



AGENDA

Monday, September 26, 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

2. TOWN MANAGER'S COMMENTS

3. PUBLIC HEARINGS

a. Continued Public Hearing for PD-04-22: St. John Paul CDP

Mr. Pete Bogle of Bogle Firm Architecture has submitted an application for a Planned Development District – Conceptual Development Plan to allow a private school, athletic fields, cemetery, rectory and religious institution. The subject parcels are currently zoned RE (Rural Estate). This is a continuation of a public hearing that was originally opened on April 12, 2022 and has been continued multiple times at the request of both the applicant and neighbors.

4. ACTION ITEMS

a. Consider Written Decision for PD-10-22: Morganton Park North Phase 9

Staff has prepared a formal Written Decision document for the application PD-10-22 Morganton Park North that was approved by the Town Council at the September 13th, 2022 Regular Meeting.

b. Consider Lease Agreement with Go Pines, LLC for Electric Vehicle Charging Stations

Staff has worked with local business Go Pines, LLC, to develop a lease agreement to provide the infrastructure for electric vehicle charging stations at Reservoir Park as well as in the downtown district (Bennett St. parking lot). Notice of the proposed lease has been provided in accordance with NCGS §160A-272.

5. COUNCIL UPDATES AND DISCUSSION

a. Discussion Regarding Planning Department Protocol

Update regarding Planning Recommendations on applications and possible Council action

b. Code of Ordinances Administrative Updates: Library Fee Schedule

As part of the administrative updates to the Town's Code of Ordinances, staff has reviewed the Library's fee schedule, located in Chapter 98. Staff will review the recommended revisions.

c. Code of Ordinances Administrative Updates: Public Works Fee Schedule

As part of the administrative updates to the Town's Code of Ordinances, staff has reviewed the Public Works fee schedule, located in Chapter 50. This is not a schedule that is generally assessed to the general public, but rather when the department has to perform billable work and the Town's expenses

should be recouped. Staff will share some approaches with how an update could be addressed for this schedule.

d. Solid Waste Contract

Staff released an RFP for solid waste services, as the current contract with GFL expires on June 30, 2023. GFL submitted a proposal and Republic submitted a "no bid," stating they were uncomfortable with the volume of yard debris that must be collected and disposed through this contract. After reviewing GFL's submittal, staff recommends entering into negotiations with GFL to finalize a five-year contract to begin July 1, 2023. Staff will share details of GFL's proposal, including pricing and some anticipated changes to service.

e. Revenue Replacement Projects

During the Town Council's retreat for the FY 22-23, it was agreed that Council would revisit a number of capital projects this fall for possible funding from the ARPA revenue replacement. Staff will provide the most recent updates and recommendations.

6. 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: September 26, 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 (Since April, 2022):

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, was attached to previous versions of this report for the Town Council's reference.

On May 10, 2022, the public hearing regarding the proposed rezoning to PD-Planned Development was reconvened. Two residents of the adjoining Pine Barrens subdivision spoke in opposition to the project. Mr. Andrew Petesch, an attorney with Curry, Sullivan & Bissett spoke at length in opposition to the project on behalf of his client, a resident of Pine Barrens. Mr. Petesch submitted a 20-page document to the Town Council containing a summary of his client's opposition to the project and an analysis of the UDO and CLRP. Mr. Tom Van Camp, of Van Camp, Meacham & Newman spoke on behalf of the applicants, followed by Father John Forbes (applicant representative). Finally, Dr. Tom Daniel spoke regarding horse behavior and the importance of horse country. Finally, Mr. Pete Bogle, presenting the applicants, was asked by the Town Council if he, his clients and Mr. Van Camp would please work with Mr. Petesch and the residents of Pine Barrens that he represents, to resolve some of the outstanding issues and come to agreement. Both sides agreed to this, and requested a continuance to the June 14, 2022 Town Council regular business meeting. The Town Council granted this request.

Details of the May 10, 2022 public hearing are available in the Town Council's minutes of that meeting. A copy of Mr. Andrew Petesch's presentation to the Town Council, as well as Mr. Bogle's revised CDP application document, has been added to the attachments to this report, along with all other previous documentation from the original application and the April 12, 2022 hearing, for the Town Council's reference.

On May 18, 2022 Planning staff received a revised copy of the application form for PD-04-22. The revised application form specifically excludes high schools as a possible use and ensures consistency of proposed allowable land uses with those already listed in Section 5.1 of the proposed CDP text. On May 26, 2022, Planning staff was informed by Messrs. Bogle and Petesch that a mediation meeting between the parties had been scheduled for June 6, 2022 and that no new information or CDP text or map modifications would be submitted prior to that date. Since the deadline for staff reports and packets for the June 14, 2022 Town Council meeting was June 1, 2022, additional information regarding mediation efforts was not included in the packet for the June 14, 2022 continued public hearing.

On June 7, 2022, Planning staff received a written request from Pete Bogle and Tom VanCamp, representing the applicant, for a continuance from the June 14, 2022 Town Council meeting to the July Town Council meeting. At the June 14, 2022 Town Council meeting, this request for an additional continuance was granted.

On June 29, 2022, Planning staff received an email from Pete Bogle, representing the applicant, requesting an additional continuance from the July 12, 2022 Town Council meeting to the August 9, 2022 Town Council meeting. The reason for the additional continuance was to continue to work in good faith with neighbors towards an amicable resolution of their concerns. Recent correspondence as a result of attempts at mediation had introduced new issues needing additional time to resolve. Planning staff informed Mr. Bogle that the Town Council would be made aware of the additional continuance request at the July 6, 2022 Agenda Meeting so that a formal decision regarding a continuance of

the public hearing could be made at the July 12, 2022 Town Council meeting. An additional continuance was granted at the July 12, 2022 Town Council meeting.

On July 26, 2022, Planning staff contacted Pete Bogle via email asking if the applicants had any additional information to be submitted for inclusion in the staff report and packet for PD-04-22. Mr. Bogle responded on the same day that the applicants planned to make a presentation at the August 9, 2022 meeting, but that no additional materials would be submitted prior to the meeting. After the staff report was completed, on July 29, 2022, upon planning staff's request, the applicant provided planning staff with the latest version of a CDP site plan that was the result of ongoing mediation with neighbors. A copy of this July 29, 2022 working version of the CDP site plan was attached to previous versions of this report for reference.

On August 3, 2022, Mr. Petesch (the attorney with Curry, Sullivan & Bissett representing neighbors of the proposed development) emailed planning staff to inform the town that he would be requesting the Town Council grant another continuance on behalf of his clients. After some email correspondence between Mr. Petesch, Mr. Bogle and planning staff, on August 5, 2022 the applicants agreed to support a request for a continuance to the September 13, 2022 Town Council Regular Meeting. At the August 13, 2022 Town Council Regular Meeting application #PD-04-22 was continued again to the September 13, 2022 Regular Meeting.

On August 30, 2022, planning staff contacted the applicants to ask if any additional materials should be added to the application packet. Mr. Bogle responded that everything the applicants wished to provide in support of their application would be presented at the September 13, 2022 Town Council Regular Meeting. Any information received by planning staff from applicants, neighbors, or anyone else in regards to PD-04-22 following completion of the staff report on August 30, 2022 will be provided to the Town Council at the September 13, 2022 continued public hearing.

On September 13, 2022, the Town Council reconvened the public hearing on PD-04-22. Mr. Bogle (at this point, we know the characters of this story) reviewed the final revisions to the CDP site plan made since the last hearing. A copy of the list from which Mr. Bogle was reading is attached to this staff report, as well as a copy of the final CDP text and maps as presented to Town Council on September 13, 2022. After reviewing the many changes made by the applicants, Mr. Bogle asked for Town Council's approval and concluded his presentation. Mr. Petesch began a Powerpoint deck (attached to this report), then introduced Mr. Kiker again, who presented his own Powerpoint deck (attached to this report) and spoke at length about his remaining concerns with CLRP consistency, development scale, noise and what he thinks would be an appropriate development. At this point, a fair bit of continued back and forth with Reverend Forbes and Messrs. Bogle and Petesch took place. At the end, Jamie Pecha who lives on Camp Easter Road addressed the Town Council in support of the project because of the overall greater good she believes it will bring to the neighborhood. The Town Council really wants the folks on Camp Easter Road to sort this all out themselves, so a motion was made and seconded to continue the hearing to the September 26, 2022 Work Session and the motion passed unanimously.

On September 19, 2022, Mr. Bogle emailed planning staff with a variety of attachments to forward to Town Council. A copy of the email listing and explaining the attachments, as well as the attachments, are all attached to this report. The text of Mr. Bogle's email is copied into this report as follows:

"Good afternoon, BJ

Please see these attached documents and forward to the Town Council:

~ StJP2 CDP Outline:

This document is an outline of the revisions to the current CDP plan and narrative, including the most recent revisions, supporting documentation, and a description of the mediation process. This document is not part of the official CDP submittal but is there to point out the revisions made, give reasons for those revisions, provide supporting documentation, and also provide an outline of the Mediation and revision process.

~01 StJP2 PDD CDP revised 091922

This is the finalized CDP narrative that becomes the zoning text and conditions required for the future development of this PD district.

~02 StJP2 Application and Support Documents 091922

This file contains the required applications, support documents, etc. that make up the rest of the CDP full submittal, other than the drawings. There were no revisions in this document since May.

~03 StJP2 CDP Site Plans revised 091922

These are the master plan drawings that define the allowable development of the properties

The revised narrative and drawings were submitted to Pine Barrens on September 15th. We worked to get these final revisions made and offered back to Pine Barrens only 2 days after the Council meeting on 9/13.

I received a call from Mr. Petesch this afternoon who said that he had no consensus from the Pine Barrens group at this time. I informed him that we would still be submitting this for you to distribute so that Town Council members had time to review prior to the September 26th meeting. I offered that we are open to minor revisions that could be worked out between now and the meeting a week from today.

Please let me know that you've received this."

So planning staff let Pete know we got the email.

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.

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.

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

² [zoning_landuse_chart.pdf \(austintexas.gov\)](http://zoning_landuse_chart.pdf(austintexas.gov))

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

⁴ civic use Definition: 116 Samples | Law Insider

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.

(Staff note: The Planning Board recommendation from March of 2022 is based on a dramatically different CDP, both text and maps. Numerous changes have occurred over time in response to public hearings and mediation discussions.)

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

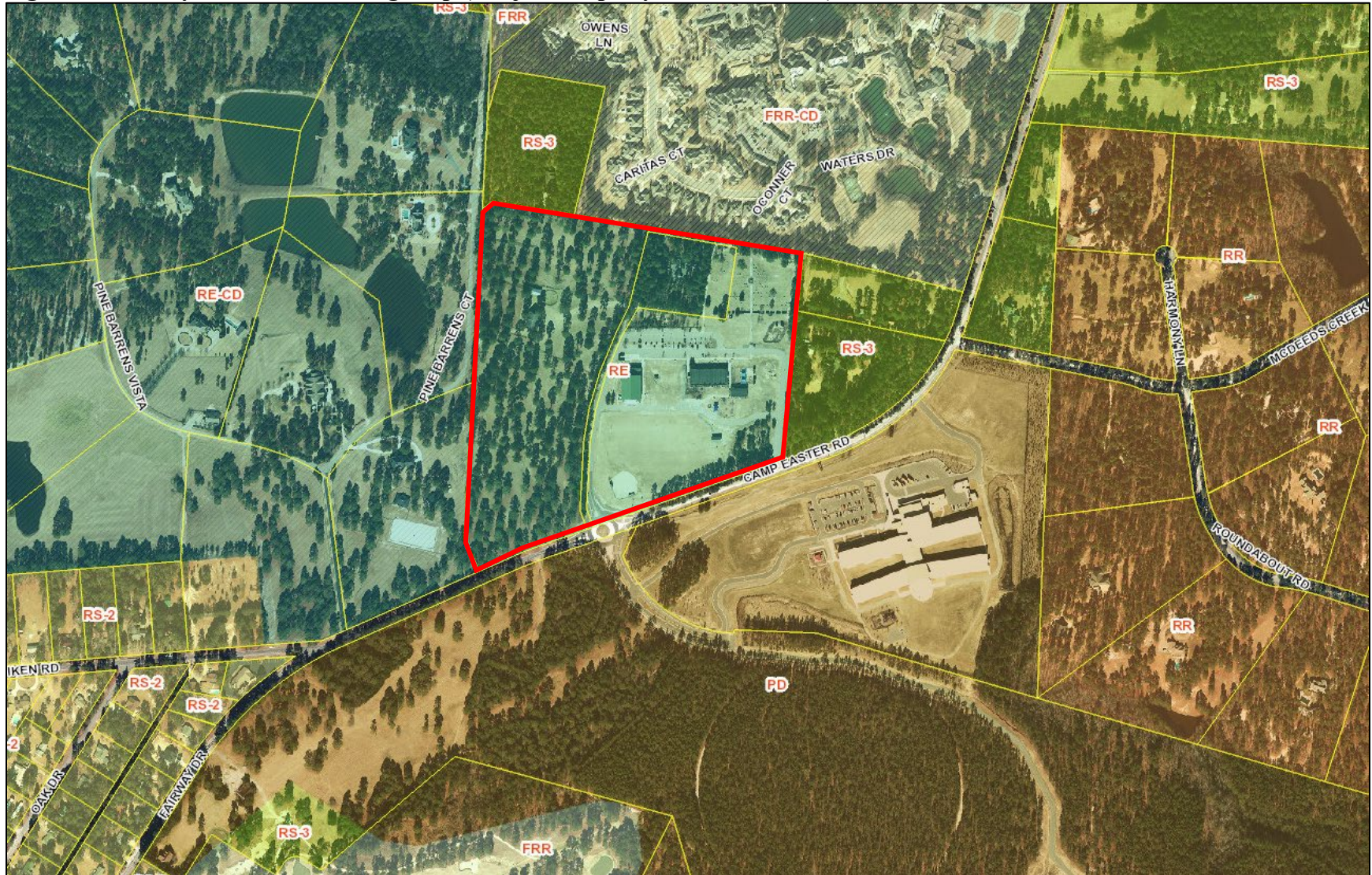


Figure 2: Aerial Image Looking Northeast at Subject Property (February 25, 2022):



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

FUTURE PHASE RECTORY
NEW CONSTRUCTION
3,500 SF

EXISTING POLE BARN STORAGE

FUTURE PHASE FIELDHOUSE
ADJACENT REAR OF EXISTING HORSE BARN

FORMER HORSE FARM
P.L. 000860
AREA: 20.82 ACRES
PROPOSED ZONING: PD
WATERSHED: W-5-B-P
FUTURE BUILD-UPON: 26.9%
APPROX. 233,000 SF IMPERV.

P.D. SIDE-YARD SETBACKS, WEST:
-MAJOR BLDG SETBACK = 100'
-MINOR BLDG SETBACK = 75'
-PARKING SETBACK = 50'
-DRIVE SETBACK = 10'

P.D. SIDE-YARD BUFFERS, WEST:
-PLANTED BUFFER = 10' ALONG IMPROVED DRIVE + 20' ON EAST SIDE OF IMPROVED DRIVE
-PARKING LOT LANDSCAPING AS REQUIRED PER UDO

LANDSCAPING AND/OR BERMS TO BE DESIGNED PER SOUTHERN PINES UDO ALONG PARKING LOT PERIMETER FACING ADJACENT PARCELS AND ALONG IMPROVED ROADWAY WITH FUTURE DEVELOPMENT OF CHURCH BUILDINGS

20' PLANTED BUFFER
10' PLANTED BUFFER

IMPROVED DRIVE TO FULL 18' DEEDED EASEMENT

PARKING LOT LANDSCAPING

MINOR BUILDINGS:
7,000 SF OR LESS

MAJOR BUILDINGS:
GREATER THAN 7,000 SF

RETAIN SCATTERED TREES WHERE NOT IN CONFLICT WITH DEVELOPMENT

PD FRONT-YARD SETBACKS:
FRONT SETBACK = 70' FROM STREET CENTERLINE & 40' FROM PROPERTY LINE, PER UDO RE DISTRICT

CATHOLIC CHURCH
FUTURE PHASE / FUTURE NEED
NOT SCHEDULED, EST. >10 YEARS
WILL REQUIRE EXTENSION OF UTILITIES ON SITE. POP WILL REQUIRE T.I.A. AND OTHER INFO.

CLASSROOM ADDITION
PHASE 2 CONSTRUCTION
FUTURE NEED
NOT SCHEDULED, EST. >10 YEARS
UTILITIES CURRENTLY ON SITE TO SERVE CLASSROOM BUILDING

SCHOOL PARCEL
P.N. 1001.826
AREA: 17.47 ACRES
PROPOSED ZONING: PD
WATERSHED: W-5-B-P
FUTURE BUILD-UPON: 26.9%
APPROX. 301,000 SF IMPERV.

PD REAR-YARD SETBACKS:
BUILDING SETBACK = 30'-0"
PER UDO RE DISTRICT

FUTURE SCHOOL / CHURCH OFFICE OR CLASSROOM USE

RECTORY PARCEL
P.N. 00991.735
AREA: 17.47 ACRES
CURRENT ZONING: RE
WATERSHED: W-5-B-P
EXISTO BUILD-UPON: 14.4%
EXISTS = 27,000 SF IMPERV.

EXISTING CEMETARY

EXISTING BIO-RETENTION DRYWELL

ADDED PARKING

EXISTING BIO-RETENTION DRYWELL

TENNIS COURTS

EXPANDED PLAYGROUND

EXISTING CONFESS.

EXISTING BIO-RETENTION DRYWELL

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

ST. JOHN PAUL II CATHOLIC SCH. II
CAMPUS PLAN
TOWN OF SOUTHERN PINES
CONCEPT DEVELOPMENT PLAN

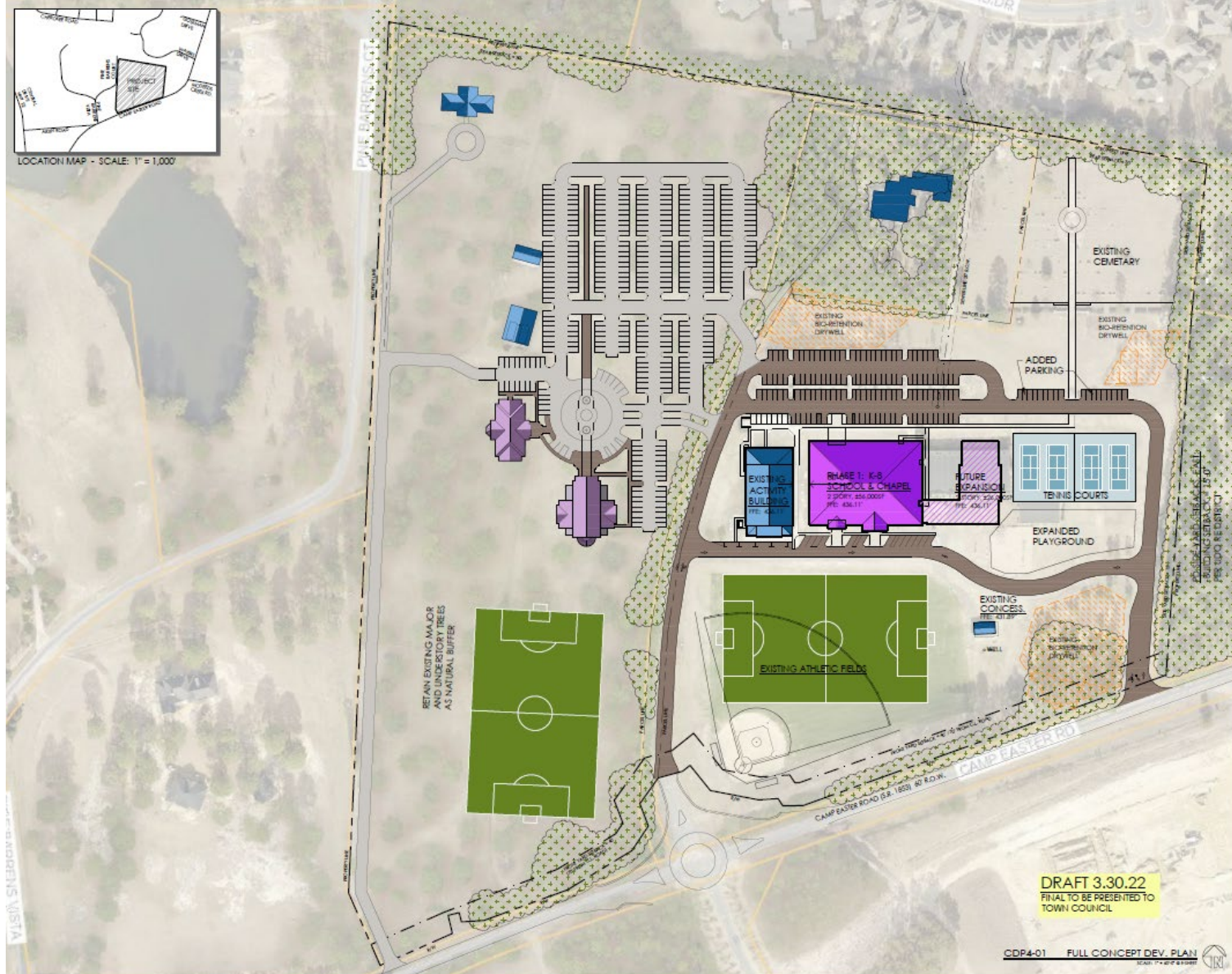
CDPA-01 FULL CONCEPT DEV. PLAN

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

SHEET NUMBER
CDP4

OR: 4

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



the BOGLE FIRM
ARCHITECTURE
1101 N. MAIN ST.
SUITE 200
SALESBURY, NC 28144
DATE: 10/24/2015
DRAWN BY: DBS
CHECKED BY: DBS
PROJECT #:

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: DBS
CHECKED BY: DBS
DATE: 4/13/22
PROJECT #:
SHEET NUMBER
CDP4

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

FORMER HORSE FARM
P.N. 00038407
AREA: 20.80 ACRES
PROPOSED ZONING: PD
WATERSHED: WS-B-P

FUTURE PHASE CHURCH DEVELOPMENT
SANCTUARY SEATING CAPACITY = 1,200
ADMINISTRATION OFFICES
CLASSROOMS
PARISH HALL

PD SIDE-YARD SETBACK & BUFFERS, WEST:
-PLANTED BUFFER = 10' ALONG DRIVE +
90' ON EAST SIDE OF DRIVE
-TOTAL 100' LANDSCAPED BUFFER
-TOTAL BUFFER SHOWN =
-PARKING LOT LANDSCAPING AS
REQUIRED PER UDO

LANDSCAPED BUFFER TO BE DESIGNED PER SOUTHERN PINES UDO
ALONG WEST PROPERTY LINE WITH FUTURE DEVELOPMENT OF CHURCH BUILDINGS. EXISTING MATURE PINES AND UNDERSTORY TREES WILL BE RETAINED AS REASONABLY AS POSSIBLE TO COUNT TOWARD BUFFER AND MAINTAIN EXISTING HORSE COUNTRY AESTHETIC.

IN UNDEVELOPED AREAS, RETAIN EXISTING MAJOR AND UNDERSTORY TREES AS REASONABLY AS POSSIBLE.

EXISTING DRIVEWAY CONNECTION TO BE IMPROVED IN FUTURE PHASE, PENDING NCDOT PERMITS AND T.L.A. IF REQUIRED.

RECTORY PARCEL
P.N. 0091735
AREA: 17.47 ACRES
CURRENT ZONING: RE
WATERSHED: WS-B-P

SCHOOL PARCEL
P.N. 10001608
AREA: 17.47 ACRES
PROPOSED ZONING: PD
WATERSHED: WS-B-P

IMPERVIOUS AREAS:
WATERSHED: WS-B-P ALLOWS MAX. 24% BUILT-UPON, AS-SHOWN = 23.97%. APPLICANT AGREES TO 24% MAXIMUM IMPERVIOUS ACROSS ENTIRE PROPERTY WITH NO POTENTIAL 5/70 EXEMPTION REQUEST.

CATHOLIC CHURCH
FUTURE PHASE 2 FUTURE NEED NOT SCHEDULED, EST. >10 YEARS WILL REQUIRE EXTENSION OF UTILITIES ON SITE. POP WILL REQUIRE T.L.A. AND OTHER INFO.

CLASSROOM ADDITION
PHASE 2 CONSTRUCTION FUTURE NEED NOT SCHEDULED, EST. >10 YEARS UTILITIES CURRENTLY ON SITE TO SERVE CLASSROOM BUILDING

PD FRONT-YARD SETBACKS:
-FRONT SETBACK = 70' FROM STREET CENTERLINE & 40' FROM PROPERTY LINE, PER UDO RE DISTRICT

PD REAR-YARD SETBACKS:
-BUILDING SETBACK = 30'-0" PER UDO RE DISTRICT

FUTURE SCHOOL / CHURCH OFFICE OR CLASSROOM USE

PROPOSED STORM WATER

EXISTING ACTIVITY BUILDING
P.N. 00038409
AREA: 17.47 ACRES
CURRENT ZONING: PD
WATERSHED: WS-B-P

PHASE 1: K-8 SCHOOL & CHAPEL
P.N. 00038409
AREA: 17.47 ACRES
CURRENT ZONING: PD
WATERSHED: WS-B-P

FUTURE EXPANSION
P.N. 00038409
AREA: 17.47 ACRES
CURRENT ZONING: PD
WATERSHED: WS-B-P

TENNIS COURTS

EXPANDED PLAYGROUND

EXISTING ATHLETIC FIELDS

EXISTING CONCRESS
P.N. 00038409
AREA: 17.47 ACRES
CURRENT ZONING: PD
WATERSHED: WS-B-P

EXISTING W/CHERRYMAN DRAINAGE

EXISTING CEMETERY

ADDED PARKING

PROPERTY LINE

BEAR SETBACK = 30'

DRIVEWAY SETBACK = 15'

PER UDO RE DISTRICT

PD FRONT-YARD SETBACKS:
-FRONT SETBACK = 70' FROM STREET CENTERLINE & 40' FROM PROPERTY LINE, PER UDO RE DISTRICT

PD REAR-YARD SETBACKS:
-BUILDING SETBACK = 30'-0" PER UDO RE DISTRICT

EXISTING DRIVEWAY CONNECTION TO BE IMPROVED IN FUTURE PHASE, PENDING NCDOT PERMITS AND T.L.A. IF REQUIRED.

SCALE: 1" = 40' @ 8" X 11"

CDP4-01 FULL CONCEPT DEV. PLAN

BOGLE FIRM ARCHITECTURE
11016 MAIN ST. PATE@boglefirm.com
SUITE 200 www.boglefirm.com
SALISBURY, NC 28144 JUL 26, 2015
PUBLICATION OF THIS SET OF DRAWINGS IS THE SOLE RESPONSIBILITY OF THE ARCHITECT.
CONSULTANT OF RECORD FOR THE PROJECT.

PHASE 1 CAMPUS PLAN
TOWN OF SOUTHERN PINES
CONCEPT DEVELOPMENT PLAN

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

CDP4-01 FULL CONCEPT DEV. PLAN
Scale: 1" = 40' & 80'

CDP3
OR 4

BOGLE FIRM ARCHITECTURE
11016 MAIN ST. PATE@boglefirm.com
SUITE 200 www.boglefirm.com
SALISBURY, NC 28144 JUL 26, 2015
PUBLICATION OF THIS SET OF DRAWINGS IS THE SOLE RESPONSIBILITY OF THE ARCHITECT.
CONSULTANT OF RECORD FOR THE PROJECT.

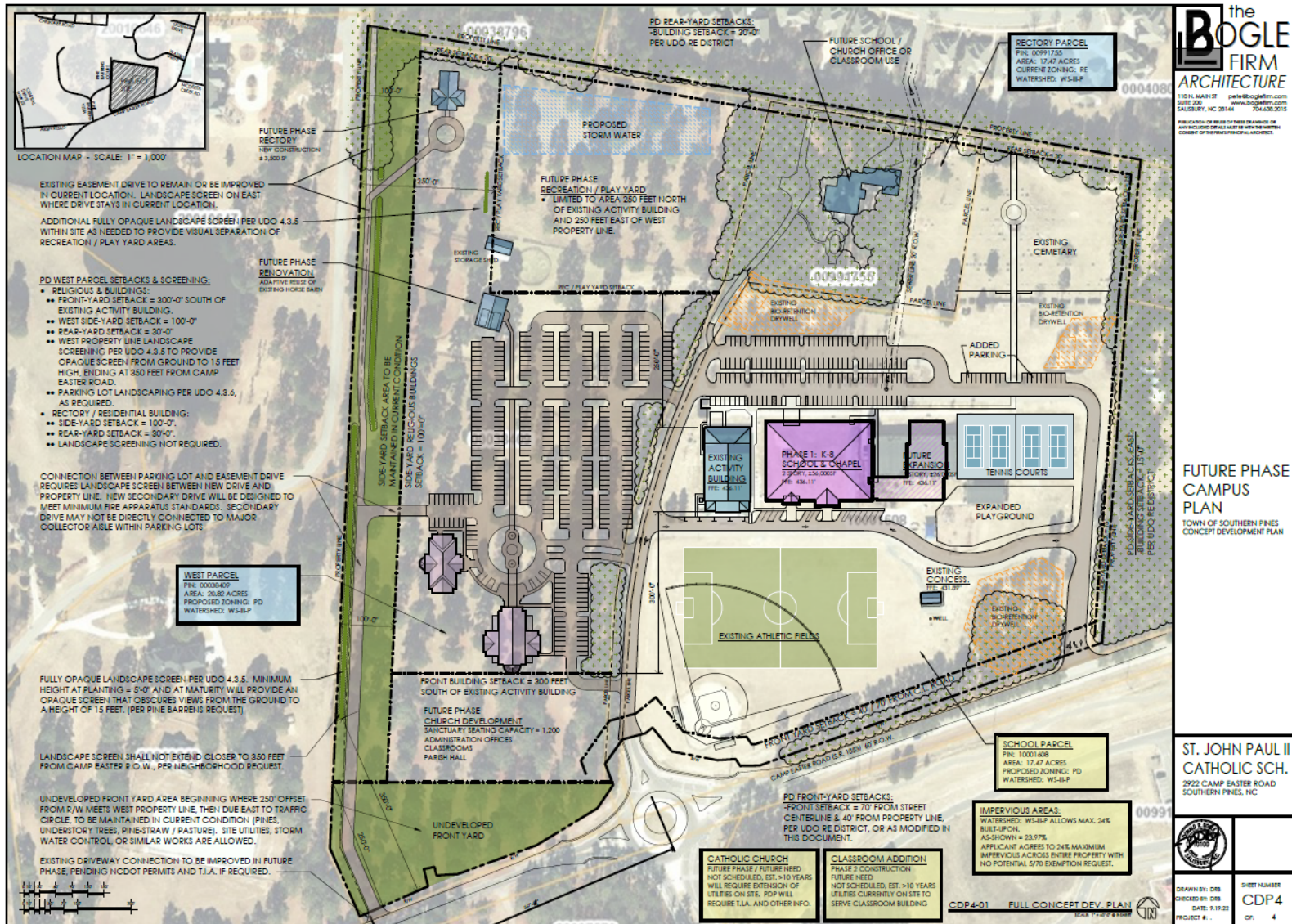
PHASE 1 CAMPUS PLAN
TOWN OF SOUTHERN PINES
CONCEPT DEVELOPMENT PLAN

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

CDP4-01 FULL CONCEPT DEV. PLAN
Scale: 1" = 40' & 80'

CDP3
OR 4

Figure 7: Conceptual Development Plan Layout (Received by Town Staff via email on September 19, 2022):



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 to...)
- Town Council Regular Meeting: May 10, 2022 (continued to...)
- Town Council Regular Meeting: June 14, 2022 (continued to...)
- Town Council Regular meeting: July 12, 2022 (continued to...)
- Town Council Regular Meeting: August 9, 2022 (continued to...)
- Town Council Regular Meeting: September 13, 2022 (continued to...)
- Town Council Work Session: September 26, 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 were attached to previous versions of 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 were attached to multiple previous versions of 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. Deviations from the UDO have been addressed in multiple previous versions of this staff report. The final version of the CDP and the applicant's list of changes made over the last seven months is attached to this report.

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:

Previous versions of this staff report have explained the original submittal going back to March of 2022 and changes made over time. So much has changed since the original submittal that this report relies on those previous reports as evidence of changes over time. This report presents the latest version of the CDP as presented at the September 13, 2022 public hearing and as further revised and submitted by the applicant via email to planning staff on September 19, 2022, all of which are attached to this report.

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 report. Previous versions of the PD-04-22 staff report have lots, and lots, of information and documents attached from seven months of public hearings.

1. Original Planning Board Resolution from March 24, 2022. (Staff note: This resolution is based on a dramatically different CDP proposal due to numerous changes over the last seven months.)
2. Pete Bogle's September 13, 2022 Town Council presentation notes regarding changes to the CDP. This list covers changes from March 24, 2022, April 12, 2022, May 10, 2022, June 6, 2022, June 8, 2022 and final revisions presented to Town Council on September 13, 2022.
3. "Final" revised CDP, text and maps as distributed to Town Council at September 13, 2022 hearing.
4. Andrew Petesch Powerpoint deck from September 13, 2022 hearing.
5. Adam Kiker Powerpoint deck from September 13, 2022 hearing.
6. Pete Bogle's email to planning staff following September 13, 2022 hearing, with attachments referenced in email.

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 further 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.

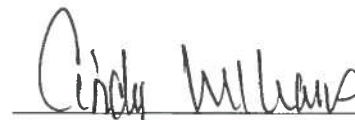
AND, THEREFORE, BE IT FURTHER RESOLVED that there were no additional matters considered by the Planning Board as a basis for a recommendation of denial to the Town Council regarding PD-04-22:

ADOPTED this the 24th day of March, 2022.



Gary Carroll, Chairman

ATTEST:



Cindy Williams
Secretary to the Planning Board

StJP2 – List of Revisions per Pine Barrens requests

- **Neighborhood Meeting to Planning Board Meeting (3.24.22)**
 - Church was shown near Camp Easter Road. Provided more information on screening.
 - Setback and landscape buffer along west property line was not shown on plans at Neighborhood Meeting. Added following setback and landscaping requirements
 - Major Building setback = 100 feet (over 7,000 sf)
 - Minor Building setback = 75 feet
 - Parking setback = 50 feet
 - 10' planted buffer from property line to driveway easement
 - 20' planted buffer along east side of easement
 - Note that landscaping and/or berms must meet UDO around parking lots and along development facing adjacent properties
 - Parking lots were large to accommodate church requirements. Provided more information on required screening, following SP standards.
 - Additional information on traffic provided
 - PD rezoning was intentionally used to minimize the future allowable use on the property to greater protect the neighbors and was intentionally used to give the neighbors a stronger voice during public deliberations.
- **Planning Board Meeting (3.24.22) to Town Council Meeting (4.12.22)**
 - Revised church location per request. Pushed back on site.
 - Revised parking lot location to connect with existing school parking that can be used for overflow, will minimize total parking needed, and will provide additional traffic pattern options.
 - Revised impervious surface approach. Stated that 5/70 request will not be allowed, thus capping the allowable impervious surface maximum at 24%.
 - Added 100' planted buffer along west property line. This is consistent with UDO 5.15 and with PD to Residential buffer approved for McDeeds Creek Elementary School across the street.
 - Per UDO standards, this buffer will require over 1,600 plants and takes up approximately **4.5 acres of property (confirm)**
 - Added building setback of 100 feet along west property line. This replaced the previous major and minor building setbacks.
 - Added that buffer is required for athletic fields also – not just at church buildings and parking lots.
 - Added sidewalks connecting uses on site per UDO and Staff comment
- **Town Council Meeting 1 to Town Council Meeting 2 (5.10.22)**
 - Did not present during this meeting
- **Mediation Meeting (6.6.22)**
 - Many requests made in nearly 8 hours of mediation – summarized in post-mediation notes below.

