08"E



PLAT CABINET 15 SLIDE 660 2012 JUN -1 P 1:46
2012 JUN -1 P 1:46

MRS. JUDY D. MARTIN
REGISTER OF DEEDS - MOORE COUNTY
CARPENTERS, NORTH CAROLINA 28327

Robert Carrington
Deed Book 827, Page 79

St. Joseph of The Pines, Inc.
Deed Book 800, Page 443

Roman Catholic Diocese
Deed Book 1958, Page 519

Owners Address : Donald W. Longsreet
P.O. Box 56
Southern Pines, NC 28388

Reference: Plat Cabinet 9, Slide 502
Deed Book 3607, Page 109
Moore County, North Carolina

Voluntary Agricultural Proximity Statement

These parcels are located near an area that is presently used for agricultural purposes. Normal agricultural operations may conflict with residential land use. NC Law (General Statutes Section 106-701) provides some protection for existing agricultural operations against nuisance laws.

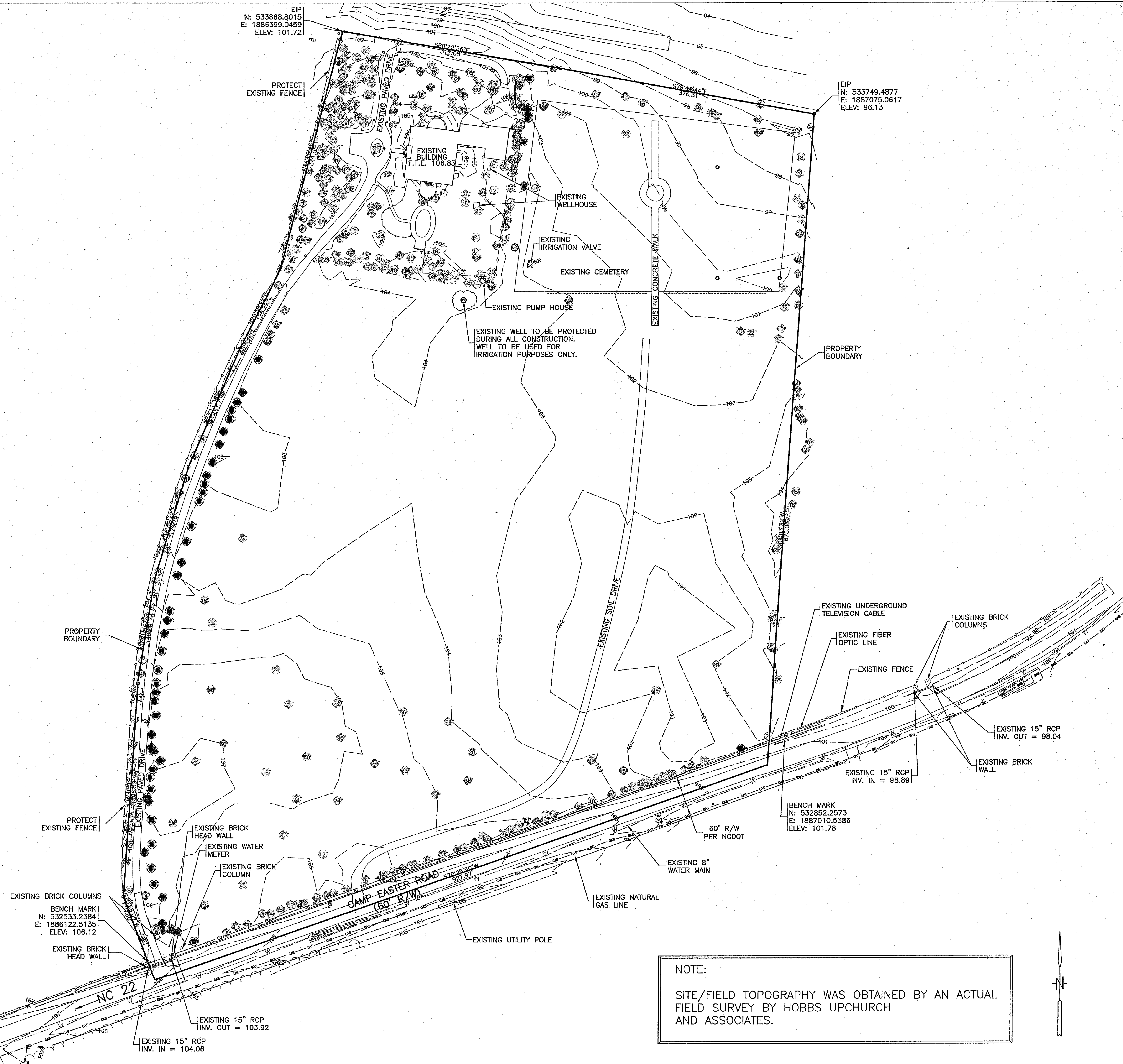
Roman Catholic Diocese
Deed Book 1958, Page 523



Survey For:
Roman Catholic Diocese
of Raleigh North Carolina
20.82 Acres

Boundary Survey
McNeills Township, Moore County
Southern Pines, North Carolina
May 2, 2012 Job# 120066
Revised May 8, 2012: Prepared for Recording

Property is to be served by a central water supply and by a individual sewage disposal system.



LEGEND

- ECM
- EIR
- EIP
- EXISTING CONTOUR
- PROPERTY BOUNDARY
- NCDOT RIGHT OF WAY
- UNDERGROUND FIBER OPTIC
- EXISTING CABLE
- EXISTING FENCE
- EXISTING WATER
- EXISTING GAS
- CABLE TV BOX
- EXISTING WELL
- EXISTING IRRIGATION VALVE
- EXISTING PROPANE TANK
- EXISTING POWER POLE
- EXISTING PINE & CALIPER
- EXISTING CEDAR & CALIPER
- EXISTING OAK & CALIPER
- EXISTING TREE TO BE REMOVED

BENCH MARK

NCDOT BM
SE CORNER OF WEST BOUND CAMPEASTER ROAD
N: 532852.2573
E: 1887010.5386
ELEV. 101.78

SW CORNER OF WEST BOUND CAMPEASTER ROAD
N: 532533.2384
E: 1886122.5135
ELEV. 106.12

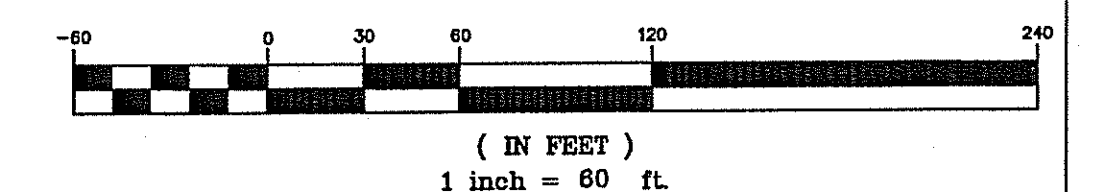
NOTE:

TREES SHOWN ON THE PROJECT PROPERTY
IN BOLD ARE TO BE REMOVED.



BEFORE YOU DIG
CALL 1-800-632-4949
N.C. ONE-CALL CENTER
IT'S THE LAW

GRAPHIC SCALE



NOTE:

SITE/FIELD TOPOGRAPHY WAS OBTAINED BY AN ACTUAL
FIELD SURVEY BY HOBBS UPCHURCH
AND ASSOCIATES.

Additional Documents

...to demonstrate consistency with UDO 2.18.4(H) Criteria 1 - 4

DR. J.H. CARTER III & ASSOCIATES, INC.

Environmental Consultants
515-F Midland Road
Southern Pines, N.C. 28387
910-695-1043 / 910-695-3317 (fax)

22 October 2021

Mr. Pete Bogle
110 North Main Street
Salisbury, North Carolina 28144

Dear Mr. Bogle:

I received correspondence from you regarding construction of a new school building located on an prepared building pad on St. John Paul's Catholic School property in Southern Pines, North Carolina. While this prepared building pad is located within the 0.5 mile radius foraging habitat partition for active RCW cluster SOPI 23, no pine trees will be removed for the new school building project and no RCW survey is necessary.

For your information, I spoke to Suzy Russell of the Southern Pines Planning Department on 20 October 2021 and she concurred that a RCW survey was not needed. A copy of this letter should be sent to Ms. Russell for documentation.

Sincerely,



Jan Goodson
Senior Wildlife Biologist



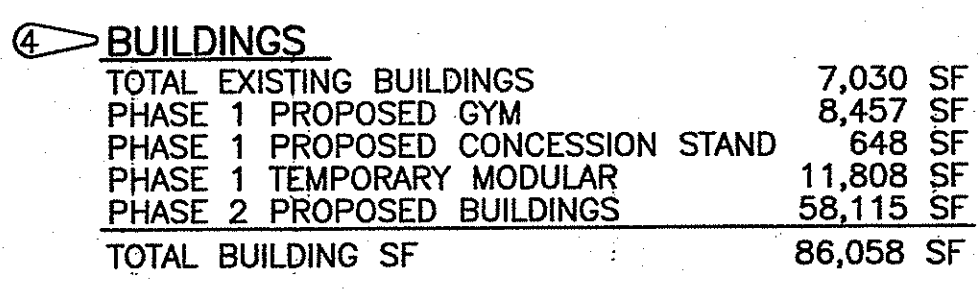
PINE BARRENS CT

CAMP EASTER RD

Nature of Services

- Power: Duke Energy (on-site)
- Water / Sewer: Public (on-site)
- Gas: Piedmont Natural Gas (on-site)
- Data: Multiple Available, Spectrum in use
- Stormwater Management: Existing capacity for Phase 1 Classroom Building installed during previous projects

NOTE: MODULAR BUILDING PROPOSED FOR
TEMPORARY USE UNTIL CONSTRUCTION
OF FUTURE K-8 SCHOOL.



<u>PARKING</u>	
PARKING SPACES REQUIRED	62
16 X 1,175 = 18.8 (19)	
8,457 / 200 = 43	
REGULAR PARKING SPACES PROVIDED	68
HANDICAPPED SPACES PROVIDED	4
TOTAL SPACES PROVIDED	72

④ <u>IMPERVIOUS AREA</u>	
TOTAL ACREAGE	23.91 ACRES
EXISTING IMPERVIOUS	0.74 ACRES
PROPOSED IMPERVIOUS	3.60 ACRES
FUTURE IMPERVIOUS	1.58 ACRES
TOTAL IMPERVIOUS	5.92 ACRES

TOTAL PERCENTAGE IMPERVIOUS	24.76%
-----------------------------	--------

SITE IS NOT IN A FEMA FLOOD PLAIN PER
FEMA MAP # 3710858300J, PANEL 8583, EFF.
DATE OCTOBER 17, 2006.

BENCH MARK
NCDOT BM
SE CORNER OF WEST BOUND CAMPEASTER ROAD
N: 532852.2573
E: 1887010.5386
ELEV. 101.78

SW CORNER OF WEST BOUND CAMPEASTER ROAD
N: 532533.2384
E: 1886122.5135
ELEV. 106.12

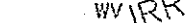
LINE TABLE		
LINE	LENGTH	BEARING
L1	479.21	N04°03'32"E
L2	239.54	N90°00'00"W
L3	464.74	N80°00'00"W
L4	144.50	N20°18'34"W
L5	155.01	N03°40'19"E
L6	123.09	N09°15'47"E
L7	142.31	N16°32'22"E
L8	86.56	N22°52'51"E
L9	57.56	N22°52'51"E
L10	377.86	N89°58'54"E
L11	30.00	S00°00'00"E
L12	70.12	N90°00'00"W
L13	18.63	N53°47'56"W
L14	407.97	S90°00'00"W

CURVE TABLE						
CURVE	LENGTH	RADIUS	CHORD	BEARING	DELTA	TANGENT
C1	70.59	43.00	62.93	N08°58'14"W	94°03'32"	46.16
C2	104.71	250.00	103.95	S08°19'37"E	23°59'53"	53.13
C3	19.61	201.00	19.61	S28°04'05"W	5°35'28"	9.78
C4	25.53	201.00	25.51	S24°05'05"W	7°16'35"	12.81
C5	23.34	201.00	23.33	S19°52'00"W	6°39'16"	11.69
C6	33.45	27.78	31.46	S57°22'41"W	68°59'41"	19.09
C7	61.72	38.00	53.69	N43°31'52"W	92°56'27"	40.05
C8	64.28	137.00	65.19	S76°33'52"W	26°53'00"	32.74
C9	179.47	163.00	170.51	S85°20'28"E	63°05'04"	100.05
C10	86.56	137.00	85.13	N71°53'28"E	36°12'04"	44.78

INFRASTRUCTURE/UTILITY TOTALS

PROPOSED WATER MAIN: 2,032.18 LF
PROPOSED WATER SERVICES: 816 LF
NEW PAVING: 69,157 SF (1.58 AC)
HEAVY DUTY ASPHALT: 55,154 SF (1.26 AC)
LIGHT DUTY ASPHALT: 13,939 SF (0.32 AC)
GRAVITY SEWER MAIN: 726 LF
SEWER SERVICES: 1,010 LF
SIDEWALK: 11,491 SF (0.26 AC)
STORM STRUCTURES: 3 EA.

LEGEND

- | | |
|---|---------------------------|
|  | ECM |
|  | EIR |
|  | EIP |
|  | PROPERTY BOUNDARY |
|  | NCDOT RIGHT OF WAY |
|  | UNDERGROUND FIBER OPTIC |
|  | EXISTING CABLE |
|  | EXISTING FENCE |
|  | EXISTING WATER |
|  | EXISTING GAS |
|  | CABLE TV BOX |
|  | EXISTING WELL |
|  | EXISTING IRRIGATION VALVE |
|  | EXISTING TREES |
|  | EXISTING POWER POLE |
|  | PROPOSED WATER MAIN |
|  | PROPOSED SAN. SEWER |
|  | HEAVY DUTY PAVEMENT |

AREA INFORMATION

AREA INFORMATION

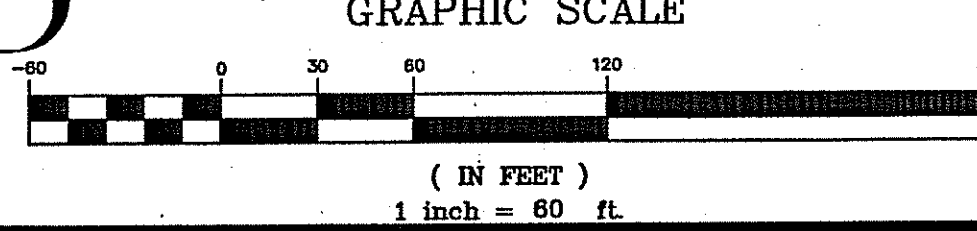
POPE JOHN PAUL II
CATHOLIC SCHOOL
ZONING: RE
DB 1958, PG 519
DB 1958, PG 523

ORIGINAL DEEDED AREA: 23.91 ACRES

RECIEVING WATER COURSE: UNNAMED TRIBUTARY
TO MILL CREEK & McDEEDS CREEK
MILL CREEK CLASSIFICATION: WS-III, HWQ
McDEEDS CLASSIFICATION: WS-III, HWQ

RIVER BASIN: CAPE FEAR

GRADING SCALE



Former approved
Civil plan to show
Utilities &
Stormwater for
current CDP

CONSTRUCTION NOTES:

1. OBTAIN PLAN APPROVAL AND OTHER APPLICABLE PERMIT. NO MEASURE OF SOUTHERN PINES APPROVAL.
2. TRUCKS ENTERING AND EXITING FROM SITE MUST DO SO ONLY FROM C
3. DENUDE/CLEARING LIMITS SHOWN ON THESE PLANS ARE APPROXIMATE. SET CLEARING LIMITS BASED ON MINIMUM AMOUNT OF AREA REQUIRED TO CONSTRUCT THE PROPOSED IMPROVEMENT DEPICTED WITHIN THESE PLANS.
4. SEE EROSION CONTROL DETAILS, SHEET D-1.0, D-1.1, AND D-1.2 FOR EROSION CONTROL DETAILS, CONSTRUCTION AND MAINTENANCE SCHEDULES.
5. THE LOCATION OF THE EXISTING UTILITIES SHOWN IN THE PLANS ARE APPROXIMATE ONLY. THE CONTRACTOR SHALL CONTACT THE UTILITY LOCATION SERVICE ("NORTH CAROLINA ONE CALL" - 1-800-632-4949) FOR EXACT LOCATION OF ALL UNDERGROUND MAINS, CABLE, OR LINE BEFORE CONSTRUCTION BEGINS.
6. THE APPROPRIATE UTILITY COMPANY SHALL BE NOTIFIED BY THE CONTRACTOR 48 HOURS IN ADVANCE OF ANY EXCAVATION INVOLVING THEIR UTILITIES SO THAT A COMPANY REPRESENTATIVE CAN BE PRESENT.
7. TRUCKING ON OR ABOUT THE SITE WILL BE PERMITTED ONLY WITHIN REASONABLE LIMITS AND THE CONTRACTOR SHALL NOT UNREASONABLY ENCUMBER THE PREMISES WITH HIS EQUIPMENT AND MATERIALS. THE STORAGE SHALL BE CONFINED TO SUCH LIMITS AS MAY BE JOINTLY AGREED BY OWNER AND CONTRACTOR.

SEDIMENT TRAP - SUMMARY					
Trap #	*W(ft)	*L(ft)	Weir Length(ft)	Trap Depth(ft)	Total Surface Area (sf)
1	50.00	100.00	10.00	3.50	5,010.00
2	50.00	100.00	11.00	3.50	4,400.00
3	30.00	60.00	5.00	3.50	1,786.00
4	51.00	102.00	11.00	3.50	5,184.00

* TRAP DIMENSIONS ARE MEASURED FROM TOP OF WEIR DEPTH (REQUIRED SURFACE AREA)

NOTE:

PURSUANT TO G.S. 133-A57(2), THE ANGLE FOR GRADED SLOPES AND FILLS SHALL BE NO GREATER THAN THE ANGLE THAT CAN BE RETAINED BY VEGETATIVE COVER OR OTHER ADEQUATE EROSION-CONTROL DEVICES OR STRUCTURES. IN ANY EVENT, SLOPES LEFT EXPOSED WILL, WITHIN 21 CALENDAR DAYS OF COMPLETION OF ANY PHASE OF GRADING, BE PLANTED OR OTHERWISE PROVIDED WITH TEMPORARY OR PERMANENT GROUND COVER, DEVICES, OR STRUCTURES SUFFICIENT TO RESTRAIN EROSION.

PURSUANT TO G.S. 113A-57(3), PROVISIONS FOR PERMANENT GROUND COVER SUFFICIENT TO RESTRAIN EROSION MUST BE ACCOMPLISHED FOR ALL DISTURBED AREAS WITHIN 15 WORKING DAYS OR 60 CALENDAR DAYS (WHICHEVER IS SHORTER) FOLLOWING COMPLETION OF CONSTRUCTION OR DEVELOPMENT.

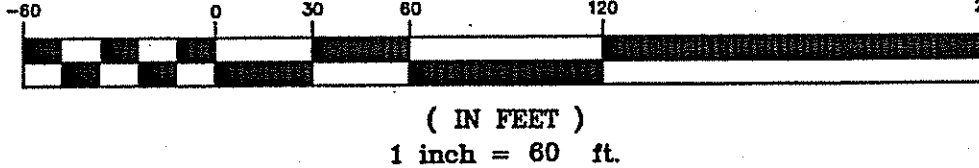
DISTURBED AREA: 15.95 Ac.

RIVER BASIN: CAPE FEAR
CLASSIFIED: CLASS-III; HW

LEGEND

- EXISTING CONTOURS
- PROPERTY BOUNDARY
- EXISTING WATER MAIN
- EXISTING RIGHT OF WAY
- EXISTING PROPANE TANK
- EXISTING PINE & CALIPER
- EXISTING CEDAR & CALIPER
- EXISTING OAK & CALIPER
- EXISTING TREE TO BE REMOVED
- EXISTING FIBER OPTIC
- EXISTING TELEVISION CABLE
- EXISTING GAS LINE
- SEDIMENT TRAP
- SEDIMENT TRAP CALLOUT
- LIMITS OF DISTURBANCE
- TEMPORARY SILT DIVERSION
- DIVERSION DIKE (PERIMETER PROTECTION)
- SEDIMENT FENCE
- DRAINAGE AREA

GRAPHIC SCALE



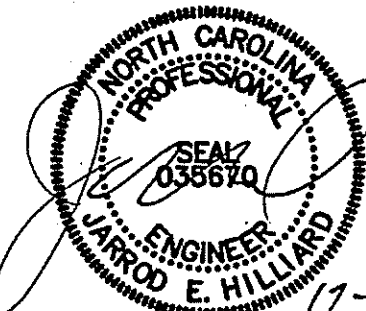
BEFORE YOU DIG
CALL 1-800-632-4949
N.C. ONE-CALL CENTER
IT'S THE LAW



HOBBS, UPCHURCH &
ASSOCIATES, P.A.
CONSULTING ENGINEERS
SOUTHERN PINES, NORTH CAROLINA 28387

POPE JOHN PAUL II CATHOLIC SCHOOL
2952 CAMP EASTER ROAD
SOUTHERN PINES, NC 28387

EROSION CONTROL PLAN

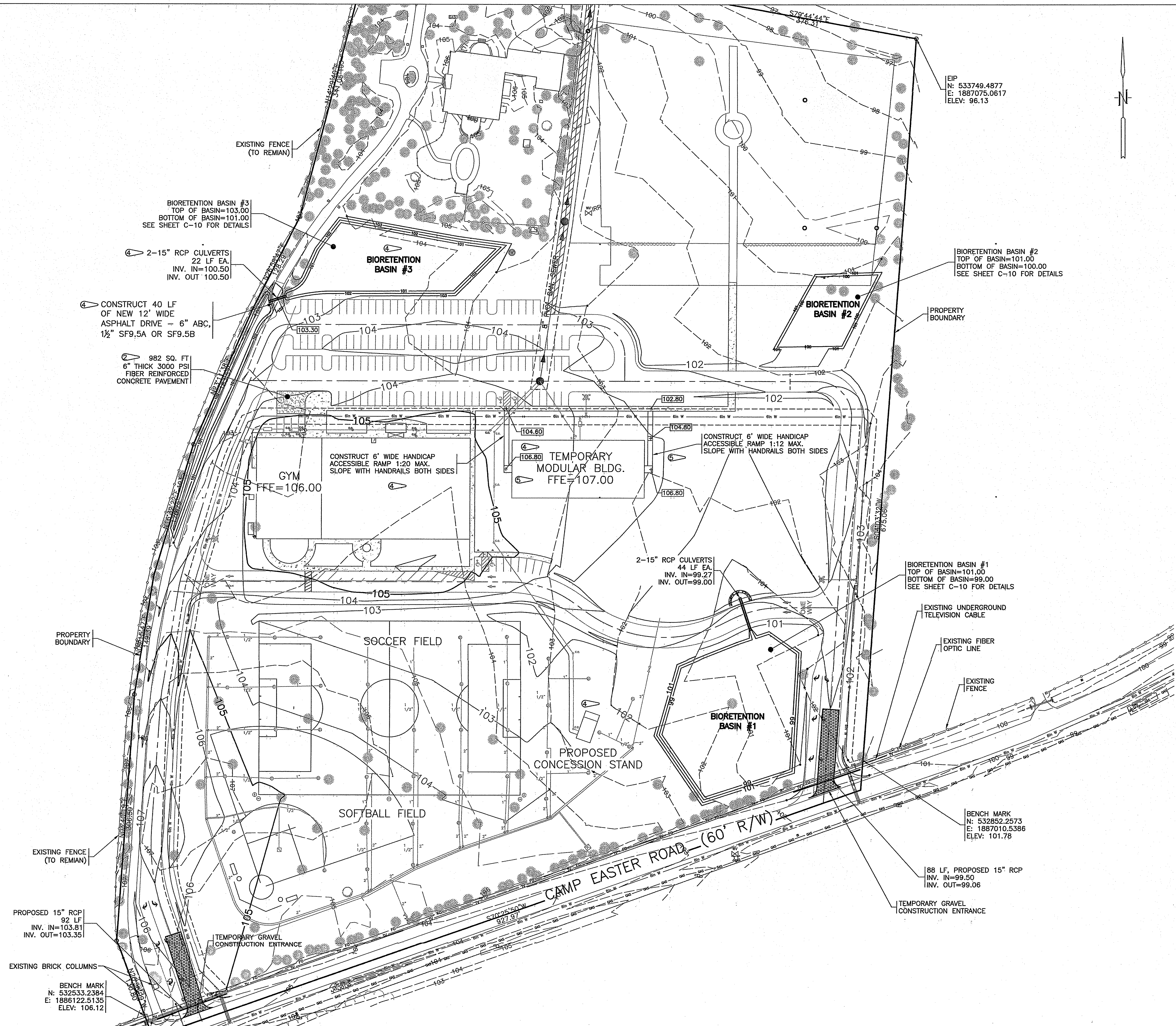


DATE: 02/27/07 REV NO. 1 DATE 10/17/07
DES BY: 1 10/17/07
DWG BY: 2 12/4/07
CHK BY: 3 11/9/09
REV NO. 4 11/30/09
5 12/11/09
6 12/11/09
SP0714
ST. ANTHONY OF
PADUA
CATHOLIC SCHOOL
NCSBC 2006

SHEET NO.

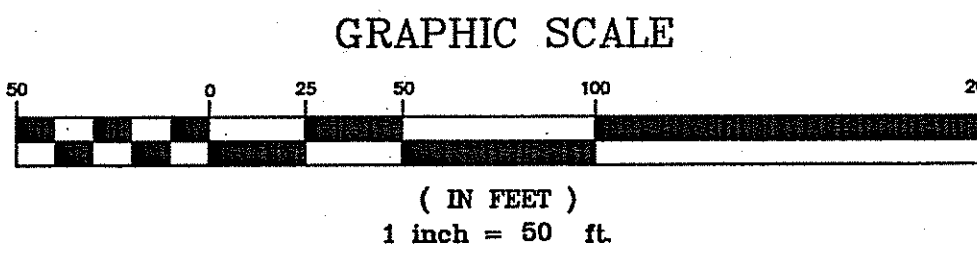
C-03

Former approved
Civil plan to show
Utilities &
Stormwater for
current CDP



NOTE:
1. EXISTING AND PROPOSED STORM SEWER SYSTEMS AND PROPOSED BIORETENTION BASIN WILL BE PRIVATELY OWNED AND MAINTAINED.

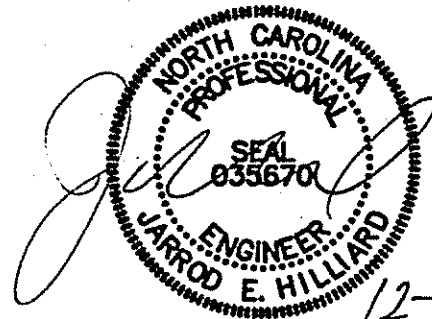
LEGEND	
	ECM
	EIR
	EIP
	EXISTING CONTOUR
	PROPOSED CONTOUR
	PROPERTY BOUNDARY
	NCOT RIGHT OF WAY
	UNDERGROUND FIBER OPTIC
	EXISTING CABLE
	EXISTING FENCE
	EXISTING WATER
	EXISTING GAS
	CABLE TV BOX
	EXISTING WELL
	EXISTING IRRIGATION VALVE
	EXISTING PROPANE TANK
	EXISTING POWER POLE
	EXISTING PINE & CALIPER
	EXISTING CEDAR & CALIPER
	EXISTING OAK & CALIPER



HOBBS, UPCHURCH &
ASSOCIATES, P.A.
CONSULTING ENGINEERS
SOUTHERN PINES, NORTH CAROLINA 28387

POPE JOHN PAUL II CATHOLIC SCHOOL
2952 CAMP EASTER ROAD
SOUTHERN PINES, NC 28387

GRADING AND
DRAINAGE PLAN



DATE: 02/27/07	REV. NO. 1	DATE	JOB #
DES BY: ---	2	11/19/07	SP0714
DWG BY: ---	3	11/9/09	ST. ANTHONY OF
CHK BY: ---	4	11/30/09	PADUA
REV NO.			CATHOLIC SCHOOL
			NCSBC 2006

SHEET NO.
C-04

Neighborhood Meeting Materials and Records

- Invitation Letter & Mailing List
- Sign-In Sheet
- Graphics Presented
- Representations made by the Applicant regarding the proposed Development
- Summary of Public Comments and Responses
- Resultant Directions / Decisions

ST. JOHN PAUL II CATHOLIC SCHOOL

1.3.22

Invitation to a Neighborhood Informational Meeting

To Whom It May Concern,

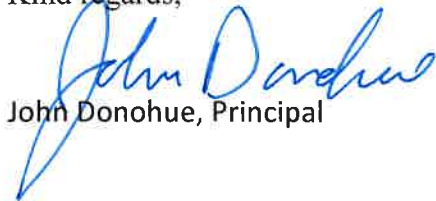
St. John Paul II Catholic School seeks to replace temporary modular classroom buildings with a permanent K-8 educational facility. As an adjacent property owner, you are invited to attend a Neighborhood Meeting to be held at 6:30 PM on Tuesday, January 25, 2022, at St. John Paul II Catholic School located at 2922 Camp Easter Road in Southern Pines, NC. Information about the proposed project and future master planning of the entire campus will be presented, including:

- 1) Proposed new construction K-8 private Catholic school, approximately 56,000 square feet, housing 400-450 students
- 2) Approximate construction timeline
- 3) Future master planning uses of remaining site, including classroom building expansions, athletic fields, a new rectory, and a potential future Catholic Church

In this packet, you should find some artistic renderings of the proposed new K-8 building to be constructed. You'll see that the scale, materials, and detailing of the proposed building are in keeping with our existing Activity Building. We've also included our proposed campus master plan, showing this new classroom building and outlining other potential future development of classroom expansions, athletic fields, the new rectory, and church.

School administration, the architect, and the general contractor will be available for a short question and answer session after the presentation.

Kind regards,



John Donohue, Principal

2922 CAMP EASTER ROAD, SOUTHERN PINES, NC 28387
WWW.SJP2CATHOLICSCHOOL.ORG

910-692-6241

**St. John Paul Catholic School, Southern Pines
Surrounding Property Owners List**

SJPCS Properties:

- A.** 2978 Camp Easter Rd
- B.** 2878 Camp Easter Rd
- C.** 2952 camp Easter Rd

Required List of Owners:
(within 200 feet, minimum of 10)

1. Knollwood Partners, LLC
1010 Midland Rd
Southern Pines, NC 28387
2. County of Moore
PO Box 905
Carthage, NC 28327
3. Benjamin Cramer
2795 Camp Easter Rd
Southern Pines, NC 28387
4. William Johnstone
2764 Camp Easter Rd
Southern Pines, NC 28387
5. Robert Pecha
2741 Camp Easter Rd
Southern Pines, NC 28387
6. St Joseph of the Pines
C/O Trinity Senior Living Communities
17410 College Parkway, Ste 200
Livonia, MI 48152
7. Robert & Mary Carrington
PO Box 1276
Southern Pines, NC 28388-1276
8. Robin Cummings
265 Pine Barrens Vista
Southern Pines, NC 28387
9. Lloyd & Sheri Sullivan
PO Box 406
Southern Pines, NC 28388-0406
10. James & Frances Current
141 Pine Barrens Ct
Southern Pines, NC 28387

Secondary List of Owners:
(beyond required notification range)

- A. Pineneedles Co Club Inc
1010 Midland Rd
Southern Pines, NC 28387-0088
- B. Stephen Gent
420 Roundabout Rd
Carthage, NC 28327
- C. Jonathan Drew
635 McDeeds Creek Rd
Carthage, NC 28327
- D. Sharon Hakas
530 McDeeds Creek Rd
Southern Pines, NC 28387
- E. George Rhodes
150 Harmony Lane
Southern Pines, NC 28387
- F. Lucy Miller – Arrowhead Farms
2635 Camp Easter Rd
Southern Pines, NC 28387
- G. Connemara Farm, LLC
PO Box 336
Pinehurst, NC 28370
- H. Pinehurst Area Realty, Inc.
PO Box 1511
Pinehurst, NC 28370
- I. Thomas McFadyen
245 Woodland Drive
Pinehurst, NC 28374
- J. Donald & Laurie Trexler
PO Box 2288
Southern Pines, NC 28388
- K. Peter & Corine Longanbach
290 Pine Barrens Vista
Southern Pines, NC 28387
- L. Peter & Joanne Mace
PO Box 2605
Southern Pines, NC 28388-2605
- M. Adam Kiker
140 Aqua Shed Ct
Aberdeen, NC 28315



Subject: Sign-In Sheet
Project: St. John Paul II Catholic School Classroom Building / Master Planning
Date: 1.25.22

Please sign in.

Name	Address	OPTIONAL Contact Info / Email
Adam Kiker	215 Pine Barrens Vista Southern Pines	adam@LKCengineering.com
POPE GABRIEL	110 N MAIN ST. SALISBURY	
PETE BOGLE	110 N MAIN ST. SALISBURY	
John Donohue	St. John Paul	jdonohue@sjp2catholic School.org
Robert Evanila	234C Persimmon Dr. Pinebluff, NC 28373	SJP2 REVANILA@sjp2 catholic school.org
Fran: Jim Curry	141 PINE BOWNET SP.	francurry@wind stream.net
Robt A. & Jamie Peche	2741 Camp Easter Rd.	
Scott Dembowski	SJP2	sdembowski80@gmail.com
Rev. John Kane	2752 2952 Camp Easter Rd	Father. Kane@stanthony parish.net
Pete Mace	170 Pine Barrens Vista	petemace007@gmail.com



Subject: Sign-In Sheet
Project: St. John Paul II Catholic School Classroom Building / Master Planning
Date: 1.25.22

Please sign in.

Name	Address	OPTIONAL Contact Info / Email
TONY BORNHORST	RHEISON Co.	
Deb Lawson	SJPII	dlawson@jp2catholic
Jim Lawson	255 Pine Needles Ln	School.org
Rev. John Forbes	So. Pines	JimLawson@NC.MCA
Josh H.	300 Dundee Rd 28374	
	905 HEATHER LN.	
	SOUTHERN PINES	
	28374	
Lloyd Sullivan	225 Pine Barren Ct.	

The following graphics were presented at the Neighborhood Meeting. All slides are included here in compressed form. A copy of the full PDF presentation is available upon request.



THE **BOGLE FIRM,**
ARCHITECTURE

Neighborhood
Meeting Presentation



Subject: Neighborhood Meeting Agenda
Project: St. John Paul II Catholic School Classroom Building / Master Planning
Date: 1.25.22

Neighborhood Meeting Agenda

6:30 PM - January 25, 2022

- Welcome & Introductions John Donohue / Deb Lawson
 - Project Team
 - St. John Paul, II School
 - John Donohue, Principal
 - Deb Lawson
 - -
 - Rhetson Construction:
 - Tony Bornhorst, Project Manager
 - Bogle Firm Architecture:
 - Pete Bogle, Principal Architect
 - Rory Gabriel, Project Architect
 - Video
- Purpose / Need John Donohue / Deb Lawson
- Master Planning / Project Update Pete Bogle
 - Slideshow Presentation
 - Progress Update – Next Steps – Estimated Timeline
- Question / Answer Session All

St. John Paul II Catholic School

a case statement and feasibility report



This document includes the history and future path of St. John Paul II Catholic School in Southern Pines, NC. Included in this report are vetted feasibility and case data alongside project plans for both the future of our school and the development of the property located on Camp Easter Road in Southern Pines.

2021- 2024

Table of Contents

The History of Catholic Education in Moore County	2 - 4
Executive Summary	5
Our Mission, Vision, & Beliefs	6
SJPII Enrollment Breakdowns at a Glance	7
Capital Campaign Goals	8
The Case for Growth	
Logistics	9 - 14
Feasibility	15 – 20
Campaign & Finance Plan	
Donations Brackets / Pyramid	21
Engagement Methodologies	22
The Pillars of SJPII Financial Independence	23 - 24
Timeline	25
Conclusion	26

Giving Opportunities

Wing of Building	(5)	\$250,000
Media Center	(1)	\$100,000
Classroom	(20)	\$50,000
Staff Work Rooms	(2)	\$50,000
Chapel Items:		
Windows	(10)	\$10,000
Pews	(40)	\$ 5,500
Bricks (named)	(250)	\$ 1,000



Three Year Gift Plans to Consider

	10% Deposit	Annually	Quarterly	Monthly	Weekly
\$250,000	\$25,000	\$75,000	\$18,750	\$6,250	\$1442
\$100,000	\$10,000	\$30,000	\$7,500	\$2,500	\$577
\$50,000	\$5,000	\$15,000	\$3,750	\$1,250	\$288
\$10,000	\$1,000	\$3,000	\$750	\$250	\$58
\$5,000	\$500	\$1,500	\$375	\$125	\$29
\$1,000	\$100	\$300	\$75	\$25	\$6

We can't envision their future without you!

The Embracing our Legacy, Envisioning our Future Capital Campaign is a three year endeavor to build a permanent school building on our 20 acre property.

We have simply outgrown our temporary facility, and our enrollment is at an all-time high. Each of the last 3 years, we have had over 35 applications that we were unable to accept due to space constraints.

Bishop Louis Rafael Zarama has given us his blessing to move forward to build out our campus! The goal for our campaign is \$8,000,000. This will include 2 classrooms for each grade, an upper and lower-grade science lab, a language lab a Socratic Seminar room, separate classrooms for music art, and drama.

The school will also feature a chapel, a large media center/library, and a resource center for our students with diverse learning needs.

We are asking, for you to prayerfully consider contributing or making a multi-year pledge for the future of Catholic education in Moore County.

Not everyone can make the same size gift, but everyone can make the same sacrifice.



Thank you for considering
a gift or pledge to our
school building!

Name: _____
Address: _____
City, State _____
Zip: _____
Phone: _____
Email: _____

My Gift or Pledge: _____

Credit Card: _____

Exp: _____ 3 digit code: _____

or contact Deb Lawson at (910-692-6241)

dlawson@stjohnpaulschool.org



Embracing our
Legacy.
Envisioning our
Future.

Capital Campaign



St. John Paul II Catholic School

2922 Camp Easter Rd.
Southern Pines, NC 28387

www.stjohnpaulschool.org

BOGLE

th

FIRM

ARCHITECTURE

110 N. MAIN ST
SUITE 200
SALISBURY, NC 28144

pete@boglefirm.com

www.boglefirm.com

704.638.2015

PUBLICATION OR REUSE OF THESE DRAWINGS OR ANY INCLUDED DETAILS MUST BE WITH THE WRITTEN CONSENT OF THE FIRM'S PRINCIPAL ARCHITECT.

EXISTING CAMPUS PLAN
TOWN OF SOUTHERN PINES
CONCEPT DEVELOPMENT PLAN

ST. JOHN PAUL II
CATHOLIC SCH.
2922 CAMP EASTER ROAD
SOUTHERN PINES, NC

DRAWN BY: DRB CHECKED BY: DRB DATE: 11.2.21 PROJECT #:	SHEET NUMBER CDP1 OF: 3
---	-------------------------------

The map shows an aerial view of the school campus with various buildings and areas labeled. Key features include:

- EXISTING HORSE PASTURE AREA** (SCATTERED TREES) - Located in the upper left and lower left.
- EXISTING POLE BARN STORAGE** - Located in the upper left.
- FUTURE PHASE FIELDHOUSE** (ADAPTIVE REUSE OF EXISTING HORSE BARN) - Located in the upper left.
- EXISTING RECTORY** - Located in the upper right.
- EXISTING CEMETARY** - Located in the upper right.
- EXISTING BIO-RETENTION DRYWELL** - Located in the upper right and lower right.
- EXISTING ACTIVITY BUILDING** (FFE: 436.11') - Located in the center.
- EXISTING PREPARED BUILDING PAD** - Located in the center.
- EXISTING MOBILE CLASSROOMS TO BE REMOVED** - Located in the center.
- EXISTING PLAYGROUNDS** - Located in the center.
- EXISTING CONCESS.** (FFE: 431.89') - Located in the center.
- EXISTING ATHLETIC FIELDS** - Located in the center.
- EXISTING HORSE PASTURE AREA** (SCATTERED TREES) - Located in the lower left.
- CAMP EASTER RD** - Located in the lower right.
- PALE BARRENS CT** - Located in the upper left.
- DEEDED EASEMENT: 18'** - Located in the lower left.

CDP1-01 EXISTING CAMPUS PLAN
SCALE: 1" = 40'-0" @ E-SHEET

PD-04-22 St. John Paul CDP May 2022 Town Council 89 of 203

Page 00 of 348

BOGLE the FIRM
ARCHITECTURE

110 N. MAIN ST. SUITE 200
SALISBURY, NC 28144

pete@boglefirm.com
www.boglefirm.com
704.638.2015

PUBLICATION OR REUSE OF THESE DRAWINGS OR ANY INCLUDED DETAILS MUST BE WITH THE WRITTEN CONSENT OF THE FIRM'S PRINCIPAL ARCHITECT.

PHASE 1
CAMPUS
PLAN

TOWN OF SOUTHERN PINES
CONCEPT DEVELOPMENT PLAN

ST. JOHN PAUL II
CATHOLIC SCH.

2922 CAMP EASTER ROAD
SOUTHERN PINES, NC

DRAWN BY: DRB
CHECKED BY: DRB
DATE: 11.2.21
PROJECT #:

SHEET NUMBER
CDP2
OF: 3

CDP2-01 PH.1 CONCEPT DEV. PLAN

SCALE: 1" = 40'-0" @ E-SHEET



BOGLE FIRM ARCHITECTURE

110 N. MAIN ST SUITE 200 SALISBURY, NC 28144

pete@boglefirm.com www.boglefirm.com 704.638.2015

PUBLICATION OR REUSE OF THESE DRAWINGS OR ANY INCLUDED DETAILS MUST BE WITH THE WRITTEN CONSENT OF THE FIRM'S PRINCIPAL ARCHITECT.

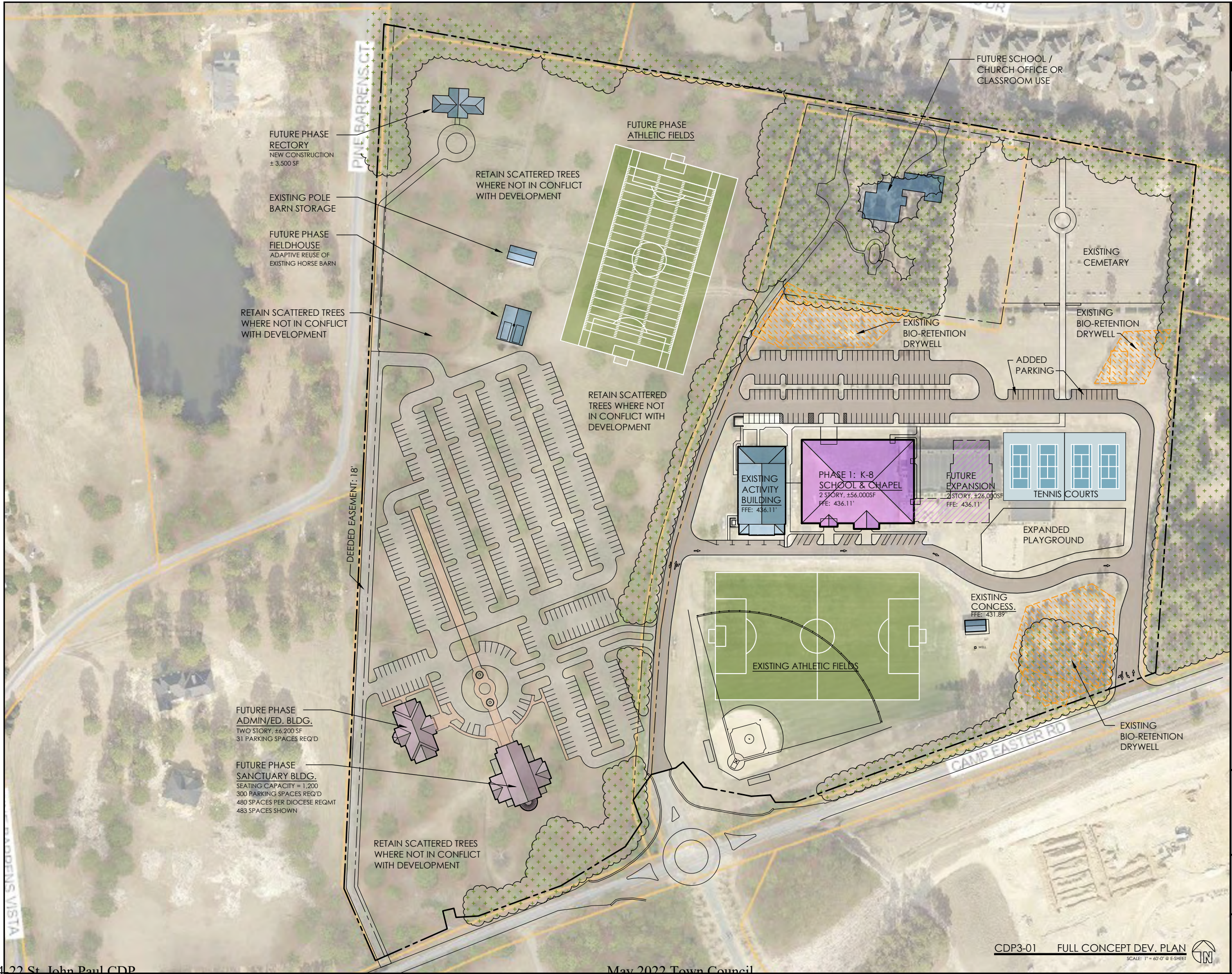
FUTURE CAMPUS PLAN
TOWN OF SOTHERN PINES
CONCEPT DEVELOPMENT PLAN

ST. JOHN PAUL II CATHOLIC SCH.
2922 CAMP EASTER ROAD
SOUTHERN PINES, NC

DRAWN BY: DRB
CHECKED BY: DRB
DATE: 11.2.21
PROJECT #:

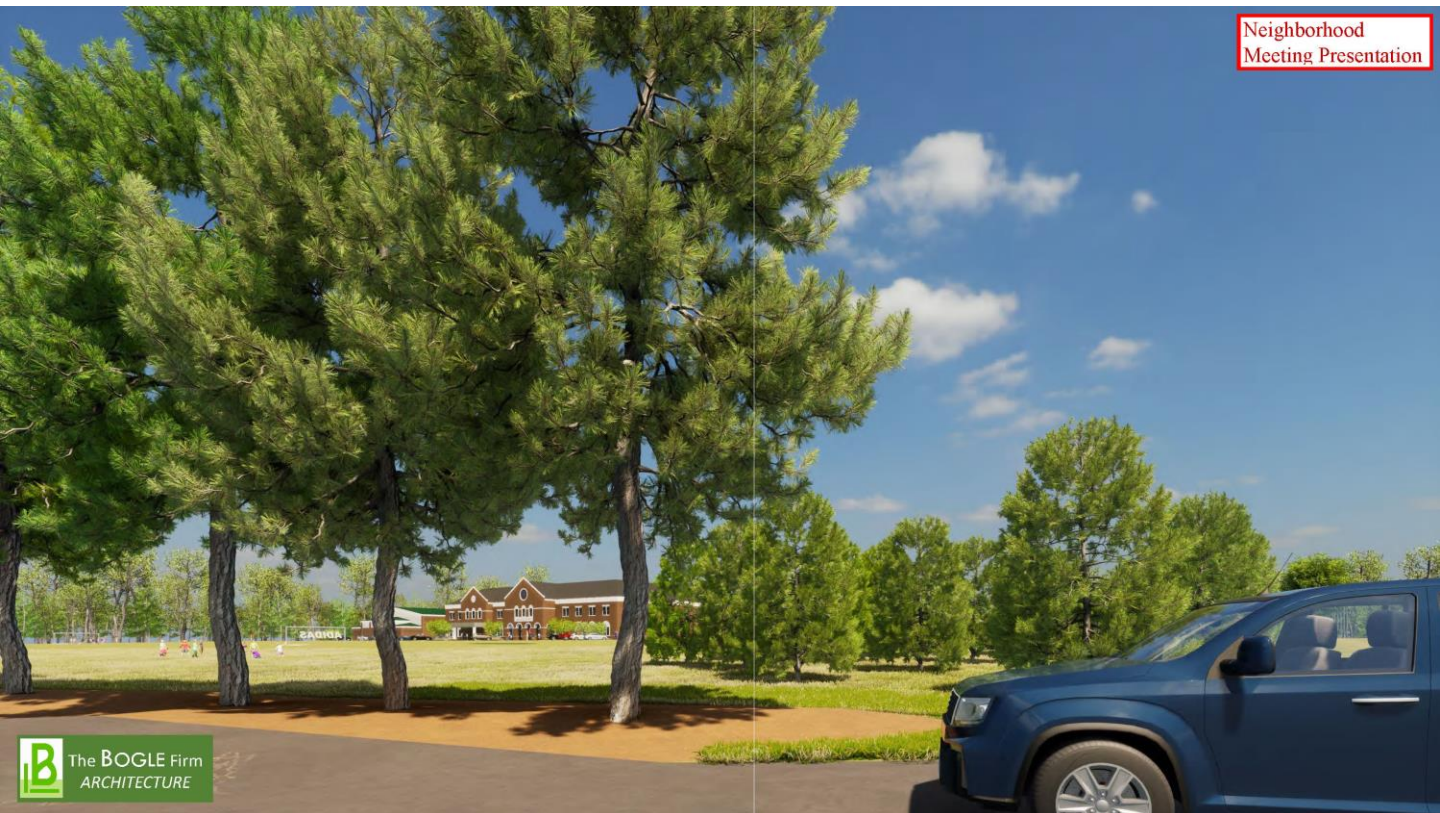
SHEET NUMBER
CDP3

OF: 3





THE **BOGLE FIRM**,
ARCHITECTURE











I, Ryan D. [Signature], certify that this plat was drawn under my supervision. This original survey made under my supervision (deed assessment) is recorded in Book 3607, Page 109; that the boundaries not surveyed are clearly indicated as drawn from information or as located; that the ratio of precision as calculated is 1:20,000; that this plat was prepared in accordance with the rules 30 as amended. Witness my original signature, the date number and seal this 28th day of

May 6, 2012
Ryann McBryde
Professional Land Surveyor

L-4394
Registration Number

PLAT CABINET 15 SLIDE 660 2012 JUN -1 P 1:46
1702 JUN -1 P 1:46

MRS. JUDY D. MARTIN
REGISTER OF DEEDS - MOORE COUNTY
CAROLINA, NORTH CAROLINA 28327

Robert Carrington
Deed Book 827, Page 79

Location of underground utilities, if shown, are based on visible evidence and 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.

This survey was done without benefit of an attorney's title search which could disclose zoning, restrictive covenants, easements not visible to surveyor, building setbacks, or other information which could affect surveyed property.

No subsurface or environmental considerations affecting this property have been made by surveyor.

Per D.B. 3607, PG 109
Moore County Registry

Notes: This map is in accordance with GS 47-30.
Area by coordinate method.
No Horizontal control within 2000 feet.
Dashed lines not surveyed, drawn from information as indicated.
There are no visible encroachments
other than those shown herein.
Survey is subject to any Declaration of Restrictions,
Conditions, Easements, Covenants, Agreement, Liens
and Charges of Record.

Legend:

- IPF = Iron Pipe Found
- IPS = Iron Pipe Set
- IRF = Iron Rod Found
- IRS = Iron Rod Set
- CMF = Concrete Monument Found
- ⊙ = Sewer Manhole
- ⊕ = Water Meter
- ⊗ = Fire Hydrant
- = Utility Pole
- CATV = Cable Television
- PSO = Power Stub Out
- TP = Telephone Pedestal
- WV = Water Valve
- ☆ = Aerial Light
- — — = Building Setback Line
- = Overhead Utilities
- SSO = Sanitary Stub Out
- = Electrical Transformer
- ⊠ = HVAC
- SS— = Sanitary Sewer
- = Calculated Point

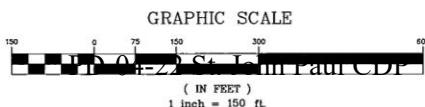
I, Ryan D. McBryde, a Professional Land Surveyor
L-4394, certify to one or more of the following as
indicated:

- ☐ A. That this plat is a survey that created a subdivision of land within the area of the county or municipality that has an ordinance that regulates parcels of land.
- ☐ B. That this plat is of a survey that is located in such portion of a county or municipality that is unregulated as to an ordinance that regulates parcels of land.
- ☒ C. That this plat is of a survey of an existing parcel or parcels of land and does not create a new street or change an existing street.
- ☐ D. That this plat is of a survey of another category, such as the recombination of existing parcels, a court survey, or otherwise, except to the definition of subdivision.
- ☐ E. That the information available to this surveyor is such that it is undue to make a determination to allow this surveyor's professional ability as to preparing a plat (A) through (D) above.


Professional Land Surveyor

L-4394
Registration Number

Date _____



LINE TABLE		
LINE	LENGTH	BEARING
L1	41.60	N02°33'37"E
L2	12.37	N18°36'33"E
L3	128.24	S26°57'47"W
L5	100.30	S21°01'08"E
L6	29.97	S21°01'33"E
L7	14.11	N75°40'24"W
L8	18.88	S23°36'09"E

Lloyd Sullivan
Deed Book 1965, Page 125

Morris Minton
Deed Book 3361, Page 593

20.82 Acres

Roman Catholic Diocese
Deed Book 1958, Page 519

Owners Address : Donald W. Longsreet
P.O. Box 56
Southern Pines, NC 28388

Reference: Plat Cabinet 9, Slide 502
Deed Book 3607, Page 109
Moore County, North Carolina

Voluntary Agricultural Proximity Statement

These parcels are located near an area that is presently used for agricultural purposes. Normal agricultural operations may conflict with residential land use. NC Law (General Statutes Section 106-701) provides some protection for existing agricultural operations against nuisance laws.

Roman Catholic Diocese
Deed Book 1958. Page 523

**RYAN
McBRYDE**
LAND SURVEYING • PLANNING
P.O. Box 1013
105-A Parkway Dr.
Aberdeen, NC 28315
Phone/Fax (910) 944-2410

Survey For:
Roman Catholic Diocese
of Raleigh North Carolina

20.82 Acres

96 of 203

May 2, 2012 Job# 120066
Revised May 8, 2012 Page 199 of 347

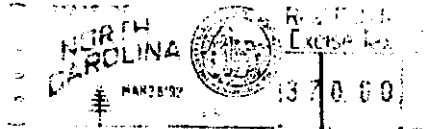
THIS DRAWING IS THE PROPERTY OF RYAN MCBRYDE LAND SURVEYING AND PLANNING AND MAY NOT BE REPRODUCED WITHOUT WRITTEN AUTHORIZATION FROM THE SURVEYOR. THIS DRAWING IS VOID WITHOUT ORIGINAL SIGNATURE AND

May 2022 Town Council

Property is to be served by a central water supply and by a individual sewage disposal system.

806 Bethesda Ave
Asheboro, N.C. 27315

TAX ADDRESS
RECORDING \$10.00
STAMP 370.00
TOTAL \$380.00



BOOK
008270

Neighborhood
Meeting Presentation

Mar 26 2 29 PM '92

MRS. JUDITH M. ADAMS
REGISTER OF DEEDS
MOORE COUNTY, N.C.

Excise Tax Recording Time, Book and Page

Tax Lot No. Parcel Identifier No.

Verified by County on the day of 19

by

Mail after recording to Arthur Rowe
155 E. New Hampshire Rd. Southern Pines, N. C. 28387

This instrument was prepared by Barclays Bank of North Carolina

Brief description for the Index 6.13 acres
Camp Easter Road

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 17th day of March, 1992, by and between

GRANTOR	GRANTEE
BARCLAYS BANK OF NORTH CAROLINA P. O. Box 31488 Charlotte, N. C. 28231	Robert W. Carrington and Mary Frances Carrington

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

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.

WITNESSETH, that the Grantor, for a 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 or parcel of land situated in the City of _____ Township, Moore County, North Carolina and more particularly described as follows:

See Exhibit A Attached Hereto

Rowe

14-3993

The property hereinabove described was acquired by Grantor by instrument recorded in Book 794 at Page 42
of the Moore County Registry

A map showing the above described property is recorded in Plat Book page

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 hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

All applicable zoning and land use ordinances, statutes and regulations, 1992 ad valorem taxes; and all applicable restrictive covenants and easements of record.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

BARCLAYS BANK OF NORTH CAROLINA

By: *[Signature]*
Senior Vice President

ATTEST: *[Signature]*
Assistant Secretary (Corporate Seal)

USE BLACK INK ONLY

(SEAL)
(SEAL)
(SEAL)
(SEAL)

SEAL-STAMP

NORTH CAROLINA, County.

I, a Notary Public of the County and State aforesaid, certify that
personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this day of 19.

My commission expires: Notary Public

SEAL-STAMP

NORTH CAROLINA, Mecklenburg County.

I, a Notary Public of the County and State aforesaid, certify that Caryn R. Johnson
personally came before me this day and acknowledged that s. he is Assistant Secretary of
Barclays Bank of North Carolina a North Carolina corporation, and that by authority duly
given and as the act of the corporation, the foregoing instrument was signed in its name by its Senior Vice
President, sealed with its corporate seal and attested by herself as its Assistant Secretary.
Witness my hand and official stamp or seal, this 17th day of March, 1992.