- **Post Mediation Revisions (6.8.22)**

- The following revisions were made per specific requests during the Mediation.
 - Athletic fields reduced to Recreation fields / Play Areas intended for infrequent use and not for formal games with spectators, etc.
 - Connection between easement driveway and church parking will be as required by Fire Marshal.
 - Stop planted buffer south of Currie's stable. This request was to give the horse a visible connection to any generated sounds.
 - Increase to 175' setback to Commercial Buildings (not rectory).
 - Other setbacks and unbuildable areas defined in revised CDP write up.
 - Maximum roof height of 60 feet.
 - New lighting to be warm temperature color
 - Light at property line to be 0.5 footcandles (we already offered 0 fc).
 - Request to plant full visual barrier landscape SCREEN per UDO 4.3.5. Acceptable if in lieu of 100' planted buffer. Setbacks to remain as described above.
- These requests were deemed either without merit or unreasonable and were rejected or adjusted during mediation.
 - Eliminate all athletic fields. *Modified to change these to Play Areas to help assure that these would not be set up for or used as competitive sports with spectators and confirmed no lighting.*
 - Eliminate connection to easement road. *Modified to connection as required by Fire Marshall*
 - West parcel to meet 50 year stormwater requirements instead of 10 year storm per UDO. *This request was arbitrary and without merit. No stormwater issues currently exist. UDO requires all stormwater for 10 year storm be handled on site. Soils are very sandy and well drained. Existing slopes do not shed stormwater from the planned developed areas of the site toward neighbors. Increasing to the 50 year storm would be very costly and would take up more site areas as storm water basins would significantly increase in size.*
 - Reduce capacity of Sanctuary to maximum of 600 people. *Unacceptable request. Reason for building new sanctuary would be negated if size was limited to half of what the church sees need to build. If Catholic population requires a 1,200 seat sanctuary and they're only allowed to build 600 seats, then more Masses would have to be offered, thus increasing the traffic times on every Sunday.*
- These requests were sent from Pine Barrens after Mediation:
 - Move recreation area to north portion of west parcel. *Parking needs to be connected between church and existing school parking to remain under 24% impervious and provide a secondary traffic pattern that does not connect to the existing west driveway easement.*
 - Catholic school children are prohibited from using the recreation areas on the west parcel. *The school currently uses this property for cross-country running and other activities. Pine Barrens has not lodged any complaints to date.*
 - Requesting both an opaque screen per UDO 4.3.5 and a landscape buffer per 4.3.4. *No need for both if 4.3.5 establishes the 100% visual opaqueness that they're requesting.*

- Increased requested landscape buffer from 100 feet as previously discussed to 150 feet. *UDO would require 100 feet per 5.15.6 (based on shown approximate size of proposed church buildings). McDeeds Elementary PD to Res approved at 100 foot buffer.*
- No functional belltower allowed. *This request is made specific to not disturbing one horse. No other noise ordinances are currently in effect around any of the rest of the properties.*
- Request 25 year storm requirements. *This is less than 50 year that was requested during mediation, but still is without merit, without engineering backup, and without proof of any current stormwater flooding issues or even topography that drains stormwater toward Pine Barrens.*

- **FINAL Revisions (9.13.22)**

- Athletic Fields were redefined to “Recreation fields / Play Areas”
 - Intent is to limit noise concerns
- Recreation / Play Area was relocated on site plan
 - Moved to north area of site
- Setbacks:
 - West side yard setback was established as 100 feet from the property line or as calculated by UDO 5.15.6 based on final size of church buildings – whichever is greater.
 - Front setback was established as 300 feet south of the south elevation of the existing Activity Building.
 - An additional Undeveloped Front Yard area was established as the intersection of the west property line and a point 250’ from the Camp Easter Road ROW, along an eastward line to the traffic circle
 - Undeveloped Front Yard and West Setback areas will be maintained in current condition (pines, understory trees, pasture grass) to maintain the appearance of the former horse farm.
- Landscape Screening
 - Full visual barrier landscape SCREEN per UDO 4.3.5 in lieu of 100’ planted buffer described in UDO 4.3.4.
 - Landscape Screen will be provided along western property line for the entire Church Development
 - Neighbor request to end landscape screen at 350 feet from Camp Easter Road ROW. This request was to give the horse a visible connection to any generated sounds
 - Church offers to plant landscaping screen on the west side of any portion of the west driveway to be connected to the proposed new parking lots.
- Site Lighting
 - Lighting color temperatures will be no greater than 4,000 degrees Kelvin (warmer lighting is preferred)
 - Lighting levels from new site lighting will not exceed 0.5 fc above existing ambient lighting at adjacent property lines
 - No Athletic Field lighting is allowed.
- Other Conditions
 - Athletic Fields were redefined to “Recreation fields / Play Areas”
 - Intent is to limit noise concerns
 - Recreation / Play Yard
 - Location must be 250 feet north of the north façade of the existing Activity Building and 250 feet east of the west property line.
 - Recreation / Play Yard shall be screened from view from Pine Barrens parcels either by existing vegetation, landscape screen along property line, or additional landscape screening within the site.
 - Recreation / Play Yard shall not be designed, constructed, or otherwise treated as fully defined permanent sports fields

- Attempted defining what sports, practices, etc. could be played and which groups would or would not be allowed to use the area. In the end, it's a NOISE CONCERN
 - Sound levels from Recreation / Play Yard activities may not exceed 65 dB at the west property line.
 - This gives a METRIC for neighbors to use and something tangible for objectively identifying what noise level is too loud
 - Examples:
 - Human Normal Conversation = 60-65 dB at 3 feet
 - At 250 feet = 27 dB
 - Power tools = 100 dB at 3 feet
 - At 250 feet = 61.6 dB
 - Athletic lighting is not allowed for the Recreation / Play Yard.
- Undeveloped Areas and Setbacks
 - Defined Undeveloped Areas and Setbacks must be maintained in current condition (pines, understory trees, pine-straw / pasture grass)
 - Site utilities, storm water control, or similar works are allowed in these areas.
- Church bells (actual or recorded) are allowed in conjunction with church services but will not be allowed for regular chiming of the time.
- Height of spires are unlimited per UDO 4.2.1 (I). Objects located on top of a spire may not be taller than 10 feet or wider than 6 feet.

-----REVIEW CDP NARRATIVE -----

-----REVIEW SITE PLANS-----



Planned Development District
Conceptual Development Plan
REVISED for TOWN COUNCIL, 9.13.22

Prepared for:

St. John Paul II Catholic School
Campus Master Plan

Submitted by:

Pete Bogle, AIA, LEED-AP
Principal Architect / Owner
Bogle Firm Architecture

and

Tony Bornhorst
Lead Project Manager
Rhetson Companies, Inc.

Received at
9/13/22 T.C. Hearing
-BS

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~~ **Recreation fields / play area** 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~~ **Recreation fields / play area** / 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** tucked back into 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** a 100-foot buffer and setback will be provided along the western property line. Buffer will be 10 feet from property line to easement/driveway, and then 90 feet east of the easement a continuous landscape screen per UDO 4.3.5 will provide visual screening to the adjacent parcels west of the church development. This screening will be planted along east side of the existing deeded easement road that runs along the western property line where the existing drive is left in its current location and is not connected to the proposed new parking areas. Where connected to new church parking lots, the drive will be improved, widened per UDO standards, and will require landscape screening between neighboring parcels and the new drive. Landscape screen was requested by the adjacent neighbors during the Mediation meeting on 6/6/22. This landscape screen will be installed in lieu of a landscaped buffer area referenced in UDO 5.15.6 and described in UDO 4.3.4. Landscape screen, as described in UDO 4.3.5, will provide an opaque visual screen from ground to 15 feet high. Setback along the western property line will be 100 feet minimum or as calculated by UDO 5.15.6, based on the final size of the proposed church buildings, whichever is greater.

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 on Area = 9% Impervious

Built-Up on / 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%~~ 24% Impervious Maximum

- ~~Note: 5/70 Exemption will be required for WS-III-P compliance once built upon areas exceed 24%.~~
- **Note: The Applicant agrees not to pursue a 5/70 Exemption for the identified church and school development.**

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)
- **Building Setbacks:**
 - Front Yard **[School Development]** = 40 feet from ROW / 70 feet from centerline of Camp Easter Road (RE)
 - **Front Yard (Church Development)** = established as a line, 300 feet south of and running parallel to the front façade of the existing Activity Building.
 - Side Yard, West, **Church Buildings** = 50 feet to Parking, 75 feet to Minor Buildings, 100 feet to Major Buildings (major/minor as defined by 5.15 = 7,000-sf) 100 feet minimum or as calculated by UDO 5.15.6, based on the final size of the proposed church buildings, whichever is greater
 - Side Yard, West, Residential Buildings = ~~30 feet~~ 100 feet. This approximately 1.59 acre area will remain undeveloped in its current condition, which reflects its former use as a horse pasture.
 - Side Yard, East = 15 feet (RE)
 - Rear Yard = 30 feet (RS3)
- **Development Setback:**
 - **Front Yard (Church Development)** = No play yards, athletic fields, structures, or other permanent development (other than utilities and stormwater control devices) will be allowed in the Undeveloped Area identified on the Site Plan, from the ROW at Camp Easter Road to a point 250 feet perpendicular from this ROW and intersecting with the easement drive (~~same point as identified as the end of the Landscape Screen~~), and then running along and east/west line until meeting the ROW at the traffic circle. This approximately 1.57 acre area will remain undeveloped in its current condition, which reflects its former use as a horse pasture.
- **Buffers Landscape Screening:**
 - Existing 18' easement must be maintained along west property line **in the existing location or as revised**. 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.~~
 - Where existing easement is not connected to new church parking, drive may be improved and landscape screen per UDO 4.3.5 will be provided along the east side of the existing drive. Decorative

landscaping may also be provided along the west side of the existing drive as space limitations allow.

- Where new drive is connected to proposed church parking lots, drive will be improved to meet UDO / Fire Marshal standards and will be moved eastward into the site enough to provide area for a landscape screen per UDO 4.3.5 to be west of the new drive, providing visual screening to the adjacent parcels along the western property line.

- ~~Side Yard, West = 10 feet landscaped buffer from property line to drive~~
- Side Yard, West = ~~20-90 feet landscaped buffer on east side of improved drive for~~ a total of 100 feet of landscaped buffer along the west property line adjacent to development. Landscape Screen per UDO 4.3.5 will be installed beginning at the north-most point of any Church Development (buildings, recreation/play yard, or parking lots) and continuing as described above ~~along the east side of the existing easement to a point 350~~ 350 feet off of the Camp Easter Road ROW. Per UDO 4.3.5, landscape screen will be visually opaque from ground to 15 feet tall at maturity. This screening type and layout was requested during Mediation meetings with neighbors on June 6, 2022.
- Implementation: Buffers Landscape Screen will be constructed with the construction of the future church, parking, or athletic field recreation field / play-yard development.

- Lot Size, Density, and Lot Width (per RE)
- Landscaping: per UDO requirements except as follows
 - Buffers / Landscape Screening for PDD as established above.
 - NOTE: Proposed ~~buffer landscape screening~~ at west property line is based on ~~UDO Exhibit 4-2 buffer UDO 4.3.5 and 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. is based on a similar buffer between the PD development at McDeed's Creek Elementary School and the adjacent Residential District. is provided as requested by neighbors during Mediation meeting, June 6, 2022.~~
 - Buffers / Landscape Screening will become required with development activity per parcel.
 - West buffer will be required with development of church and parking lot and athletic recreation field.
 - 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. **Existing and new parking at School will count toward the Diocese required parking numbers.** Parking areas will be designed with curb and gutter **only** 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
 - **Lighting color temperatures will be in a warm-range (maximum 4,000 Kelvin) per request by neighbors during Mediation meeting 6/6/22.**
 - **Lighting levels from new site lighting will not exceed 0.5 fc above existing ambient lighting at adjacent property lines.**
- 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 buildings ~~but will not be required to~~ **and will** 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 / Landscape Screening and Setbacks are as established above.

○ Other Conditions

- Recreation / Play Yard
 - Location must be 250 feet north of the north façade of the existing Activity Building and 250 feet east of the west property line.
 - Recreation / Play Yard shall be screened from view from Pine Barrens parcels either by existing vegetation, landscape screen along property line, or additional landscape screening within the site.
 - Recreation / Play Yard shall not be designed, constructed, or otherwise treated as fully defined permanent sports fields.
 - Sound levels from Recreation / Play Yard activities may not exceed 65 dB at the west property line.
 - Athletic lighting is not allowed for the Recreation / Play Yard.
- Undeveloped Areas and Setbacks
 - Defined Undeveloped Areas and Setbacks must be maintained in current condition (pines, understory trees, pine-straw / pasture grass)
 - Site utilities, storm water control, or similar works are allowed in these areas.
- Church bells (actual or recorded) are allowed in conjunction with church services but will not be allowed for regular chiming of the time.
- Height of spires are unlimited per UDO 4.2.1 (I). Objects located on top of a spire may not be taller than 10 feet or wider than 6 feet.

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) 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.
- d) The CDP establishes setbacks and buffers to minimize impact to adjacent residential properties.
- e) 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-Upon / Impervious areas calculate to approximately 9%.
- Built-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% 24% Impervious Maximum
 - ~~Note: 5/70 Exemption will be required for WS-III-P compliance once built-upon areas exceed 24%.~~
 - **Note: The Applicant agrees not to pursue a 5/70 Exemption for the identified church and school development.**

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 TRANSPORTATION PLAN:

Responses to Conceptual Transportation Checklist from UDO Appendices

- 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 Hwy 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 Kimly 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.*

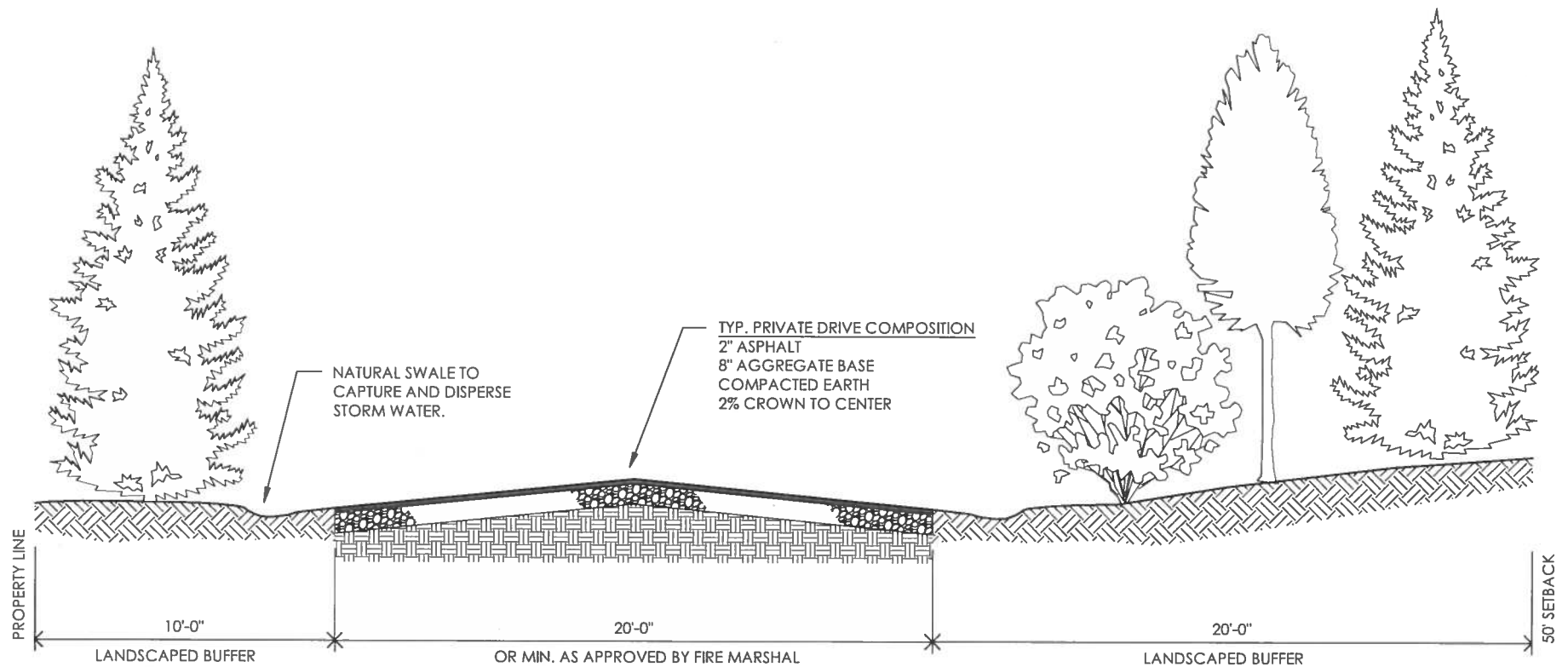
School Development will not require any transportation facility improvements. Proposed transportation improvements will be implemented with the Church Development phase of the proposed CDP.

- 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



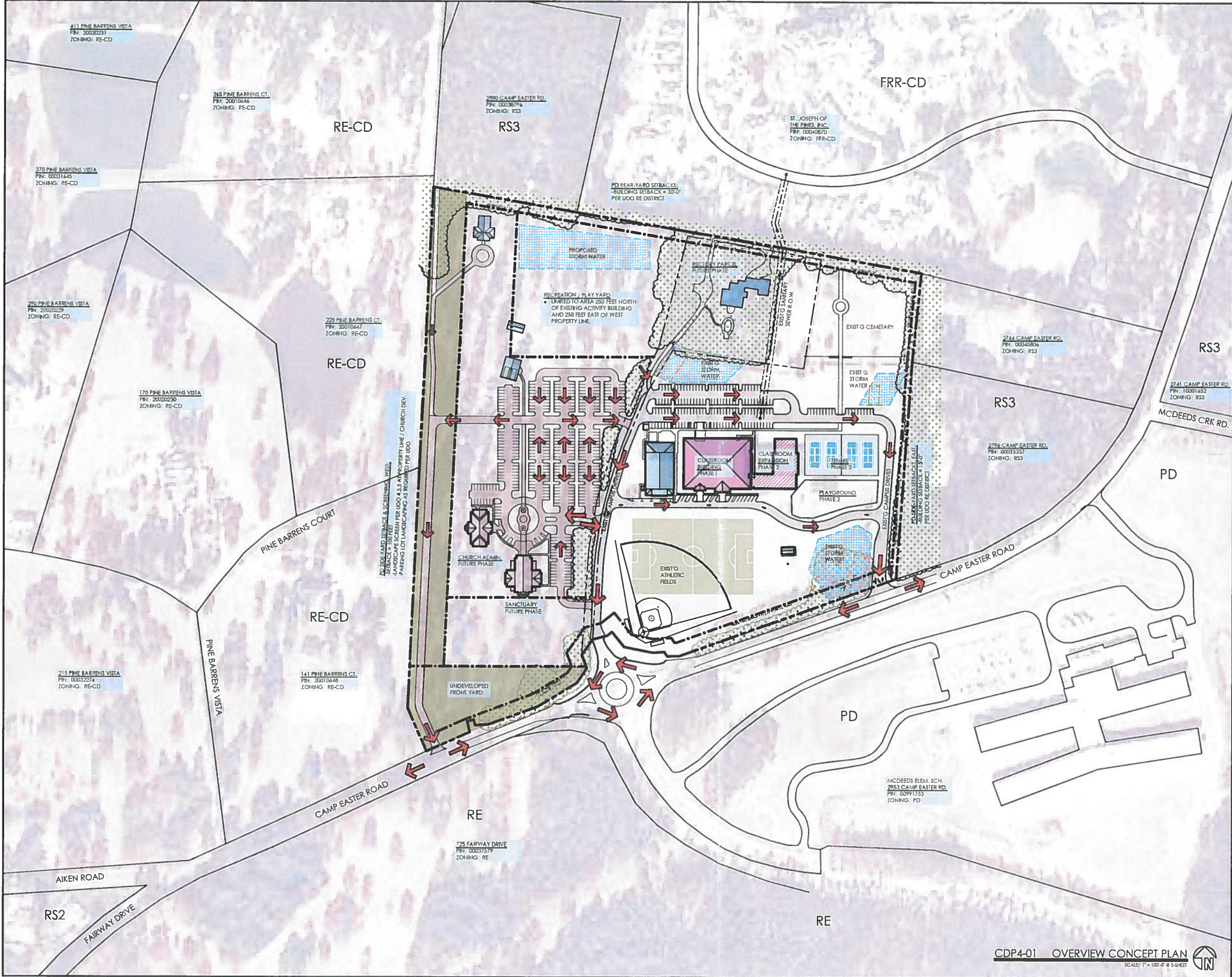
CTP1 PRIVATE DRIVE SECTION

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

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.



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SALISBURY, NC 28144

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www.boglefirm.com
704.638.2015

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**OVERVIEW
CONCEPT
PLAN**

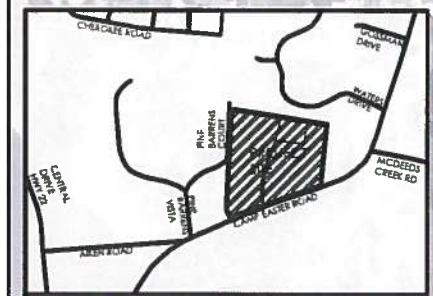
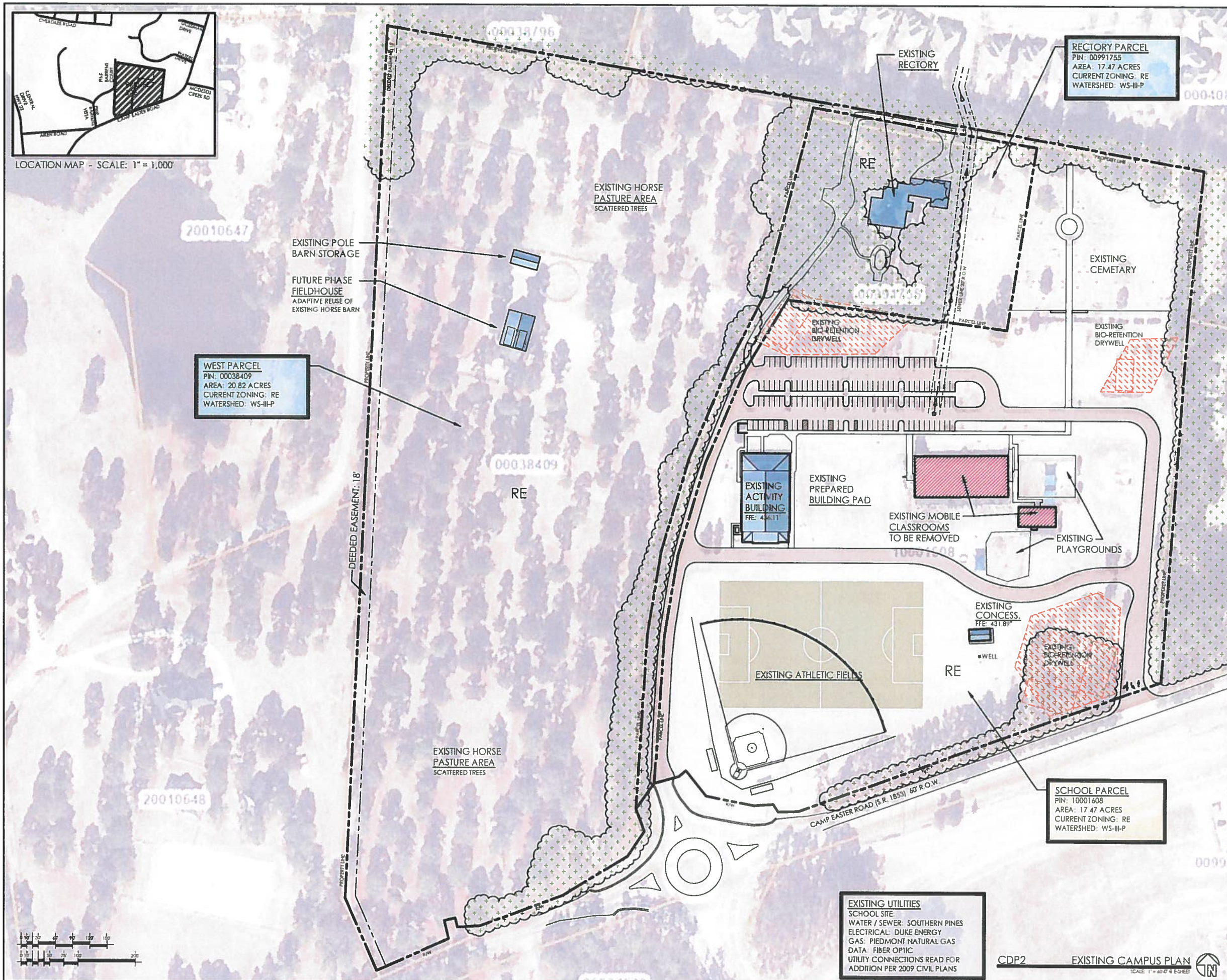
TOWN OF SOUTHERN PINES
CONCEPT DEVELOPMENT PLAN

**ST. JOHN PAUL II
CATHOLIC SCH.**

2922 CAMP EASTER ROAD
SOUTHERN PINES, NC



DRAWN BY: DRB	SHEET NUMBER
CHECKED BY: DRB	CDP1
DATE: 9.13.22	OF: 4
PROJECT #:	



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



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EXISTING CAMPUS PLAN
TOWN OF SOUTHERN PINES
CONCEPT DEVELOPMENT PLAN

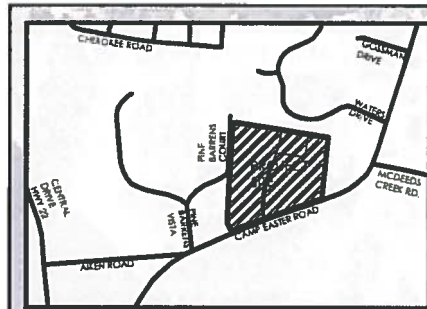
ST. JOHN PAUL II CATHOLIC SCH.
2922 CAMP EASTER ROAD
SOUTHERN PINES, NC



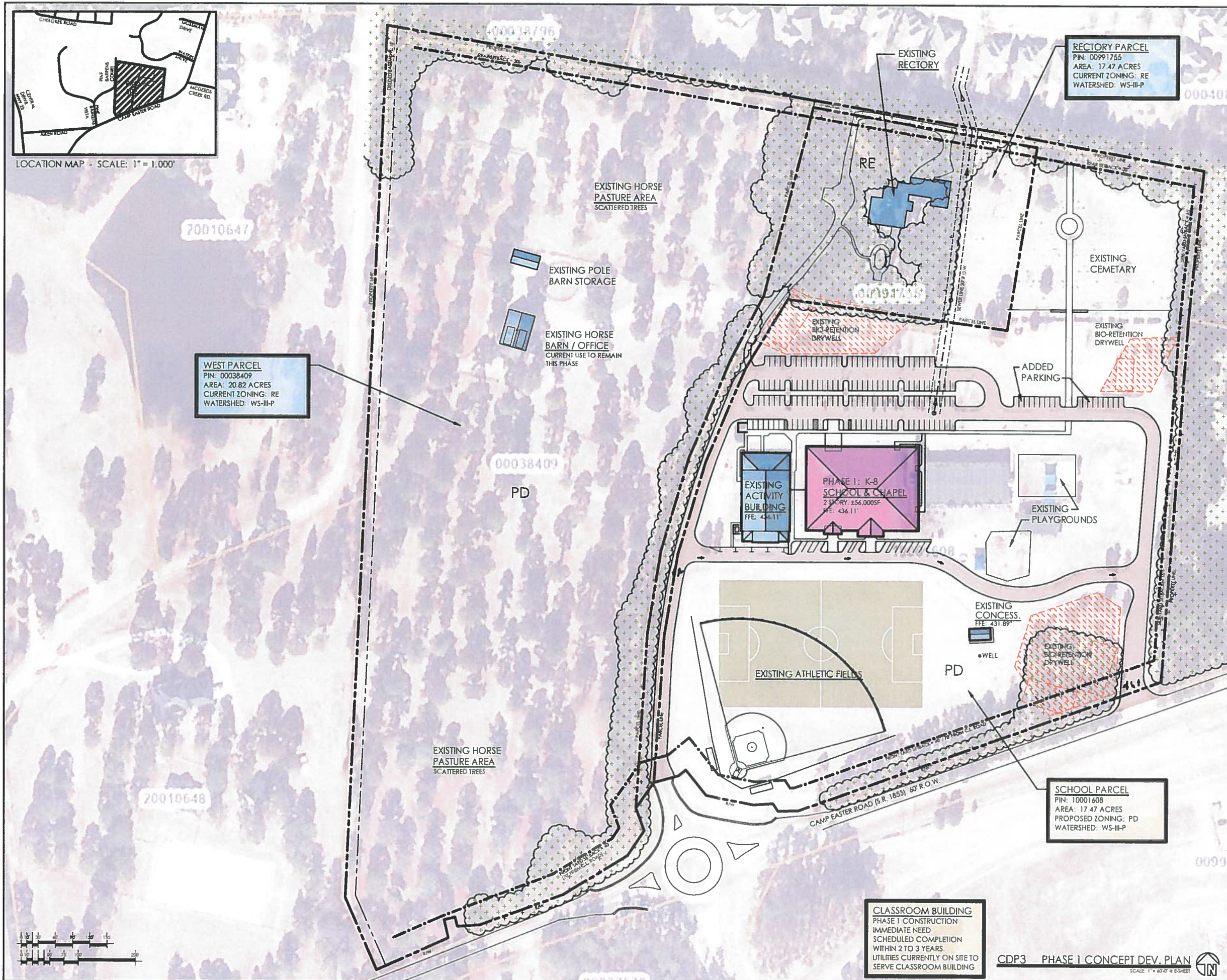
DRAWN BY: DRB
CHECKED BY: DRB
DATE: 9.3.22
PROJECT #:
SHEET NUMBER
CDP2
OF: 4

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

CDP2 **EXISTING CAMPUS PLAN**
SCALE: 1" = 60'-0" @ 8-SHEET



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



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**PHASE 1
CAMPUS
PLAN**
TOWN OF SOUTHERN PINES
CONCEPT DEVELOPMENT PLAN

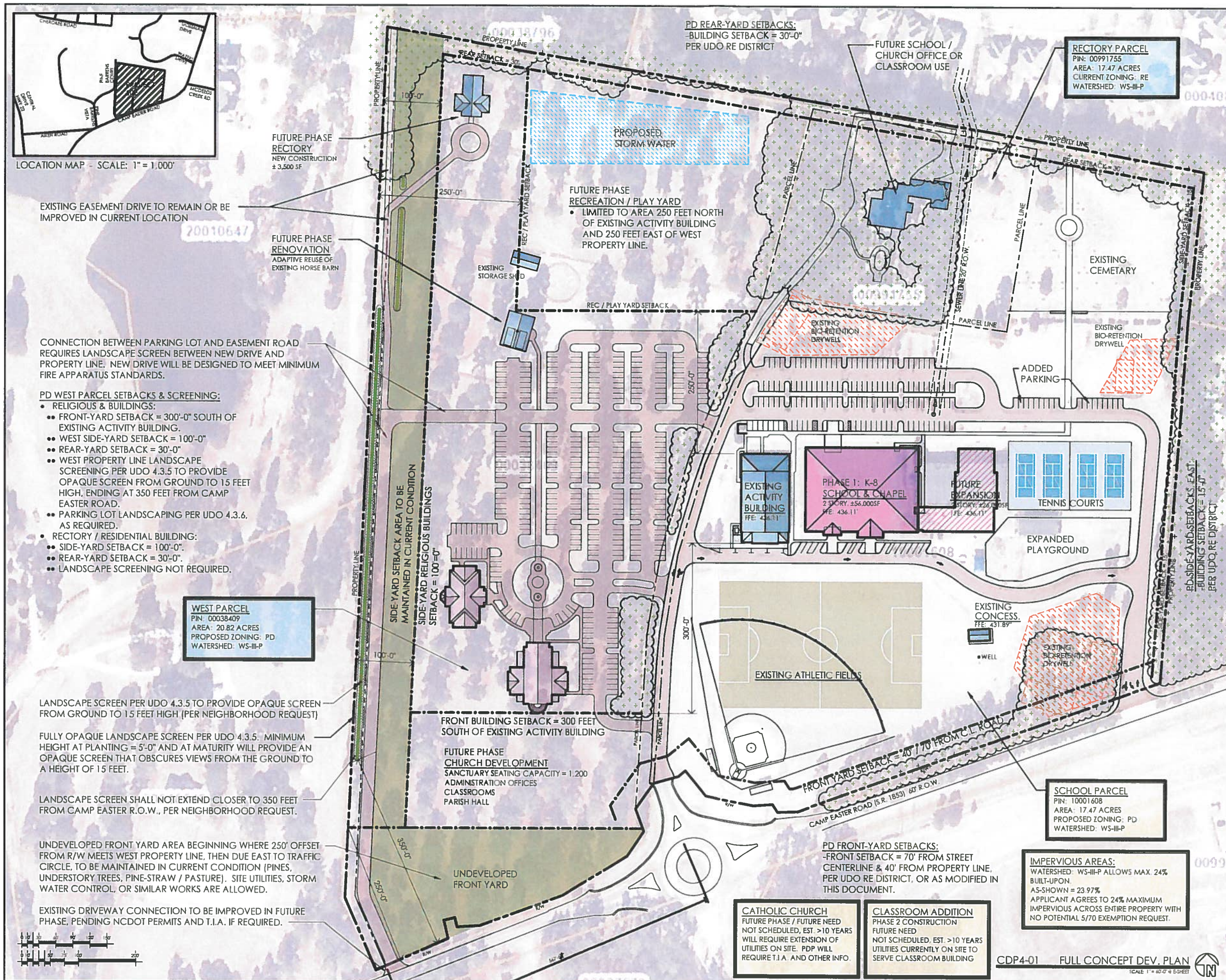
**ST. JOHN PAUL II
CATHOLIC SCH.**
2922 CAMP EASTER ROAD
SOUTHERN PINES, NC



DRAWN BY: DRB
CHECKED BY: DRB
DATE: 9.13.22
PROJECT #: .
SHEET NUMBER
CDP3
OF: 4



CDP3 PHASE 1 CONCEPT DEV. PLAN
SCALE: 1" = 40'-0" @ 6-SHEET



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FUTURE PHASE CAMPUS PLAN
TOWN OF SOUTHERN PINES
CONCEPT DEVELOPMENT PLAN

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

CDP4-01 FULL CONCEPT DEV. PLAN
SCALE 1" = 40'-0" @ 5-SHEET

CDP4

DRAWN BY: DRB
CHECKED BY: DRB
DATE: 9.13.22
PROJECT #:

SHEET NUMBER
OF: 4

Southern Pines Town Council

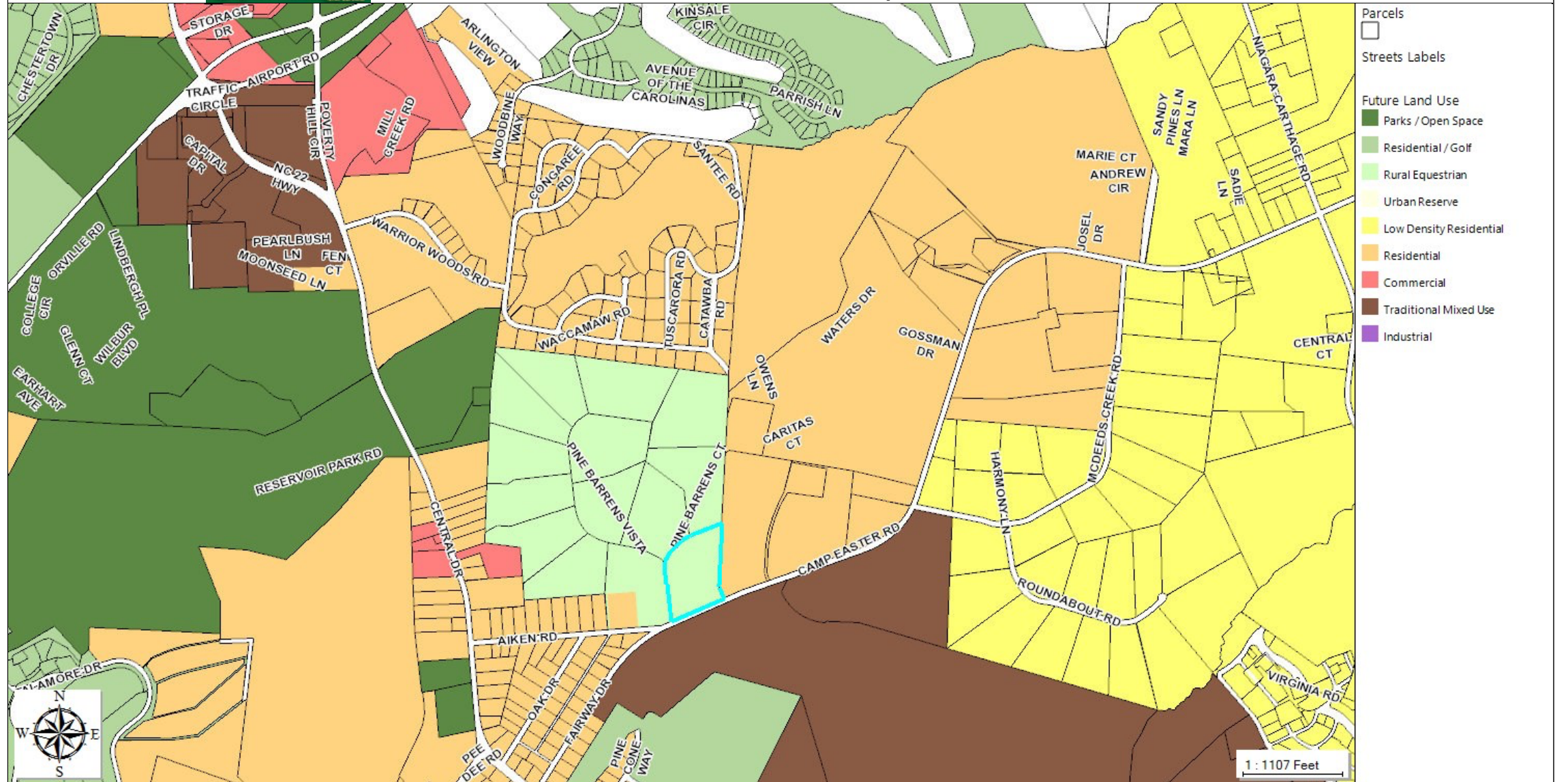
**May 10, 2022 Meeting
Public Hearing**

Neighbor Opposition to CDP Application

St. John Paul II School and Church

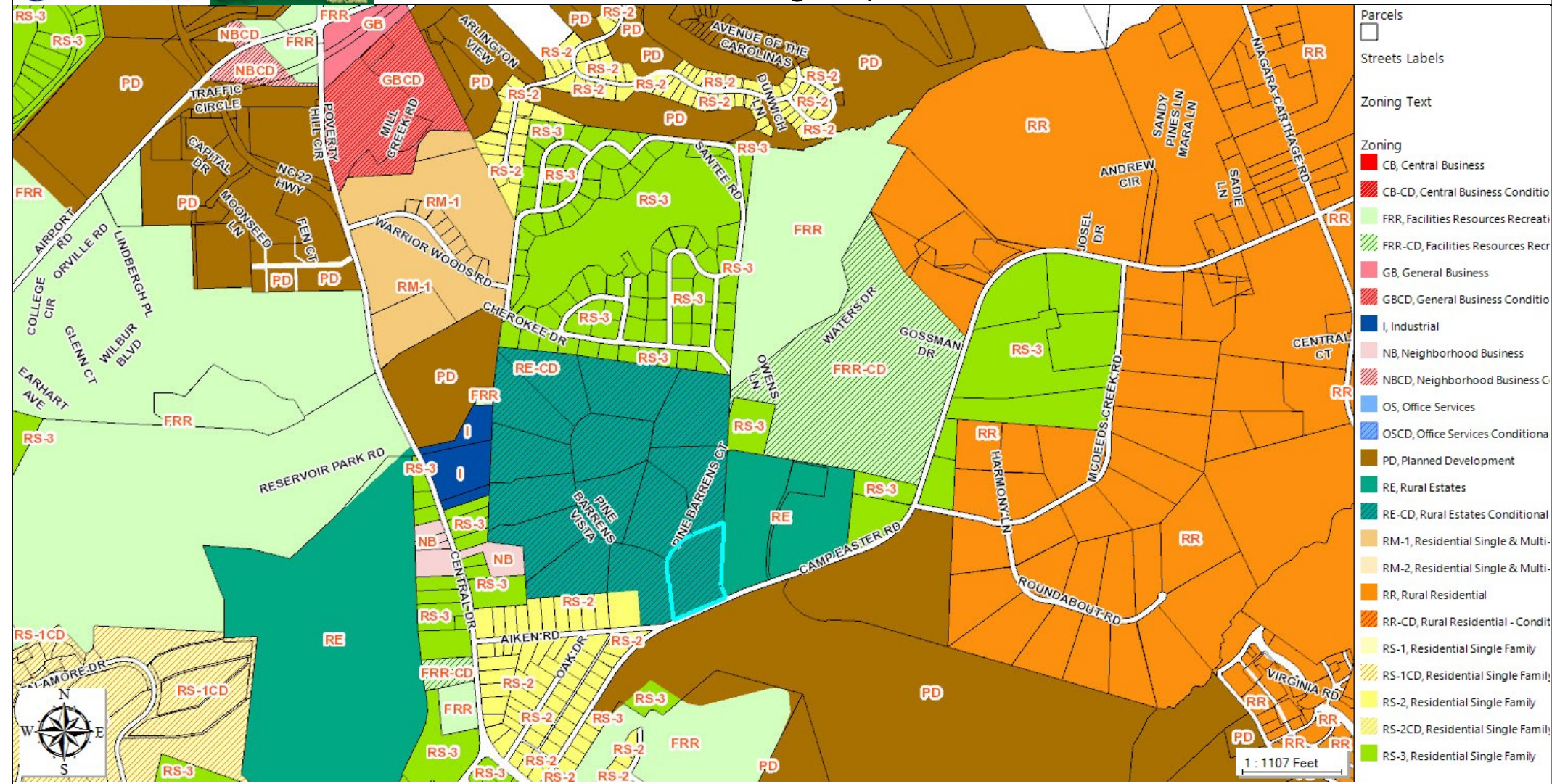
Conceptual Development Plan

Future Land Use Map

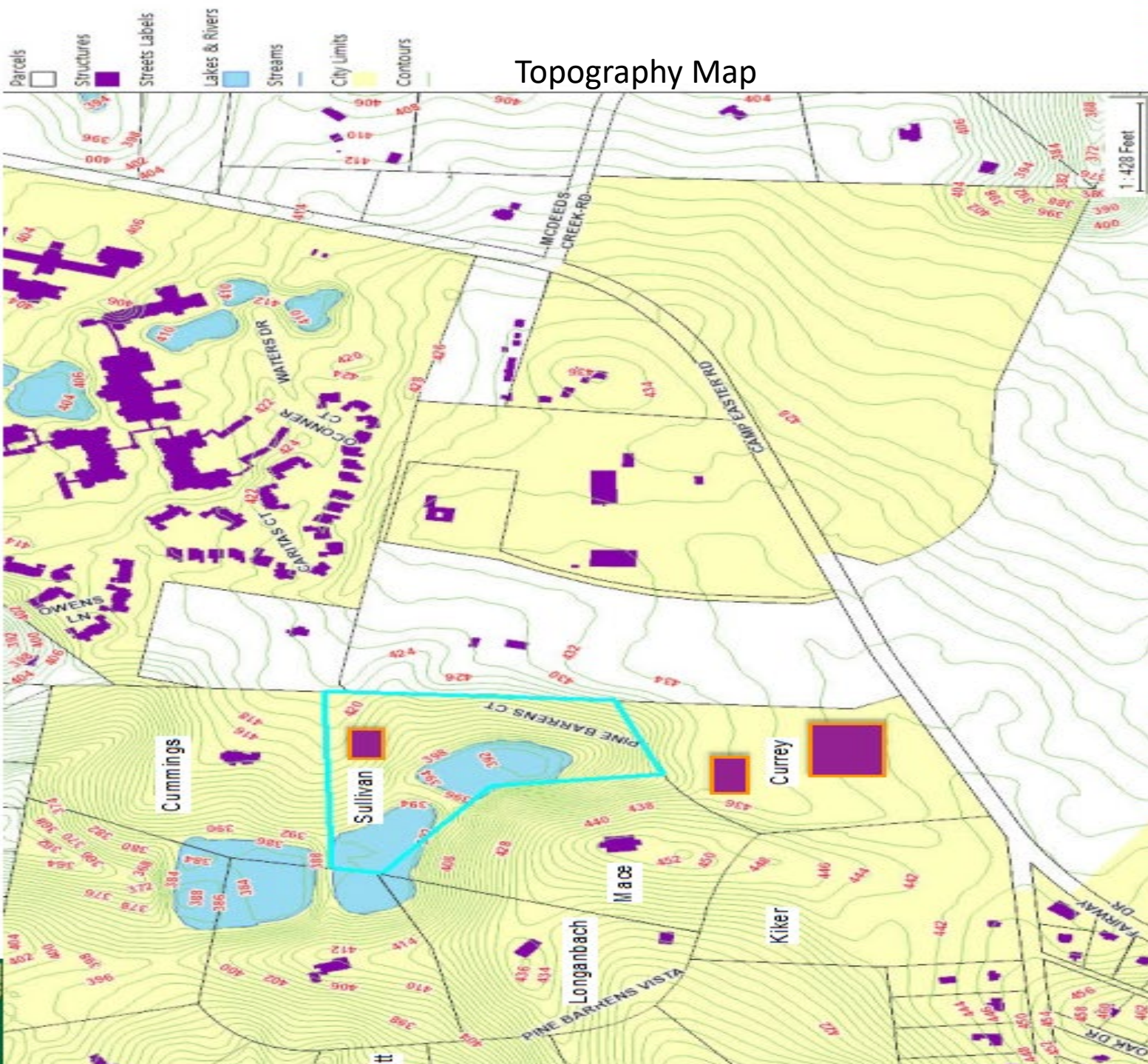


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Current Zoning Map



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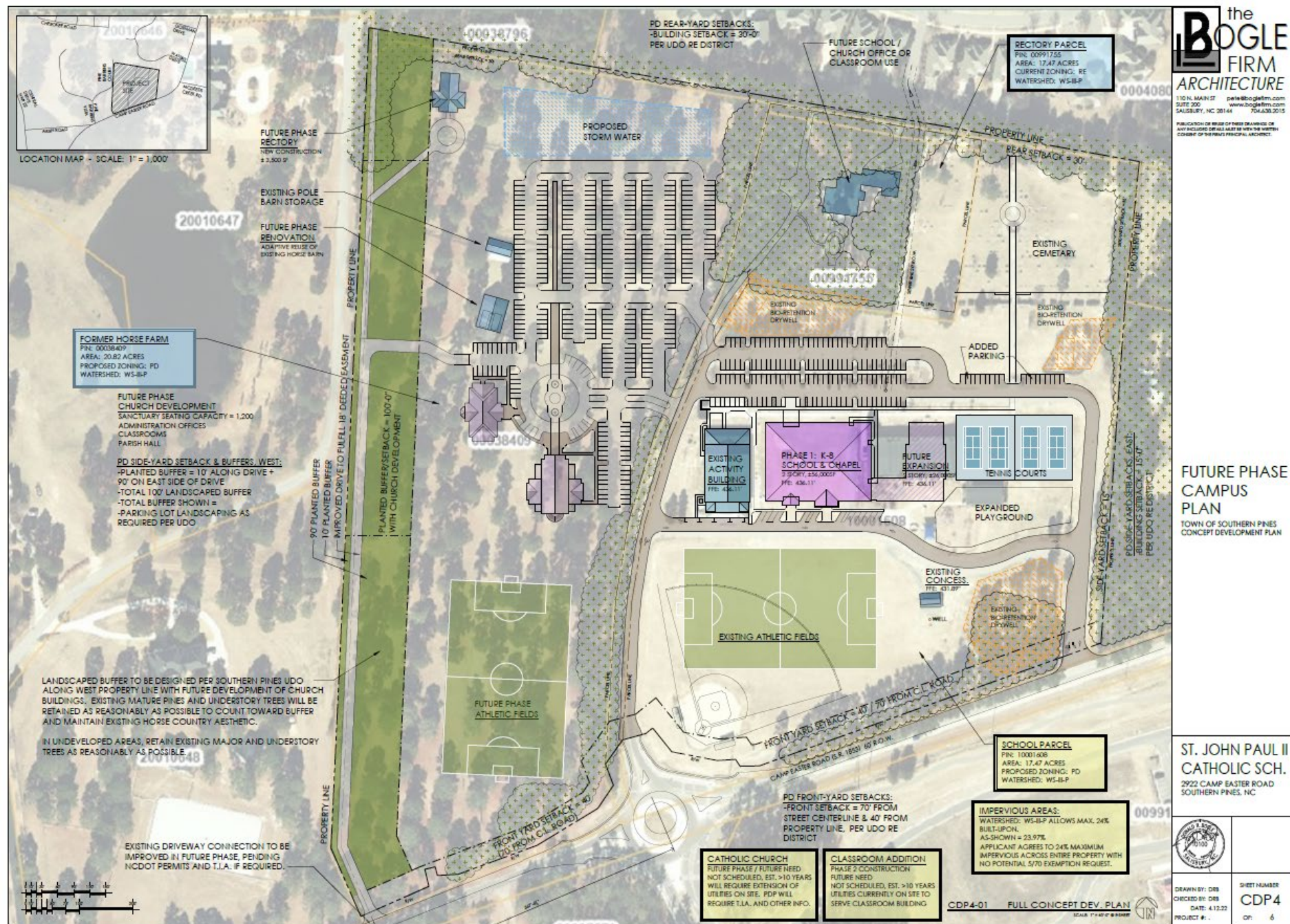
TOPOGRAPHY

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



ADJUSTED CDP SITE PLAN



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

Moore County

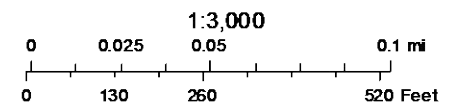
McDeeds Creek Elementary

Grades K - 5



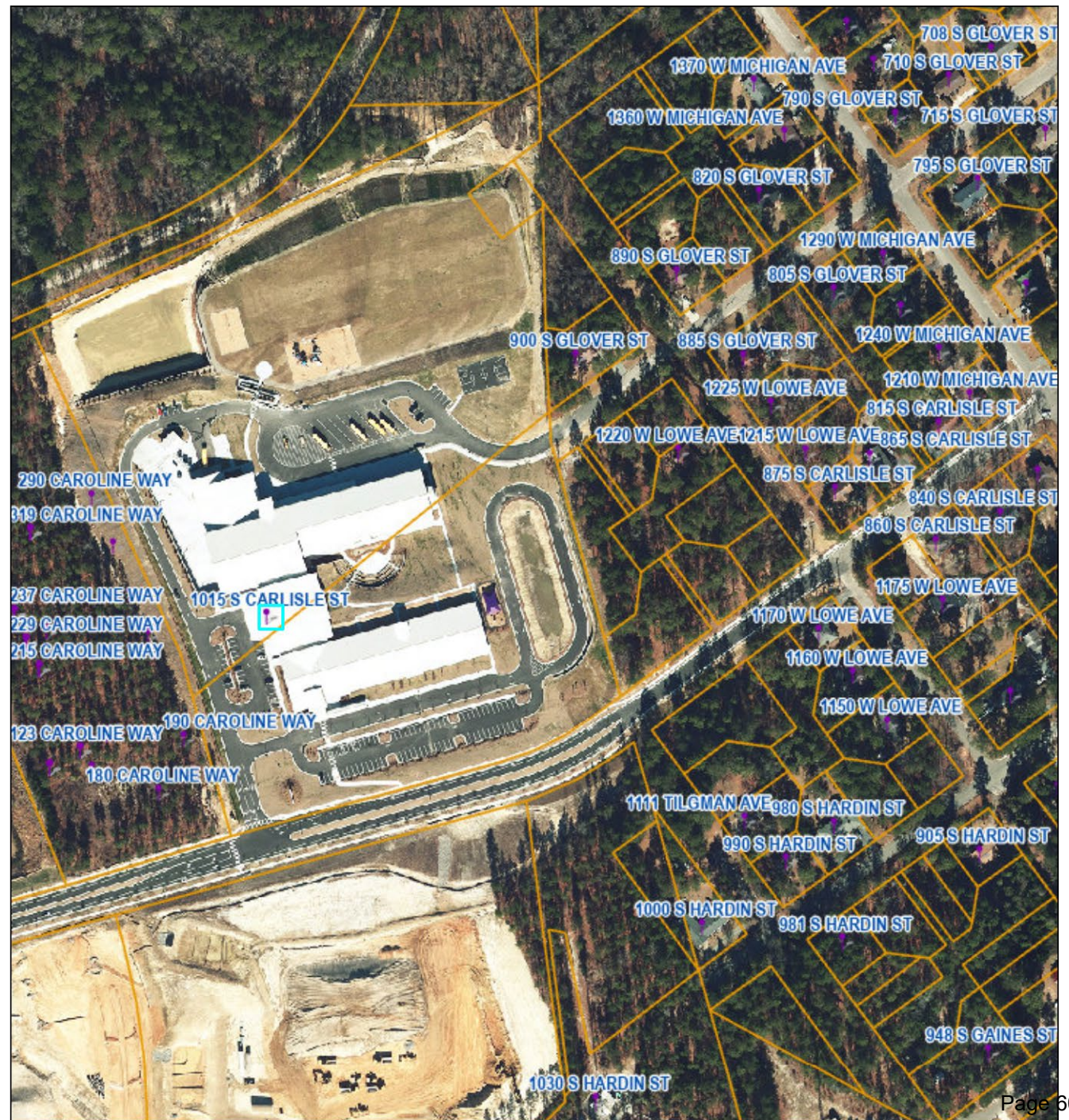
September 13, 2022

-  Address
-  Parcels
-  Moore County



Southern Pines Elementary

Grades Pre K - 5



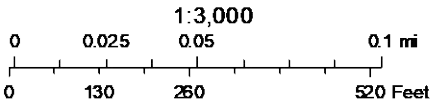
Aberdeen Elementary

Greades K - 5



September 13, 2022

- Address
- Parcels
- Moore County



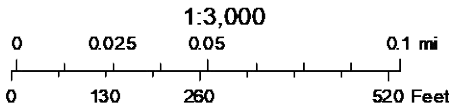
Sandhills Farm Life
Elementary

Grades K - 5



September 13, 2022

-  Address
-  Parcels
-  Moore County



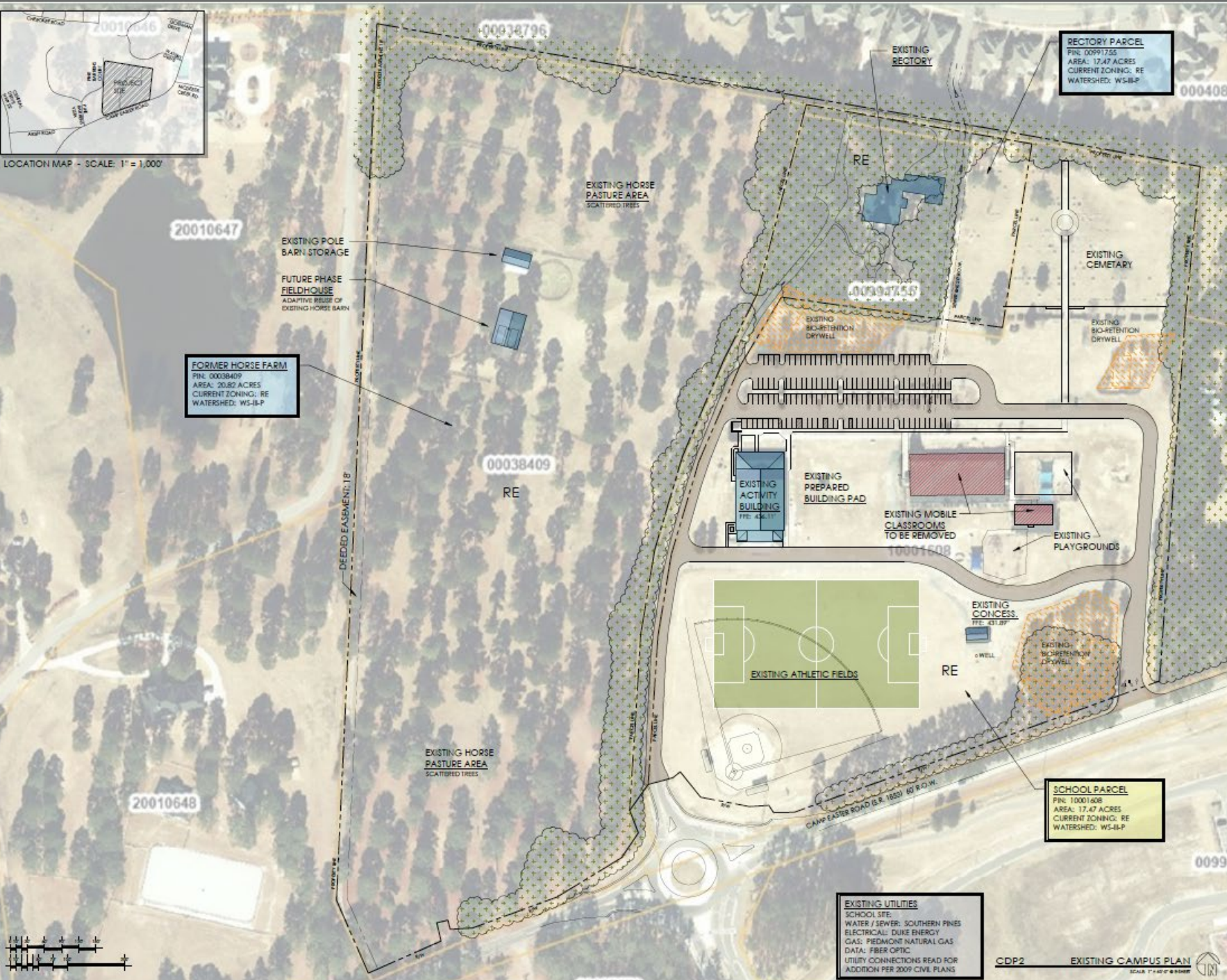
Saint John Paul II School

Grades Pre K - 8





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



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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: DBS
CHECKED BY: DBS
DATE: 4.12.22
PROJECT #:
SHEET NUMBER
CDP2
OF: 6

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

CDP2 EXISTING CAMPUS PLAN
SCALE: 1" = 400' & 8" BORDER



From 100 feet into site,
viewing toward Currey
house.

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





Google

Image capture: Dec 2021 © 2022 Google

TOWN OF SOUTHERN PINES

PD-04-22: St. John Paul CDP





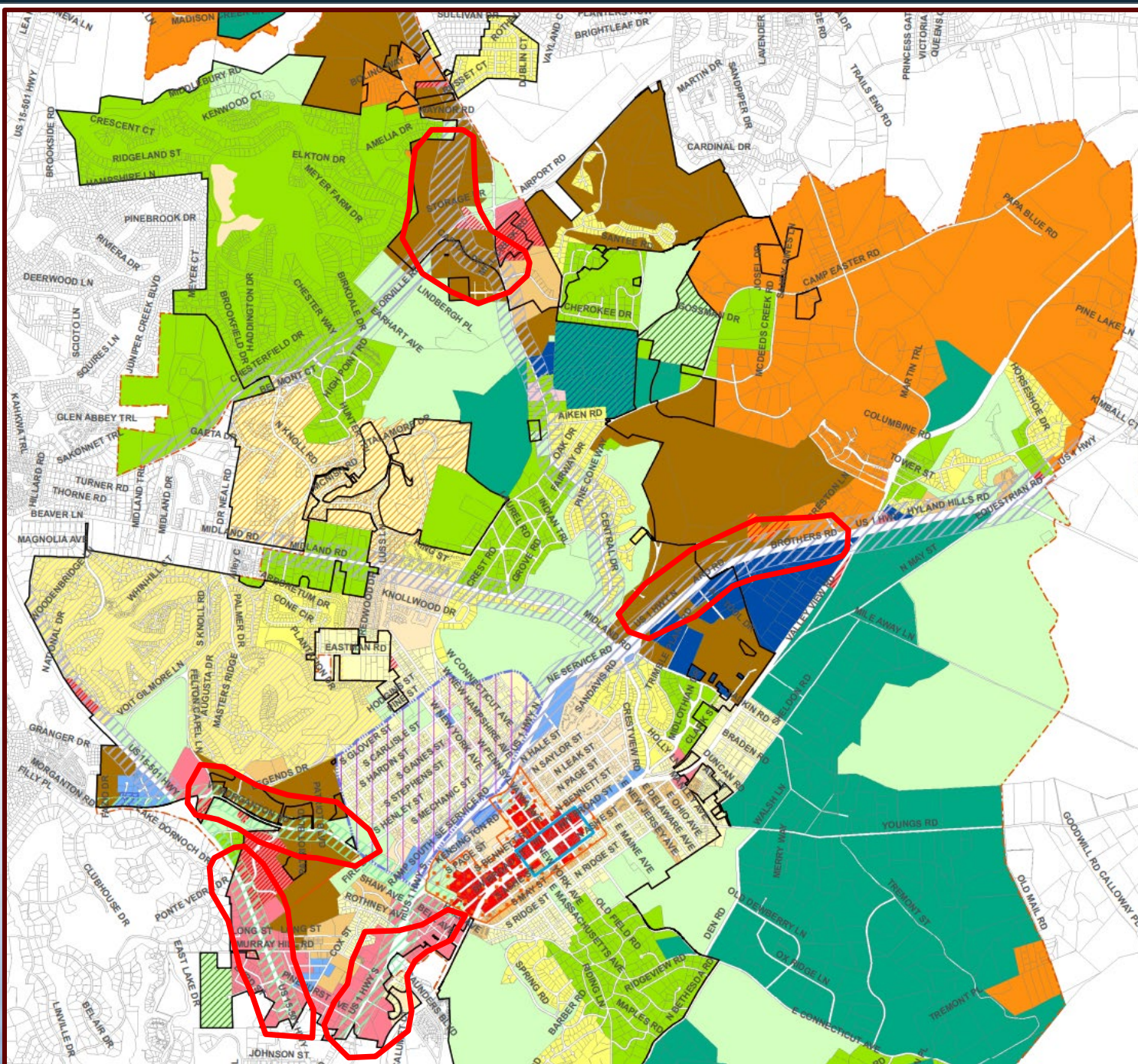
- Large polygon on top is a to-scale outline of the Lowe's Foods Parking lot on Morganton Rd, rotated 90-deg counterclockwise
- Bottom polygon is a to-scale outline of **First Baptist Church of SP**, including accessory buildings
 - Seating capacity of 302 using 22" per person
 - Seating capacity of 367 using 18" per person
 - Plus a 75-person choir



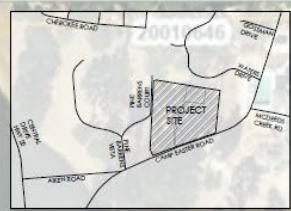
- Large polygon on top is a to-scale outline of the Lowe's Foods Parking lot on Morganton Rd, rotated 90-deg counterclockwise
- Bottom polygon is a to-scale outline of **Brownson Memorial Presbyterian Church**, including accessory buildings
 - Approx. seating capacity of 600
 - Including the choir and balcony



- Large polygon on top is a to-scale outline of the Lowe's Foods Parking lot on Morganton Rd, rotated 90-deg counterclockwise
- Bottom polygon is a to-scale outline of **Village Chapel**, including accessory buildings
 - Approx. seating capacity of 500
 - Including balcony



- Where could this facility go with minimal impact?
- A church of this magnitude has a land use impact similar to large commercial developments
- Locating the facility at the interface of residential and commercial zoning reduces the impact
- Property in these areas tends to be more expensive because infrastructure exists to support large commercial investment



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

EXISTING EASEMENT DRIVE TO REMAIN OR BE IMPROVED IN CURRENT LOCATION

IN UNDEVELOPED AREAS, RETAIN EXISTING MAJOR AND UNDERSTORY TREES AS REASONABLY AS POSSIBLE.

CONNECTION BETWEEN PARKING LOT AND EASEMENT ROAD REQUIRES LANDSCAPE SCREEN BETWEEN NEW DRIVE AND PROPERTY LINE. NEW DRIVE WILL BE DESIGNED TO MEET MINIMUM FIRE APPARATUS STANDARDS.

PD WEST PARCEL SETBACKS & SCREENING:

- RELIGIOUS & BUILDINGS:
 - FRONT-YARD SETBACK = 300'-0" SOUTH OF EXISTING ACTIVITY BUILDING.
 - WEST SIDE-YARD SETBACK = 100'-0"
 - REAR-YARD SETBACK = 30'-0"
 - WEST PROPERTY LINE LANDSCAPE SCREENING PER UDO 4.3.5 TO PROVIDE OPAQUE SCREEN FROM GROUND TO 15 FEET HIGH, ENDING AT 350 FEET FROM CAMP EASTER ROAD.
 - PARKING LOT LANDSCAPING PER UDO 4.3.6, AS REQUIRED.
- RECTORY / RESIDENTIAL BUILDING:
 - SIDE-YARD SETBACK = 100'-0"
 - REAR-YARD SETBACK = 30'-0"
 - LANDSCAPE SCREENING NOT REQUIRED.

WEST PARCEL
 PIN: 00038409
 AREA: 20.82 ACRES
 PROPOSED ZONING: PD
 WATERSHED: WS-II-P

LANDSCAPE SCREEN PER UDO 4.3.5 TO PROVIDE OPAQUE SCREEN FROM GROUND TO 15 FEET HIGH (PER NEIGHBORHOOD REQUEST)

FULLY OPAQUE LANDSCAPE SCREEN PER UDO 4.3.5. MINIMUM HEIGHT AT PLANTING = 5'-0" AND AT MATURITY WILL PROVIDE AN OPAQUE SCREEN THAT OBSCURES VIEWS FROM THE GROUND TO A HEIGHT OF 15 FEET.

LANDSCAPE SCREEN SHALL NOT EXTEND CLOSER TO 350 FEET FROM CAMP EASTER R.O.W., PER NEIGHBORHOOD REQUEST.

UNDEVELOPED FRONT YARD AREA BEGINNING WHERE 250' OFFSET FROM R/W MEETS WEST PROPERTY LINE, THEN DUE EAST TO TRAFFIC CIRCLE. TO BE MAINTAINED IN CURRENT CONDITION (PINES, UNDERSTORY TREES, PINE-STRAW / PASTURE). SITE UTILITIES, STORM WATER CONTROL, OR SIMILAR WORKS ARE ALLOWED.

EXISTING DRIVEWAY CONNECTION TO BE IMPROVED IN FUTURE PHASE. PENDING NCDOT PERMITS AND T.I.A. IF REQUIRED.



FUTURE PHASE RECTORY
 NEW CONSTRUCTION
 ± 3,500 SF

FUTURE PHASE RENOVATION
 ADAPTIVE REUSE OF EXISTING HORSE BARN

SIDE-YARD SETBACK AREA TO BE MAINTAINED IN CURRENT CONDITION
 SETBACK = 100'-0"

FRONT BUILDING SETBACK = 300 FEET SOUTH OF EXISTING ACTIVITY BUILDING

FUTURE PHASE CHURCH DEVELOPMENT
 SANCTUARY SEATING CAPACITY = 1,200
 ADMINISTRATION OFFICES
 CLASSROOMS
 PARISH HALL

UNDEVELOPED FRONT YARD

FUTURE PHASE RECREATION FIELD
 • LOCATED NORTH OF EXISTING HORSE BARN
 • NO ATHLETIC LIGHTING

PD REAR-YARD SETBACKS:
 -BUILDING SETBACK = 30'-0"
 PER UDO RE DISTRICT

FUTURE SCHOOL / CHURCH OFFICE OR CLASSROOM USE

RECTORY PARCEL
 PIN: 00991755
 AREA: 17.47 ACRES
 CURRENT ZONING: RE
 WATERSHED: WS-II-P

EXISTING ACTIVITY BUILDING
 FFE: 436.11

PHASE 1: K-8 SCHOOL & CHAPEL
 2 STORY, 155,000 SF
 FFE: 436.11

FUTURE EXPANSION
 2 STORY, 120,000 SF
 FFE: 436.11

EXISTING TENNIS COURTS

EXPANDED PLAYGROUND

EXISTING CONCESS.
 FFE: 431.89

EXISTING ATHLETIC FIELDS

PD FRONT-YARD SETBACKS:
 -FRONT SETBACK = 70' FROM STREET CENTERLINE & 40' FROM PROPERTY LINE.
 PER UDO RE DISTRICT, OR AS MODIFIED IN THIS DOCUMENT.

SCHOOL PARCEL
 PIN: 10001608
 AREA: 17.47 ACRES
 PROPOSED ZONING: PD
 WATERSHED: WS-II-P

IMPERVIOUS AREAS:
 WATERSHED: WS-II-P ALLOWS MAX. 24% BUILT-UPON.
 AS-SHOWN = 23.97%
 APPLICANT AGREES TO 24% MAXIMUM IMPERVIOUS ACROSS ENTIRE PROPERTY WITH NO POTENTIAL S/70 EXEMPTION REQUEST.

CATHOLIC CHURCH
 FUTURE PHASE / FUTURE NEED NOT SCHEDULED, EST. >10 YEARS WILL REQUIRE EXTENSION OF UTILITIES ON SITE. POP WILL REQUIRE T.I.A. AND OTHER INFO.

CLASSROOM ADDITION
 PHASE 2 CONSTRUCTION FUTURE NEED NOT SCHEDULED, EST. >10 YEARS UTILITIES CURRENTLY ON SITE TO SERVE CLASSROOM BUILDING

CDP4-01 FULL CONCEPT DEV. PLAN
 SCALE: 1" = 60'-0" @ 11" X 17"

the BOGLE FIRM ARCHITECTURE

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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: DRB
 CHECKED BY: DRB
 DATE: 9.3.22
 PROJECT #:

SHEET NUMBER
CDP4
 OF: 4

BJ Grieve

From: Pete Bogle <pete@boglefirm.com>
Sent: Monday, September 19, 2022 3:36 PM
To: BJ Grieve; Tony Bornhorst; Michael Wengenroth; Very Reverend John Forbes, V.F.; Fr. John Kane; deb Lawson; Jennifer Wincklhofer; Tom VanCamp; Larisa Green
Subject: StJP2 Revised CDP
Attachments: ~ StJP2 CDP Outline 091922.pdf; ~01 StJP2 PDD CDP revised 091922.pdf; ~03 StJP2 CDP SITE PLANS revised 091922.pdf; ~02 StJP2 Application and Support Docs 091922.pdf

Good afternoon, BJ

Please see these attached documents and forward to the Town Council:

~ StJP2 CDP Outline:

This document is an outline of the revisions to the current CDP plan and narrative, including the most recent revisions, supporting documentation, and a description of the mediation process. This document is not part of the official CDP submittal but is there to point out the revisions made, give reasons for those revisions, provide supporting documentation, and also provide an outline of the Mediation and revision process.

~01 StJP2 PDD CDP revised 091922

This is the finalized CDP narrative that becomes the zoning text and conditions required for the future development of this PD district.

~02 StJP2 Application and Support Documents 091922

This file contains the required applications, support documents, etc. that make up the rest of the CDP full submittal, other than the drawings. There were no revisions in this document since May.

~03 StJP2 CDP Site Plans revised 091922

These are the master plan drawings that define the allowable development of the properties

The revised narrative and drawings were submitted to Pine Barrens on September 15th. We worked to get these final revisions made and offered back to Pine Barrens only 2 days after the Council meeting on 9/13.

I received a call from Mr. Petesch this afternoon who said that he had no consensus from the Pine Barrens group at this time. I informed him that we would still be submitting this for you to distribute so that Town Council members had time to review prior to the September 26th meeting. I offered that we are open to minor revisions that could be worked out between now and the meeting a week from today.

Please let me know that you've received this.

--

In your service,

Pete Bogle, AIA, LEED-AP
Principal / Owner
the **BOGLE** firm ARCHITECTURE
704.213.4553 - pete@boglefirm.com



Subject: Summary of CDP / Mediation
Project: St. John Paul II Catholic School and Church Master Plan
Date: September 19, 2022

This document serves as an outline of the revisions to the Concept Development Plan submittal for St. John Paul II Catholic School and Church Master Plan. Included will be a review of the final Revisions to the CDP Narrative, Resolutions to Outstanding Issues, Alternative Compliance solutions, Summary of Requests and Responses / Mediation, Summary of Compliance with the UDO and CLRP, and Supporting Documentation.

Review of final revisions to CDP Narrative:

Revision notes are highlighted in colors that are indexed to the dates that revisions were made.

1.0 Purpose / Summary

- Athletic Field was changed to “Recreation / Play Yard” – typical throughout document.

2.0 Development Vision

- Language of Vision was edited to reflect accepted requests regarding setbacks, landscape screening, driveways, etc.

3.0 CDP Application, Checklists, & Support Documents

- Application was edited (April) to remove inadvertent mention of a high school. No high school use is included within this CDP Master Plan.

4.0 Natural Features (No changes)

5.0 Development Conditions

5.1 Allowable Uses (No changes)

- 5.2 Land Use – April revision requires applicant to stay below the 24% impervious maximums for this watershed area and states that the applicant will not pursue a 5/70 exemption for the site.

5.3 Development Standards / Additional Design Criteria

5.3.1 (No change)

5.3.2 Summary of PD Development Standards

5.3.2.1 Building Heights (No change)

5.3.2.2 Building Setbacks were revised in response to Pine Barrens requests and subsequent conversations

5.3.2.3 Development Setbacks were revised in response to Pine Barrens requests and subsequent conversations

5.3.2.4 Buffers changed to Landscape Screens (fully opaque per UDO 4.3.5). This section includes multiple revisions in response to requests from Pine Barrens and discussions with the school, local church, and Raleigh Diocese.

5.3.2.5 Lot Size... (No change)

5.3.2.6 Landscaping change from buffer to Landscape Screen is repeated

5.3.2.7 Off-street parking: Revised from initial CDP to utilize school parking spaces within the total diocese requested number of parking spaces. The number of spaces exceeds the UDO

minimum but the overall site impervious maximum establishes limitations on paved / built-upon areas.

- 5.3.2.8 Lighting: Revisions were made to use warm colored lighting and for lighting levels to be a maximum of 0.5 footcandles at the property line.
- 5.3.2.9 Development / Building Standards... (No change)
- 5.3.2.10 Transportation: Revisions were made to address secondary driveway connecting the proposed future church parking lots to Camp Easter Road.
- 5.3.2.11 Supplemental Conditions for Specific Uses: Original CDP definitions of major and minor religious institutional buildings were removed. Landscape/Buffering is repeated.
- 5.3.2.12 Other Conditions: Multiple additional conditions listed in this section are offerings in response to requests from Pine Barrens to address vision and noise concerns. In general, these address the Recreation / Play Yard, Undeveloped Areas and Setbacks, Church Bells, and Spires / Steeple top objects.

Review of final revisions to Appendices:

- Appendix 1 – Existing Property Information (No change)
- Appendix 2 – Concept Development Plan Criteria - UDO 2.18.4(H)
 - Added line 2(c) – Proposed uses are supported by CLRP Future Land Use designation of “Residential” (April revision)
- Appendix 3 – Criteria for Zoning Map Amendments
 - Section A, Goal G5: Clarification that these parcels do not fall within the specific area defined in the CLRP as Horse Country, but that since a stated goal of Pine Barrens is to attempt to preserve the appearance of horse country, StJP2 will make efforts to do likewise to along the western parcel. These efforts are defined within the setbacks, landscape screens, and undeveloped areas.
 - Section B: Added summary of how neighborhood impact of future church development will be managed.
 - Section C: Added description of approved Knollwood Tract PD as adjacent parcel to the south to better define the SCALE of the neighborhood.
 - Section F: Revision to 24% impervious maximum as added (April)
- Appendix 4 – Conceptual Transportation Plan
 - Section B-8: Revised Street Cross Section drawings to show Landscape Screening on west side where drive is connected to future church parking lots and on east side when remaining or improved in situ.
 - Section D: Revised distance between Secondary Access Driveway and Traffic Circle. Distance reduces by roughly 15 feet in order to accommodate landscape screening on west side of driveway.
 - Section G: Added Knollwood Tract PD as an adjacent planned community transportation improvement.

ANSWERING OUTSTANDING ISSUES:

As of the email* received from Andy Petesch, attorney for Pine Barrens, who was present and active throughout the mediation process, all concerns had been addressed except for the following two items:

ISSUES:

- 1) Concern of potential noise from future Recreation / Play Yard
- 2) Secondary driveway connection of proposed future parking lots to Camp Easter Road

*A copy of this email is included later in this document.

Issue 1: RECREATION / PLAY YARD:

Proposed revised language addressing Recreation / Play Yard

- Recreation / Play Yard
 - Location must be 250 feet north of the north façade of the existing Activity Building and 250 feet east of the west property line.
 - Recreation / Play Yard shall be screened from view from Pine Barrens parcels either by existing vegetation, landscape screen along property line, or additional landscape screening within the site.
 - Recreation / Play Yard shall not be designed, constructed, or otherwise treated as a fully defined permanent sports field
 - Bleachers or other spectator seating shall not be provided.
 - Referee / Coaching whistles or other similar noise makers shall not be used in association with the Recreation / Play Yard.
 - Athletic lighting is not allowed for the Recreation / Play Yard.

Addressing Consistency and Reasonableness:

- 1) Current zoning (RE) of parcel would allow a public recreational sports including ball parks, courts, etc. (UDO page 3-51, Use Matrix for LBCS 5371). Private facilities (LBCS 5372) are allowed only in CB, GB, NB, OS, and I.
- 2) PD zoning district for large Religious Institution uses GB zoning district as the base model for setbacks, screening, etc. since large Religious Institutions are only allowed in base zoning districts GB and RR.
- 3) This LBCS use group provides for fully designed, permanent fields, to be used for the intended sport for games, practices, tournaments, etc.
- 4) The UDO does not require landscape screening for recreational sports and does not place limitations on expected noises and sounds generated from these sports.
- 5) The UDO does not limit athletic lighting for these LBCS use groups or within the GB district.
- 6) Southern Pines Noise Ordinance does not define sounds associated with a sporting event as a nuisance per 90.081(B).
- 7) The proposed Recreation / Play Yard included in this PD is Consistent with the above and made further Reasonable per the elective limitations listed regarding location on site, visual screening, design of field, spectators, whistles, and lighting.