My commission expires: April 29, 1994 Mary A. Miller Notary Public

North Carolina--Moore County

The foregoing Certificate(s) of Mary A. Miller, Notary Public

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

Judith M. Adams REGISTER OF DEEDS FOR Moore COUNTY
By *[Signature]* Deputy/Assistant - Register of Deeds

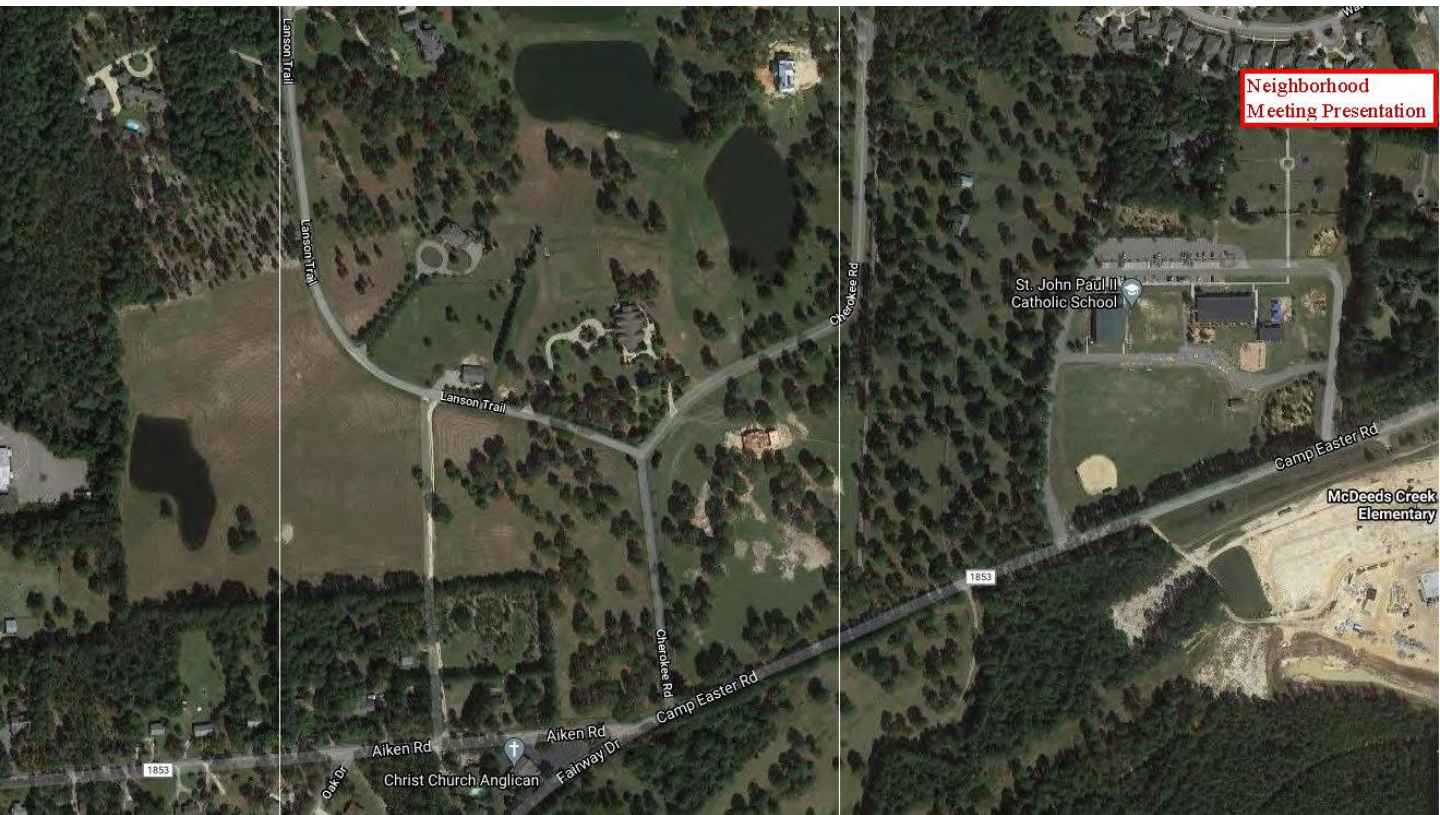
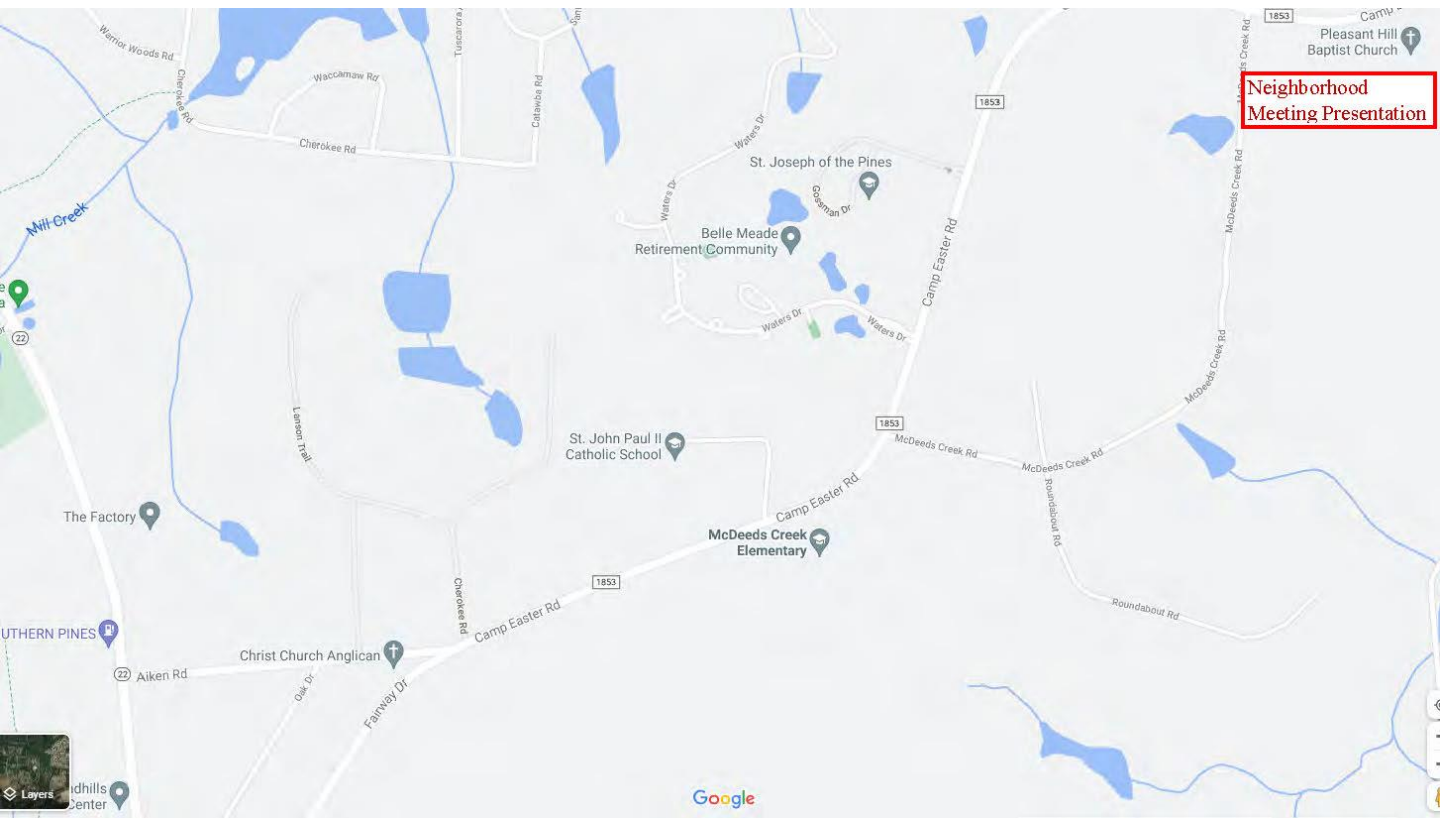
A certain tract of land located North of the Town of Southern Pines and lying about 600 yards North of State Road No. 1853 (Aiken Road), adjoining the lands of Kelly Miller, et al on the North, East, and South and the 18 feet wide Camp Easter Road on the West, described as follows: BEGINNING at iron stake, said stake lying in the east line of the 18 feet wide Camp Easter Road, located from the beginning monument of the Edwin Longcope 275 Acre Tract as recorded in Deed Book 184 at Page 116 in the Office of the Register of Deeds for Moore County, said monument lying in the west side of the Camp Easter Road, S 4 55' W 193.00 feet to a concrete monument, also in the west side of the Camp Easter Road; thence N. 18 06' E 78.92 feet to the point of Beginning; running thence as a new line the following calls; N 18 06' E 199.28 feet to a concrete monument, at the end of a wire fence; thence S 77 54' E 468.20 feet to a concrete monument, near the intersection of the wire fence with another wire fence; thence with the wire fence S 16 15' W 584.62 feet to an iron stake near the intersection of a wire fence with along the north side of a soil road, N 77 58' W 397.15 feet to an iron stake, in the east side of the 18 feet wide Camp Easter Road; thence with the east side of the Camp Easter Road, N 4 46' E 388.52 feet to the point of beginning, containing 6.00 acres more or less and being a portion of the Edwin Longcope 275 acre tract as recorded in Deed Book 184 at Page 116 in the office of the Register of Deeds for Moore County, North Carolina.

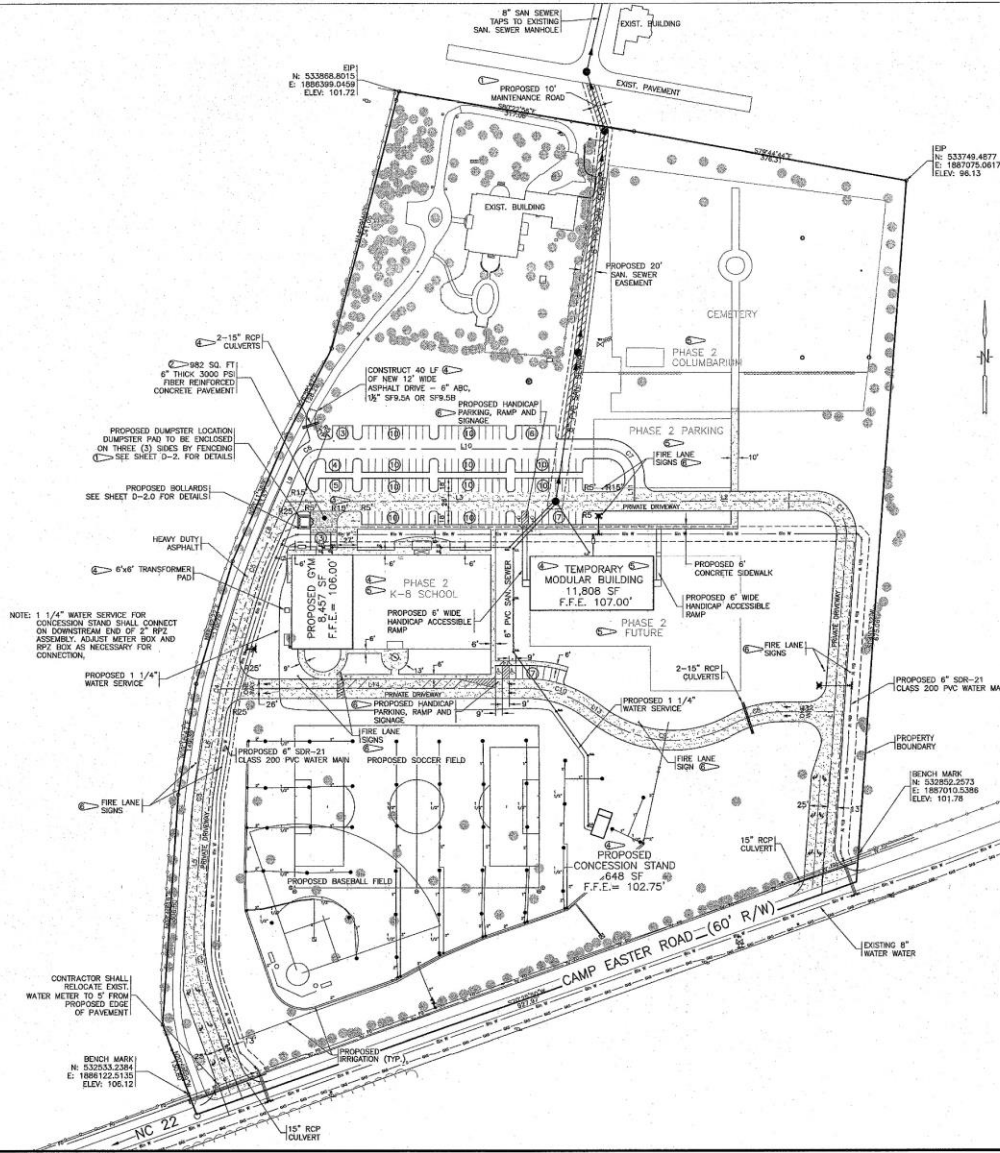
ACCESS EASEMENT TO 6.00 ACRE TRACT

BEGINNING at an iron stake, said stake being in the east line of the 18 feet wide Camp Easter Road and being the southwest corner of the above described 6.00 acre tract, running thence with the south line of the 6.00 acre tract, S 77 54' E 27.00 feet; thence S 50 06' W 37.77 feet to the east side of the 18 feet wide Camp Easter Road; thence with the east side of the Camp Easter Road N 4 55' E 30.00 feet to the point of beginning, and being an easement across the Kelly Miller et al property. Also conveyed is the right to use the 18 foot wide Camp Easter Road that extends from Aiken Road (S.R. No. 1853) northerly to the Camp Easter in the Pines Property.

ACCESS EASEMENT TO 6.00 ACRE TRACT

BEGINNING at an iron stake, said stake being in the east line of the 18 feet wide Camp Easter Road and being the southwest corner of the above described 6.00 acre tract, running thence with the south line of the 6.00 acre tract, S 77 54' E 27.00 feet; thence S 50 06' W 37.77 feet to the east side of the 18 feet wide Camp Easter Road; thence with the east side of the Camp Easter Road N 4 55' 30.00 feet to the point of beginning, **and being an easement across the Kelly Miller et al property. Also conveyed is the right to use the 18 foot wide Camp Easter Road that extends from Aiken Road (S.R. No. 1853) northerly to the Camp Easter in the Pines Property.**





NOTE: MODULAR BUILDING CONSTRUCTION FOR TEMPORARY USE UNTIL CONSTRUCTION OF FUTURE K-8 SCHOOL.

BUILDINGS

TOTAL EXISTING BUILDINGS	7,030 SF
PHASE 1 PROPOSED CYM	8,457 SF
PHASE 1 PROPOSED CONCESSION STAND	848 SF
PHASE 1 TEMPORARY MODULAR	11,808 SF
PHASE 2 PROPOSED BUILDINGS	55,115 SF
TOTAL BUILDING SF	86,058 SF

PARKING

PARKING SPACES REQUIRED	62
18 x 11.75 = 14.8 (19)	
6.457 / 200 = 43	
REGULAR PARKING SPACES PROVIDED	68
HANDICAPPED SPACES PROVIDED	4
TOTAL SPACES PROVIDED	72

IMPERVIOUS AREA

TOTAL ACRES	23.91 ACRES
EXISTING IMPERVIOUS	0.74 ACRES
PROPOSED IMPERVIOUS	3.40 ACRES
FUTURE IMPERVIOUS	1.56 ACRES
TOTAL IMPERVIOUS	5.62 ACRES
TOTAL PERCENTAGE IMPERVIOUS	24.76%

NOTE: SITE IS NOT IN A FEMA FLOOD PLAIN PER FEMA MAP # 271050502L, PANEL 0504, EFF. DATE OCTOBER 17, 2005.

BENCH MARK

NCDDT BM
SE CORNER OF WEST BOUND CAMPESTER ROAD
N: 532852.9573
E: 1887010.3386
ELEV. 101.78

SW CORNER OF WEST BOUND CAMPESTER ROAD
N: 532853.3394
E: 1886122.5135
ELEV. 106.12

INFRASTRUCTURE/UTILITY TOTALS

PROPOSED WATER MAIN: 2,032.18 LF
 PROPOSED WATER SERVICES: 816 LF
 NEW PAVING: 69,157 SF (1.58 AC)
 HEAVY DUTY ASPHALT: 55,154 SF (1.26 AC)
 LIGHT DUTY ASPHALT: 13,939 SF (0.32 AC)
 GRAVITY SEWER MAIN: 726 LF
 SEWER SERVICES: 1,010 LF
 SIDEWALK: 11,491 SF (0.26 AC)
 STORM STRUCTURES: 3 EA.

AREA INFORMATION

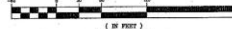
POPE JOHN PAUL II
 CATHOLIC SCHOOL
 ZONING: RE
 DB 1958, PG 519
 DB 1958, PG 523
 ORIGINAL DEEDED AREA: 23.91 ACRES

RECEIVING WATER COURSE: UNNAMED TRIBUTARY TO MILL CREEK & McDEEDS CREEK
 MILL CREEK CLASSIFICATION: WS-III, HOW
 McDEEDS CLASSIFICATION: WS-III, HOW
 RIVER BASIN: CAPE FEAR

LEGEND

- ECM
- EP
- ESP
- PROPERTY BOUNDARY
- NCDDT RIGHT OF WAY
- UNDERGROUND FIBER OPTIC
- EXISTING CABLE
- EXISTING FENCE
- EXISTING WATER
- EXISTING GAS
- CABLE TV BOX
- EXISTING WELL
- EXISTING IRRIGATION VALVE
- EXISTING TREES
- EXISTING POWER POLE
- EXISTING WATER MAIN
- PROPOSED WATER MAIN
- PROPOSED SAN. SEWER
- HEAVY DUTY PAVEMENT

GRAPHIC SCALE



CONSTRUCTION NOTES:

1. EROSION PLAN APPROVAL AND OTHER APPLICABLE PERMIT. NO MEASURE SHALL BE REMOVED WITHOUT TOWN OF SOUTHERN PINES APPROVAL.
2. TRUCKS ENTERING AND EXITING FROM SITE MUST DO SO ONLY FROM CONSTRUCTION ENTRANCE.
3. DENOURED/CLEARING LIMITS SHOWN ON THESE PLANS ARE APPROXIMATE AND MAXIMUM. CONSTRUCTION SHALL SET CLEARING LIMITS BASED ON MINIMUM AMOUNT OF AREA REQUIRED TO CONSTRUCT THE PROPOSED IMPROVEMENTS DEPICTED WITHIN THESE PLANS.
4. SEE EROSION CONTROL DETAILS, SHEET D-1.0, D-1.1, AND D-1.2 FOR EROSION CONTROL DETAILS, CONSTRUCTION AND MAINTENANCE SCHEDULES.
5. THE LOCATION OF THE EXISTING UTILITIES SHOWN IN THE PLANS ARE APPROXIMATE ONLY. THE CONTRACTOR SHALL CONTACT THE UTILITY LOCATION SERVICE ("NORTH CAROLINA ONE CALL" - 1-800-432-6949) FOR EXACT LOCATION OF ALL UNDERGROUND MAINS, CABLE, OR LINE BEFORE CONSTRUCTION BEGINS.
6. THE APPROPRIATE UTILITY COMPANY SHALL BE NOTIFIED BY THE CONTRACTOR 48 HOURS IN ADVANCE OF ANY EXCAVATION INVOLVING THEIR UTILITIES SO THAT A COMPANY REPRESENTATIVE CAN BE PRESENT.
7. TRUCKING ON OR ABOUT THE SITE WILL BE PERMITTED ONLY WITHIN REASONABLE LIMITS AND THE CONTRACTOR SHALL NOT UNREASONABLY ENCUMBER THE PREMISES WITH HIS EQUIPMENT AND MATERIALS. THE STORAGE SHALL BE CONFINED TO SUCH LIMITS AS MAY BE JOINTLY AGREED BY OWNER AND CONTRACTOR.

SEDIMENT TRAP - SUMMARY				
Trap #	*W(ft)	*L(ft)	Weir Length(ft)	Total Surface Area (sf)
1	50.00	100.00	10.00	5,010.00
2	50.00	100.00	11.00	4,400.00
3	30.00	60.00	5.00	1,786.00
4	51.00	102.00	11.00	5,184.00

* TRAP DIMENSIONS ARE MEASURED FROM TOP OF WEIR DEPTH (REQUIRED SURFACE AREA)

LEGEND

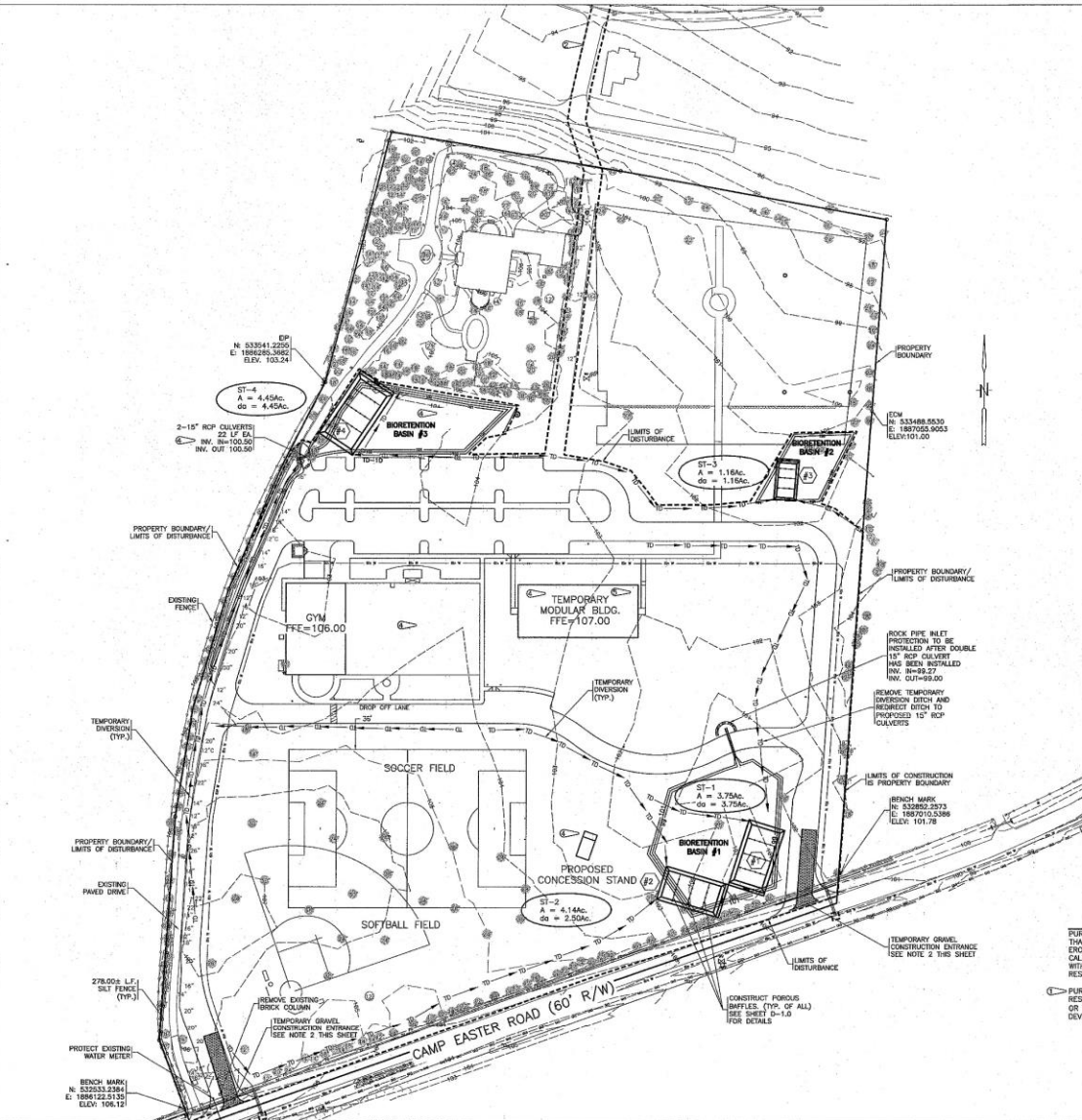
- EXISTING CONTOURS
- PROPERTY BOUNDARY
- EXISTING WATER MAIN
- EXISTING RIGHT OF WAY
- EXISTING PREPARE TANK
- EXISTING PINE & CHALPER
- EXISTING CEDAR & CHALPER
- EXISTING TREE TO BE REMOVED
- EXISTING FIBER OPTIC
- EXISTING TELEVISION CABLE
- EXISTING GAS LINE
- SEDIMENT TRAP
- SEDIMENT TRAP CALLOUT
- LIMITS OF DISTURBANCE
- TEMPORARY SILT DIVERSION
- DIVERSION DIKE (PERIMETER PROTECTION)
- SECTORM FENCE
- DRAINAGE AREA

NOTE:

- PURSUANT TO G.S. 133-42(2), THE ANGLE FOR GRADED SLOPES AND FILLS SHALL BE NO GREATER THAN THE ANGLE THAT CAN BE MAINTAINED BY VEGETATIVE COVER OR OTHER APPROPRIATE EROSION-CONTROL DEVICES OR STRUCTURES. IN ANY EVENT, SLOPES LEFT EXPOSED MUST, WITHIN 21 CALENDAR DAYS OF COMPLETION OF ANY PHASE OF GRADING, BE PLANTED OR OTHERWISE PROVIDED WITH TEMPORARY OR PERMANENT GROUND COVER, DEVICES, OR STRUCTURES SUFFICIENT TO RESTRAIN EROSION.
- PURSUANT TO G.S. 113A-57(3), PROVISIONS FOR PERMANENT GROUND COVER SUFFICIENT TO RESTRAIN EROSION MUST BE ACCOMPLISHED FOR ALL DISTURBED AREAS WITHIN 15 WORKING DAYS OR 60 CALENDAR DAYS (WHICHEVER IS SHORTER) FOLLOWING COMPLETION OF CONSTRUCTION OR DEVELOPMENT.

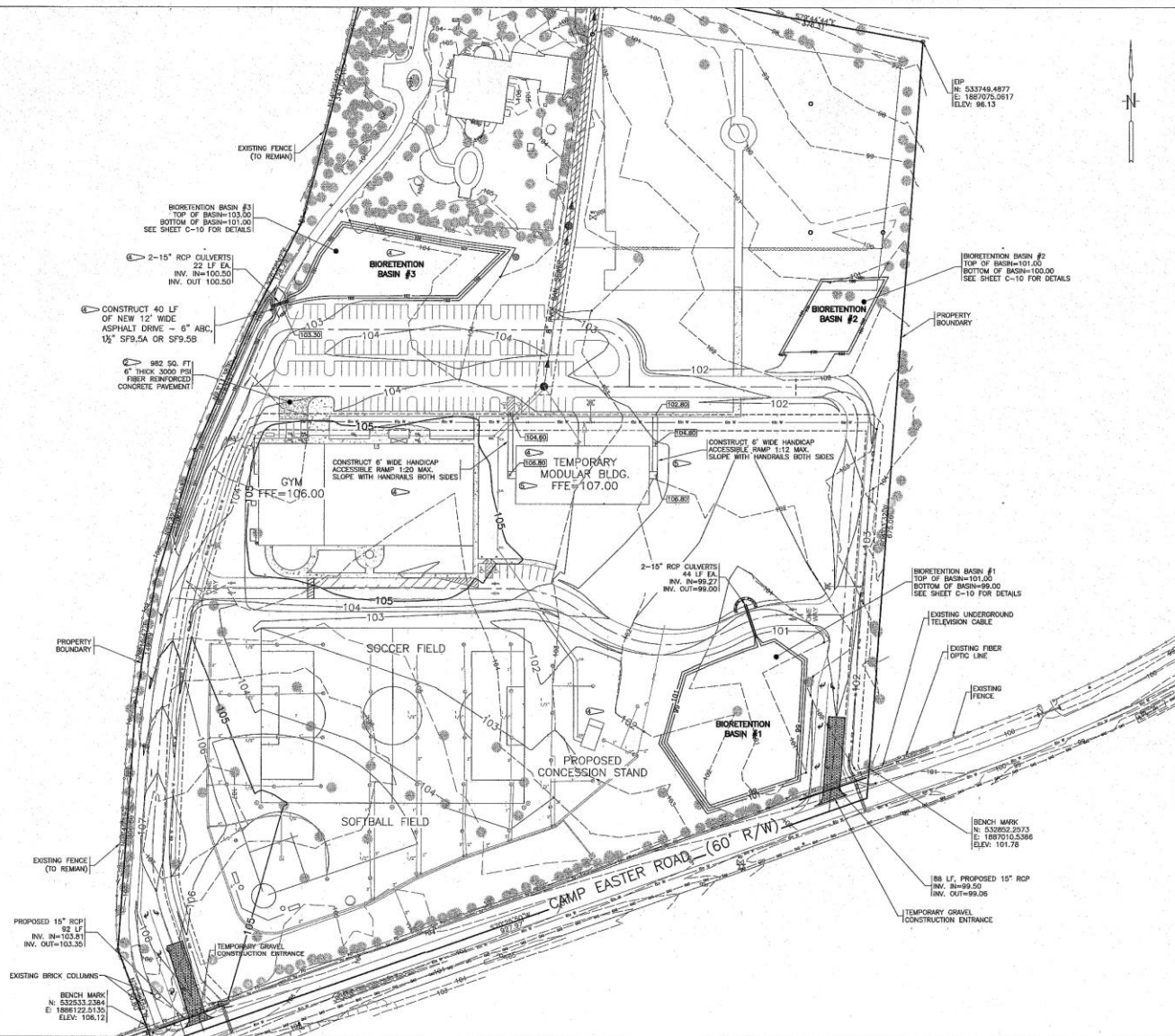
DISTURBED AREA: 15.95 Ac.±

RIVER BASIN: CAPE FEAR
CLASSIFIED: CLASS-III; HQW



DATE	BY	FOR
02/27/2024	ST. ANTHONY OF PADOVA	ST. ANTHONY OF PADOVA
02/27/2024	ST. ANTHONY OF PADOVA	ST. ANTHONY OF PADOVA
02/27/2024	ST. ANTHONY OF PADOVA	ST. ANTHONY OF PADOVA
02/27/2024	ST. ANTHONY OF PADOVA	ST. ANTHONY OF PADOVA

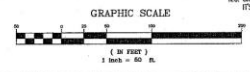
DATE	BY	FOR
02/27/2024	ST. ANTHONY OF PADOVA	ST. ANTHONY OF PADOVA
02/27/2024	ST. ANTHONY OF PADOVA	ST. ANTHONY OF PADOVA
02/27/2024	ST. ANTHONY OF PADOVA	ST. ANTHONY OF PADOVA
02/27/2024	ST. ANTHONY OF PADOVA	ST. ANTHONY OF PADOVA



NOTE:
1. EXISTING AND PROPOSED STORM SEWER SYSTEMS AND PROPOSED BIOTENTION BASIN WILL BE PRIMARILY OWNED AND MAINTAINED.

LEGEND

—	EXISTING CONTOUR
—	PROPOSED CONTOUR
—	PROPERTY BOUNDARY
—	HIGHEST RIGHT OF WAY
—	UNDERGROUND FIBER OPTIC
—	EXISTING CABLE
—	EXISTING FENCE
—	EXISTING WATER
—	EXISTING GAS
—	CABLE TV BOX
—	EXISTING WELL
—	EXISTING IRRIGATION VALVE
—	EXISTING PROPANE TANK
—	EXISTING POWER POLE
—	EXISTING PINE & CALIPER
—	EXISTING CEDAR & CALIPER
—	EXISTING OAK & CALIPER





Subject: Neighborhood Meeting – 01/25/22

Project: Saint John Paul II Catholic School CDP

Date: 01/26/22

The purpose of this meeting was to present the CDP, help familiarize the neighbors with the proposed short and long-term master plan, and to address any concerns.

Light Pollution

- How will the impact of light pollution be minimized?
 - Landscaping will be planted, and/or berms will be constructed as required.
- Will the Phase II athletic fields have lighting?
 - That level of detail is outside the scope of this CDP.

Traffic

- Has a traffic impact analysis been completed?
 - The school was contacted during the design phase of the new traffic circle. The designers were informed that St. John Paul could have a maximum of 450 to 500 students.
 - In the future, if the Diocese proceeds with Phase II for the future church facility, a new TIA would be required. This is outside the scope of this CDP.

Construction

- Please comment on the school construction phasing and its effect on traffic.
 - Construction will have to occur while the school is both in and out of session.
 - Fortunately, the school has a lot of open area for delivery, storage, and staging. Additionally, no work is expected on the different utility lines.
- Please comment on the site utilities.
 - For the school, the utilities were installed to accommodate the new school when the original work on the site was done.
 - For the future church, new utilities will need to be run to the site at that time.
- What is the expected cost of the building and how much money has already been raised?
 - School construction cost is expected to be between \$8 and \$10 million.
 - While the school hasn't begun any serious fund-raising campaign, it already has approximately \$3 million.
- Please comment on tree removal in Phase II (church).
 - In Phase I (school), the site is already prepared, and no trees will be removed. An environmental consultant was contacted, and it was determined that a RCW survey was not needed.
 - In Phase II, trees will have to be removed to accommodate new construction. All work will be done in coordination with an RCW survey analysis. Trees will be replanted per the local code.

Church and School

- What is driving the number of Phase II parking spaces?
 - 500 spaces are projected for the church lot. This number is defined by the Diocese of Raleigh.
- Please comment on the St. Anthony of Padua church.
 - St. Anthony's has approximately 1,200 families but the chapel can only accommodate 300 people.
 - If the school ever proceeds with Phase II and a new church is built, the existing in town St. Anthony's church will be closed, and the site sold.
- After construction on the school is completed, how long before it is expected to reach full capacity?
 - The school is currently at full capacity with 221 students and must turn away approximately 40 prospective students each year. It's expected to take 3 years before the school could reach its new 450 student capacity.
- Please comment on the hiring of new teachers.
 - The school receives many unsolicited applications from highly qualified teachers for positions on its staff. Unfortunately, the school does not have any additional capacity to take on new people.
 - A new teacher can only be hired once a minimum class size has been reached. This way, the number of teachers grows proportionally with the number of students.

Easement

- Will any school/church traffic be directed along the easement road?
 - There is no plan to make use of the easement.
 - **The connection between the Phase II parking lot and the easement will be removed.**
- Can the easement be removed?
 - The usage rights to the easement belong exclusively to the property owner of the 6 acre tract at the north end of the easement.
 - The easement can only be removed if the owner of that 6 acre tract establishes another legal connection to a public way and if that owner petitions to have the easement removed – or if the Diocese purchases the tract and combines it with the horse farm parcel.
- What are the schools plans regarding the fence?
 - The school will reach out to the diocese to either repair or remove (most likely) the portions of the fence that are on the diocese property.

Miscellaneous

- Can a school be built on a site (this site) that is zoned as RE?
 - UDO matrix allows Elementary School use with a Conditional Use. Existing school was approved as a Pre-K through 8th grade school under a previous UDO. Expansion of this use requires compliance with the current UDO.
- One neighbor brought up his concern of how his property value and the tax base could be affected.
- How will the neighbors learn about future meetings?
 - Signs will be posted, and information will be published on the internet.
 - The next scheduled Town Council meeting is March 3rd.

St. John Paul II Catholic School Master Site Plan, Neighborhood Meeting 6:30 PM - January 25, 2022

Welcome & Introductions & Overview (John Donohue)

Attending:

Project Team • St. John Paul II Catholic School • John Donohue, Principal • Deb Lawson, Director of Institutional Advancement • Robert Evanila, Asst. Communications

Rhetson Construction: • Tony Bornhorst, Project Manager

Bogle Firm Architecture: • Pete Bogle, Principal Architect • Rory Gabriel, Project Architect

Fr. Forbes, Campaign Administrator, Sacred Heart Parish, Fr. Kane St, Anthony's Parish

Additional Signed-In Neighbors/Attendees numbering 13

Donohue touched on his background as an educator and principal and codified the purpose of the meeting as an opportunity within the set process to gain useful feedback and input from our neighbors before submitting a master site plan to the Town of Southern Pines.

Donohue similarly touched upon the excitement for the prospects of the school, the desirability of the area and the 2922 Camp Easter Road location, as well as the team's hope to develop the property in a way that respects the character of Southern Pines, the neighborhoods nearby, and all of its residents.

Donohue stated that the current, temporary units that constitute the school's academic buildings house 222 students, putting the school at capacity. He categorized the need for a new building as imminent, explaining the rolling numbers of prospective students whom they've had to deny entry based upon space (30 – 40 per year in previous years). (3 per week in 2021-2022 as per Evanila) Donohue explained that SJPII is a parochial school, part of The Diocese of Raleigh, a mission of St. Anthony's parish, that aims to address the growing need for classical Catholic education in our area with a school building that can house more than double the current student body.

Video – Following introductions and a welcome to our neighbors, Principal Donohue presented a school marketing video as part of his overview to our guests which outlined the need for a new facility via student and staff commentary; a video that likewise gave insights into daily life at the school. Sports, music, academics, art, religion, worship, leadership, students, teachers, etc.

Bogle shared site plan visuals/ renderings of the lot/s and existing buildings, phase 1 plans, future phase possibilities, mock-ups of the school building design, motion mock-ups, preliminary floor plans, the deed, sections of the SJPII Capital Campaign feasibility study, and other pertinent layouts and excerpts throughout his presentation.

Bogle mentioned having worked on several projects in the area and partnering with Rhetson to do the master planning for the proposed SJPII facility.

Bogle explained that, like the adjacent McDeeds elementary property, the town of Southern Pines had made the SJPII property/ies non-conforming parcel/s that would require a site-specific rezoning to expand, a conditional district overlay (CDP). As part of this process, the master plan to be submitted to the town needed to contain all targeted and possible future possibilities for development, despite the fact that SJPII is only presently seeking the phase 1 school expansion by way of a permanent academic building. He reiterated that the plan need identify all current and possible future uses. He likewise paraphrased the notion as plans showing both what will happen and "what could happen."

- **NOTE ADDED BY BOGLE FIRM: PETE BOGLE USED THE WRONG TERM DURING THIS PORTION OF THE PRESENTATION. REZONING APPROACH WILL UTILIZE A "PD" PLANNED DEVELOPMENT APPROACH AND NOT A "CD" CONDITIONAL DISTRICT SINCE CD OVERLAYS ARE RESTRICTED TO THE USES PERMITTED IN THE UNDERLYING ZONING DISTRICT.**

Bogle explained the SJPII site plan as three pieces of property

- Flagship Property (Rectory)
- School (SJPII Catholic School)
- Horse Farm (current location of additional SJPII offices)

Bogle identified “phase 1” plans as the plan for the upcoming, permanent school building to replace the existing temporary units. He reviewed that it would be 56000 square feet, enough space for two classes in every grade, a chapel, two stories, and that the grounds already included almost all of the needed infrastructure to this phase 1 end. He specifically used drainage/runoff results as examples to illustrate.

Bogle noted that the existing plans for the new school building would require construction throughout the school year after they break ground and that the phase 1 plans show the new building overlapping a portion the temporary, modular units where school currently takes place. He noted that at least a portion of the temporary building would need to be removed for the construction to begin. This led to some brief, extempore discussion with the audience that seemed to clarify the urgency of the school building plan. Bornhost underscored the point, noting that the SJPII property is currently at the limit to the number of temporary units the town will allow on the land.

Bogle showed graphics for a future phase that could include a new St. Anthony’s church building and new church parking lot (for 500) on the parcel now referred to as the horse farm. Bogle referred to this layout as a conceptual plan, when asked for clarification from the audience, and he explained that these future phase additions of a possible church building, new lot, new athletic fields, a new rectory, and the possible future additional expansion of the classroom building, were plans only drawn up to meet the rezoning purposes/requirements of the present goal, phase 1 only.

Fr. Forbes noted a local legal requirement for a certain number of parking spaces per seats in a church. Fr. Kane noted that St. Anthony’s current building was a 300 seat church for 1200 parishioners. Fr. Kane and the team also clarified to the audience that the new church building represented on the future phase was to replace the existing St. Anthony’s building in Southern Pines and not somehow exist in addition to that church.

Bogle stated that the purpose of meetings like this was to address any concerns on a conceptual plan before sending it to the Town of Southern Pines. He noted that the future phases are the malleable ones where there might be adjustments made to meet neighbor concerns and for which future meetings would also be held.

Bogle noted that the “right-to-use” on the 18’ easement to access our neighbors’ 6 acre tract adjacent (easement = undeveloped road alongside the horse farm section), a right having applied to those neighbors for years, as provided in the deed, would remain in effect. Several audience members inquired as to if there was anything the teams invested in this process could do to curtail use of that easement by others who had not retained this “right.” It was indicated that, by and large, curtailing wrongdoers was not within the purview of the teams present.

When asked, Bogle clarified that they were not currently seeking a PDP as it related to future phase. He conveyed next steps as :

- Scheduling CDP presentation to the town,
- PDP for the phase 1 school building itself
- Public meeting (March 3rd at the earliest)

Concerns shared by the audience, during and following Bogle's presentation, included:

- Light pollution from the proposed lot on the future phase.
- Noise pollution from the proposed church and lot on the future phase.
- Additional, unwanted traffic using the easement.
- Designed points of ingress and egress leading directly to the easement, as shown on the future phase, adjoining the proposed church parking lot.
- The existing poor state of the easement.
- The possibility of additional school car-line lengths stretching out onto Camp Easter Road.
- The existing poor state of a fence near the easement.
- Getting DOT approval for new traffic flows so near the existing traffic circle.
- Possible future phase light pollution from additional or augmented athletic fields. Bogle clarified that athletic field lights were future phase and not phase 1.
- A parent in the audience inquired as to phasing of the construction and site use during that time. Bornhorst estimated a ten-month construction period that would take place while school was in session. Donohue agreed.
- A guest asked about a break-ground date. Lawson characterized the date as funding-dependent. The follow-up question was asked, what portion of phase 1 would be paid for by the church/diocese, and while it seemed clear that individual donors do come from both, the the school was responsible for raising the entire amount themselves. When asked, Bornhorst estimated the cost at between \$8M -\$10M and Lawson verified that the current capital campaign targeted an \$8M goal.
- A guest asked how quickly SJPII thought it would fill the additional seats in the phase 1 building. Lawson estimated a three-year period before getting back near the new capacity. That same guest asked if there was enough teacher interest in the SJPII School to make the plan work. Donohue clarified that SJPII was a sought-after destination for local teachers for multiple reasons. Evanila clarified that there was already an applied math to ensure there would not be students without teachers or teachers without students.
- There were questions about the utilities to support the phase 1 school building. Bogle clarified that all utilities had been planned for and installed in advance where possible.
- Some guests wished to see a traffic impact analysis for all phases before lending any support. While one guest later conveyed understanding that such studies would take place, again, later in the process if possibly pursuing a future phase; however, she gently eschewed the previous traffic study referred to by Lawson (who claimed the study accounted for both the phase 1 new school building and 300 residences that came to the area), the guest stating that the proposed capacity for the phase 1 building is not the capacity represented on the town's website. Post-meeting, this guest further clarified her concern as relating to additional traffic volume in the area, near her home on the McDeeds side, and as a safety issue given nearby speed limits.
- Impact of the future phases on local property values, particularly SJPII's closest neighbors; some of that impact as related to loss of trees in the area and light pollution from the proposed future phase parking lot. There was no second mention of possible noise pollution during the questions about impact to property values. One guest, a "constituent of the pine barrens," noted that for many of the properties we were speaking about, their value represented a large portion of the town's property tax base.
- Disruption of traffic flow and noise during actual construction of any phase.
- One audience member cordially asserted a disagreement as to whether land originally zoned RE (rural estate) could have a church building added to it. The gentleman's contention was that only school buildings could be added. Bogle and Lawson assured the guest that a church building was permitted. The guest politely disagreed and seemed unconvinced when departing some time after. The ensuing conversation attempted to clarify for all involved the differences between CDP and PDP zoning as explained by Bogle.

The layman's terms breakdown that closed that portion of the discussion was Bogle referring to CDP as what could be and PDP as what has to be.

- **NOTE ADDED BY BOGLE FIRM: GUEST WAS CORRECT THAT RELIGIOUS USE IS NOT ALLOWED AS CURRENTLY ZONED IN RE. RELIGIOUS USE COULD BE APPLIED AS PART OF THE PD REZONING.**
- There was a recurring concern that lending support to the master site plan at the CDP stage while it includes such a detailed future phase design would, in essence, push through the future phase without any meetings, stopgaps, or due process come some later date. Bogle noted that even with a future phase in this master site plan, it would not curtail the requisite studies and meetings should the future phase design ever be pursued.
- Loss of trees.
- Impact on wildlife.

Bogle addressed many of the questions, pointing out town requirements for berms and landscaping across the whole of newly developed property that should mitigate the issues about the fence, some of the presumed light pollution, and noise. Bogle levied the possibility of removing the two future phase points of ingress and egress to the easement from a parking lot to address some of the traffic concerns.

Bogle noted that there might be an additional easement on the far side of SJPII's easement belonging to others. If so, it would be an easement with which his firm would not be aware. While no one could say for certain, this was one of the possibilities noted to address a claim by a neighbor that a surveyor had indicated to her, there was a single easement straddling two properties. Lawson and Bogle maintained that this was not the case.

Evanila noted on paper that, questions aside, only two of the concerns expressed by neighbors during the meeting had to do with phase 1. Car-line length, and disruption during constriction.

Bogle and Donohue thanked guests for attending and remained, along with other master site plan team members, breaking out into smaller groups to answer individual audience questions after the group meeting drew to a close.

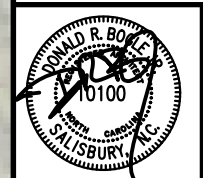
Conceptual Development Plan

- CDP1: Overview Concept Plan
- CDP2: Existing Campus Plan
- CDP3: Phase 1 Campus Plan
- CDP4: Future Phase Campus Plan



OVERVIEW
CONCEPT
PLAN
TOWN OF SOUTHERN PINES
CONCEPT DEVELOPMENT PLAN

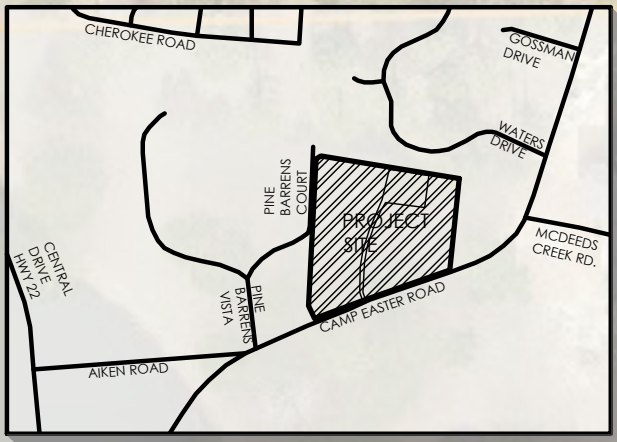
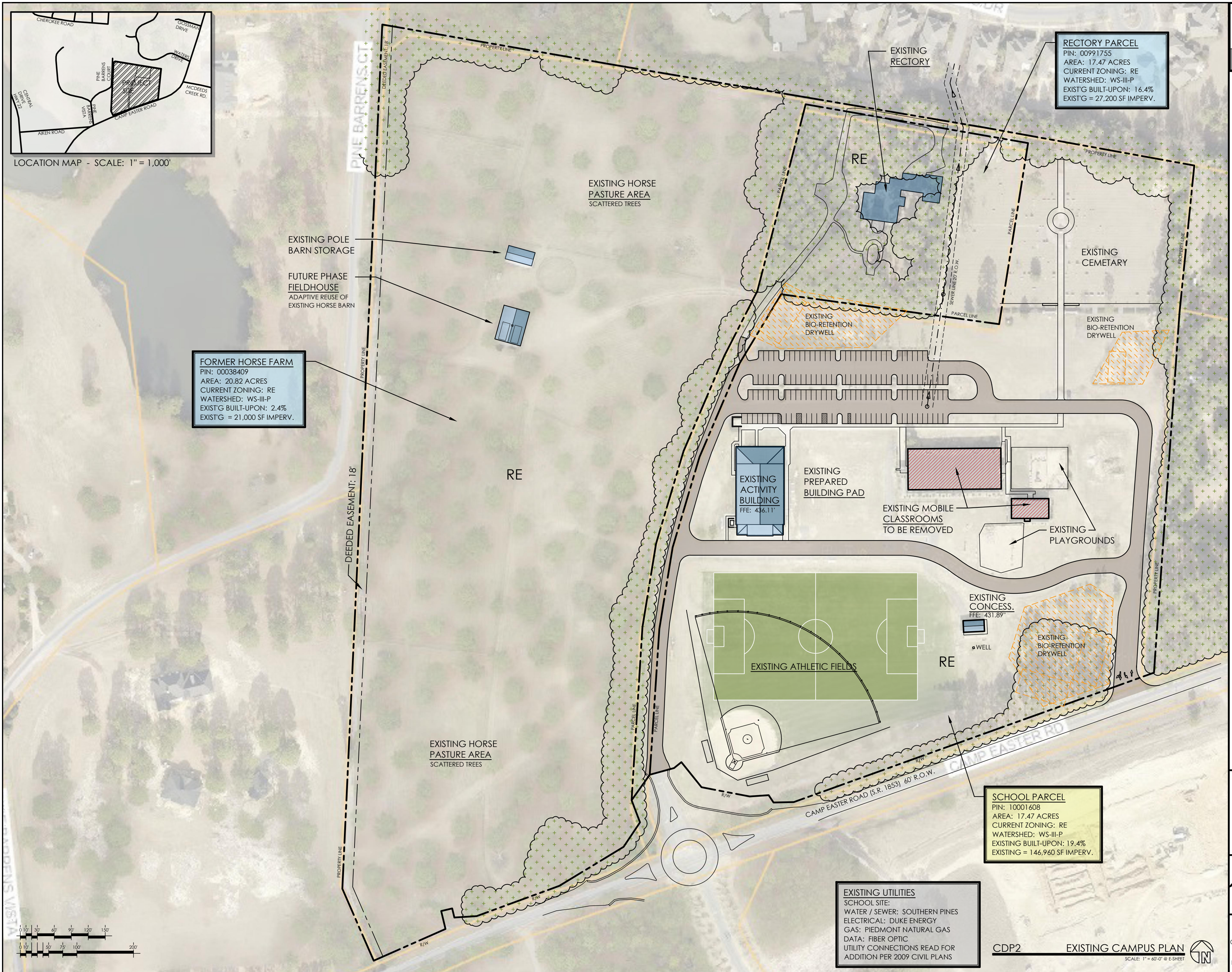
ST. JOHN PAUL II
CATHOLIC SCH.
2922 CAMP EASTER ROAD
SOUTHERN PINES, NC



DRAWN BY: DRB
CHECKED BY: DRB
DATE: 2.7.22
PROJECT #: .
SHEET NUMBER
CDP1
OF: 4

CDP1-01 OVERVIEW CONCEPT PLAN
SCALE: 1" = 100'-0" @ E-SHEET





LOCATION MAP - SCALE: 1" = 1,000'

FORMER HORSE FARM
PIN: 00038409
AREA: 20.82 ACRES
CURRENT ZONING: RE
WATERSHED: WS-III-P
EXIST'G BUILT-UPON: 2.4%
EXIST'G = 21,000 SF IMPERV.

RECTORY PARCEL
PIN: 00991755
AREA: 17.47 ACRES
CURRENT ZONING: RE
WATERSHED: WS-III-P
EXIST'G BUILT-UPON: 16.4%
EXIST'G = 27,200 SF IMPERV.

SCHOOL PARCEL
PIN: 10001608
AREA: 17.47 ACRES
CURRENT ZONING: RE
WATERSHED: WS-III-P
EXISTING BUILT-UPON: 19.4%
EXISTING = 146,960 SF IMPERV.

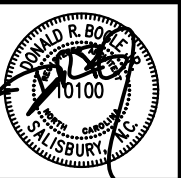
EXISTING UTILITIES
SCHOOL SITE:
WATER / SEWER: SOUTHERN PINES
ELECTRICAL: DUKE ENERGY
GAS: PIEDMONT NATURAL GAS
DATA: FIBER OPTIC
UTILITY CONNECTIONS READ FOR
ADDITION PER 2009 CIVIL PLANS

the BOGLE FIRM ARCHITECTURE
110 N. MAIN ST SUITE 200 SALISBURY, NC 28144
pete@boglefirm.com www.boglefirm.com 704.638.2015

PUBLICATION OR REUSE OF THESE DRAWINGS OR ANY INCLUDED DETAILS MUST BE WITH THE WRITTEN CONSENT OF THE FIRM'S PRINCIPAL ARCHITECT.

EXISTING CAMPUS PLAN
TOWN OF SOUTHERN PINES
CONCEPT DEVELOPMENT PLAN

ST. JOHN PAUL II CATHOLIC SCH.
2922 CAMP EASTER ROAD
SOUTHERN PINES, NC



DRAWN BY: DRB
CHECKED BY: DRB
DATE: 2.7.22
PROJECT #:

SHEET NUMBER
CDP2
OF: 4

CDP2 EXISTING CAMPUS PLAN
SCALE: 1" = 60'-0" @ E-SHEET





TOWN OF SOUTHERN PINES COURTESY REVIEW

Case: PD-04-22 – Conceptual Development Plan

Location: 2978 Camp Easter Road

PIN#: 858315538280, 858315635655, and 858315635197

March 8, 2022

Following a review of the above referenced Conceptual Development Plan by the RLUAC staff and Board of Directors, and recognizing that our findings are non-binding on the Town of Southern Pines, the RLUAC Board of Directors finds that:

- The southern portion of the site is designated as Critical to Protect in the Fort Bragg Compatible Use Rating system due to its location within an active red-cockaded woodpecker foraging area.
- The entire site is designated as Important to Protect in the Fort Bragg Compatible Use Rating system due to its location within a designated High Quality Waters drainage area (Mill Creek HQW Management Area).

Active red-cockaded woodpecker foraging areas are designated as Critical to Protect because the loss of their habitat in the region, regardless of specific location, has the potential to impact Fort Bragg's military mission. If the cumulative loss of habitat outside of the installation causes a significant impact to the viability of the species in the region, the use of critical training land on Fort Bragg may be restricted to ensure that the installation fulfills its environmental protection obligations. This would occur as the result of an increased requirement to preserve habitat for this federally designated endangered species, which, in the past, has severely limited certain types of training activity on Fort Bragg. Constrained training capabilities, in turn, can have a significant impact on military readiness and the sustainment of Fort Bragg's mission.

With the proximity of known red-cockaded woodpecker clusters, RLUAC encourages the applicant to have this property surveyed by personnel experienced in management and monitoring of the species prior to the removal of any mature pine trees. The protocol can be obtained at: https://www.fws.gov/ncsandhills/pine_tree_removal.html The results of this survey can be sent to the US Fish and Wildlife Service office located in Raleigh, NC,

ATTN: John Hammond, for review. The applicant is also encouraged to preserve as many mature pines and as much contiguous undisturbed forested land on the site as possible within the defined foraging area.

RLUAC also encourages the Town of Southern Pines and the applicant / developer to take such measures as are feasible to limit the impact of stormwater runoff from the future development of the site on the watercourses that comprise the Mill Creek High Quality Waters Management Area. Maintaining the integrity of important environmental assets contributes to the overall compatibility of our region with Fort Bragg's environmental protection mission, which goes hand-in-hand with its military training and operational missions. Beyond the potential environmental impact of the proposed development, the nature of the use proposed for the site does not present any additional compatibility concerns with regard to military training or operations.

Thank you for allowing RLUAC to review this case.

John K. McNeill, Chairman

Vagn K. Hansen II, AICP, Executive Director

BJ Grieve

From: Cindy Williams
Sent: Friday, March 4, 2022 11:32 AM
To: BJ Grieve
Subject: FW: [External] PD-04-22 St. John Paul II Catholic School
Attachments: PD-04-22 PB PHN - Agency Comments.pdf

From: JuarezPozos, Dagoberto <djuarezpozos@ncdot.gov>
Sent: Friday, March 4, 2022 11:05 AM
To: Cindy Williams <CWilliams@southernpines.net>
Cc: James, Janet R <jrjames2@ncdot.gov>
Subject: RE: [External] PD-04-22 St. John Paul II Catholic School

Cindy,

Due to the expansion of the site they will need to submit a driveway permit. We will also need to see a more detailed breakdown of the land uses. Maximum number of students and a more definitive church size so we can run a trip gen and see if any roadway improvements are triggered.

Thank you,

Dago

Dagoberto Pozos, P.E.
Assistant District Engineer
Division 8 District 2

910-944-7621 Office
djuarezpozos@ncdot.gov

902 North Sandhills Blvd.
Aberdeen, NC 28315



Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

From: Cindy Williams <CWilliams@southernpines.net>
Sent: Thursday, March 3, 2022 9:43 AM
To: Archie Daniel <adaniel@southernpines.net>; Cindi King <CKing@southernpines.net>; Cory Albers <calbers@southernpines.net>; David Byrd <DByrd@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>; Scotty Malta <smalta@moorecountyairport.com>

Cc: BJ Grieve <BJGrieve@southernpines.net>; Cindy Williams <CWilliams@southernpines.net>

Subject: [External] PD-04-22 St. John Paul II Catholic School

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 regarding a proposed Conceptual Development Plan for St. Jon Paul II Catholic School and respond with any comments or concerns at your earliest convenience.

Thank you.

Sincerely,

Cindy Williams, CZO
Planning Department
Town of Southern Pines
801 SE Service Road, Southern Pines, NC 28387
(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.

the
BOGLE
FIRM
ARCHITECTURE

110 N. MAIN ST. SUITE 200
SAUSBURY, NC 28144

pete@boglefirm.com
www.boglefirm.com
704.630.2015

PUBLICATION OF THESE DRAWINGS OR ANY INCLUDED DETAILS ARE BY THE WRITER IN CONSENT OF THE FIRM'S PRINCIPAL ARCHITECT.

FUTURE PHASE
CAMPUS
PLAN

TOWN OF SOUTHERN PINES
CONCEPT DEVELOPMENT PLAN

ST. JOHN PAUL II
CATHOLIC SCH.

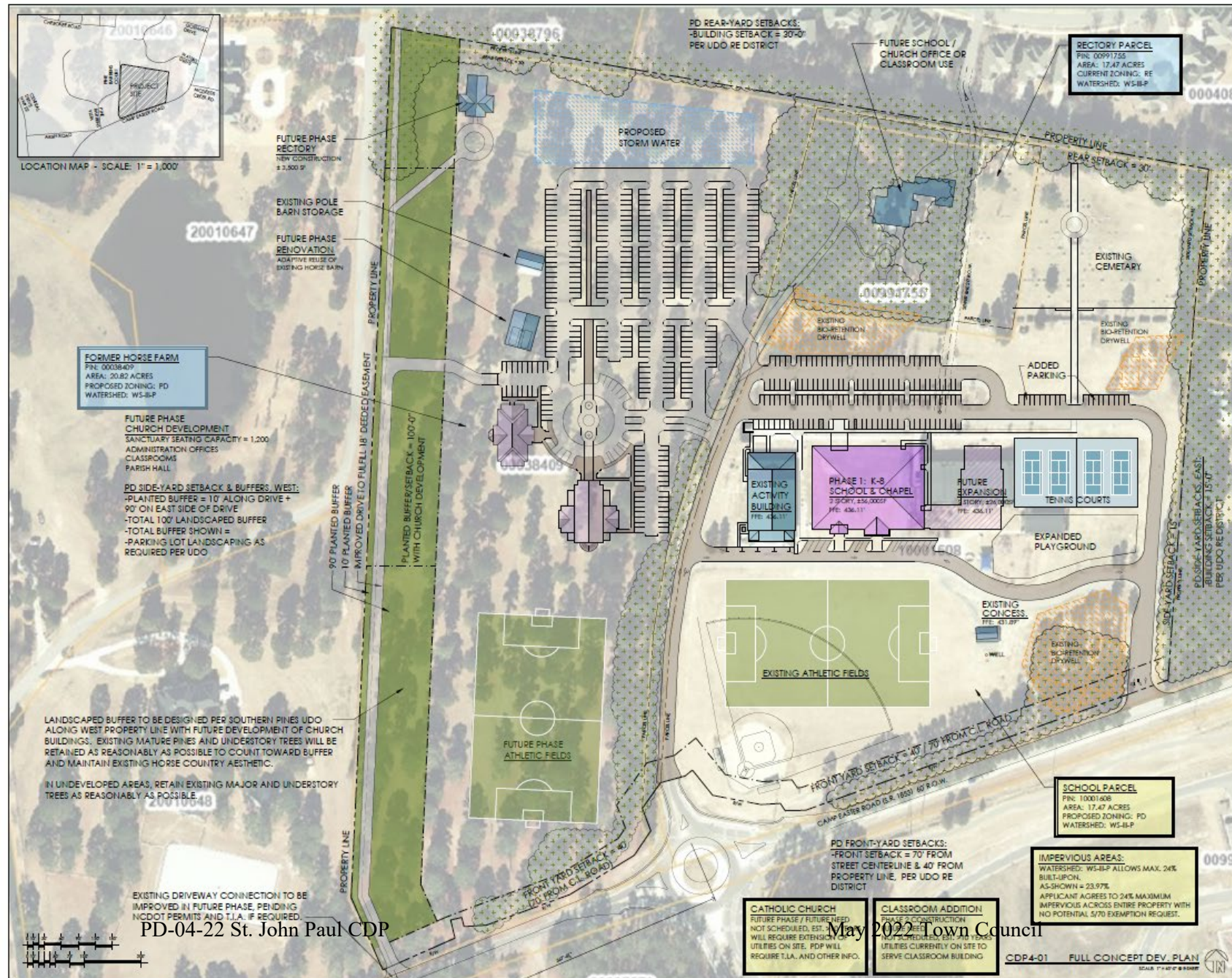
2922 CAMP EASTER ROAD
SOUTHERN PINES, NC

DRAWN BY: DE
CHECKED BY: DE
DATE: 4.1
PROJECT #:

SHEET NUMBER
CDP4
OF: 6

Adjustments made based on comments from Planning Board including:

- Location of Church Development
- Reduction of New Parking
- Addition of 100' Buffer / Setback
- Revised on-site Traffic Flow
- Maximum 24% Impervious





ATTACHMENT A

**PLANNING BOARD
RESOLUTION TO ADOPT A WRITTEN RECOMMENDATION
FOR CONCEPTUAL DEVELOPMENT PLAN APPLICATION
PD-04-22**

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 March 24th, 2022 for consideration of a Planned Development - Conceptual Development Plan for the St. John Paul Planned Development;

NOW, THEREFORE BE IT RESOLVED that the Planning Board supports the immediate school development purpose of constructing a new classroom building to replace mobile classroom units for St. John Paul II Catholic School. The Planning Board appreciates the need for rezoning the parcel with the existing school as it is inconsistent with the UDO, which only allows Elementary Schools within the RE district. The planning board however finds that this Conceptual Development Plan, PD-04-22, specifically the "Future Phase Church Development" work proposed solely on Parcel ID 00038409, represents an overall Development Pattern that is inconsistent with the goals and policies of the Comprehensive Long Range Plan, most notably Goal 5 of the CLRP, which is the retention of the aesthetic and functionary characteristics of Horse Country. The planning board finds that the scale, location, and buffering issues surrounding the "Future Phase Church Development" could be inconsistent with the residential future land use designation. The Planning Board also finds that the proposed development's scale may be inappropriate for the area of the Town in which it is located, and is concerned particularly about the impacts on traffic Camp Easter Road and surrounding properties.