Issue 2: SECONDARY DRIVEWAY CONNECTION:

Proposed revised language addressing Secondary Driveway and other Transportation

- 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 550 feet. Driveway permitting will be required per NCDOT during PDP phase of Church Development.
- Driveway between proposed Church parking lots and Camp Easter Road will be designed as a Secondary Access. Primary ingress/egress will be from the existing traffic circle on Camp Easter Road.
 - Secondary access drive will be no wider than minimums required by Southern Pines UDO / Fire Marshal.
 - Secondary access drive will not be connected to parking lots in such a way as to encourage the majority of the traffic to use this drive.
 - Secondary drive will not be directly connected to a major collector aisle within the parking lot.

Addressing Consistency and Reasonableness:

- 1) Existing deeded access easement to parcel 00038796 must be maintained.
- 2) Drive is defined as a Private Drive per UDO 4.11.3 and pavement is required per (D) to be at least 20 feet wide and to provide fire department access.
- 3) New driveway entrances to streets are required in 4.11.5 (A) to be constructed so that (1) vehicles can enter and exit from the lot without posing danger and (2) interference with the free and convenient flow of traffic in abutting or surrounding streets is minimized.
- 4) UDO 2.18.4 does not require a Traffic Impact Analysis (TIA) for the Concept Development Plan (CDP) since the TIA should be performed just prior to the implementation of each phase of the CDP.
- 5) The proposed Secondary Driveway Connection included in this PD is Consistent with the above and made further Reasonable per the following
 - a. Driveway improvement was reviewed by NCDOT District Engineer Michael Kitchen who stated on 9/14/22: "Based on the proposed separation and the current volumes on Camp Easter Road I am ok with the proposed exit allowing both left and right's out. Should the volumes on Camp Easter change and the lefts out become problematic then the DOT could come back at a later date and allow right outs only but for now I do not envision any issues." (*See Email*)
 - b. Secondary access drive will be no wider than minimum requirements.
 - c. Design of parking lots will encourage the majority of traffic to flow toward the traffic circle on Camp Easter Road.
 - d. Secondary drive will not be directly connected to a major collector aisle within the parking lot.
 - e. Landscape screening per UDO 4.3.5 will be installed between the western property line and any portions of the driveway connected to the parking lot.
 - f. A full Traffic Impact Analysis will be required in the future based on final design criteria of the Future Church development. CDP only approves the concept of including this secondary driveway and establishes reasonable limitations to this concept. Further studies required in the PD process (PDP and Engineering) must further prove the safety of this drive connection to Camp Easter Road based on the traffic volumes current at the time of implementation.

Alternate Compliance Approach in lieu of Planned Development:

Because it provides a more defined future growth pattern and out of desire to be a good neighbor, StJP2 still prefers to move forward with the PD application. However, if this PD fails, we have researched and confirmed the viability of this alternate compliance path.

School Expansion through Conditional Use Permit

- Similar to previous school projects and expansion
- New School facility would utilize UDO 2.21 and UDO
- Advantage of PD is having a fixed and defined zoning regulations and associated master plan to direct future growth.
- PD gives neighbors a greater voice since process is Legislative.
- CUP is Quasi-Judicial, requiring expert testimony from applicant and opposition
- Previous approved CUP for the Activity Building included future plans for the permanent school facility. Building pad, stormwater management, and utility lines for the future School Facility were installed as part of the approved Activity Building project.
 - Thus, we would be confident of likely CUP approval for the School Facility.

Future Church Facilities through Vested-Rights

- Utilizing UDO 2.24 Vested Rights and UDO 5.15.2 Existing church's right to expand
- UDO 2.24 Vested Rights
 - 2.24.2 (A): The applicant has made a substantial investment toward lawfully approved Development Plans (previous school approval, established church by ZBA, subsequent approved expansion projects) and
 - 2.24.2(B): the applicant has continued to rely on and develop in good faith per the approved Development Plan
- UDO 5.15.2(A): Existing, legal non-conforming churches "shall be considered conforming uses for purposes of reconstruction or expansion, subject to the provisions of this section."
 - ZBA established that the Chapel in the Rectory established a Church Use
 - School projects were constructed in good faith based on this ruling.
 - Additionally, a second Chapel was established within the St. John Paul II Catholic School temporary classroom building – AND – chapel services are frequently held inside the school Activity Building
- Email exchange with BJ Grieve explores this option.
 - BJ was very clear to state that he could not make a full determination without a fully revised site plan submittal based on Vested-Rights
 - However, BJ also confirmed that the church is a legally established use, that 5.15.2 does say that churches may expand as if they are a conforming use, and that this church would then be subject to the requirements of 5.15.
- UDO 5.15 – see email below for specific requirements
- **SUMMARY – Much less would be required through the provisions of UDO 5.15 than what is being offered through the current PD application.**
 - Side Yard Setbacks = 50 feet – VS – 100 feet minimum, plus 250 feet to Recreation / Play Yard, plus Undeveloped Front Yard
 - Buffering = Planted buffer of approximately 100 feet – VS – Requested full opaque Landscape Screen
 - No limitations on the following
 - Recreation / Play Yard location, uses, or noises
 - Driveway locations
 - Church bells
 - Spire objects

From: Pete Bogle <pete@boglefirm.com>

Sent: Thursday, July 28, 2022 5:41 PM

To: BJ Grieve <BJGrieve@southernpines.net>; Tony Bornhorst <tony@rhetson.com>; deb Lawson <dlawson@jp2catholicschool.org>; John Donohue <jdonohue@jp2catholicschool.org>; Tom VanCamp <thomasv@vancamplaw.com>; Very Reverend John Forbes, V.F. <Fr.John.Forbes@raldioc.org>; Fr. John Kane <Fr.John.Kane@raldioc.org>; Michael Wengenroth <Michael.Wengenroth@raldioc.org>; Jennifer Winckelhofer <jennifer@rhetson.com>

Subject: StJP2 - Future Church

Hey BJ

Would you be willing to give your opinion on whether the future church would meet the requirements of the ordinance IF we assume that church use is by-right for the site? I'd like to know if our proposed site plan would meet the UDO standards for a Large Religious Institution adjacent to the RE district. Here's what I'm seeing:

5.15.1: The proposed church would include more than 250 seats and so, per 5.15 would fall under "Other" or Large Religious Institutions.

5.15.2: This section deals with existing religious institutions. More on that below...

5.15.3: NB district - just for small churches, so N/A

5.15.4: General Requirements for Accessory Uses - The following would apply to this proposal:

G) Outdoor play or activity areas shall be no closer than 50 feet from residential zoning districts.

J), K), L), M) - All apply to fellowship halls, which would likely be included in the minor church building shown. This would not be a "soup kitchen." Total floor area of the Parish Hall would be less than 20% of the total floor area on site. Main entrance would not be along a residential facing street.

N), O) Residential / Parsonage (Rectory): Minimum lot size is greater than 6,000 sf. More than 2 parking spaces would be provided. Maximum building height would not exceed 35 feet. No playground equipment would be planned with this Rectory.

5.15.5: Parking

We've covered this one pretty well in the CDP. We're providing more than the Ordinance minimum requirements by sharing parking with the adjacent school. We're also still maintaining the entire site impervious below the 24% maximum allowed per our watershed requirements.

5.15.6: Setbacks for Large Religious Institutions

Proposed buildings will exceed 7,000 sf (excluding parsonage / rectory)

Minimum "setback and buffer" from Residential Property Line shall increase 5 feet for each 1,000 sf or portion thereof over 7,000 sf.

This one takes some interpretation. First, we have to assign a base zoning to establish the beginning setback. Since Large Churches are only allowed in RR and GB, it's logical to assign one of these two.

Exh 4-1 Setbacks

RR = 15 feet

GB = 0 feet, but footnote 3 would require setback of adjacent residential district

RE = 15 feet

Exh 4-2 Buffer

RR to RE = 0 feet

GB to RE = 50 feet

Most stringent requirement of 5.15.6 would be to consider the base zoning as GB, which would start with a base setback of 15 feet, but also a base buffer of 50 feet.

If the proposed Church and Parish Hall / Admin buildings are a total of 17,000 sf, then the required buffer would be 100 feet per the above most stringent interpretation of 5.15.6.

$17,000 \text{ sf} - 7,000 \text{ sf} = 10,000 \text{ sf}$

$(10,000 \text{ sf} / 1,000 \text{ sf}) \times 5 \text{ feet} = 50 \text{ feet of additional buffer above base zone buffer}$

Please let us know if the above aligns with the UDO requirements for a large church on this parcel, assuming that church use is an allowable by-right use. Also, please let me know if there would be other requirements regarding property setbacks, buffers, etc. that are specific to church use or church use adjacent to residential. Assume that we're following the UDO for parking lot landscaping, building massing, and other general details. The main focus is what is required to be adjacent to the RE district.

The reason we'd like to have your guidance on this scenario has to do with 5.15.2 Existing Religious Institutions and 2.24 Vested Rights. Since the existing Rectory and School both have chapels, they each establish an existing Religious Institution. This was ruled on by the ZBA prior to the construction of the first school building.

Our goal is to still get through this as a PD. We still agree that the master plan process of the PD gives the adjacent property owners the greatest opportunity to voice their concerns and for the applicant to make reasonable adjustments to the plan to maximize compatibility between the new and existing uses.

However, if the PD does not go through, then the church will likely move forward as a vested right under 5.15.2 and 2.24.

Knowing this, I'd like to be proactive and present this to Council as they're considering the PD. What I'd love to be able to present to Council is that 1) we'd like the PD to be approved, but if not then 2) the church will move forward under vested rights, and 3) BJ has already looked at this scenario and agrees that if the church is an established by-right use, then the site plan as presented would meet all UDO requirements related to a Large Religious Institution adjacent to an RE district.

Feel free to call if you have further questions on this scenario. Let me know if we're on the right track or way out in left field. Thanks BJ.

On Fri, Jul 29, 2022 at 11:27 AM BJ Grieve <BJGrieve@southernpines.net> wrote:

Oh my. You're nothing if not through Pete, and I salute you for it.

I'll put this on my list and get to it as quick as I can. I know the clock is ticking so I'll try to get to it the first part of next week.

I won't be able to do a site plan review and offer any approvals, guarantees, etc. simply because that's not the process and sometimes things below ground make things above ground impossible and vise-versa. This only comes out when all parties (engineers, architects, etc.) are working on a full set of plans.

However, to help me at least give you what I can at this point, could you please forward to me the most current "proposed site plan" as referenced in your email below? You guys have made a lot of revisions in working with the town and neighbors, some of which have been presented but some of which I may not know about yet. Confirming the latest site plan concept as we head into August 2022 will help me respond to your email.

Thanks and have a great weekend everyone.

BJ Grieve, AICP®, CFM®, CZO

Planning Director
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From: Pete Bogle <pete@boglefirm.com>
Sent: Friday, July 29, 2022 11:57 AM
To: BJ Grieve <BJGrieve@southernpines.net>
Cc: Tony Bornhorst <tony@rhetson.com>; deb Lawson <dlawson@jp2catholicschool.org>; John Donohue <jdonohue@jp2catholicschool.org>; Tom VanCamp <thomasv@vancamplaw.com>; Very Reverend John Forbes, V.F. <Fr.John.Forbes@raldioc.org>; Fr. John Kane <Fr.John.Kane@raldioc.org>; Michael Wengenroth <Michael.Wengenroth@raldioc.org>; Jennifer Winckhofer <jennifer@rhetson.com>
Subject: Re: StJP2 - Future Church

I'm attaching the most recent and the previous site plan. The most recent is what the neighbors had asked for and agreed to by the end of mediation. They've since come back with many more demands that are very unreasonable.

For your quick review, the issue with the Post-Mediation plan is that the neighbors requested an opaque landscape screen (UDO 4.3.5) instead of the landscape buffer (UDO 4.3.4). If you're reviewing the plan based on the UDO, then the buffer is what would be required - not the screen. We'd actually be happier with the screen since it requires less plants and takes up less acreage on the site, but clearly, if this were being reviewed as a by-right use, the UDO would require a buffer and not a screen.

And yes, I understand that this will be a partial and unofficial review of the site plan. I promise to present it as such to the Council. Mainly, what I'd like you to speak to is whether we meet the requirements of the UDO as they relate to a Large Religious Institution use adjacent to an RE district, if we assume that the church is an approved use for the parcel. Would we meet setbacks, buffers, accessory uses (play areas / fields), etc. as shown, per the UDO standards?

On Wed, Aug 3, 2022 at 4:18 PM BJ Grieve <BJGrieve@southernpines.net> wrote:

Hi Pete et al.,

I reviewed your email yesterday and came back to it again today. Unfortunately, responses to quite a few of the issues brought up in your email would only be appropriate as multiple formal written zoning administrator interpretations that could be appealed by any aggrieved party with standing per the UDO.

I try to be a pretty cautious dude; the interpretations being sought would require careful review of specific language in the written record going back many years, multiple previous versions of town zoning, changes to zoning that have occurred over time, determination(s) of when statutory and/or common law vested rights may (or may not) have existed, and many other variables.

On top of that, you're sort of asking for a site plan review to verify that a concept site sketch complies with multiple pretty specific site design requirements in the UDO. I simply can't do that because site plan review involves multiple town departments looking at nearly construction-level drawings. This is because, for example, something in the parking code might create an issue with a requirement in our engineering standards or something in the engineering standards might create an issue with fire code compliance, or landscaping code issues, etc.

Unfortunately, I simply can't unilaterally confirm that concept sketch "meet(s) all UDO requirements related to a Large Religious Institution adjacent to an RE district." I get why you and your clients want that assurance to use that as a "Plan B" before the Council and the neighbors with who you've been negotiating, but I can't offer that level of assurance at this point.

That said, I can confirm that you are absolutely serving your clients well by honing in on the correct and applicable sections of the UDO. Everything in Section 5.15 is where we'll be if the PD

application ceases to exist (for whatever reasons) and we're back to exploring development alternatives for St. John Paul. I do not disagree that the Board of Adjustment's ruling would appear to conclude that there was an existing religious institution on the subject property at the time of the ruling. That use, per the zoning at that time, was expanded to add a school. UDO 5.15.2 does state in plain, unambiguous language what it states regarding religious institutions. An elementary school (LBCS 6121) is presently now a Special Use in the RE zoning district. Site design requirements for religious institutions set forth in UDO Section 5.15, as well as many in UDO Chapter 4, would apply to development of a religious institution on the property where it is located, or a contiguous site.

I know this isn't a firm confirmation from the Planning Director position of "Plan B" for purposes of negotiating/bargaining with Council and neighbors, but there are simply too many variables and "it depends" scenarios as well as too many details to research (to make sure an appeal could withstand challenge) to offer any assurances of approval of "Plan B" form what is presently still a (very well done) concept sketch.

Thanks,

BJ Grieve, AICP®, CFM®, CZO

Planning Director
Town of Southern Pines
801 SE Service Road
Southern Pines, NC 28387
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From: Pete Bogle <pete@boglefirm.com>
Sent: Wednesday, August 3, 2022 4:45 PM
To: BJ Grieve <BJGrieve@southernpines.net>
Cc: Tony Bornhorst <tony@rhetson.com>; deb Lawson <dawson@jp2catholicschool.org>; John Donohue <jdonohue@jp2catholicschool.org>; Tom VanCamp <thomasv@vancamplaw.com>; Very Reverend John Forbes, V.F. <Fr.John.Forbes@raldioc.org>; Fr. John Kane <Fr.John.Kane@raldioc.org>; Michael Wengenroth <Michael.Wengenroth@raldioc.org>; Jennifer Winckhofer <jennifer@rhetson.com>
Subject: Re: StJP2 - Future Church

Thanks BJ. We knew there were too many variables to have a full answer, but what you did say was great. I think it would be fair for us to state that

- 1) the church is an established use by previous ZBA ruling and subsequent use of the site since then
- 2) that per 5.15.2, an existing church is allowed to expand / develop as an accepted use on their property
- 3) that the applicable sections of the UDO pertaining to the development of a new Large Religious Institution adjacent to an RE district are found in 5.15
- 4) that we've asked you to review this CONCEPT and that you confirmed that 5.15 is where we'd find those requirements (along with other requirements in Ch. 4).

That's as good of an answer as we can expect to get. For more than this, we'd have to submit a full site plan review. Your answer at least confirms that yes, 5.15 is the next logical review method through the UDO if the PD goes away. That's really all we need for now.

Summary of Requests and Responses / Mediation

- **Revisions made between Neighborhood Meeting and Planning Board Meeting (3.24.22)**
 - Church was shown near Camp Easter Road. Provided more information on screening.
 - Setback and landscape buffer along west property line was not shown on plans at Neighborhood Meeting. Added following setback and landscaping requirements
 1. Major Building setback = 100 feet (over 7,000 sf)
 2. Minor Building setback = 75 feet
 3. Parking setback = 50 feet
 4. 10' planted buffer from property line to driveway easement
 5. 20' planted buffer along east side of easement
 6. Note that landscaping and/or berms must meet UDO around parking lots and along development facing adjacent properties
 - Parking lots were large to accommodate church requirements. Provided more information on required screening, following SP standards.
 - PD rezoning was intentionally used to minimize the future allowable uses on the property and to give the neighbors a stronger voice during public deliberations.
- **Revisions made between Planning Board (3.24.22) and Town Council Meeting (4.12.22)**
 - Revised church location per request. Pushed back on site due to neighbor comments / concerns of seeing large church along road.
 - Revised parking lot to connect with existing school parking to be used for overflow, will minimize total parking needed, and will provide additional traffic pattern options.
 - Revised impervious surface approach. Stated that 5/70 request will not be allowed, thus capping the allowable impervious surface maximum at 24%.
 - Added 100' planted buffer along west property line. This is consistent with UDO 5.15 and with PD to Residential buffer approved for McDeeds Creek Elementary School across the street.
 1. Per UDO standards, this buffer will require over 1,600 plants and takes up approximately 3.76 acres of property
 - Added building setback of 100 feet along west property line. This replaced the previous major and minor building setbacks.
 - Added that buffer is required for athletic fields also
 - Added sidewalks connecting uses on site per UDO and Staff comment
- **Town Council Meeting 2 (5.10.22)**
 - Andy Petesch and Pine Barrens presented at this meeting.
 - Applicant did not present during this meeting, but did address the claim from Petesch that no thought or consideration had been given to Pine Barrens. We explained that almost every revision made so far had been made specifically in response to concerns raised by Pine Barrens and that the PD rezoning process was chosen specifically to be more open and beneficial to the neighbors.
 - Applicant and Pine Barrens agreed to a Mediation process.
 1. Concern expressed that all parties with concerns be part of the Mediation process so that once decisions were reached through Mediation, no other parties would express additional arguments – as reasonably as possible.

- **Mediation Meeting (6.6.22)**

- Many requests made in nearly 8 hours of mediation. Most of this time was the Mediator meeting with the Pine Barren group while required plans were compiled.
- Round 1 Pine Barrens Requests:
 1. Eliminate Athletic Field on west parcel.
 2. Eliminate connector road from parking lot to easement
 3. West parcel must be designed to meet 50 year storm instead of UDO required 10 year storm.
 4. End buffer just south of Currie's stable to allow vision of street to horse.
 5. Buffer / landscaping should be UDO requirements for opaque screening.
 6. Require 200 foot setback for buildings from west property line.
 7. Reduce capacity of sanctuary to 600 people maximum.
 8. Maximum height of sanctuary roof = 60 feet.
 9. Any new site lighting to be warm temperature color.
 10. Any new lighting to be limited to 0.5 fc at property line.
- Round 1 Responses
 1. Church and School need outdoor spaces for play, practice, etc. Agreed to no permanent designed sport field and no athletic lighting.
 2. Church highly prefers an additional access designed to Camp Easter Road and believes it will be preferred by and possibly required by the Fire Marshal. Church offered to only have parking lot connection to existing easement drive if required by the Fire Marshal.
 3. There's no evidence of stormwater flooding ever occurring from this property and no engineering to support that anything above a 10 year storm is necessary. Soils are very sandy and well drained. Existing slopes do not shed stormwater from the planned developed areas of the site toward neighbors. Increasing to a 50 year storm would significantly increase the cost of the stormwater management system and the amount of land that would be impacted. This would also mean the increase loss of trees on the site since trees would have to be cut down in the increased stormwater management area. Applicant does not believe this is a necessary request.
 4. Accepted.
 5. Needed to confirm with BJ Grieve that PD would allow 4.3.5 landscape screen in lieu of 4.3.4 landscape buffer. BJ confirmed that PD has this flexibility. Accepted.
 6. This request would result in an unbuildable area of 7.4 acres along the western property line. This would make 35% of the west parcel unbuildable. Current design does show the sanctuary building further than 200 feet from the property line. Admin / Parish Hall building is roughly 125 feet from the property line. UDO 5.15.6 establishes the required setbacks for Large Religious Institutions adjacent to residential lots as the base zoning setbacks plus an additional 5 feet for every 1,000 sf over 7,000 sf of building. There is no definition of base setback for PD, however, large religious institutions are only allowed in GB and RR. The base setback between RR and RE is 0 feet. The base setback between GB and RE is 50 feet. We offer an initial increased setback of 100 feet and then the established UDO setbacks defined in UDO 5.15.6. This provides greater setbacks based on how large the church is designed.

7. Not acceptable. Need is too great. If Catholic population requires a 1,200 seat sanctuary and they're only allowed to build 600 seats, then more Masses would have to be offered, thus increasing the traffic times on every Sunday.
 8. Accepted. PD already limits the top ceiling height to 35 feet.
 9. Accepted.
 10. Accepted.
- Round 2 Pine Barrens Requests
 1. Pine Barrens emphasized wanting the landscaping to be an opaque buffer.
 2. Accepted offer to have parking lot connector only if required by Fire Marshal.
 3. Request a 175 foot setback to church building.
 4. Request moving church forward and placing athletic field on the rear portion of the west parcel.
 5. Church building front setback at middle of current school soccer field.
 6. Require front yard/field area south of church to be an established unused area.
 - Round 2 Responses
 1. Accepted.
 2. Accepted.
 3. Will discuss and explore, but would prefer 100' minimum plus established UDO 5.15.6.
 4. Accepted.
 5. Accepted.
 6. Accepted. Redesign of site will explore each of these options.
- **Post Mediation Revisions (6.8.22)**
 - The following revisions were made per specific requests during the Mediation.
 1. Athletic fields reduced to Recreation fields / Play Areas intended for infrequent use and not for formal games with spectators, etc.
 2. Connector drive to be as required by Fire Marshal and with further NCDOT reviews and approvals.
 3. Stop planted buffer south of Currie's stable. This request was to give the horse a visible connection to any generated sounds.
 4. West setback to be 100 feet minimum or as defined by UDO 5.15.6, whichever is greater.
 5. Other setbacks and unbuildable areas defined in revised CDP write up including front yard area at church and setback along west.
 6. Maximum roof height of 60 feet.
 7. New lighting to be warm temperature color
 8. Light at property line to be 0.5 footcandles (we already offered 0 fc).
 9. Request to plant full visual barrier landscape SCREEN per UDO 4.3.5. Acceptable if in lieu of 100' planted buffer. Setbacks to remain as described above.

- **Pine Barrens Additional Requests AFTER Mediation (see attached letter):**
 1. Move recreation area to north portion of west parcel. *Will explore.*
 2. Catholic school children are prohibited from using the recreation areas on the west parcel.
 - *The school currently uses this property for cross-country running and other activities. Pine Barrens has not lodged any complaints to date.*
 3. Requesting both an opaque screen per UDO 4.3.5 and a landscape buffer per 4.3.4.
 - *No need for both if 4.3.5 establishes the 100% visual opaqueness that they're requesting.*
 - *This was later determined to be a misuse of the term "buffer." Mr. Petesch confirmed on 8/11 that he meant "setback" each time the word "buffer" was used.*
 4. Increased requested landscape buffer from 100 feet as previously discussed to 150 feet.
 - *UDO would require 100 feet per 5.15.6 (based on shown approximate size of proposed church buildings). McDeeds Elementary PD to Res approved at 100 foot buffer.*
 - *Should have said "setback".*
 5. No functional belltower allowed.
 - *This request is made specific to not disturbing one horse. No other noise ordinances are currently in effect around any of the rest of the properties.*
 6. Request 25 year storm requirements.
 - *This is less than 50 year that was requested during mediation, but still is without merit, without engineering backup, and without proof of any current stormwater flooding issues or even topography that drains stormwater toward Pine Barrens.*

Town Council Meeting September 13:

- Mr. Petesch had confirmed that there were only two outstanding issues that needed better definition. Those were the Recreation / Play Yard area and the Parking Lot Connector Driveway.
- StJP2 presented the progress since Mediation and their offered options on these two issues.
- Adam Kiker (resident of Pine Barrens) and Mr. Petesch began a presentation that continued to attempt to disallow the entire church development and challenge the PD in whole – not focusing on these two items as had been established prior to the meeting.

This is the unfortunate cycle that has been established. Each time the applicant responds to requests for revisions from Pine Barrens, they respond with additional demands, or continue to fight the project in whole. We had agreements at the end of Mediation but more were requests were added in their follow up letter. We worked through these requests and had them narrowed down to only two remaining items and had agreed that these two were what we'd address at the 9/13 Council meeting. They presented additional information designed to fight against the entire PD application.

SUMMARY OF COMPLIANCE WITH CLRP AND UDO

PD Applications are required to answer Items 1 through 4 from UDO 2.18.4(H)

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 558 acre Knollwood Tract PD directly across Camp Easter Road from the StJP2 property. PD will establish zoning criteria to direct future phases of development on the entire 42.2 acre property including School, Church, Recreation Areas, Parking, Traffic Flow, etc.
2. The Conceptual Development Plan represents an overall Development Pattern that is consistent with the goals and policies of the Comprehensive Plan (CLRP), 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.
 - CLRP recommends that churches / civic uses be located within RESIDENTIAL areas (CLRP 4.3)
 - The CDP establishes setbacks, buffers, and other conditions to minimize impact to adjacent residential properties.
 1. Setbacks and Landscape Screening along the western property line were established through mediation and subsequent conversations with neighbors from Pine Barrens.
 2. Other Conditions requested by Pine Barrens and agreed to by StJP2 include the
 1. location and definition of the Recreation / Play Yard,
 2. limitations of noise making devices within the Rec/Play Yard
 3. limitations for Church bells
 4. limitations for steeple objects
 - 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
 - Knollwood Tract PD (approved in 2017) is 558 acres, directly south, across Camp Easter Road from the StJP2 property. This mixed-use PD includes 600 residential units, 500 hotel rooms, 250 assisted living units, businesses, offices, retail, and even light industrial uses.
 - McDeed's Creek Elementary School was developed on part of the Knollwood Tract PD and is currently an 800 student elementary school directly south of StJP2 Catholic School.
 - Belle Meade Community, 100+ acre retirement resort with 172 apartments and 48 homes, is directly north, abutting the StJP2 property. See letter of support

from St. Joseph of the Pines / Belle Meade Board of Directors who stated benefits of the proposed new church development adjacent to their residents..

- 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.
 - Traffic circle designed for McDeeds accounted for StJP2's future expansion to 500 students, and further, anticipates the hundreds of homes and businesses planned for the Knollwood Tract PD.
 - PDP will require full TIA but early numbers show peak rates for Church are LESS than peak rates for McDeeds Creek Elementary School. Same roads, different times / different days = no increase.
 - Initial review by NCDOT had no issue with concept of improving easement road to be a secondary exit from proposed church parking lots.
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.

SUPPORTING DOCUMENTS:

Email from NCDOT District Engineer, Michael Kitchen

Kitchen, Matthew W

Sep 14, 2022,
4:09 PM (21
hours ago)

to me

Pete,

Based on the proposed separation and the current volumes on Camp Easter Road I am ok with the proposed exit allowing both left and right's out. Should the volumes on Camp Easter change and the lefts out become problematic then the DOT could come back at a later date and allow right outs only but for now I do not envision any issues.

Thanks,
Matt

Matthew W. Kitchen, PE
District Engineer
Division 8 - District 2

910-944-7621
mwkitchen@ncdot.gov

902 N. Sandhills Blvd.
Aberdeen, NC 28315

Email from Andy Petesch confirming that prior to the September 13th Town Council meeting, only two outstanding issues remained:

Andrew Petesch <apetes@peteschlaw.com>

Tue, Sep 13,
1:48 PM (2
days ago)

to me, andy.petesch@outlook.com

Thank you. My understanding is that we are down to (1) nature of easement connection to parking lot and (2) use and/or effect of use of recreation area.

Andrew J. Petesch
[Petesch Law](#)
127 W. Hargett St., Suite 500
Raleigh, North Carolina 27601
T: (919) 747-8611
F: (888) 848-9605
E: andy@peteschlaw.com



ST. JOSEPH of the PINES

September 16, 2022

Dear Sir or Madam:

During the St. Joseph of the Pines Board of Directors meeting on June 2, 2022, the Conceptual Development Plan for the St. Anthony of Padua Church and St. John Paul II School was discussed. We agreed on the benefits of St. Anthony's moving to the new site which would provide easy access for our Catholic residents of Belle Meade and Pine Knoll campuses.

The property adjoins Belle Meade Community which would provide opportunities for our residents to be able to interact with the parish families, including children. The St. John Paul II school provides opportunities for interaction between our residents and the students including mentoring/tutoring opportunities and programs presented by the children on special Holidays. The St. John Paul II school students also would have the opportunity to help with projects that would be beneficial to the residents of Belle Meade.

St. Joseph of the Pines Board of Directors would like to extend their support of the Conceptual Development Plan (PD 04-22). We encourage the Southern Pines Town Council to approve the request for the Church, school, rectory, parking, and recreational field.

Sincerely,

A handwritten signature in dark ink, appearing to read 'L. Hutaft', written over a horizontal line.

Lin Hutaft

Chair

St. Joseph of the Pines Board of Directors

100 Gossman Drive
Southern Pines, NC
28387
Phone: (910) 246-3100
Fax: (910) 246-1204

FOR SETTLEMENT PURPOSES ONLY

**Counteroffer of
Pine Barrens Mediation Participants**

June 24, 2022

In response to the St. John Paul II Catholic School Campus Master Plan CDP Revised for Town Council 7.12.22 (“Revised CDP”) and the Phase 1 Campus Plan Sheet CDP3 dated 6.7.22 (“Revised Campus Plan”), the Pine Barrens Mediation Participants (“Pine Barrens”) make the following counteroffer:

- 1) A recreation area is permitted in the northern portion of the “Church Parcel” (PIN 858315538280) subject to the following conditions:
 - a) The recreation area shall not be lighted;
 - b) The recreation area shall be set back at least 200 feet from the western boundary of the Church Parcel;
 - c) No portion of the recreation area shall be located south of the northern most corner of the “Existing Horse Barn” as shown on the Revised Campus Plan (exact description of setback to be determined by agreement of parties);
 - d) The recreation area shall not be used for any organized sports activities, including but not limited to practices, regardless as to whether those activities are connected to the Church, the School, or any other third-party individual, entity, organization or association;
 - e) The recreation area shall not be designed, constructed, or otherwise treated as sports fields or courts, for example soccer, basketball, baseball, tennis, and field hockey; and
 - f) A playground facility is permitted within the recreation area. The Catholic School grades 3 through 8 are prohibited from using any playground facility located on the Church Parcel.
- 2) Pine Barrens agrees to a front building setback equal to 300 feet south of the existing activity building as shown on the Revised Campus Plan, with the following exception:
 - a) In order to better accommodate the placement of a recreation area on the northern portion of the Church Parcel as described in Part 1 above, the proposed future rectory may be located south of the aforementioned front building setback if the rectory is used as a primary residence for a rector or a parish priest.
- 3) An opaque screen meeting, at minimum, the standards in UDO § 4.3.5 shall be located along the western boundary of the Church Parcel consistent with the Revised Campus Plan with the following changes:
 - a) The southern portion of the screen shall not extend closer than 350 feet from the southwest corner of the Church Parcel that abuts the Camp Easter Right of Way; and
 - b) The northern portion of the screen shall be extended at least to 30-foot rear setback indicated on the Revised Campus Plan.

- 4) A minimum 150-foot buffer shall be provided along the western boundary of the Church Parcel subject to the following:
 - a) Except as provided in Part 4(b) below, this side buffer shall remain undeveloped and maintained in its current condition;
 - b) Site utilities, storm water control, and related utility uses are allowed within this side buffer; and
 - c) If a rectory is located in the northwest portion of the Church Parcel as shown on the Revised Campus Map, the portion of the side buffer located within 200 feet of the northwest corner of the Church Parcel may be reduced to 80 feet in width.
- 5) Use of the access easement along the western boundary of the Church Parcel is subject to the following:
 - a) Use shall only be permitted for Rectory ingress or egress, whether located in the northwest or southern portions of the Church Parcel;
 - b) No connection between the access easement and any other Church or School facility, including but not limited to parking areas, shall be permitted required by the Fire Marshall, EMS, NCDOT, or other governmental agency; and
 - c) If such a connection is required, a gate or other device (approved by any and all relevant government agencies and departments) shall be utilized to prevent unauthorized use of the access easement.
- 6) The maximum building height shall be 2 stories subject to the following:
 - a) The upper floor ceiling height of the Church Cathedral/Sanctuary building may extend to 35 feet, but the overall height of the Cathedral/Sanctuary shall not exceed 60 feet from the average grade of the building; and
 - b) While the height of any spire is unlimited and regulated per UDO § 4.2.1(I), any objects located on top of the spire shall not exceed 4 feet in height and 3 feet in width.
- 7) No noise making apparatus, such as a functional bell tower, is permitted.
- 8) The color temperature of all lighting on the Church Parcel shall be a maximum of 4000 Kelvin.
- 9) Lighting levels from new site lighting will not exceed 0.5 fc above existing ambient lighting at adjacent property lines.
- 10) Stormwater management shall be designed as follows:
 - a) Management of pre- and post-runoff along the western boundary of the Church parcel shall be designed to 25-year storm standards; and
 - b) All other boundaries of the proposed campus shall meet applicable state and local stormwater management standards.

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~~ **Recreation fields / play area** 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~~ **Recreation fields / play area** / 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** tucked back into 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~~ a 100-foot buffer and setback will be provided along the western property line. Buffer will be 10 feet from property line to easement/driveway, and then 90 feet east of the easement a continuous landscape screen per UDO 4.3.5 will provide visual screening to the adjacent parcels west of the church development. This screening will be planted along east side of the existing deeded easement road that runs along the western property line where the existing drive is left in its current location and is not connected to the proposed new parking areas. Where connected to new church parking lots, the drive will be improved, widened per UDO standards, and will require landscape screening between neighboring parcels and the new drive. Landscape screen was requested by the adjacent neighbors during the Mediation meeting on 6/6/22. This landscape screen will be installed in lieu of a landscaped buffer area referenced in UDO 5.15.6 and described in UDO 4.3.4. Landscape screen, as described in UDO 4.3.5, will provide an opaque visual screen from ground to 15 feet high. Setback along the western property line will be 100 feet minimum or as calculated by UDO 5.15.6, based on the final size of the proposed church buildings, whichever is greater.

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.

5.2 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-Upon Area = 9% Impervious

Built-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%~~ 24% Impervious Maximum
 - ~~Note: 5/70 Exemption will be required for WS III P compliance once built upon areas exceed 24%.~~
 - Note: The Applicant agrees not to pursue a 5/70 Exemption for the identified church and school development.

5.3 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.

5.3.1 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)

5.3.2 Summary of PD Development Standards

5.3.2.1 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)

5.3.2.2 **Building** Setbacks:

- Front Yard **(School Development)** = 40 feet from ROW / 70 feet from centerline of Camp Easter Road (RE)
- **Front Yard (Church Development) = established as a line, 300 feet south of and running parallel to the front façade of the existing Activity Building.**
- Side Yard, West, **Church Buildings** = ~~50 feet to Parking, 75 feet to Minor Buildings, 100 feet to Major Buildings (major/minor as defined by 5.15 = 7,000 sf)~~ 100 feet minimum or as calculated by UDO 5.15.6, based on the final size of the proposed church buildings, whichever is greater
- Side Yard, West, Residential Buildings = ~~30 feet~~ 100 feet.
- **Total West Side Yard: This approximately 1.59 acre area will remain undeveloped in its current condition, which reflects its former use as a horse pasture.**
- Side Yard, East = 15 feet (RE)
- Rear Yard = 30 feet (RS3)

5.3.2.3 **Development Setback:**

- **Front Yard (Church Development) = No play yards, athletic fields, structures, or other permanent development (other than utilities and stormwater control devices) will be allowed in the Undeveloped Area identified on the Site Plan, from the ROW at Camp Easter Road to a point 250 feet perpendicular from this ROW and intersecting with the easement drive (same point as identified as the end of the Landscape Screen), and then running along and east/west line until meeting the ROW at the traffic circle. This approximately 1.57 acre area will remain undeveloped in its current condition, which reflects its former use as a horse pasture.**

5.3.2.4 ~~Buffers~~ **Landscape Screening:**

- Existing 18' easement must be maintained along west property line **in the existing location or as revised**. 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.
 - Where existing easement is not connected to new church parking, drive may be improved and landscape screen per UDO 4.3.5 will be provided along the east side of the existing drive. Decorative landscaping may also be provided along the west side of the existing drive as space limitations allow.
 - Where new drive is connected to proposed church parking lots, drive will be improved to meet UDO / Fire Marshal standards and will be moved eastward into the site enough to provide area for a landscape screen per UDO 4.3.5 to be west of the new drive, providing visual screening to the adjacent parcels along the western property line.
- ~~○ Side Yard, West = 10 feet landscaped buffer from property line to drive~~
- Side Yard, West = ~~20-90 feet landscaped buffer on east side of improved drive for a total of 100 feet of landscaped buffer along the west property line adjacent to development.~~ Landscape Screen per UDO 4.3.5 will be installed along the western portion of the Church Development parcel beginning at the north-most point of any Church Development (buildings, recreation/play yard, or parking lots) and continuing as described above ~~along the east side of the existing easement to a point 250-350 feet off of the Camp Easter Road ROW.~~ Per UDO 4.3.5, landscape screen will be visually opaque from ground to 15 feet tall at maturity. This screening type and layout was requested during Mediation meetings with neighbors on June 6, 2022.
 - Implementation: Buffers Landscape Screen will be constructed with the construction of the future church, parking, or athletic field recreation field / play-yard development.
- 5.3.2.5 Lot Size, Density, and Lot Width (per RE)
- 5.3.2.6 Landscaping: per UDO requirements except as follows
- Buffers / Landscape Screening for PDD as established above.
 - NOTE: Proposed ~~buffer~~ landscape screening at west property line is based on ~~UDO Exhibit 4-2 buffer UDO 4.3.5 and 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. is based on a similar buffer between the PD development at McDeed's Creek Elementary School and the adjacent Residential District. is provided as requested by neighbors during Mediation meeting, June 6, 2022.~~
 - Buffers / Landscape Screening will become required with development activity per parcel.
 - West buffer will be required with development of church and parking lot and/or athletic recreation field.
 - 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)

5.3.2.5 Lot Size, Density, and Lot Width (per RE)

- Buffers / **Landscape Screening** for PDD as established above.

- Buffers / **Landscape Screening** will become required with development activity per parcel.
 - West buffer will be required with development of church and parking lot **and or athletic recreation field.**
 - 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.

- 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)
- 5.3.2.7 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. **Existing and new parking at School will count toward the Diocese required parking numbers.** Parking areas will be designed with curb and gutter **only** as necessary to capture and control stormwater toward underground basins or similar stormwater control systems.
- 5.3.2.8 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
 - **Lighting color temperatures will be in a warm-range (maximum 4,000 Kelvin) per request by neighbors during Mediation meeting 6/6/22.**
 - **Lighting levels from new site lighting will not exceed 0.5 fc above existing ambient lighting at adjacent property lines.**
- 5.3.2.9 Development / Building Standards: UDO 4.10 shall apply unless modified by other sections within this document.
- 5.3.2.10 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~~ 550 feet. Driveway permitting will be required per NCDOT during PDP phase of Church Development.
 - **Driveway between proposed Church parking lots and Camp Easter Road will be designed as a Secondary Access. Primary ingress/egress will be from the existing traffic circle on Camp Easter Road.**
 - **Secondary access drive will be no wider than minimums required by Southern Pines UDO / Fire Marshal.**

- Secondary access drive will not be connected to parking lots in such a way as to encourage the majority of the traffic to use this drive.
 - Secondary drive will not be directly connected to a major collector aisle within the parking lot.
 - 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 buildings ~~but will not be required to~~ **and will** connect between uses ~~except as~~ shown on CDP.
- 5.3.2.11 Supplemental Conditions for Specific Uses (UDO 5.15 Religious Institutions)
- UDO 5.15.1(A): PD shall allow Large Religious Institutions (seating capacity of largest assembly area greater than 250 seats).
 - UDO 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 / **Landscape Screening and Setbacks** are as established above.

5.3.2.12 Other Conditions

- Recreation / Play Yard
 - Location must be 250 feet north of the north façade of the existing Activity Building and 250 feet east of the west property line.
 - Recreation / Play Yard shall be screened from view from Pine Barrens parcels either by existing vegetation, landscape screen along property line, or additional landscape screening within the site.
 - Recreation / Play Yard shall not be designed, constructed, or otherwise treated as a fully defined permanent sports field
 - Bleachers or other spectator seating shall not be provided.
 - Referee / Coaching whistles or other similar noise makers shall not be used in association with the Recreation / Play Yard.
 - Athletic lighting is not allowed for the Recreation / Play Yard.
- Undeveloped Areas and Setbacks
 - Defined Undeveloped Areas and Setbacks must be maintained in current condition (pines, understory trees, pine-straw / pasture grass)
 - Site utilities, storm water control, or similar works are allowed in these areas.
- Church bells (actual or recorded) are allowed in conjunction with church services but will not be allowed for regular chiming of the time.
- Height of spires are unlimited per UDO 4.2.1 (I). Objects located on top of a spire may not be taller than 10 feet or wider than 6 feet.

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.
- **West Parcel 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) 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.
- d) The CDP establishes setbacks and buffers to minimize impact to adjacent residential properties.
- e) 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.~~ These properties are not within the specific areas defined as “Horse Country” within the CLRP. However, the adjacent neighborhood of Pine Barrens attempts to maintain the appearance of Horse

Country and therefore, this CDP makes efforts to help preserve this. 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 and as defined by Building Setbacks, Landscape Screens, and Undeveloped Areas within the CDP.

- **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.
- Impacts of the future Church Development will be limited and managed by increased setbacks, increased landscape screens, added undeveloped areas, limitations on allowable impervious surface areas, and other means as defined within the Narrative and Site Plans for this CDP.

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 and the Knollwood Tract, a 558 acre, multi-use development including service, office, commercial, residential, public or private recreational development or light industrial uses

- 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%~~ 24% Impervious Maximum

~~*—Note: 5/70 Exemption will be required for WS-III-P compliance once built-up areas exceed 24%.~~

Note: The Applicant agrees not to pursue a 5/70 Exemption for the identified church and school development.

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 Appendices

- 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 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~~ 550 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 Hwy 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 Kimly 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)

Knollwood Tract (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 (CTP).*

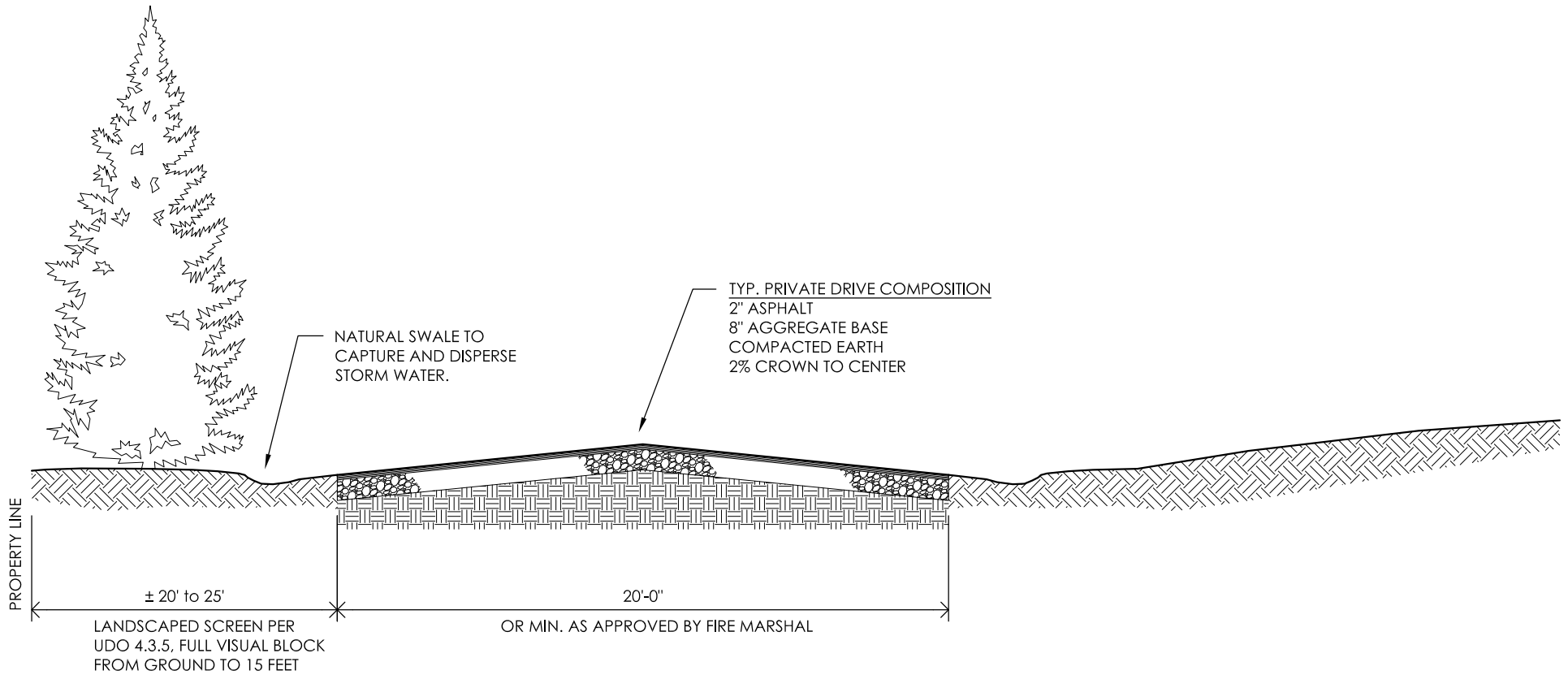
School Development will not require any transportation facility improvements. Proposed transportation improvements will be implemented with the Church Development phase of the proposed CDP.

- 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



CTP1.1 PRIVATE DRIVE SECTION

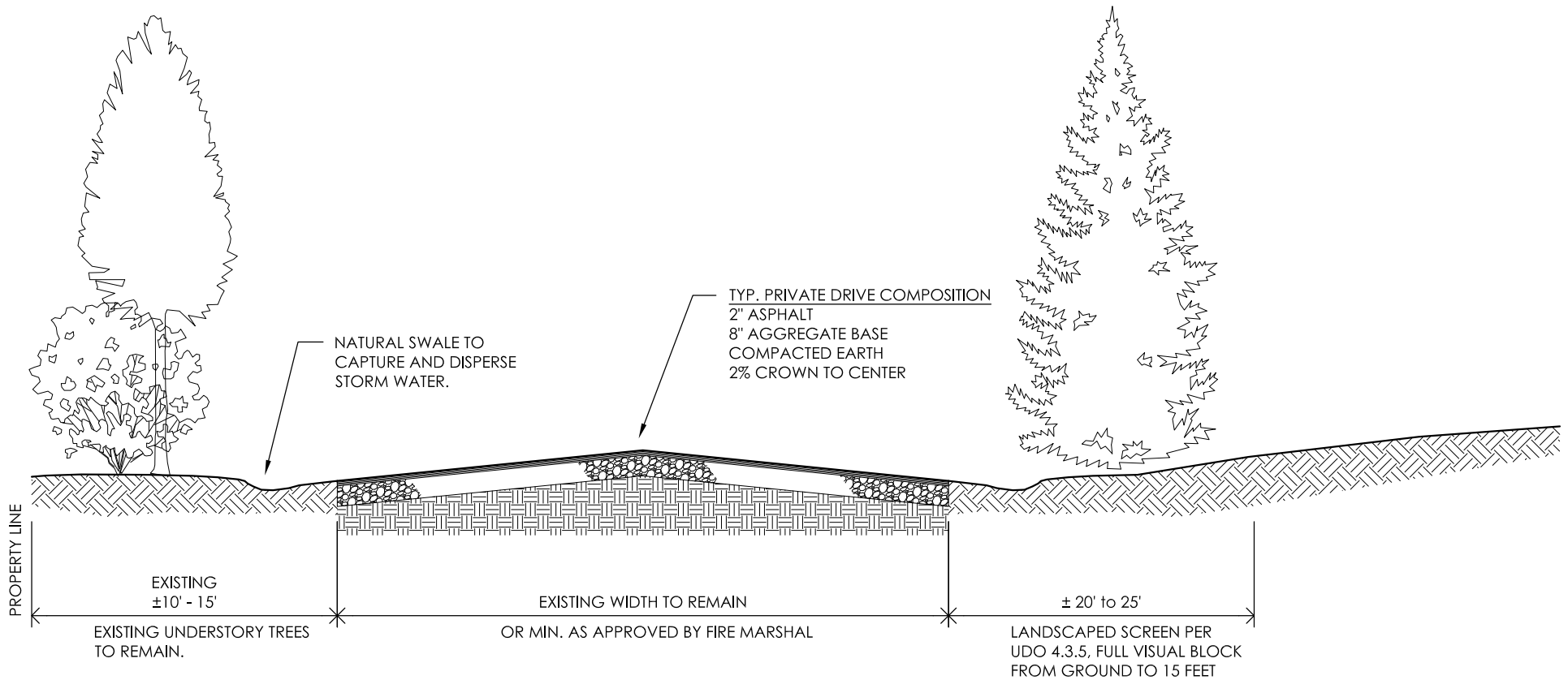
SECONDARY ACCESS DRIVE BETWEEN FUTURE CHURCH PARKING LOTS AND CAMP EASTER ROAD.

N.T.S.

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

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.



CTP1.2 PRIVATE DRIVE SECTION

DRIVEWAY NORTH OF CONNECTION TO FUTURE PARKING LOTS.

N.T.S.

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

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.



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, PLLC

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

1/12/22

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

I, the undersigned, do hereby make application to and petition the Planning Board and Town Council for approval of a Planned Development District – 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 ± 1,435 feet and a depth of ± 925 TO 1,630 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 (existing use), Rectory (existing use), Cemetary (existing use),

Athletic Fields (as part of 6120 current use), Religious Institution (existing use - chapel in Rectory and School)

Religious Institution, large church (proposed future use). See below for LBCS.

Date: 5.15.22


Applicant

Proposed Property Uses:

PRIMARY USES:

Private Catholic School PreK-8th Grades (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.

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

APPOINTMENT OF AGENT

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

[Signature]
Agent

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

[Signature]
Agent

UDO §2.18 Planned Development

§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.

List of Adjacent Property Owners

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

SJPCS Properties:

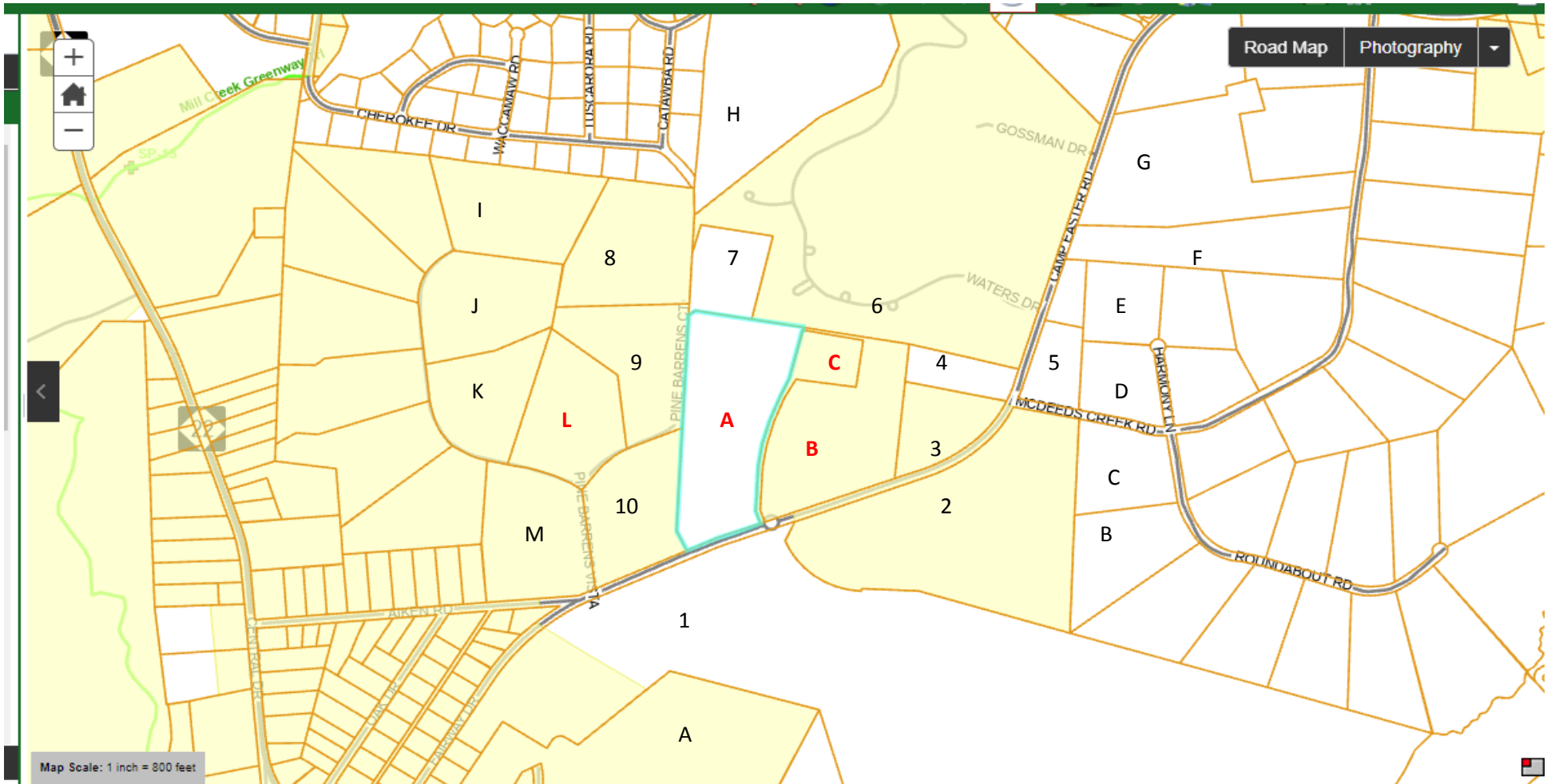
- A.** 2978 Camp Easter Rd
- B.** 2878 Camp Easter Rd
- C.** 2952 camp Easter Rd

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



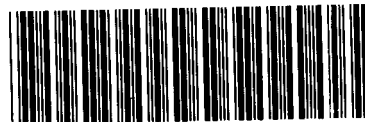
Deeds & Proof of Ownership

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**

Parcel ID: 00038409
Former Horse Farm property
2978 Camp Easter Road

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.

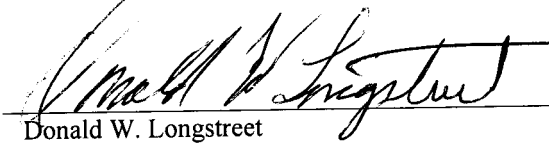
TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

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

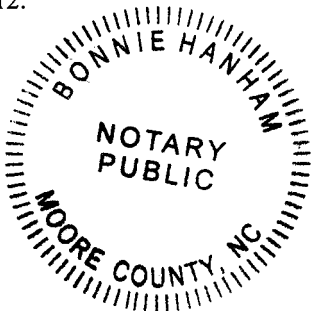
By: _____ (SEAL)

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.



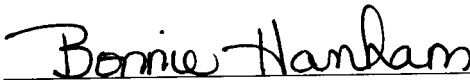
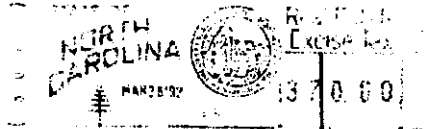

Notary Public
Bonnie Hanham
Print or Type Name of Notary Public
My Commission Expires: July 5, 2015

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
Asheville, N.C. 28715

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	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

Row

14-3993
Parcel ID: 00038409
Former Horse Farm property
DEEDED EASEMENT

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 and 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 _____

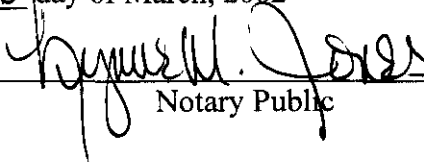
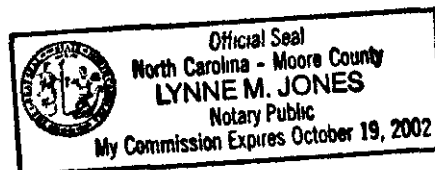

Notary Public

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.

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

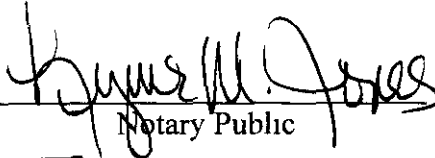

_____(SEAL)
Kelly R. Miller


_____(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

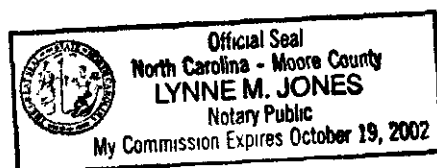
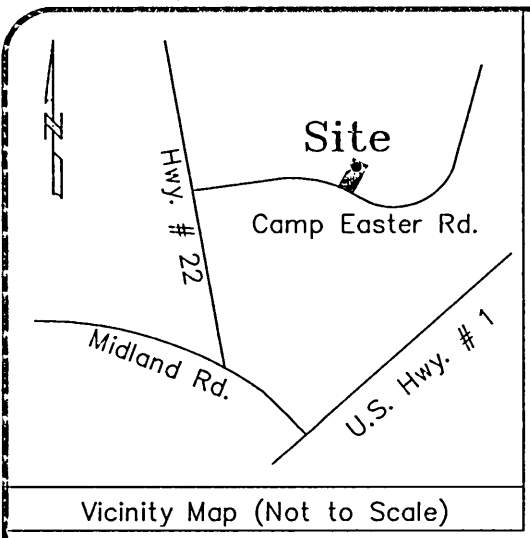


EXHIBIT "A"

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

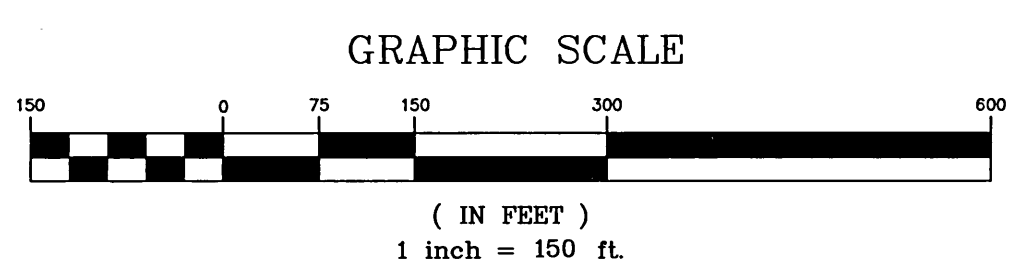
I, Ryan D. McBryde, a Professional Land Surveyor L-4394, certify to one or more of the following as indicated:

- ☐ 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 it is reasonable to make a determination to the best of his professional ability as to provisions contained in (A) through (D) above.

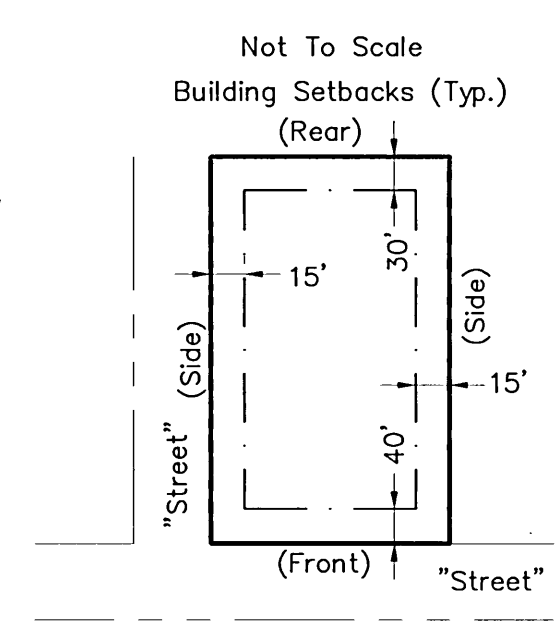
Ryan D. McBryde
Professional Land Surveyor

L-4394
Registration Number

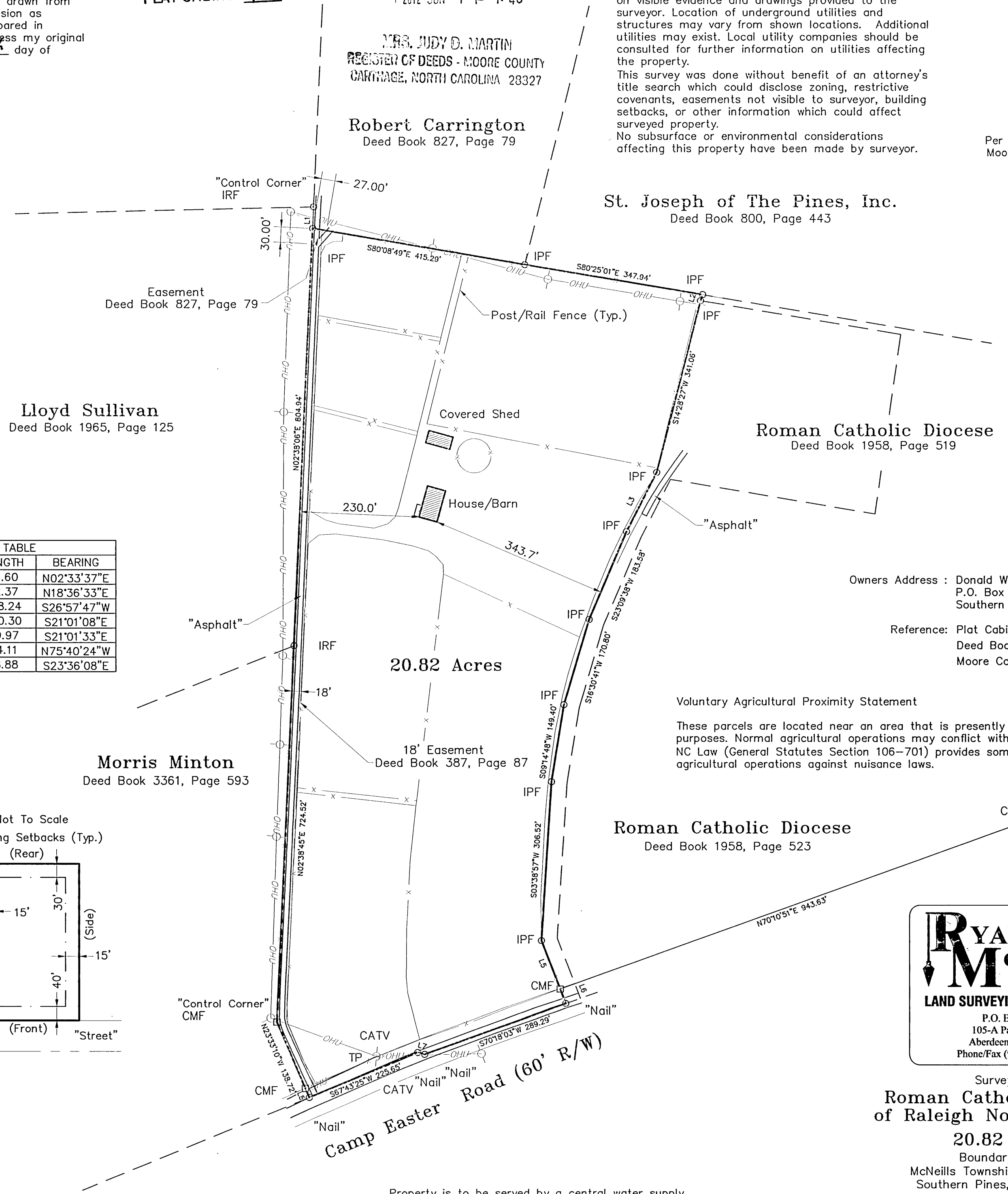
5/8/12
Date



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°36'08"E



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



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

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

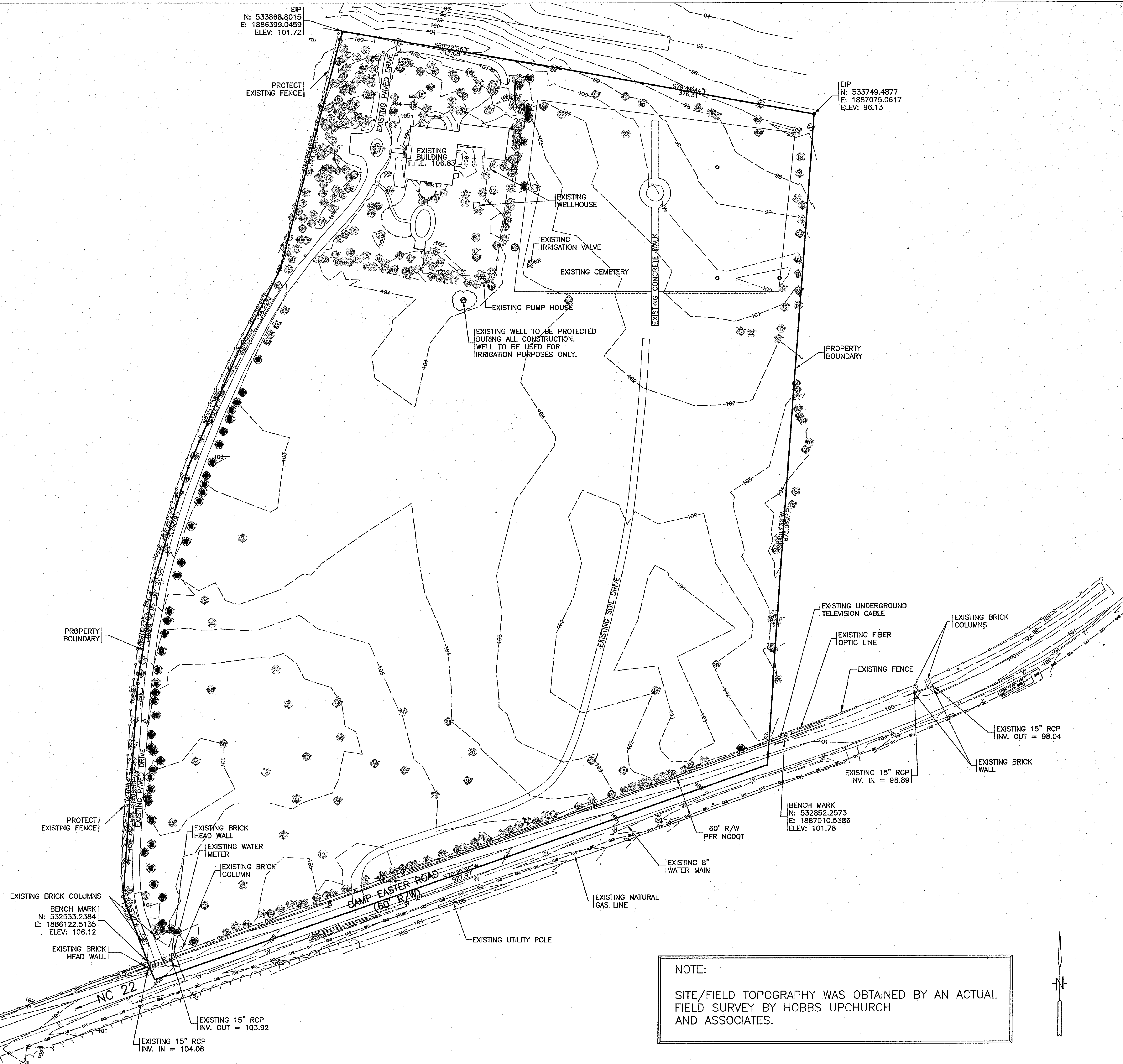
These parcels are located near an area that is presently used for agricultural purposes. Normal agricultural operations may conflict with residential land use. NC Law (General Statutes Section 106-701) provides some protection for existing agricultural operations against nuisance laws.

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
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.

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 SEAL.



LEGEND

- ECM
- EIR
- EIP
- EXISTING CONTOUR
- PROPERTY BOUNDARY
- NC DOT 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

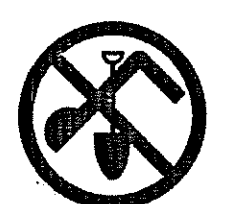
BENCH MARK

NC DOT 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

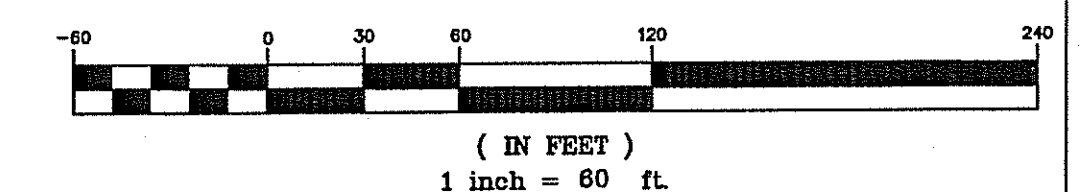
NOTE:

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

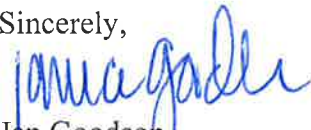
Mr. Pete Bogle
110 North Main Street
Salisbury, North Carolina 28144

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,



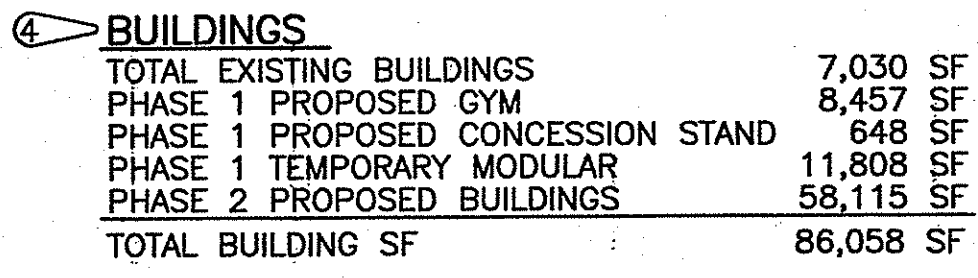
Jan Goodson
Senior Wildlife Biologist



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 IMPERVIOUS AREA	
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

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 CAMPESTER ROAD
N: 532852.2573
E: 1887010.5386
ELEV. 101.78

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

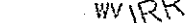
LINE TABLE		
LINE	LENGTH	BEARING
L1	479.21	N04°03'32"E
L2	239.54	N90°00'00"W
L3	464.74	N90°00'00"W
L4	144.50	N20°19'34"W
L5	155.01	N03°40'19"E
L6	123.09	N89°15'47"E
L7	142.31	N16°32'22"E
L8	86.56	N22°52'51"E
L9	57.58	N22°52'51"E
L10	577.86	N89°59'54"E
L11	30.00	S00°00'00"E
L12	70.12	N90°00'00"W
L13	18.63	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	N42°58'14"E	94°03'32"	46.16
C2	104.71	250.00	103.95	N08°19'37"E	23°59'53"	53.13
C3	19.61	201.00	19.61	N05°28'03"W	5°35'28"	9.81
C4	25.53	201.00	25.51	S12°54'05"E	7°16'35"	12.78
C5	23.34	201.00	23.33	S19°52'00"W	6°39'16"	11.89
C6	33.45	27.78	31.46	S57°22'41"W	68°59'41"	19.09
C7	61.72	38.00	55.13	N43°31'52"W	92°56'27"	40.05
C8	64.28	137.00	63.69	S76°33'50"W	26°53'00"	32.74
C9	179.47	163.00	170.51	S85°20'28"E	63°05'04"	100.05
C10	85.56	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.

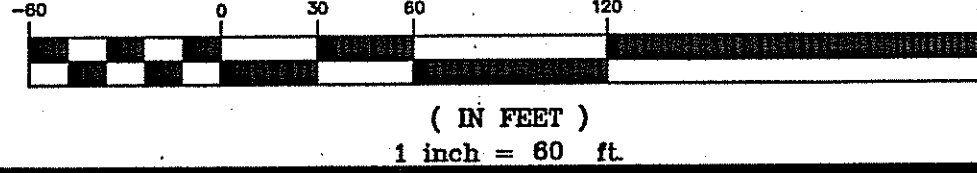
LEGEND

- | | |
|---|---------------------------|
|  | 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

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, HWQ
McDEEDS CLASSIFICATION: WS-III, HWQ
RIVER BASIN: CAPE FEAR

GRAPHIC SCALE

A circular sign with a black border. Inside the circle, there is a crossed-out shovel and pickaxe, indicating that digging is prohibited.

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

DATE: 02/27/07	REV NO. 1	DATE 10/23/07	JOB # SP0714	SHEET NO. C-02
DES BY: ---	2	11/20/07	ST. ANTHONY OF PADUA CATHOLIC SCHOOL	
DWG BY: ---	3	12/04/07		
CHK BY: ---	4	11/9/09		
REV NO. ---	5	11/30/09		
NCSBC 2006				

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.

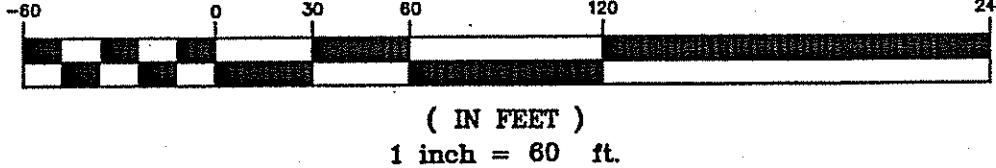
DISTURBED AREA: 15.95 Ac.