AND, THEREFORE, BE IT FURTHER RESOLVED that there were no additional matters considered by the Planning Board as a basis for a recommendation of denial to the Town Council regarding PD-04-22:

PD-04-22 St. John Paul CDP

Findings from Planning Board:

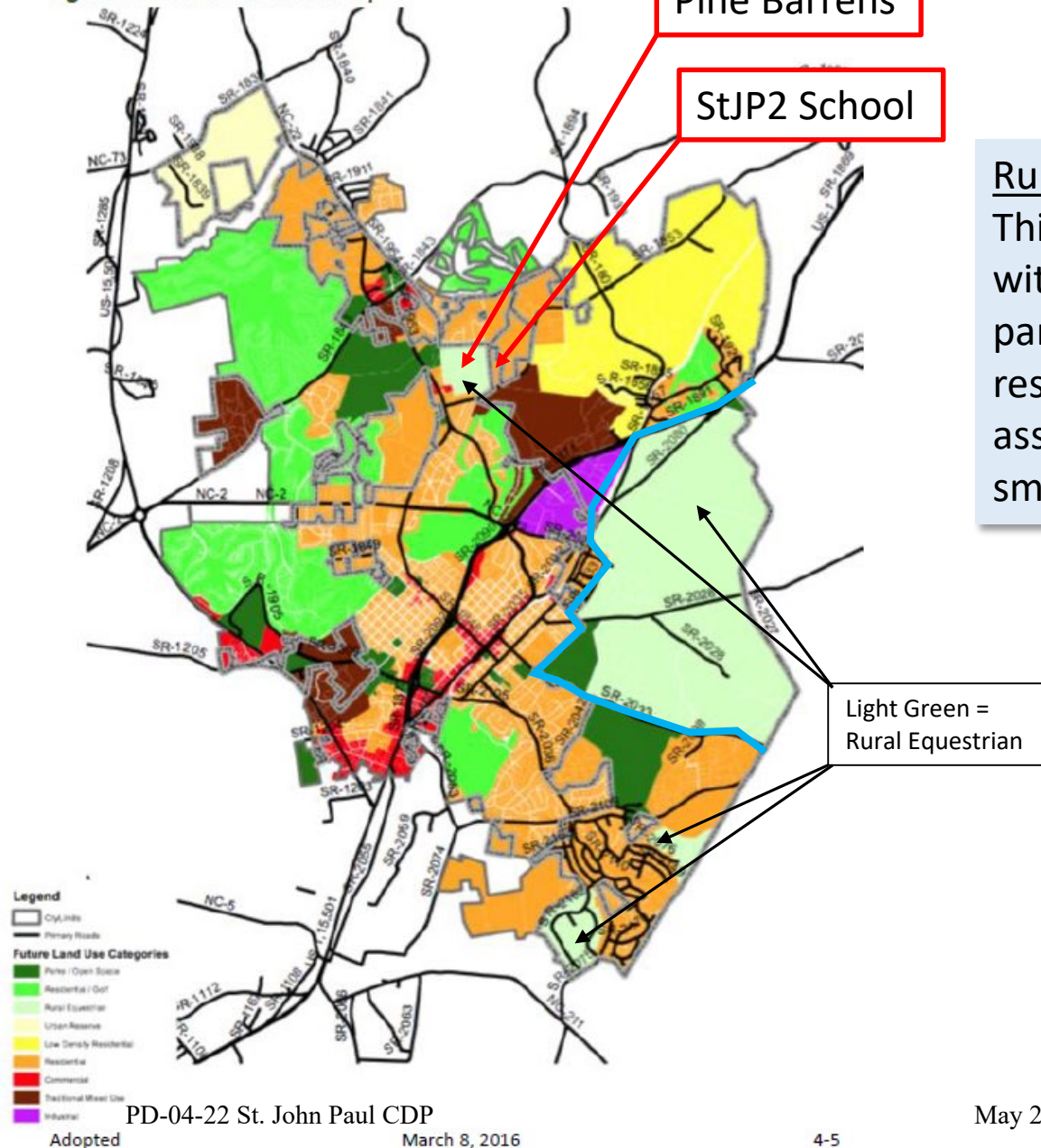
- 1) Planning Board supports immediate school development purpose of constructing new classroom building to replace mobile classroom units.
- 2) Planning Board sees need for rezoning to address inconsistency with the UDO that only allows Elementary Schools in the RE District
- 3) "Church Development" on west parcel represents an Overall Development Pattern that is inconsistent with the goals and policies of the Comprehensive Long Range Plan, most notably Goal 5 which is the retention of the aesthetic and functionary characteristics of Horse Country.
- 4) Scale, Location, Buffering issues of the future church development "could be inconsistent with the residential future land use designation."
- 5) Proposed development's scale may be inappropriate for the area of town in which it is located, and is concern particularly about the impacts on traffic Camp Easter Road and surrounding properties."

Answering Planning Board's Identified Findings:

- 1) Is the future Church Development inconsistent with CLRP, Goal 5 pertaining to Horse Country?
- 2) Is the Church Development Scale, Location, and Buffering inconsistent with the CLRP residential future land use designation?
- 3) Is the scale of the future Church Development inappropriate for the area of town based on TRAFFIC along Camp Easter Road?

Is the future Church Development inconsistent with CLRP, Goal 5 pertaining to Horse Country?

Figure 4.6 – Future Land Use Map



Southern Pines Comprehensive Long-Range Plan

dynamic. Enabled by at least two things – mobility and a County-wide retail tax-sharing arrangement – the Town and its neighbors have to a large degree become specialized, each able to focus energies and

Future Land Use Categories

The future land use map included in this

Rural Equestrian Definition

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 agricultural pursuits.



Figure 4.2 - The plan envisions increased density in concert with existing urban patterns. In some areas, neighborhood mixed-use centers could emerge, including commercial offerings such as this restaurant in West Southern Pines. Captioning this image, a participant wrote: "Like - Dining al fresco, local restaurant." (Image source: Camera exercise participant)

It is not surprising that the overall tenor of the Plan and the land use patterns articulated in this chapter is focused on retaining, and where possible, refining or building on Southern Pines existing qualities. The desire to become a more sustainable, diverse, self-reliant and compact place over time, will be balanced by the desire to preserve the Town's assets.

use. While neighborhood parks will exist within other land use designations, the parks and open spaces in this category are generally oriented to regional recreation or open space preservation.

Residential/Golf

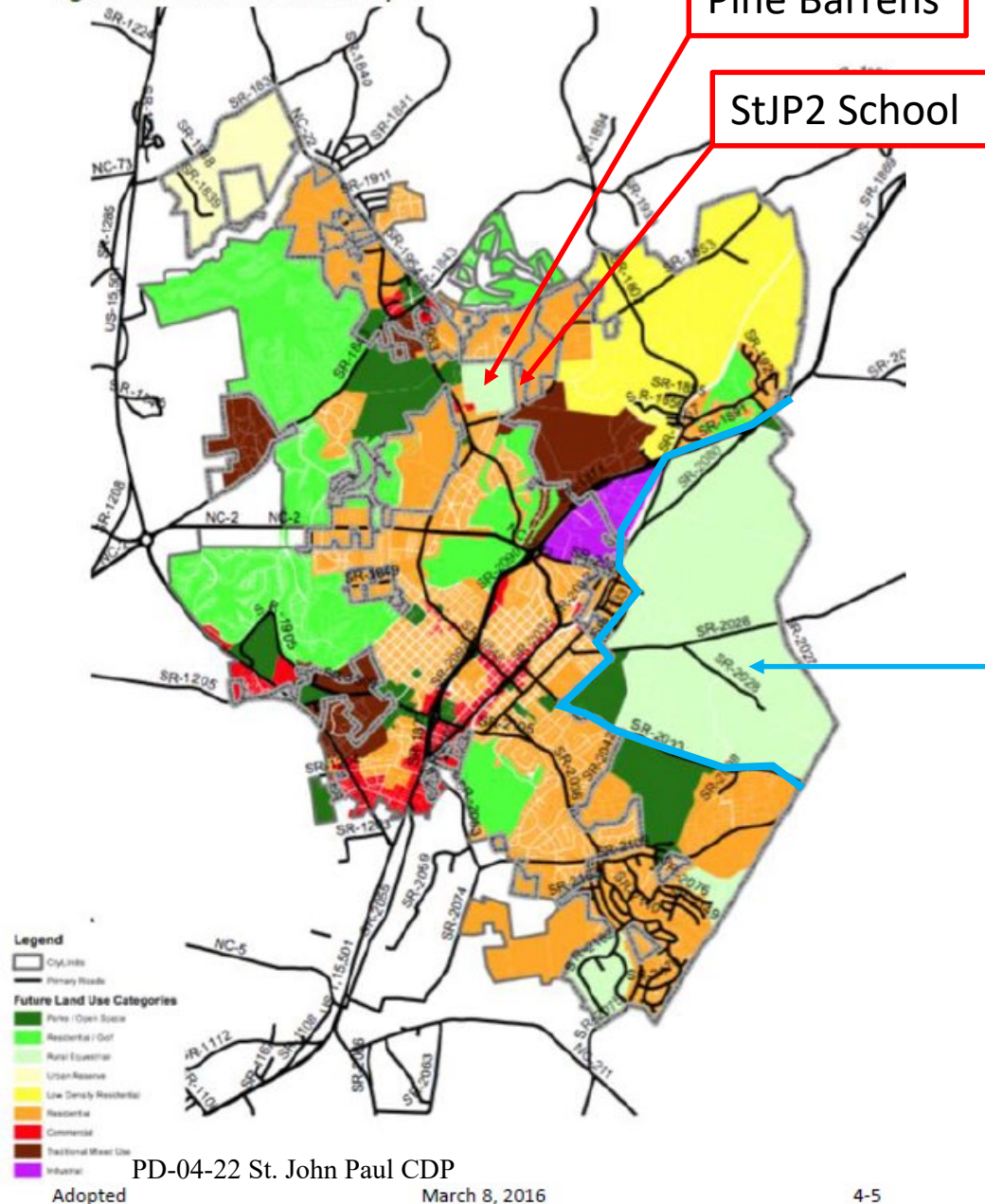
The Residential/Golf designation applies to areas that include public or private golf courses and residences. This category may accommodate a single family or attached dwellings at a variety of densities, recreational facilities in addition to the golf course, limited guest accommodations, and limited commercial services intended to serve residents of and visitors to the development.

Rural/Equestrian

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,

Is the future Church Development inconsistent with CLRP, Goal 5 pertaining to Horse Country?

Figure 4.6 – Future Land Use Map



Southern Pines Comprehensive Long-Range Plan

Growth management: A wide range of techniques used in combination to determine the amount, type, and rate of growth and to direct it to designated and appropriate areas.

Hazardous Areas: An area in which a danger is present, or likely to be present, in quantities that require special precautions for construction.

Historic Landscapes: The plantings and arrangement of roads, parks, institutions, and landscaped areas, designated as or consistent with the intentions of Southern Pines' founding design principles.

Horse Country: That area to the east and northeast of Southern Pines, extending from Weymouth Woods, through the ETJ and into unincorporated Moore County, characterized by large estates and an overall dedication to equestrian use, culture and activities.

Housing Forms: A range of residential types such as: single-family, condominium, multifamily, or town home.

Impacts: Consequences (both good and bad) of an action or decision that occur beyond the site under consideration.

Impervious Surfaces: Those paving, roofing or other impermeable surfaces that impede the flow of rainwater or storm runoff into the ground.

Implementation Measure: Regulatory and non-regulatory measures used to carry out the plan.

Indigenous (Landscaping) Materials: Plants and landscaping materials generally recognized as being native to an area.

CLRP Definition

Horse Country: That area to the east and northeast of Southern Pines, extending from Weymouth Woods, through the ETJ and into unincorporated Moore County, characterized by large estates and an overall dedication to equestrian use, culture and activities.

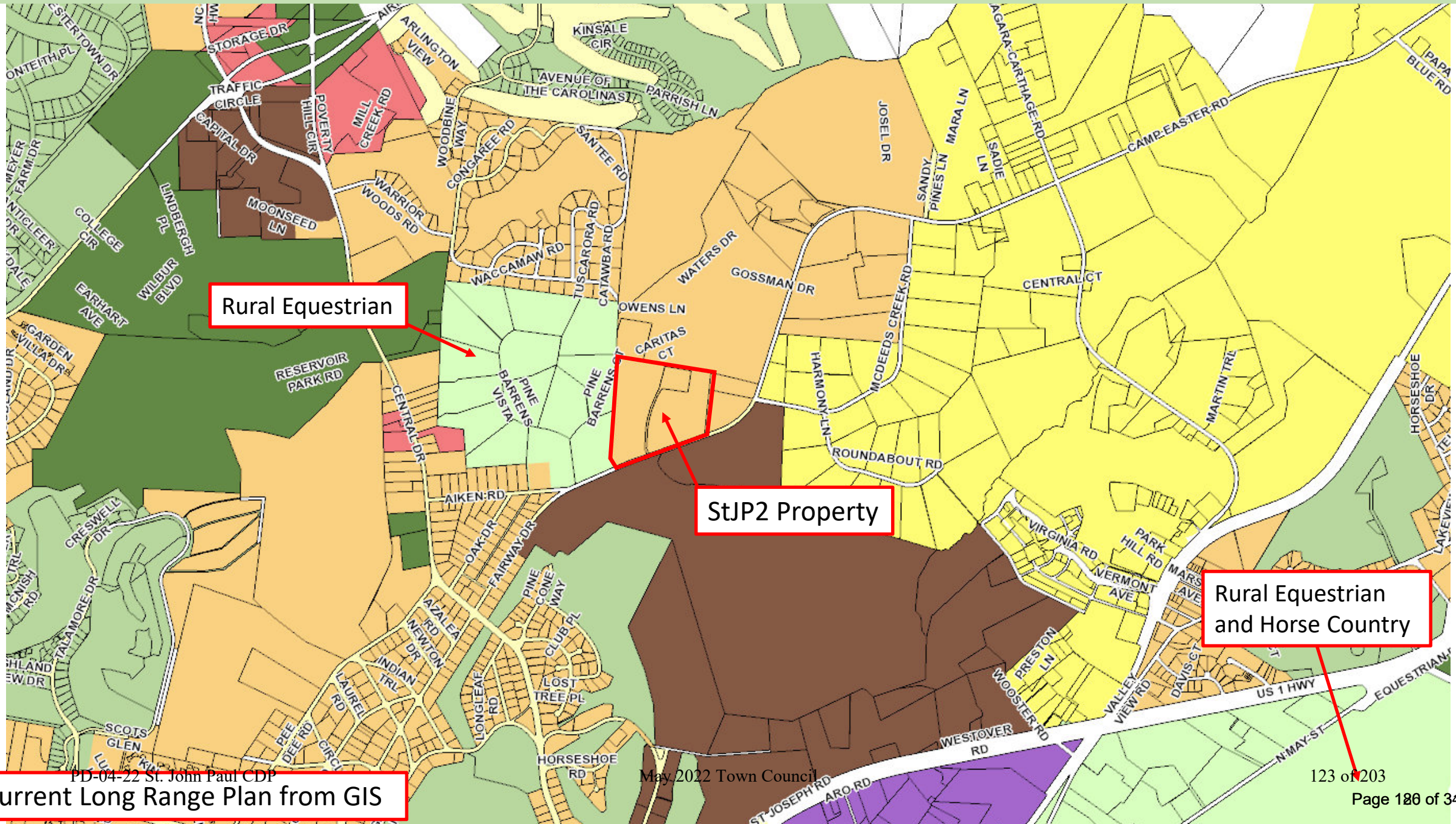
accommodating and dispersing traffic flow.

Land Bank: Land is acquired independently of a specific development project, for the expressed purpose of providing affordable housing at a future time.

Land Conservation: The placement of dwellings and accessory buildings in a pattern of development which reduces impervious surface area, lowers costs of development and maintenance and retains larger expanses of property available for agriculture, forestry, or continuity of ecological functions characteristic of the property to development.

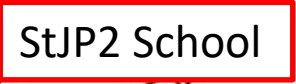
Land Use: The specific purpose for which land or a building is designated, arranged, intended, or for which it is or may be occupied or maintained.

Is the future Church Development inconsistent with CLRP, Goal 5 pertaining to Horse Country?



Is the future Church Development inconsistent with CLRP, Goal 5 pertaining to Horse Country?

Pine Barrens



P-5. Horse Country. Ensure new growth and development in Horse Country is compatible with existing Horse Country use and design characteristics by:

- PD-04-22 St. John Paul CDP
March 8, 2016

Is the future Church Development inconsistent with CLRP, Goal 5 pertaining to Horse Country?

StJP2 School

Revised CDP Site Plan is not inconsistent with CLRP Goal 5 based on the following:

- StJP2 land is not identified as either Rural Equestrian or Horse Country as defined by the CLRP.
- Adjusted CDP Site Plan includes a 100' setback and planted buffer to visually screen and physically separate future Church Development from the existing Rural Equestrian designated parcels within Pine Barrens.
- Function of Horse Country: Church development with 100' planted buffer & setback provides more protection to the function of horse country than is currently established at a recently built riding arena which is 175 feet from Camp Easter Road, with no buffer and few trees.
- Existing topography and natural vegetation provides additional visual separation as seen in these images...

Overview Map

Current Segment:

174.66 Feet

Total:

0.00 Feet

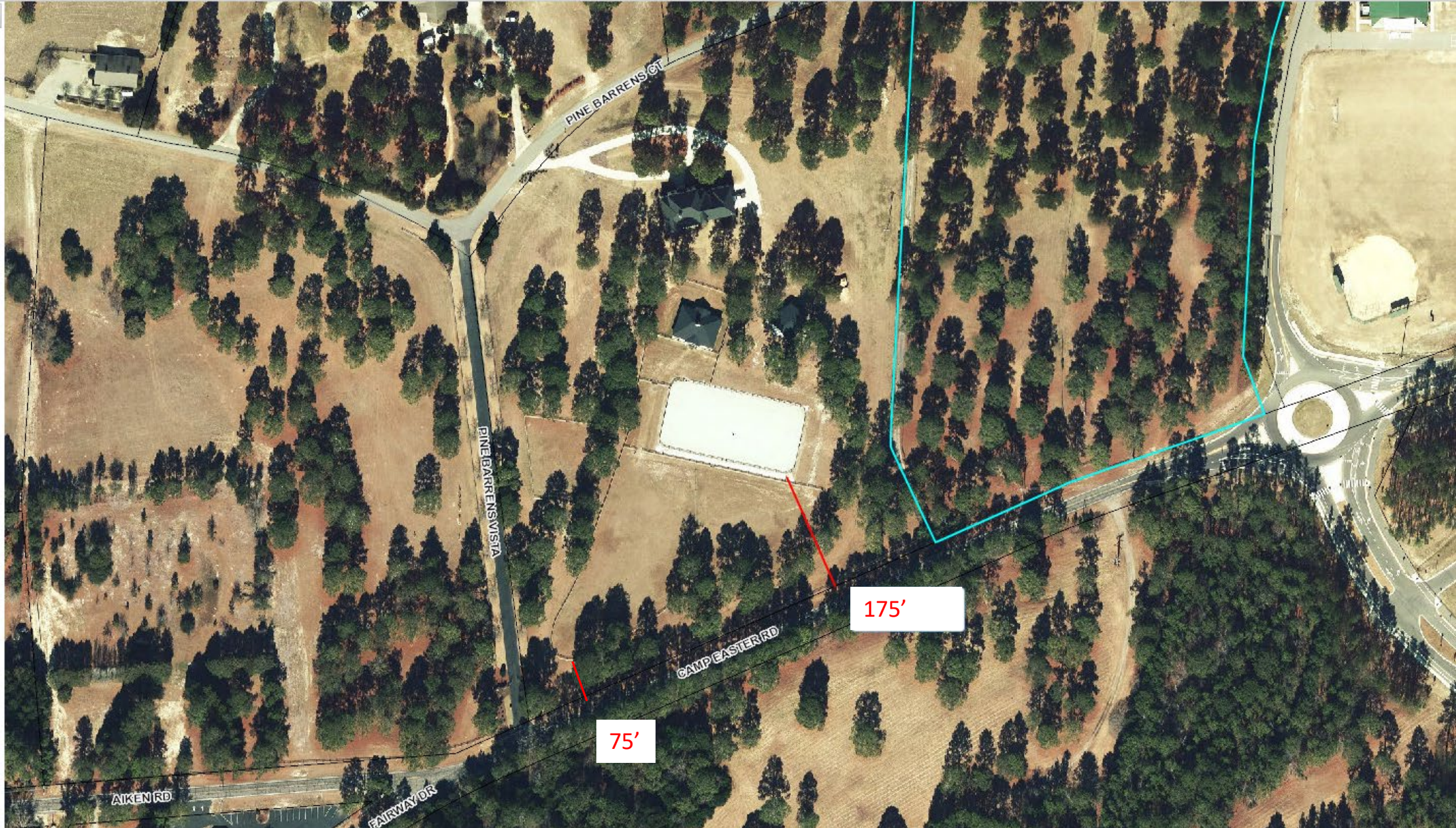
Quick Search

Advanced Search

Search Builder

Coordinate Search

Comparable Search



Function: Riding Arena built 175’ from Camp Easter Road ROW. One line of mature pine trees separating riding arena from road. Pasture fencing within 75’ from the road edge.



VISUAL SEPARATION - EXISTING











At west boundary of proposed parking area, looking toward Pine Barrens





PD-04-22 St. John Paul CDP



Images along existing Easement, at proposed parking lot connection, looking into Pine Barrens. Existing trees, grade change, pond area.

May 2022 Town Council



132 of 203

Page 189 of 348



PD-04-22 St. John Paul CDP



Images along existing Easement, at proposed parking lot connection, looking into Church Site.

May 2022 Town Council





My Volvo S90 parked in western parking area, viewed from proposed drive connection at existing easement.

100' Buffer extends roughly to top of rise.





From existing easement /
property line, looking
toward Mace House

±950 feet from shown
Church location to Mace
house





From 100 feet into site,
viewing toward Currey
house.

±450' from Currey house to
Athletic field where shown.

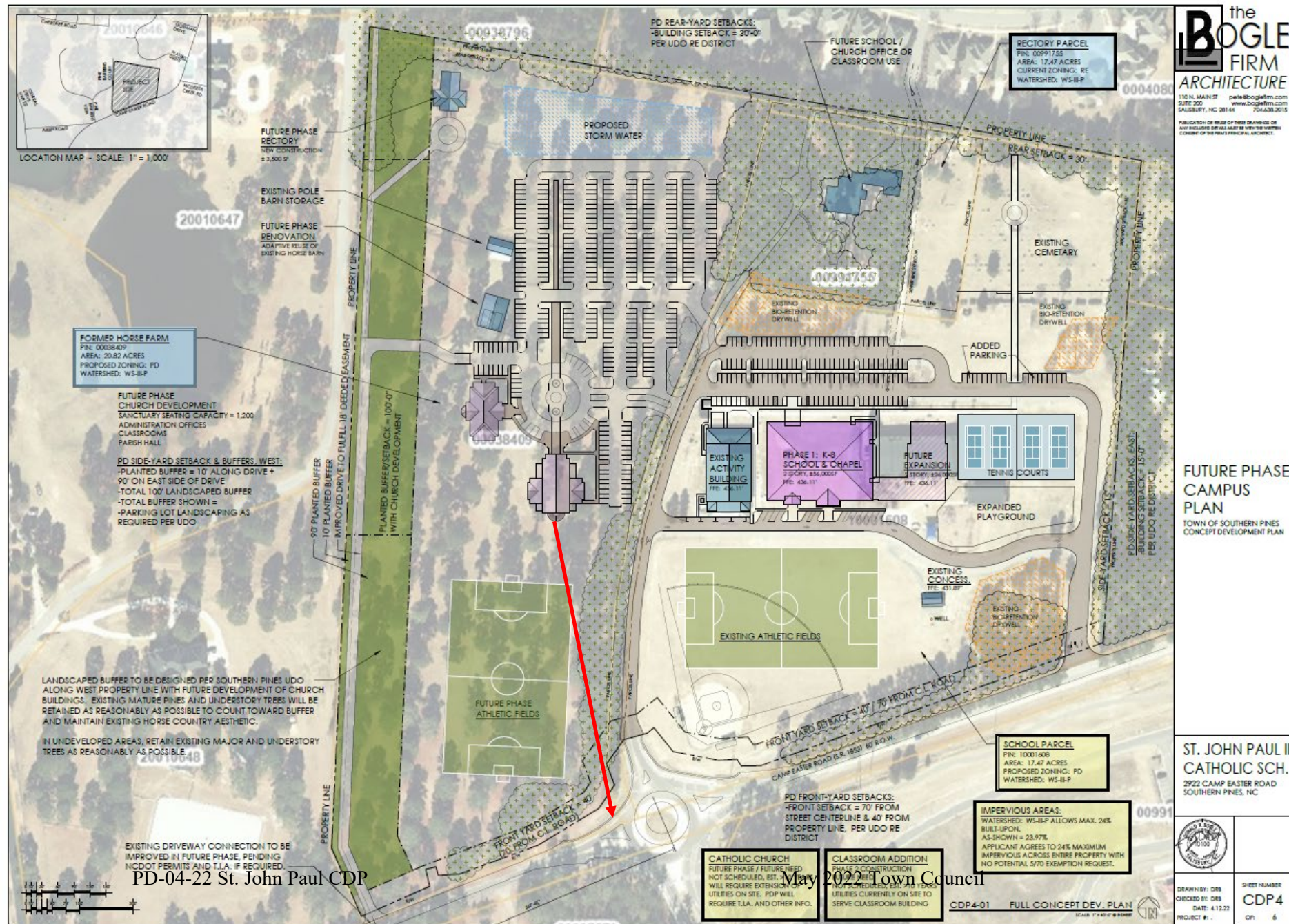




PANO from same spot - 100 feet into site,
parallel to front of Church Development,
viewing toward Currey & Mace house.



Is the Church Development Scale, **Location**, and **Buffering** inconsistent with the CLRP residential future land use designation?



Adjustments made based on comments from Planning Board including:

- Location of Church Development shown at >500' from Camp Easter Road – in line with adjacent school buildings
- Addition of 100' Buffer / Setback

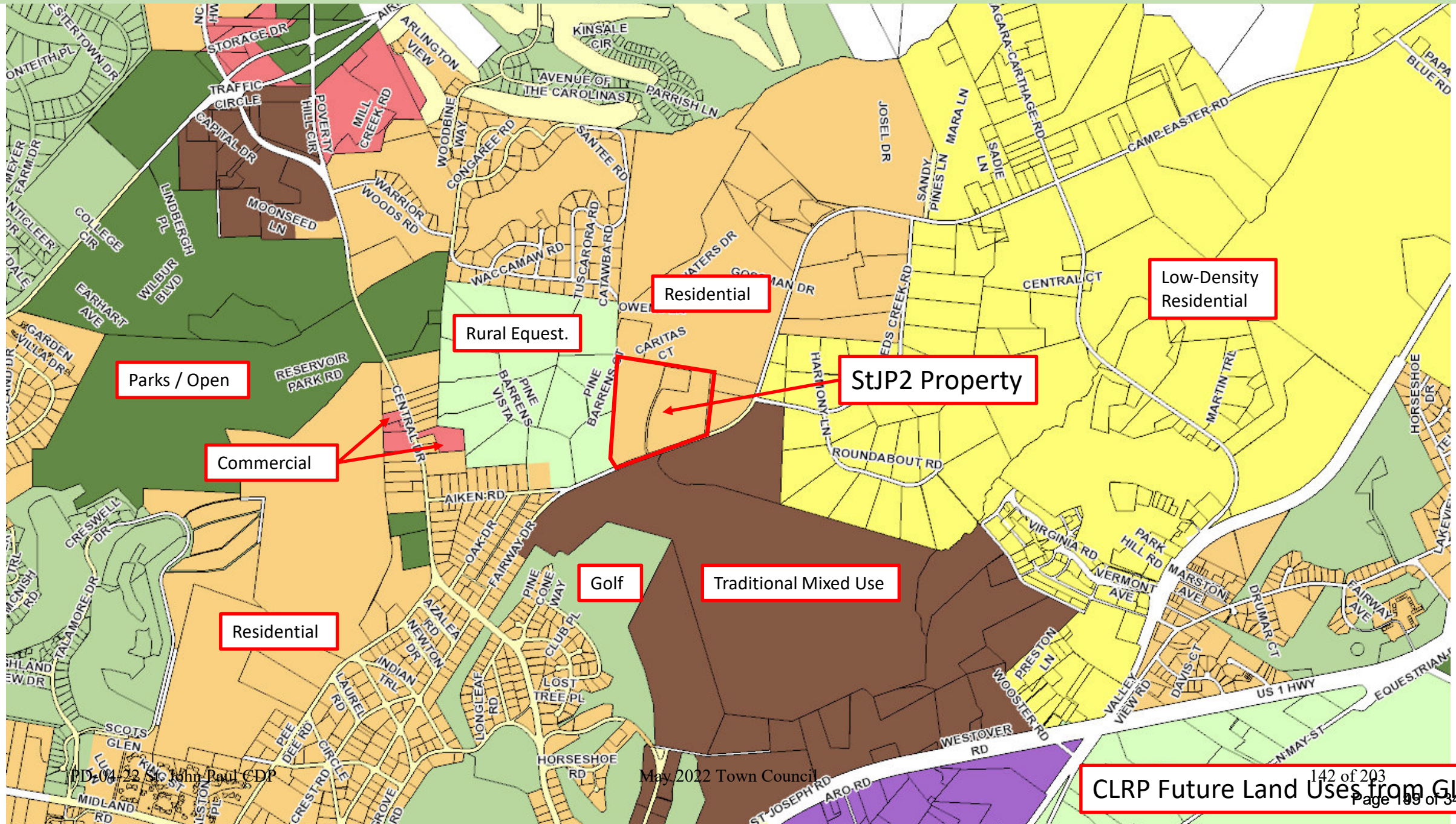


McDeed's
Creek Elem.
PD district

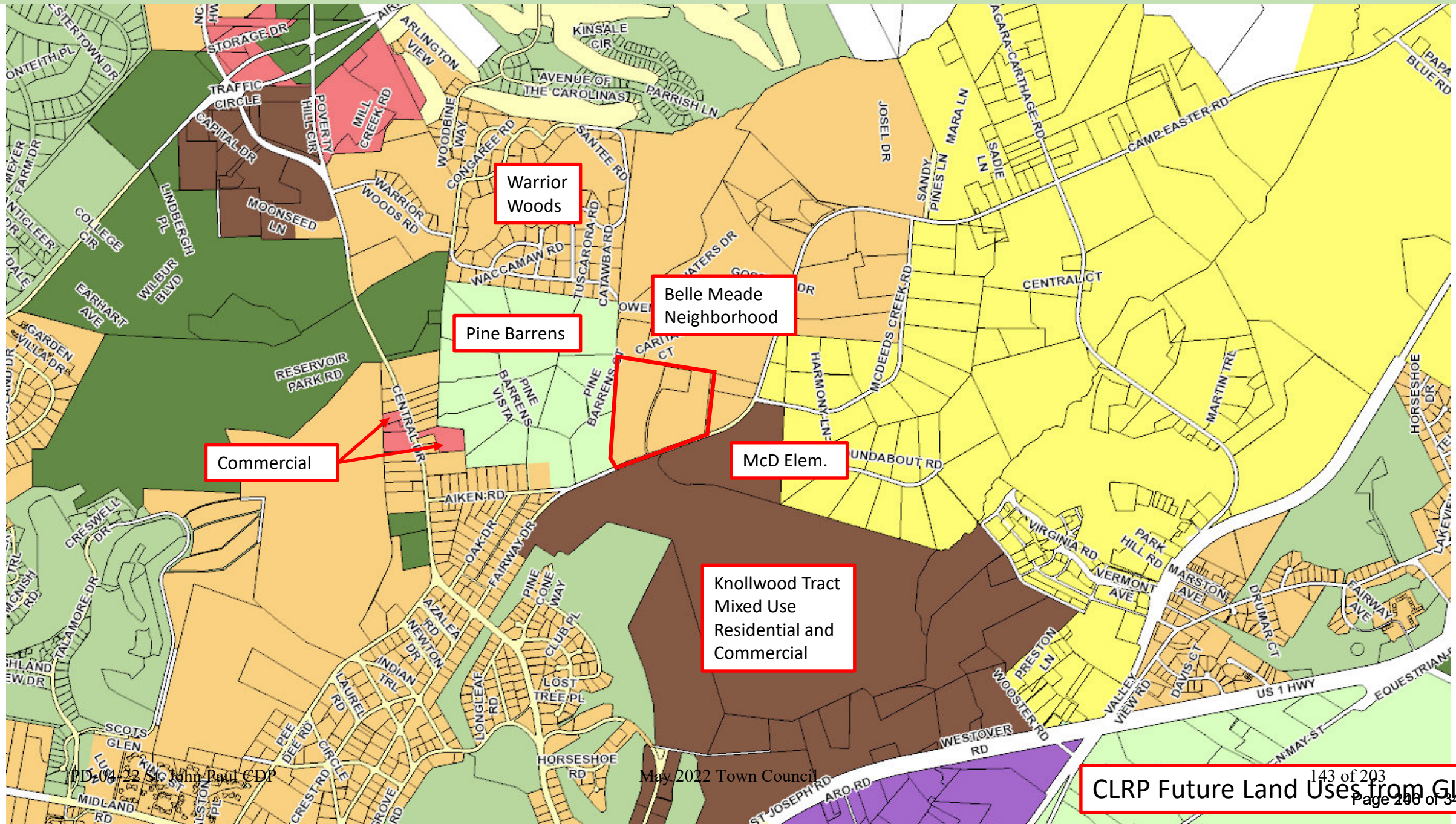
100' buffer

Residential

Is the Church Development **Scale**, Location, and Buffering inconsistent with the CLRP residential future land use designation?



Is the Church Development **Scale**, Location, and Buffering inconsistent with the CLRP residential future land use designation?





ST. JOSEPH of the PINES

Belle Meade:

Nestled on almost 100 acres in Southern Pines, North Carolina, Belle Meade is a nationally- accredited Life Plan Community (continuing care retirement community) with a healthy, enriched lifestyle devoted to wellness and personal growth. Select from **48 spacious** homes and cottages or **172 lavish apartment** residences in a gated, resort-style community in a distinctive location reflective of healthy living

$172+48 = 220$ dwelling units / 100 acres = 0.45 acres per dwelling unit





ST. JOSEPH of the PINES

Belle Meade:

Nestled on almost 100 acres in Southern Pines, North Carolina, Belle Meade is a nationally- accredited Life Plan Community (continuing care retirement community) with a healthy, enriched lifestyle devoted to wellness and personal growth. Select from **48 spacious** homes and cottages or **172 lavish apartment** residences in a gated, resort-style community in a distinctive location reflective of healthy living

$172 + 48 = 220$ dwelling units / 100 acres = 0.45 acres per dwelling unit

The density and scale of Belle Meade exceeds the density and scale of the proposed Church Development on the StJP2 west parcel.

Belle Meade and StJP2 are both identified under the same Residential land use in the CLRP Future Land Use Plan.



Is the Church Development **Scale**, Location, and Buffering inconsistent with the CLRP residential future land use designation?



Knollwood Tract / McDeed's Creek Elementary / Planned Housing

- PD zoning district – Mixed Use, 558 acres

2012 Original PUD

- Planned Unit Development (PUD) approved in 2012
- PUD stated 900 Residential Units in 2012 (single fam., hotel, aptm...)
- 450,000 sf of Commercial Retail and Office, Resort, Rec.

2017 Updated to PD

- PD application 2017 – Added an Elementary School to Use Matrix

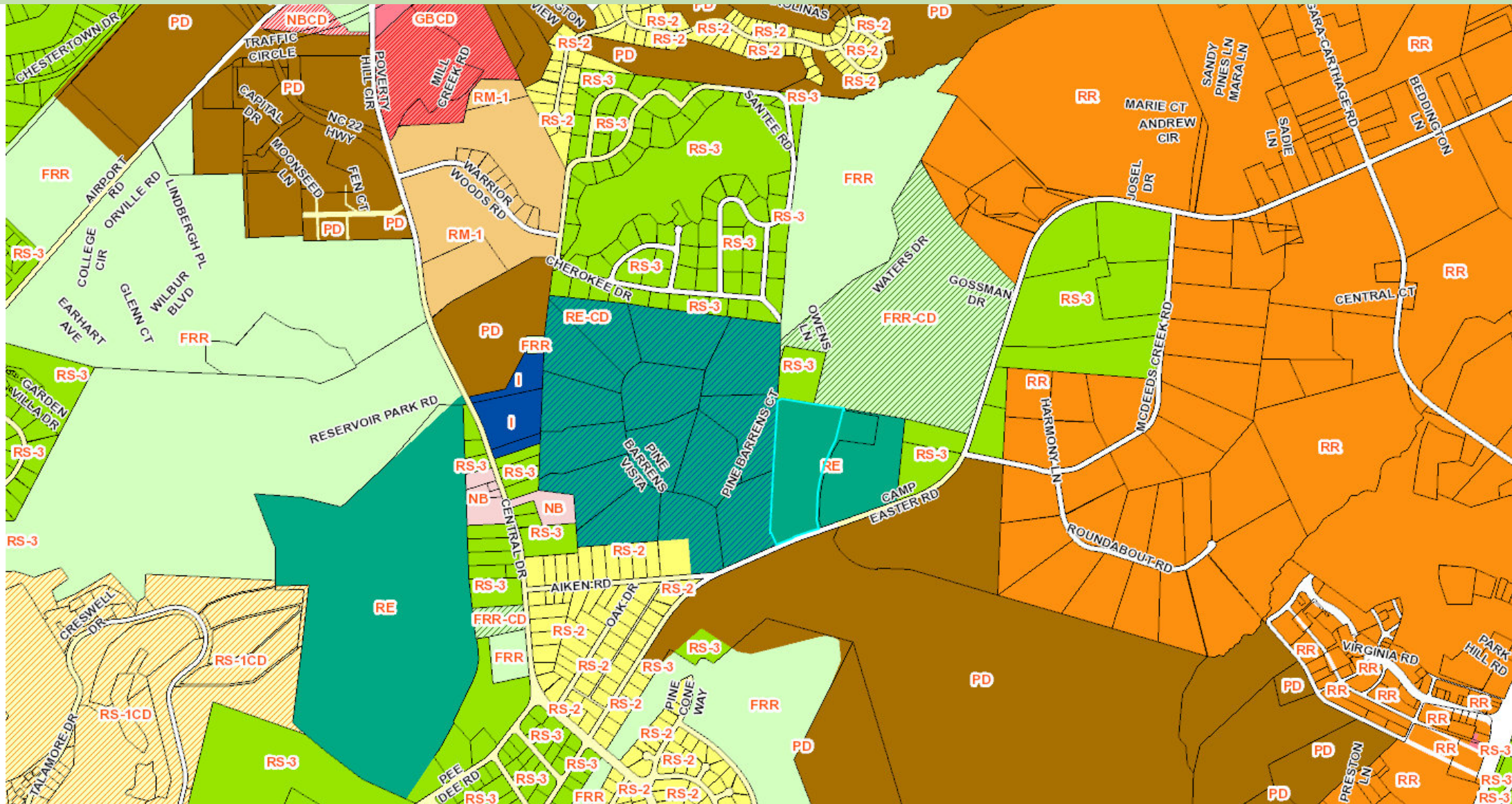
“The elementary school would be a permitted use in the MUA-2 area on ±37 acres and if an elementary school is developed no combination of residential, hotel or assisted living units could exceed **800 units**. The MUA-2 area would include 600 residential units, but with the addition of an elementary school that would be reduced to 500 residential units. The 700 hotel rooms would reduce to 500 rooms and assisted living units would reduce from 300 to a maximum of 250 units. Mr. Koontz said development will occur in phases with a projected fifteen (15) year buildout.”



McDeed's Creek Elementary

- PD zoning district
- 118,500 sf (Moore Co. Tax Office)
- 800 students
- 89 employees (school website)

Is the Church Development Scale, Location, and Buffering inconsistent with the CLRP residential future land use designation?



Tax Map Reset

All Groups Expand Collapse All Layers On Off

Base Map On Off

Green Growth Toolbox On Off

Planning On Off

- ☐ Highway Corridors
- ☐ Corridor Morganton Rd
- ☐ Overlay Morganton Rd
- ☐ Historic District
- ☐ Flood Hazard
- ☐ Contours
- ☐ 2012 Annexations
- ☐ 2013 Annexations
- ☐ 2014 Annexations
- ☐ 2015 Annexations
- ☐ 2016 Annexations
- ☐ 2017 Annexations
- ☐ 2018 Annexations
- ☐ 2019 Annexations
- ☐ 2020 Annexations
- ☐ 2021 Annexations
- ☒ Zoning Text
- ☒ Zoning
- ☐ Downtown Overlay
- ☐ Long Range Plan
- ☐ West SP Overlay

Public Works On Off

Transparent Layers On Off

Sewer System On Off

Water System On Off

Zoning By Zone On Off

Zoning by Zone 50% On Off

Information

Legend

Display Labels - Display 50 Results

Neighborhood: Zoning from Southern Pines GIS

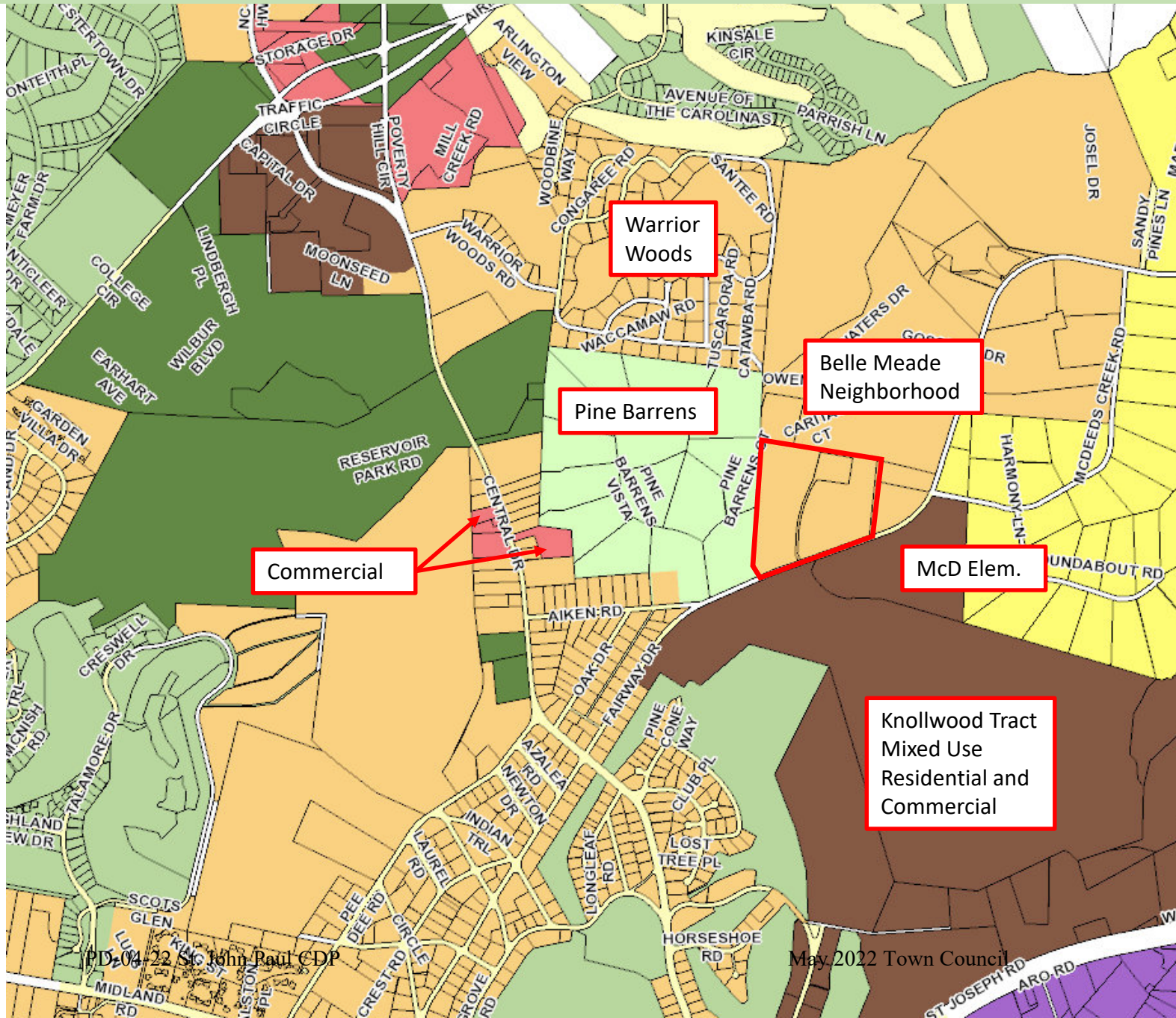
PD-04-22 St. John Paul CDP

Adjacent and Neighboring Zoning includes PD, RS-3, FRR-CD, NB, I

Nearby Zoning includes large areas of RR. Large Religious Institutions are allowed in RR

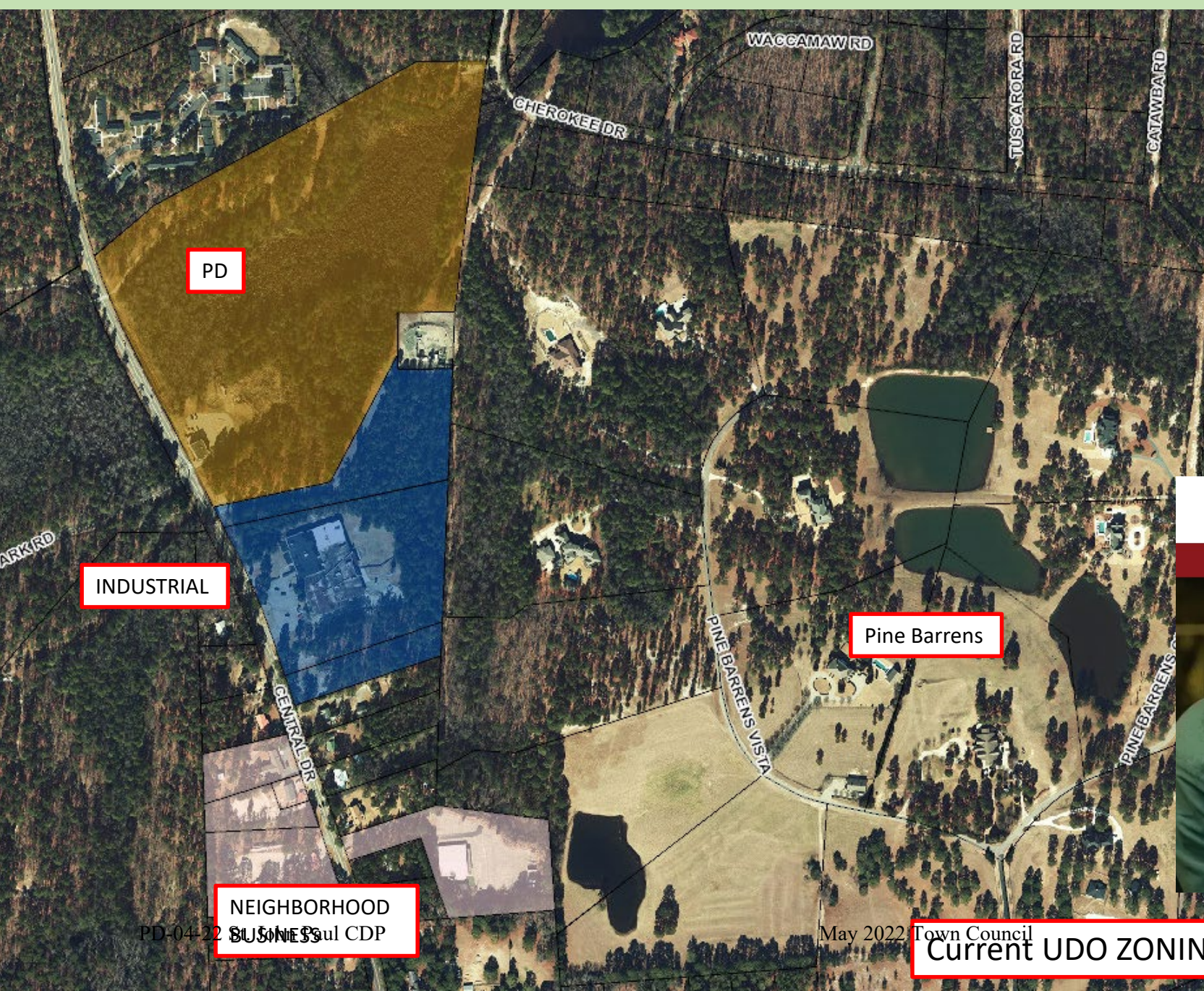
May 2022 Town Council

Is the Church Development **Scale**, Location, and Buffering inconsistent with the CLRP residential future land use designation?



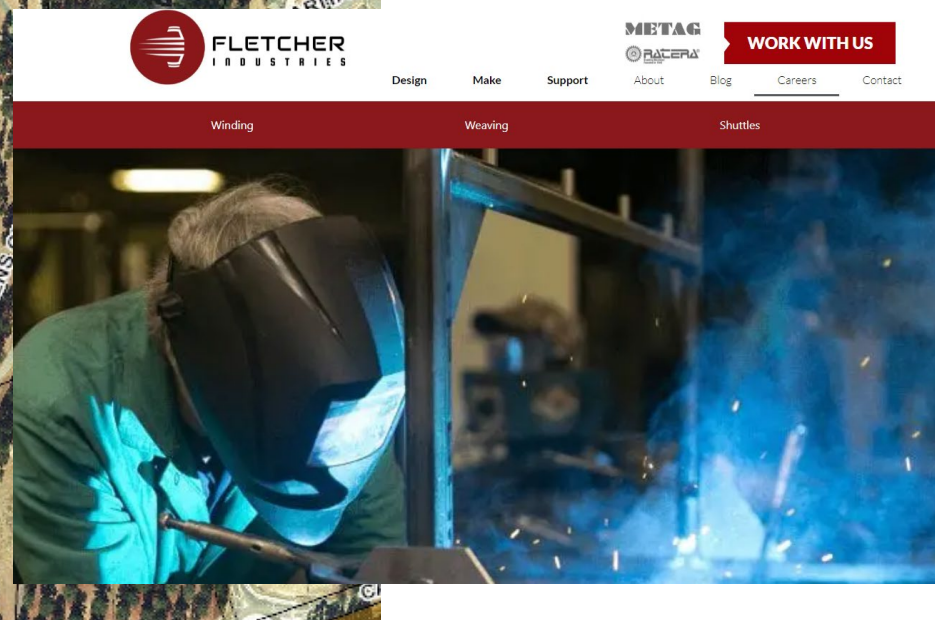
Revised CDP Site Plan / Church Development Scale, Location, and Buffering is consistent with the CLRP future land use AND current land uses AND current neighborhood based on the following:

- Church Development has been relocated adjacent to existing StJP2 school buildings
- 100' setback and buffer has been added along west property line to visually and physically separate future church development from adjacent residential neighbors.
- Existing McDeed's Creek School, Belle Meade neighborhood, and approved Knollwood Tract mixed use development establishes the true SCALE of the area. The proposed church development is well within the established scale.



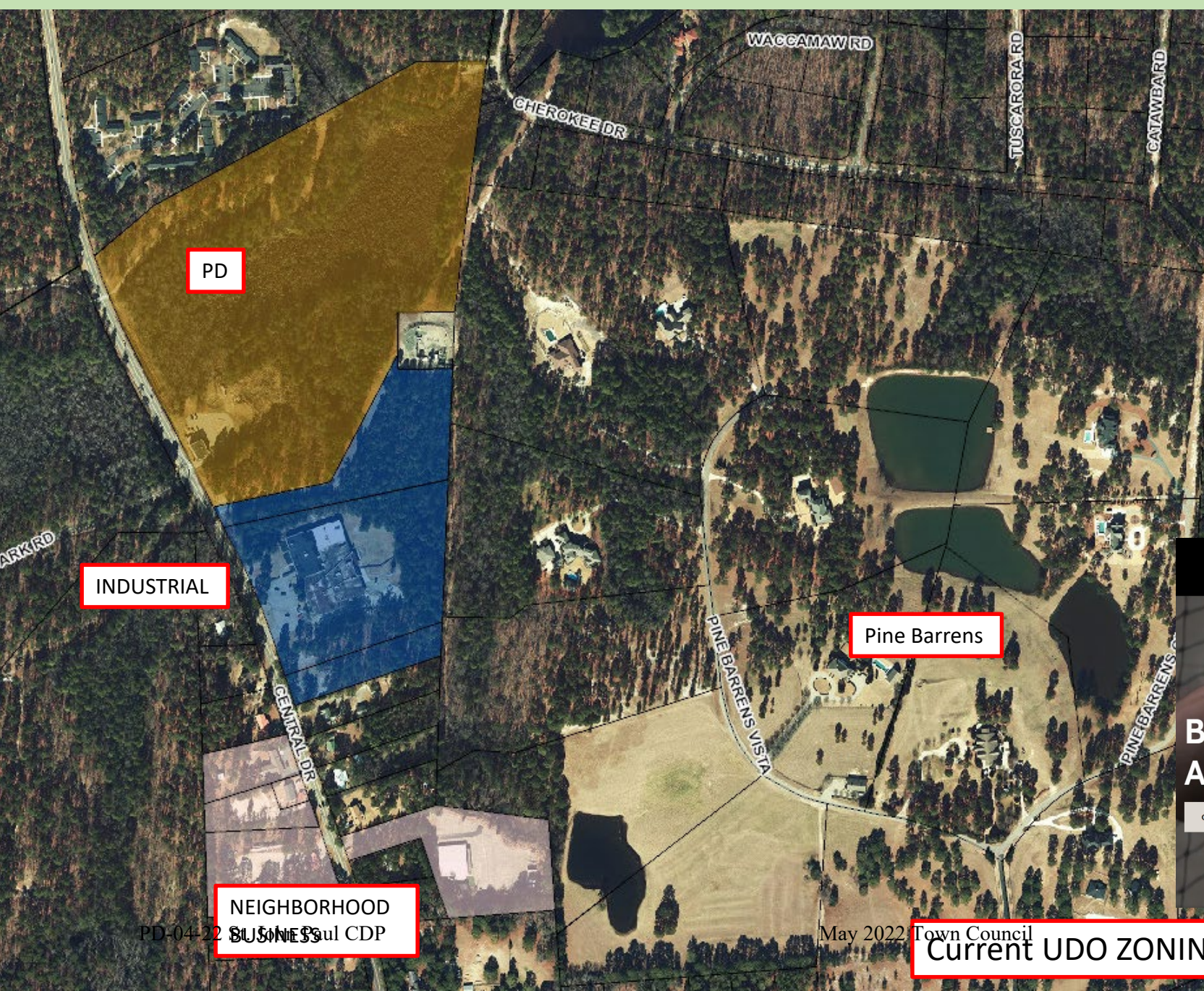
Other EXISTING Non-Residential Zoning Districts Adjacent to Pine Barrens

- INDUSTRIAL Use
 - Fletcher Industrials – Metal Fabricator
 - 1485 Central Drive
 - 60,000 sf Manufacturing Facility
 - 8 acres w/ 21,000 sf paving
 - *Facilities ALL PREDATE Pine Barrens Development.*
 - *NO Required Buffers / Separation*

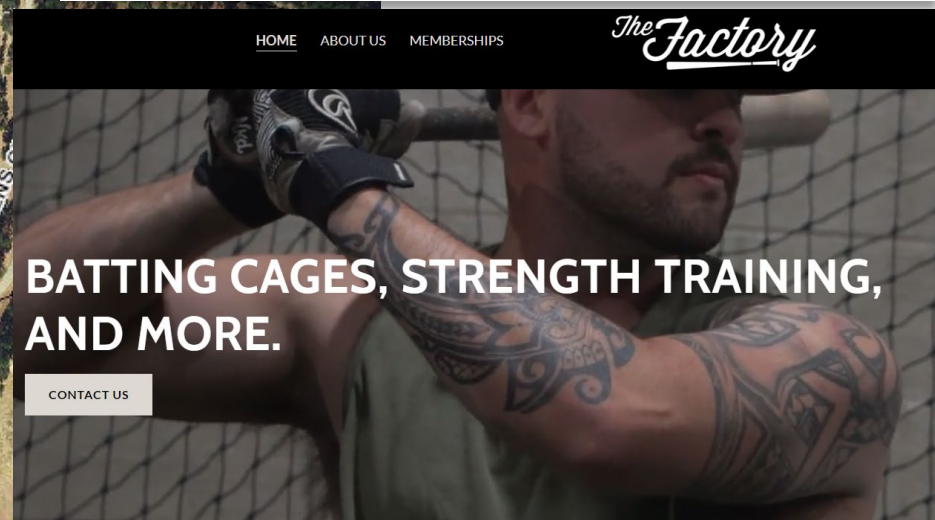


PD-04-22 Moore County CDP

May 2022 Town Council



- Other EXISTING Non-Residential Zoning Districts Adjacent to Pine Barrens
- Neighborhood Business Use
 - Legacy Home Construction – Owner
 - “The Factory” Baseball Training
 - 1405 Central Drive
 - 10,000 sf Baseball Training, Weightlifting, Storage facility
 - 4 acres w/ 35,400 sf paving
 - *Facilities PREDATE Pine Barrens Development.*
 - *NO Required Buffers / Separation*



PD-04-22 BUSINESS
Pine Barrens CDP

May 2022 Town Council

2.18.4(H) Conceptual Development Plan Criteria

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.

Traffic Studies are not required during the CDP but instead, are required during a project's PDP.

Is the scale of the future Church Development inappropriate for the area of town based on TRAFFIC along Camp Easter Road?

Institute of Transportation Engineers

Elementary School
(520)

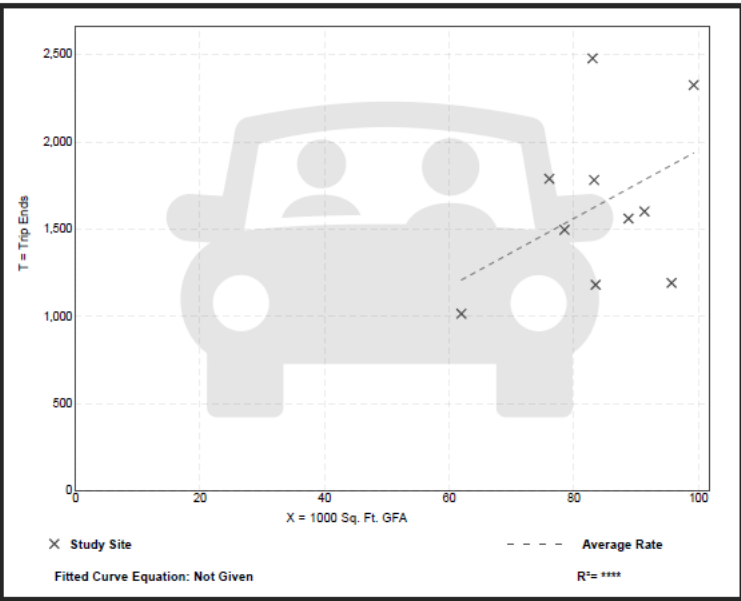
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 10
Avg. 1000 Sq. Ft. GFA: 84
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
19.52	12.46 - 29.87	5.19

Data Plot and Equation



Trip Gen Manual, 10th Ed + Supplement • Institute of Transportation Engineers

Church
(560)

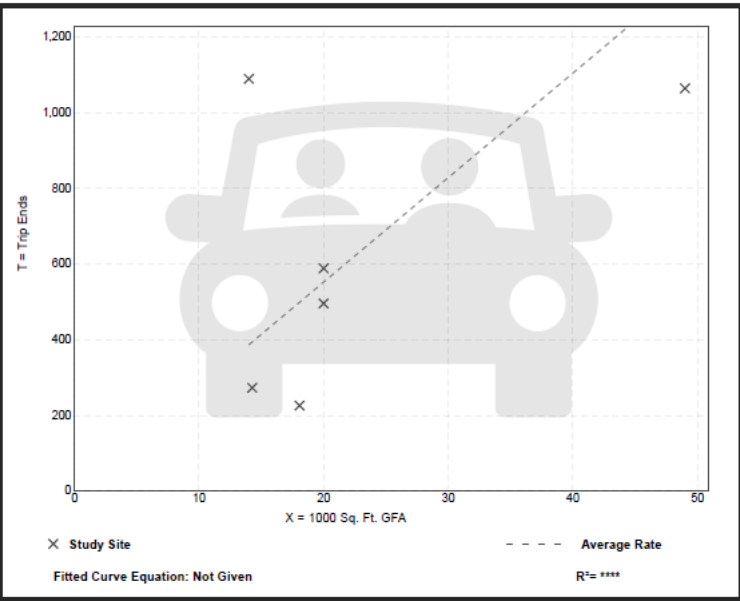
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Sunday

Setting/Location: General Urban/Suburban
Number of Studies: 6
Avg. 1000 Sq. Ft. GFA: 23
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
27.63	12.51 - 77.86	19.39

Data Plot and Equation



Trip Gen Manual, 10th Ed + Supplement • Institute of Transportation Engineers

- Current ITE Standard Trip Generation Rates
- Elementary School Weekday
 - Average Rate is 19.52 trips per 1,000 sf
 - McDeeds is 118,600 sf / 1000 sf x 19.52 = **2,315 trips per day**
- Church, Sunday
 - Average Rate is 27.63 trips per 1,000 sf
 - Proposed 10,000 sf Sanctuary + 12,000 sf Parish Hall=22,000 sf / 1,000 x 27.63 trips = **608 trips per day**

Is the scale of the future Church Development inappropriate for the area of town based on TRAFFIC along Camp Easter Road?

Elementary School
(520)

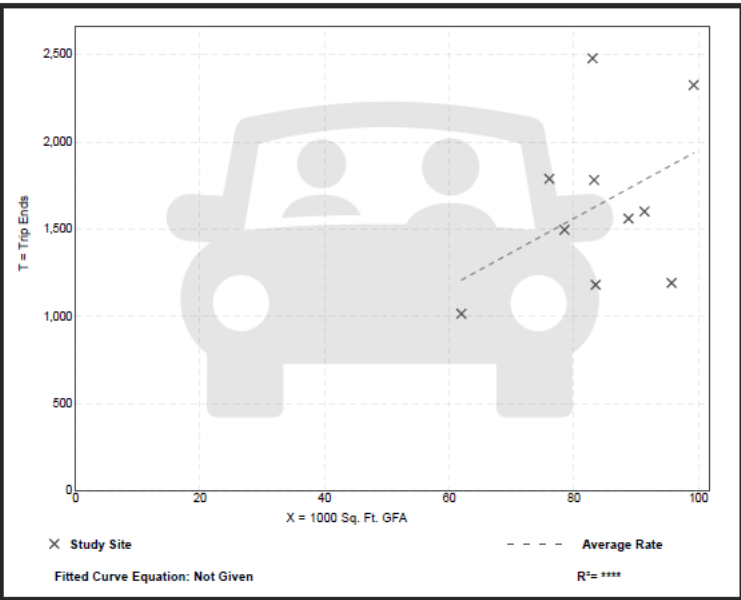
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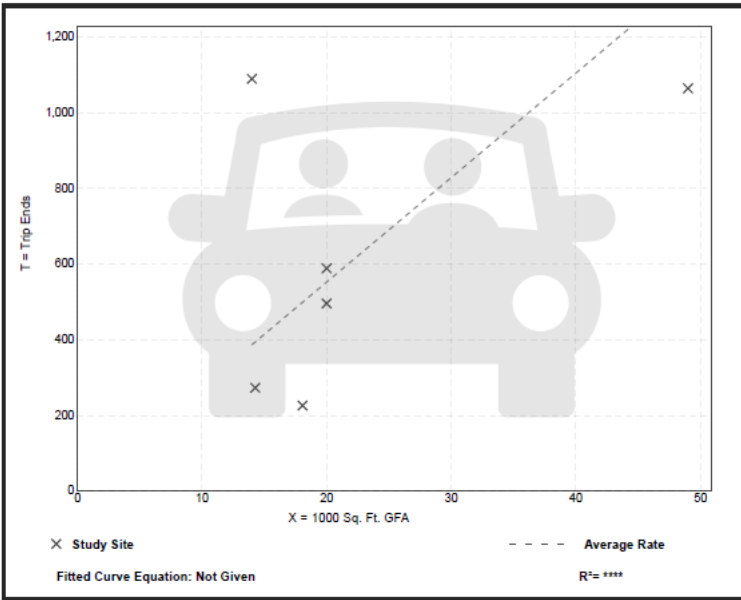
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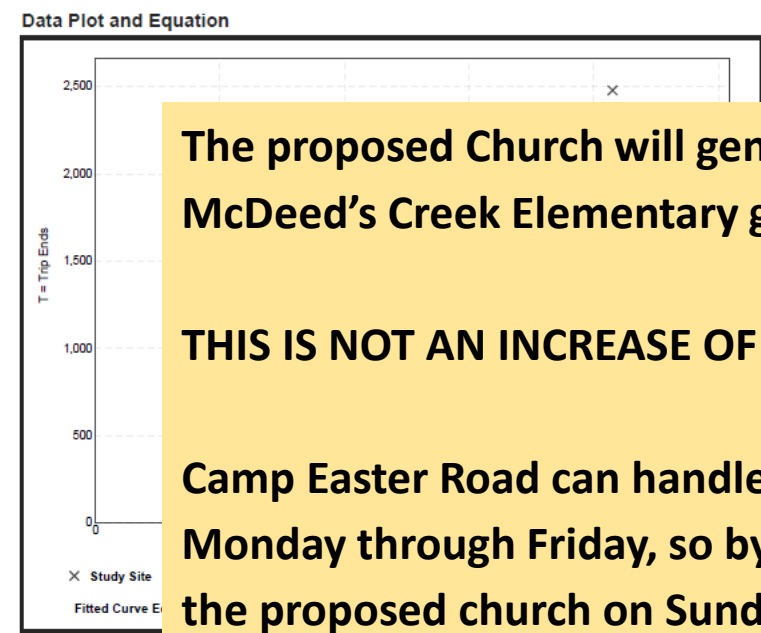


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-
- McDeeds is 800 students and lists 89 employees
 - 89 employees generation 178 trips per day
 - If 1/4 of the students are Parent Drop Off = 200 students x 4 trips = 800 trips per day
 - 600 students on buses (60 per bus) = 10 x 4 trips = 40 trips
 - (McD's has 10 bus parking spaces)
 - Total = **1,018 trips per day**
- Proposed Church of 1,200 seats – Diocese studies = 1 parking space per 2.5 seats at Max Cap.
 - 480 parking spaces = **960 trips per day**

Is the scale of the future Church Development inappropriate for the area of town based on TRAFFIC along Camp Easter Road?

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Church (560)		
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Setting/Location: General Urban/Suburban Number of Studies: 6 Avg. 1000 Sq. Ft. GFA: 23 Directional Distribution: 50% entering, 50% exiting		
Vehicle Trip Generation per 1000 Sq. Ft. GFA		
Average Rate	Range of Rates	Standard Deviation
27.63	12.51 - 77.86	19.39

The proposed Church will generate LESS TRIPS on Sundays than McDeed’s Creek Elementary generates every Weekday.

THIS IS NOT AN INCREASE OF TRAFFIC.

Camp Easter Road can handle McDeed’s Creek Elementary School on Monday through Friday, so by logic, it can also handle less traffic from the proposed church on Sunday.

× Study Site	--- Average Rate
Fitted Curve Equation: Not Given	R ² = ****

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ATTACHMENT A

PLANNING BOARD
RESOLUTION TO ADOPT A WRITTEN RECOMMENDATION
FOR CONCEPTUAL DEVELOPMENT PLAN APPLICATION
PD-04-22

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 March 24th, 2022 for consideration of a Planned Development - Conceptual Development Plan for the St. John Paul Planned Development;

NOW, THEREFORE BE IT RESOLVED that the Planning Board supports the immediate school development purpose of constructing a new classroom building to replace mobile classroom units for St. John Paul II Catholic School. The Planning Board appreciates the need for rezoning the parcel with the existing school as it is inconsistent with the UDO, which only allows Elementary Schools within the RE district. The planning board however finds that this Conceptual Development Plan, PD-04-22, specifically the "Future Phase Church Development" work proposed solely on Parcel ID 00038409, represents an overall Development Pattern that is inconsistent with the goals and policies of the Comprehensive Long Range Plan, most notably Goal 5 of the CLRP, which is the retention of the aesthetic and functionary characteristics of Horse Country. The planning board finds that the scale, location, and buffering issues surrounding the "Future Phase Church Development" could be inconsistent with the residential future land use designation. The Planning Board also finds that the proposed development's scale may be inappropriate for the area of the Town in which it is located, and is concerned particularly about the impacts on traffic Camp Easter Road and surrounding properties.

AND, THEREFORE, BE IT FURTHER RESOLVED that there were no additional matters considered by the Planning Board regarding PD-04-22;

Findings from Planning Board:

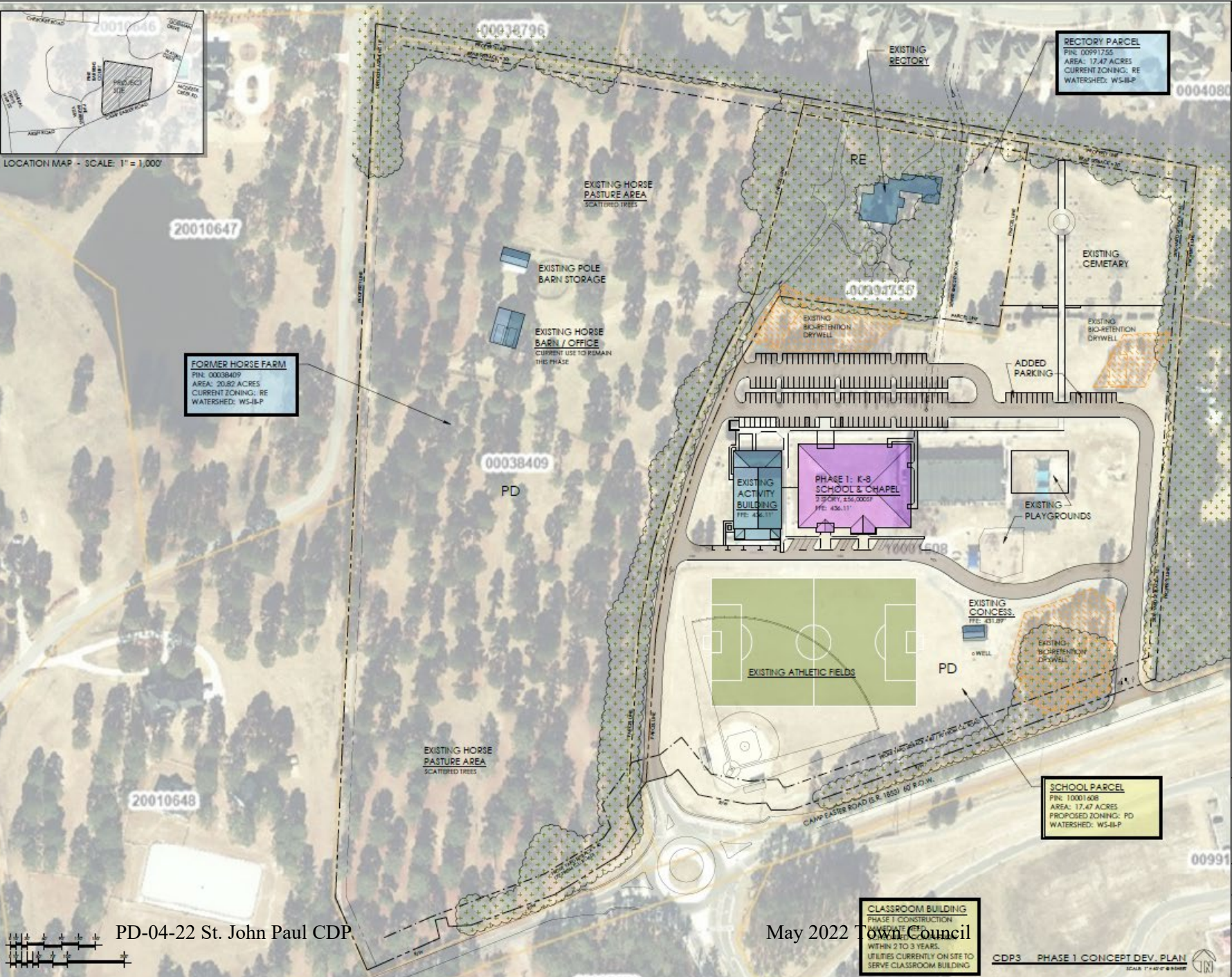
- 1) Planning Board supports immediate school development purpose of constructing new classroom building to replace mobile classroom units.
- 2) Planning Board sees need for rezoning to address inconsistency with the UDO that only allows Elementary Schools in the RE District
- 3) "Church Development" on west parcel represents an Overall Development Pattern that is inconsistent with the goals and policies of the Comprehensive Long Range Plan, most notably Goal 5 which is the retention of the aesthetic and functionary characteristics of Horse Country.
- 4) Scale, Location, Buffering issues of the future church development "could be inconsistent with the residential future land use designation."
- 5) Proposed development's scale may be inappropriate for the area of town in which it is located, and is concern particularly about the impacts on traffic Camp Easter Road and surrounding properties."

Answering Planning Board's Identified Findings:

- 1) Is the future Church Development inconsistent with CLRP, Goal 5 pertaining to Horse Country?
- 2) Is the Church Development Scale, Location, and Buffering inconsistent with the CLRP residential future land use designation?
- 3) Is the scale of the future Church Development inappropriate for the area of town based on TRAFFIC along Camp Easter Road?

The adjusted CDP addresses each of the concerns and reasons for denial stated by the Planning Board.

REVISED CDP SITE PLAN



the BOGLE FIRM
ARCHITECTURE

110 N. MAIN ST. SALESBURY, NC 28144
pelle@boglefirm.com
www.boglefirm.com
704.630.3015

PUBLICATION OF THESE PLANS CONSTITUTES AN OFFICIAL ACT OF THE TOWN OF SOUTHERN PINES, NC. ANY CHANGES MUST BE MADE BY THE TOWN ENGINEER OR THE TOWN'S PRINCIPAL ARCHITECT.

PHASE 1 CAMPUS PLAN

TOWN OF SOUTHERN PINES
CONCEPT DEVELOPMENT PLAN

**ST. JOHN PAUL II
CATHOLIC SCH.**
2922 CAMP EASTER ROAD
SOUTHERN PINES, NC



DRAWN BY: DBS
CHECKED BY: DBS
DATE: 4.12.22
PROJECT #:

SHEET NUMBER
CDP3
OF: 6

PD-04-22 St. John Paul CDP

May 2022 Town Council

CLASSROOM BUILDING
PHASE 1 CONSTRUCTION
IMMEDIATE
WITHIN 2 TO 3 YEARS.
UTILITIES CURRENTLY ON SITE TO
SERVE CLASSROOM BUILDING

CDP3 PHASE 1 CONCEPT DEV. PLAN

SCALE: 1" = 400' & 8" BORDER



the BOGLE FIRM
ARCHITECTURE

110 N. MAIN ST. SUITE 200
SALISBURY, NC 28144
704.638.3015

110 N. MAIN ST. SUITE 200
SALISBURY, NC 28144
704.638.3015

PUBLICATION OR REUSE OF THESE DRAWINGS OR ANY INCLUDED DETAILS MUST BE WITH THE WRITTEN CONSENT OF THE FIRM'S PRINCIPAL ARCHITECT.

**OVERVIEW
CONCEPT
PLAN**

TOWN OF SOUTHERN PINES
CONCEPT DEVELOPMENT PLAN

**ST. JOHN PAUL II
CATHOLIC SCH.**
2922 CAMP EASTER ROAD
SOUTHERN PINES, NC

	SHEET NUMBER CDP1
DRAWN BY: DBS CHECKED BY: DBS DATE: 4.12.22 PROJECT #:	OF: 6

PD-04-22 St. John Paul CDP

May 2022 Town Council

CDP4-01 OVERVIEW CONCEPT PLAN
SCALE: 1" = 100' @ 8.5" X 11"

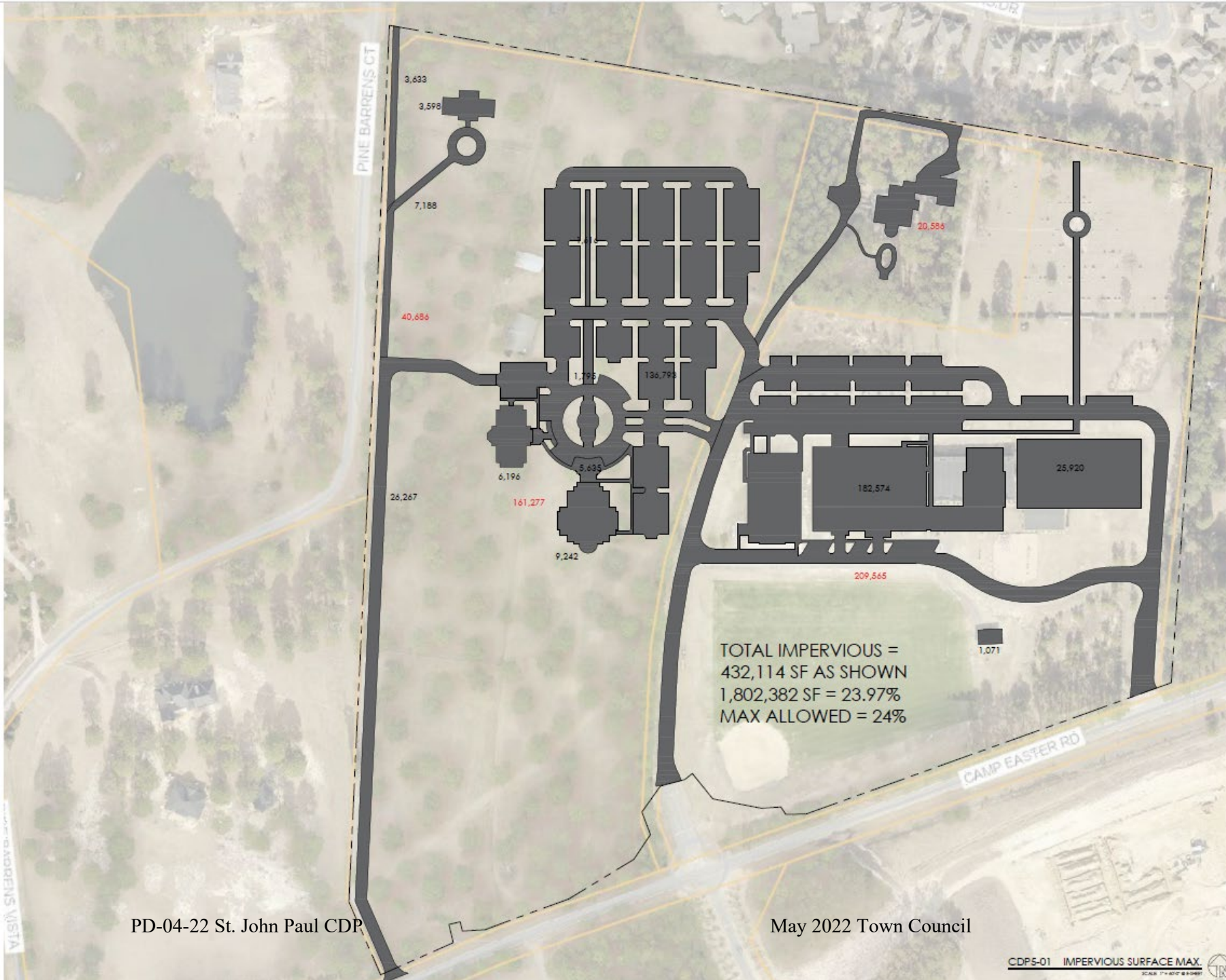
IMPERVIOUS SURFACES AND STORMWATER MANAGEMENT

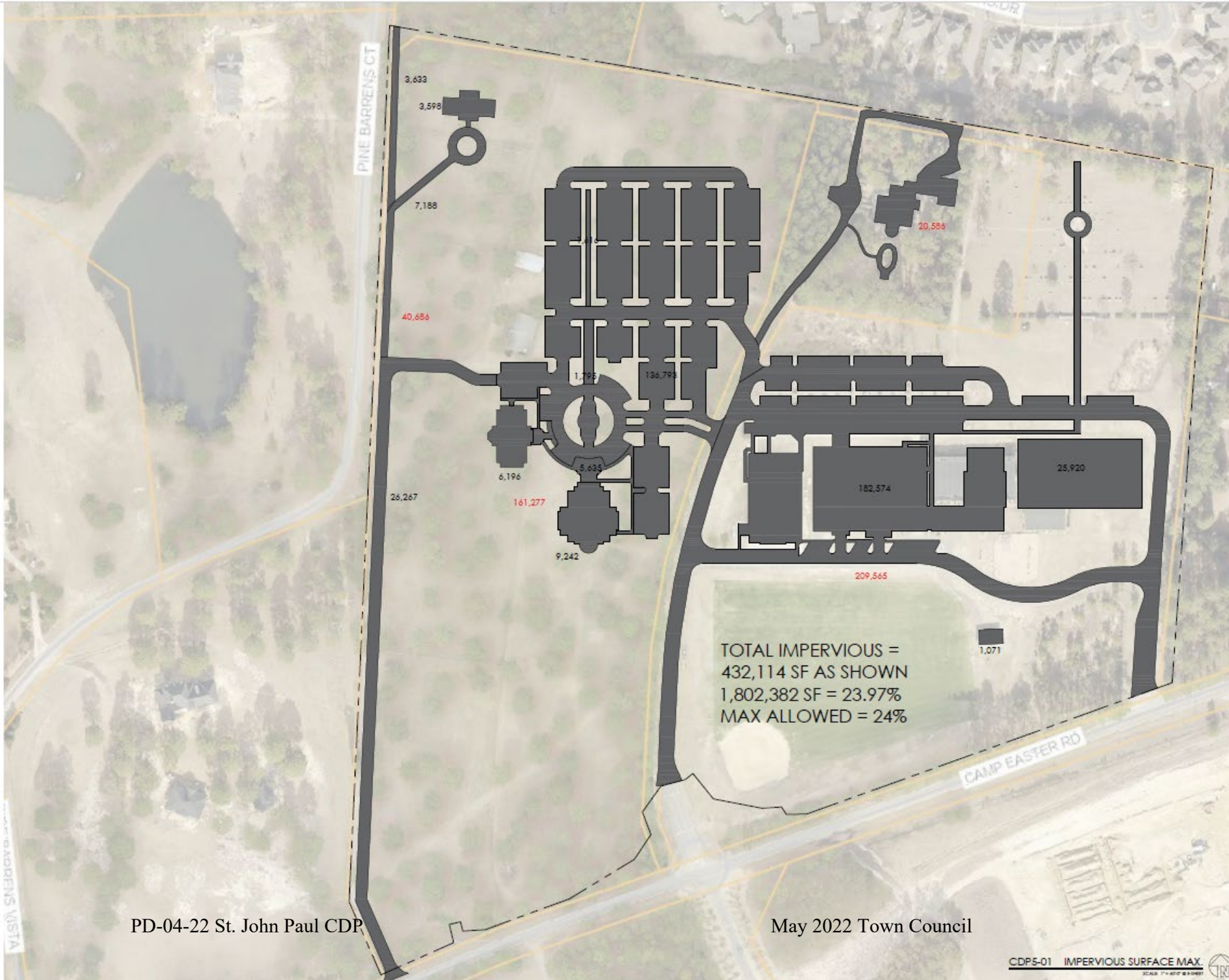
Total allowable impervious surface in
WS-III-P = 24%

Graphic represents MAXIMUM allowable
on site (23.97% shown)

Per UDO requirements, ALL STORMWATER
must be managed ON-SITE.

*No stormwater runoff is allowed per UDO
requirements.*





PARKING

Minimum Spaces Required by UDO for Religious Institutions

1 per 4 seats in Sanctuary = 300 spaces

1 per 200 sf of Other Building = 62 spaces

MINIMUM Required by UDO = 362 spaces

Diocese Standards Required

Based on studies of NC regional Catholic Churches

1 per 2.5 seats in Sanctuary = 480 spaces

REVISED CDP SITE PLAN

As shown = 336 spaces west of main drive

Located adjacent to School for shared use

School parking = 150 spaces east of main drive

TOTAL PARKING AS SHOWN = 486 spaces

Meets Diocese needs & stays below required impervious surface max. for WS-III

TOTAL IMPERVIOUS =
432,114 SF AS SHOWN
1,802,382 SF = 23.97%
MAX ALLOWED = 24%



MATURE PINE TREE COUNT
±400 mature pines on entire site



MATURE PINE TREE COUNT

±400 mature pines on entire site

±65 mature pines in 100' buffer along west property line

Est. 50-60 pines to be removed as shown
(RCW study will be required)



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±400 mature pines on entire site

±65 mature pines in 100' buffer along west property line

Est. 50-60 pines to be removed as shown
(RCW study will be required)

BUFFER / UNDISTURBED AREA

UDO Exhibit 4-4

Required planting in buffer

Total buffer = 163,460 sf

Large Tree: 1/400 sf = 408

Small Tree: 1/400 sf = 408

Shrubs: 1/200 sf = 816

This is out of context with horse pasture area but does provide visual screening. Preference?

Option 1: Setback 100' entire west property line, Buffer ONLY parallel to Development.

Option 2: Setback and UNDISTURBED AREA, 100' along entire west property line

Note: Parking lot perimeter landscaping will be installed where required per UDO standards



TOPOGRAPHY

As shown in pictures, topography plays a big role in the actual visual separation between the future Church Development site and the adjacent Pine Barrens parcels

Proposed parking area behind Church Development is adjacent to unbuildable areas within Pine Barrens

CLRP / Religious Institutions:

- At Planning Board, opponents argued that Church Use was not allowed in land designated as Residential in the CLRP.
- Argued that Churches should be considered a “Commercial” use.

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- CLRP Chapter 4 lists what is appropriate in each Future Land Use area.
 - CLRP 4-3: **Residential:** This designation encompasses the majority of Southern Pines’ residential land, providing for single-family and attached housing at development densities ranging from one unit per acre in areas that are less intensively developed to up to twelve units per acre in places that are clearly more urban. Elementary schools, civic uses, parks and neighborhood scale commercial services may be authorized through the rezoning process without amending the future land use map.

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Is “Church” a Civic / Institutional Use or Commercial Use as defined by the CLRP and/or the UDO?

If “Church” is a Civic / Institutional Use, then where does the CLRP recommend that a large church be located on the Future Land Use Plan?

Is “Church” a Civic / Institutional Use or Commercial Use as defined by the CLRP and/or the UDO?

- “CIVIC” is used 30 times in the CLRP
 - civic will, civic vitality, civic priorities, civic livelihood, civic festivals, civic desire, civic organizations, civic groups, civic continuity, civic uses, civic responsibility
- Limited number of times “Civic” appears in CLRP in relation to a Building/Facility
 - Policy P-1 “...placement of **civic and institutional** buildings”
 - Policy P-3 “... Encourage the development of neighborhood mixed use and civic activity centers that are accessible to neighborhoods and located so that traffic, parking, and land use impacts are compatible with surrounding uses.”

P-1. Downtown. Implement and periodically refine the Downtown Neighborhood Development Plan, and more specifically: ...
Give first consideration to Downtown for placement of **civic and institutional buildings** that enhance pedestrian activity and reinforce Downtown’s prominence as the heart of the community.

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- “Institutional” is used 19 times in the CLRP
 - Policy P-1 “...placement of **civic and institutional** buildings”
 - Parks/Open Space/Public Facilities “...publicly owned institutional facilities...”
 - Low-Density Residential “...small scale institutional uses supporting low density residential...”
 - CLRP Chapter 10 – Area and Corridor Plans / Downtown Neighborhood Development Plan (10-6): “**Surrounding Neighborhoods** – Forum participants expressed varied concerns about the neighborhoods surrounding the Broad Street Corridor, including: **Scale of Institutional Uses**. The unlimited scale of **institutional uses, such as churches and schools** was a concern for several participants. Specific concerns included parking”
 - CLRP Appendix C, West Southern Pines Area Plan (page 4): “West Southern Pines has **several churches, an elementary school, the Douglass Community Center and two neighborhood parks**. Along the western boundary of the neighborhood is a **social services center** that is located in the unincorporated area known as Lost City. **These institutional uses** serve as potential anchors for neighborhood activity centers.
 - CLRP Appendix D, Downtown Area Plan (page 3): “**Institutional uses** (churches, schools and public uses) occupy a significant percentage of the Downtown’s land area.”
 - CLRP Appendix D, Downtown Area Plan / Central Business District (page 13): **Use limitations** should be established to keep an active street front. Specifically, the CB district should limit the locations and spacing of professional offices, banks and similar passive or automobile-oriented uses that do not generate sufficient pedestrian traffic. **Schools and religious uses should not be allowed in this district due to their limited hours of operation.**

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 - CLRP Chapter 10 – Area and Corridor Plans / Downtown Neighborhood Development Plan (10-6): “**Surrounding Neighborhoods** – Forum participants expressed varied concerns about the neighborhoods surrounding the Broad Street Corridor, including: **Scale of Institutional Uses**. The unlimited scale of **institutional uses, such as churches and schools** was a concern for several participants. Specific concerns included parking”
 - CLRP Appendix C, West Southern Pines Area Plan (page 4): “West Southern Pines has **several churches, an elementary school, the Douglass Community Center and two neighborhood parks**. Along the western boundary of the neighborhood is a **social services center** that is located in the unincorporated area known as Lost City. **These institutional uses** serve as potential anchors for neighborhood activity centers.
 - CLRP Appendix D, Downtown Area Plan (page 3): “**Institutional uses** (churches, schools and public uses) occupy a significant percentage of the Downtown’s land area.”
 - CLRP Appendix D, Downtown Area Plan / Central Business District (page 13): **Use limitations** should be established to keep an active street front. Specifically, the CB district should limit the locations and spacing of professional offices, banks and similar passive or automobile-oriented uses that do not generate sufficient pedestrian traffic. **Schools and religious uses should not be allowed in this district due to their limited hours of operation.**
 - ***This makes a clear distinction between COMMERCIAL USE that is appropriate in a Central Business District and a School or Religious Use that is not, based on the limited hours of operation***
 - ***Churches are NOT a COMMERCIAL USE as defined in the CLRP.***

Is “Church” a Civic / Institutional Use or Commercial Use as defined by the CLRP and/or the UDO?

Land Use	LBCS Code	Description	RE	RR	RS-1	RS-2	RS-3	RM-1	RM-2	CB/DTO	GB	NB	OS	-	FRR
Camps, Camping, and Related Establishments such as trailer parks	5400	Operate sites to accommodate campers and their equipment, provide overnight recreational camps, may provide cabins, food services, washrooms, trailer parks	C	C											
Natural and other Recreational Parks	5500	All parks without special economic functions	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE, AND OTHER INSTITUTIONS	6000														
Educational Services	6100	Offer teaching and learning													
Nursery or preschool	6110			Z		Z	Z	Z	Z	Z	Z				
Grade school	6120	Comprises all public, private, and specialty schools between the preschool and university level													
elementary	6121		C	C	C	C	C				Z				C
middle or junior	6122										Z				C
senior or high	6123										Z				C
special needs education services	6125	Offer specialized services such as for the physically or mentally disabled									Z				
adult education services	6126										Z				
College or university	6130										Z				C
Technical, trade, or other specialty school	6140	Offer vocational and technical training													
beauty schools	6141										Z				
business management	6142	Offer courses in office procedures, secretarial skills, and basic office skills									Z				
computer training	6143	Except computer repair									Z				
driving education	6144										Z				
fine and performing arts education	6145	Dance, art, drama, and music schools									Z				
flight training	6146	Offer aviation and flight training									Z				
sports and recreation education	6147	Offer instruction in athletic activities									Z				
Public Administration	6200	All government functions, includes federal, state and local government agencies													
Legislative and executive functions	6210	Government and public administrative offices								Z	Z	Z	Z		
Judicial functions	6220	Civilian courts of law and correctional institutions								Z	Z	Z	Z		
court	6221									Z					
correctional institution or jail	6222	Facilities for the confinement, correction, and rehabilitation of offenders sentenced by a court												Z	
Other Government Functions	6300	Use this category for government owned establishments not classified elsewhere such as defense and national guard establishments								ZS	ZS			Z	
Public Safety	6400	Government-owned establishments providing fire and rescue, police, and emergency response services													
Fire and rescue	6410		Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
Police	6420	Includes combined police and fire departments	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
Emergency response	6430	Provide ground or air transportation for medical relief purposes	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
Health and Human Services	6500	Provide health care, social assistance, and associated services													
Ambulatory or outpatient care services	6510	Offer health care services directly to patients without providing inpatient services													
clinics and health spas (Ord. # 1716)	6511	Include physician offices, dentists, chiropractors, optometrists, licensed massage therapists, and other licensed or certified health care providers									Z	Z	Z		
family planning or outpatient care clinic	6512	Provide outpatient family planning services and outpatient care													
medical or diagnostic laboratory	6513	Provide analytic or diagnostic services including medical imaging									Z				
blood or organ bank	6514										Z				

- UDO Definition of Churches / Large Religious Institutions:
- Use Matrix
 - Section of Use Matrix starting on page 3-52
 - Titled Educational, Public Administration, Health Care, and Other Institutions
 - All of the purple is included in this Use Category

Nursing, supervision and other rehabilitative services, except	6520	Provide inpatient nursing and rehabilitative services and can accommodate patients for extended care, includes convalescent homes, nursing homes, inpatient care hospices, alcoholism or drug addiction rehabilitation, mental health Halfway Houses, group homes, and psychiatric convalescent homes	C	C	ZS									ZS		
Hospital	6530													C		
Health care facility	6540	Maximum of 25 beds for overnight care												Z	Z	
Social assistance, welfare, and charitable services	6560	Provide social assistance directly to individuals, does not offer residential or accommodation services except for Homeless Shelters														
child and youth services	6561	Offer services such as adoption, foster care, drug prevention services												Z	Z	Z
child daycare	6562	Provide care for infants and preschool children, offer pre-kindergarten education programs												ZS	ZS	ZS
community food services	6563	Collect, prepare, and deliver food for the needy, food banks, meal delivery programs and soup kitchens												Z	Z	
emergency and relief services	6564	Provide food, shelter, clothing, medical relief, resettlement to disaster victims												Z	Z	
other family services	6565	Hotline centers, suicide crisis centers, self-help organizations, etc.												Z	Z	
services for elderly and disabled	6566	Does not include housing for the elderly												Z	Z	
veterans affairs	6567													Z	Z	
vocational rehabilitation	6568	Provide job counseling, job training, and other vocational services												Z	Z	
homeless shelters	6569	Provide temporary residential or accommodation services												C		
Religious Institutions	6600	Churches, temples, synagogues, mosques														
small institution		Up to 250 seats in largest seating area			ZS									ZS	ZS	
other institutions		More than 250 seats in largest seating area			ZS									ZS		
Death Care Services	6700	Funeral homes, crematories, cemeteries														
Funeral home and services	6710	Includes funeral homes combined with crematories												Z	Z	
Cemetery or cremation services	6720															
cemetery accessory to religious institution			ZS	ZS										ZS	ZS	
free-standing cemetery																Z
crematorium														C		Z
Associations, Non-Profit Organizations, Clubs	6800	Includes grant making, civic, professional, and similar organizations														
Labor or political organization	6810	Labor unions, political groups, and political fund-raising groups												Z	Z	Z
Business association or professional membership	6820	Promote the business interests of their members organization or of their profession												Z	Z	Z
Civic, social, or fraternal organization	6830													Z	Z	Z
CONSTRUCTION-RELATED BUSINESSES	7000	Build or demolish buildings, leveling, earthmoving, excavating, land drainage; should reflect the location														

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EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE, AND OTHER INSTITUTIONS	6000														
Educational Services	6100	Offer teaching and learning													
Nursery or preschool	6110			Z		Z	Z	Z	Z	Z	Z				
Grade school	6120	Comprises all public, private, and specialty schools between the preschool and university level													
elementary	6121		C	C	C	C	C				Z				C
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Hospital	6530										C				
Health care facility	6540	Maximum of 25 beds for overnight care									Z	Z			
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child and youth services	6561	Offer services such as adoption, foster care, drug prevention services									Z	Z	Z		
child daycare	6562	Provide care for infants and preschool children, offer pre-kindergarten education programs									ZS	ZS	ZS		
community food services	6563	Collect, prepare, and deliver food for the needy, food banks, meal delivery programs and soup kitchens									Z	Z			
emergency and relief services	6564	Provide food, shelter, clothing, medical relief, resettlement to disaster victims									Z	Z			
other family services	6565	Hotline centers, suicide crisis centers, self-help organizations, etc.									Z	Z			
services for elderly and disabled	6566	Does not include housing for the elderly									Z	Z			
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small institution		Up to 250 seats in largest seating area		ZS							ZS	ZS			
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Both CLRP and UDO consistently refer to Churches / Religious Institutions as Civic / Institutional Uses.

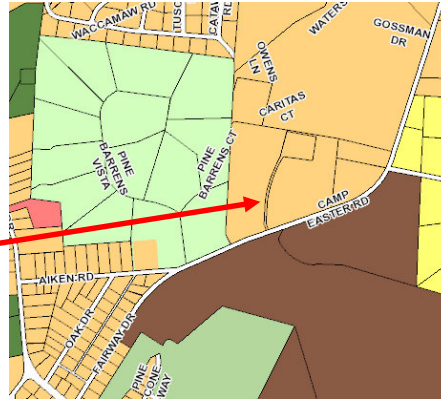
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other institutions		More than 250 seats in largest seating area		ZS							ZS				

If “Church” is a Civic/Inst. Use, where does the CLRP recommend a large church be located on the Future Land Use Plan?

CLRP 4 Future Land Use Categories

- Chapter defines NINE Land Use Categories
 - Parks/Open Space/Public Facilities
 - Residential/Golf
 - Rural/Equestrian
 - Urban Reserve
 - Low-Density Residential
 - Residential**
 - Commercial
 - Traditional Mixed Use
 - Industrial
- CLRP 4-3: Residential:** This designation encompasses the majority of Southern Pines’ residential land, providing for single-family and attached housing at development densities ranging from one unit per acre in areas that are less intensively developed to up to twelve units per acre in places that are clearly more urban. Elementary schools, **civic uses**, parks and neighborhood scale commercial services may be authorized through the rezoning process without amending the future land use map.
- Is there another more clear definition of where Churches / Religious Institutions should be located within these 9 defined areas?***
 - Parks/Open Space/Public Facilities: “publicly owned institutions”
 - Low-Density Residential: “small scale institutional uses supporting low density residential neighborhoods”
 - “Church” and “Religious” are not listed anywhere ELSE within

the nine CLRP Future Land Uses



Future Land Use Categories

The future land use map included in this chapter assigns a general land use category to land within the Town and its ETJ. These broad categories are not intended to serve as zoning districts that list specific uses and development standards. Rather, each of the categories described in this section is intended to describe a range of uses and intensities that are most appropriate for applicable areas.

Parks/Open Space/Public Facilities

This designation applies to large parks owned by the Town, tracts of land held as conservation easements, schools with outdoor recreational facilities, publicly owned institutional uses to other parcels prevented from developing into any other use. While neighborhood parks will exist within other land use designations, the parks and open spaces in this category are generally oriented to regional recreation or open space preservation.

Residential/Golf

The Residential/Golf designation applies to areas that include public or private golf courses and residences. This category may accommodate a single family or attached dwellings at a variety of densities, recreational facilities in addition to the golf course, limited guest accommodations, and limited commercial services intended to serve residents of and visitors to the development.

Rural/Equestrian

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,

Southern Pines Comprehensive Long-Range Plan

the keeping of large animals or other small-scale agricultural pursuits.

Urban Reserve

The Urban Reserve designation defers development intensity decisions until a later date. The designation conveys an understanding that the land may develop at an urban intensity, but the precise preferred extent and type of which cannot yet be determined. The land may not be well-suited to immediate development due to market demands or utility availability, or it may be best left undeveloped until surrounding conditions provide sufficient guidance on the character and type of development the land should absorb. Development proposals at intensities greater than one unit per five acres require revision of the future land use map in conjunction with corresponding zoning map changes to a designation/intensity befitting the circumstances. Interim low density development in this area should be designed and clustered to facilitate later development at urban intensities.

Low-Density Residential

The Low-Density Residential designation applies to those single-family neighborhoods with development densities of between three-quarters of an acre to five acres per unit, restricting land uses to residential uses, small-scale institutional uses supporting low-density residential neighborhoods, and small-scale agricultural uses. Where residential development is already established at densities between five and twenty acres per unit, this designation anticipates that those properties will not be subdivided further.

Residential

This designation encompasses the majority of Southern Pines’ residential land, providing for single-family and attached housing at development densities ranging from one unit per acre in areas that are less intensively developed to up to twelve units

per acre in places that are clearly more urban. Elementary schools, civic uses, parks and neighborhood scale commercial services may be authorized through the rezoning process without amending the future land use map.

Commercial

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.

Traditional Mixed Use

The Traditional Mixed Use category applies to those larger, mostly undeveloped parcels well-suited to mixing residential and non-residential uses in a manner similar to that found in downtown Southern Pines. This designation applies to the Morganton Road area and to the Pine Needles area, identifying these as likely spots for mixed-use including an interconnected street network as found in traditional town development. No specific development intensity is implied by this designation. It simply indicates that such areas will be built to urban levels, will incorporate a variety of uses and will have a street network accommodating modes of travel beyond the automobile.

Industrial

The Industrial designation applies to the Southern Pines Corporate Park, allowing for manufacturing, light industrial and other similar uses. It focuses on providing land for the location of jobs in Southern Pines and draws access from US-1 and the railroad.

8, 2016

4-2

Adopted

March 8, 2016

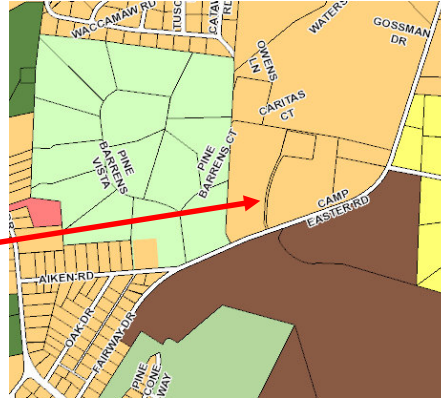
4-3

If “Church” is a Civic/Inst. Use, where does the CLRP recommend a large church be located on the Future Land Use Plan?

CLRP 4 Future Land Use Categories

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- Parks/Open Space/Public Facilities
- Residential/Golf
- Rural/Equestrian
- Urban Reserve
- Low-Density Residential
- Residential**
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- CLRP 4-3: Residential:** This designation encompasses the majority of Southern Pines’ residential land, providing for single-family and attached housing at development **densities ranging from one unit per acre in areas that are less intensively developed to up to twelve units per acre in places that are clearly more urban.** Elementary schools, **civic uses**, parks and neighborhood scale commercial services may be authorized through the rezoning process without amending the future land use map.

- Thus, “Residential” is already defined as a higher density Future Land Use.*

If “Church” is a Civic/Inst. Use, where does the CLRP recommend a large church be located on the Future Land Use Plan?

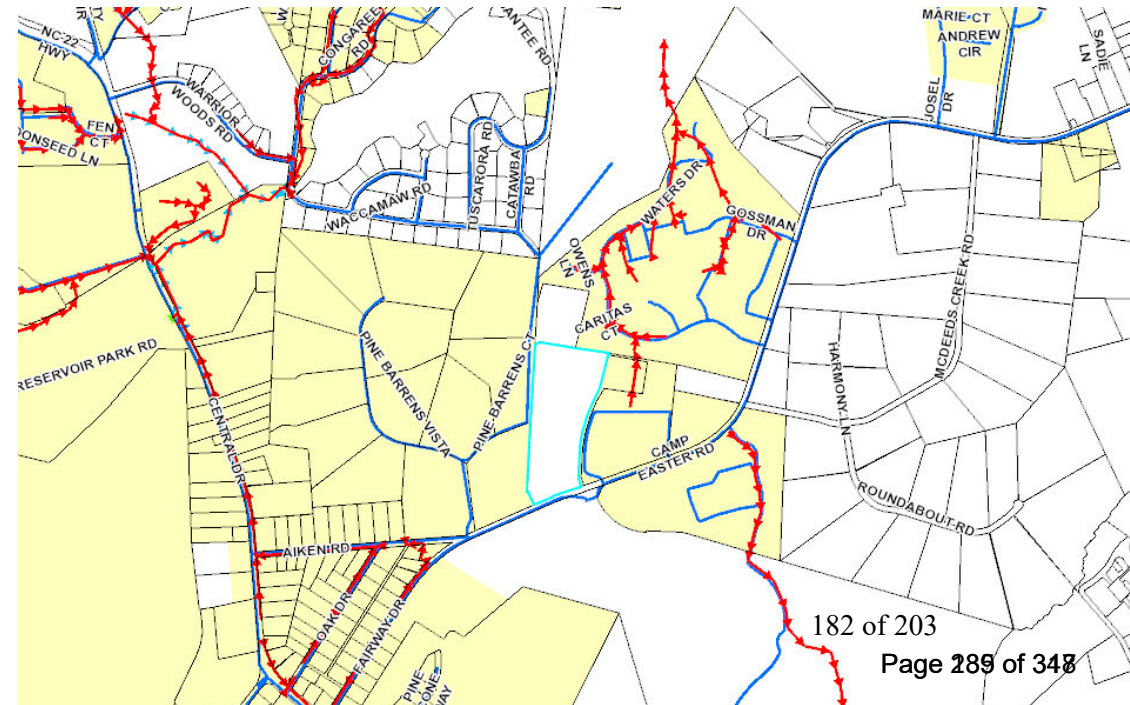
CLRP specifically states that Large Religious Institutions SHOULD BE located within Residential Neighborhoods or General Business

- CLRP Appendix D, Downtown Area Plan (page 15): “**Maximum Intensity of Religious Uses.** Religious uses provide a variety of benefits to the community as a whole and the neighborhoods in which they are located. As with other uses, however, they do have the ability to outgrow the sites on which they are located. Within residential neighborhoods, religious uses can destabilize neighborhoods due to traffic generation, parking demands and ongoing activities associated with the religious use or accessory activities (schools, classes, social services, fellowship meetings, etc.). Near the downtown, religious uses can have the added negative impact of displacing existing potential residents on whom local businesses rely. This is in direct conflict with the comprehensive plan’s directive to increase residential densities in the downtown neighborhoods. The UDO should be modified to address the scale of religious uses throughout the Town.”

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- “**Compatibility depends on the neighborhood and access to the site.** Small institutions (up to 250 seats) may be compatible in outlying areas of the Central Business and Neighborhood Business districts, but larger religious institutions and accessory uses, such as schools should be directed to General Business Districts or Rural Residential Districts where existing infrastructure and land use patterns are better suited to the intensity and range of accessory uses associated with large institutions. The range of allowable accessory uses should depend on the size and location of the site and its ability to accommodate traffic and needed parking.”



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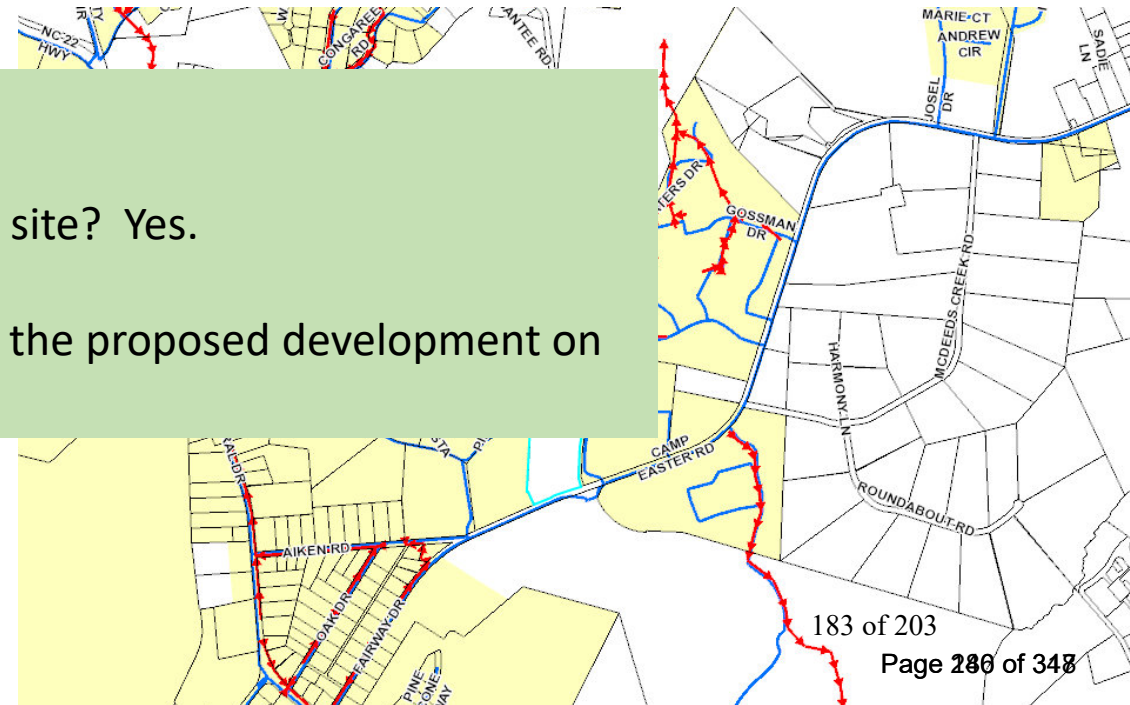
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Is the StJP2 site listed as Residential in the CLRP? Yes.

Is there already existing infrastructure available at the site? Yes.

Is there already a land use pattern similar in nature to the proposed development on nearby / adjacent properties? YES

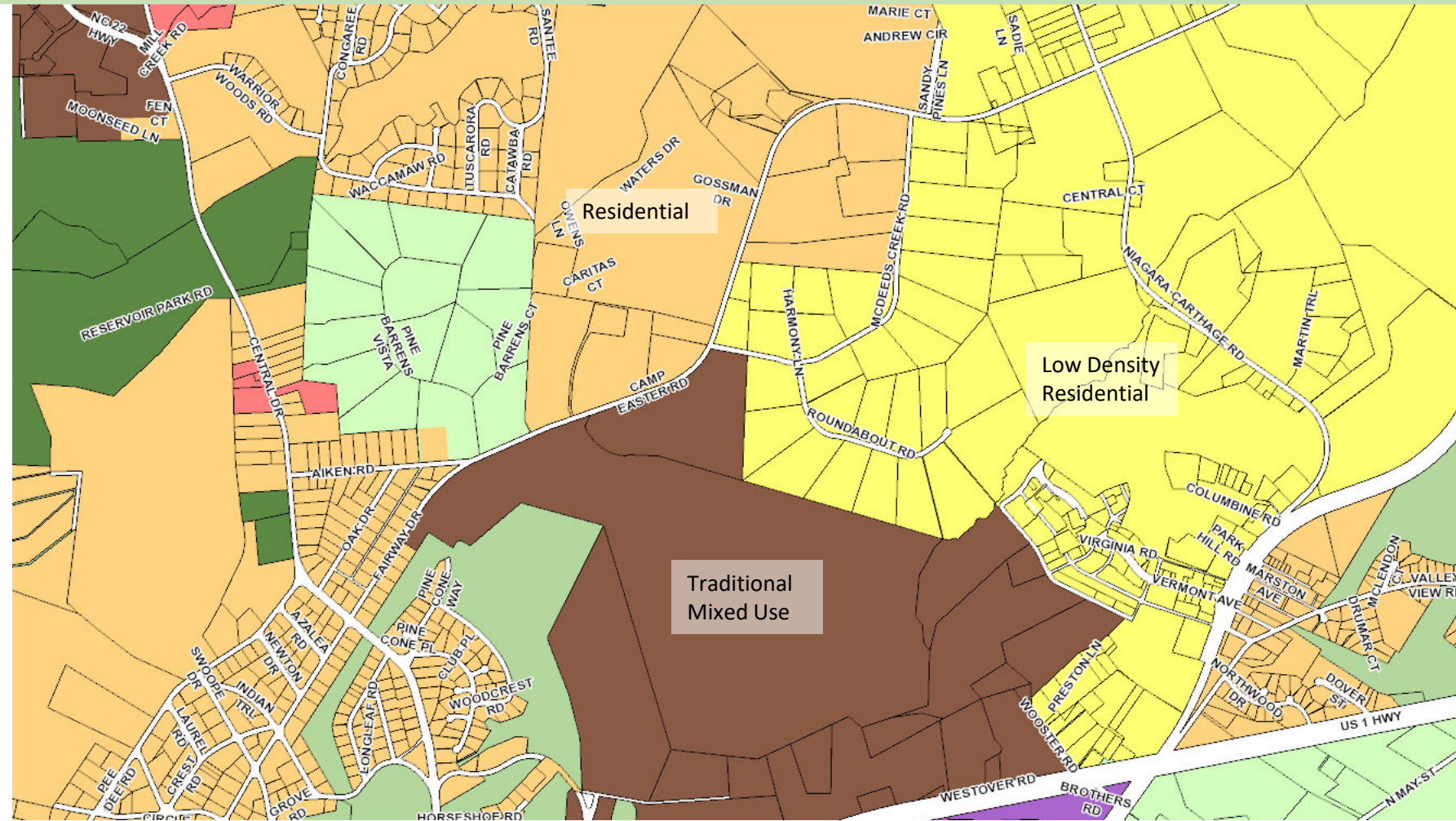


If "Church" is a Civic/Inst. Use, where does the CLRP recommend a large church be located on the Future Land Use Plan?

CLRP says large churches SHOULD BE located in rural residential areas (term)

CLRP lists CIVIC functions within the Future Land Use category called “Residential.”

CLRP does NOT list Civic functions within Low-Density Residential.



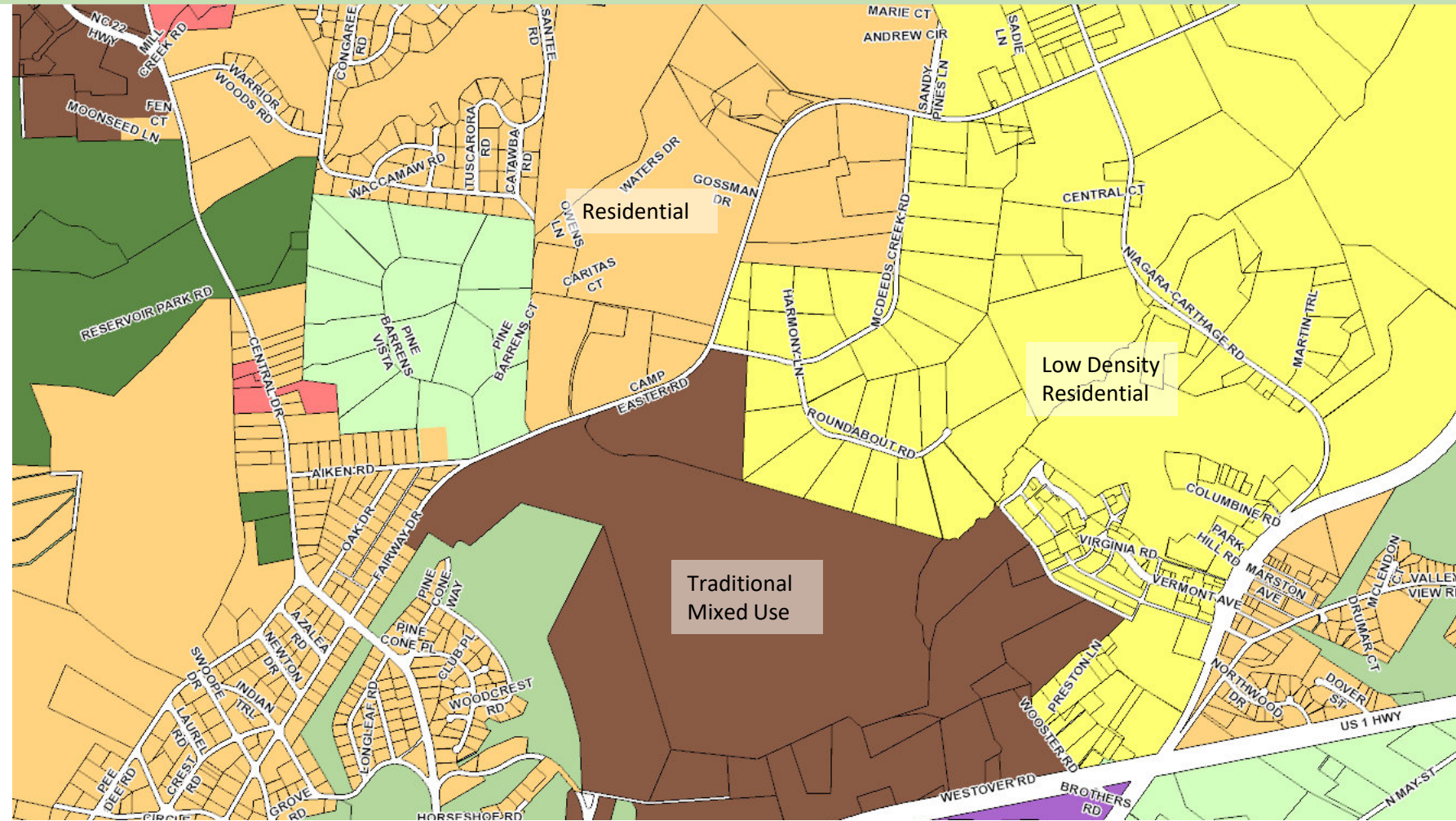
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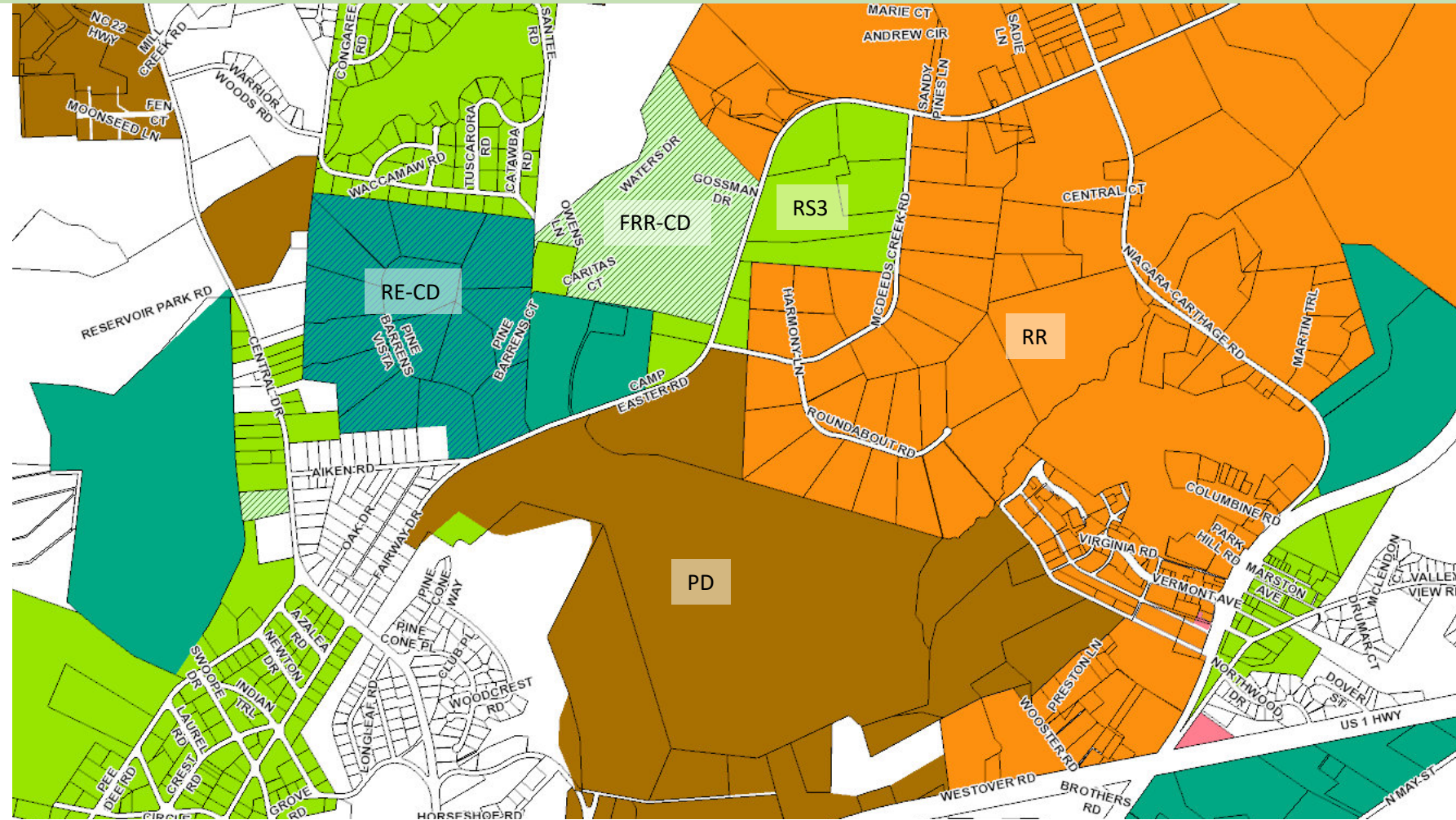
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Do not confuse CLRP “Residential” or even the use of the term “rural residential” within the CLRP document with the UDO Zoning District called “Rural Residential”