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

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



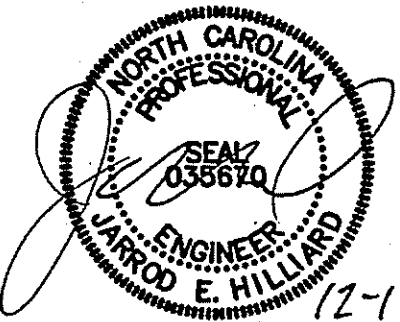
BEFORE YOU DIG
CALL 1-800-632-4949
N.C. ONE-CALL CENTER
IT'S THE LAW



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

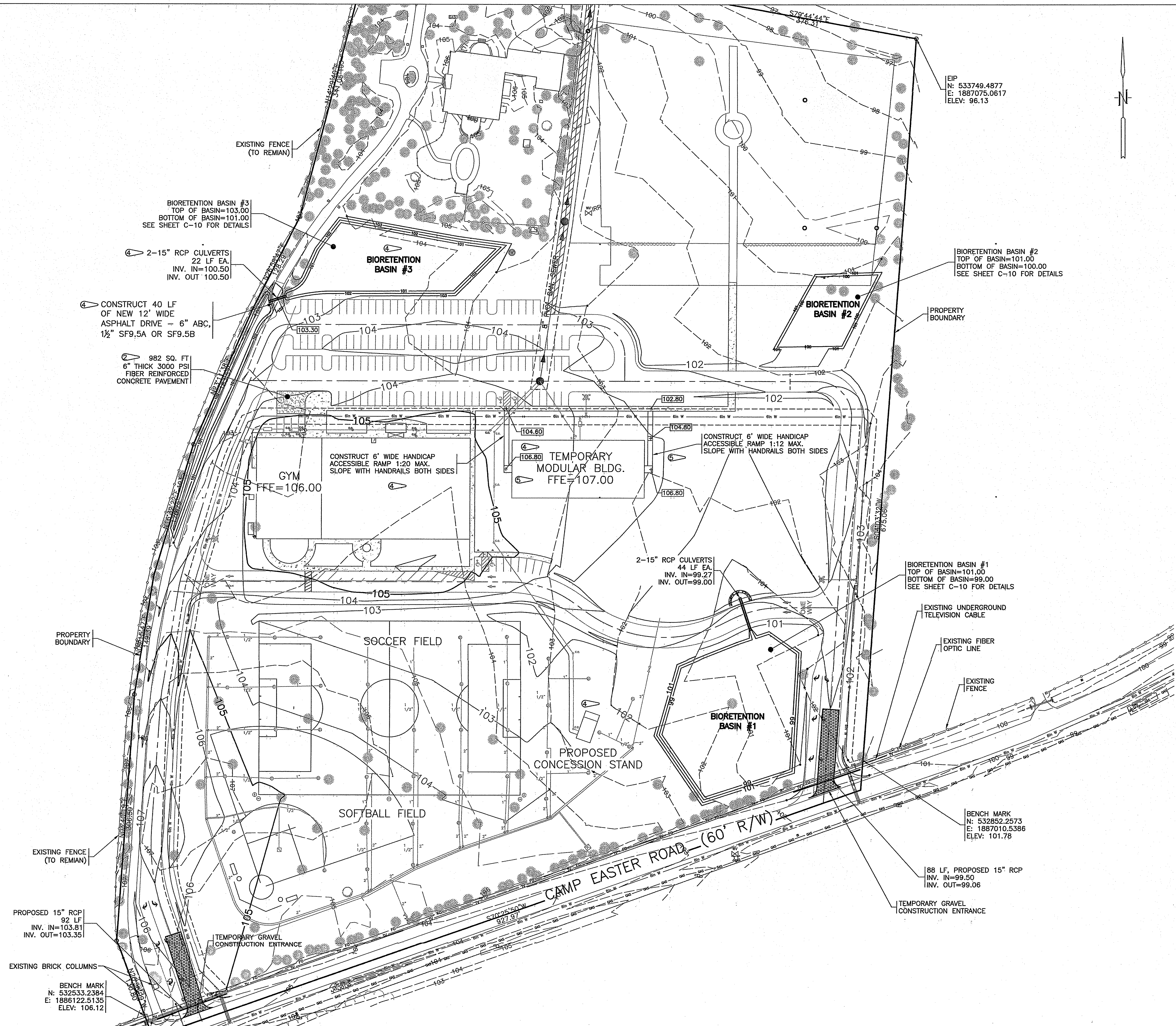


DATE: 02/27/07 REV NO. 1 DATE 10/17/07
DES BY: 1 10/17/07
DWG BY: 2 12/4/07
CHK BY: 3 11/9/09
REV NO. 4 11/30/09
5 12/11/09
6
JOB # SP0714
ST. ANTHONY OF
PADUA
CATHOLIC SCHOOL
NCSBC 2006

SHEET NO.

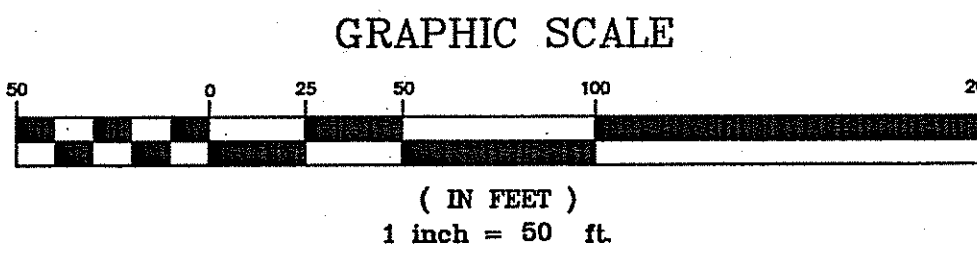
C-03

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.

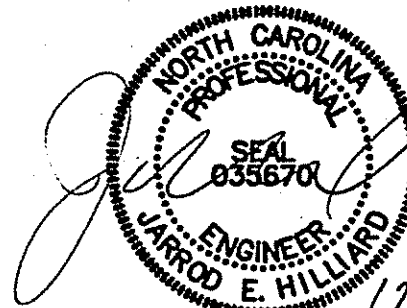
LEGEND	
	ECM
	EIR
	EIP
	EXISTING CONTOUR
	PROPOSED CONTOUR
	PROPERTY BOUNDARY
	NCDOT RIGHT OF WAY
	UNDERGROUND FIBER OPTIC
	EXISTING CABLE
	EXISTING FENCE
	EXISTING WATER
	EXISTING GAS
	CABLE TV BOX
	EXISTING WELL
	EXISTING IRRIGATION VALVE
	EXISTING PROPANE TANK
	EXISTING POWER POLE
	EXISTING PINE &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



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



12-18-09

DATE: 02/27/07	REV. NO. 1	DATE	JOB #	SP0714
DES BY: ---	2	11/19/07		
DWG BY: ---	3	11/19/09		
CHK BY: ---	4	11/30/09		
REV NO.				

ST. ANTHONY OF
PADUA
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,

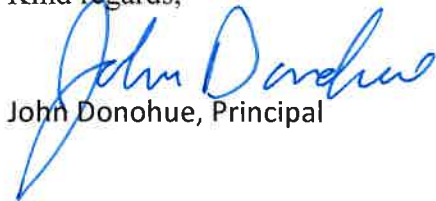
St. John Paul II Catholic School seeks to replace temporary modular classroom buildings with a permanent K-8 educational facility. As an adjacent property owner, you are invited to attend a Neighborhood Meeting to be held at 6:30 PM on Tuesday, January 25, 2022, at St. John Paul II Catholic School located 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@stp2catholicSchool.org
Robert Evanilo	234C Persimmon Dr. Pinebluff, NC 28373	SJPII REVANILA@stp2catholicSchool.org
Fran: Jim Currey	141 PINE BOWNET SP.	francurrey@windstream.net
Robt A. & Jamie Peche	2741 Camp Easter Rd.	
Scott Dembowski	SJPII	sdembowski80@gmail.com
Rev. John Kane	2952 2952 Camp Easter Rd	Father. Kane@stanthonyParish.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.



Neighborhood
Meeting Presentation



THE **BOGLE FIRM**,
ARCHITECTURE



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



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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@sjp2catholicschool.org



Embracing our
Legacy.
Envisioning our
Future.

Capital Campaign



St. John Paul II Catholic School

2922 Camp Easter Rd.
Southern Pines, NC 28387

www.sjp2catholicschool.org

the BOGLE FIRM
ARCHITECTURE

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

110 N. MAIN ST. pete@boglefirm.com
SUITE 200 www.boglefirm.com
SALISBURY, NC 28144 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



the **BOGLE** FIRM
ARCHITECTURE

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

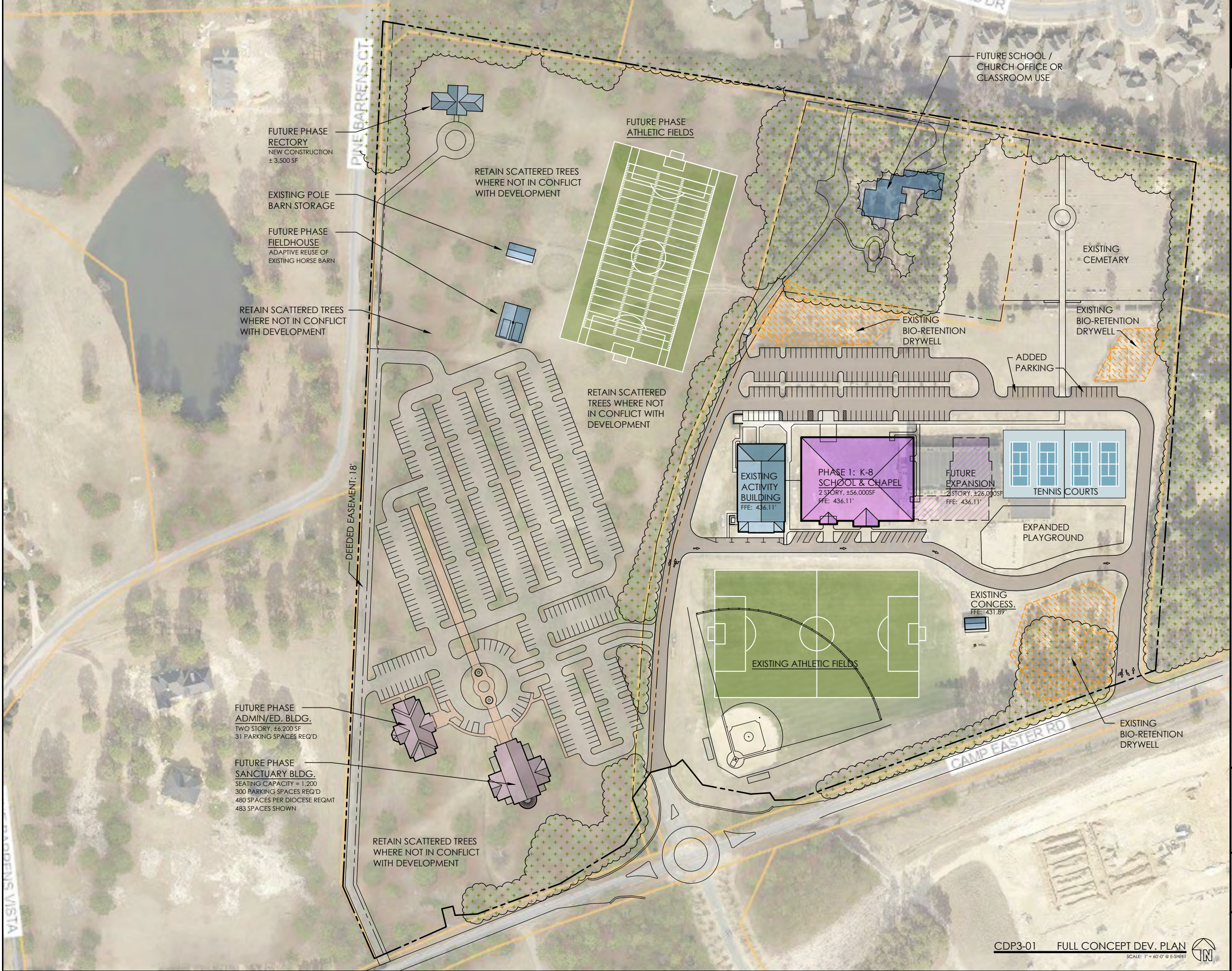
pete@boglefirm.com
www.boglefirm.com
704.638.2015

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

FUTURE CAMPUS PLAN
TOWN OF SOTHERN PINES
CONCEPT DEVELOPMENT PLAN

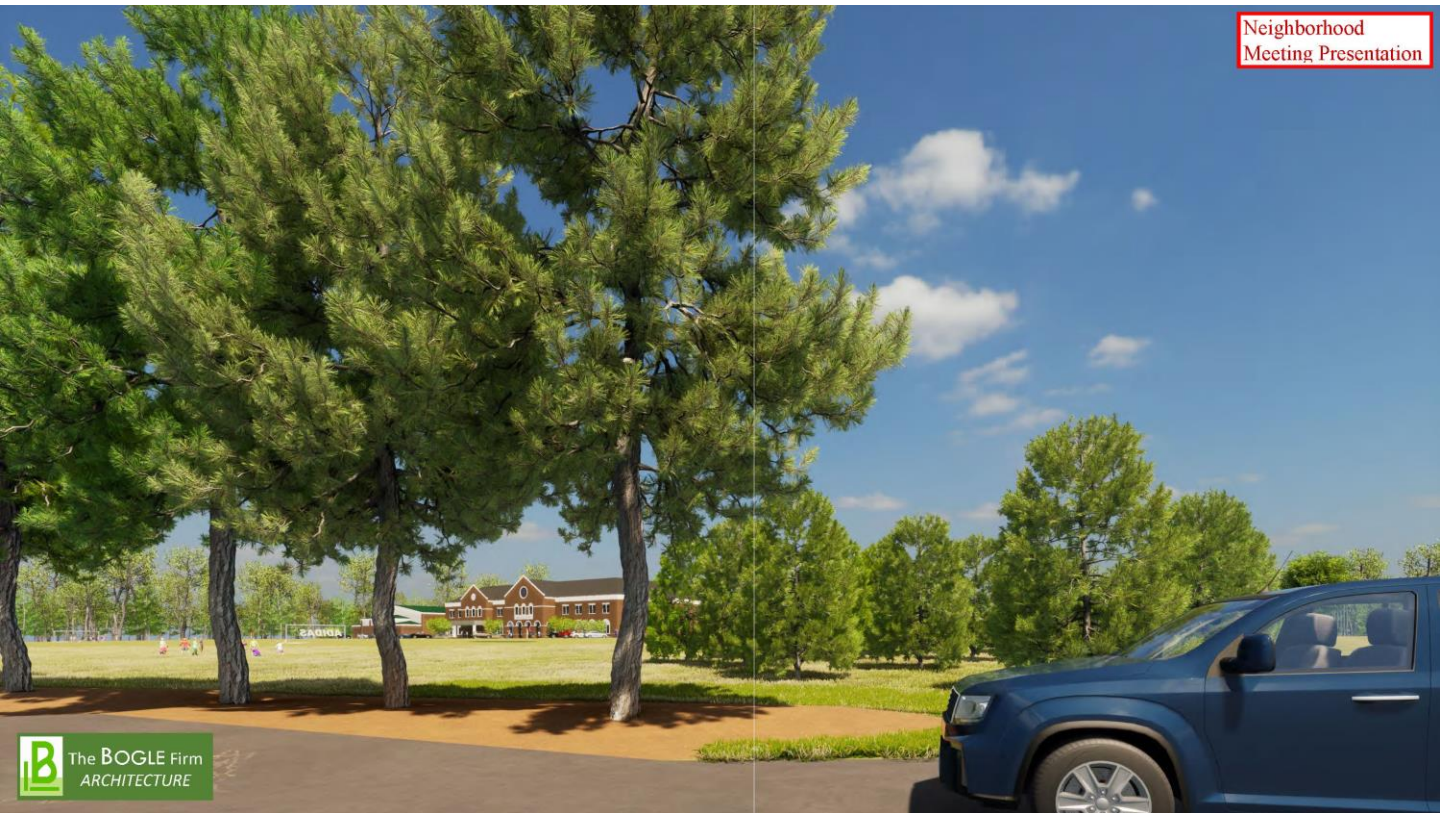
ST. JOHN PAUL II
CATHOLIC SCH.
2922 CAMP EASTER ROAD
SOUTHERN PINES, NC

DRAWN BY: DRB CHECKED BY: DRB DATE: 11.2.21 PROJECT #:	SHEET NUMBER CDP3 OF: 3
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THE **BOGLE FIRM**,
ARCHITECTURE







 The BOGLE Firm
ARCHITECTURE



 The BOGLE Firm
ARCHITECTURE



660

Neighborhood Meeting Presentation



I, Ryan D. McBryde, certify that this plot was drawn under my supervision and that the survey was made under my supervision (deed book 3607, Page 109); that the boundaries and easements are clearly indicated as drawn from information on record; that the ratio of precision as calculated is 1:20,000; that this plot was prepared in accordance with the rules and regulations of the State of North Carolina as amended. Witness my original signature and seal this 20 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
SM = Sewer Manhole
WM = Water Meter
FH = Fire Hydrant
UP = Utility Pole
CATV = Cable Television
PSO = Power Stub Out
TP = Telephone Pedestal
WV = Water Valve
AL = Aerial Light
BSL = Building Setback Line
OHL = Overhead Utilities
SSO = Sanitary Stub Out
ET = Electrical Transformer
HVAC = HVAC
SS = Sanitary Sewer
C = Calculated Point

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

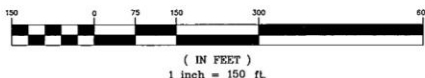
- ☐ A. That this plot is a survey that created a subdivision of land within the area of the county or municipality that has an ordinance that regulates parcels of land.
- ☐ B. That this plot is of a survey that is located in such portion of a county or municipality that is unregulated as to an ordinance that regulates parcels of land.
- ☒ C. That this plot 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 plot 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 he is unable to make a determination to this effect.

Ryan D. McBryde
Professional Land Surveyor

L-4394
Registration Number

Date

GRAPHIC SCALE



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

MR. JUDY D. MARTIN
REGISTER OF DEEDS - MOORE COUNTY
CARRIAGE, 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.

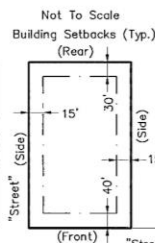
Per D.B. 3607, PG 109
Moore County Registry

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

Lloyd Sullivan
Deed Book 1965, Page 125

LINE	LENGTH	BEARING
L1	41.60	N02°33'37"E
L2	12.37	N18°36'33"E
L3	128.24	S26°57'47"W
L4	100.30	S21°01'08"E
L5	29.97	S21°01'33"E
L6	14.11	N75°40'24"W
L7	18.88	S23°36'08"E

Morris Minton
Deed Book 3361, Page 593



20.82 Acres

Roman Catholic Diocese
Deed Book 1958, Page 523

Owners Address : Donald W. Longsreest
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.

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

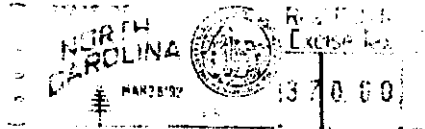
Survey For:
Roman Catholic Diocese
of Raleigh North Carolina
20.82 Acres
Boundary Survey
McNeills Township, Moore County
Southern Pines, North Carolina
May 2, 2012 Job # 120066
Revised May 8, 2012

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

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

806 Bethesda Ave
Asheville, N.C. 28715

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

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

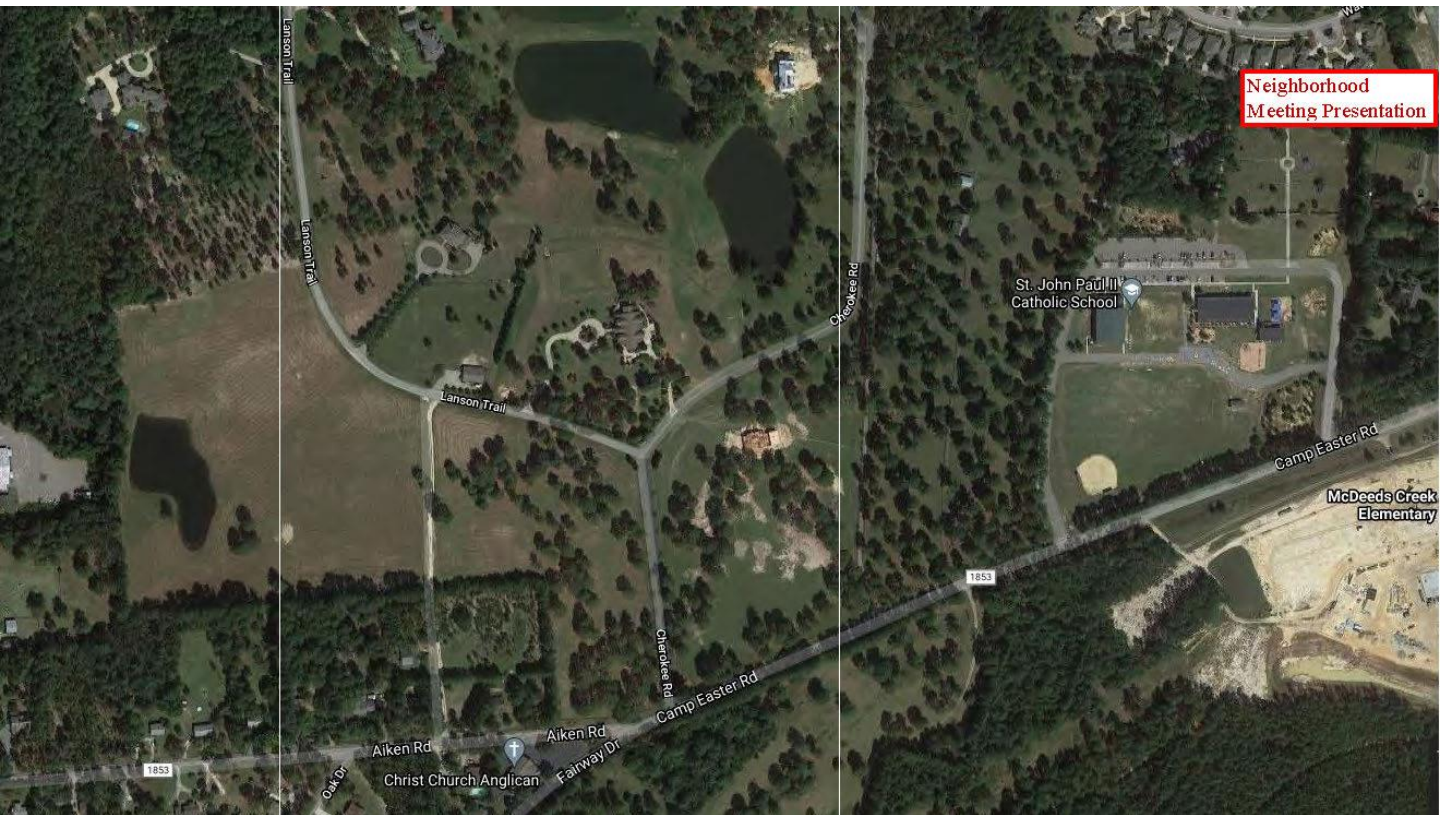
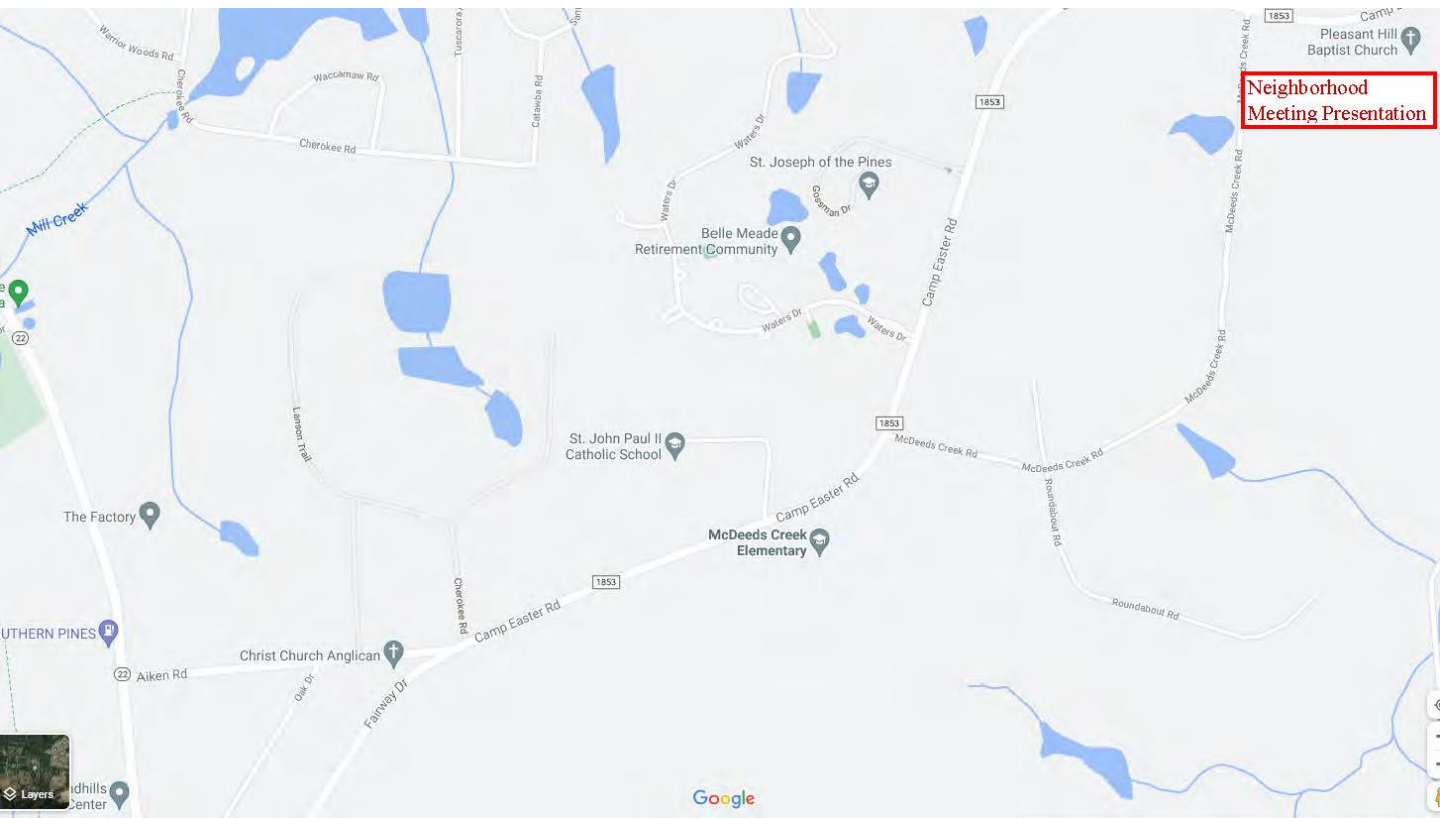
A certain tract of land located North of the Town of Southern Pines and lying about 600 yards North of State Road No. 1853 (Aiken Road), adjoining the lands of Kelly Miller, et al on the North, East, and South and the 18 feet wide Camp Easter Road on the West, described as follows: BEGINNING at iron 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.

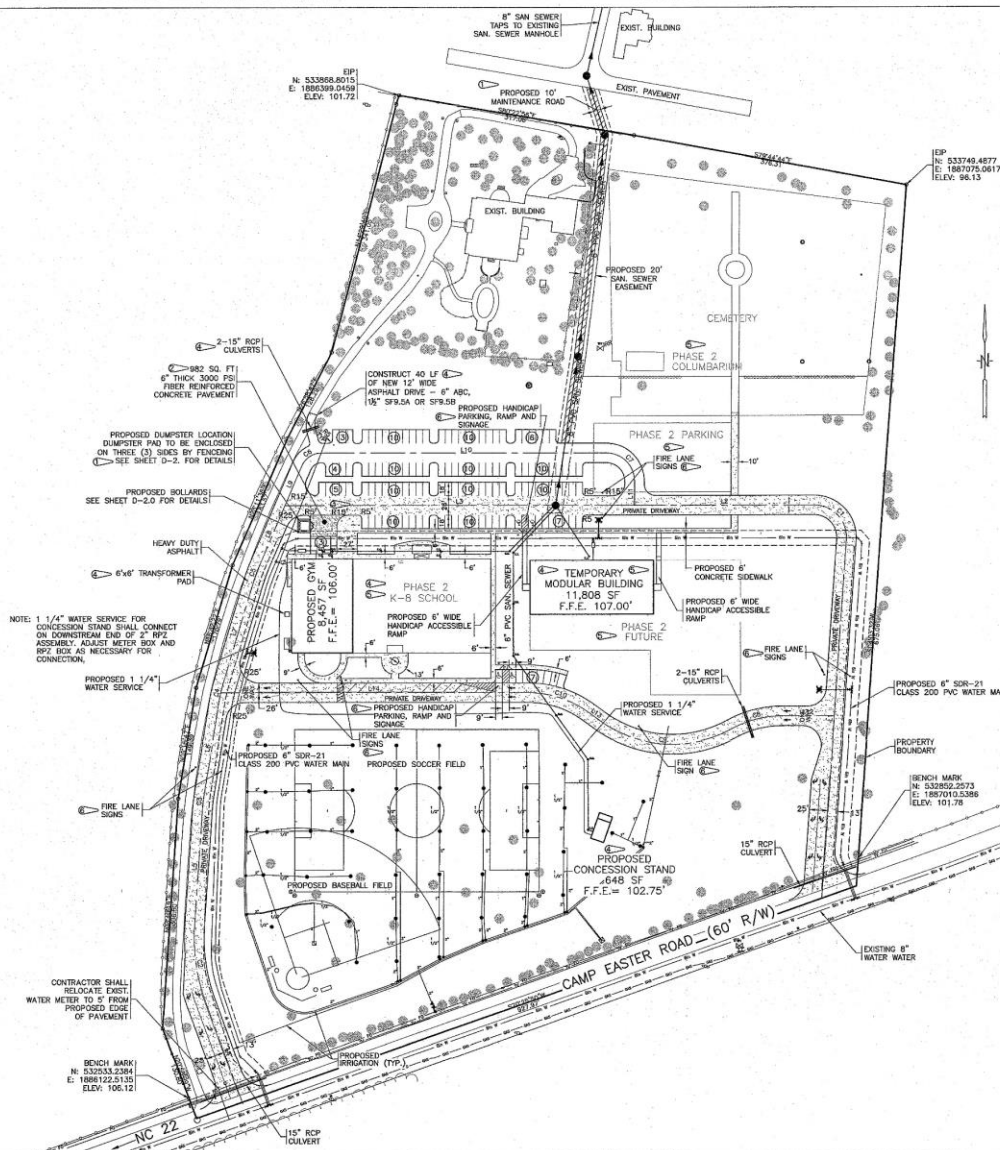
ACCESS EASEMENT TO 6.00 ACRE TRACT

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.**





NOTE: MODULAR BUILDING PROPOSED 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
8' X 11'-7 1/2" = 14.8 (19)	
6' X 7' / 200 = 43	
REGULAR PARKING SPACES PROVIDED	68
HANDICAPPED SPACES PROVIDED	4
TOTAL SPACES PROVIDED	72

PERMEABLE 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 4504, EFF. DATE OCTOBER 17, 2005.

BENCH MARK

NCDOT BM
SE CORNER OF WEST BOUND CAMPESTER ROAD
N: 532852.5573
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
- DR
- 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

GRAPHIC SCALE



BEFORE YOU DIG
CALL 1-800-450-4888
N.C. ONE-CALL CENTER
IT'S THE LAW



Neighborhood Meeting Presentation

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 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" - 1-800-432-6949) 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)	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. 113-42(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.±

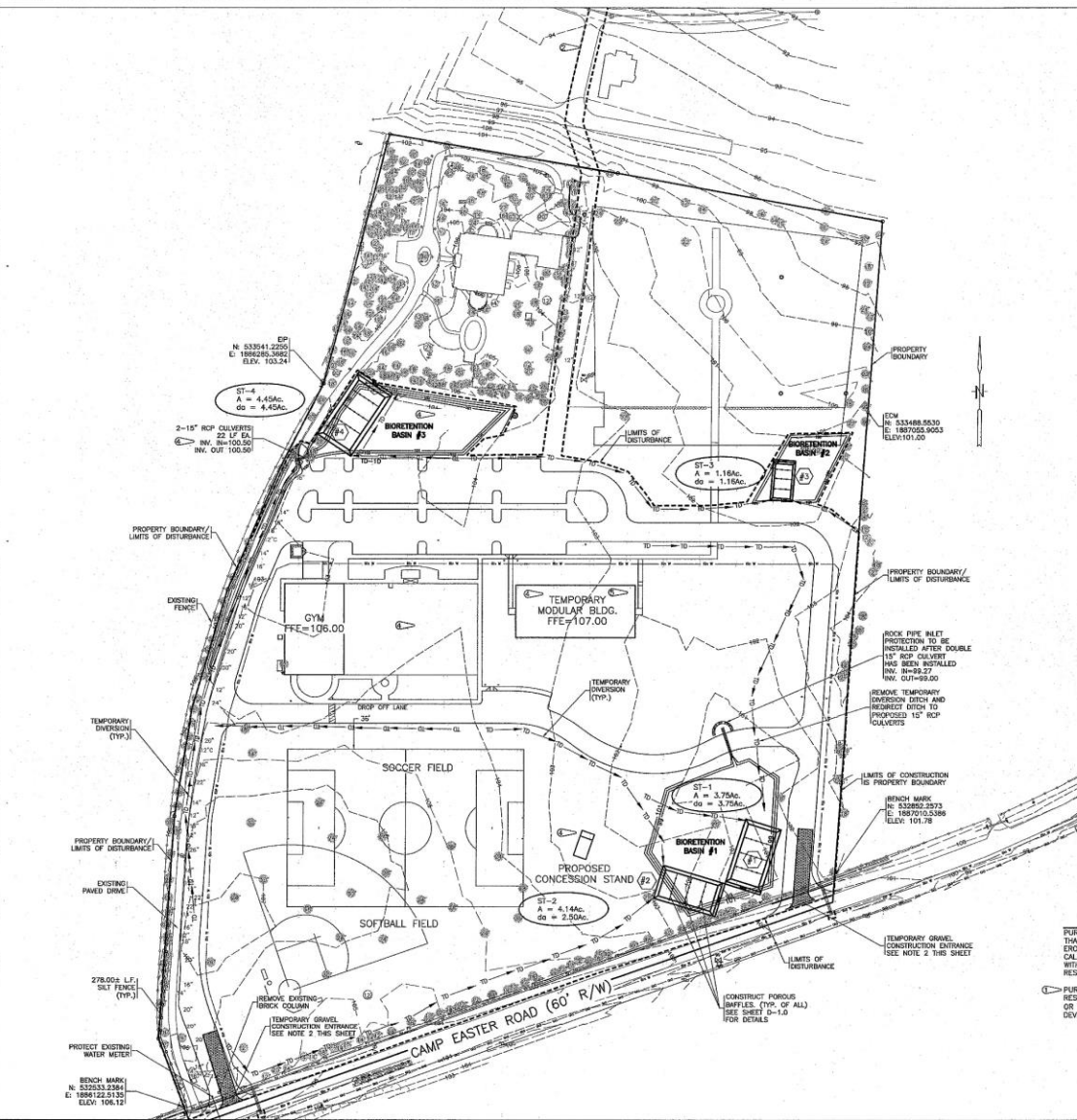
RIVER BASIN: CAPE FEAR
CLASSIFIED: CLASS-III; HQW

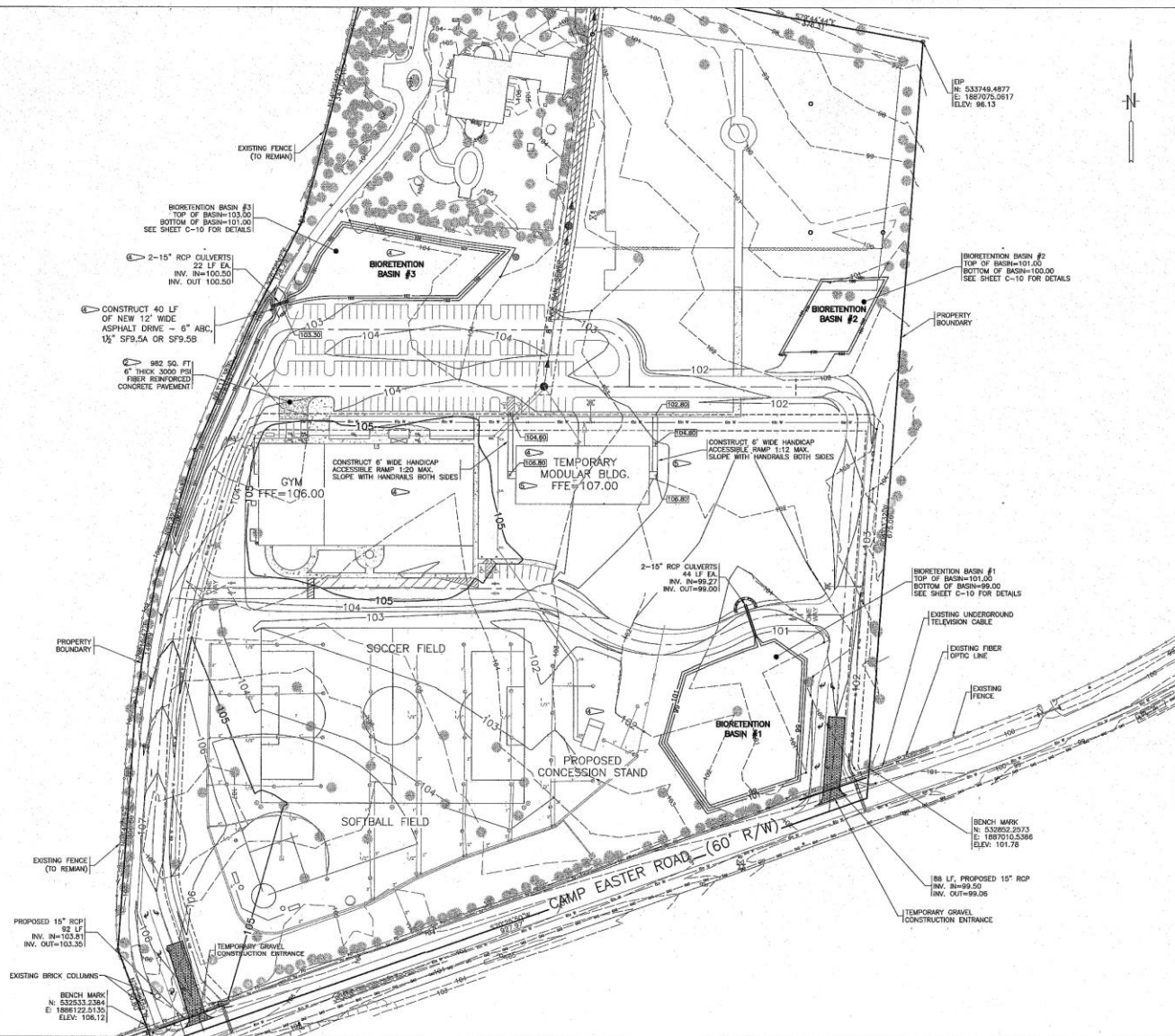


GRAPHIC SCALE

REVIEWED BY: ST. ANTHONY OF PADUA
CALL 1-800-432-6949
N.C. ONE-CALL CENTER
O'S THE LAW

DATE	BY	REV	NO.	DATE	BY	NO.	DATE	BY	NO.
02/27/07	ST. ANTHONY OF PADUA	1	02/27/07	02/27/07	ST. ANTHONY OF PADUA	1	02/27/07	ST. ANTHONY OF PADUA	1
02/27/07	ST. ANTHONY OF PADUA	2	02/27/07	02/27/07	ST. ANTHONY OF PADUA	2	02/27/07	ST. ANTHONY OF PADUA	2
02/27/07	ST. ANTHONY OF PADUA	3	02/27/07	02/27/07	ST. ANTHONY OF PADUA	3	02/27/07	ST. ANTHONY OF PADUA	3
02/27/07	ST. ANTHONY OF PADUA	4	02/27/07	02/27/07	ST. ANTHONY OF PADUA	4	02/27/07	ST. ANTHONY OF PADUA	4





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

LEGEND

—	EXISTING CONTOUR
—	PROPOSED CONTOUR
—	PROPERTY BOUNDARY
—	HIGHER 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 phrase 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

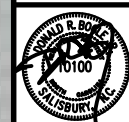
- CDP1: Overview Concept Plan
- CDP2: Existing Campus Plan
- CDP3: Phase 1 Campus Plan
- CDP4: Future Phase Campus Plan

OVERVIEW CONCEPT PLAN

TOWN OF SOUTHERN PINES
CONCEPT DEVELOPMENT PLAN

ST. JOHN PAUL II CATHOLIC SCH.