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UDO Zoning Map

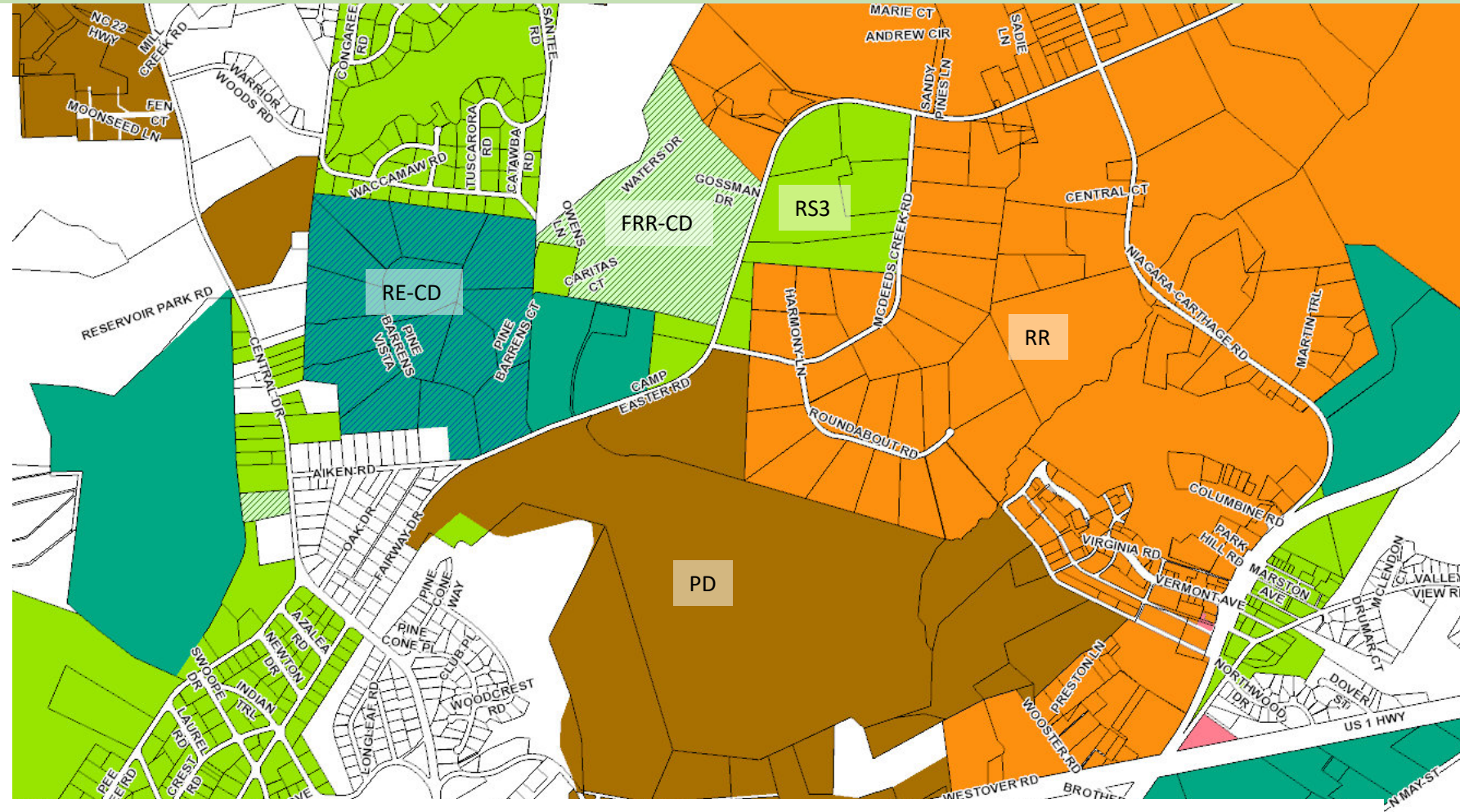


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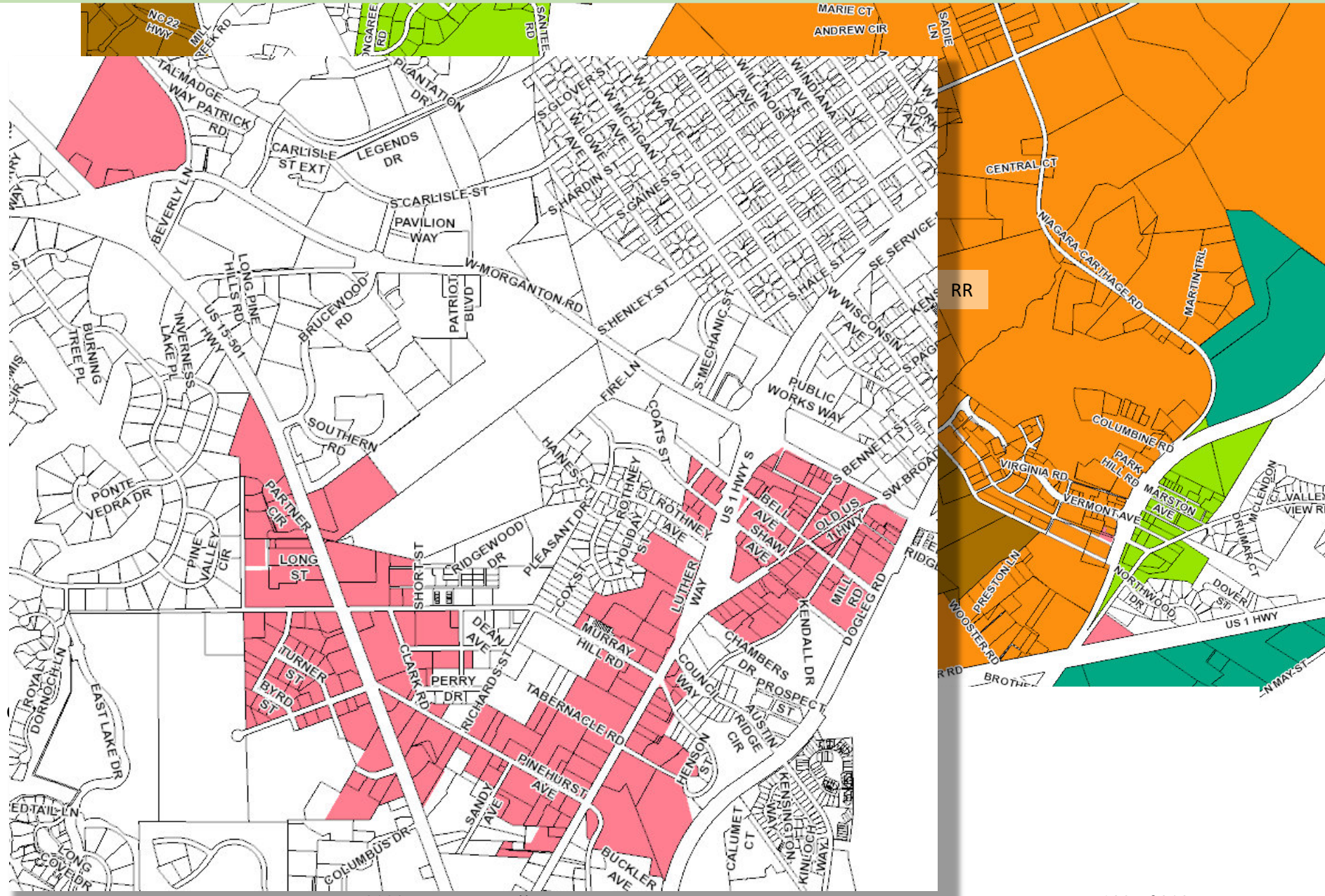
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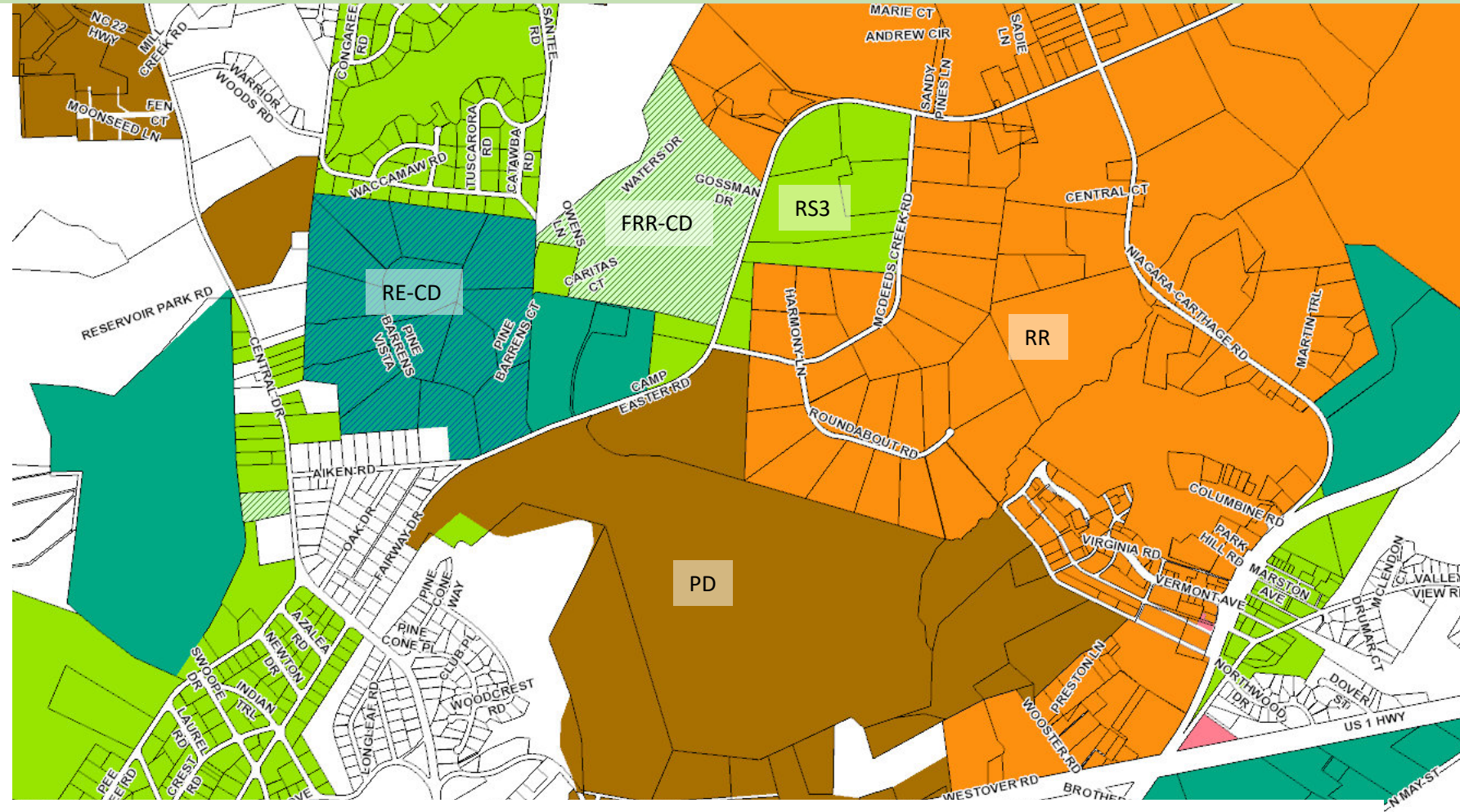
UDO: Large Religious Institutions are only allowed within Rural Residential (RR) or General Business (GB)

- General Business = Pink
- Rural Residential = Orange

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UDO Zoning Map



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- General Business = Pink
- Rural Residential = Orange

UDO also allows Large Religious Institutions to be part of a PD site plan

- Note LARGE areas of PD and RR in very close proximity to StJP2 site.
- One major test of a Rezoning Application is whether there are similarly zoned properties adjacent or within close proximity to the site in question.
- PD and RR are clearly well established zoning districts within the area.

UDO – How to make a Large Religious Institution FIT

Large Religious Institutions are subject to Supplementary Conditions for Specific Uses per Chapter 5-15.

We address these in the submitted CDP Narrative and Design Guidelines

NOTE: St. John Paul II Catholic School was allowed to build on this site because the ZBA ruled that a Church was established on the site.

The St. John Paul II Catholic School Activity Building was approved and constructed on this site as a K-8 school. This approval also supports the established church.

5.15.2(A): Existing religious institutions that are not authorized shall be considered conforming uses for the purposes of reconstruction or expansion, subject to the provisions of this section.

All of the “provisions of this section” have to do with WHAT REQUIREMENTS a church has to meet – not IF a church is allowed.

5.15. RELIGIOUS INSTITUTIONS

5.15.1. Authorized Locations

- (A) Religious institutions, including, but not limited to churches, synagogues, temples, mosques and other places of religious worship, along with their accessory uses, are permitted in subject to the following development approvals based upon size limitations:

Type of Religious Institution	Maximum Seating in the Largest Place of Assembly	Districts Where Authorized
Small Religious Institutions	up to 250	Allowed in RR, NB and GB districts
Other Religious Institutions	251 or more	Allowed in RR and GB districts

- (B) Religious institutions shall only be permitted on a lot that fronts onto, a collector or arterial street.

5.15.2. Special Requirements for Existing Religious Institutions in Certain Districts

- (A) Existing religious institutions that are not authorized shall be considered conforming uses for purposes of reconstruction or expansion, subject to the provisions of this section.
- (B) All new or expanded structures for principal or accessory uses shall be located on a contiguous site.
- (C) Parking for all new or expanded structures for principal or accessory uses shall be located on a contiguous site except that required parking cannot be accommodated on the site may be satisfied by:
- (1) Parking on an existing parking lot that complies with the UDO requirements for shared or satellite parking. For purposes of

UDO – How to make a Large Religious Institution FIT

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We address these in the submitted CDP Narrative and Design Guidelines

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All of the “provisions of this section” have to do with WHAT REQUIREMENTS a church has to meet – not IF a church is allowed.

PD rezoning is INTENDED TO ADDRESS the non-conformance issues with the Church and School at StJP2. The existing uses were MADE non-conforming by the adoption of the CLRP and the updated UDO.

5.15. RELIGIOUS INSTITUTIONS

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UDO

2.24. VESTED RIGHTS DETERMINATION

The Applicant for common law vested rights must show compliance with the following criteria for the specific project to acquire such rights:

- A. In reliance upon lawfully issued Development approval, the Applicant makes a substantial financial commitment or assumes substantial financial obligations within the purview of the activities authorized by said Development approval;
- B. The Applicant has proceeded in good faith, has relied upon the issuance of the Development approval, and such Development approval has not lapsed or been revoked;
- C. The Applicant has established any other factor that may establish Estoppel under state or federal law; and
- D. The Applicant has obtained a favorable vested rights determination.

To date, StJP2 has not approached this proposal as a Vested Right. Instead, the Applicant is seeking PD Compliance based on best uses, best context, best protection for neighboring properties.

Would we meet the requirements of Vested Rights?

UDO

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- D. The Applicant has obtained a favorable vested rights determination.

To date, StJP2 has not approached this proposal as a Vested Right. Instead, the Applicant is seeking PD Compliance based on best uses, best context, best protection for neighboring properties.

Would we meet the requirements of Vested Rights?

- A) *StJP2 original school was approved. House was converted into a Rectory and Chapel. Mobile Classrooms were purchased and installed. Second Phase, Activity Building, including grounds, infrastructure, stormwater, and building pad were submitted, approved, and constructed.*
- B) *All construction has been performed in good faith with all required permitting.*
- C) *---*
- D) *---*

POINT: Everything that we’ve presented shows that both the CLRP and the UDO will support the USE of School and Church on the StJP2 property.

Religious Institution IS an Institutional / Civic Use within the CLRP and the UDO.

How do we provide REASONABLE protections for the adjacent neighbors so that the proposed development is contextual with the ESTABLISHED AREA OF TOWN.

- *Not just specific parcels on one side*
- *Area of Town involves ALL of the existing and approved growth patterns surrounding the property .*

IF NOT A CHURCH, THEN WHAT...?

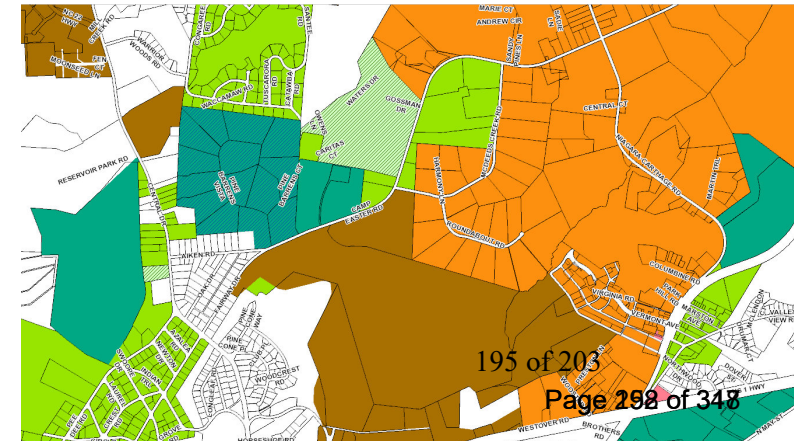
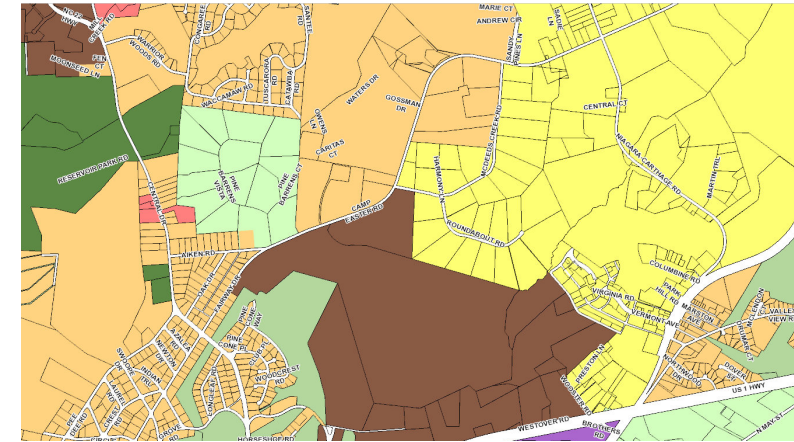
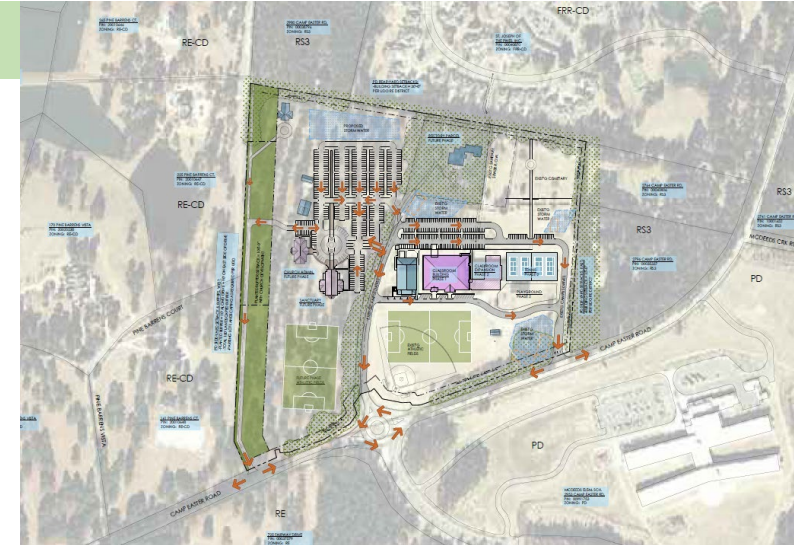
(C = Special Use ; S = Supplemental Conditions)

These are uses that are ALLOWED By-Right
within the Current RE Zoning District (No C/S)

1. Single Family Homes
2. Modular Homes
3. Bed & Breakfast Inn
4. Animal Services – Grooming, Training, Boarding
5. Horse Track (with spectators)
6. Horse Stables (public)
7. Golf Course (public)
8. Fire Station
9. Police Station
10. EMS Station
11. Cattle Ranch
12. Dairy Ranch
13. Hog Farm
14. Poultry and Egg Production (Commercial Facilities)
15. Domestic Backyard Chickens
16. Sheep and Goats
17. Forestry and Logging
18. Fishing, Hunting, Trapping
19. Minor Subdivisions

These are uses that are ALLOWED with C/S
within the Current RE Zoning District

1. Assisted Living – S
2. Bed & Breakfast Home – S
3. Camps / Camping – C
4. Trailer Parks – C
5. Elementary School – C
6. Nursing/Rehab Services – C
7. Cemeteries, Accessory to Churches – S
8. Major Subdivisions – C
9. Home Occupations – S



IF NOT A CHURCH, THEN WHAT...?

(C = Special Use ; S = Supplemental Conditions)

These are uses that are ALLOWED By-Right within the Current RE Zoning District (No C/S)

1. Single Family Homes
2. Modular Homes
3. Bed & Breakfast Inn
4. Animal Services – Grooming, Training, Boarding
5. Horse Track (with spectators)
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14. Poultry and Egg Production (Commercial Facilities)
15. Domestic Backyard Chickens
16. Sheep and Goats
17. Forestry and Logging
18. Fishing, Hunting, Trapping
19. Minor Subdivisions

Buffering / Setbacks required for any BY-RIGHT use listed above

- BUILDING Setback: RE, Interior Side Setback = 15'
- Buffer: RE to RE = NONE
- **Thus ANY of the uses listed above could be established on site, BY RIGHT without ANY planted buffers.**
 - No public hearing, no rezoning – just apply for and pick up a permit.

These are uses that are ALLOWED with C/S within the Current RE Zoning District

1. Assisted Living – S
2. Bed & Breakfast Home – S
3. Camps / Camping – C
4. Trailer Parks – C
5. Elementary School – C
6. Nursing/Rehab Services – C
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8. Major Subdivisions – C
9. Home Occupations – S

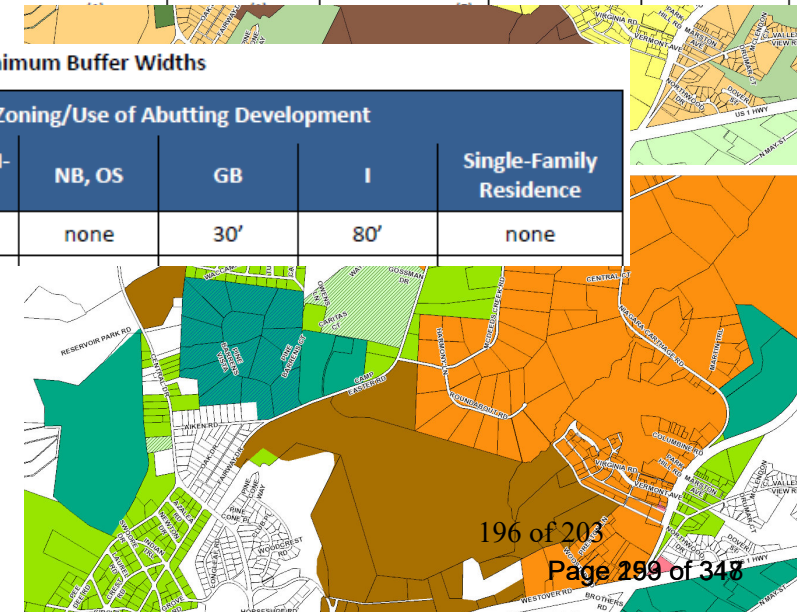


Exhibit 4-1: Building Height, Setbacks and Lot Dimensions

Zoning District	Maximum Height	Front Setback	Setback From Street Centerline	Exterior Side Setback	Interior Side Setback	Rear Setback	Minimum Lot Size	Additional Area Required Per Additional Dwelling Unit	Lot Width
RE	35'	40'	70'	15'	15' ⁽¹⁾	30' ⁽¹⁾	5 acres ⁽⁴⁾		100' min.

Exhibit 4-2: Minimum Buffer Widths

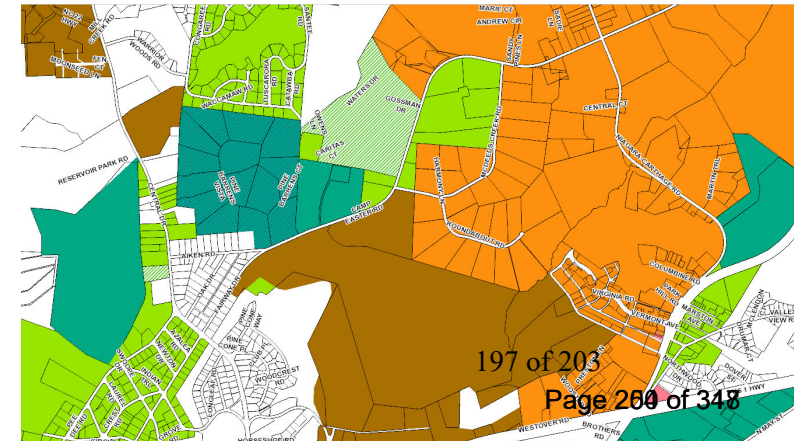
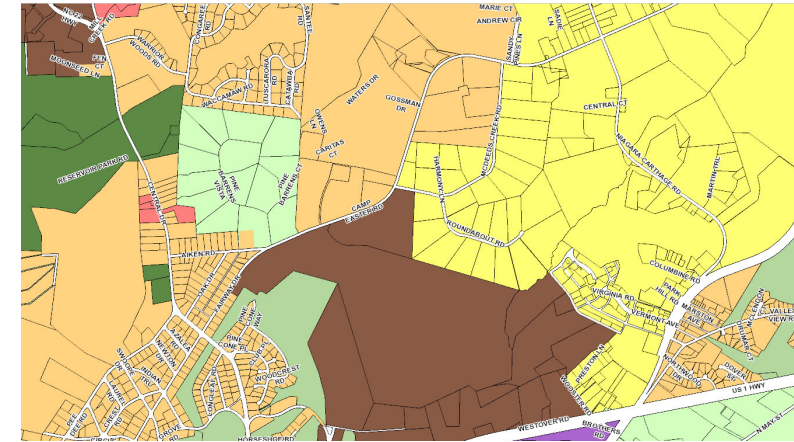
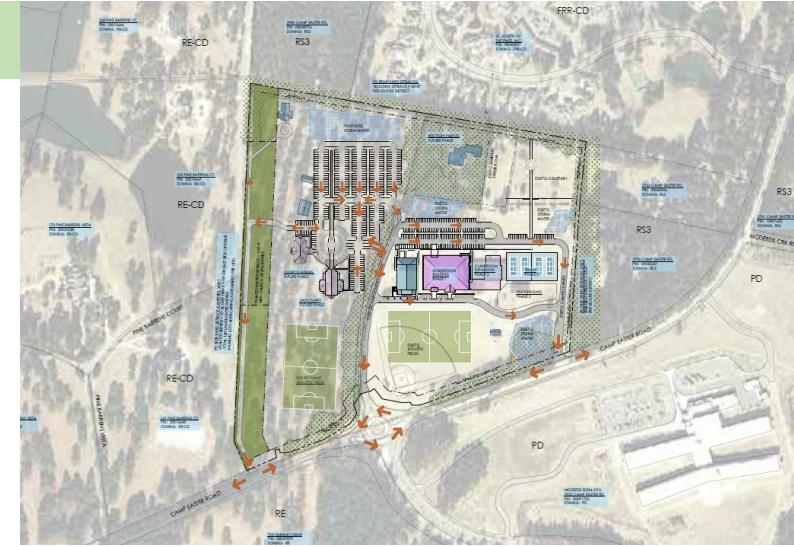
Zoning District or Use of Proposed Development	Zoning/Use of Abutting Development					
	RE, RR, RS-1, RS-2, RS-3	RM-1, RM-2	NB, OS	GB	I	Single-Family Residence
RE, RR, RS-1, RS-2, RS-3	none	none	none	30'	80'	none



CONCEPT DEVELOPMENT PLAN CRITERIA - SUMMARY

2.18.4(H) Conceptual Development Plan Criteria

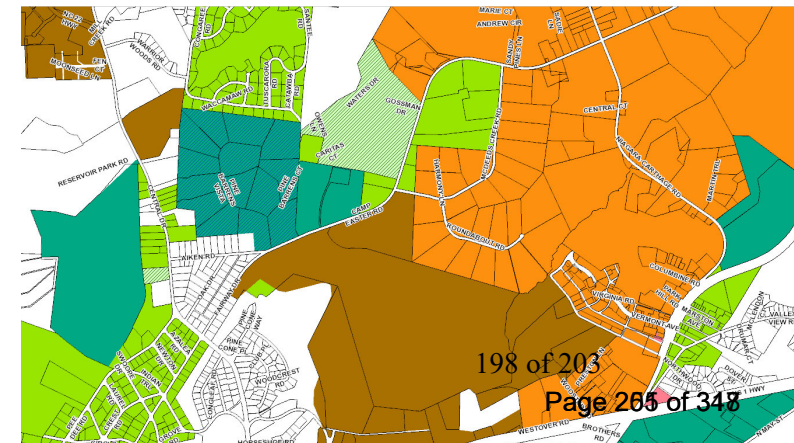
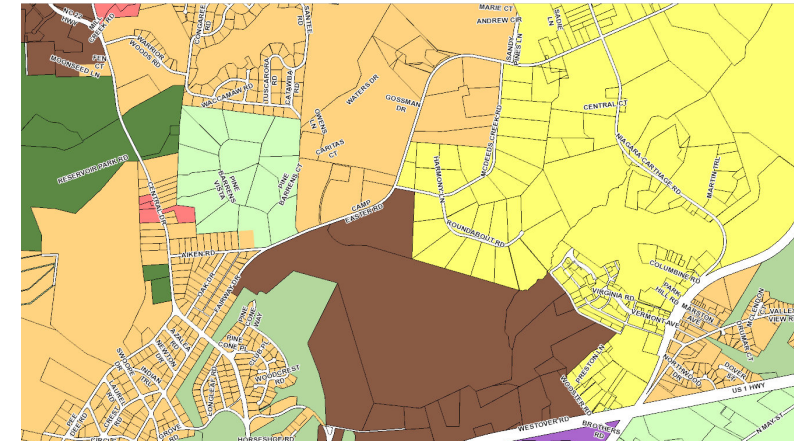
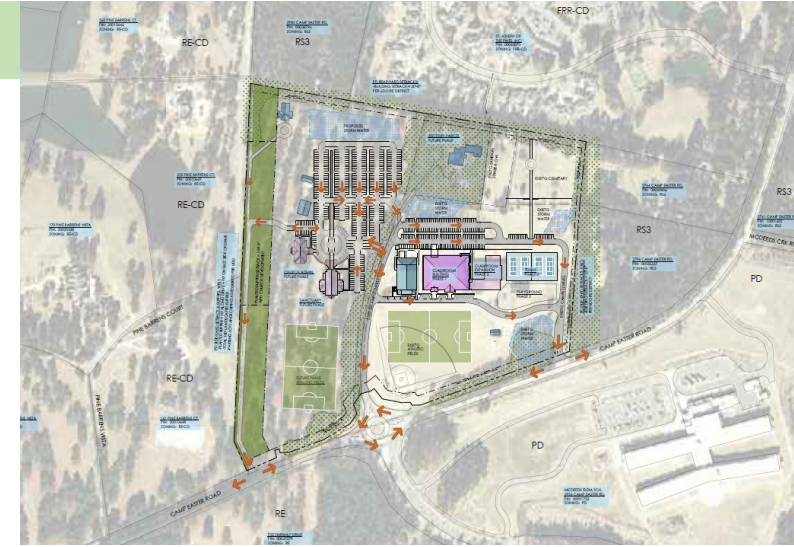
1. The proposed PDD satisfies the criteria for a zoning map amendment established in this chapter;
2. The Conceptual Development Plan represents an overall Development Pattern that is consistent with the goals and policies of the Comprehensive Plan, Official Zoning Map, Capital Improvements Program, 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.



CONCEPT DEVELOPMENT PLAN CRITERIA - SUMMARY

2.18.4(H) Conceptual Development Plan Criteria

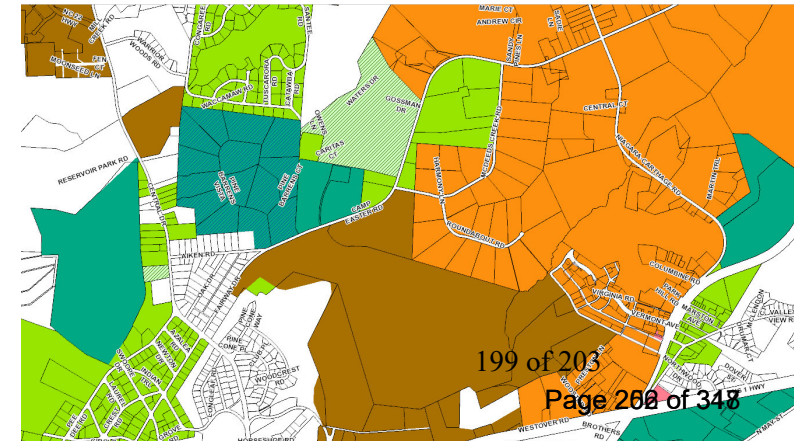
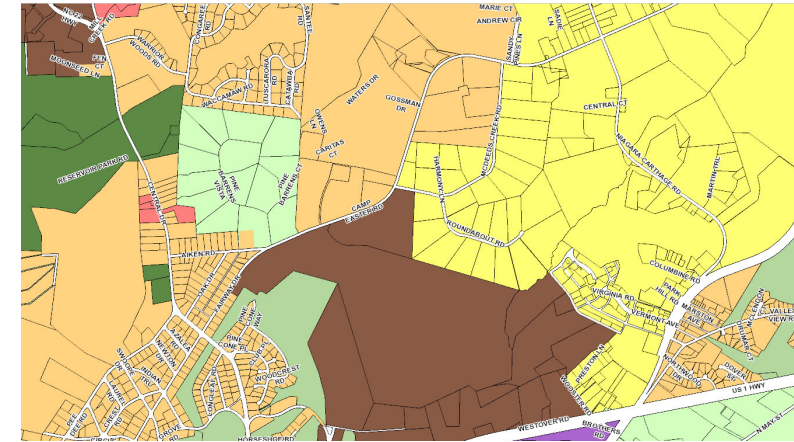
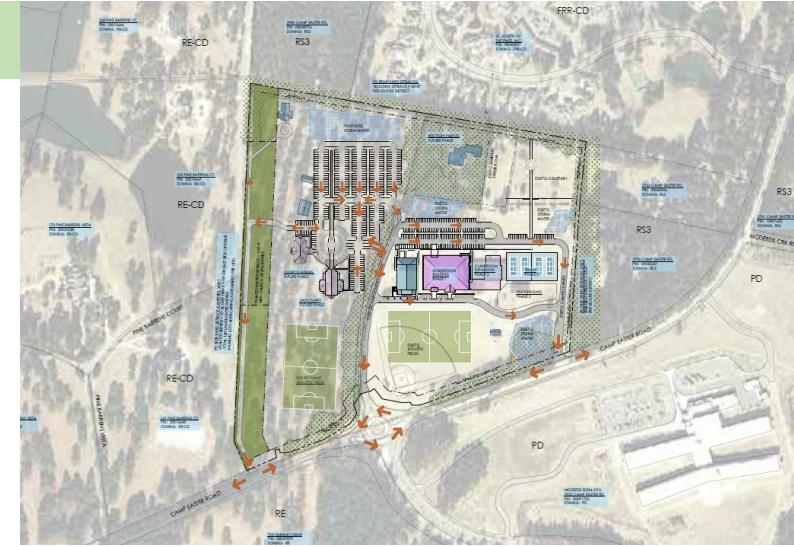
1. The proposed PDD satisfies the criteria for a zoning map amendment established in this chapter;
 - *Need for Rezoning: Existing Pre-K through 8th grade school is non-compliant with current UDO, which only allows Elementary Schools within RE district. In order to build a permanent Classroom Building and remove mobile units, property must meet current UDO standards. Southern Pines Planning staff recommend rezoning to Planned Development (PD) as is consistent with the recently PD rezoned McDeed's Creek Elementary School directly across Camp Easter Road from the St. John's property. PD will establish zoning criteria to direct future phases of development on the entire 42.2 acre property.*
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.



CONCEPT DEVELOPMENT PLAN CRITERIA - SUMMARY

2.18.4(H) Conceptual Development Plan Criteria

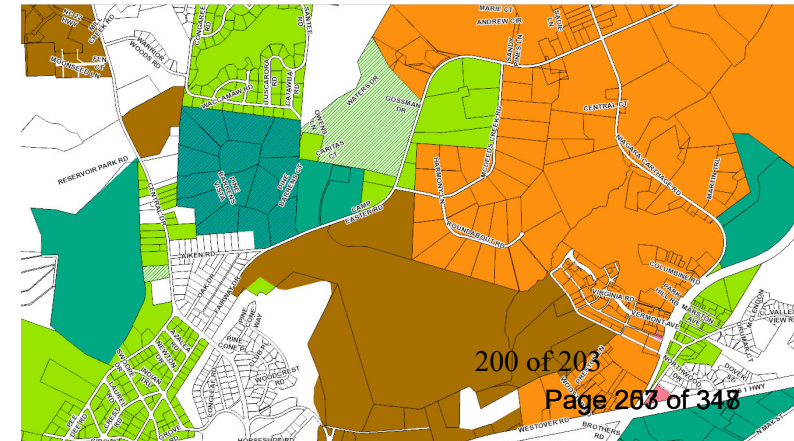
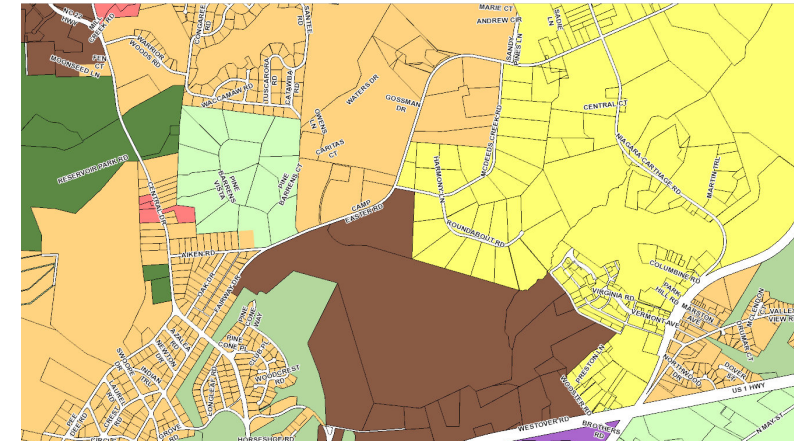
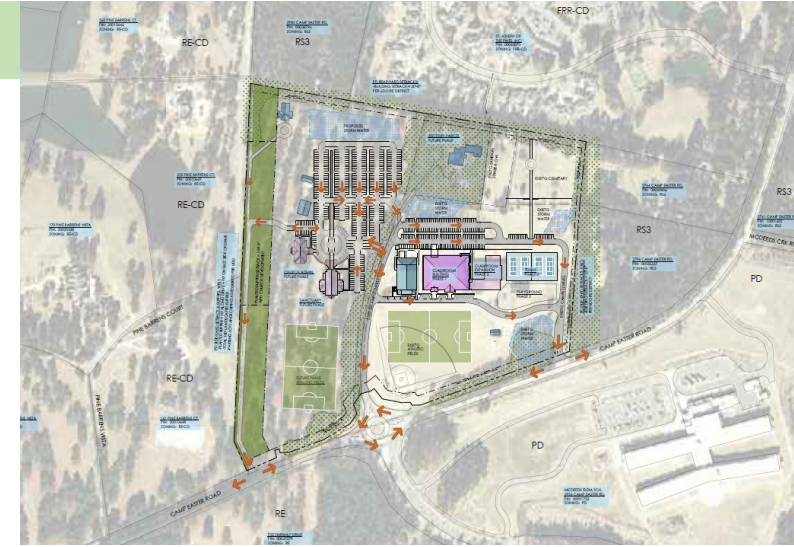
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2. The Conceptual Development Plan represents an overall Development Pattern that is consistent with the goals and policies of the Comprehensive Plan, Official Zoning Map, Capital Improvements Program, and any other applicable planning documents adopted by the Town;
 - The CDP district supports the existing St. John Paul II Catholic School and provides UDO compliant means for expansions through master planned and phased growth.
 - The CDP limits the potential uses of the site to only those listed within the PD documents and establishes land areas where these uses may be expected to occur within the Concept Development master plans.
 - Existing School, Existing Church use, and Proposed Church Expansion are supported by the CLRP Future Land Use designation of "Residential" and with the application a PD rezoning, are supported by the UDO and Official Zoning Map.
 - The CDP establishes setbacks and buffers to minimize impact to adjacent residential properties.
 - This CDP establishes these regulations and proposed development patterns in general and requires a PDP process for each of the development phases
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.



CONCEPT DEVELOPMENT PLAN CRITERIA - SUMMARY

2.18.4(H) Conceptual Development Plan Criteria

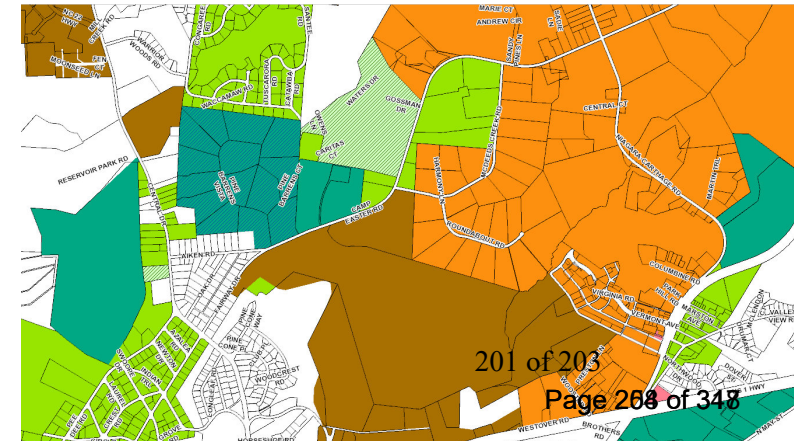
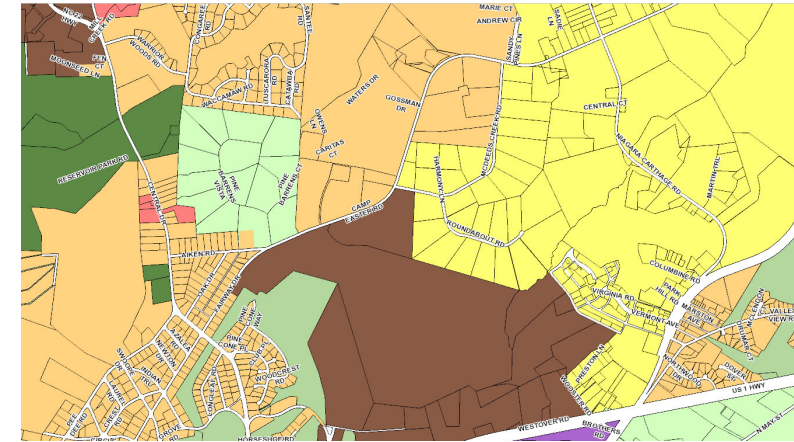
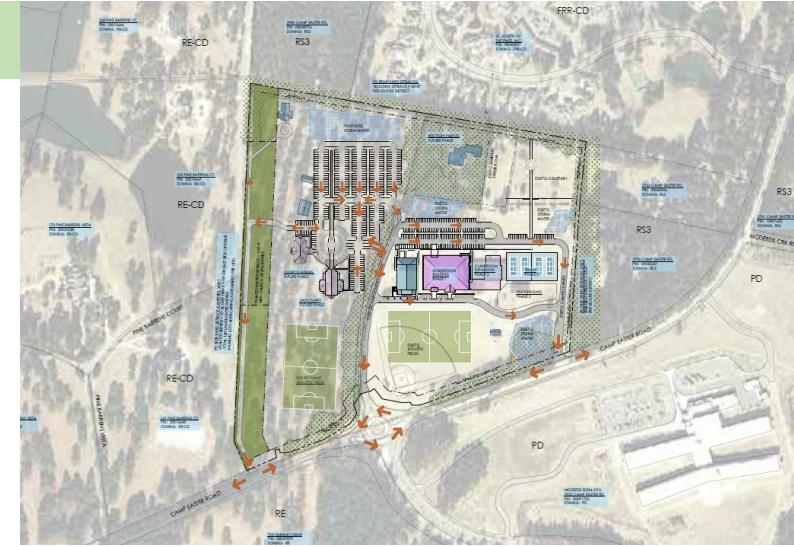
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3. The proposed Development is appropriate for the area of the Town in which it is located; and
 - *The School Development portion of this CDP proposes expansion of the existing Pre-K through 8th grade school. McDeed's Elementary School was recently constructed directly across Camp Easter Road from the St. John Paul II site, thus supporting that area is appropriate for educational facilities.*
 - *Development of a Catholic Church adjacent to the Catholic School is a reasonable and congruous use within the 42.2 acre total site. The proposed future church facilities are an appropriate use within the developing residential zoned neighborhoods. Churches traditionally serve communities and thus are appropriately developed within growing residential areas. Care will be taken to assure that the future church is developed with minimal adverse effects to existing residences.*
 - *Camp Easter Road, the new traffic circle, and the planned extension road from the traffic circle, south, will be studied during the Church Development PDP to assure transportation support is adequate or to identify additional needs, remembering that traffic for Church use is heavy only at very limited times through the week, which are also generally times when other traffic is light.*
4. The proposed Development will not generate the need for inefficient extensions and expansions of public facilities, utilities and services.



CONCEPT DEVELOPMENT PLAN CRITERIA - SUMMARY

2.18.4(H) Conceptual Development Plan Criteria

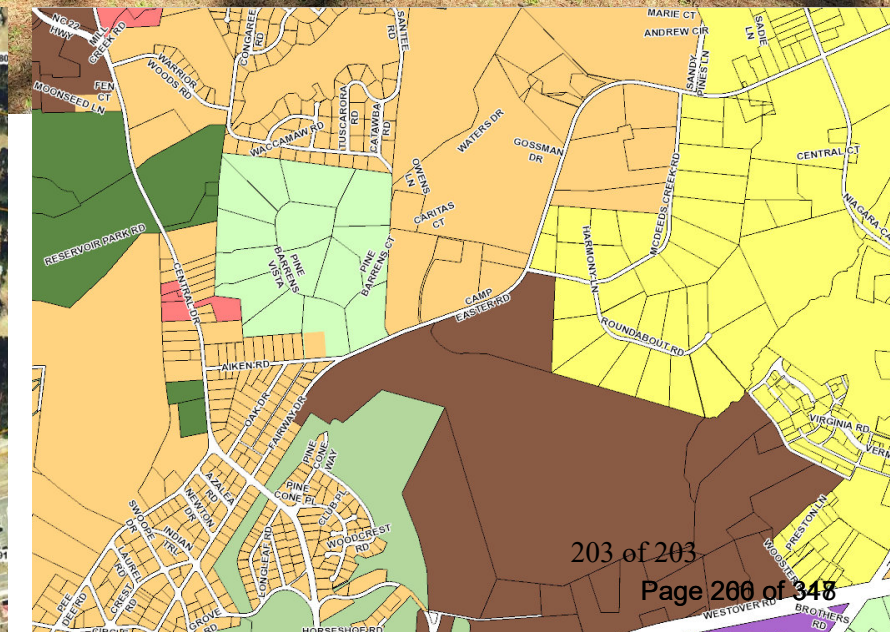
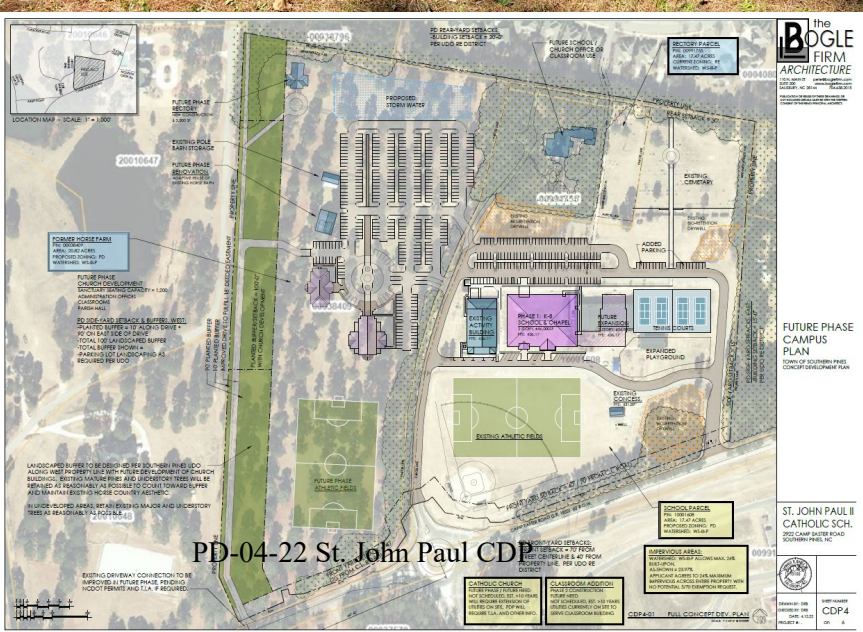
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3. The proposed Development is appropriate for the area of the Town in which it is located; and
4. The proposed Development will not generate the need for inefficient extensions and expansions of public facilities, utilities and services.
 - *The site has access to public water, sewer, electrical, gas, telephone/data and other utilities currently being used on site by the Catholic School. The proposed CDP will not require public utility extensions.*



SOUTHERN PINES CATHOLIC HERITAGE:

- Southern Pines has a deep-rooted Catholic heritage with many Catholic owned facilities in and around town.
- St. Anthony of Padua Roman Catholic Church was established in Southern Pines in 1885
- The Catholic church is here to serve the community – look at the St. Anthony’s website to see the multiple programs they offer for community assistance, Hispanic ministries, family support, charities – it’s a long list, but at its core
 - a CHURCH exists to SERVE the COMMUNITY
- There’s a growing Catholic population of citizens and voters – otherwise, there would be no need to consider building a new Catholic church.
- Catholic Heritage is not listed as a planning goal within the CLRP simply because it’s not a land use issue.
- However, preserving the supporting the growth of Catholic heritage within Southern Pines affects a vast amount of your citizens now and into the future.
- They’ve invested on this site. They’ve shown more than is required in a CDP process in order to be as transparent as possible and in efforts of coming to the best possible growth mechanisms to help protect the adjacent property owners while best serving the neighborhood and community at large – because that’s what a Catholic Church does. It’s there to SERVE the community.





MEMORANDUM

To: Reagan Parsons, Town Manager
From: James Michel, PE, MBA, Town Engineer/Assistant Public Works Director
Re: Consolidation of Water Systems Serving The Carolina Development
Date: May 18, 2021

RECOMMENDATION

Staff recommends that Council analyze the merits of consolidating the water systems for The Carolina, currently served by both Moore County and the Town of Southern Pines, to a single system served by the Town.

BACKGROUND

Moore County Public Utilities currently operates a satellite water system in the older sections of The Carolina development located off Airport Road. All the customers on this satellite system are within the Town's corporate limits and the system is supplied through a master meter connection to the Southern Pines Water System. The newest sections of the Carolina Development have been extending Town water lines to serve the new properties as required in the most recent development approvals CUP. This has led to several locations where Town and County lines are parallel to each other and several of the upcoming phases of the project will result in additional parallel lines.

In a letter dated April 26, 2021, The Carolina developer requested that the Town and County work together to consolidate the two systems into a single Town water system. The developer benefit from this consolidation as it reduces the length of new water mains that must be extended to serve future phases of the development. In exchange, the developer has offered to provide the improvements listed in his letter to limit the Town's costs associated with the requested change-over and to improve the hydraulics of the water systems.

The parallel systems are undesirable due to inefficiencies and complexities in system operations and future maintenance and confusion among residents. This is further exacerbated given that residents have different rate structures depending on which system serves their home. It should be noted that while the County and Town water rates are very similar, a current customer on the County's system would see an increase of \$0.05/month after transitioning to the Town's system (based on an average use of 5,000 gallons/month).

In addition to the operational concerns, the County's system also falls within the Town's Fire District, but was developed prior to current fire flow requirements and has limited capability to meet current standards. The developer proposes installing an additional loop and additional interconnection with the Town's system, which will improve the system hydraulics and fire flow in the older sections.

NEXT STEPS

Staff requests direction from Council on forwarding a request to the Moore County Commissioners to approve this transfer. If Council desires, staff will draft a resolution to review at the June 2nd agenda meeting, followed by a vote at the June 8th business meeting. The Town would then forward the approved resolution to the County Commission for their consideration.



Municipal Service District Report

Establishment of a Municipal Service District for Downtown Revitalization

1. The attached map identifies the proposed Municipal Service District.

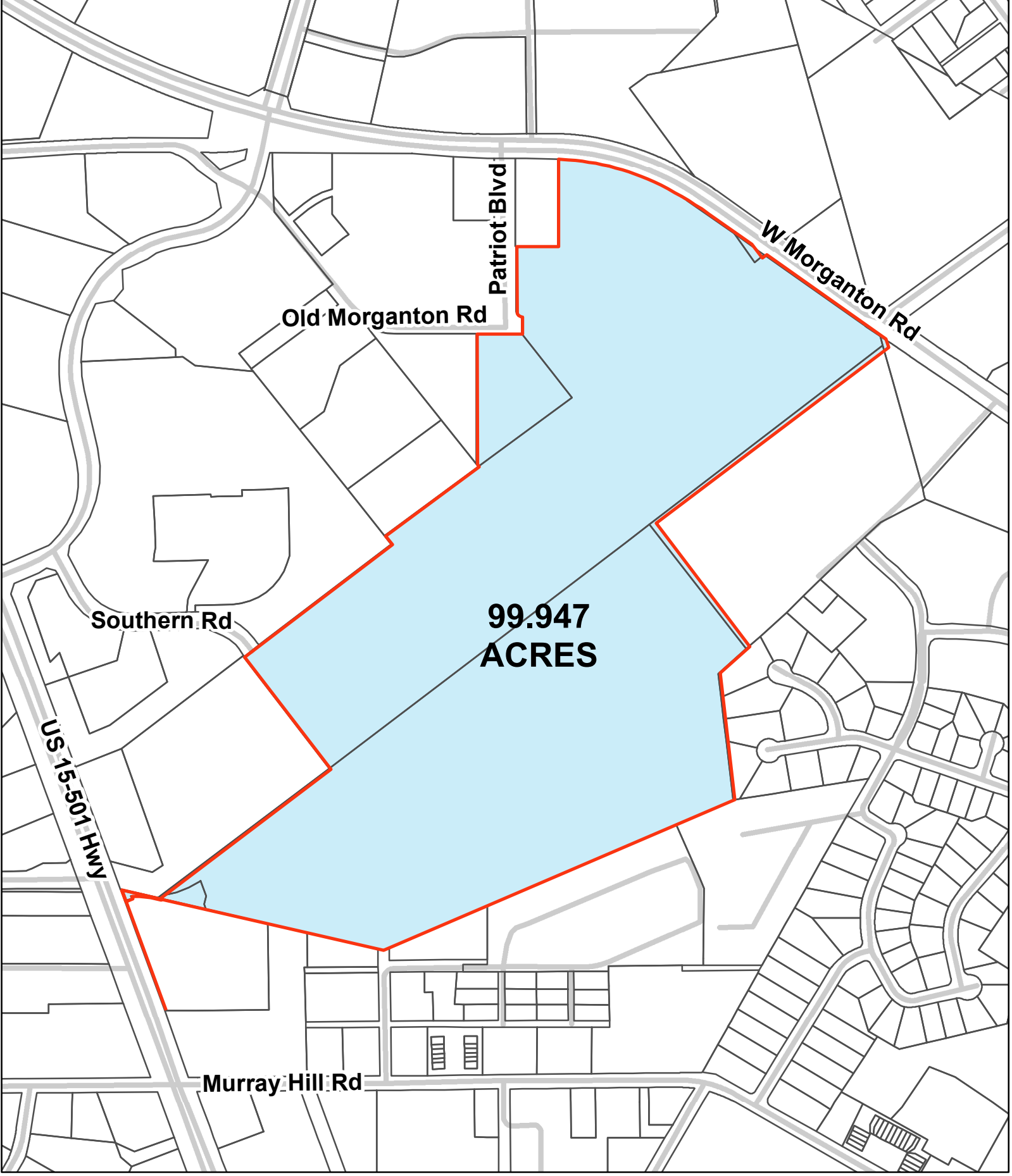
The Town of Southern Pines (the “Town”) is considering defining and establishing a municipal service district pursuant to the authority granted under Article 23 of Chapter 160A of the General Statutes of North Carolina (the “Municipal Service District Act”), to finance, provide, authorize and maintain downtown revitalization projects, including but not limited to the construction, operation, and maintenance of a parkway that would connect Highway 15-501 to Morganton Road together with related utility infrastructure (the “Parkway”), thus making it easier for vehicular traffic to get to the central city area, and connecting the central city with the Parkway and residents and retail establishments on the Parkway. The proposed municipal service district consists of the approximately 100 acres located between Highway 15-501 and Morganton Road, a portion of which was recently annexed into the Town, all as shown on the map attached as Exhibit A (the “MSD”).

2. Statement indicating that services are needed in the district to a demonstrably greater extent than the rest of the Town:

The Town has long sought to have a road connecting Highway 15-501 to Morganton Road, to provide easier access to the Town’s central city, and has included the construction of that road in its long-term capital improvement plan. A proposal to develop a portion of the MSD has provided an opportunity to achieve that road construction and at the same time to increase development of retail and residential areas adjacent to the central city, thus enhancing the economic well-being of the central city as set forth in Section 160A-536(b) of the Municipal Service District Act. The proposed MSD needs this project to a demonstrably greater extent than the remainder of the Town because it is one of the few tracts of land that can provide access from Highway 15-501 all the way through to Morganton Road.

3. Plan for providing proposed services in the Municipal Service District:

The Parkway project entails the construction of approximately 4,000 linear feet of roadway across the MSD, as shown on the attached Exhibit A, and will include associated water lines, sewer lines, storm water lines, planted median and/or turn lanes, sidewalks, multi-use paths, street trees, street lighting and curb and gutter sections. As permitted by the Municipal Service District Act, the Town will impose taxes on the property contained in the MSD in excess of the property taxes paid for in the remainder of the Town, and that those additional tax revenues will support the payment of the costs of the Parkway. The Parkway will be constructed as part of the development of the MSD, and the Town will reimburse a portion of those costs with the funds received from the additional property tax.



**99.947
ACRES**



Map Not To Scale

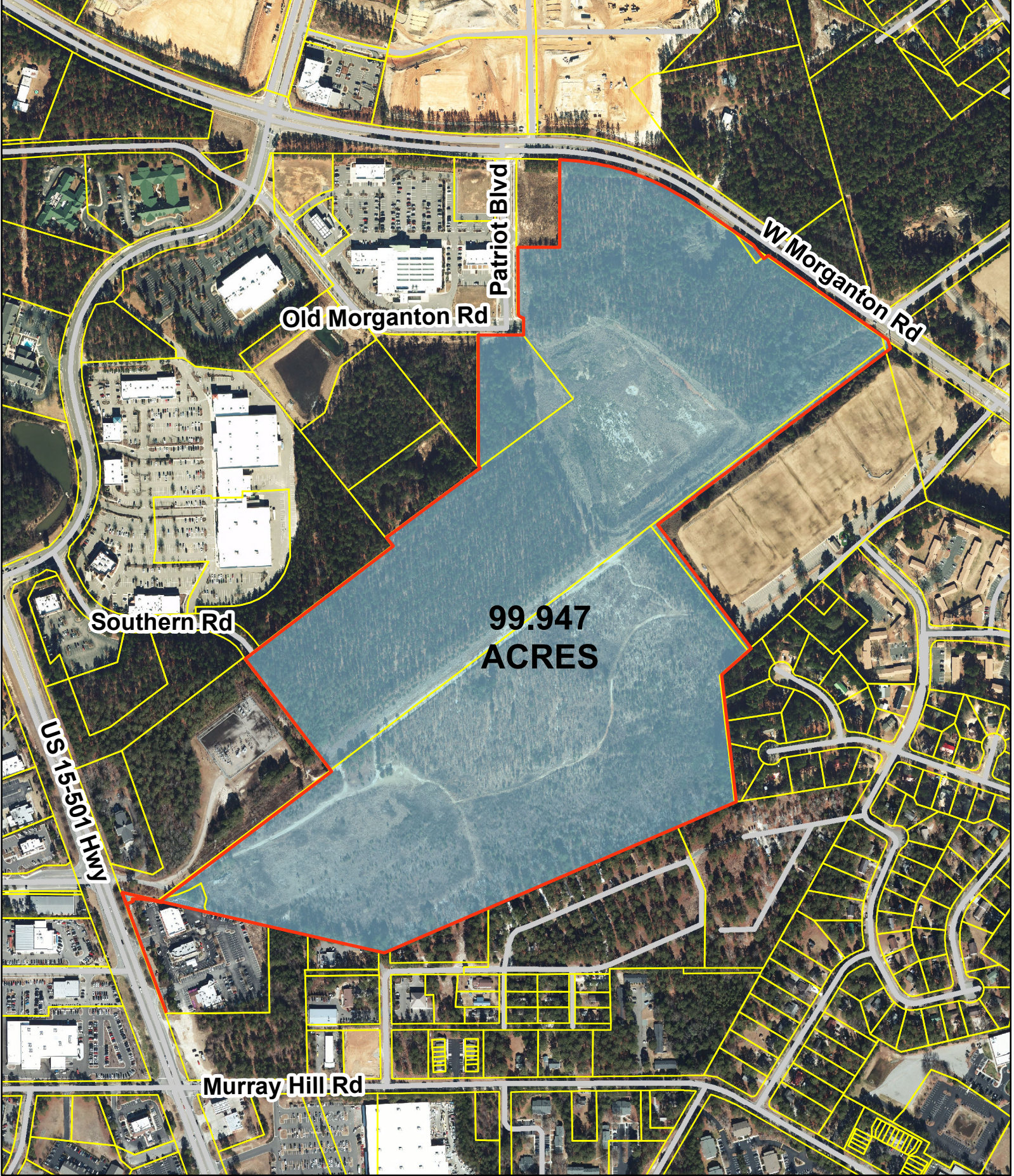
EXHIBIT A

99.947 ACRES

This map was created by the Town of Southern Pine GIS using a map titled EXHIBIT 99.947 ACRES created by LKC. The Town of Southern Pine, its agents and employees make NO warranty as to the correctness or accuracy of the information set forth on this media whether expressed or implied, in fact or in law, including without limitation the implied warranties of merchantability and fitness for a particular use. Any resale of this data is strictly prohibited in accordance with North Carolina General Statute 132-10. Grid is based on North Carolina State Plane Coordinate System NAD83 (feet).

Page 209 of 318

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**99.947
ACRES**



Map Not To Scale

EXHIBIT A

99.947 ACRES

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Agenda Item

To: Reagan Parsons, Town Manager

From: Jennifer Hunt, Planner I

Subject: AR-09-22 Pinehurst Surgical – 3 North; MP Medical Condos

Date: May 10, 2022

I. SUMMARY OF APPLICATION REQUEST:

Harold Dean Peacock on behalf of Morganton Park Realty, LLC is requesting approval of an Architectural Compliance Permit for a 52,905 square foot medical office, located in the planned development known as Morganton Park North. This parcel is located in the Town of Southern Pines extraterritorial jurisdiction and lies within the Morganton Road Overlay off Morganton Road. (See Figure 1 and Figure 2). The subject property is located along S Carlisle Street on the north, Patriot Boulevard on the west and Pavilion Way fronts its southern boundary. The subject property is owned by Morganton Park Realty, LLC.