2922 CAMP EASTER ROAD
SOUTHERN PINES, NC

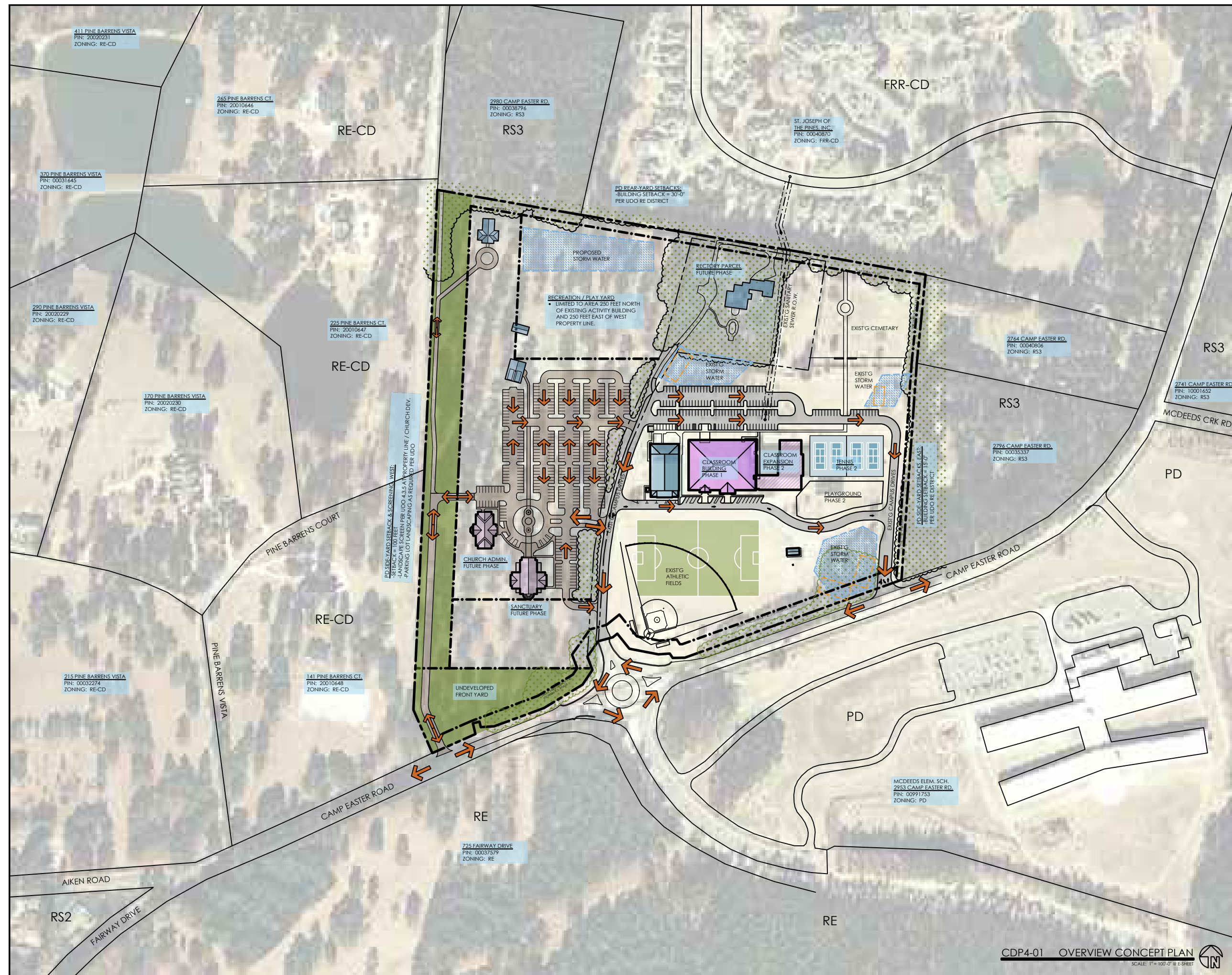


DRAWN BY: DRB
CHECKED BY: DRB
DATE: 9.19.22
PROJECT #:

SHEET NUMBER
CDP1
OF: 4

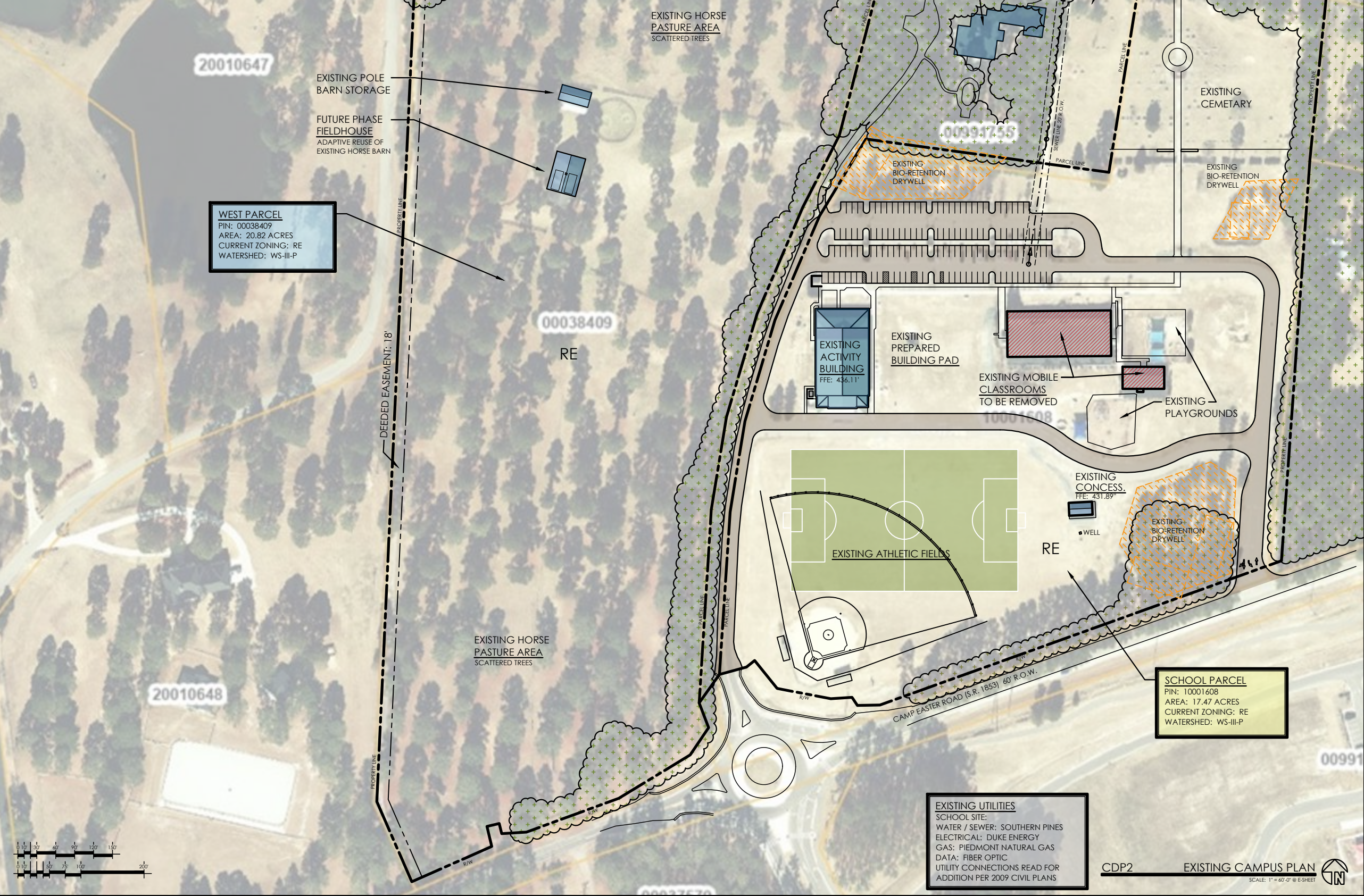
CDP4-01 OVERVIEW CONCEPT PLAN

SCALE: 1" = 100'-0" @ E SHEET





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



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: 9.19.22
PROJECT #:

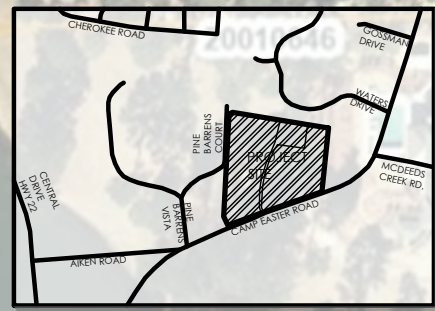
SHEET NUMBER
CDP2
OF: 4

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

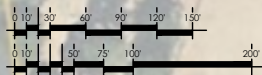
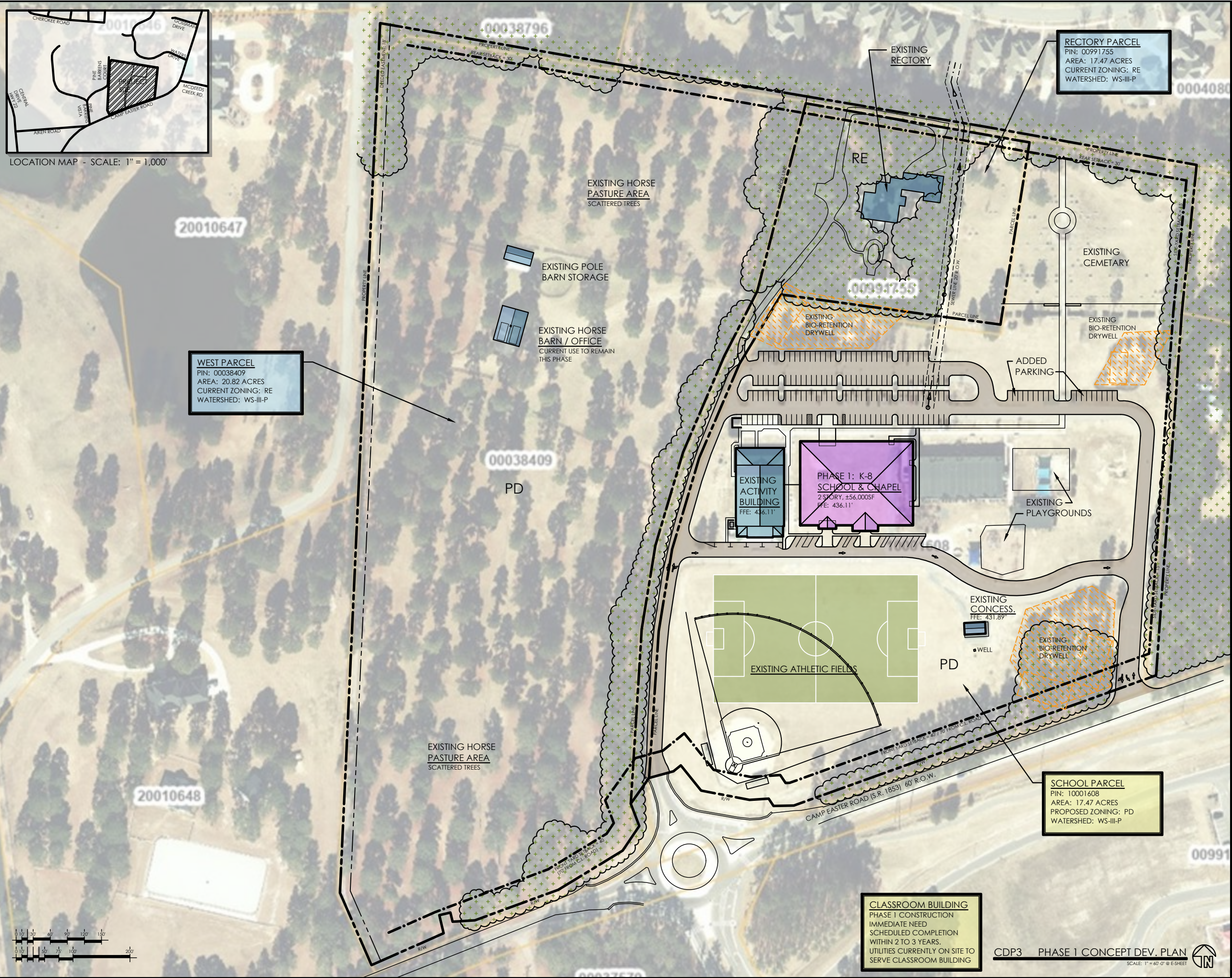
CDP2 EXISTING CAMPUS PLAN

SCALE: 1" = 60'-0" @ E SHEET





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



WEST PARCEL
PIN: 00038409
AREA: 20.82 ACRES
CURRENT ZONING: RE
WATERSHED: WS-III-P

RECTORY PARCEL
PIN: 00991755
AREA: 17.47 ACRES
CURRENT ZONING: RE
WATERSHED: WS-III-P

SCHOOL PARCEL
PIN: 10001608
AREA: 17.47 ACRES
PROPOSED ZONING: PD
WATERSHED: WS-III-P

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

**PHASE 1
CAMPUS
PLAN**
TOWN OF SOUTHERN PINES
CONCEPT DEVELOPMENT PLAN

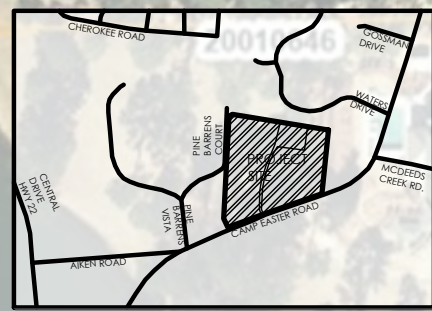
**ST. JOHN PAUL II
CATHOLIC SCH.**
2922 CAMP EASTER ROAD
SOUTHERN PINES, NC



DRAWN BY: DRB
CHECKED BY: DRB
DATE: 9.13.22
PROJECT #:

SHEET NUMBER
CDP3
OF: 4





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

EXISTING EASEMENT DRIVE TO REMAIN OR BE IMPROVED IN CURRENT LOCATION. LANDSCAPE SCREEN ON EAST WHERE DRIVE STAYS IN CURRENT LOCATION.

ADDITIONAL FULLY OPAQUE LANDSCAPE SCREEN PER UDO 4.3.5 WITHIN SITE AS NEEDED TO PROVIDE VISUAL SEPARATION OF RECREATION / PLAY YARD AREAS.

PD WEST PARCEL SETBACKS & SCREENING:

- RELIGIOUS & BUILDINGS:
 - FRONT-YARD SETBACK = 300'-0" SOUTH OF EXISTING ACTIVITY BUILDING.
 - WEST SIDE-YARD SETBACK = 100'-0"
 - REAR-YARD SETBACK = 30'-0"
 - WEST PROPERTY LINE LANDSCAPE SCREENING PER UDO 4.3.5 TO PROVIDE OPAQUE SCREEN FROM GROUND TO 15 FEET HIGH, ENDING AT 350 FEET FROM CAMP EASTER ROAD.
 - PARKING LOT LANDSCAPING PER UDO 4.3.6, AS REQUIRED.
- RECTORY / RESIDENTIAL BUILDING:
 - SIDE-YARD SETBACK = 100'-0".
 - REAR-YARD SETBACK = 30'-0".
 - LANDSCAPE SCREENING NOT REQUIRED.

CONNECTION BETWEEN PARKING LOT AND EASEMENT DRIVE REQUIRES LANDSCAPE SCREEN BETWEEN NEW DRIVE AND PROPERTY LINE. NEW SECONDARY DRIVE WILL BE DESIGNED TO MEET MINIMUM FIRE APPARATUS STANDARDS. SECONDARY DRIVE MAY NOT BE DIRECTLY CONNECTED TO MAJOR COLLECTOR AISLE WITHIN PARKING LOTS

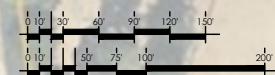
WEST PARCEL
PIN: 00038409
AREA: 20.82 ACRES
PROPOSED ZONING: PD
WATERSHED: WS-III-P

FULLY OPAQUE LANDSCAPE SCREEN PER UDO 4.3.5. MINIMUM HEIGHT AT PLANTING = 5'-0" AND AT MATURITY WILL PROVIDE AN OPAQUE SCREEN THAT OBSCURES VIEWS FROM THE GROUND TO A HEIGHT OF 15 FEET. (PER PINE BARRENS REQUEST)

LANDSCAPE SCREEN SHALL NOT EXTEND CLOSER TO 350 FEET FROM CAMP EASTER R.O.W., PER NEIGHBORHOOD REQUEST.

UNDEVELOPED FRONT YARD AREA BEGINNING WHERE 250' OFFSET FROM R/W MEETS WEST PROPERTY LINE, THEN DUE EAST TO TRAFFIC CIRCLE, TO BE MAINTAINED IN CURRENT CONDITION (PINES, UNDERSTORY TREES, PINE-STRAW / PASTURE). SITE UTILITIES, STORM WATER CONTROL, OR SIMILAR WORKS ARE ALLOWED.

EXISTING DRIVEWAY CONNECTION TO BE IMPROVED IN FUTURE PHASE, PENDING NCDOT PERMITS AND T.I.A. IF REQUIRED.



FUTURE PHASE RECTORY
NEW CONSTRUCTION
± 3,500 SF

FUTURE PHASE RENOVATION
ADAPTIVE REUSE OF EXISTING HORSE BARN

SIDE-YARD SETBACK AREA TO BE MAINTAINED IN CURRENT CONDITION
SIDE-YARD RELIGIOUS BUILDINGS SETBACK = 100'-0"

FRONT BUILDING SETBACK = 300 FEET SOUTH OF EXISTING ACTIVITY BUILDING

FUTURE PHASE CHURCH DEVELOPMENT
SANCTUARY SEATING CAPACITY = 1,200
ADMINISTRATION OFFICES
CLASSROOMS
PARISH HALL

UNDEVELOPED FRONT YARD

FUTURE PHASE RECREATION / PLAY YARD

- LIMITED TO AREA 250 FEET NORTH OF EXISTING ACTIVITY BUILDING AND 250 FEET EAST OF WEST PROPERTY LINE.

PD REAR-YARD SETBACKS:
-BUILDING SETBACK = 30'-0"
PER UDO RE DISTRICT

FUTURE SCHOOL / CHURCH OFFICE OR CLASSROOM USE

RECTORY PARCEL
PIN: 00991755
AREA: 17.47 ACRES
CURRENT ZONING: RE
WATERSHED: WS-III-P

EXISTING ACTIVITY BUILDING
FFE: 436.11'

PHASE 1: K-8 SCHOOL & CHAPEL
2 STORY, ±56,000SF
FFE: 436.11'

FUTURE EXPANSION
STORY, ±26,000SF
FFE: 436.11'

TENNIS COURTS

EXPANDED PLAYGROUND

EXISTING CONCESS.
FFE: 431.89'

EXISTING ATHLETIC FIELDS

SCHOOL PARCEL
PIN: 10001608
AREA: 17.47 ACRES
PROPOSED ZONING: PD
WATERSHED: WS-III-P

IMPERVIOUS AREAS:
WATERSHED: WS-III-P ALLOWS MAX. 24% BUILT-UPON.
AS-SHOWN = 23.97%
APPLICANT AGREES TO 24% MAXIMUM IMPERVIOUS ACROSS ENTIRE PROPERTY WITH NO POTENTIAL 5/70 EXEMPTION REQUEST.

CATHOLIC CHURCH
FUTURE PHASE / FUTURE NEED NOT SCHEDULED. EST. >10 YEARS WILL REQUIRE EXTENSION OF UTILITIES ON SITE. PDP WILL REQUIRE T.I.A. AND OTHER INFO.

CLASSROOM ADDITION
PHASE 2 CONSTRUCTION FUTURE NEED NOT SCHEDULED. EST. >10 YEARS UTILITIES CURRENTLY ON SITE TO SERVE CLASSROOM BUILDING

PD FRONT-YARD SETBACKS:
-FRONT SETBACK = 70' FROM STREET CENTERLINE & 40' FROM PROPERTY LINE, PER UDO RE DISTRICT, OR AS MODIFIED IN THIS DOCUMENT.

CDP4-01 FULL CONCEPT DEV. PLAN

SCALE: 1" = 60'-0" @ E SHEET

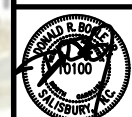


FUTURE PHASE CAMPUS PLAN

TOWN OF SOUTHERN PINES
CONCEPT DEVELOPMENT PLAN

ST. JOHN PAUL II CATHOLIC SCH.

2922 CAMP EASTER ROAD
SOUTHERN PINES, NC



DRAWN BY: DRB
CHECKED BY: DRB
DATE: 9.19.22
PROJECT #:

SHEET NUMBER
CDP4
OF: 4

Work Session Agenda Item

To: Reagan Parsons, Town Manager

From: Pamela Graham, Principal Planner

Subject: Written Decision of the Board for PD-10-22:
Planned Development - Preliminary Development
Plan for Morganton Park North Phase 9.

Date: September 26, 2022

I. PURPOSE:

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

Staff has prepared a draft of the written decision of the Town Council’s approval of application PD-10-22 that was heard by the Town Council at the regular meeting on September 13, 2022, and that the Town Council may now wish to adopt. If the Town Council approves the written decision of the board document, the Mayor will sign the document. The original signed version will be delivered to the petitioner, with staff maintaining a copy of the signed document in the file.

II. SUMMARY OF APPLICATION REQUEST:

Mr. Bob Koontz, of Koontz Jones Design on behalf of Zimmer Development Company has submitted an application for a Planned Development - Preliminary Development Plan in association with the Morganton Park North Mixed-use Conceptual Development Plan approved in May of 2018 and known as Phase 9. The application for this phase of the Morganton Park North CDP proposes 300 multi-family residential units and +/- 20,000 square feet of mixed-use retail, restaurant, and/or office space on +/- 25.5 acres. Portions of two parcels constitute the project area; those parcels are identified as PIN: 857100399573 (PARID 20190270) and PIN 857100392796 (PARID 20150046). Property owners as listed in the Moore County Tax Registry are PACN Realty, LLC and Morganton Park Realty Site 2, LLC, respectively.

III. TOWN COUNCIL PUBLIC HEARING AND ACTION:

A public hearing for this request was held at the September 13, 2022 regular business meeting of the Town Council. All public notice requirements were met for the hearing date. The Town Council opened the quasi-judicial public hearing with five (5)

members present and received evidence from those in attendance regarding preliminary development plan application PD-10-22. Ms. Pamela Graham, Principal Planner, entered the staff report into the record as Exhibit 2 and the staff PowerPoint presentation as Exhibit 7 before providing an overview of the project and applicable criteria for review.

Ms. Graham provided the Town Council with background information and a summary of the project, including timelines and phasing. She advised Council that the proposed uses are consistent with the Conceptual Development Plan (CDP), that open space has been or is being provided in conformance with the CDP, and briefly summarized utility availability and the findings of the traffic impact analysis. These findings included that no improvements are needed for the project based on all study intersections being expected to operate at acceptable levels, and that the proposed extension of S. Carlisle Street will help address delays at intersections within the CDP project area. She also pointed out the requested deviations from the UDO and the CDP that are being proposed by the applicant.

Mr. Nick Robinson, Attorney with Bradshaw Robinson Slawter, LLP and Mr. Bob Koontz with Koontz Jones Design presented the case for the approval of PDP application PD-10-22. Mr. Robinson called on Mr. Travis Fluitt of Kinley Horn and Mr. Tim Carpenter with LKC Engineering to be recognized and provide evidence on behalf of the application. Mr. Robinson entered the application packet into the record as Exhibit 1. A visual presentation describing the proposal in more detail and presented by Mr. Koontz was entered into the record as Exhibit 3. Mr. Koontz's presentation of the proposal included the status of the overall CDP, a description of the site layout, and touched on expectations for architectural details. He addressed in more detail the requested deviations regarding building height, flexibility in parking requirements, and the cross-section of the western portion of the S. Carlisle Street extension. The Town Council asked questions on the topic of parking flexibility based on the uncertainty of the tenant/use mix for the commercial portion of the project and expressed interest in applying a cap to the allowed parking for this area.

Mr. Robinson then called up Mr. Travis Fluitt, Traffic Engineer with Kinley Horn who responded to questions related to the traffic impact analysis (TIA) prepared for the project. Mr. Fluitt provided a summary of the TIA, testifying that nine existing intersections were studied, as well as the future intersection of S. Carlisle Street and Tanglewood Drive and the proposed driveway accesses to the site. He further testified that they included the projected traffic from seven approved developments in the area to their study, as well as the project currently being considered, and projected a 2% annual growth rate. He concluded that, at build-out, all intersections are expected to operate acceptably, with no significant queuing issues. Mr. Robinson asked Mr. Fluitt to address the Planning Board's concern regarding the expectation that the level of service (LOS) would drop from Level "B" to Level "C" at the intersection of Brucewood and Morganton Road at full build-out. Mr. Fluitt clarified that a LOS "C" is considered an acceptable level of service and further explained that the difference in wait times at that intersection, comparing background conditions (excluding traffic from the project being currently considered) to full build-out conditions are expected to result in an additional 2.1 seconds of delay in the a.m. peak hour, with a total wait time of 20.5 seconds. The threshold to move from a LOS "B" to "C" is 20 seconds, meaning that the full build-out

condition barely tips the threshold for the morning peak hour. For the p.m. peak hour, the background traffic creates a wait time of 24.2 seconds and the build-out of the project takes it to 25.9, a difference of 1.7 seconds. Mr. Fluitt expressed that the p.m. peak hour LOS will be at a “C” with or without this project. Mr. Robinson provided a document illustrating the level of service analysis, which was entered into the record as Exhibit 5. Mr. Fluitt further testified the Town’s engineer agreed with the conclusion that all study intersections were expected to operate at acceptable levels of service and that the NCDOT District Engineer that the TIA was acceptable. Mr. Robinson entered a copy of the August 9, 2022 email from NCDOT into the record as Exhibit 6. Mr. Fluitt also testified that in his professional opinion, the street system is adequate to handle the projected volume of traffic from this development.

Mr. Robinson invited Mr. Tim Carpenter of LKC Engineering to the podium and introduced him as an expert in utility engineering, who testified that the water, sanitary sewer, and stormwater utilities were adequate to serve the proposed development. Mr. Robinson then concluded his presentation of the case. Following some clarification with staff regarding the recommendation that improvements to the existing path be specified as part of the approval, the Mayor opened the meeting to public comment. There was no testimony from the general public and the Council closed the public hearing and voted on Preliminary Development Plan application PD-10-22.

The Town Council voted 5-0 to adopt Finding #1 of Attachment A to staff report PD-10-22 as a finding of fact. Finding #1 included findings of fact that the application is complete and that the facts submitted were relevant to the case. The Town Council voted 4-1, with Councilwoman Peterson dissenting, to adopt Finding #2 of Attachment A to staff report PD-10-22 as a finding of fact. Finding #2 included findings that the preliminary development plan is consistent with the conceptual development plan and conforms to all applicable provisions of the UDO, that the proposed development is in an area of the Town that is appropriate, and that the proposed Development will not cause the need for inefficient extensions and expansions of public facilities, utilities, and services.

The Town Council then voted 4-1 to adopt the proposal known as PD-10-22 with additional stated conditions as follows:

- That the change in right-of-way width from 80’ to 60’ for a portion of S. Carlisle Street as shown on plans is approved.
- That the change in maximum allowable building height from 40’ to 45’ is approved.
- That the parking count will include flexibility with a cap of no more than 120 spaces for the commercial uses being applied.
- That the multi-use path that follows the southern edge of the wetlands will be improved to asphalt or compacted stone condition per Town specifications.

IV. ATTACHMENTS:

1. Written Decision for PD-10-22 (DRAFT)

V. TOWN COUNCIL ACTION:

The Town Council may wish to take one of the following actions:

1. No action;
2. Accept the Written Decision for PD-10-22 as prepared by the Town staff;
3. An action listed above with the following conditions...
4. Action not listed above...

TOWN OF SOUTHERN PINES

REGULAR BUSINESS MEETING OF THE TOWN COUCIL

September 13, 2022

6:00 pm

The Douglas Community Center

1185 West Pennsylvania Avenue, Southern Pines, NC 28387

DECISION OF THE BOARD

Case Number: PD-10-22

A public hearing regarding a proposed Planned Development - Preliminary Development Plan for Morganton Park North Phase 9, known as PD-10-22, was called to order with five (5) members present on September 13, 2022. The Mayor administered the oath to all witnesses choosing to speak. Ms. Pamela Graham, Principal Planner, presented the staff report. Messrs. Nick Robinson of Bradshaw Robinson Slawter, LLP, Bob Koontz of KoontzJones Design, Travis Fluitt of Kimley Horn, and Tim Carpenter of LKC Engineering presented on behalf of the petitioner.

Matter at Issue:

PD-10-22: Written Decision of the Board for PD-10-22: Planned Development - Preliminary Development Plan for Morganton Park North Phase 9.

Mr. Bob Koontz, on behalf of Zimmer Development Company, has submitted a Planned Development District – Preliminary Development Plan (PDP) application pursuant to §2.18.5 of the Town of Southern Pines Unified Development Ordinance (UDO) for Morganton Park North – Phase 9. The project constitutes Phase 9 of the Morganton Park North Conceptual Development Plan (CDP), and proposes 300 multi-family residential units and +/- 20,000 square feet of mixed-use retail, restaurant, and/or office space on a +/- 25.5 acre site that constitutes parcels identified as ParID 20190270 and a portion of 20150046. The subject parcels were zoned PD (Planned Development) in accordance with an approved Conceptual Development Plan (CDP) in May of 2018.

Ms. Pamela Graham, Principal Planner, entered the staff report into the record as Exhibit 2, and staff's Powerpoint presentation as Exhibit 7. She then provided an overview of the project and applicable criteria for review.

Mr. Nick Robinson, Attorney with Bradshaw Robinson Slawter, LLP, addressed Town Council regarding the proposal, and introduced other parties as noted below. Mr. Robinson entered the Preliminary Development Plan application packet as Exhibit 1, the Traffic Impact Analysis (TIA) from Kimley Horn dated June 29, 2022 as Exhibit 4, the TIA Executive Summary as Exhibit 4A, the Illustrative Level of Service Exhibit as Exhibit 5, and an email dated August 9, 2022 from NCDOT giving approval of the TIA as Exhibit 6.

Mr. Bob Koontz of Koontz Jones Design was admitted as an expert in site plan design and planning, and he presented a Powerpoint slide deck that was entered into the record as Exhibit 3.

Mr. Travis Fluitt, with Kimley Horn was admitted as an expert in the field of traffic engineering, who then addressed the Council regarding the TIA for the proposal.

Mr. Tim Carpenter, with LKC Engineering was admitted as an expert in the field of utility engineering, and who testified regarding utilities for the site.

After presenting details of the development, Mr. Robinson offered to respond to questions from members of the Town Council. Councilwoman Clement clarified with Ms. Graham a request to formalize improvements to the existing path as part of the approval.

No additional testimony was provided by the applicant or members of the public.

Town Council Action:

Having heard all evidence submitted by those wishing to speak, the Town Council then closed the public hearing. After closing the public hearing and discussing the application and information presented at the hearing, the Town Council made the following findings of fact on the application:

The Council voted on the following Findings of Fact and Conclusions of Law as required by UDO Section 2.18.5(H) and as presented in Attachment A in staff report PD-10-22:

Finding of Fact #1: By a vote of 5-0 the Town Council finds that the application is complete and that the facts submitted are relevant to the case because the request for Preliminary Development Plan approval has met the specified submittal requirements as required in the Town of Southern Pines UDO Appendices, the applicants have submitted adequate evidence addressing criteria for a Preliminary Development Plan, and the evidence submitted was sworn testimony by qualified experts or provided through substantiated documentation.

Finding of Fact #2: By a vote of 4-1 with Councilwoman Peterson dissenting, the Town Council finds that the application complies with Section 2.18.5(H) Criteria for a Preliminary Development Plan, Criteria 1-4, in that:

- 1. The application demonstrates that it will achieve the purposes of the PDD and this section;**

The Town Council finds that the Preliminary Development Plan (PDP) for Morganton Park North Phase 9 implements the purposes of the Planned Development District because the proposed mix of land uses is supported by the stated purpose of the district as being to accommodate mixed land uses, such as office, residential, service, commercial, public or private recreational Development, and where consistent with the future land use map, light manufacturing and assembly uses that comply with the employment center Development Patterns in section 6.5 of the UDO. Furthermore, the design of the PDP is consistent with the majority of the fourteen stated intentions of the Planned Development District regulations as set forth in Chapter 3 of the UDO.

2. The Preliminary Development Plan is consistent with the Conceptual Development Plan and conforms to all applicable provisions of this UDO;

The Town Council finds that the PDP is consistent with the Morganton Park North Conceptual Development Plan (CDP) with the exception of the deviations specifically requested by the applicant as part of the PDP application. Furthermore, deviations that vary from standards that are contained in the UDO are allowed, to provide for the application of unique conditions and standards during the process of rezoning to a Planned Development District, and that the Town Council deems the requested deviations to satisfy the following provisions for the PD District found in UDO §3.5.14(F)(3):

- meets or exceeds the general intent of the UDO standards for the base district;
- is appropriate given the specific mix of uses and character of the development; and
- achieves a more efficient, safe, or economical land use without detracting from the quality of the development or the community as a whole.

3. The proposed Development is located in an area of the Town that is appropriate;

Town Council finds that the proposed PDP is located in an appropriate area of town because the proposed multi-phased, mixed-use development may be served by existing public utilities and is providing desirable and needed uses along a significant roadway (West Morganton Road). Additionally, the project is located in an area of town with existing access to necessary utility infrastructure and where the street system is adequate, or will be improved to be adequate, to accommodate the projected traffic volumes.

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

Town Council finds that the proposed PDP includes efficient extensions of public facilities, utilities and services because sewer and water facilities exist near the proposed development and the Town Engineer has determined that the systems have the capacity to serve the proposed development. Furthermore, the development will include the development of a roadway extension (S. Carlisle Street) that provides an alternate means of accessing the current and existing phases, providing an additional option to drivers that is likely to assist with the dispersal of traffic.

Decision of the Council:

By a vote of 4-1 with Councilwoman Peterson dissenting, the Town Council voted to approve the Preliminary Development Plan Application PD-10-22, with the following conditions:

1. That the change in right-of-way width from 80' to 60' for a portion of S. Carlisle Street as shown on plans is approved.
2. That the change in maximum allowable building height from 40' to 45' is approved.
3. That the parking count will include flexibility with a cap of no more than 120 spaces for the commercial uses being applied.
4. That the multi-use path that follows the southern edge of the wetlands will be improved to asphalt or compacted stone condition per Town specifications.

This is the 26th day of September, 2022.

FOR THE TOWN COUNCIL:

Carol Haney, Mayor

cc: Elam Hall, DHIC, LLC
Nick Robinson, Bradshaw Robinson Slawter, LLP
Bob Koontz, KoontzJones Design

NORTH CAROLINA
MOORE COUNTY

ELECTRIC VEHICLE SITE HOST AND LEASE/PROPERTY USE AGREEMENT
GO PINES, LLC AND TOWN OF SOUTHERN PINES, NC

THIS ELECTRIC VEHICLE SITE HOST AND PROPERTY USE AGREEMENT (the “**Agreement**”) is entered into as of this ____ day of _____, 2022, between GO PINES LLC (herein “**Go Pines**”) and the Town of Southern Pines an incorporated municipality, a body corporate and politic in Moore County, North Carolina (hereinafter referred to as “**the Town**”). Go Pines LLC and the Town may be referred to individually as a “**Party**” and collectively as the “**Parties**”.

RECITALS

WHEREAS, Go Pines LLC will install, own, operate, maintain and support electric vehicle supply equipment (“**EVSE**”) within the Town of Southern Pines, North Carolina.

WHEREAS, the Town is the owner or operator of that certain property (the “**Property**”) as defined in Exhibit A;

WHEREAS, the Town agrees to lease property to Go Pines LLC in order to install EVSE and associated wires, cables, and equipment (collectively, the “**Equipment**”) at the Property;

NOW THEREFORE, in consideration of the mutual covenants contained herein and intending to be legally bound hereby, the Parties hereto agree as follows:

1. GO PINES LLC OBLIGATIONS

- a) Go Pines LLC and/or its contractors shall design and construct the Equipment in compliance all applicable local, state, and federal laws and regulatory requirements. No construction, installation, or similar may commence by Go Pines LLC and/or its contractors until the Town has approved the location(s), placement, method of installation (such as concrete or similar) and connection of the Equipment. Should the proposed installation schedule require modification, Go Pines LLC shall notify the Town within a reasonable amount of time of such changes. At the option of Go Pines LLC, all Equipment shall be Go Pines LLC branded.
- b) All Equipment shall be connected to a meter(s) which is billed to Go Pines. Go Pines LLC shall assume all responsibility and expenses to connect the Equipment to a metered electrical panel(s) and paying the ongoing electrical service.
- c) To the extent Go Pines LLC reasonably believes an upgrade of existing electrical infrastructure is required, Go Pines LLC shall install a new meter at the Property at its expense.
- d) During the Term of this Agreement, Go Pines LLC and/or its contractors shall operate, maintain, modify, repair, and/or replace the Equipment at Go Pines' expense. Go Pines LLC shall repair the Equipment promptly upon learning of maintenance needs. Go Pines LLC shall have the right to

repair, modify or replace the Equipment at any time during the Term of this Agreement. Go Pines LLC shall schedule access for installation, maintenance and repairs during a mutually agreeable time, except in emergency situations.