II. PROJECT INFORMATION:

1. PARID 20190271; PIN 857100590566

2. Owners:

Morganton Park Realty, LLC
5 First Village Drive
Pinehurst, NC 28374

3. Applicant / Agent:

(Appointment of Agent) Harold Dean Peacock, Architect
(Applicant) Morganton Park Realty, LLC
5 First Village Drive
Pinehurst, NC 28374

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

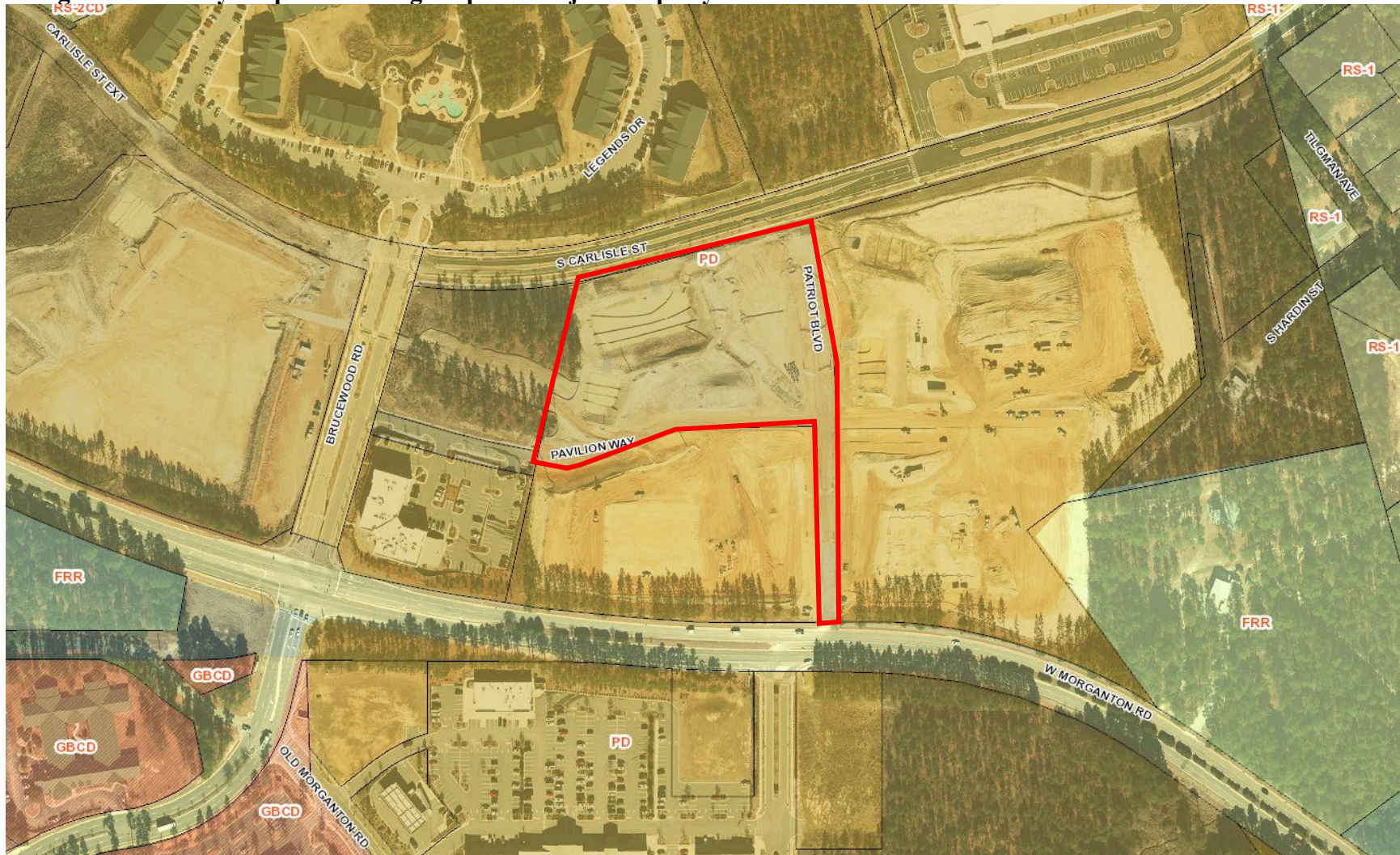


Figure 2: Morganton Road Overlay Vicinity Map and Zoning Map for Subject Property Outlined in Red:

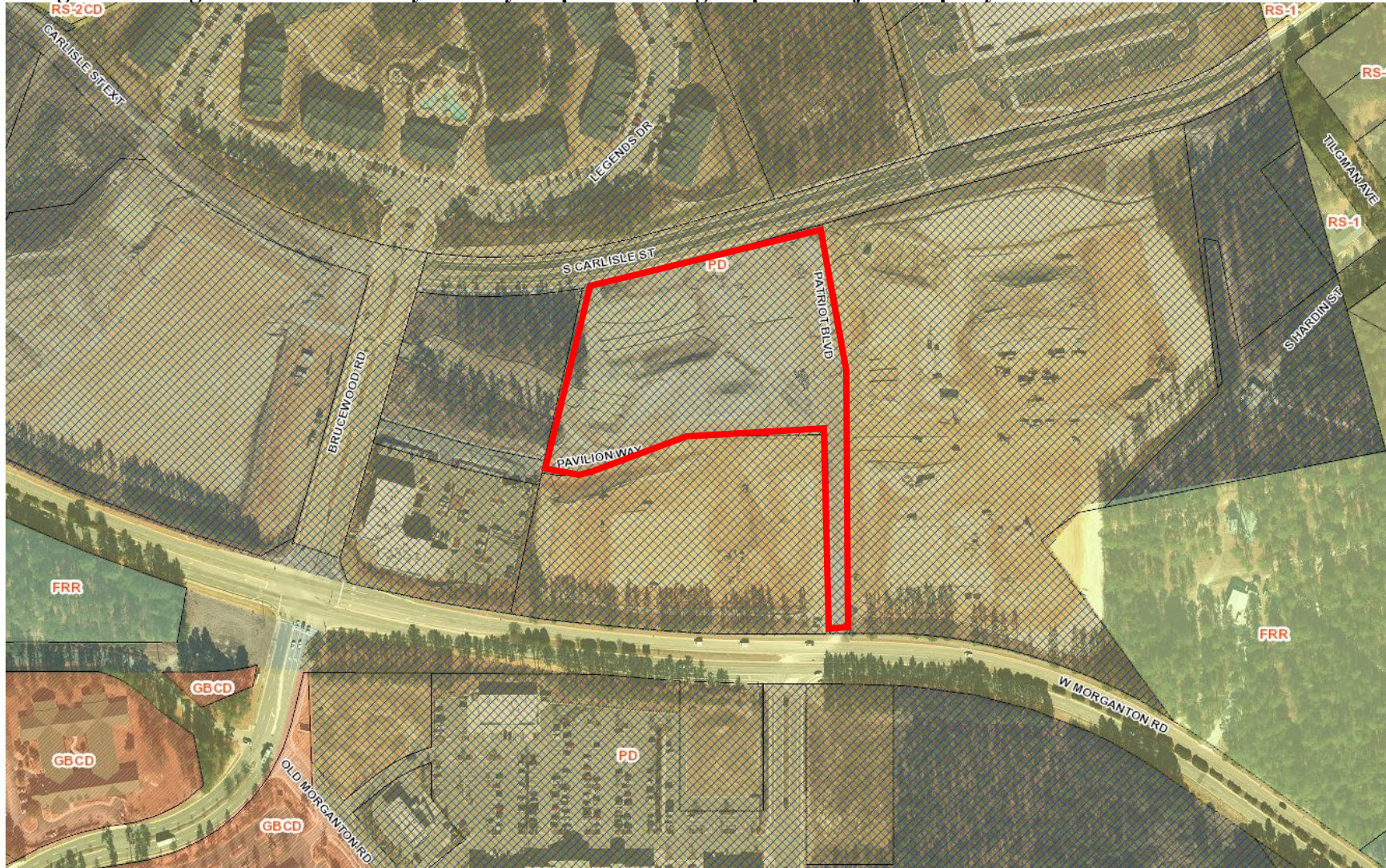
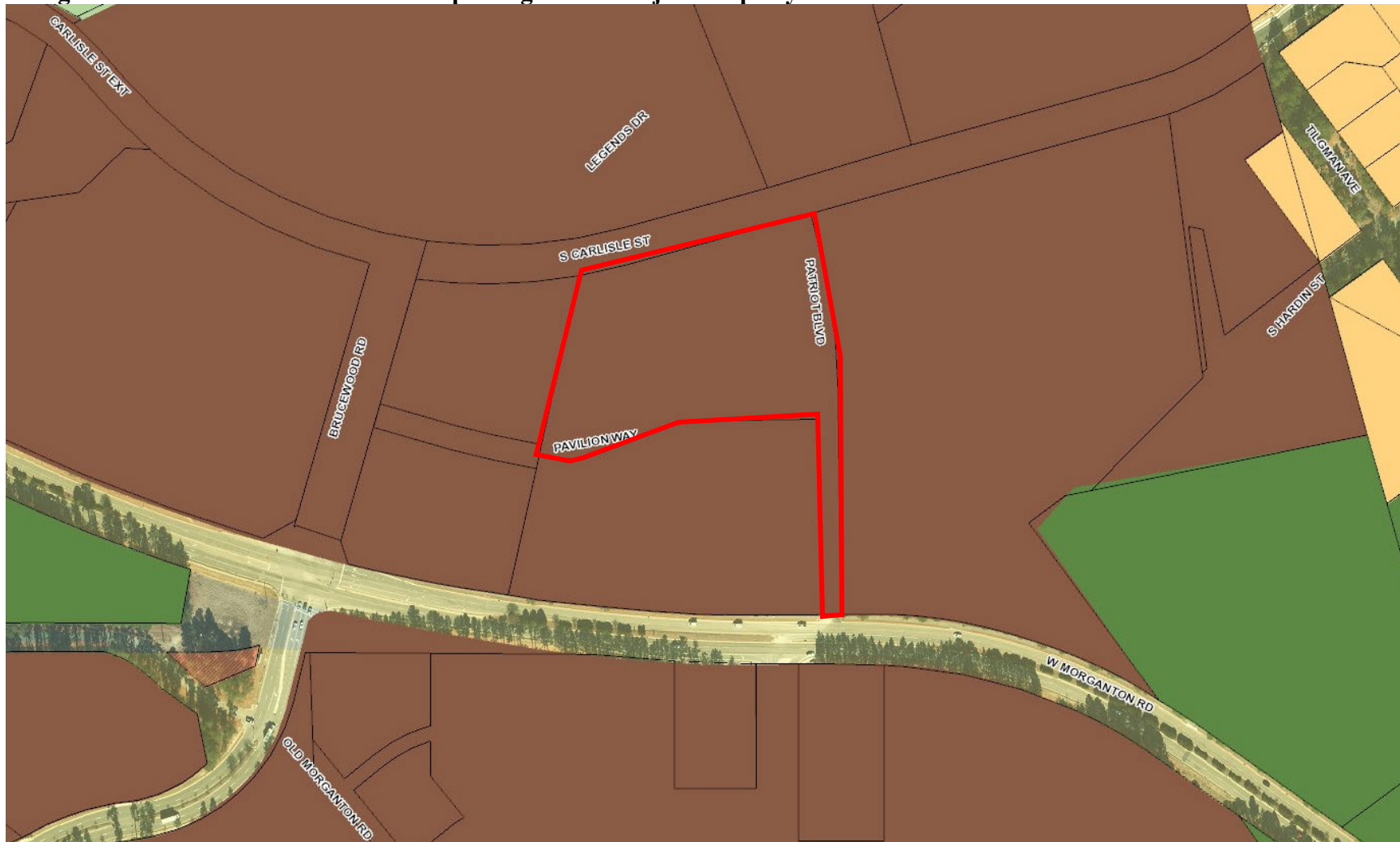


Figure 3: CLRP Future Land Use Map Designation Subject Property Outlined in Red:



1. Comprehensive Long-Range Plan Designation:

The area is designated as Traditional Mixed Use on the Future Land Use Map in the Comprehensive Long-Range Plan (CLRP). *The Traditional Mixed Use category applies to those larger, mostly undeveloped parcels well-suited to mixing residential and non-residential uses in a manner similar to that found in downtown Southern Pines. This designation applies to the Morganton Road area and to the Pine Needles area, identifying these as likely spots for mixed-use including an interconnected street network as found in traditional town development. No specific development intensity is implied by this designation. It simply indicates that such areas will be built to urban levels, will incorporate a variety of uses and will have a street network accommodating modes of travel beyond the automobile.*

2. Zoning:

The parcel is currently zoned Planned Development (PD) (See Figure 1). The approved CDP from May 15, 2018 (internal file PD-01-18) defers to the Town of Southern Pines UDO Section 4.10.4 for commercial architectural standards. The PD district is designed to accommodate mixed land uses, such as office, residential, service, commercial, public or private recreational Development.

III. STAFF REVIEW:

1. Review Process:

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

2. Application Review Dates:

Application Submitted: March 10, 2022

Application Complete: April 8, 2022

Town Council Agenda Meeting: May 4, 2022

Town Council Meeting: May 10, 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 is approximately 52,905 square feet of medical office. Staff has reviewed the project for compliance with UDO §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 spacing or distance between customer entries shall not exceed the standards in Exhibit 4-15, for PD is determined at the time of the Final Development Plan (FDP) approval. The FDP states that the UDO standards apply.*

Generally Compliant:

- The higher order street is S Carlisle Street, a paved town street. The facility has an entrance located along S Carlisle Street, which is the highest order street compared to Patriot Way and Pavilion Way. Morganton Road is across another future development. The subject parcel has a “flag lot” shape, therefore a portion of the parcel is facing Morganton Road.
- 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 roughly 167’ while the height of the building is roughly 55.’ The width of the building is more than twice the building height but the changes in rooflines create the appearance of building segments, therefore they comply.
- 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:

- On the North Elevation, facing S. Carlisle Street, the applicant has 11% accent materials, 30% glass and 59% of brick. On the South Elevation, facing Pavilion Way, the applicant has 18% accent materials, 40% glass and 41% of brick. On the East Elevation, facing Patriot Boulevard, the applicant has 19% accent materials, 36% glass and 45% of brick. On the West Elevation, facing Brucewood Way, the applicant has 16% accent materials, 43% glass and 41% of brick.

- 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's windows and doors comprise of 30% of street facing building facades between two (2) and ten (10) feet above the grade of the building entry, which is in compliance. The applicant stated they will use clear glass windows.
- 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:

- The applicant states there will be no awnings provided.
- UDO §4.10.4 (F) *states galleries and arcades are encouraged and may encroach up to six (6) feet into any street side setback but may not encroach into public right-of-way.*

Generally Compliant:

- The applicant states there will be no galleries or arcades provided.
- 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 applicant states the roof will be a low slope single ply TPO membrane. TPO stands for thermoplastic polyolefin membrane. It is a thin, pliable covering installed on a structure to protect the roof against all types of weather. It is made from a mixture of rubber and plastic which combines the beneficial properties of both. It will not be reflective nor will it be visible from the ground level or any public street. The visible portion of the roof will be parapets made of EIFS and accent materials, as depicted on submitted elevations. The applicant uses changes in parapet height in the roofline.
- 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 units will be on the roof. They will not be located between the street and the building. They will not be visible from the street. The roof plan is in the attachments for "Color Elevations & Drawings."
- 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 signage shall comply with the standards in section 4.6 and any applicable zoning district standards.*

Generally Compliant:

- The applicant states that when the sign package is developed and finalized they will follow the guidelines set forth in the Town of Southern Pines UDO Section 4.6.

IV. ATTACHMENTS PROVIDED BY THE APPLICANT:

1. Application
2. Deed
3. Narrative Addressing Building Design Requirements per UDO §4.10.4
4. Color Elevations & Drawings
5. 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 planned development zoning district purpose and development standards per UDO §3.5.14.

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

I move to:

1. Approve AR-09-22;
2. Approve AR-09-22 with the following conditions...
3. Deny AR-09-22;



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

1/12/22



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: PINEHURST SURGICAL - 3 NORTH aka MP Medical Condos - Shell Building

Street Address: PATRIOT BLVD AND PAVILION WAY

PIN: 857100590566

Parcel ID: 20190271

Zoning: PD

Type of building (retail, office, etc.): medical office

Total square footage: 53,000

Applicant:

Name: Morganton Park Realty, LLC

Email: cgregg@pinehurstsurgical.com

Phone: 910-215-2646

Mailing Address: 5 First Village Dr. Pinehurst, NC 28374

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

Name(s): _____

Email: _____

Phone: _____

Mailing Address: _____

Date: 3/7/2022

[Signature]
Applicant

1/12/22

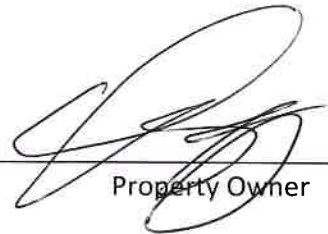
APPOINTMENT OF AGENT

The undersigned owner(s), Morganton Park Realty, LLC, hereby appoint(s) Harold Dean Peacock, Architect 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 07th day of March, 2022



Property Owner

Property Owner


Agent

1/12/22

UDO §2.26.7. Criteria

No Architectural Compliance Permit shall be approved unless the Town Council finds that:

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

UDO §2.26.9. Effect of Approval

- (A) The Architectural Compliance Permit shall expire unless a Building Permit is issued within one (1) year of approval.
- (B) Development activities subject to this section shall conform to the approved application and any conditions or restrictions. Any deviation from the approved Architectural Compliance Permit, unless approved in advance and in writing by the Planning Director, is deemed a violation of the UDO.

Please review UDO §2.26 in its entirety as well as UDO §4.10.4 for Building and Design Requirements (www.southernpinesudo.org).

1/12/22

For Registration Register of Deeds

Judy D. Martin

Moore County, NC

Electronically Recorded

October 17, 2019 9:56:36 AM

Book: 5210 Page: 279 - 287 #Pages: 9

Fee: \$26.00 NC Rev Stamp: \$5,864.00

Instrument# 2019015479

SPECIAL WARRANTY DEED**THIS INSTRUMENT PREPARED BY:**

Richard Lee Yelverton III Esq.
 Van Camp, Meacham & Newman, PLLC
 2 Regional Circle (28374)
 P.O. Box 1389
 Pinehurst, North Carolina 28370

TO BE RECORDED IN THE
 DEED RECORDS OF
 MOORE COUNTY, NC

Excise Tax: \$ 5,864.00THIS DEED made this 16 day of October, 2019, by and between:

<u>GRANTOR</u>	<u>GRANTEE</u>
ROBERT W. VAN CAMP AND JULIE M. VAN CAMP, TRUSTEES OF THE ROBERT W. AND JULIE M. VAN CAMP LIVING TRUST UNDER AGREEMENT DATED DECEMBER 22,1998 (as to 70%), AND THOMAS M. VAN CAMP, TRUSTEE OF THE VAN CAMP IRREVOCABLE TRUST UNDER AGREEMENT DATED JANUARY 7, 2016 (as to 30%)	MORGANTON PARK REALTY, LLC, a North Carolina Limited Liability Company. Tax Address: 5 First Village Drive Pinehurst, NC 28374

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.

WITNESSETH, the 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 or parcel of land (referred to in the singular, whether one or more) situated in the Town of Southern Pines, Mineral Springs Township, Moore County, North Carolina, and more particularly described as follows:

Submitted electronically by "Robbins May & Rich LLP"
 in compliance with North Carolina statutes governing recordable documents
 and the terms of the submitter agreement with the Moore County Register of Deeds.

Being the property described on Exhibit A attached hereto and incorporated herein by reference.

This property herein described does not include the primary residence of the Grantor.

The attorney preparing this instrument has not searched the title to the real property hereby conveyed and makes no opinion relative to the status of the title to the real property hereby conveyed.

This conveyance is made subject to (i) the lien of the County of Moore for taxes and other assessments for the current year; and (ii) utility easements, other easements and restrictive covenants of record that are enforceable against the real property hereby conveyed.

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 has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, other than the exceptions hereinabove set forth.

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

**REMAINDER OF PAGE LEFT BLAND, SIGNATURES
AND NOTARY BLOCK ARE ON THE FOLLOWING PAGES**

Robert W. Van Camp, TRUSTEE

(SEAL)

Robert W. Van Camp, Trustee of the Robert W. and Julie M. Van Camp Living Trust Agreement dated December 22, 1998

Julie M. Van Camp, TRUSTEE

(SEAL)

Julie M. Van Camp, Trustee of the Robert W. and Julie M. Van Camp Living Trust Agreement dated December 22, 1998

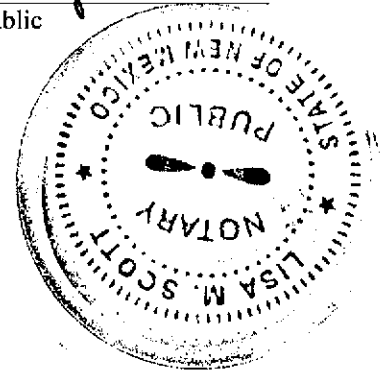
STATE OF New Mexico
COUNTY OF Los Alamos

I, Lisa M. Scott, a Notary Public of the County and State aforesaid, certify that **Robert W. Van Camp, Trustee of the Robert W. and Julie M. Van Camp Living Trust Agreement dated December 22, 1998 and Julie M. Van Camp, Trustee of the Robert W. and Julie M. Van Camp Living Trust Agreement dated December 22, 1998**, either being personally known to me or proven by satisfactory evidence (said evidence being Martha DL), personally appeared before me this day and acknowledged that they are the Trustees of the **Robert W. and Julie M. Van Camp Living Trust Agreement dated December 22, 1998**, and that they, as Trustees being authorized to do so, voluntarily executed the foregoing on behalf of the Trust for the purposes stated therein.

WITNESS my hand and official stamp or seal, this 12 day of October, 2019.

[Signature]
Notary Public

My Commission Expires: 12/7/2020 [NOTARY SEAL]



Thomas M. Van Camp trustee (SEAL)
 Thomas M. Van Camp, Trustee of the Van Camp Irrevocable Trust Under Agreement Dated January 7, 2016,

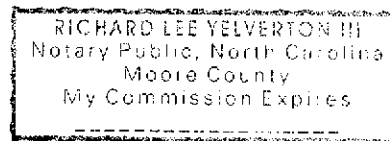
STATE OF NC
 COUNTY OF MOORE

I, RICHARD LEE VELVERTON III, a Notary Public of the County and State aforesaid, certify that Thomas M. Van Camp, Trustee of the Van Camp Irrevocable Trust Under Agreement Dated January 7, 2016, either being personally known to me or ~~proven by satisfactory evidence (said evidence being filed)~~, personally appeared before me this day and acknowledged that he is the Trustee of the Van Camp Irrevocable Trust Under Agreement Dated January 7, 2016, and that he, as Trustee being authorized to do so, voluntarily executed the foregoing on behalf of the Trust for the purposes stated therein.

WITNESS my hand and official stamp or seal, this 16 day of October, 2019.

[Signature]
 Notary Public

My Commission Expires: 11-17-2020 [NOTARY SEAL]



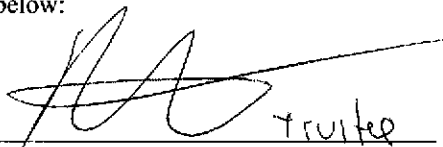
CERTIFICATION OF TRUST of
The Van Camp Irrevocable Trust Under Agreement Dated January 7, 2016

THIS CERTIFICATION OF TRUST is made pursuant to NCGS §36C-10-1013, instead of furnishing a copy of the above-described trust instrument and is intended to be relied upon by the parties dealing with the Trustee:

1. The Trust. the Van Camp Irrevocable Trust Under Agreement Dated January 7, 2016
2. Parties:
Settlers: Robert W. Van Camp and Julie M. Van Camp
Trustees: Thomas M. Van Camp
3. Trustee: The currently acting Trustee is Thomas M. Van Camp
4. Powers: That the Trustees have the continuing, absolute discretionary power to deal with any property, real or personal, held in any trust. Such power may be exercised independently without prior or subsequent approval of any judicial authority, and no person dealing with the Trustees shall be required to inquire into the propriety of any of its actions. That the Trust provisions not attached are of a personal nature and set forth the distribution of trust property and other administrative duties and functions of the Trustees. They do not modify the powers of the Trustees.
5. Revocability: The Trust is irrevocable.
6. Trustees. If the Trust has Trustees, all Trustees are required in order to exercise powers of the Trustee.
7. TIN. The taxpayer identification number of the Trust is: 82-6364679
8. Title to Trust Property. The title to the Trust property is held in the name of the Thomas M. Van Camp, Trustee of the Van Camp Irrevocable Trust Under Agreement Dated January 7, 2016 (30%).
9. Status. The above-described Trust has not been revoked, modified or amended in any manner that would cause the representations contained in this Certification of Trust to be incorrect.
10. Authority. The Trustees certify that they own and have full authority to convey the property described as: Being the property described in Exhibit A attached which is herein incorporated by reference.

IN WITNESS WHEREOF, the Trustee signs below:

Date of Certification: 16 OCT 19

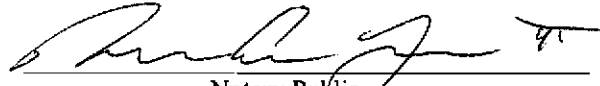

Thomas M. Van Camp, Trustee

STATE OF NC
COUNTY OF MCDOWE

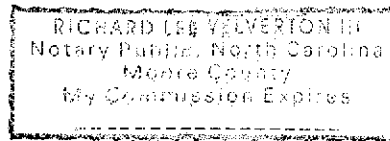
I, Richard Lee Velvick, a Notary Public of the County and State aforesaid, certify that **Thomas M. Van Camp, Trustee of the Van Camp Irrevocable Trust Under Agreement Dated January 7, 2016**, either being personally known to me or proven by satisfactory evidence (said evidence being Agar), personally appeared before me this day and acknowledged that he is the Trustee of the **Van Camp Irrevocable Trust Under Agreement Dated January 7, 2016**, and

that they, as Trustee being authorized to do so, voluntarily executed the foregoing on behalf of the Trust for the purposes stated therein.

WITNESS my hand and official stamp or seal, this 16 day of October, 2019.


Notary Public

My Commission Expires: 11-17-2020 [NOTARY SEAL]



CERTIFICATION OF TRUST of

The Robert W. and Julie M. Van Camp Living Trust under trust agreement dated December 22, 1998

THIS CERTIFICATION OF TRUST is made pursuant to NCGS §36C-10-1013, instead of furnishing a copy of the above-described trust instrument and is intended to be relied upon by the parties dealing with the Trustee:

1. The Trust. the Robert W. and Julie M. Van Camp Living Trust under trust agreement dated December 22, 1998
2. Parties:
 Grantors: Robert W. Van Camp and Julie M. Van Camp
 Trustees: Robert W. Van Camp and Julie M. Van Camp
3. Trustee: The currently acting Trustees are Robert W. Van Camp and Julie M. Van Camp
4. Powers: That the Trustees have the continuing, absolute discretionary power to deal with any property, real or personal, held in any trust. Such power may be exercised independently without prior or subsequent approval of any judicial authority, and no person dealing with the Trustees shall be required to inquire into the propriety of any of its actions. That the Trust provisions not attached are of a personal nature and set forth the distribution of trust property and other administrative duties and functions of the Trustees. They do not modify the powers of the Trustees.
5. Revocability: The Trust is revocable.
6. Trustees. If the Trust has Trustees, all Trustees are required in order to exercise powers of the Trustee.
7. TIN. The taxpayer identification number of the Trust is ***-**5186
8. Title to Trust Property. The title to the Trust property is held in the name of the Robert W. Van Camp and Julie M. Van Camp as Trustees of the Robert W. and Julie M. Van Camp Living Trust under trust agreement dated December 22, 1998 (70%).
9. Status. The above-described Trust has not been revoked, modified or amended in any manner that would cause the representations contained in this Certification of Trust to be incorrect.
10. Authority. The Trustees certify that they own and have full authority to convey the property described as: Being the property described in Exhibit A attached which is herein incorporated by reference.

IN WITNESS WHEREOF, the Trustees sign below:

Date of Certification: 11/11/19

Robert W. Van Camp, TRUSTEE
 Robert W. Van Camp, Trustee

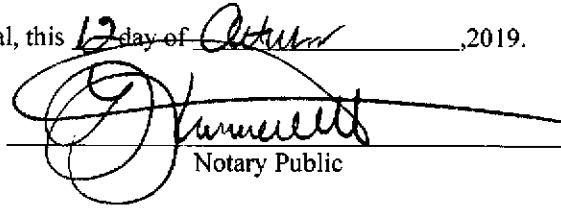
Julie M. Van Camp, TRUSTEE
 Julie M. Van Camp, Trustee

STATE OF New Mexico
 COUNTY OF Los Alamos

I, Liam Smith, a Notary Public of the County and State aforesaid, certify that **Robert W. Van Camp, Trustee of the Robert W. and Julie M. Van Camp Living Trust Agreement dated December 22, 1998 and Julie M. Van Camp, Trustee of the Robert W. and Julie M. Van Camp Living Trust Agreement dated December 22, 1998**, either being personally known to me or proven by satisfactory evidence (said evidence being Witness DL), personally

appeared before me this day and acknowledged that they are the Trustees of the **Robert W. and Julie M. Van Camp Living Trust Agreement dated December 22, 1998**, and that they, as Trustees being authorized to do so, voluntarily executed the foregoing on behalf of the Trust for the purposes stated therein.

WITNESS my hand and official stamp or seal, this 12 day of October, 2019.


Notary Public

My Commission Expires: 12/2/2020 [NOTARY SEAL]

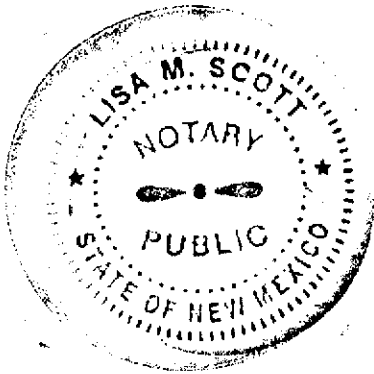


EXHIBIT A

Being all of Tract 3 as described in a map recorded in Plat Cabinet 18 at Slide 239 Moore County Registry reference to which is made for a more complete description. Being a portion of that property described in Deed Book 4593 at Page 407, Moore County Registry. For prior reference see Book 1589, Page 80, Moore County Registry.

I, JEFFREY L. GREEN, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED REFERENCES AS SHOWN) THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN REFERENCES AS SHOWN. 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. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 12TH DAY OF MARCH A.D. 2020

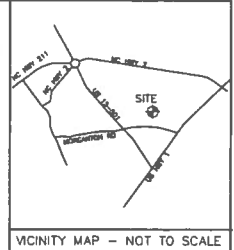
Jeffrey L. Green
PROFESSIONAL LAND SURVEYOR
L-3872
LICENSE NUMBER



State of North Carolina
Theresa Thompson, Review Officer of Moore County.
North Carolina, certify that the map or plat which this certification is affixed meets all statutory requirements for recording.
Theresa Thompson
Review Officer
3/17/2020
Date

NOTICE: THIS PROPERTY IS LOCATED WITHIN A PUBLIC WATER SUPPLY WATERSHED. DEVELOPMENT RESTRICTIONS MAY APPLY.
I CERTIFY THAT THE PLAT SHOWN HEREON COMPLIES WITH THE SOUTHERN PINES WATERSHED PROTECTION ORDINANCE AND IS APPROVED BY MYSELF AS AGENT FOR THE TOWN OF SOUTHERN PINES FOR RECORDING IN THE MOORE COUNTY REGISTER OF DEEDS OFFICE.

TITLE REFERENCE
PID 20190271
PIN: 857100590364
DEED BOOK 5210 PAGE 279
MOORE COUNTY REGISTRY
FOR REGISTRATION REGISTER OF DEEDS
July 8, 2019
March 17, 2020 01:49:49 PM
Book 18 Page 450-453
FEE \$31.60
INSTRUMENT # 2826004496



STATE OF NORTH CAROLINA, MOORE COUNTY, A NOTARY PUBLIC OF THE COUNTY AND THE STATE AFORESAID, CERTIFY THAT JEFFREY L. GREEN, A REGISTERED LAND SURVEYOR, PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT. WITNESS MY HAND AND OFFICIAL STAMP OR SEAL THIS DAY OF MARCH 13, 2020.

SEAL OR STAMP
NOTARY PUBLIC
MY COMMISSION EXPIRES 10-20-23
Suzanne McNeill
NOTARY PUBLIC

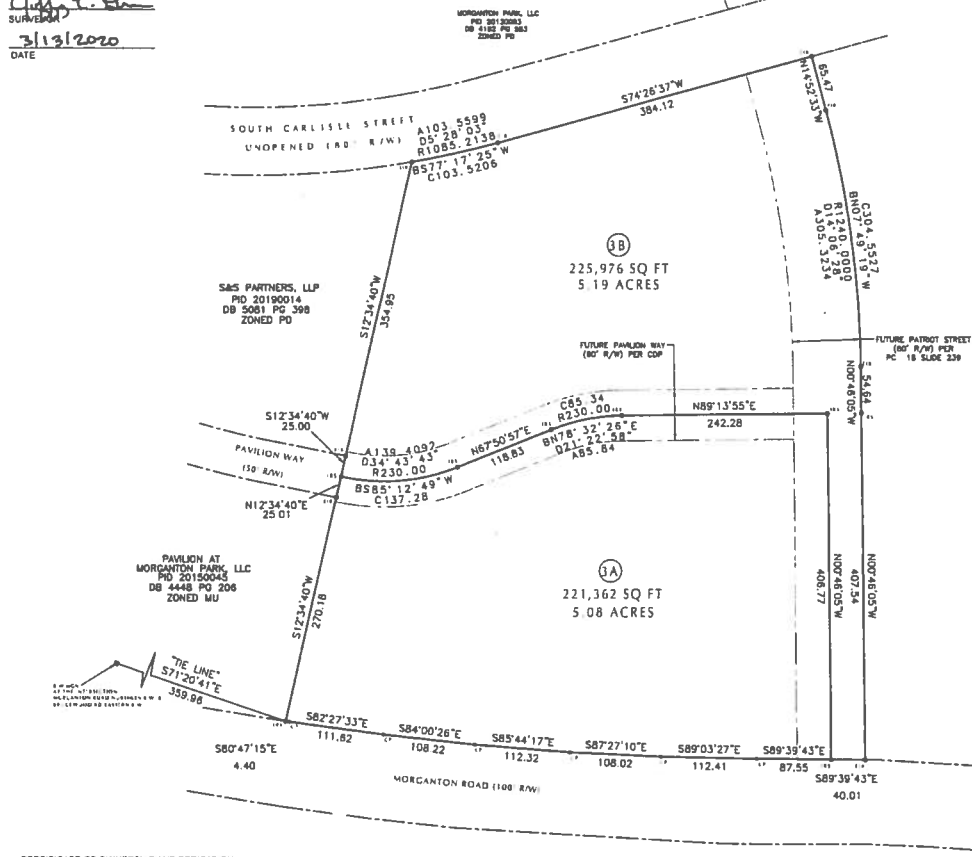


[Signature]
WATERSHED ADMINISTRATOR
3/17/20
DATE

PLAT CABINET 18 SLIDE 450

CERTIFICATE OF MINOR SUBDIVISION PLAT APPROVAL
I HEREBY CERTIFY THAT THE MINOR SUBDIVISION SHOWN ON THIS PLAT DOES NOT INVOLVE THE CREATION OF NEW PUBLIC STREETS OR ANY CHANGE IN EXISTING PUBLIC STREETS OR CHANGE IN EXISTING UTILITIES. THAT THE SUBDIVISION SHOWN IS IN ALL RESPECTS IN COMPLIANCE WITH THE SUBDIVISION REGULATIONS OF THE TOWN OF SOUTHERN PINES, CAROLINA AND THAT THEREFORE THIS PLAT HAS BEEN APPROVED BY THE SUBDIVISION ADMINISTRATOR. SUBJECT TO ITS BEING RECORDED IN THE MOORE COUNTY REGISTRY WITHIN 30 DAYS OF THE BELOW DATE
[Signature]
SUBDIVISION ADMINISTRATOR
3/17/20
DATE

I, JEFFREY L. GREEN, PROFESSIONAL LAND SURVEYOR, L-3872, CERTIFY TO THE FOLLOWING AS REQUIRED IN G.S. 47-30(11):
a. THAT THE SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND
Jeffrey L. Green
SURVEYOR
3/13/2020
DATE



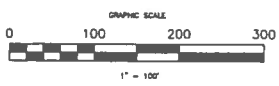
CERTIFICATE OF OWNERSHIP AND DEDICATION
I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED HEREON, WHICH PROPERTY IS LOCATED WITHIN THE SUBDIVISION REGULATION JURISDICTION OF THE TOWN OF SOUTHERN PINES. THAT I HEREBY FREELY ADOPT THIS PLAN OF SUBDIVISION AND DEDICATE TO PUBLIC USE ALL AREAS SHOWN ON THIS PLAT AS STREETS, ALLEYS, WALKS, PARKS, OPEN SPACE AND EASEMENTS, EXCEPT THOSE SPECIFICALLY INDICATED AS PRIVATE AND THAT I WILL MAINTAIN ALL SUCH AREAS UNTIL THE OFFER OF DEDICATION IS ACCEPTED BY THE APPROPRIATE PUBLIC AUTHORITY. ALL PROPERTY SHOWN ON THIS PLAT AS DEDICATED FOR A PUBLIC USE SHALL BE DEEMED TO BE DEDICATED FOR ANY OTHER PUBLIC USE AUTHORIZED BY LAW WHEN SUCH OTHER USE IS APPROVED BY THE SOUTHERN PINES TOWN COUNCIL IN THE PUBLIC INTEREST.

[Signature]
OWNER
3/17/2020
DATE
May R. McDonough
NOTARIZED
State of North Carolina
County of Moore
Commission Expires 03/02/2022

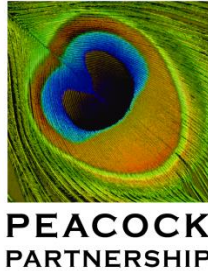


CPKRE PINEHURST LOWES, LLC
PID 59000750
DB 4454 PG 354
ZONED PD

MINOR SUBDIVISION PLAT OF
LOTS 3A & 3B MORGANTON PARK
MCNEILL TOWNSHIP, TOWN OF SOUTHERN PINES
MOORE COUNTY, NORTH CAROLINA
MARCH, 2020 SCALE 1"= 100'
FIELD SURVEY- FEBRUARY, 2020



OWNER: MORGANTON PARK REALTY, LLC
5 FIRST VILLAGE DRIVE
PINEHURST, N.C. 28374
SURVEYOR: JEFFREY L. GREEN, PLS
140 AQUA SHED CIRCLE
AVEROCK, N.C. 28315
(910) 975-2306



ARCHITECTURAL COMPLIANCE PERMIT
PINEHURST SURGICAL CLINIC-MORGANTON PARK

The Town of Southern Pines, Architectural Compliance Permit requires a Written Narrative, demonstrating compliance with UDO subsection 2.26.7 as well as UDO subsection 4.10.4 as a part of the narrative.

The Southern Pines Unified Development Ordinance, Chapter 2, Development Processes identifies subsection 2.26.7 Criteria and states that No Architectural Compliance Permit shall be approved unless the Town Council finds that:

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

WRITTEN NARRATIVE

The architecture of this building will be in compliance with the UDO and subsection 2.26.7 and subsection 4.10.4, with the exception of a waiver request from the Morganton Park Overlay District parking standards in order to increase the parking count based on building use (refer to # PD-10-21). This Architectural Compliance Permit review will be subject to the approval of the PDP that was before the Town Council on January 11, 2022. This property will be the fourth building to be built within the Morganton Park North development and its architecture will complement the existing commercial properties in the immediate area.

The building will also be subject to subsection 4.10.4 Building Design Requirements, which addresses Building Orientation and Entries, Building Dimensions, Building Materials and Windows. The building is in a PDD and per Exhibit 4-15, the maximum spacing between building entries will be determined at time of Final Development Plan approval. Building dimensions require building and building segments not to be more than twice the building height. As for Building Materials, the exterior finish of the building walls is primarily comprised of brick and glass with accent materials comprised of no more than twenty (20) percent of the exterior.

The Southern Pines Unified Development Ordinance, Chapter 4, Development and Design Standards, subsection 4.10.4 Building Design Requirements

(A) Building Orientation and Entries

1. The front of the 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.
 - a. This project is zoned PD (Planned Development) within the Morganton Park North Development (MRO). The building will be located between Carlisle Street, Pavilion Way and Patriot Way in the Morganton Park North development. The building will face toward the intersection of the recently constructed Pavilion Way and Patriot Way. This multistory building will have common entries and exiting to support multiple businesses with both entry and exiting requirements.
2. Maximum spacing or distance between customer entries shall not exceed the standards established in Exhibit 4-16.
 - a. Per the spacing chart this project is in a PDD (Planned Development District) which is the MRO (Morganton Road Overlay) and per maximum spacing chart, entry spacing to be determined at time of Final Development Plan approval.

(B) Building Dimensions

1. In CB and DTO districts, buildings or building segments shall be taller than wide.
 - a) N/A project not in these districts
2. In other districts, the width of buildings or building segments shall not be more than twice the building height.
 - a) Refer to the building elevations as no segment of the building is greater than twice the height or 76'
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.
 - a) See answer #2 above
4. Large scale retail structures shall comply with Section 4.10.6
 - b) N/A This is not a retail project/structure

(C) Building Materials. 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. The Permit Issuing Authority may approve: **Are in compliance, see elevations for material percentages.**

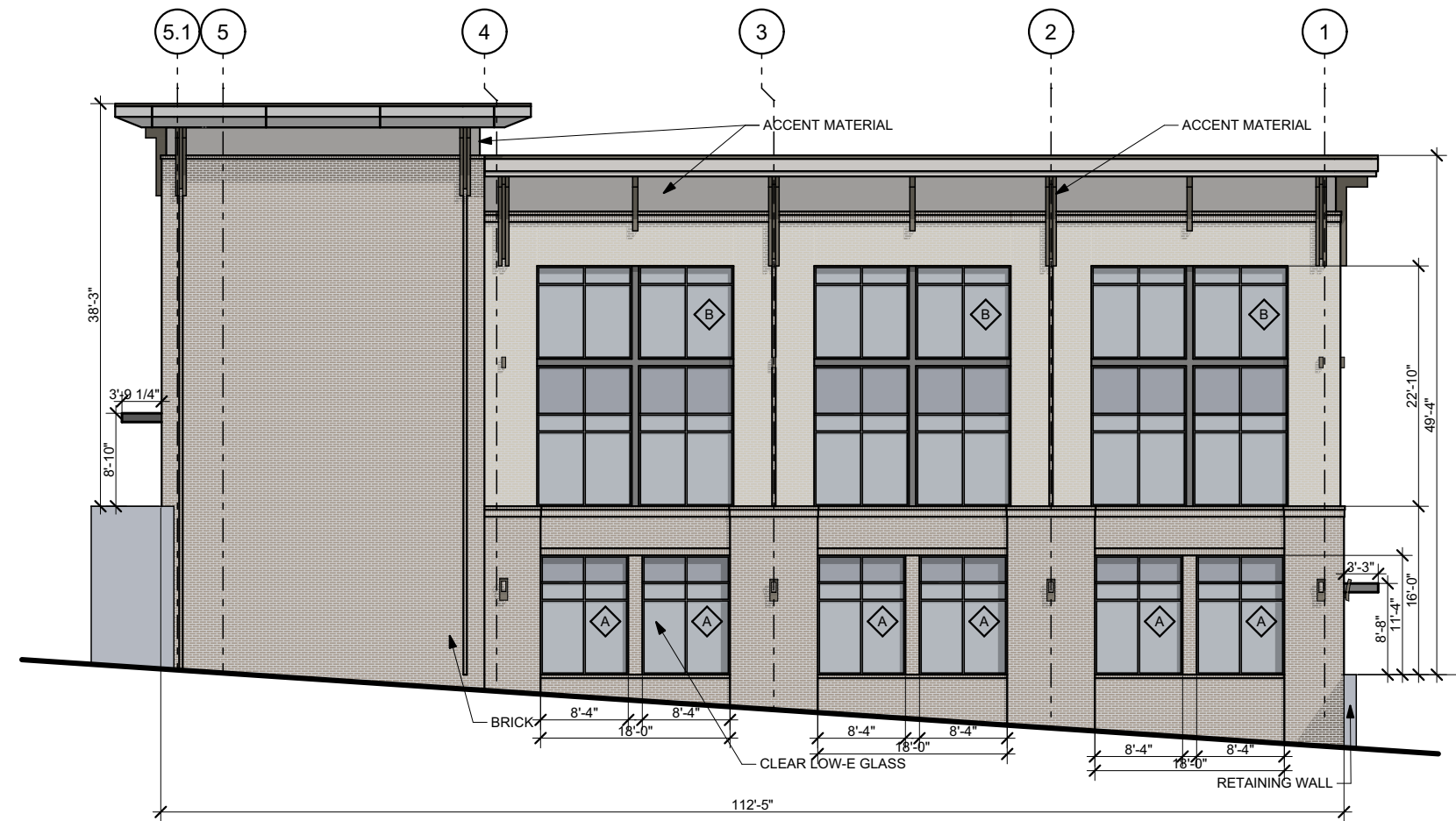
1. The use of alternative building materials that establish an equivalent appearance and have equal or greater durability.
2. Alternative materials satisfying minimum building code standards on walls that are screened and not visible from any public street, walkway or residential zoning district.

3. Alternative materials satisfying minimum building code standards for structures located within a planned golf course development that are compatible with the development and the proposed location with the development.

(D) Windows.

1. Windows shall be glazed in non-reflective, clear glass.
 - a. The windows for this building will be low-E (energy efficient) insulated clear glass.
2. The following standards apply in the CB district.
 - a. These standards are not applicable, as this project is in the MRO – Morganton Road Overlay District.

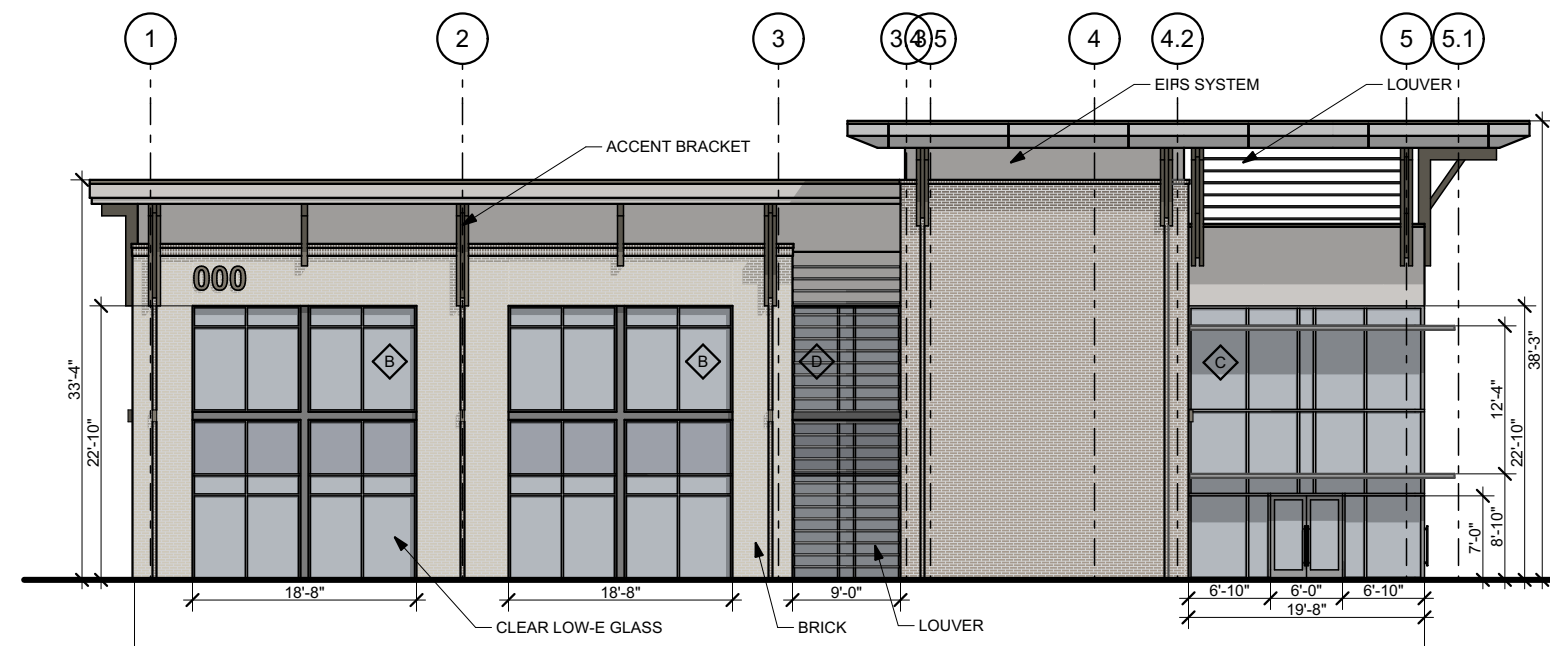
End of Section



NORTH ELEVATION

BRICK: 59%
GLASS: 30%
ACCENT MATERIALS: 11%

NORTH ELEVATION

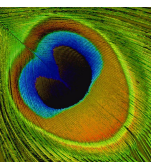


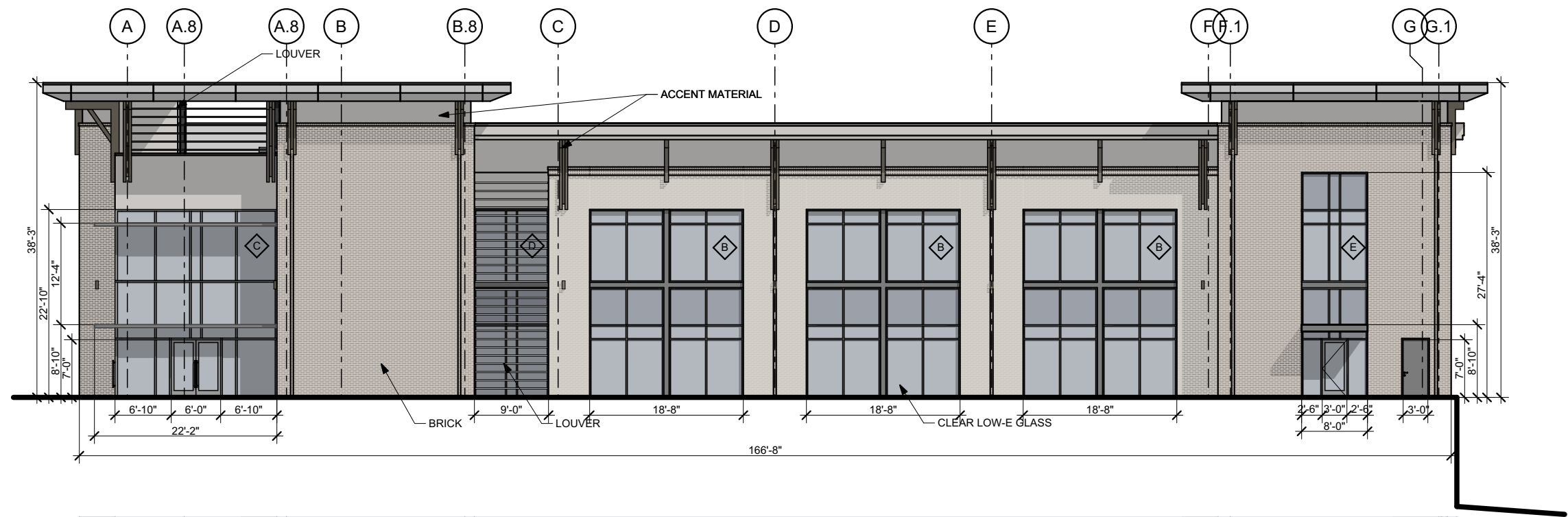
SOUTH ELEVATION

BRICK: 41%
GLASS: 40%
ACCENT MATERIALS: 18%

SOUTH ELEVATION

MPN MEDICAL CONDOS

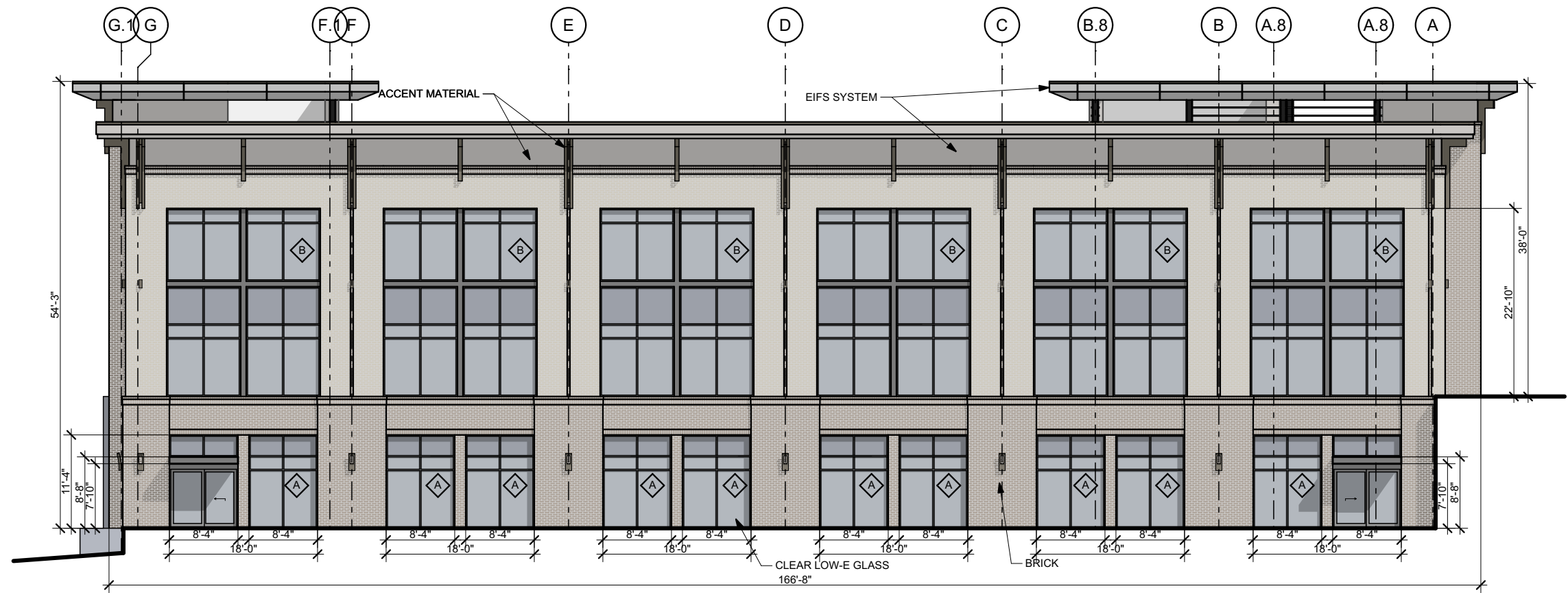




EAST ELEVATION

BRICK: 45%
GLASS: 36%
ACCENT MATERIALS: 19%

EAST ELEVATION



WEST ELEVATION

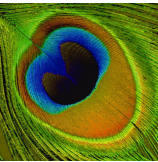
BRICK: 41%
GLASS: 43%
ACCENT MATERIALS: 16%

WEST ELEVATION

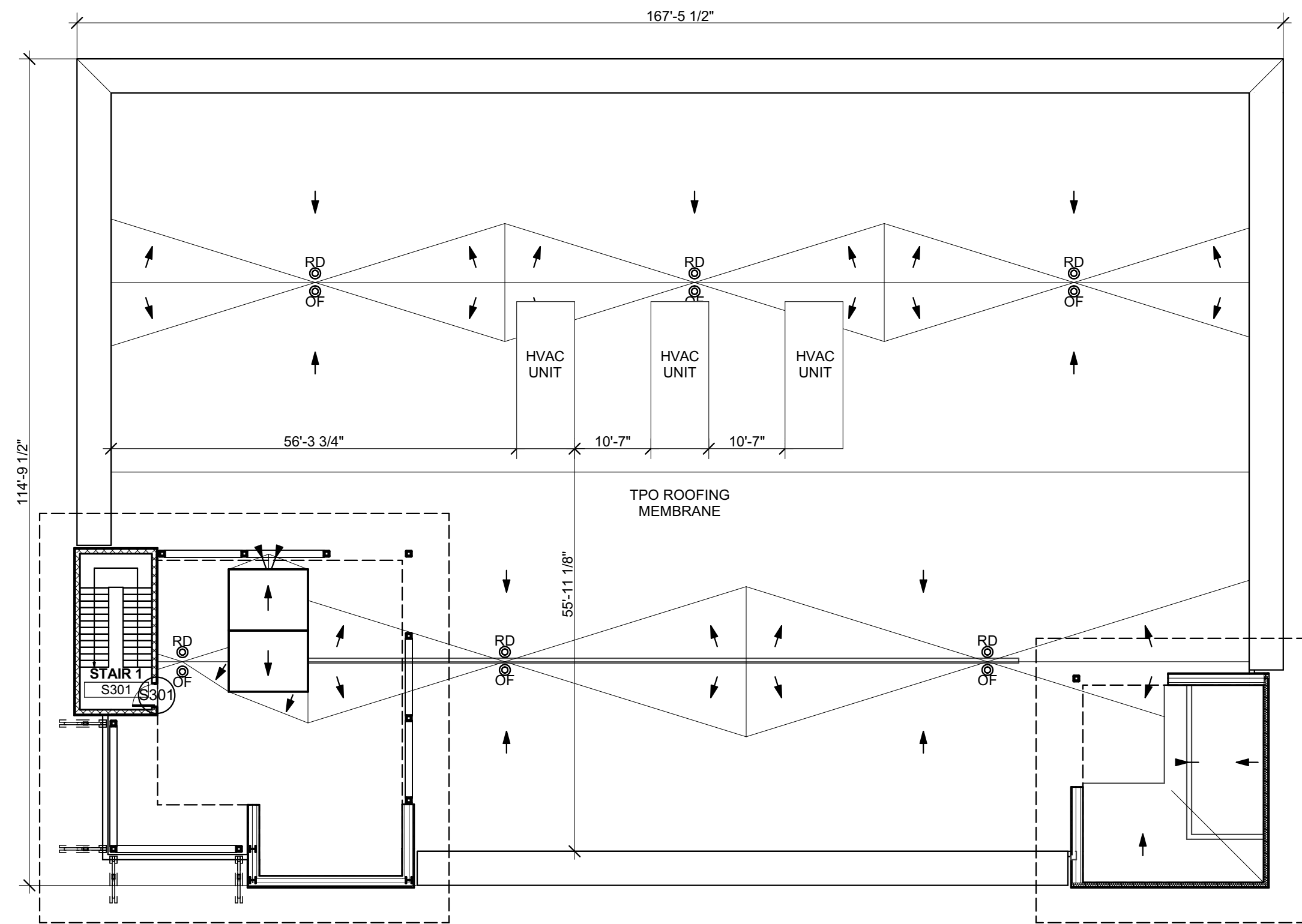
MPN MEDICAL CONDOS

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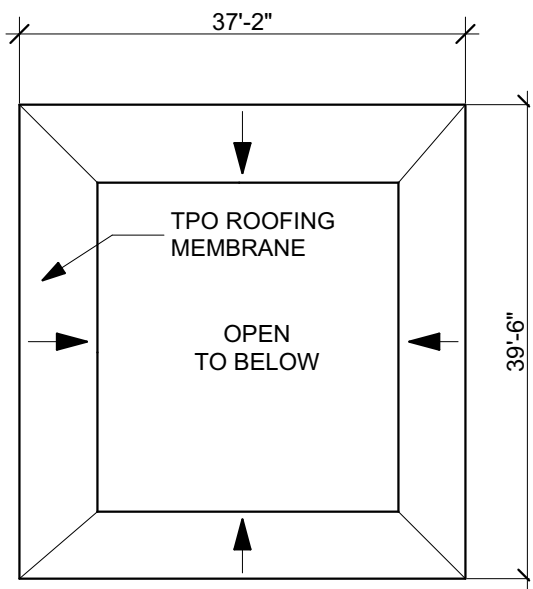
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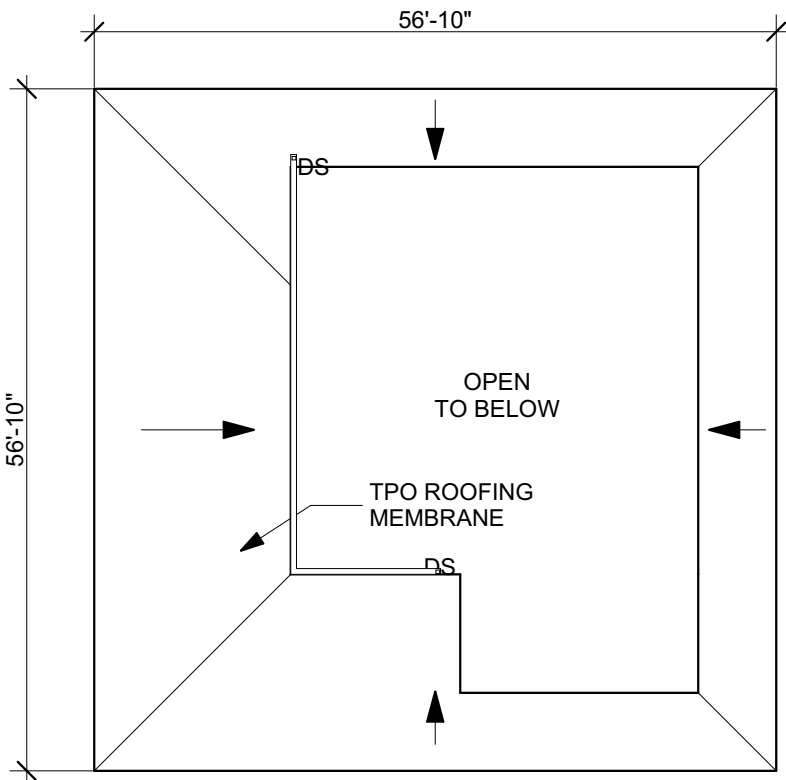
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ROOF PLAN



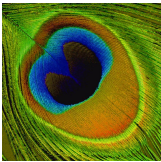
HIGH ROOF



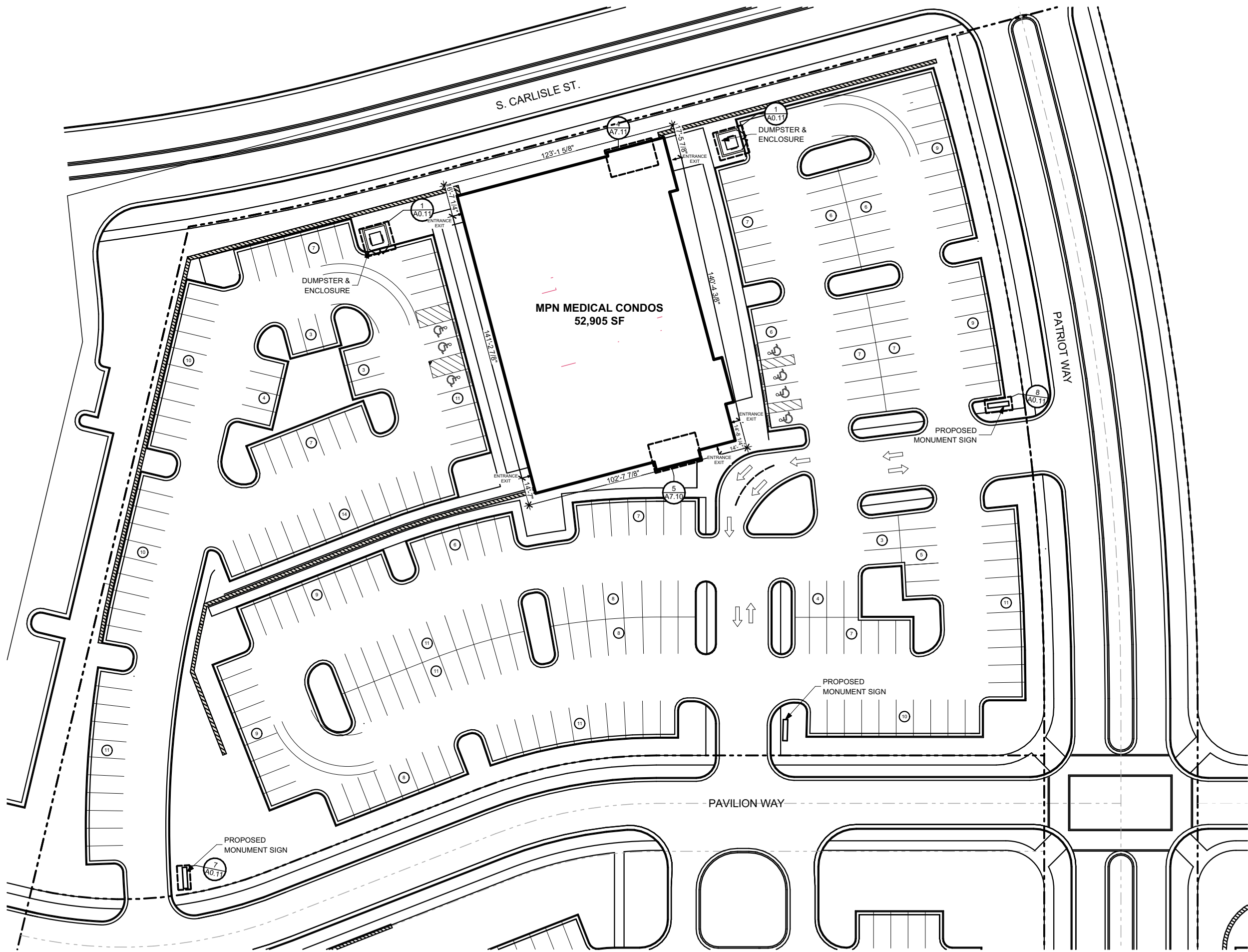
HIGH ROOF

MPN MEDICAL CONDOS

SCALE: 1/16" = 1'-0"



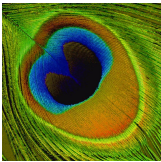
BIMcloud: PEA-TERM - BIMcloud Basic for ARCHICAD 24/444.05.02 MPN Medical Condos DD Set



ARCHITECTURAL SITE PLANS

MPN MEDICAL CONDOS

SCALE: 1" = 50'



Agenda Item

To: Reagan Parsons, Town Manager

From: Jennifer Hunt, Planner I

Subject: AR-11-22 Morganton Park South – Outparcel 2
(Walgreens & Heartland Dental Care)

Date: May 10, 2022

I. SUMMARY OF APPLICATION REQUEST:

Barry Byrd Architecture and Bradford Equities II, LLC on behalf of CPGKRE Pinehurst Lowes Outparcels, LLC is requesting approval of an Architectural Compliance Permit for a 6,760 square foot commercial retail building in the Planned Development zoning district known as Morganton Park (internal file number MRD-01-13). See figure 1. The subject property is located south of W Morganton Road on the west side of Patriot Boulevard. This project consists of a single building with a Walgreens and Heartland Dental Care. The Walgreens is approximately 2,500 square feet and Heartland Dental Care is approximately 4,250 square feet. The applicant states that the appearance and materials will be similar to the existing shopping center at West Morganton Road.

II. PROJECT INFORMATION:

1. **PARID** 20200421; **PIN** 857100581716

2. **Owners:**

CPGKRE Pinehurst Lowes Outparcels, LLC
1330 St. Mary's Street
Suite 100
Raleigh, NC 27605

3. **Applicant / Agent:**

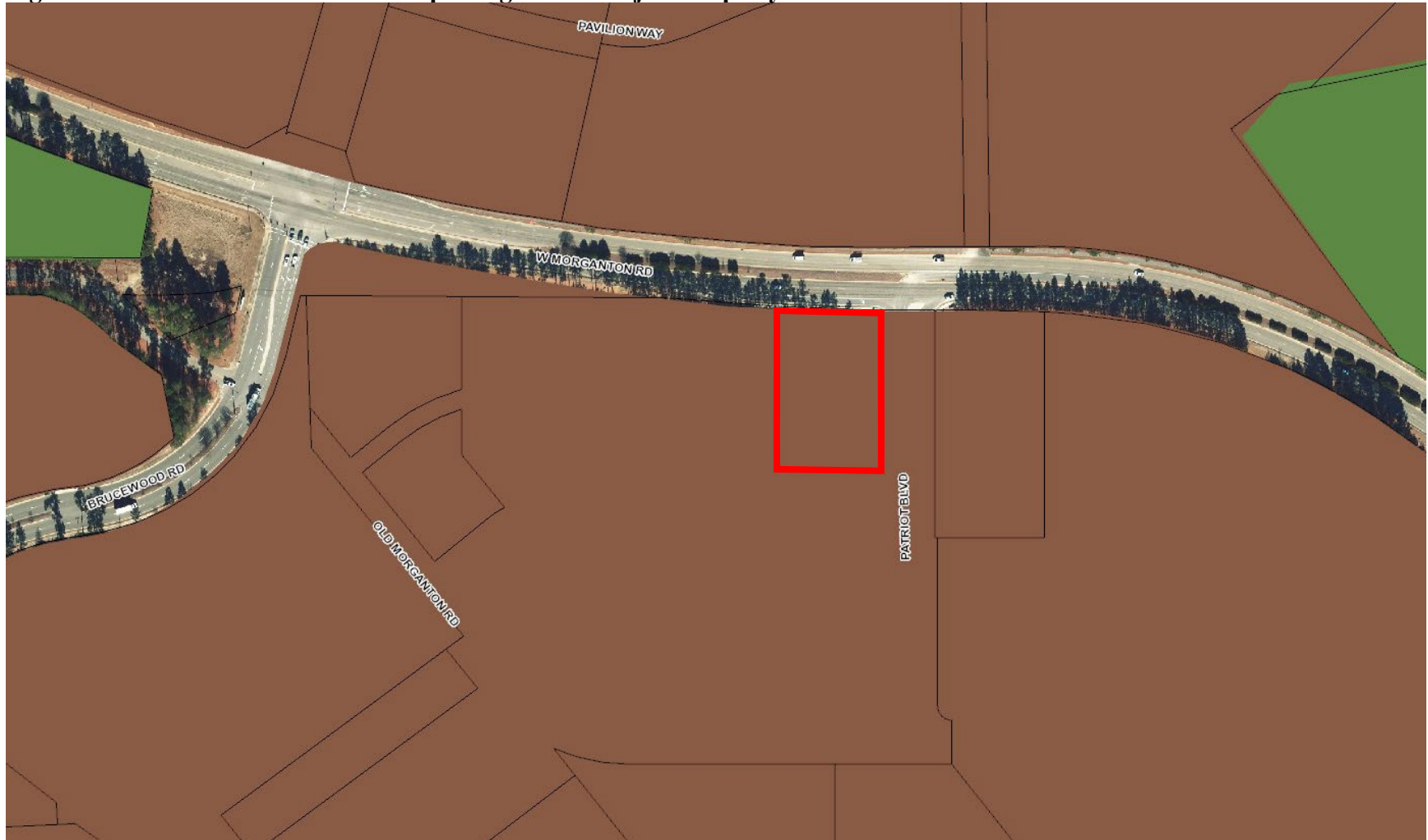
(Applicant) Bradford Equities II LLC
106 Barrington Commons Court
Suite 726
Barrington, IL 60010

(Appointment of Agent) Barry Byrd, Barry Byrd Architecture

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:



1. Comprehensive Long-Range Plan Designation:

The area is designated as traditional mixed use on the Future Land Use Map in the Comprehensive Long-Range Plan (CLRP). *The Traditional Mixed Use designation applies to the Morganton Road area and to the Pine Needles area, identifying these as likely spots for mixed-use including an interconnected street network as found in traditional town development. No specific development intensity is implied by this designation. It simply indicates that such areas will be built to urban levels, will incorporate a variety of uses and will have a street network accommodating modes of travel beyond the automobile.*

2. Zoning:

The parcel is currently zoned Planned Development (PD). See Figure 1. The approved PD is internal file number MRD-01-13. The “MRD” is now known as the “CDP” which is the zoning. The CDP zoning defers to the Town of Southern Pines UDO Section 4.10.4 for commercial architectural standards. The PD district is designed to accommodate mixed land uses, such as office, residential, service, commercial, public or private recreational Development.

III. STAFF REVIEW:

1. Review Process:

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

2. Application Review Dates:

Application Submitted: April 11, 2022

Application Complete: April 25, 2022

Town Council Agenda Meeting: May 4, 2022

Town Council Meeting: May 10, 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:

This is for the proposed one story 6,760 square feet retail building. Staff has reviewed the project for compliance with UDO §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.

Requesting a Deviation:

- The higher order street is W Morganton Road. The applicant would like the main entrance to face south towards the parking lot that is located on the west side of Patriot Boulevard. The applicant states the building faces inward due to the topography onsite. There is an existing building located in a similar location that also faces inward and the applicants would like to keep similar appearance. The spacing between the entrances is approximately 43 feet.
- UDO §4.10.4 (B) states in other districts (other than CB and DTO districts), the width of 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 height is approximately 25' and the building width is approximately 86.' The building segments created through changes in rooflines approximately every 45' brings this building into compliance with our UDO.
- 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.

Unclear:

- The applicant does not state in their application the exact percentage of walls comprised by brick. Planning staff requested more information on April 18, 2022 in order to show compliance with §4.10.4 (C). The applicant labeled the building width and height, however did not provide percentages to show how much of the wall is comprised of brick. It is unclear and more clarification should be required by the applicant to provide the exact percentages and the basis for any deviation, as applicable.
- UDO §4.10.4 (D) states (1) Windows shall be glazed in non-reflective, clear glass. (3) In other zoning districts (other than CB), windows and doors shall comprise at least twenty-five (25) percent of street-facing building façades between the elevations of two (2) and ten (10) feet above the grade of the building entry.

Unclear:

- The applicant does not state if the windows will be glazed in non-reflective clear glass. Planning staff requested more information on April 18, 2022 in order to show compliance with §4.10.4 (D). According to planning's rough calculations based on the provided elevation (attached) the windows and doors comprise of more than 25% of street facing building facades between two (2) and ten (10) feet above the grade of the building entry.
- UDO §4.10.4 (E) *states (1) Awnings are encouraged and may encroach over the sidewalk within the CB district and may encroach up to six (6) feet into any street side setback in other districts. (2) The minimum clearance between the lowest point of an awning and sidewalk shall be eight (8) feet. (3) 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.*

Unclear:

- The applicant shows in their proposed elevation on sheet R3 there are 11 total metal canopies on three sides of the building. The two larger canopies in the front with the width of 22' is 4' to 6' over the sidewalk and the minimum clearance between the lowest point of an awning and sidewalk is over 8.' The other 9 awnings canopy width is approximately 5.' However, the minimum clearance between the lowest point of the awning and sidewalk of 8' as well as how much it encroaches into the sidewalk is unclear. The applicant will need to clarify and the basis for any deviation, as applicable.
- UDO §4.10.4 (F) *states (1) Galleries and arcades are encouraged and may encroach up to six (6) feet into any street side setback but may not encroach into public right-of-way. (2) The minimum clearance for arcades and galleries shall be twelve (12) feet between the sidewalk and the ceiling of the gallery or arcade.*

Unclear:

- There applicant does not address galleries and arcades at all, despite staff's request by email on Monday, April 18, 2022. Clarification is needed.
- UDO §4.10.4 (G) *states in other districts (other than CB), buildings may use parapets with cornices, gable or hip roofs. Changes in parapet height or design, gables or other changes in the roofline as viewed from any public street shall be required for any building that is wider than one hundred (100) feet. For buildings that are wider than one hundred (100) feet, changes in rooflines shall be used to avoid uninterrupted planes of longer than two hundred (200) feet). Shingles or standing seam, non-reflective metal shall be used on all roofs visible public streets. Brightly colored roofs, such as intense blues, reds or oranges are prohibited.*

Generally Compliant:

- The applicant shows the building is not wider than 100 feet. The changes in roofline occur approximately every 45 feet according to their elevation materials submitted. The metal used on the parapets is not brightly colored.

- 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 states all mechanical equipment (HVAC units) will be located on the roof and shielded from view by parapet walls.
- 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 states there are no garage bays planned for this development.
- UDO §4.10.4 (J) *states signage shall comply with the standards in section 4.6 and any applicable zoning district standards.*

Generally Compliant:

- The applicant states in their narrative (attached) the signage is proposed on an EIFS (Exterior Insulation Finishing Systems) sign band on the front of the building, inward facing toward the parking. The sign as depicted is not being approved as part of this AR approval, and will be in accordance with the allowable square footage for this project and comply with our standards in UDO Section 4.6. A review of signage will occur when a sign permit application is submitted.

IV. ATTACHMENTS PROVIDED BY THE APPLICANT:

1. Application
2. Deed
3. Narrative Addressing Building Design Requirements per UDO §4.10.4
4. Elevation & Drawings
5. 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-11-22;
2. Approve AR-11-22 with the following conditions...
3. Deny AR-11-22;



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: MORGANTON PARK SOUTH - OUTPARCEL 2
Street Address: PATRIOT BLVD.
PIN: 857100581716 Parcel ID: 20200421 Zoning: PD
Type of building (retail, office, etc.): RETAIL Total square footage: 6760

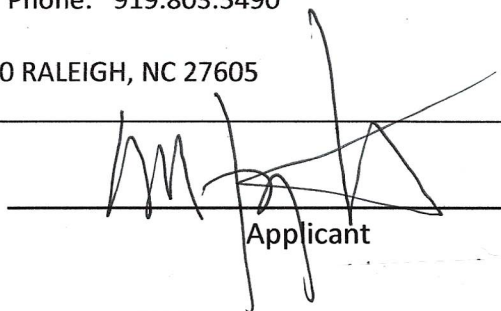
Applicant:

Name: BRADFORD EQUITIES II, LLC
Email: wendt@bradfordchicago.com Phone: 312-493-6256
Mailing Address: 106 BARRINGTON COMMONS COURT - SUITE 726 BARRINGTON, IL 60010

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

Name(s): CPGKRE PINEHURST LOWES OUTPARCELS, LLC
Email: Michael.Lewis@cpgre.com Phone: 919.803.5490
Mailing Address: 1330 ST. MARY'S STREET - SUITE 100 RALEIGH, NC 27605

Date: 21 April 2022


Applicant

STEVEN M. PAGNOTTA

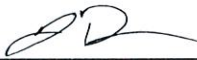
APPOINTMENT OF AGENT

The undersigned owner(s), CPGKRE Pinehurst Lowes Outparcels, LLC, hereby appoint(s) Barry Byrd, Barry Byrd Architecture as the exclusive agent for the purpose of making an application to the Town of Southern Pines for approval of the site 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 Technical Review Committee for the proposed improvements on 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 site plan approval under the Southern Pines Unified Development Ordinance.

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

Signed this 22 day of March, 2022.



Property Owner

Property Owner



Agent

APPOINTMENT OF AGENT

The undersigned owner(s), CPGKRE Pinehurst Lowes Outparcels, LLC, hereby appoint(s) Gary Wendt, Bradford Real Estate Companies 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 25 day of April, 2022.

Jack Dunn

Property Owner

Property Owner

Gary Wendt

Agent

1/12/22

APPOINTMENT OF AGENT

The undersigned owner(s), CPGKRE Pinehurst Lowes Outparcels, LLC, hereby appoint(s) Bryan Welborn, Neal Smith Engineering 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 25 day of April, 2022.



Jack Dunn

Property Owner

Property Owner



Agent

1/12/22

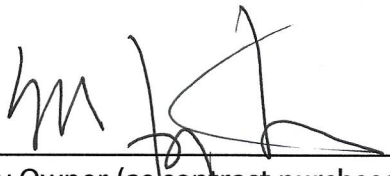
APPOINTMENT OF AGENT

The undersigned owner (as contract purchaser), Bradford Equities II LLC, hereby appoint(s) Gary Wendt, Bradford Real Estate Companies 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.

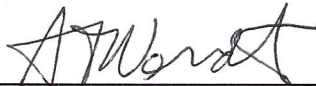
Signed this 21 day of April, 2022.



Property Owner (as contract purchaser)

STEVEN M. PAGLIOTTA

Property Owner



Agent

GARY WENDT

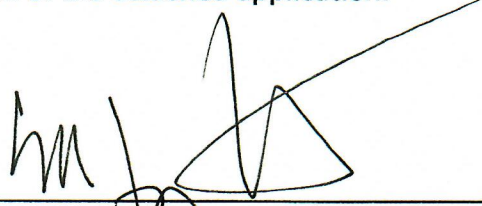
APPOINTMENT OF AGENT

The undersigned owner (as contract purchaser), Bradford Equities II LLC, hereby appoint(s) Bryan Welborn, Neal Smith Engineering 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.

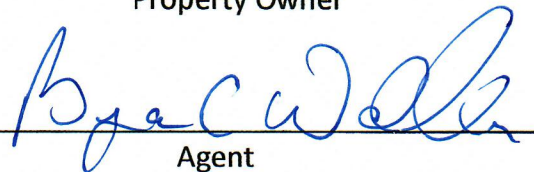
Signed this 21 day of April, 2022.



Property Owner (as contract purchaser)

STEVEN M. PAGNOTTA

Property Owner



Agent

BRYAN WELBORN

APPOINTMENT OF AGENT

The undersigned owner (as contract purchaser), Bradford Equities II LLC, hereby appoint(s) Barry Byrd, Barry Byrd Architecture 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.

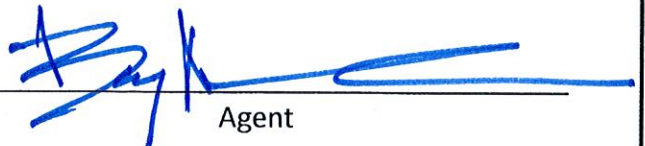
Signed this 21 day of April, 2022.



Property Owner (as contract purchaser)

STEVEN M. PAGNOTTA

Property Owner



Agent

BARRY BYRD

For Registration Register of Deeds

Judy D. Martin

Moore County, NC

Electronically Recorded

August 17, 2020 2:50:08 PM

Book: 5397 Page: 95 - 96 #Pages: 2

Fee: \$26.00 NC Rev Stamp: \$0.00

Instrument# 2020015093

Excise Tax: NoneRecording Time, Book and PageTax Lot No. out of 20050319, 20150133, 20150132 and 98000750Verified by _____ County on the _____ day of _____, 20____
by _____

Mail after recording to Grantee

This instrument was prepared by Charles E. Nichols, Jr., of Weatherspoon & Voltz LLP (without title examination)

Brief description for the Index: Lots 1, 2, and 3, PB17-712

NORTH CAROLINA DEED OF CONTRIBUTIONTHIS DEED made this 17th day of August, 2020, by and between**GRANTOR****GRANTEE**CPGKRE Pinehurst Lowes, LLC,
a North Carolina limited liability companyCPGKRE Pinehurst Lowes Outparcels, LLC,
a North Carolina limited liability company1330 St. Mary's Street, Suite 100
Raleigh, NC 276051330 St. Mary's Street, Suite 100
Raleigh, NC 27605

WITNESSETH, that the Grantor has and by these presents does grant, bargain, contribute and convey unto the Grantee in fee simple, all of that certain lot or parcel of land situated in Moore County, North Carolina and more particularly described as follows:

Submitted electronically by Weatherspoon & Voltz LLP in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Moore County Register of Deeds.

Being all of Parcels 1, 2 and 3, as shown on that Plat entitled "Plat of Property Surveyed for CPGKRE Pinehurst Lowes, LLC", prepared by McNeill Surveying and Land Planning, PLLC and dated 8/15/16, and recorded in Plat Cabinet 17, Page 712, Moore County Registry.

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

The owners of Grantor are also the owners of Grantee in the same percentage of ownership interest.

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 has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

This property is conveyed subject to covenants, restrictions, easements and other matters of record affecting said property and to all ad valorem taxes.

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

CPGKRE Pinehurst Lowes, LLC, a North Carolina limited liability company [SEAL]

By: CPG Ellison Pinehurst Lowes, LLC, its manager

By: CPG Pinehurst Lowes, LLC, its manager

By: Westmoreland-Mason Holdings 2015, LLC, its manager

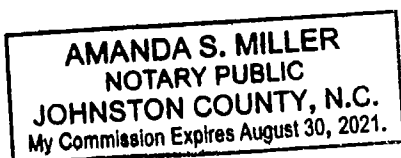
By: [Signature]
John O. Dunn III, manager

STATE OF NORTH CAROLINA
COUNTY OF Wake

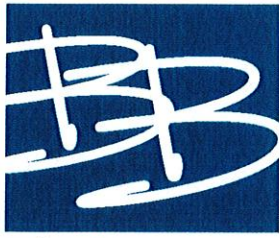
I certify that the following persons personally appeared before me this day, acknowledging to me that they voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: ___

John O. Dunn III

Date: 8/17/2020
[AFFIX SEAL]



Notary Public: Amanda S Miller
Printed Name: Amanda S Miller
My Commission Expires 8/30/2021



BARRY BYRD
ARCHITECTURE

March 14, 2022

Gary Wendt
Bradford Real Estate
106 Barrington Commons Court
Barrington, IL 60010

Reference: Walgreens/Heartland Dental, Southern Pines, NC
Building Narrative: West Morganton RD & Patriot Blvd

The general design influence for this building was to provide a building of similar appearance and materials as the existing shopping center at West Morganton Road. The project consist of a single building with a Walgreens and Heartland Dental Care. The building sq footage is approximately 6,725 sq feet with the Walgreens at 2,500 sq ft and the Heartland Dental at approx 4,250 sq ft. The Building faces inward toward the shopping center due to the topography of the site. There is an existing building located in a similar location that also faces inward in the same center. This building follows the layout of that building. The Proposed building has an exterior facade of brick to match the existing brick used throughout the existing center. A watertable of precast stone will be provided on the front and the Drive thru side of the building. There is glass on the front facade (Interior facing) and glazing on the side of the building that faces the shopping center's entrance. There is a drive up window on the side opposite the center's entrance road. The back of this proposed building is buried approximately 5' $\pm$ into the existing grade due to the topography. All HVAC units will be located on the roof and shielded from view by parapet walls. The transformer will be shielded by the use of landscaping where applicable. Signage is proposed on an EIFS sign Band on the building front (Inward facing) in accordance with the allowable sq footage for this project.

Sincerely,

BARRY BYRD ARCHITECTURE

Barry Alan Byrd





1 3 8 4 10 6 5 12 2 1 8 3

Walgreens PROPOSED PERSPECTIVE VIEW

WEST MORGANTON RD. & PATRIOT BLVD., SOUTHERN PINES, NC

04-20-2022
Drawn By: MKC
R1





3 2 8 1 4 7 12 10 6 5 3 8 1 2 7 12 13 7

Walgreens
PROPOSED PERSPECTIVE VIEW
WEST MORGANTON RD. & PATRIOT BLVD., SOUTHERN PINES, NC

04-20-2022
Drawn By: MKC

R2





Walgreens PROPOSED ELEVATION

WEST MORGANTON RD. & PATRIOT BLVD., SOUTHERN PINES, NC

04-20-2022
Drawn By: MKC

R3



EIFS CORNICE WITH
METAL COPING

ROOF ACCESS LADDER

METAL DRIVE-THRU
CANOPY

BRICK VENEER TO
MATCH ADJACENT
EXISTING SHOPPING
CENTER

SCUPPERS &
DOWNSPOUTS

CAST STONE VENEER
AT DRIVE-THRU

CAST STONE VENEER
WAINSCOT



24' - 8"
BUILDING HEIGHT

86' - 3 1/4"

14 BUILDING LENGTH

4' - 6"
AWNING

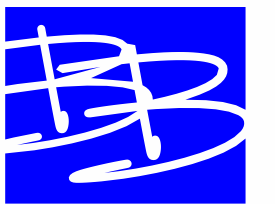
Walgreens PROPOSED ELEVATION

WEST MORGANTON RD. & PATRIOT BLVD., SOUTHERN PINES, NC

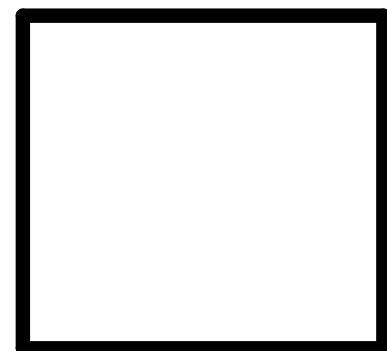
04-20-2022

Drawn By: MKC

R4



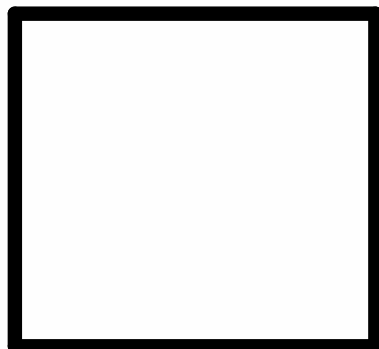
BARRY BYRD
ARCHITECTURE



Walgreens
PROPOSED ELEVATION
WEST MORGANTON RD. & PATRIOT BLVD., SOUTHERN PINES, NC

04-20-2022
Drawn By: MKC
R5





Walgreens
PROPOSED ELEVATION
WEST MORGANTON RD. & PATRIOT BLVD., SOUTHERN PINES, NC

04-20-2022
Drawn By: MKC

R6





1 **MANUFACTURED STONE VENEER**

Manufacturer: Eldorado Stone
Product: Marquee24
Color/ Pattern: Dove Tail



2 **MANUFACTURED STONE VENEER WAINSCOT SILL**

Manufacturer: Eldorado Stone
Product: Split-Edge Wainscot Sill
Color/ Pattern: Blue Steel



3 **ALUMINUM STOREFRONT**

Manufacturer: Kawneer (Anodized Finish)
Product: Anodized Finishes
Color/ Pattern: Black - #29



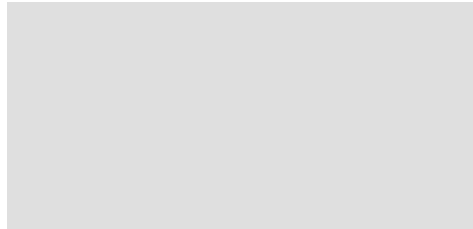
4 **BRICK VENEER**

Manufacturer: To be determined
Product: To be determined
Color/ Pattern: match brick color/ style of adjacent shopping center



5 **EIFS (EXTERIOR INSULATION FINISH SYSTEM) CORNICE**

Manufacturer: EIFS Color to match Benjamin Moore (Paint Color)
Product: Off White Collection
Color/ Pattern: White Dove - OC-17



6 **ALUMINUM COPING**

Manufacturer: Kawneer (Anodized Finish)
Product: Anodized Finishes
Color/ Pattern: Natural - #14

7 **PREFINISHED METAL WINDOW AWNINGS**

Manufacturer: To be determined
Color/ Pattern: Black
Size: 6'-11" w. x 8'-0" ht.

8 **PREFINISHED METAL CANOPIES**

Manufacturer: To be determined
Color/ Pattern: Black
Length: 22'-0"

9 **PREFINISHED METAL DRIVE-THRU CANOPY**

Manufacturer: To be determined
Color/ Pattern: Black
Length: 10'-0"

10 **BRICK PILASTERS**

Brick veneer pilasters with brick detailing.

11 **BRICK DETAILING**

Brick veneer with decorative brick detailing.

12 **WINDOW**

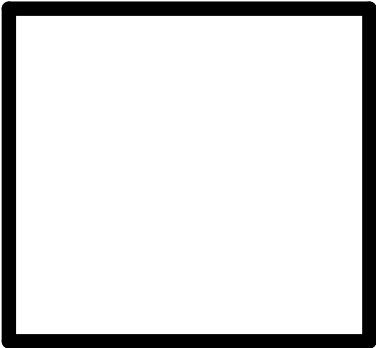
Manufacturer: To be determined
Color/ Pattern: Kawneer - Black - #29
Size: 5'-0" w. x 4'-8" ht. (Top of Window at 7'-4" A.F.F.)

13 **WINDOW**

Manufacturer: To be determined
Color/ Pattern: Kawneer - Black - #29
Size: 5'-0" w. x 2'-10" ht. (Top of Window at 7'-4" A.F.F.)

14 **DRIVE-THRU WINDOW**

Manufacturer: Diebold
Color/ Pattern: Kawneer - Black - #29
Size: 5'-0" w. x 3'-8" ht. (Top of Window at 6'-11" A.F.F.)



Walgreens

Exterior Materials Board

WEST MORGANTON RD. & PATRIOT BLVD., SOUTHERN PINES, NC

04-20-2022

Drawn By: MKC

R7



Legend:

- IF = Iron Pipe Found
- RF = Iron Rod Found
- CMF = Concrete Monument Found
- ▲ PK NF = PK Nail Found
- PK S = 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
- - - = Approximate Location of Existing Waterline
- - - = Proposed 6" Waterline
- - - = Approximate Location of Existing Gas Line
- - - = Existing Sanitary Sewer Line
- - - = 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

SF	LBOS	USE	PARKING REQUIREMENT	#REQUIRED
2560	2161	PHARMACY/DRUG STORE	1 SPACE PER 200SF	13
4200	6511	DENTIST	1 SPACE PER 300SF	14
Total Required				27
PD/HCO MAXIMUM ALLOWED			5 SPACES PER 1000 SF	34
PROPOSED PARKING:				32

GENERAL NOTES:

THIS MAP IS NOT IN ACCORDANCE WITH GS 47-30.

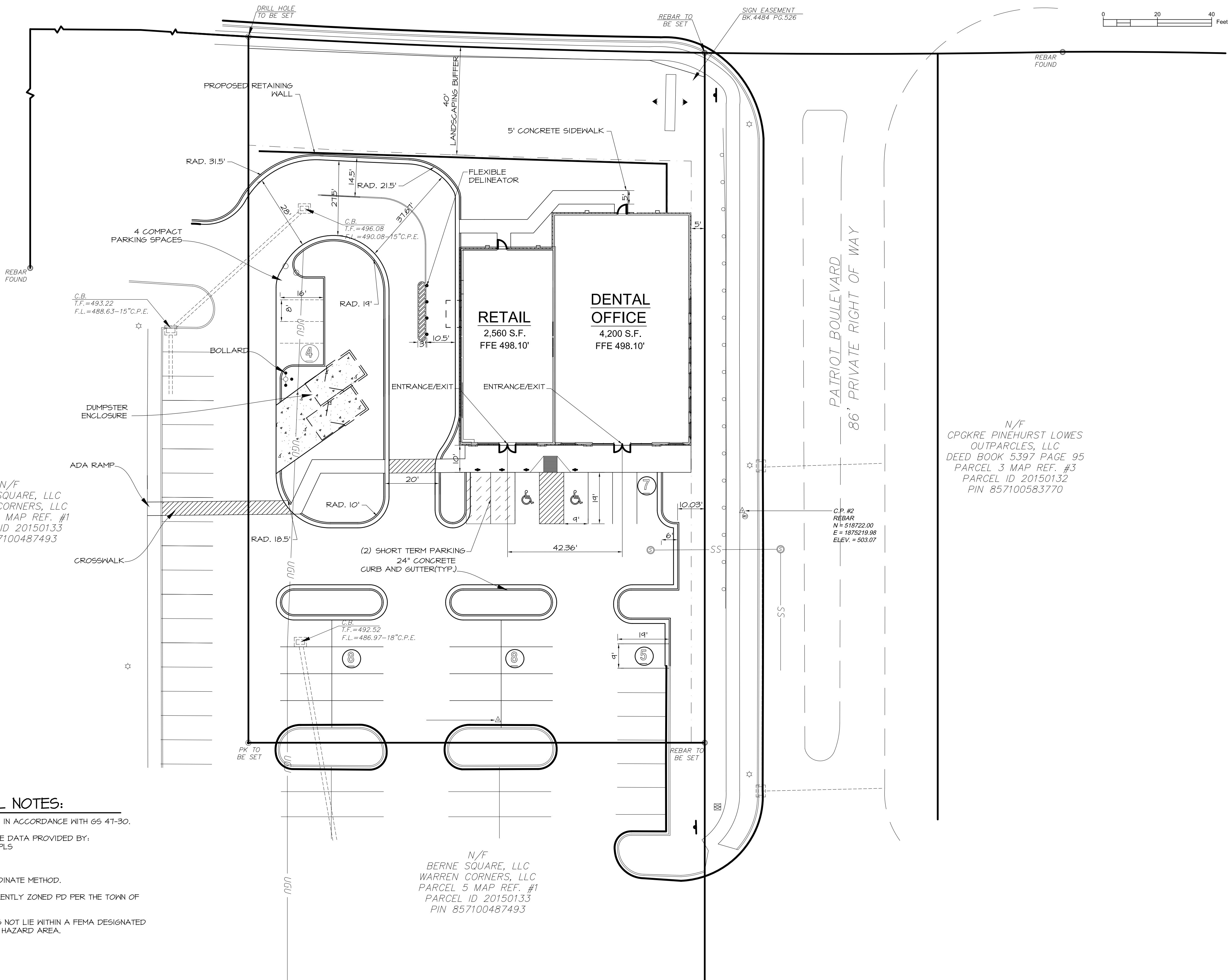
SURVEY AND SITE DATA PROVIDED BY:
GRAIG FOSTER, PLS
3415 FURR ROAD
VAAS, NC 28394

AREA BY COORDINATE METHOD.

PROPERTY CURRENTLY ZONED PD PER THE TOWN OF SOUTHERN PINES.

PROPERTY DOES NOT LIE WITHIN A FEMA DESIGNATED SPECIAL FLOOD HAZARD AREA.

WEST MORGANTON ROAD - SR# 1309
VARIABLE WIDTH PUBLIC RIGHT OF WAY



TOWN OF SOUTHERN PINES ORDINANCE # 1988
AMENDING THE CHARTER OF THE TOWN OF SOUTHERN PINES TO CONDUCT
NONPARTISAN MUNICIPAL ELECTIONS USING THE PLURALITY METHOD IN
ACCORDANCE WITH G.S. 163-292

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 conducted 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

WHEREAS, the Town Council conducted a public hearing on the proposed charter amendment on April 12, 2022 and notice of said hearing was published in The Pilot on March 27, 2022. During this hearing, all interested citizens, residents, and property owners were given the opportunity to provide comments to the Town Council; and

WHEREAS, after due deliberation and consideration of comments provided at said hearing, the Town Council considers it in the best interests of the citizens, residents, and property owners of the Town of Southern Pines to amend the method of electing public officials who serve the Town.

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

1. Pursuant to G.S.160A-101 and 160A-102, Section 3.1 of the Charter of the Town of Southern Pines is amended as follows to provide for nonpartisan municipal elections using the plurality method:
 - a. The last sentence of Section 3.1 shall be deleted in its entirety and replaced with the following sentence: “The Mayor and members of Town Council shall be elected according to the nonpartisan plurality method in accordance with G.S. 163-292.”
2. Elections for the offices of Mayor and the four Councilmembers shall be nonpartisan and conducted using the plurality method in accordance with the rules of G.S. 163-292.
3. Within ten (10) days of the effective date of this ordinance, the Town Clerk shall publish a notice in The Pilot, stating that an ordinance amending the Charter has been adopted to provide for nonpartisan municipal elections using the plurality method. Subject to any referendum petitioned for and conducted pursuant to G.S. 160A-103, this ordinance shall be in full force and effect from and after May 10, 2022 and shall be the basis for Town elections at the regular municipal elections in November 2023.
4. Pursuant to G.S. 160A-107, the Town of Southern Pines shall continue conducting nonpartisan municipal elections using the plurality method for at least two (2) years after the term begins for members elected in November 2023.
5. Pursuant to G.S. 160A-111, the Town Clerk shall file a certified copy of this charter amendment with the Secretary of State and the Legislative Library.

Adopted this 10th day of May, 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 of May 10, 2022 as shown in the minutes of the Town Council for that date.

Elizabeth Robertson, Town Clerk

TOWN OF SOUTHERN PINES ORDINANCE #1993
DEFINING AND ESTABLISHING MUNICIPAL SERVICE DISTRICT NUMBER 1

WHEREAS, on the 12th day of April, 2022, the Town Council of the Town of Southern Pines adopted a resolution stating its intent to consider defining and establishing a municipal service district under Article 23 of Chapter 160A of the General Statutes of North Carolina; and

WHEREAS, the Town Council caused to be prepared, and adopted at its April 12, 2022 meeting, a report (the “MSD Report”), containing (1) a map of the proposed district, showing its proposed boundaries; (2) a statement showing that the proposed district meets the standards required by law; and (3) a plan for providing in the proposed district downtown revitalization services, which services are needed in the proposed district to a greater extent than in the remainder of the Town; and

WHEREAS, the Town Council called a public hearing on the question of whether an ordinance establishing and defining a municipal service district should be adopted, and caused notice thereof, including a map of the proposed district and a statement that the MSD Report was available for inspection in the office of the Town Clerk, to be published as required by law; and

WHEREAS, the MSD Report was made available for public inspection in the office of the Town Clerk for at least four (4) weeks prior to the date of the public hearing; and

WHEREAS, a copy of the MSD Report and the notice of the public hearing was mailed to all property owners owning property located within the boundaries of the proposed municipal service district at least (4) weeks prior to date of the public hearing, and the Town Clerk has certified to the Town Council that such mailing has been completed; and

WHEREAS, the Town Council held a public hearing on defining and establishing the proposed municipal service district at its regularly scheduled Town Council meeting on the 10th day of May, 2022; and

WHEREAS, the Town Council finds and determines that the area located within the boundaries of the proposed municipal service district is in greater need of a parkway to promote downtown revitalization than other areas of the Town and its downtown; and

WHEREAS, the Town Council has determined that a municipal service district should be defined and established to finance, provide, and maintain a downtown revitalization project consisting of the construction and maintenance of a parkway that would connect Highway 15-501 to Morganton Road (the “Parkway”), thus making it easier for vehicular traffic to get to the central city area, and connecting the central city with the Parkway and residents and retail establishments on the Parkway; and

WHEREAS, the MSD would consist of the approximately 100 acres shown on the attached map as a municipal service district (the “MSD”); and

WHEREAS, the Town Council believes that the construction of the Parkway in the MSD will further the public health, safety, welfare, convenience, and economic well-being of the Southern Pines central city area; and

WHEREAS, this ordinance will be effective on July 1, 2022 if approved at two separate meetings of the Town Council;

NOW THEREFORE, be it ordained by the Town Council of the Town of Southern Pines:

Section 1. Pursuant to the authority vested in it by Article 23 of Charter 160A of General Statutes of North Carolina, entitled “Municipal Service Districts”, the Town Council hereby defines and establishes the following described area located in Southern Pines, Moore County, as Municipal Service District Number 1:

An area comprised of 99.97+/- acres contained in the approved Morganton Park South Planned Development District (PD 08-21) lying between 15-501 to the south and Morganton Road to the north, and consisting of parcel ID numbers 00049222, 98000749, and 00052502 according to Moore County tax records as of January 1, 2022, graphically depicted on the GIS map attached hereto as Exhibit A.

Section 2. Municipal Service District Number 1 is defined and established for the purpose of financing, providing, and carrying out a downtown revitalization project in such district to finance, provide, and maintain a public project consisting of the construction, operation, and maintenance of a parkway connecting 15-501 to Morganton Road, thus making it easier for vehicular traffic to get to the central city area, and connecting the central city with the Parkway and residents and retail establishments on the Parkway.

Section 3. Municipal Service District Number 1 is in need of the downtown revitalization project described above to a demonstrably greater extent than the remainder of the Town.

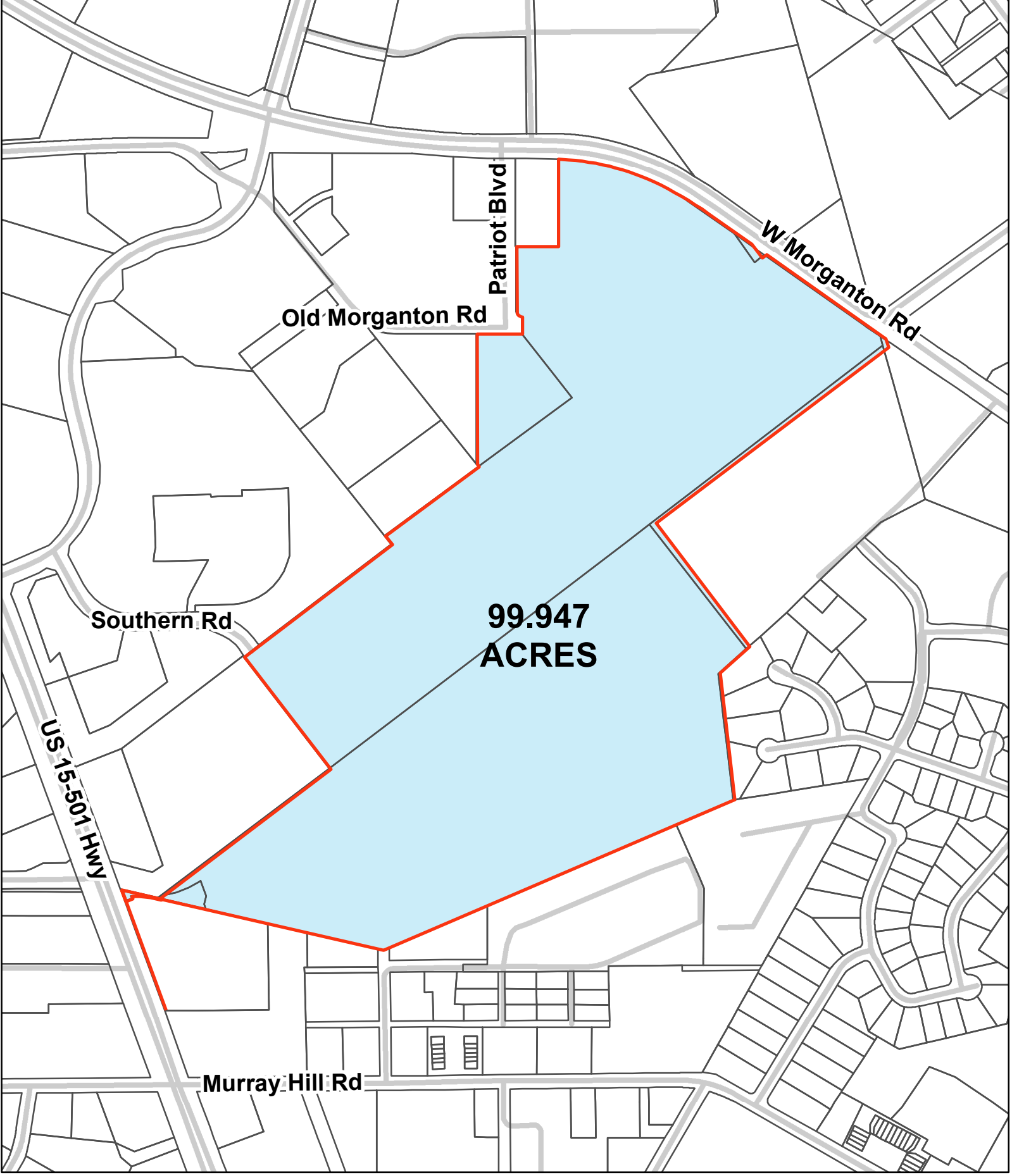
Section 4. This ordinance will be effective on July 1, 2022, but only following approval at two meetings of the Town Council.

Introduced: [May 10, 2022]

Adopted: [May 10, 2022]

Adopted: [June 14, 2022]

Elizabeth Robertson, Town Clerk



**99.947
ACRES**



Map Not To Scale

EXHIBIT A
99.947 ACRES

This map was created by the Town of Southern Pine GIS using a map titled EXHIBIT 99.947 ACRES created by LKC. The Town of Southern Pine, its agents and employees make NO warranty as to the correctness or accuracy of the information set forth on this media whether expressed or implied, in fact or in law, including without limitation the implied warranties of merchantability and fitness for a particular use. Any resale of this data is strictly prohibited in accordance with North Carolina General Statute 132-10. Grid is based on North Carolina State Plane Coordinate System NAD83 (feet).
Page 268 of 318
X:\GIS_DATA\MXD_PDF\Annexations\Reagan\99.947 Acres\8.5x11.mxd

Town Council Agenda Item

To: Reagan Parsons, Town Manager

From: John Bullock, Chief Building Inspector

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

875 Clark Street

Date: May 2, 2022

I. SUMMARY:

On July 22, 2021, the Inspections Department received a complaint concerning the abandoned structures at 875 Clark Street (ParId00039789/PIN 858216824874). 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. Ms. Donna Fields contacted Mr. Bullock and asked for an extension since the owner recently passed and they were reviewing the Will. She then called back on September 28, 2021 to request another extension so they could look into demolishing or selling property. Extension granted until December 10, 2021.

On January 3, 2022, a condemnation notice was placed on the structure. Staff then mailed a certified violation notice informing the owners of a hearing on February 9, 2022, in the Chief Building Inspectors office to discuss the situation. Public Notice was posted in the Pilot two times concerning the hearing. Attorney for the property owner came to hearing to ask about the Minimum Housing process. He is looking to sell the

property and wanted another extension. Mr. Bullock explained they have another 30 days before we start the demolition bid process, so he would not grant another extension. Mr. Bullock also explained that IF they did sell the property, the new owner will have to demolish the structure within 60 days of the sale.

On February 9, 2022, the third notice was mailed certified to the owner listed in Moore County Tax Records as George Turner, C/O Donna Fields, explaining that the necessary demolition paperwork is being processed and notice of demolition will be presented to Town Council for their decision.

The Inspections Department gave the property owners yet another 30 days to respond. As no one contacted the Inspections Department, the Chief Building Inspector acquired bids for the demolition. The Inspections Department is requesting approval of \$9,850 for the demolition of the unsafe structure at 875 Clark St. Southern Pines, NC.

II. ATTACHMENTS:

1. Complaint form dated July 22, 2021
2. Minimum Housing/Demolition Checklist
3. Photos of unsafe building
4. Copy of Notice dated September 14, 2021
5. Copy of Notice dated January 3, 2022
6. Memo of meeting with Bob Gallagher, attorney
7. Copy of Notice dated February 9, 2022
8. Copy of Legal Notice
9. Copy of bid invoice for \$9,850

III. TOWN COUNCIL RECOMMENDED ACTION:

Town Council is being asked to approve the condemnation of the unsafe structure at 875 Clark St and approve the requested funding of \$9,850 for demolition of said property.



COMPLAINT FORM

JUL 20 2021

Date of complaint: 7/22/21 Time: 12 00pm Received by: Lisa W
Complaint submitted by: Casey Sidlinger Phone #: 425 623 6779
Location of concern: 865 ~~Clark~~ Street + 875 Clark Street

Nature of complaint:

Contractor: ☐ Unsanitary: ☒ Other: Suspicious activity
Rental property: ☐ Illegally occupied: ☒
Unsafe: ☒ Condemnation: ☒

Details: There are 2 abandoned houses that I believe are hazardous and a cause of concern for the community. Suspicious activity noticed.

THIS SECTION TO BE COMPLETED BY TOWN STAFF:

REPORT OF INVESTIGATION:

Date: 9/10/21 Time: _____ By: _____
Site visit - verified minimum housing

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

Demolition Check List

Property Owner: GEORGE TURNER C/O MARGARET KELLY

Property Address: 875 CLARK ST, SOUTHERN PINES

- 1) 9/10/21 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) 9/14/21 Locate property information
 - a. Township, subdivision, Block and/or Lot
 - b. Person(s) listed on Moore Tax Records
- 4) 1/9/22 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.
- 5) _____ At the public hearing, give responsible parties 30 days or less to either obtain a building permit for repair or demolition permit.

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)
- 6) ☒ Placard the Building with "Condemned Notice" and take photo for file
- 7) ☒ Get bids on cost of Demolition and clean-up
- 8) ☒ 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)

11/10

extension granted
to 12/10/21 &

again
tell
Jan 2nd

11/10 - Donna Fields
843-530-8737
executor

3









Building Department

180 SW Broad Street
Southern Pines, NC 28387

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

September 14, 2021

George Turner (HRS)
C/O Margaret Kelly
4011 Gary Dr
Charleston, SC 29405

RE: 875 Clark St., Southern Pines

Dear Mr. Turner, Ms. Kelly,

It has come to the attention of the Town that the structure at 875 Clark 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) walls, floors, and all doors and windows exposed to weather be weather and watertight".

Also in violation is Section 95.008, Code of Ordinances, (F) accumulation of waste paper, weeds, litter Every owner remove therefrom all weeds, grass, vines and other growth w

Please contact the Building/Inspections Department with a letter you before October

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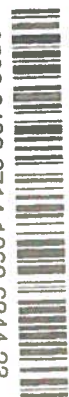
Certified Mail Fee \$
Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$
Postage \$
Total Postage and Fees \$
Sent To 875 Clark 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

SEP 14 2021
SOUTHERN PINES NC 28387

PS Form 3811, July 2020 PSN 7530-02-000-9053

2. Article Number (Transfer from service label)
7018 1130 0000 0341 4847

9590 9402 6714 1060 6244 23



George Turner
C/O Margaret Kelly
4011 Gary Dr
Charleston, SC 29405

1. Article Addressed to:

- SENDER: COMPLETE THIS SECTION**
- Complete items 1, 2, and 3.
 - Print your name and address on the reverse so that we can return the card to you.
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3. Service Type

- ☒ Certified Mail®
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☐ Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

4. Agent

5. Address

6. Date of Delivery

7. Signature

8. Date of Delivery

9. Signature

10. Date of Delivery

11. Signature

12. Date of Delivery

13. Signature

14. Date of Delivery

15. Signature

16. Date of Delivery

17. Signature

18. Date of Delivery

19. Signature

20. Date of Delivery

21. Signature

22. Date of Delivery

23. Signature

24. Date of Delivery

25. Signature

26. Date of Delivery

27. Signature

28. Date of Delivery

29. Signature

30. Date of Delivery

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent
B. Received by (Printed Name) ☒ Addressee
C. Date of Delivery
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

(S)



Building Department

180 SW Broad Street
Southern Pines, NC 28387

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

January 3, 2022

George Turner (HRS)
Donna Fields
4011 Gary Dr
Charleston, SC 29405

REF: 875 Clark St., Southern Pines, NC
ParID / PIN 00039789 / 858216824874

Dear Ms. Fields,

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

7020 1810 0001 3427 0903

7020 1810 0001 3427 0903

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☐ Adult Signature Restricted Delivery \$

Postage \$
Total Postage and Fees \$

Sent To: Donna Fields
Street and Apt. No.: 4011 Gary Dr
City, State, ZIP+4: Charleston, SC 29405

Postmark: JAN - 3 2022

USPS

and surrounding property is in violation of the Code of Ordinance's
the North Carolina State Building Code. The Town Chief Building
s from the demolition process, with no results. So, as a result of the
led for Wednesday, February 9, 2022, at 9:30 a.m. in the Inspections
ice Rd, Southern Pines, NC 28387

SENDER: COMPLETE THIS SECTION

1. Article Addressed to:
Donna Fields
4011 Gary Dr
Charleston, SC 29405

2. Article Number (Transfer from service label)
7020 1810 0001 3427 0903

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
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COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Donna Fields

B. Received by (Printed Name)
C. Date of Delivery
1-11-2022

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

February 9, 2022 9:30 a.m.

The attorney for property owner, Bob Gallagher, came to hearing to discuss the condemnation process. John Bullock and myself explained this minimum housing issue has been going on since September of 2021, after extending the deadline so the owner could try to try to sell property. Mr. Gallagher stated he has sold dilapidated parcels before, but with this lot being small, they have had minimal interest. He asked for a ballpark figure for demolition. John accessed approximately \$6-\$8,000, which was more than the one person interested offered for the property. He asked how long they have to try to sell it. We explained they have another 30 days until we start the bid process. Mr. Gallagher wondered IF they get a buyer, what would the process be then.... Mr. Bullock stated the new property owner would need to have the building demolished within 60 days. We stated that once the Town has demolished the building, a lien is filed against the property so whenever it sells, the lien comes from the sale of the parcel. Mr. Gallagher left knowing they have 30 days to accomplish anything else on the property.



Building Department

180 SW Broad Street
Southern Pines, NC 28387

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

February 9, 2022

George Turner (HRS)
C/O Margaret Kelly
4011 Gary Dr
Charleston, SC 29405

RE: 875 Clark St., Southern Pines, NC

Dear Mr. Turner/Ms. Fields;

On Wednesday, February 9, 2022, at 9:30 a.m., a hearing was held in the Town of Southern Pines Inspections Office at 801 SE Service Rd., concerning the property and structure located at the above referenced address. The owner of record is () necessary paperwork was sent to Mr. Turner by certified mail and closed at 10:00 am. Mr. Turner's Estate attorney, the condemnation of the structure in question. Mr. Bul process and advised Mr. Gallagher the property will be 9, 2022

The necessary demolition paperwork will be processed and demolition will be sent to the Town Council for their

Sincerely,

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☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage
\$
Total Postage and Fees
\$

Sent To
875 Clark
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

PS Form 3811, July 2020 PSN 7530-02-000-9053

Article Identification Number (from service label)
7020 1810 0001 3427 0989

9590 9402 6714 1060 6248 67

George Turner
4011 Gary Dr
Charleston SC 29405

SENDER: COMPLETE THIS SECTION

■ Complete items 1, 2, and 3.
■ Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

COMPLETE THIS SECTION ON DELIVERY

A. Signature
B. Received by (Printed Name)
C. Date of Delivery
D. Is delivery address different from item 1? Yes ☐ No ☐ If YES, enter delivery address below:

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

875 Clark

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 875 Clark St.

Was published in the aforesaid newspaper for 2 consecutive week(s)/day(s) beginning with the issue dated January 9, 2022 and ending with the issue dated January 16, 2022.

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 875 Clark St., Southern Pines, NC 28387 (Tax Reference: PIN #858216824874, LRK #00039789, Owner of Record: George Turner (HRS), 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.

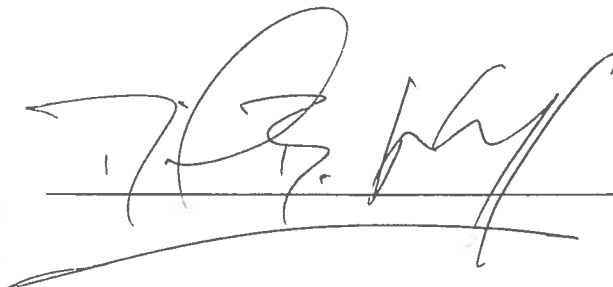
A hearing will be held before the Chief Building Inspector of the Town of Southern Pines, North Carolina, at his office located at 801 SE Service Rd, on Wednesday, February 9, 2022 at 9:30 A.M., for the purpose of finding the facts as to whether or not the condition of such building falls within the 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
1:9,16

425446



, this 17 day of January,

Michele Bungarz

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

554570

4-19-22

Town of Southern Pines

Proposal for Demo work

Kenny Ring Grading
 PO Box 512 VASS NC 28394

875 Clark St.

Take down House
 haul away

Seed & Mulch on
 disturbed Area.

Job Proposal \$9850.00

AGREENT	DATE	AMOUNT	TOTAL AMOUNT

**TOWN OF SOUTHERN PINES ORDINANCE #1990
AUTHORIZING THE DEMOLITION OF AN UNSAFE BUILDING
875 CLARK STREET**

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Southern Pines, North Carolina in regular session this 10th day of May, 2022:

WHEREAS, the Town Council has authorized the demolition of the unsafe buildings – minimum housing located at as follows:

Section 1. That in accordance with the General Statutes 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 875 Clark Street, PARID 00039789 PIN 858216824874; Owner of Record per Moore County Tax Office is George Turner C/O Donna Fields.

Section 2. That in accordance with the General Statutes 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 10th day of May, 2022.

Elizabeth Robertson, Town Clerk

I certify that this Ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting on May 10, 2022 as shown in the Minutes of the Town Council for that date.

Elizabeth Robertson, Town Clerk

TOWN OF SOUTHERN PINES RESOLUTION #1011
AUTHORIZING DISPOSITION OF SURPLUS PLAYGROUND
EQUIPMENT BY DONATION

THAT WHEREAS, the Town of Southern Pines will be replacing the currently outdated playground equipment at Elizabeth High Rounds Park with new equipment; and

WHEREAS, the current outdated equipment has been declared surplus property and no longer of use by the Town; and

WHEREAS, there will be considerable expense to the Town for the disassembly, removal and disposal of said surplus property; and

WHEREAS, history has shown that there is no interest from others in purchasing used and outdated playground equipment, and

WHEREAS, pursuant to N.C. Gen. Stat. 160A-280, the Town may convey to non-profits, sister cities, and other units of government personal property that the governing board determines to be surplus, obsolete or no longer useable by the Town; and

WHEREAS, the Ellerbe Lion's Club is a not for profit 501(c)4 organization that has expressed an interest in taking ownership of said surplus property; and

WHEREAS, the Ellerbe Lion's Club understands and expressly agrees to the following requirements:

1. all costs associated with the disassembly, removal and relocation of said surplus property will be at their sole expense; and
2. The removal of said surplus property from Town property will be completed in a timely manner as to not delay the installation of the Town's new playground equipment, and
3. The Ellerbe Lion's Club will indemnify and hold harmless the Town of Southern Pines, it's employees, agents, officers and elected officials from claims of damage and liability that may arise in the future related to the said surplus property.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southern Pines that the conveyance of said surplus property to the Ellerbe Lion's Club is hereby approved and accepted.

Adopted this 10th day of May, 2022

ATTEST:

TOWN OF SOUTHERN PINES

Elizabeth Robertson, Town Clerk

Carol R. Haney, Mayor

APPROVED AS TO FORM:

Douglas R. Gill, Town Attorney



MINUTES

Wednesday, April 6, 2022: 8:30 AM

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.

The Harness Track is holding it's annual Mayors Race this Saturday, please attend and support us.

2. TOWN MANAGER'S COMMENTS

a. Introduction and Presentation of a Municipal Service District Report, making it available for public inspection

Town Manager Reagan Parsons presented the Municipal Service District Report and answered questions from Council.

The report is available for public inspection at the Town Clerk's office located at 125 SE Broad Street, Southern Pines.

3. REVIEW PUBLIC HEARING APPLICATIONS FOR UPCOMING BUSINESS MEETING AGENDA

a. Charter Amendment to Conduct Nonpartisan Municipal Elections Using the Plurality Method

NC General Statutes permit the Town to amend its Charter to change the type of elections. Per the public notice published on March 27, the Council seeks public comments on a proposed amendment to conduct future municipal elections according to the nonpartisan plurality method in accordance with G.S. 163-292. The Council will consider adopting the ordinance to amend the Charter at its regular meeting on May 10, 2022.

Town Manager Parsons reviewed the proposed amendment for the Council.

b. RA-01-22 Request to Abandon a Section of Hill Crest Road

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). The purpose of the request is to allow the recombination of the aforementioned parcels.

Planning Director Grieve reviewed the request for the Council.

c. Ordinance #1971 - PD-01-22 Ace Hardware CDP (Continued from March 8th Meeting)

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.

Planning Director Grieve updated the Council with the information that the Moore County Airport and the applicant had come to an agreement regarding the proposed project being built along the primary approach for the airport.

d. Ordinance #1981 - OA-01-22 Text Amendments to the Unified Development Ordinance

The Town of Southern Pines Administration Department is proposing to amend the Unified Development Ordinance (UDO) with a variety of text amendments per UDO §2.17. The proposed amendments are to replace references to “caliper” with “diameter breast height (DBH)” in UDO §4.3.13(B); to add a definition for “Caliper” and “Diameter Breast Height (DBH)” in UDO §9.3; and to remove UDO §8.14.1(C) which limits the number of successive complete terms that a member may serve on the Board of Adjustment.

Planning Director Grieve reviewed the proposed amendments for the Council.

e. PD-04-22 St. John Paul Catholic School CDP

Mr. Pete Bogle has submitted a Conceptual Development Plan application to allow a private school, athletic fields, cemetery, rectory and religious institution. The subject parcels are currently zoned RE (Rural Estate) and are identified as PARID 00038409, 00991755, and 10001608.

Planning Director Grieve reviewed the project for the Council and answered questions from the Council.

4. REVIEW PROPOSED ACTION ITEMS FOR UPCOMING BUSINESS MEETING AGENDA

a. AR-07-22 210 West Pennsylvania Avenue

Neal Smith Engineering, Inc. requests approval of an Architectural Compliance Permit to renovate a 3,100 square foot commercial restaurant, located at 210 West Pennsylvania Ave.

Town Planner I Jennifer Hunt gave an overview of the project and the staff report.

The applicant was present to answer questions from the Council.

Councilmember Clement questioned the number of windows. Discussion ensued.

Tom Gisler, the applicant, and Neal Smith of Neal Smith Engineering were present to answer questions from the Council and clarify design details. Discussion ensued.

Planning Director Grieve noted that there is an error in the staff report and the elevations shown are the existing elevations, not the proposed elevations. This will be corrected before the April 12th meeting.

The Council does not feel the applicant needs to present at the April 12th Business Meeting.

b. AR-08-22 265 Turner Street

Chick-fil-A, Inc. requests approval of an Architectural Compliance Permit for a 4,948 square foot commercial restaurant at 265 Turner Street. The northwest side of this parcel is located in the Town of Aberdeen. The Architectural Compliance Permit is only for the remaining part of the parcel that is located in the jurisdiction of the Town of Southern Pines.

Jennifer Hunt, Planner I, reviewed the application and staff report for the Council.

Steve Malloy, architect, was present for the applicant to answer any questions from the Council.

Questions were raised regarding the window glass types being used to hide the kitchen area. The applicant provided pictures and diagrams where Spandrel glass has successfully been used. Discussion ensued.

The Council doesn't feel that the applicant needs to be present at the business meeting.

c. Presentation of a Proposed Municipal Service District

As discussed at the March 28 work session, a Municipal Service District is proposed in the area between W. Morganton Rd. and 15-501. Staff will present additional details.

Town Manager Parsons provided a brief review of the item.

5. REVIEW PROPOSED CONSENT AGENDA FOR UPCOMING BUSINESS MEETING

Town Manager Reagan Parsons reviewed the Consent Agenda for the Council.

a. Adopt Resolution Defining a Proposed Municipal Service District and Calling For a Public Hearing on May 10th

Council will receive public comments on the proposed Municipal Service District on May 10.

b. Adopt Ordinance #1974 to Amend the FY 21-22 Operating Budget for Fire

Town Manager Parsons reviewed the item which would transfer monies in response to a change in holiday pay adopted mid-year, as well as a workers' compensation audit correction.

c. Adopt Ordinance #1975 to Amend the FY 21-22 Operating Budget for Police

Town Manager Parson reviewed the item which would transfer monies received from insurance involving an accident with one of the cars, funds to cover a vehicle that was not received prior to the end of the previous fiscal year, and funds to cover the increase in gas prices for police vehicles.

d. Adopt Ordinances to Transfer \$50,000 from the Recreation Budget to CPF- Recreation Improvement Fund for the Whitehall Master Plan

- Ordinance #1976

- Ordinance #1987

Town Manager Parsons reviewed the item which appropriated FY 21-22 funds to complete the Whitehall Tract Master Plan to a capital fund as the project won't be completed by June 30th.

e. Adopt Ordinances to Transfer \$98,736 from the Utility Fund to PW Bldg. Reno Upfit Project Budget

- Ordinance #1977
- Ordinance #1979

Town Manager Parsons reviewed the item which would transfer monies to cover the increase in costs for the Public Works Annex Renovation Project. He also reviewed a few projects still pending as part of the Public Works Building Renovation Uplift Project:

- Phase 2 of this project is still pending.
- A parking project on Public Works Way is planned to accommodate the increase in personnel.
- The building is experiencing sound proofing issues around supervisor offices which results in a loss of privacy and confidentiality. Options are being researched to solve this issue and may appear to the Council as part of the Phase 2 plans.

f. Ordinance #1982 - Amend the FY 21-22 Utilities Operating Budget to Transfer \$552,000 Retained earnings for the Purchase of a Sewer Vacuum Truck

The utility department had anticipated the replacement of a replacement sewer combination truck (also referred to as a vacuum or jet truck) in FY 22-23. In monitoring the pricing and delivery times, staff feels there is a benefit to ordering before the end of this fiscal year using the available retained earnings. Staff requests authorization to proceed with this order.

Town Manager Parsons reviewed the request which will fund a purchase order so that a sewer/vac truck which was originally planned to be purchased in the 22/23 fiscal year can be ordered at the current lower price. This item will not be received and monies will not be actually distributed till FY 22/23.

g. Approve Budget Amendments to Fund the McDeeds Creek Streambank Stabilization Project

- Ordinance #1983 - Streambank Transfer Funds
- Ordinance #1984 - Amend Streambank Stabilization Budget
- Ordinance #1985 - Amend Nick's Creek Project Fund
- Ordinance #1986 - Amend General Capital Reserve Project Budget

The McDeeds Creek streambank runs directly behind the Town's Police and Fire Stations and has created increasing erosion problems, which are impacting the Town's infrastructure. Staff has received bids and recommends transferring \$526,484 to CPF 50 to fund the full scope that was bid.

Town Manager Parsons reviewed the request to move monies to fund the McDeeds Streambank Stabilization Project.

h. Adopt Updated Water and Wastewater Capital Improvement Plan

Staff plans to submit various water and sewer projects for funding through the upcoming Division of Water Infrastructure's ARPA Spring 2022 Funding round. Applications for the funding are due May 2, 2022. The program is competitive where the highest scoring

projects will receive funding. Additional points can be obtained with a current CIP that has been adopted within 2 years of the Application date.

Town Manager Parsons reviewed the item for the Council which is needed in anticipation of applying for several state grants.

i. Adopt Project Resolutions for NCDEQ SRF/ARPA Funding

Staff plans to submit various water and sewer projects for funding through the upcoming Division of Water Infrastructure's ARPA Spring 2022 Funding round. Applications for the funding are due May 2, 2022. A project resolution approved by Council must be submitted with each project application to be considered complete (staff plans to have these submitted for the April 12 packet). In consultation with funding specialists, the following projects have been identified from the Town's CIP as likely to score the best and have the highest likelihood of receiving funding.

1. Water Treatment Plant Disinfection Improvements
2. Water Treatment Plant Filter Scour System Improvements
3. Sanitary Sewer Rehabilitation and Replacement Projects
4. Water System Asset Inventory and Assessment
5. Sanitary Sewer System Asset Inventory and Assessment

Town Manager Parsons reviewed the item for the Council which is needed in anticipation of applying for several state grants.

j. Adopt Asset Management Plan for the Water Treatment Plant

Staff plans to submit various Water Treatment Plant (WTP) projects for funding through the upcoming Division of Water Infrastructure's ARPA Spring 2022 Funding round. Applications for the funding are due May 2, 2022. The program is competitive where the highest scoring projects will receive funding. Additional points can be obtained for implementing an Asset Management Plan (AMP) that covers the infrastructure that funding is being requested for. The Town's contract operator, SUEZ, has an AMP but for the points to be claimed, it must be formally adopted by Council. The AMP is complex and SUEZ is working diligently to format the AMP to meet NCDEQ's requirements, it may not be ready for the April 12 meeting. If it is not completed by then, it will be brought to the April 25 Worksession.

This document will not be ready in time for the April Business Meeting and will be postponed to the April Work Session Meeting. Town Engineer James Michel reviewed the request for the Council.

k. Approve Extension of Lease with 305 Trackage to October 31, 2023

Staff recommends extending the expiration date and terms of the current lease with 305 Trackage and will discuss this recommendation with Council.

Town Manager Parsons reviewed the request.

l. Adopt Financial Assistance Policy for Youth Recreation Programs & Athletics

The recreation department occasionally receives requests from parents/guardians seeking financial assistance for their children to participate in youth recreation programs and athletics. Staff has developed a draft policy which includes guidelines for review and

approval so these requests can be evaluated in a fair and consistent manner.

Assistant Town Manager Jessica Roth gave an overview of the proposed program and addressed the Council's questions.

Funding and qualification requirements were questioned and further discussion ensued.

m. Appoint A. Parks Cobb, Jr. to the Planning Board

Mr. A. Parks Cobb Jr. has applied to be appointed to the Extraterritorial Jurisdiction (ETJ) position on the Town of Southern Pines Planning Board. This position was previously held by Dr. Ben Greene, whose term ended March 11, 2022. The Planning Director recommends that Mr. A. Parks Cobb, Jr. be considered for appointment to serve on the Planning Board for his first term, which will expire on April 11, 2025.

An ETJ position is coming open and, upon appointment by this Council will go to the County Commissioners for approval.

n. Issue Arbor Day Proclamation

Town of Southern Pines Arbor Day celebration will be held on April 29, 2022, with the planting of a Summerset Red Maple at the Whitehall tract.

o. Approve Town Council Meeting Minutes for March 2022

- **March 2, 2022 Town Council Agenda Meeting Minutes**
- **March 8, 2022 Town Council Business Meeting Minutes**
- **March 28, 2022 Town Council Work Session Minutes**

6. ADJOURN TO BEGIN BUDGET RETREAT

Council adjourned at 9:52 am.

There was a 15 minute break before the Budget Retreat was called to order.

Respectfully submitted:

Elizabeth Robertson, Town Clerk



MINUTES

Wednesday, April 6, 2022: 8:30 AM

Town Council Work Session

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

1. CONDUCT AGENDA MEETING

a. Upon conclusion of the Agenda Meeting, Council will take a 15+/- minute break and live stream will end

The budget meeting commenced at 10:07 am and the following members of Town Council were present: Mayor Carol Haney; Taylor Clement; Paul Murphy; Bill Pate; and Ann Petersen.

Town Manager Parsons gave an overview of the agenda and timing sequence of approvals through the final vote at the June 2022 Business Meeting to adopt the Fiscal Year 2022/2023 budget.

Town Manager Parsons asked for a decision regarding the continuance of glass being included as part of recyclables when negotiating the next waste management budget so that the Town can start educating the citizens.

Discussion ensued

2. ENTERPRISE FUND

Town Manager Parsons noted that an updated packet was published late yesterday.

The figures contained within the draft Utilities Budget include the following assumptions:

- A 5% increase to both the water and sewer base and per/1000 rates effective July 1, 2022, in order to remain on pace with our CIP and operational expenses.
- The continuation of the current SDF fee as calculated by our 2020 Study.
- Working toward acceptance of an ASADRA loan for \$2,998,000 which has no immediate impact on the operational budget.
- Scheduled replacement of a sewer vac truck - accounted for twice relative to budget appropriations but only one time to expenditures to allow the truck to be ordered at the current price with delivery to come after June 30, 2022.
- Continuation of our CIP which includes Water and Sewer line improvements, Penn/PeeDee waterline project, water plant modernization and sanitary sewer modernization.

Discussion ensued regarding the water/sewer system and needed updates.

Retained Earnings Summary for Fiscal Year 2022/2023 was reviewed - including a 5% increase

Town Manager Parsons reviewed the proposed Capital Reserve Fund Resolution, which is historically adopted each June to move money left from projects completed to projects currently in progress.

a. General Rates Discussion

Town Manager Parsons reviewed the staff recommendations for the Council. Proposed rates are based on a 5% increase across the board with an average use of 5,000 gallons/month per household, which will result in an increase of \$3.49/month or \$41.88 annually. Discussion ensued.

b. Revenues & Expenditures

Town Manager Parsons reviewed the staff report for the Council, noting that revenues are based upon the 5% increase in water/sewer fees. Discussion ensued.

c. System Development Fees

Town Manager Parsons reviewed the staff recommendations for a continuation of the current SDF Fee as calculated by the Town's 2020 study. The Town utilizes actual receipts from the previous twelve-month period between April 1st and March 31st. Town Manager Parsons presented a draft resolution to the Council that details the estimated fees. Discussion ensued.

d. Capital Projects

Town Manager Parsons detailed the proposed capital projects scheduled for FY22/23.

3. ARPA DISCUSSION

a. Update Regarding Recommended Approach

Town Manager Parsons reviewed the current options and guidelines that have been published surrounding the American Rescue Plan Act Fund money, noting that the rules could still change before actual funds are received and discussed with the Council the staff's recommendations.

4. GENERAL FUND

a. Tax Rate - Estimated County Valuation

Town Manager Parsons presented to the Council several charts, including one that contained the property Tax Valuation Trends for the last 10 years. Our estimates are calculated at a 98.5% collection rate = .289217 per penny. Another slide reviewed tax data from the last 37 years. Moore County has a scheduled re-evaluation for next year. Discussion ensued.

b. Draft Revenue Projections

Town Manager Parsons reviewed the data with the Council making the following points.

- The vast majority of our projected revenues come from property and sales tax.
- The proposed FY 22/23 budget is calculated assuming a \$0.40 tax rate.

- Recreation revenues are proposed to increase based on new programs and increasing attendance.
- Revenues for recycling fees is based on the proposed rate increase

Discussion ensued.

c. User Fees - Solid Waste

Assistant Town Manager Jessica Roth addressed the Council regarding waste services. If we eliminate the current curbside glass recycling, our vendor will tip at Moore County landfills. Initial fees were based on the current tipping site used by our vendor, which is out of county. This change still results in a positive net savings, but is less than previously estimated.

Discussion ensued.

Based on the current state of recycling tipping fees, it actually costs more to recycle than it does to dispose of garbage.

The staff proposal recommends that users pay for 75% of the combined collection and disposal costs. Councilmember Clement suggested that the user pay 100% of the collection fees and the Town cover the disposal fees, in an effort to be more transparent on actual costs.

Councilmember Petersen suggested an increase in FY 22-23 to cover part of the cost increase and then another increase, perhaps the following year, depending on contract negotiations.

Discussion ensued.

The Council agreed to increase fees so that residential customers will cover 60% of the collection and disposal fees beginning with the FY22/23 budget year. Fees for commercial customers will increase to 100% of collection and disposal fees.

d. Organizational Chart

Town Manager Parsons presented a draft organizational chart to the Council that includes the reclassification of Fire Chief Cameron's position to that of Assistant Town Manager/Fire Chief. The Assistant Town Manager position would provide oversight for the Engineering & Utilities, Public Works, Information Technology and Fire Departments as these departments already work closely together in several functions. Current Assistant Town Manager Roth will oversee the Library, Planning, and Recreation & Parks departments, along with the functions of Town Clerk and PIO.

Discussion ensued and Council expressed consensus for this change.

e. Staff Compensation - Retirement, Major Medical, COLA/Market Adjustment

Town Manager Parsons addressed the impact of personnel costs on the budget. The town is experiencing a shortage of employees across all professions. After researching the current job market, staff proposed a 5% market adjustment across the board for all employees.

- The state has increased the employer portion of retirement for employees - the town will be contributing 12.1% for regular employees and 13.04% for law enforcement officials.

Discussion ensued.

f. Staffing - Review of New Position Requests

Town Manager Parsons presented staffing requests that are included in the proposed budget:

- Information Technology requests 1 new position of Business Analyst/SharePoint Developer/Website Administrator - projected to start January 2023.
- The Police Department requests 2 new positions for patrol officers (not purchasing new vehicles for them in this fiscal year so the cost is decreased for this fiscal year) - projected to start July 1, 2022.
- The Planning Department requests 1 new position for Planner II - projected to start January 1, 2023.

Discussion ensued.

g. Draft Expenditure Projections

Town Manager Parsons reviewed projected increases in purchasing:

- Janitorial Supplies +7%
- Printing +3.5%
- Office supplies +5%
- Utilities - Gas = 6%
- Energy = 3.5%
- Postage +5.9%
- Mileage +\$0.02.5 per mile

* These figures do not include the increase in fuel prices.

Discussion ensued.

Town Manager Parsons reviewed the budget by line item for the Council, providing details for each.

h. FY 22-23 Bottom Line and Next Steps

Town Manager Parsons explained the long standing town policy of having a 25% reserve fund and discussed various options on budget spending with the Council.

Discussion ensued.

i. Capital Projects - Recommended

Town Manager Parsons reviewed staff requests and presented the following projects that staff recommended and are included in the proposed FY 22/23 budget:

- IT = ESX Server
- Police Dept. = 4 replacement patrol vehicles
- Police Dept = 2 replacement investigation vehicles
- Fire Dept = 2 replacement vehicles
- Fire Dept = Extrication Equipment
- Streets - Resurface Town streets & roadways due to current conditions
- Buildings & Grounds = Self-Propelled Lift (moved from this year to next year)

j. Capital Project Funds

Town Manager Parsons reviewed the current status of the Town's Capital Project Funds with the Council.

Discussion ensued.

k. Potential Projects Post July 1

Town Manager Parsons presented a list of projects that can be considered after July 1 due to revenue replacement funding from ARPA. These were all projects that were eliminated in order to balance the proposed FY 22/23 budget.

Discussion ensued.

5. COUNCIL DISCUSSION OF ADDITIONS/DELETIONS TO BUDGET

- * Councilmember Petersen requested that the council consider hiring a traffic engineer on retainer for staff use on proposed projects.
- * The Council would like more information on the following projects:
 - Library bathroom remodel
 - Library desk project
- * The Council would like the Douglass Community Center Parking Lot Improvement Project be removed from the budget at this time and moved to the potential project lists.
- * The Fire Lane Parking Lot Project might need to be reconsidered in the priority list.

6. OTHER

Councilmember Petersen asked for a traffic engineer to added on retainer for use by the town during the project application process.

7. ADJOURN

Mayor Haney thanked all the Department Directors, Town Manager Parsons, Assistant Town Manager Roth, and Finance Director Tess Brubaker-Speis for all of their hard work on the proposed budget.

Upon a motion by Councilmember Petersen, seconded by Mayor Pro Tem Murphy and carried unanimously, Council adjourned at 5:03 pm.

Respectfully submitted:

Elizabeth Robertson, Town Clerk



MINUTES

Tuesday, April 12, 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

Mayor Haney let the room in the Pledge of Allegiance.

3. PUBLIC COMMENTS

- John Masson of Pine Barrens Vista, Southern Pines spoke against PD-04-22: St. John Paul Catholic School CDP. The area is currently zoned equestrian and, in addition to the effects on the horses, but as a hand cyclist, is very fearful of the increase in traffic the project would bring.
- John McInerny of 460 Crest Road, Southern Pines, feels the growth of apartments being built in the area is "crazy" and asks the Council to look at possibilities to slow the building (ie. moratorium or review densities). Feels 3 minutes is too short a time limit on public comments.
- Jim O'Malley of 121 National Drive, Pinehurst - spoke in favor of PD-01-22 Ace Hardware CDP development.
- Chris Smithson of 920 N. Saylor Street, Southern Pines
 - disagrees with moving the public comment period to the beginning of the Town Council Business meeting.
 - disagrees with the time limit on speaking during public comments.
 - utility bills continue to inflate
 - solid waste costs increasing
 - predatory collection practices - no grace period before service is cut off
 - bills are hard to understand
 - moratorium on building of apartments in 2004
- Felicia Winfield of 1760 W. New York Avenue, Southern Pines spoke against gentrification
- Joann Gillis of 855 W. Massachusetts, Southern Pines - as a member of West Southern Pines Civic Club spoke against gentrification in the West Southern Pines area
 - feels it's contrary to the UDO and CLRP
 - goes against the historical and cultural character of the community
 - traffic density is increased
 - disturbs the ecosystem
- Lynn Thompson of 957 San Davis Road - feels we need affordable housing for teachers, workers and families that work in the community and asks for a moratorium on building and

changes to the UDO.

- Bob Howell of 957 Sandavis Road, Southern Pines - called for a moratorium in future development and especially apartments till a new UDO is developed.
- Casey Seagroves of 3920 Aberdeen Road, Raeford, NC - is upset that 470 NW Broad Street is scheduled for demolition - claims this is a historic home on the national register that his great grandfather built and feels it's important to keep homes in that neighborhood protected and called for a moratorium on development.
- Suzanne Coleman of 225 N. May Street, Southern Pines - Morganton road apartments rezoning. feels the town's UDO is broken despite tax money spent on consultants. Ms. Coleman feels people who work for our town cannot afford to live in the town and that Quasi-judicial hearings don't allow adequate contact between citizens and counsel. Ms. Coleman then gave several suggestions to improve these points.
- Dorothy Brower of 102 Eastman Road, Southern Pines - asked for staff and council to speak to West Southern Pines residents about what they want for their area and feels that the traffic diverted to west Pennsylvania Ave has opened up the area to new developers who are trying to take over.
- Keith Moneymaker of 140 High Point Road, Pinehurst - grew up locally and is concerned about the increase in housing costs in the area. Mr. Moneymaker doesn't agree with the number of apartments proposed to be developed and the amount they're asking for said housing. He feels the rate of growth is too high and asks the council to consider people over profits.
- Elizabeth May of 265 Hill Road, Southern Pines, NC - is against the PD-04-22: St. John Paul Catholic School CDP development. Ms. May believes it's dangerous to have that many residents/occupants around horses which are flight or fight animals..
- Jenny Williams of 145 W Maine Avenue, Southern Pines - asks the Council for a moratorium on development to allow for time to review the UDO.
- Mary Flynn of 145 Old Clubhouse Lane, Southern Pines - spoke against the lot size and the increase in residential development.
- Jeffery Sheer of 145 1/2 E. Pennsylvania Avenue, Southern Pines - feels the need for a pause in residential development and that the town is developing too fast.
- Lucy Mills Parsons of 241 Calloway Place, Southern Pines - Owner/operator of Faraday Farms, a dressage riding school and has a degree in equestrian science. Ms. Parsons spoke against PD-04-22: St. John Paul Catholic School CDP development states that horses need a quiet environment because they are flight or fight animals and are easily startled.
- Kim Coty of 560 S. Valley Road, Southern Pines - is against new apartment development in Southern Pines. Ms. Coty feels there are already commuter issues on Bennett & Morganton Road and if apartments continue to be built, the traffic issues will just get worse.

4. TOWN MANAGER'S COMMENTS

Town Manager Reagan Parsons reviewed the agenda.

5. PUBLIC HEARINGS

a. Ordinance #1988 - Charter Amendment to Conduct Nonpartisan Municipal Elections Using the Plurality Method

NC General Statues permit the Town to amend its Charter to change the type of elections.

Per the public notice published on March 27, the Council seeks public comments on a proposed amendment to conduct future municipal elections according to the nonpartisan plurality method in accordance with G.S. 163-292. The Council will consider adopting the ordinance to amend the Charter at its regular meeting on May 10, 2022.

Councilmember Pate moved to open the hearing for Ordinance #1988, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

Assistant Town Manager Jessica Roth gave an overview of the proposed ordinance to amend the Town Charter to eliminate primary elections. A resolution of intent was adopted in March 2022. This hearing is for comments and questions and the vote will not take place till the May 10, 2022 Town Council Meeting.

Chris Smithson of 920 N Saylor Street, Southern Pines spoke against the charter amendment.

Councilmember Clement commented that the amendment isn't just about money but about increasing the number of people who can come out to vote by reducing two trips to the poll to one.

Councilmember Pate feels economics do play a role and the cost of holding primaries is increasing.

Councilmember Pate moved to close the hearing for Ordinance #1988, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

b. RA-01-22 Request to Abandon a Section of Hill Crest Road

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). The purpose of the request is to allow the recombination of the aforementioned parcels.

Councilmember Pate moved to open the hearing for RA-01-22, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

Town Engineer James Michel reviewed the proposed request for the council.

Discussion ensued.

Councilmember Pate questioned if the property was costing the Town any money now? Town Engineer Michel answered no.

Councilmember Petersen questioned the purpose of combining the two properties.

- Tim Carpenter, for applicant, LKC Engineering, gave maps to the council for review. No more than 30% can be occupied by buildings and the added land mass will allow 2 extra rental units in Phase 2. The applicant will add a heavy landscape buffer to US Hwy 1.

Discussion ensued.

Councilmember Clement questioned what the Town could use the property for? Town Engineer Michel answered that we are limited due to the properties' location to projects associated with transportation; ie. roads, sidewalks, underground utilities, etc.

Marsh Smith of 568 Santee Road, Southern Pines would like us to consider selling the

property instead of giving it away and ascertaining that the parcel is real property.

Chris Smithson spoke against vacating the property and hold a high standard of consideration when giving property away.

Tim Carpenter - the applicant has no intention of developing the parcel in question but the applicant may be amenable to a utility easement to the town.

Elizabeth May - 265 Hill Road, Southern Pines feels that if the town doesn't know if it owns land in question or if it is an easement then the application should be denied until property is defined and all options considered.

Town Manager Parsons advised the Council that this parcel is recognized right-of-way not titled land.

- Town Attorney Doug Gill advised that typically it is a right which can be transferred. He does not know if a transfer of rights can be done by a municipality to a private entity, but it could be done between two private entities.

Councilmember Pate moved to close the hearing for RA-01-22, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

Councilmember Clement moved that the proposed right-of-way vacation request is not contrary to the public interest, and that no individual owning property in the vicinity of the street or alley or in the subdivision in which it is located would thereby be deprived of reasonable means of ingress and egress to their property.

No second was made

Councilmember Petersen moved that the proposed right-of-way vacation request is contrary to the public interest, and to those individuals owning property in the vicinity of the street or alley or in the subdivision in which it is located would thereby be deprived of reasonable means of ingress and egress to their property.

No second was made.

Discussion ensued.

Tim Carpenter advised the Council that the applicant is happy to return at a later date to give the town time to research the issue.

Councilmember Clement withdrew her motion.

Doug Gill advised that it is unclear if the town has ever accepted the right-of-way since the area was platted before it was part of the town.

Councilmember Petersen withdrew her motion and moved to continue the public hearing to the Town Council Work Session April 25, 2022, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

c. Ordinance #1971 - PD-01-22 Ace Hardware CDP (Continued from March 8th Meeting)

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.

This hearing is a continuation from March 8th.

Councilmember Petersen moved to re-open the hearing for PD01-22, seconded by Councilmember Pate; the vote was unanimous.

Motion passed.

Planning Director BJ Grieve presented the planning staff review to the council. New airport comments were received late yesterday/early today and they withdrew their opposition to the project upon reviewing the modified design.

Planning Grieve noted that a correction to the packet needs to be made: watershed allocation needs to be 12.62 not 8.63.

Randy Saunder of 26 Goldenrod Drive, Southern Pines, is the applicant and spoke of the project and their vision of the area.

Bob Koontz of Koontz Jones Design, on behalf of the applicant, presented an overview of the proposed project and answered questions from the Council.

Discussion ensued.

Councilmember Pate moved to close the hearing for PD-01-22, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

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 recommendations attached to staff report PD-01-22, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

Councilmember Pate moved to approve PD-01-22 as submitted and as modified in attachments to staff report PD-01-22 and also to grant 12.62 acres of Water Supply Watershed Exemption Allocation to the proposed development, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

d. Ordinance #1981 - OA-01-22 Text Amendments to the Unified Development Ordinance

The Town of Southern Pines Administration Department is proposing to amend the Unified Development Ordinance (UDO) with a variety of text amendments per UDO §2.17.

The proposed amendments are to replace references to “caliper” with “diameter breast height (DBH)” in UDO §4.3.13(B); to add a definition for “Caliper” and “Diameter Breast Height (DBH)” in UDO §9.3; and to remove UDO §8.14.1(C) which limits the number of successive complete terms that a member may serve on the Board of Adjustment.

Mayor Pro Tem Murphy moved to open the hearing for OA-01-22, seconded by Councilmember Pate; the vote was unanimous.

Motion passed.

Planning Director Grieve reviewed the proposed UDO text amendments for the Council.

Councilmember Pate moved to close the hearing for OA-01-22, seconded by Mayor Pro Tem; the vote was unanimous.

Motion passed.

Councilmember Pate moved that after considering the criteria for text amendments found in the UDO §2.17.10, the first of which is consistency with the Comprehensive Long Range Plan, the Town Council finds that the requested text amendments are consistent with the Comprehensive Long Range Plan and are a reasonable way to implement the Comprehensive Long Range Plan and therefore the Town Council adopts the Resolution as adopted by the Planning Board that is included as an attachment to the staff report for OA-01-22. The motion was seconded by Mayor Pro Tem Murphy and the vote was unanimous.

Motion passed.

Councilmember Pate motioned to approve OA-01-22, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

e. PD-04-22 St. John Paul Catholic School CDP

Mr. Pete Bogle has submitted a Conceptual Development Plan application to allow a private school, athletic fields, cemetery, rectory and religious institution. The subject parcels are currently zoned RE (Rural Estate) and are identified as PARID 00038409, 00991755, and 10001608.

Councilmember Clement moved to open the hearing for PD-04-22, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

Planning Director Grieve reviewed the application and staff report for the Council.

Discussion ensued.

Pete Bogle of Bogle Firm Architecture from Salisbury, NC, representing the applicants, handed out an updated CDP to the council and presented the proposed project to the Council.

Discussion ensued.

Tom VanCamp of 1680 Midland Road, Southern Pines spoke in favor of the development and feels the applicant has made real effort to address the Planning Board's concerns. Mr. VanCamp feels the project could fall under the Town's UDO 5.1.5 = Religious Institutions as an existing religious institution.

Lloyd Sullivan of 225 Pine Barrens Court, Southern Pines

Mary Flynn of 145 Old Clubhouse Lane, Southern Pines gave her support of the project and thinks the new plans will enhance the property. Ms. Flynn feels another Catholic church is needed and that St. Anthony's and Sacred Heart are often full to capacity at service.

Lucy Parsons of 241 Calloway Place, Southern Pines disapproves of the insulting manner in which some are addressing the Council.

Reverend John Forbes, VF of 75 Sawmill Road West, Pinehurst, is the pastor of Sacred Heart Church, the dean of the Fayetteville Deanary, and the administrator of St. John Paul II School, representing the Bishop. St. Anthony's due to it's location and the local population is very overcrowded and is one of the reasons the church has been proposed for the site.

Another issue is parking at St Anthony's which, because it is located in downtown, we are not able to expand. There is also an existing cemetery onsite and the Church hopes to connect that with the church.

John Donnahue, Head of School at St. John Paul School spoke to the Council about the schools' effort to be good neighbors and said that they love the neighborhood and character and don't want to change it.

Kelly Miller of 301 Grove Road, Southern Pines addressed the Council sharing that he sold property to the church. Mr. Miller is concerned about the traffic increase and asks that additional traffic studies need to be done. Mr. Miller feels that with time and effort, everyone can come to an agreement to make the project work.

Andy Petesch from Petesch Law is representing James and Francis Curry of 141 Pine Barrens Court. Mr. Petesch respectfully requests a continuation due to the late hour and detailed presentation by the applicant. Mayor Haney asked Mr. Petesch if he had spoken with all present who were not in favor of the project to see if they agreed to the continuance and he indicated that he had received confirmation from all present.

Chris Smithson of 920 N. Saylor Street, Southern Pines spoke to the Council regarding the history of the property and project as he remembers it.

Councilmember Clement moves to continue the hearing for PD-04-22 to the scheduled Town Council Business Meeting on May 10, 2022 at 6:00 pm. The motion was seconded by Mayor Pro Tem Murphy and the vote was unanimous.

Motion passed.

6. ACTION ITEMS

a. AR-07-22 210 West Pennsylvania Avenue

Neal Smith Engineering, Inc. requests approval of an Architectural Compliance Permit to renovate a 3,100 square foot commercial restaurant, located at 210 West Pennsylvania Ave.

Councilmember Pate moved to approve AR-04-22: 210 West Pennsylvania Ave., seconded by Mayor Pro Tem; the vote was unanimous.

Motion passed.

b. AR-08-22 265 Turner Street

Chick-fil-A, Inc. requests approval of an Architectural Compliance Permit for a 4,948

square foot commercial restaurant at 265 Turner Street. The northwest side of this parcel is located in the Town of Aberdeen. The Architectural Compliance Permit is only for the remaining part of the parcel that is located in the jurisdiction of the Town of Southern Pines.

Councilmember Pate moved to approve AR-04-22: 265 Turner Street, seconded by Councilmember Petersen; the vote was unanimous.

Motion passed.

c. Presentation of a Proposed Municipal Service District

As discussed at the March 28 work session, a Municipal Service District is proposed in the area between W. Morganton Rd. and 15-501. Staff will present additional details.

Town Manager Parsons presented the proposal to the Council as he did at the March 6th Agenda Meeting. The Municipal Service District report is available to view online as part of the meeting packet or at the Clerks office. A public hearing will be scheduled to be held on May 10th at the Town Council Business Meeting.

7. CONSENT AGENDA

Town Manager Reagan Parsons reviewed the consent agenda.

Councilmember Petersen asked for a revision to the March 28, 2022 Town Council Work Session Minutes and asked that Marsh Smith's public comments concerning conservation easements be included. Minutes will be revised by the Town Clerk prior to publishing. Council agreed.

Councilmember Pate motioned to approve the Consent Agenda with Councilmember Petersen's correction to the March 28, 2022 Town Council Work Session minutes, seconded by Mayor Pro Tem Murphy. The vote was unanimous.

Motion passed.

a. Adopt Resolution Defining a Proposed Municipal Service District and Calling For a Public Hearing on May 10th

Council will receive public comments on the proposed Municipal Service District on May 10.

b. Adopt Ordinance #1974 to Amend the FY 21-22 Operating Budget for Fire

c. Adopt Ordinance #1975 to Amend the FY 21-22 Operating Budget for Police

d. Adopt Ordinances to Transfer \$50,000 from the Recreation Budget to CPF- Recreation Improvement Fund for the Whitehall Master Plan

- Ordinance #1976

- Ordinance #1987

e. Adopt Ordinances to Transfer \$98,736 from the Utility Fund to PW Bldg. Reno Upfit Project Budget

- Ordinance #1977

- Ordinance #1979

f. Ordinance #1982 - Amend the FY 21-22 Utilities Operating Budget to Transfer \$552,000 Retained earnings for the Purchase of a Sewer Vacuum Truck

The utility department had anticipated the replacement of a replacement sewer combination truck (also referred to as a vacuum or jet truck) in FY 22-23. In monitoring the pricing and delivery times, staff feels there is a benefit to ordering before the end of this fiscal year using the available retained earnings. Staff requests authorization to proceed with this order.

g. Approve Budget Amendments to Fund the McDeeds Creek Streambank Stabilization Project

- **Ordinance #1983 - Streambank Transfer Funds**
- **Ordinance #1984 - Amend Streambank Stabilization Budget**
- **Ordinance #1985 - Amend Nick's Creek Project Fund**
- **Ordinance #1986 - Amend General Capital Reserve Project Budget**

The McDeeds Creek streambank runs directly behind the Town's Police and Fire Stations and has created increasing erosion problems, which are impacting the Town's infrastructure. Staff has received bids and recommends transferring \$526,484 to CPF 50 to fund the full scope that was bid.

h. Adopt Updated Water and Wastewater Capital Improvement Plan

Staff plans to submit various water and sewer projects for funding through the upcoming Division of Water Infrastructure's ARPA Spring 2022 Funding round. Applications for the funding are due May 2, 2022. The program is competitive where the highest scoring projects will receive funding. Additional points can be obtained with a current CIP that has been adopted within 2 years of the Application date.

i. Adopt Project Resolutions for NCDEQ SRF/ARPA Funding

Staff plans to submit various water and sewer projects for funding through the upcoming Division of Water Infrastructure's ARPA Spring 2022 Funding round. Applications for the funding are due May 2, 2022. A project resolution approved by Council must be submitted with each project application to be considered complete (staff plans to have these submitted for the April 12 packet). In consultation with funding specialists, the following projects have been identified from the Town's CIP as likely to score the best and have the highest likelihood of receiving funding.

1. Resolution #1005 Southern Pines Water Treatment Plant, Modernization - Phase 2 Project
2. Resolution #1006 Sanitary Sewer Rehabilitation and Replacement Projects
3. Resolution #1007 Water System Asset Inventory and Assessment
4. Resolution #1008 Sanitary Sewer System Asset Inventory and Assessment

j. Approve Extension of Lease with 305 Trackside to October 31, 2023

Staff recommends extending the expiration date and terms of the current lease with 305 Trackside and will discuss this recommendation with Council.

k. Adopt Financial Assistance Policy for Youth Recreation Programs & Athletics

The recreation department occasionally receives requests from parents/guardians seeking financial assistance for their children to participate in youth recreation programs and athletics. Staff has developed a draft policy which includes guidelines for review and approval so these requests can be evaluated in a fair and consistent manner.

l. Appoint A. Parks Cobb, Jr. to the Planning Board

Mr. A. Parks Cobb Jr. has applied to be appointed to the Extraterritorial Jurisdiction (ETJ) position on the Town of Southern Pines Planning Board. This position was previously held by Dr. Ben Greene, whose term ended March 11, 2022. The Planning Director recommends that Mr. A. Parks Cobb, Jr. be considered for appointment to serve on the Planning Board for his first term, which will expire on April 11, 2025.

m. Issue Arbor Day Proclamation

Town of Southern Pines Arbor Day celebration will be held on April 29, 2022, with the planting of a Summerset Red Maple at the Whitehall tract.

n. Approve Town Council Meeting Minutes for March 2022

- **March 2, 2022 Town Council Agenda Meeting Minutes**
- **March 8, 2022 Town Council Business Meeting Minutes**
- **March 28, 2022 Town Council Work Session Minutes**

8. ADJOURNMENT

Councilmember Pate feels that if the Council continues to hold a public comment period at the start of the meeting, then those comments dealing with an item on that meeting's agenda should be held till the time of the public hearing.

Mayor Pro Tem Murphy is not sure of the time limits on public comments.

Upon a motion by Councilmember Petersen, seconded by Mayor Pro Tem Murphy and carried unanimously, Council adjourned at 11:47 pm.

Respectfully submitted:

Elizabeth Robertson, Town Clerk



MINUTES

Monday, April 25, 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. Adopt Asset Management Plan for the Water Treatment Plant

Staff plans to submit various Water Treatment Plant (WTP) projects for funding through the upcoming Division of Water Infrastructure's ARPA Spring 2022 Funding round. Applications for the funding are due May 2, 2022. The program is competitive where the highest scoring projects will receive funding. Additional points can be obtained for implementing an Asset Management Plan (AMP) that covers the infrastructure that funding is being requested for. The Town's contract operator, SUEZ, has an AMP but for the points to be claimed, it must be formally adopted by Council. The AMP is complex and SUEZ is working diligently to format the AMP to meet NCDEQ's requirements, it may not be ready for the April 12 meeting. If it is not completed by then, it will be brought to the April 25 Work Session meeting.

Town Engineer James Michel presented the requested resolution to the Council.
Discussion ensued.

Councilmember Pate moved to approve the resolution to Adopt an Asset Management Plan for the Water Treatment Plant, seconded by Mayor Pro Tem Murphy. The vote was unanimous.

Motion passed.

b. RA-01-22 Request to Abandon a Section of Hill Crest Road

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. A public hearing was held and closed on April 12, 2022 and Council discussion and action was continued to the April 25 Work Session.

The public hearing for RA-01-22 is continued from the Town Council Business Meeting on April 12, 2022.

Town Engineer Michel was present for the Council's questions.

Tim Carpenter of LKC Engineering for applicant was present for the Council's questions.

Councilmember Petersen addressed the Council regarding the ownership and valuation of the property.

Discussion ensued.

Town Attorney Doug Gill indicated that he was unclear as to how the Town could apply a valuation to this property.

Mayor Pro Tem Murphy feels the context being argued is wrong.

Discussion ensued.

Mr. Carpenter advised that the applicant has not spoken to the Department of Transportation regarding this matter as they do not feel the Department has any right to the property.

Discussion ensued.

Pro Tem Murphy made a motion to continue the public hearing RA-01-22 to the May 23, 2022, Town Council Work Session, seconded by Councilmember Clement; the vote was unanimous.

Motion passed.

4. COUNCIL UPDATES AND DISCUSSION

a. Electric Vehicle Charging Stations

Local business, Go Pines, LLC, has approached the Town about partnering to provide the infrastructure for electric vehicle charging stations at various Town parks and facilities as well as in the downtown district. Owner Chris Hopfensperger will be present to provide more information on the proposal.

Chris Hopfensperger presented a partnership proposal on behalf of his company, Go Pines.

Discussion ensued.

There was consensus among Council that they like the idea and directed staff to explore the idea more thoroughly and return with a more refined proposal and research on the project.

There was a question as to whether the partnership proposal should be put out to bid. Town Attorney Gill said that it was not necessary and was unsure as to how that would be structured, since there is not a clear idea of what the Town wants provided.

b. Consider Condemning the Unsafe Structure at 875 Clark Street and Authorizing the Expenditure of \$9,850 for Demolition Work

Chief Building Inspector John Bullock and Code Enforcement Officer Lisa Webb request

that Council condemn this unsafe structure and authorize the expenditure to proceed with demolition. Consideration of this request will be included on the May 10th business meeting agenda, unless Council prefers otherwise.

Asst. Town Manager Jessica Roth reviewed the request for the Council.

There was discussion between Council and staff about the procedures for recovering the money that is spent by the Town on demolishing these properties.

Discussion ensued.

c. Consider Condemning the Unsafe Structure at 891 W. Pennsylvania Ave. and Authorizing the Expenditure of \$29,500 for Demolition Work

Chief Building Inspector John Bullock and Code Enforcement Officer Lisa Webb request that Council condemn this unsafe structure and authorize the expenditure to proceed with demolition. Consideration of this request will be included on the May 10th business meeting agenda, unless Council prefers otherwise.

Asst. Town Manager Jessica Roth reviewed the request for the Council.

Mayor Pro-Tem Murphy shared his concerns about demolishing the property given its potential historic significance. He would like to further confirm if the community prefers to demolish it or attempt to fix it up.

Councilmember Clement inquired if there is an opportunity to clean up the property while preserving some historical impact.

Discussion ensued.

There was consensus among Council to revisit this request at the May 23, 2022 Work Session Meeting so some of these issues could be further clarified.

d. Proposed Recreation & Parks Fee Schedule: FY 22-23

Staff has reviewed the existing Recreation & Parks fee schedule and will present recommendations for FY 22-23.

Recreation & Parks Director Cindi King presented her department's recommendation on proposed updates to the Recreation & Parks Fee Schedule. Any updates would become effective with FY 22-23 and/or the fall programming season.

Discussion ensued.

e. Rounds Park Play Equipment

Discuss options for donating or disposing of old play equipment at Rounds Park.

Town Manager Parsons presented the request to Council. There was consensus to move forward with this donation.

f. FY 22-23 Draft Budget Update

Town Manager Parsons presented the updated budget to Council containing some revised figures and the changes that Council requested be made at the budget retreat.

g. Definition(s) of neighborhood

During review and approval of the Patrick's Pointe multi-family development, there was considerable discussion regarding what constitutes a neighborhood. Topics included the

boundaries of a neighborhood, the overall size of a neighborhood, and characteristics of a neighborhood. Planning staff has been asked to provide Town Council a variety of definitions of “neighborhood” as a catalyst for continued discussion at the April 25, 2022 Work Session.

Planning Director BJ Grieve addressed Council regarding the definition(s) of 'neighborhood'. Councilmember Petersen would like a definition of boundaries in reference to 'neighborhood' with the recognition as to what boundaries are and that the boundary is not included in the neighborhood, just as major highways and railroads are not part of a neighborhood.

Mayor Pro Tem Murphy cautioned about limiting boundaries when neighborhoods are right next to each other.

Discussion ensued.

h. Discussion Regarding Large Scale Multi-Family Development

moratoriums and alternative approaches to addressing concerns

Town Manager Parsons and Planning Director Grieve spoke to the Council regarding the staff findings on moratoriums and alternative approaches to addressing concerns surrounding multi-family developments.

Discussion ensued.

Council requested that UDO amendments be drafted and proposed to the Planning Board at their May meeting.

i. Council Agenda Protocol

Council discussion regarding any desire to further formalize the Agenda setting process via adoption of a policy

Town Manager Parsons addressed the Council regarding the current protocol for including items on agendas. He wanted to confirm if Council is agreeable with the current, somewhat informal protocol or if there is a desire to draft a written protocol, Councilmember Petersen is comfortable with the Town's current informal process. Councilmember Pate and the remaining councilmembers agreed to continue as with the current procedure.

5. ADJOURNMENT

Upon motion by Councilmember Petersen, seconded by Mayor Pro Tem Murphy and carried unanimously, the Council adjourned at 5:53 pm.

Respectfully submitted:

Elizabeth Robertson, Town Clerk

MEMORANDUM

To: Reagan Parsons, Town Manager
From: James Michel, PE, MBA, Town Engineer/Assistant Public Works Director
Re: Consolidation of Water Systems Serving The Carolina Development
Date: May 18, 2021

RECOMMENDATION

Staff recommends that Council analyze the merits of consolidating the water systems for The Carolina, currently served by both Moore County and the Town of Southern Pines, to a single system served by the Town.

BACKGROUND

Moore County Public Utilities currently operates a satellite water system in the older sections of The Carolina development located off Airport Road. All the customers on this satellite system are within the Town's corporate limits and the system is supplied through a master meter connection to the Southern Pines Water System. The newest sections of the Carolina Development have been extending Town water lines to serve the new properties as required in the most recent development approvals CUP. This has led to several locations where Town and County lines are parallel to each other and several of the upcoming phases of the project will result in additional parallel lines.

In a letter dated April 26, 2021, The Carolina developer requested that the Town and County work together to consolidate the two systems into a single Town water system. The developer benefit from this consolidation as it reduces the length of new water mains that must be extended to serve future phases of the development. In exchange, the developer has offered to provide the improvements listed in his letter to limit the Town's costs associated with the requested change-over and to improve the hydraulics of the water systems.

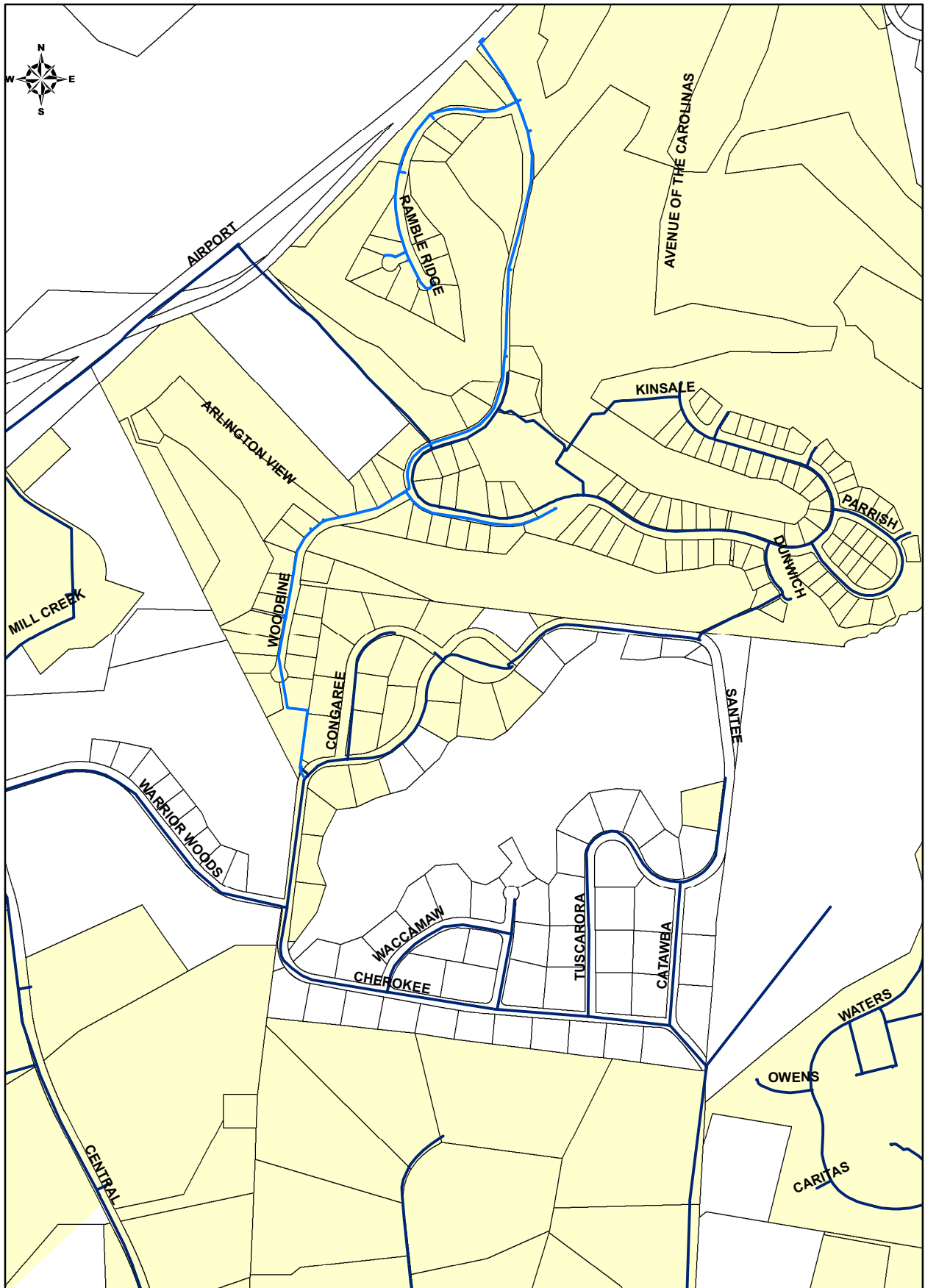
The parallel systems are undesirable due to inefficiencies and complexities in system operations and future maintenance and confusion among residents. This is further exacerbated given that residents have different rate structures depending on which system serves their home. It should be noted that while the County and Town water rates are very similar, a current customer on the County's system would see an increase of \$0.05/month after transitioning to the Town's system (based on an average use of 5,000 gallons/month).

In addition to the operational concerns, the County's system also falls within the Town's Fire District, but was developed prior to current fire flow requirements and has limited capability to meet current standards. The developer proposes installing an additional loop and additional interconnection with the Town's system, which will improve the system hydraulics and fire flow in the older sections.

NEXT STEPS

Staff requests direction from Council on forwarding a request to the Moore County Commissioners to approve this transfer. If Council desires, staff will draft a resolution to review at the June 2nd agenda meeting, followed by a vote at the June 8th business meeting. The Town would then forward the approved resolution to the County Commission for their consideration.





The Carolina Water System

Legend

- The Carolina Water Mains
- TOSP Water Mains
- Tax Parcels
- TOSP City Limits

April 26, 2021

James Michel
Town of Southern Pines
Town Engineer/Asst. Public Works Director
140 Memorial Park Ct.
Southern Pines, NC 28387

RE: Caropines
Water Line Transfer Request

Mr. Michel,

Over the past few months, my clients, Caropine Ventures, LLC and 71st Partners, LLC, have been working with the Town on a Utility Master Plan for the future phases of The Carolina development. This study has included a detailed investigation of the potential public water service options for the project. As you are aware, Moore County Public Utilities provides water service for some customers within the Carolina, mostly in the original sections of the development. The Town of Southern Pines water services serve and will serve, the new and future phases of The Carolina development. Because of this unique situation, parallel water utility lines (Moore County and Town of Southern Pines) will be required to provide water service to future phases.

Since the Caropines approval for the Planned Development (PD) zoning and the Conceptual Development Plan, the entirety of the property has been annexed into the Town of Southern Pines. Having water provided by a single entity would be more efficient for the residents of The Carolina and avoid duplication of water infrastructure for future phases. Caropine Ventures, LLC and 71st Partners, LLC would request that the Town of Southern Pines work with Moore County Public Works to transfer ownership of the existing Moore County water lines within The Carolina development to the Town of Southern Pines.

At such time as this system would be transferred to the Town of Southern Pines, Caropines Ventures, LLC would agree to provide the following modifications to the system to meet compliance standards with the Town's water system.

- Replace the register so the meters will work with the Town's billing system. There are currently 42 meters on the County's system. Town staff has estimated that the replacement of the registers, including materials and labor, will be \$216.04/meter for a total cost of \$9,073.68. Upon approval of the transfer request by the Town Council, the developer will deposit this amount with the Town, prior to the request being forwarded to the County Commissioners. If the Commissioners decide to reject the transfer request, then the money will be returned to the developer.
- Fire hydrants will be raised and painted to meet the standard Town of Southern Pines colors of green and white. This work will be included in the first site plan to be approved after acceptance of the Transfer request by the County Commissioners.



- An additional water line will be connected from Airport Road to a location on Ramble Ridge as discussed with the Town previously. In addition, a connection between the Town and existing County system will be required just north of the clubhouse where the Town's system currently ends. The design of these connections and extension will be required to be included with the first site plan submittal to be approved after acceptance of the Transfer request by the County Commissioners.

We appreciate your consideration of this request and would be happy to answer any questions you may have regarding this request. Please contact me at (910) 639-4058 if you would like to discuss this request.

Best regards,

A handwritten signature in black ink, appearing to read "Rt E. Koontz", with a stylized flourish at the end.

Robert E. Koontz
Principal

cc. Randy Gould, Moore County Public Works
Reagan Parsons, Town Manager, Town of Southern Pines

**STATE OF NORTH CAROLINA
MOORE COUNTY**

CONTRACT

THIS CONTRACT for the transfer of the water supply system is entered into as of the ____ day of _____, 2022, between the **TOWN OF Southern Pines** (hereinafter referred to as "Town"), and the **COUNTY OF MOORE**, (hereinafter referred to as "County").

WITNESSETH:

WHEREAS, the County is a body politic duly organized and existing under the laws of the State of North Carolina; and

WHEREAS, the Town is a municipal corporation duly organized and existing under the laws of the State of North Carolina; and

WHEREAS, the Town, among its other functions, operates a water supply and distribution system serving water users within its boundaries; and

WHEREAS, the County owns and operates a water supply and distribution system in Caropines subdivision, formerly known as "The Carolina", as described in that certain Non-Exclusive Easement For Water System, recorded in book 1406, page 92, Moore County Registry; and

WHEREAS, the Town currently owns and operates a water supply and distribution system serving water users adjacent to the County's water supply and distribution system in Caropines subdivision; and

WHEREAS, the Town currently supplies all the water to Caropines, including the sale of water to the County; and

WHEREAS, County and Town recognize that their interests as well as the interests of residents and owners of property within Caropines will be better served by a single entity managing, operating and maintaining the water supply service within Caropines Subdivision; and

WHEREAS, County and Town have agreed that Town can efficiently provide water supply and distribution to Caropines Subdivision; and

WHEREAS, the County and the Town have agreed upon certain terms regarding the transfer of County's Caropines water supply distribution system to Town, including but not limited to infrastructure; contract and easement rights; associated water customer accounts; and revenues therefrom, and now desire to set forth the terms of their agreement; and

WHEREAS, by a Resolution originally adopted by the Moore County Board of Commissioners at its meeting on _____, the sale of said water supply distribution system to the Town as provided herein was approved, and the execution of this Contract by the County was duly authorized; and

WHEREAS, by Resolution adopted by the Board of Commissioners of the Town of Southern Pines at its meeting on _____, the purchase of said water supply distribution system from the County as provided herein in the amended agreement was approved, and the execution of this contract by Town was duly authorized;

NOW THEREFORE, in consideration of the foregoing and the mutual agreements hereinafter set forth, the parties Agree as follows:

1. County shall transfer all rights and interests in the infrastructure for said water supply distribution system serving customers in Caropines Subdivision, Southern Pines, North Carolina, and shall execute any and all necessary documents for transfer.
2. Upon transfer of the water supply distribution system, the Town shall assume all responsibility for managing, operating and maintaining said system, and shall be entitled to all revenues from date of transfer.

3. Upon transfer, County shall have no continuing obligation to manage, operate and maintain said water distribution system.
4. Upon transfer, Town shall be entitled to revenues for all water services provided to customers from date of transfer and shall be liable for all expenses thereof; County shall be entitled to any accrued revenues for all water services provided to customers prior to the date of transfer and shall be liable for all expenses accrued therefor prior to transfer to the Town.
5. Transfer shall constitute acceptance of the infrastructure and County shall have no continuing obligation for repair, replacement and/or maintenance thereof.

WITNESS WHEREOF, the parties hereto, acting under authority of their respective governing bodies, have caused this contract to be duly executed in duplicate counterparts, each of which shall constitute and original.

Executed by the Town of Southern Pines this ____ day of _____, 2022.

ATTEST:

BY: _____,
_____, Town Clerk

TOWN OF SOUTHERN PINES

BY: _____

Certificate of Town Finance Officer

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Town of Southern Pines Finance Officer

Executed by Moore County, State of North Carolina this ____ day of _____, 2022.

ATTEST:

BY: _____
Laura M. Williams, Clerk to Moore County
Board of Commissioners

Moore County Board of Commissioners

BY: _____
Frank Quis, Chairman

Certificate of Moore County Finance Officer

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Moore County, Finance Officer

**TOWN OF SOUTHERN PINES RESOLUTION #1010
AUTHORIZING THE TOWN MANAGER TO EXECUTE INSTRUMENTS FOR
ACQUISITION OF COUNTY INTERESTS IN WATER DISTRIBUTION
SYSTEM SERVING CAROPINES**

WHEREAS, the Town of Southern Pines and the County of Moore have agreed upon terms regarding the transfer to the Town of the the water supply system operated by the County within the Caropines subdivision, a draft of which including all of the substantive terms is attached;

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southern Pines at its regular business meeting held on May 10, 2022 that:

- 1.) The town manager is authorized to execute the necessary instruments, including the attached agreement, to acquire the interests of the County in the distribution systems serving the Caropines subdivision and to assume those obligations that arise from the agreement as attached.
- 2.) The resulting consolidation of the water distribution systems serving Caropines will serve the interests of the Town of Southern Pines, the County of Moore, and their residents as well as those of the Caropines subdivision.

Adopted this 10th day of May, 2022.

ATTEST:

TOWN OF SOUTHERN PINES

Elizabeth Robertson, Town Clerk

Carol R. Haney, Mayor

I certify that this resolution was adopted by the Town Council of the Town of Southern Pines at its meeting of May 10, 2022 as shown in the minutes of the Town Council for that date.

Elizabeth Robertson, Town Clerk

TOWN OF SOUTHERN PINES ORDINANCE #1992
AMENDING PEEDEE/PENNSYLVANIA ROAD LINE REPLACEMENT PROJECT BUDGET

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

Section 1: The project authorized is for the purpose of upgrading the existing 10” waterline with a 16” transmission main.

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

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

Design and Construction	<u>\$1,000,000.00</u>
Total Additional Project Appropriation	<u>\$1,000,000.00</u>

Section 4: The following additional revenue is anticipated to be available for this project:

Transfer In – Utility Fund	<u>\$1,000,000.00</u>
Total Additional Project Revenues	<u>\$1,000,000.00</u>

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

Section 6: This amended ordinance becomes effective May 10, 2022.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of May 10, 2022 as shown in the minutes of the Town Council for that date.

Elizabeth Robertson, Town Clerk

**TOWN OF SOUTHERN PINES ORDINANCE #1991
AMENDING THE 2021/2022 FISCAL YEAR BUDGET
(CP PEEDEE/PEN LINE)**

BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Southern Pines in regular session assembled this 10th day of May, 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>
Utility Fund	Transfer to – CP PeeDee/Penn Line	60-770-7400	\$ 1,000,000.00	
Utility Fund	Retained Earnings Appropriations	60-397-6000	\$ 1,000,000.00	

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of May 10, 2022 as shown in the minutes of the Town Council for that date.

Elizabeth Robertson, Town Clerk