- e) During the Term, Go Pines LLC shall pay all fees, utilities, and other expenses required for the operation and maintenance of the EVSE.
- f) Go Pines shall, at each charging point, co-brand the EVSE to promote the Town's participation in providing this infrastructure. Notwithstanding the foregoing, there shall be clear language and contact information indicating that customers shall report maintenance needs, address billing questions, or other concerns directly with Go Pines, rather than the Town. At a minimum, contact information shall include a phone number and e-mail address for Go Pines.
- g) Go Pines shall be permitted to promote and advertise the Program; provided, however, the Town reserves the right to review and approve any and all advertising, marketing, or promotional copy or materials developed or used by Go Pines which references the Town's role with the EVSE. The Town may require Go Pines to submit such copy and materials for pre-approval. Approval shall be granted, unless the Town, in its sole discretion, reasonably determines that the copy or materials are misleading, in error, or is not in the Town's best interest. In the event that the Town does not approve, Go Pines agrees to remove from circulation or otherwise discontinue the use of any such materials.
- h) Go Pines shall use commercially reasonable efforts to maintain the Equipment in a clean, safe, and orderly condition, to at least the same standard that the Town maintains the surrounding property.
- i) Go Pines may take reasonable measures to discourage and prevent anyone other than an EV driver from parking in a space dedicated to EVSE. Such measures may include, but are not limited, to installing signage, and towing non-electric vehicles. Said measures shall be approved by the Town prior to installation, implementation, or similar.
- j) Go Pines LLC shall be responsible for repairing any damage to the Property directly caused by the installation, maintenance, repair, usage, and/or removal of the Equipment.

2. THE TOWN'S OBLIGATIONS

- a) The Town shall provide Go Pines, its representatives, Network Provider, contractors, and designees access to the Property as deemed necessary or desirable for the assessment, installation, maintenance, repair, replacement, and/or removal of all or any portion(s) of the Equipment throughout the Term of this Agreement.
- b) The Town shall not damage, disable, modify or tamper with the Equipment in any way except to the extent required by an emergency situation. If the Town violates the preceding sentence, Go Pines LLC shall repair or replace the Equipment at and invoice the Town for the expense.
- c) The Town acknowledges that Go Pines LLC and/or its contractors will gather data and information from the Equipment with respect to vehicle charging activity, vehicle usage and technical

performance of the vehicle and Equipment. Go Pines LLC shall own all rights to such data and information. The Town acknowledges that such data and information will be used and disclosed by Go Pines LLC and third parties for the purpose of understanding and evaluating the impact of electric vehicles on transit systems and the electric power grid, for use in regulatory reporting, industry forums, case studies or other similar activities, in accordance with applicable laws and regulations. Go Pines LLC will make available to the Town relevant station utilization data.

- d) The Town shall provide publicly accessible parking spots and nondiscriminatory access to the EVSE in accordance with Exhibits A and B. For public installations, this means a site is available to any electric vehicle driver regardless of affiliation (i.e. a business cannot designate a public charger for their customers only).
- e) The Town shall be permitted to promote and advertise the Program; provided, however, Go Pines LLC reserves the right to review and approve any and all advertising, marketing, or promotional copy or materials developed or used by the Town which references the Town's role with the EVSE. Go Pines LLC requires the Town to submit such copy and materials for pre-approval. Approval shall not be unreasonably withheld, conditioned or delayed, unless Go Pines LLC in its sole discretion, reasonably determines that the copy or materials are misleading, in error, or is not in Go Pines' best interest. In the event that Go Pines LLC does not approve, the Town agrees to remove from circulation or otherwise discontinue the use of any such materials.

3. TERM AND TERMINATION

- a) This Agreement shall be effective as of the date of execution by both Parties. The term shall commence on the date of installation of the Equipment and shall continue for five years (the "Term").
- b) Notwithstanding anything herein to the contrary, either party may terminate this agreement upon providing written notice of sixty (60) days. In addition, in the event Go Pines LLC determines that the Property is not technically compatible for the purposes hereunder, Go Pines LLC shall have the right to terminate this Agreement immediately upon written notice to the Town.
- c) Unless otherwise agreed to by the Parties, Go Pines LLC shall remove the Equipment following any such termination, so long as they may be removed without damage to the Town's property. All expenses of such removal shall be paid by Go Pines and removal shall take place within thirty (30) days from the time the agreement terminates.

4. INTERRUPTION OF ELECTRIC SERVICE

Go Pines LLC does not guarantee continuity of electric service to the EVSE and is not responsible or liable for interruption, curtailment, failure, or defect in the supply or character of electricity furnished to facilities or Equipment. In the event that any of the Equipment is without a continuous supply of electricity for a period of ninety (90) consecutive days or longer, either Party may immediately terminate this Agreement in writing for the affected Equipment.

5. TITLE TO EQUIPMENT

At all times during the Term of this Agreement, title to the Equipment shall remain with Go Pines LLC and are not to be considered fixtures or in any way the property of The Town. Upon the expiration of this Agreement, including any extensions thereof, and upon mutual consent by both parties, title to the Equipment may transfer to the Town at no cost and with no warranties.

Upon transfer of title to the Equipment to The Town, (i) the Town releases Go Pines LLC from any liabilities, including, but not limited to, any claim or action for bodily injury or property damage resulting from or related to the Equipment or the use of the Equipment; and (ii) the Town will be responsible for electrical consumption costs, network access fees, maintenance costs, and any repair costs thereafter.

6. GOVERNMENTAL APPROVALS.

- a) It is understood and agreed that Go Pines' ability to install the Equipment is contingent upon its all of the applicable permits and other approvals that may be required by any federal, state or local authorities (collectively the **"Governmental Approvals"**). Said Governmental Approvals will be obtained after this Agreement is executed. The Town shall cooperate with Go Pines LLC in its effort to obtain such Governmental Approvals by confirming ownership of the property or providing similar approvals or data, but will not make any financial contribution toward the approvals.
- b) It is understood and agreed by both parties that the Governmental Approvals may not be obtained in a timely manner, the applications are rejected or, after issuance, are canceled, expire, lapse, or are otherwise withdrawn or terminated by the issuing authority. In the event that the Governmental Approvals are not issued or do not remain valid through the duration of the Term, either party may terminate this agreement immediately upon written notice.

7. ACCESSIBILITY REQUIREMENTS

- a) Both parties understand and accept that electric vehicle charging facilities that are publicly accessible shall comply with the Americans with Disabilities Act (ADA), applicable North Carolina building codes, and any local regulations
- b) Both parties understand that in order to comply with required codes and regulations, there may be minor modifications to the intended layout or location of the planned EVSE. Go Pines shall submit any requested modifications to the design, construction, or operation of the EVSE to the Town for review and approval.

8. INSURANCE, LIABILITY, LOSS OF USE, AND INDEMNIFICATION

- a) The Town shall promptly report all claims and/or incidents to Go Pines LLC or its designated representative(s), and confirm in writing, the occurrence of any injury, loss, or damage incurred.
- b) The Town will not be liable or financially responsible for any loss or damage to the Equipment, Property, and/or Person that occurs by reason of a driver's use of the Equipment and/or parking lot,

vandalism, theft, or similar or in the event of fire, natural disaster, other casualty, or act of God. This is extended not only to the Equipment, but also to any loss of income and/or increased expenses for Go Pines in the event of an incident described herein.

- c) If any of the Properties are damaged by fire, natural disaster, other casualty, act of God, or deterioration and the cost of remediation is so great that Town decides not to repair or rebuild, the Town may terminate this agreement with respect to the Property in question. Upon written notice of termination, Go Pines must remove the Equipment from the affected Property.
- d) Go Pines shall secure and maintain, at its own expense, liability insurance in an amount of no less than \$1,000,000 with respect to bodily injury, death, or property damage suffered by any one person or entity and/or arising out of any one accident/incident. Go Pines shall list the Town as an additional insured on said policy(ies) and shall provide a certificate(s) of insurance to the Town confirming these minimum coverages. Should Go Pines make changes associated with its insurance policy(ies), it shall provide to the Town an updated certificate(s) of insurance within thirty (30) days of said change.
- e) Each Party shall indemnify and hold the other harmless against any claim of liability or loss from bodily injury or property damage resulting from or arising out of the negligence of such Party, its servants or agents, excepting, however, such claims or damages as may be due to or caused by the acts or omissions of the other Party, its servants or agents.
- f) In no event shall either Party be liable for consequential, special, incidental, exemplary, punitive, or any indirect damages of any nature arising at any time, from any cause whatsoever.
- g) Go Pines shall indemnify and hold the Town harmless against any breach or release of customer data, intentional or unintentional, that might include credit card details or other personal identification information.

9. COMPENSATION.

Go Pines LLC agrees to pay the Town \$25.00 per month per parking space being utilized by the EVSE for the duration of this Term.

10. CHANGES

Should Go Pines LLC find the need to initiate changes to the Program based on changing circumstances, requested modifications shall be submitted to the Town for review and consideration. The Town may approve minor changes to this agreement, provided the revised agreement remains consistent with the terms outlined via public notice in compliance with NCGS § 160A-272. The remainder of the Agreement and the application of the Agreement to the amended list shall not be affected.

11. AUTHORITY

The Town represents and warrants that it is the owner or authorized manager of the proposed Property, has the power, authority and capacity to bind itself to undertake the Program terms and conditions, and to perform each and every obligation required of the Town. The Town is authorized to lease property owned by the Town, provided the lease is advertised, approved, and operated in compliance with NCGS § 160A-272.

12. SALE OF PROPERTY

The Town shall notify Go Pines LLC at least thirty (30) days prior to any sale of the Property. Within thirty (30) days following receipt of such notice, Go Pines shall remove its Equipment, unless it enters into an executed agreement with the subsequent property owner. Upon the transfer of the property, the agreement between the Town and Go Pines LLC is automatically terminated.

13. TAX CREDITS

To the extent the installation of the Equipment generates any tax credits, such credits shall be the sole property of and shall inure to the benefit of Go Pines LLC or the period for which it owns the Equipment provided under this Agreement.

14. GOVERNING LAW

This Agreement shall be governed by and construed in accordance with the laws of the State of North Carolina without reference to its conflict of laws principles.

15. ENTIRE AGREEMENT

This Agreement represents the entire agreement between Go Pines LLC and the Town with respect to the subject matter hereof. This Agreement may be amended or modified only by a written instrument duly executed by each of the Parties which is in compliance with NCGS § 160A-272.

16. SUCCESSORS AND ASSIGNS

Neither party may assign, convey or transfer all or any part of this Agreement.

17. NO WAIVER

No course of dealing or failure of Go Pines LLC or the Town to enforce strictly any term, right or condition of this Agreement shall be construed as a waiver of that term, right or condition. No express waiver of any term, right or condition of this Agreement shall operate as a waiver of any other term, right or condition.

18. SURVIVAL

All sections of this Agreement providing for indemnification or limitation of or protection against liability of either Party shall survive the termination or expiration of this Agreement. Additionally, any

provisions of this Agreement which require performance subsequent to the termination or expiration of this Agreement shall also survive such termination or expiration.

19. SEVERABILITY

If any provision of this Agreement or the application of this Agreement to any person or circumstance shall to any extent be held invalid or unenforceable by a court of competent jurisdiction, the remainder of this Agreement and the application of that provision to persons or circumstances other than those as to which it is specifically held invalid or unenforceable shall not be affected, and every remaining provision of this Agreement shall be valid and binding to the fullest extent permitted by laws.

20. NOTICES AND APPEALS TO DECISIONS

- a) The Assistant Town Manager shall have the authority to review issues of discretion and make decisions as described in this agreement. Should Go Pines wish to appeal any of the Assistant Town Manager's decisions surrounding this agreement, Go Pines must submit a written appeal to the Town Manager within ten (10) days of the decision.
- b) All notices hereunder must be in writing and shall be deemed validly given if sent by U.S. mail, commercial courier, personal delivery, or email, addressed as follows (or any other address that the Party to be notified may have designated to the sender by like notice). Notice shall be effective upon receipt or such later date specified in the notice.

Town of Southern Pines
Attn: Jessica Roth
125 SE Broad Street
Southern Pines, NC 28387
jroth@southernpines.net
Phone: 910-692-7021

Go Pines, LLC
130 Broom Sedge Lane
Southern Pines, NC 28387
chris@go-pines.com
Phone: 910-691-3383

21. COUNTERPARTS

This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. Transmission of images of signed signature pages by e-mail or other electronic means shall have the same effect as the delivery of manually signed documents in person.

22. NO JOINT VENTURE

The Parties intend by this Agreement to establish the basis upon which they will cooperate together, but on an independent basis. This Agreement does not constitute or create a joint venture, partnership, or any other similar arrangement between the Parties. Each of the Parties is independent and none of them are an agent of, nor has the authority to bind the

other for any purpose. No Party shall bind any other, or represent that it has the authority to do so.

23. PHOTOS/VIDEO OF EQUIPMENT

The Town agrees, upon reasonable notice to allow Go Pines LLC to enter the Property to take photographs or video of the Equipment. Go Pines LLC shall own all copyright and other intellectual property rights of such photographs or videos. To the extent the Property appears in any such photographs or videos, The Town consents to Go Pines' use and disclosure of such photographs or videos of the Property.

24. EVENTS OF DEFAULT AND REMEDIES

a) The occurrence of any one or more of the following events shall constitute an Event of Default hereunder:

- i. GoPines failure to pay when due any rental or other sum of money payable hereunder and such failure is not cured within thirty (30) days after written notice thereof;
- ii. GoPines failure to perform any other of the material terms, covenants or agreements contained in this Lease to be performed by GoPines if not remedied within thirty (30) days after receipt of written notice thereof, or if such default cannot be remedied within such period, GoPines does not within thirty (30) days after written notice thereof commence such act or acts as shall be necessary to remedy the default and shall not thereafter complete such act or acts within a reasonable time; or
- iii. GoPines shall commit an Act of Bankruptcy.

b) Upon the occurrence and during the continuation of any Event of Default by GoPines hereunder, then the Town shall have the following rights:

- i. To institute any and all proceedings or claims permitted by law or equity to recover all unpaid sums and amounts then due and payable by GoPines under this Lease, and any and all amounts necessary to compensate the Town for all the damage proximately caused by the failure of GoPines to perform its obligations under this Lease; and/or
- ii. To institute any and all proceedings or claims permitted by law or equity to compel specific performance with respect to GoPines' obligations under this Lease and one or more actions to seek and obtain a temporary restraining order, together with such other temporary, preliminary and permanent injunctive or other equitable relief, from any court of competent jurisdiction capable of issuing or granting such relief, to compel GoPines to comply with or refrain or cease from breaching or violating the terms, covenants and conditions of this Lease.

c) Notwithstanding anything contained herein to the contrary, if a court of competent jurisdiction has determined pursuant to a final non-appealable order that an Event of Default

has occurred under this Lease and such Event of Default is continuing under this Lease, the Town shall have the right, in addition to any other rights it may have pursuant to this Lease, to cure such Event of Default on behalf of GoPines and GoPines shall reimburse the Town upon demand for any sums paid or costs incurred by the Landlord in curing such Event of Default, including interest thereon at the Default Rate and reasonable attorneys' fees and other legal expenses.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed on ____ day of _____, 2022.

GO PINES, LLC

TOWN OF SOUTHERN PINES

Christopher Hopfensperger, Owner

Carol Haney, Mayor

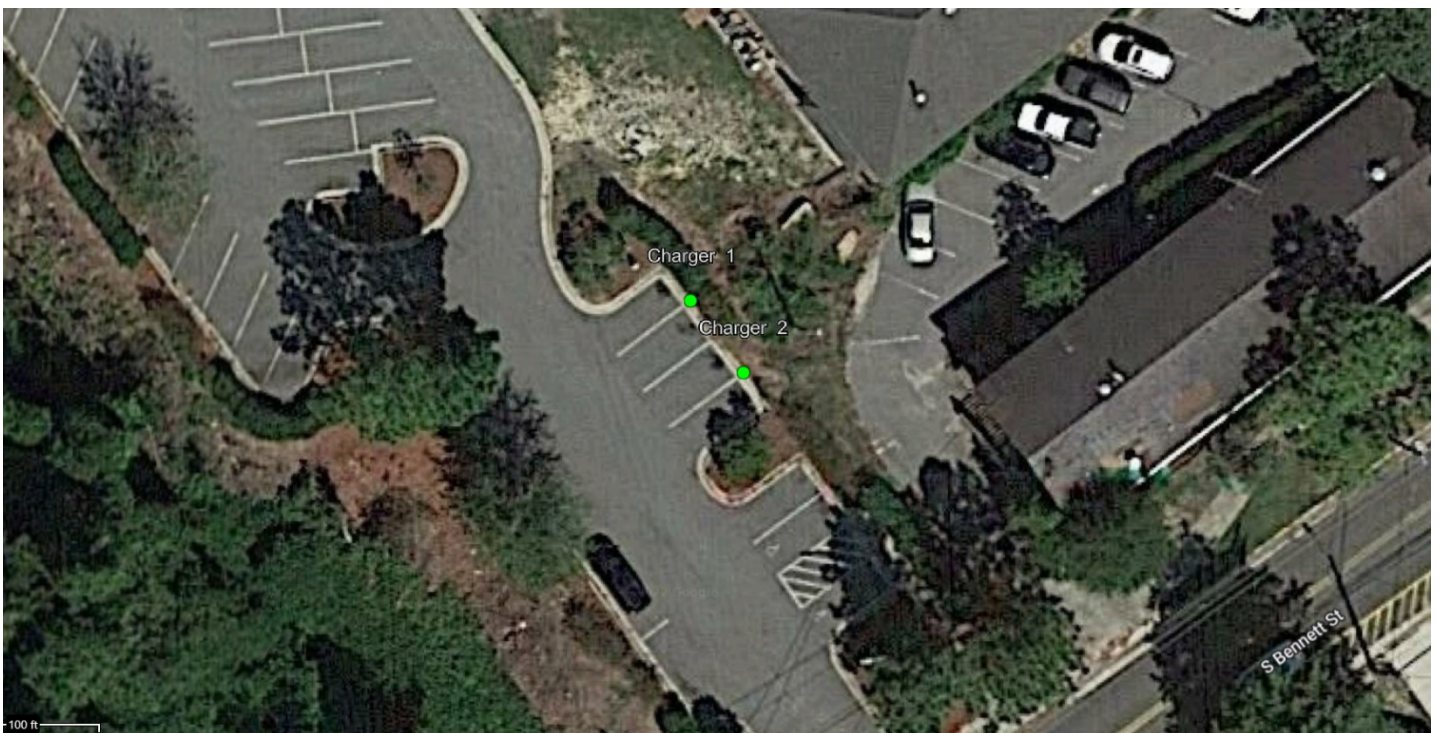
Elizabeth Robertson, Town Clerk

Exhibit A: Property Included in this Agreement

Four Parking Spots in the Town's Bennett St. Parking Lot

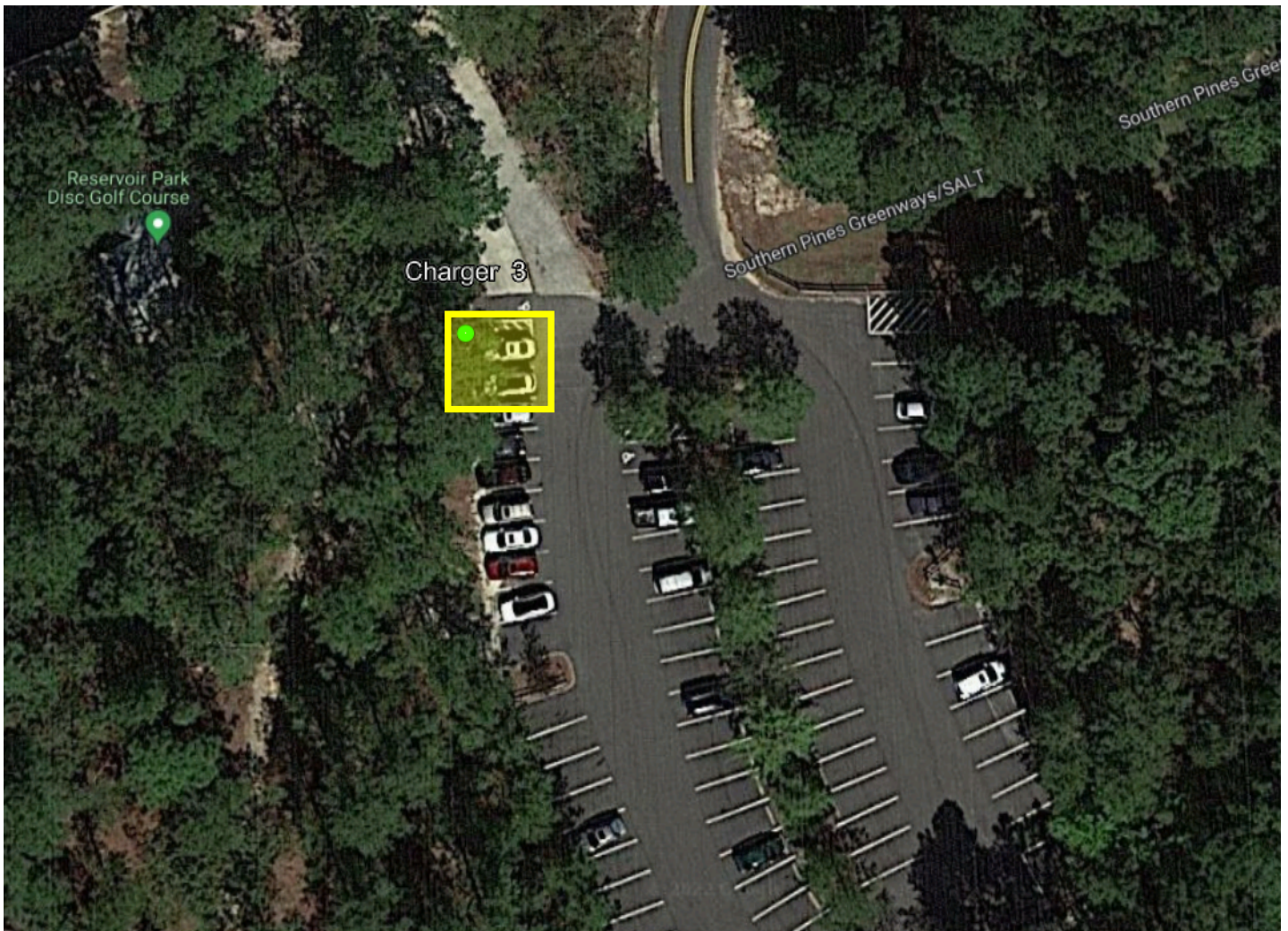


Overhead satellite imagery of Bennett St parking lot



EVSE will be installed IVO: N 35.1750273 W -79.3937795 & N 35.1749872 W -79.3937436. Each location will include 2 charging ports

2 Parking Spots in the Town's Reservoir Park Lot



EVSE located to support one disabled parking spot and one standard parking spot. EVSE will be installed IVO: N 35.2145032 W - 79.401017. Location will have 1 charging port

Exhibit B: Site Host Segment Type and Availability Requirements**Public Level 2 (Level Two 208v-240v single phase available for general public access)**

List any limitations of public access to the station(s) - Indicate days and times of day station will be publicly available

The four parking spots in the parking lot adjoining Bennett Street are accessible to the public 24 hours a day, 365 days a year, unless there is a temporary closure for maintenance, construction, hazardous conditions, or similar.

The two parking spots in Reservoir Park are publicly accessible during all hours and days the park is open. The park closes overnight and operating hours at the time this Agreement was executed were from dawn to dusk. Reservoir Park and/or the parking lot may be temporarily closed for maintenance, construction, hazardous conditions, or similar.

MEMO

TO: Town Council
FROM: Reagan
Date: 09-23-2021

RE: Work Session 09 26 2022 Planning Item

The Planning Department protocol item on your Agenda is relative to the individual discussions I have been having around the desire to begin providing Planning Department recommendations as part of your staff reports on applications before the Council. The intent is to provide for more comprehensive and timely efforts on behalf of applicants out of an interest in attaining a staff recommendation for approval, hopefully minimizing the number of end-arounds and last-minute submittals before the Town Council. On an individual basis, I left conversations with the impression that there exists a unanimous interest in moving in the direction of recommendations, and it was suggested that a motion might be made to “formalize” such effort as “policy,” thus I have placed it on the Agenda for any necessary follow-up discussion or action.

In a related, but separate, topic of protocol staff remains unclear as to whether or not individuals seeking initial Council feedback to concepts are welcome as part of the Work Session agendas. The policy relative to this may not be as simple as “yes” or “no.” An example may be creating a requirement that conceptual plans be submitted through the standard pre-application process and vetted by TRC prior to ever appearing before the Council. This would at least better outline any challenges/deficiencies relative to Code and allow staff the opportunity to provide initial feedback to the Council regarding requested deviations or approaches to proposed potential projects. This is but one example of a range of policies that could be explored.

Finally, while not a “protocol issue” per se, we need to get an appointment made to the Planning Board. With one seat empty and other challenges that arise from time to time, we need a full slate of appointees. The September meeting was just cancelled due to the inability to generate a quorum, which is only going to stack applications come October (and thus November for the Town Council.) If we can generate candidates, an appointment at the October Agenda Meeting ahead of October Planning Board would be most appreciated.

LIBRARY DEPARTMENT

§ 32.030 ESTABLISHMENT.

The Library Department of the Town is hereby established, subject to the supervision of the Town Manager, which shall have control of the Town's library system as set forth in [Chapter 98](#).

§ 32.031 FEES.

(A) The following persons are exempt from payment for library cards and shall receive library cards free of charge. Valid documentation verifying personal identity and either a current in-Town home address, or payment of property tax to the Town of Southern Pines is required to qualify for either of the first 2 exempt categories:

(1) Individuals who live within the town limits of ~~se permanent, primary home is in~~ Southern Pines;

(2) Individuals who own property in Southern Pines on which the individual pays property taxes;

(3) Individuals who own a business located within the town limits of Southern Pines

~~—(3) Individuals who donate or have donated \$1,000 or more to the Friends of Southern Pines Library;~~

~~(45)~~ Individuals who have provided at least 20 hours of volunteer service to the library during the preceding year;

~~(5) Individual employees named by a business owner who has made a requested contribution to the library, the fair market value of which equals the value of the card as described in division (C). The fair market value may be divided by the cost of the card to equal the number of cards to be issued to names submitted for that business.~~

(7) Educational institutions with enrolled children ages birth to 17 that operate physical campuses within the town limits of Southern Pines (applies to limited cards only).

A. Educational Institution is defined as any public or private preschool, elementary, or secondary school or any licensed early childcare center.

~~—(6) Individual students who attend Southern Pines Elementary School (applies to limited access cards, only).~~

~~—(7) Individual teachers who are employed at Southern Pines Elementary School (applies to limited access cards, only).~~

~~(B) In addition, the following are entitled to free mailing for inter-library loans and reserve cards: individuals whose permanent, primary home is in Southern Pines or who own property in Southern Pines on which the individual pays property taxes and who have either donated \$1,000 or more to the Friends of Southern Pines Library or who have provided at least 20 hours of volunteer service to the library during the preceding year.~~

(B) The following formula determines the annual cost of non-resident cards. Fees for both cards may be prorated for a six-month period.

A. Full Access Card- for use of full collection and services.

- Cost of Card to be computed annually in July by dividing the total municipal contribution to operating income by the total population, rounded to the nearest \$5.00.

B. Limited Access Card- for use of Juvenile and young adult collection

- Cost of card to be one third of the cost of a full access card, rounded to the nearest \$5.

(C) The following schedule of fees shall be administered by the Director of the Town Library:

<i>Description</i>	<i>Fee</i>
B&W copies or prints	\$.15 per page (self serve)
Color prints	\$.25
Internet kiosk (first 15 minutes free)	\$10/hour
<u>Non-Resident Full access card yearly fee</u>	<u>\$60</u>
<u>Non-Resident Limited access card yearly fee</u>	<u>\$20</u>
<i>Library cards (non-exempt individuals)</i>	
Full access card for use of full collection and services for one year.	Cost of card to be computed annually in October by dividing the total municipal contribution to operating income by the total population, using figures from the annual report made to the State Library for the previous fiscal year, rounded to the nearest \$5.00.*
Limited access card for use of juvenile collection and services for one year.	Cost of card to be one third of the cost of a full access card, rounded to the nearest \$5.00.**
Fees for both cards may be prorated for a six-month period. *Example: 2005-2006 municipal contribution: \$774,140 = \$67.76 (round to \$70.00) Population: 11,424 **Example: \$70.00 = \$23.33 (round to \$25.00)	

<i>Description</i>	<i>Fee</i>
Lost or damaged materials	\$5 + replacement cost
Inter-library loan:	USPS postage charge for item plus any charge imposed by lending library, if applicable

Overdue materials in all formats	\$.10/item/day
Replacement of lost library card	\$1
<u>Library Multipurpose Room Rental- Resident</u>	<u>Weekdays: Mon-Thu \$50 for a 3-hour block \$15/each additional hour</u> <u>Weekends: Friday - Sunday \$60 for a 3-hour block \$20/each additional hour</u>



Library late fees

NOT JUST INEFFECTIVE, BUT HARMFUL

February 16, 2021
prepared by Lori Bown Ayre, THE GALECIA GROUP

About the author

Lori Bowen Ayre is a nationally recognized expert in library technology. Since forming The Galecia Group in 2000, she has worked with city and county libraries and consortia throughout North America especially in the areas of material handling, RFID, and technology planning and assessment. She also guides the work of The Galecia Group in a variety of activities including offering software development, open data, and civic technology services. The Galecia Group also developed and supports two software-as-a-service offerings: Bookpoints and LibraryCall.

Broad experience with libraries, a deep understanding of technology and commitment to the mission of public libraries informs all of Lori’s work. She believes in the transformational power of libraries and works to help libraries leverage technology to streamline back office functions, reduce operating costs, and improve and expand customer services.

Lori and her team believe that libraries are critical institutions for our democratic society and that these institutions must change as society changes. Recognizing that technology is a catalyst of change, they work to help libraries harness the power of technology as libraries navigate the changing needs of their communities.

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Increasing numbers of libraries have ELIMINATED LATE FEES

because they are **ineffective at promoting the timely return of materials**, and argue that they undermine the mission of the library to provide **equitable access** to library services and resources.

In eliminating late fees, many libraries have discovered that the **use of the library increases** without the rate of overdue returns rising, and in some cases even **reducing the number of late returns**. These libraries also report improved **relationships** between their library staff and the community.

JUSTIFICATIONS FOR CHARGING LATE FEES

There are four commonly cited justifications for charging late fees, but in each case, the desired outcome is often not the result.

1

Charging late fees for material teaches children responsibility

This is one of the oldest cited reasons that libraries charge late fees.

The problem with this explanation for charging late fees is that most would argue that the library's primary job is to provide access to information, support literacy, and promote reading and it is the parent's job to teach responsibility.

About teaching responsibility, one librarian says, "I don't think it's our task, or that it's mission-centric, any more than teaching people manners is. Our role is to provide access to information" (Poon, 2019).

Another problem with the responsibility argument is that kids have virtually no control over when their library materials get returned. Late material has more to do with the working schedules of the parents than any sense of responsibility a child might feel about returning their books on time.

2

Late fees incentivize people to return material on time

Another reason for charging late fees is to ensure material comes back on time to prevent longer wait times for people with holds on the material. However, "libraries who have implemented fine-free programs have proven that these fears are unfounded" (Kohn, 2015).

Studies show that late fees do not increase the rate of on-time returns unless the fines are very high (Burgin and Hansel, 1984), but most libraries don't charge high fees because it would reduce library use (which we explore later).

Many studies have documented the fallacy that late fees increase the rates of on-time returns (Burgin and Hansel, 1984; Kohn, 2015). In most cases, the imposition of late fees has no effect (Hixon, 2019). In at least one case, the return rate has improved after late fees were dropped (Carter, 2019).

Late material has more to do with the working schedules of the parents than any sense of responsibility a child might feel about returning their books on time.

3

Late fees ensure people return material rather than just keep it

Similar to the idea that late fees incentivize people to return material on time, the idea is that people would just keep library material if there were no consequences. The fact is that most libraries do have consequences for not returning items and it is a more effective approach than using late fees. A replacement fee is charged to patrons who fail to return an item. The replacement cost is limited to the actual cost of replacing an item, unlike late fees that can just keep adding up indefinitely.

The truth is that most libraries have a cap on late fees or convert a long overdue item to a lost item so it no longer accrues a late fee but the mythology is firmly attached to libraries nonetheless (Ailworth and Kesling, 2019). How many “funny” stories have we heard about the person who found the library book under the bed and was supposedly facing hundreds of dollars in late fees (Sifton, 2009; Vitra, 2018; Mancini, 2019).

Ironically, late fees have been shown to increase the number of items that don’t come back to the library. A person faced with excessive late fees may choose to stay away from the library rather than facing the shame of trying to arrange payment (EBSCO, 2010). “It became clear to us that there were families that couldn’t afford to pay the fines and therefore couldn’t return the materials, so then we just lost them as patrons altogether...we wanted our materials back, and more importantly, we wanted our patrons back.” (Bowman, 2019).

4

Late fees provide an important revenue stream for the library

The amount of fine money “on-the-books” can look like a large number but in most cases, the amount collected represents less than 1% of the total library budget (Graham, 2017; Fallon, 2015; Kohn, 2015; Pyatetsky, 2015; Wenger, 2018; Bowman, 2019, Morehart, 2018) and it costs a lot to recover it. Some libraries have reported that it costs more to collect the fees than the amount of fees collected (Poon, 2019).

Handling the money, updating the patron account, and providing a receipt can take up a “nice chunk of staff time” (Burgess, 2017). One library estimated they spent \$1.2 million (including staff time) to collect \$600,000 in library fees (Hoffman, 2019).

One library eliminated overdue fines and found the move to be cost neutral because they were “able to eliminate costly credit card technology on their self-check machines and save a great deal of staff time” (Hixon, 2019; Graham, 2017).

(Bowman, 2019)

It became clear that there were families that couldn’t afford to pay the fines and therefore couldn’t return the materials, so then we just lost them as patrons altogether.

Many images associated with libraries are positive,
but the shushing librarian stereotype
and the fear of incurring late fees
are probably the two most damaging.

FINES CAUSE HARM

Fines go beyond being ineffective, they are harmful. They disproportionately hurt low-income patrons and prevent people from being able to use the library. Late fees create a stressful work environment for staff. Library fees also hurt the library brand.

LATE FEES DISPROPORTIONATELY HURT LOW-INCOME PATRONS

As more and more libraries have explored the idea of eliminating late fees, they have looked at the underlying patron data. What they have found is that people in well-to-do communities are not negatively affected by fines, but for low-income patrons, fees are more than just a nuisance.

“Library fines in most places remain quaintly low, sometimes just 10 cents per day. But one user’s nominal is another’s exorbitant. If a child checks out 10 picture books, the kind of haul librarians love to encourage, and then his mother’s work schedule prevents her from returning them for a week past the due date, that’s \$7. For middle-class patrons, that may feel like a slap on the wrist, or even a feel-good donation. For low-income users, however, it can be a prohibitively expensive penalty.” (Graham, 2017).

Libraries have consistently found that the number of people with library fines that have blocked a patron’s ability to use the library tend to be in poor neighborhoods (Wenger, 2018). One city found that 40% of the patrons in the city’s poorest neighborhoods had fines they couldn’t pay (Bowman, 2019).

Two large, urban cities discovered that people living in poverty and communities of color had higher rates of “blocked patrons” due to library fines. “Overdue fines are not distinguishing between people who are responsible and who are not. They’re distinguishing between people who can and cannot use money to overcome a common oversight” (Poon, 2019).

LATE FEES PREVENT PEOPLE FROM BEING ABLE TO USE THE LIBRARY

When a person has unpaid late fees, they often feel ashamed – feeling that they are perceived as irresponsible. They are also often blocked from checking out additional material. The result can be that libraries not only lose valuable library materials, but they lose their valued patrons.

“For many, it is more palatable to discontinue using the library than to pay up or to face the shame of being “irresponsible” (Sawyer, 2017).

“Library users with limited income tend to stay away from libraries because they may be afraid of incurring debt,” said Ramiro Salazar, president of the association’s public library division. “It stands to reason these same users will also stay away if they have already incurred a fine simply because they don’t have the money to pay the fine.” (Bowman, 2019)

“Parents struggling to get by won’t allow their children to use the library for fear of the fines. ‘I try to explain to [my daughter], don’t take books out. It’s so expensive.’” (Graham, 2017).

“We know the heartbreaking truth: that there are families who refuse to even use the library for fear of accumulating fines.” (Marx, 2017).

Overdue fines are not distinguishing between people who are responsible and who are not.

They're distinguishing between people who can and cannot use money to overcome a common oversight.

(Poon, 2019)

COLLECTION OF LATE FEES IS STRESSFUL FOR STAFF

As more libraries have moved to self-check machines, the ratio of uncomfortable encounters that circulation staff have to address has increased because most transactions can be done at the self-checks leaving only the awkward and stressful transactions for staff to negotiate.

“We’ve probably all experienced the feeling of dread of having to tell a patron that they owe overdue fines on their account. Especially a problem patron, who will argue that they returned the materials on time, they put them in the book drop while we were closed, how dare we charge him when he returned them on time... all while the line at the circulation desk grows longer and longer.” (Burgess, 2017).

“In the library, arguing about fines is the single most negative experience for customers and staff.” (Wenger, 2018).

THE LIBRARY BRAND IS HARMED BY ITS ASSOCIATION WITH LATE FEES

Many images associated with libraries are positive, the shushing librarian stereotype and the fear of incurring late fees are probably the two most damaging.

There’s a Seinfeld episode (Seinfeld, 2009) in which the local policeman threatens Jerry Seinfeld because he has not returned his book on time. It is a funny scene but is it good for libraries? “Some of our patrons will think exactly that: one simple transgression such as returning materials a few days late leaves you embarrassed and financially culpable. Who would want to return to such a place?” (Kohn, 2015).

The cost of undoing the harm associated with late fees and the related embarrassment and shame is the cost of a family of library users. “If the library does not charge for the damaged book, it loses about \$25.00. ... [But] it will cost the library more than \$25.00 to convince this mother to return to the library. It will cost the library more than \$25.00 to persuade this mother that the library is a welcoming community place willing to mount literacy programs aimed at her children, who will not benefit from regular library visits and programs. And when these children are adults, it will cost the library more than \$25.00 to convince them that the library is a welcoming and supportive place for their children.” (Graham, 2017).

ELIMINATING FINES OFFERS BENEFITS

The libraries that have stopped charging late fees have identified several positive outcomes including increasing the number of people using the library, increasing circulation, improving relationships between staff and patrons, freeing up staff time to engage in positive activities, and reinforcing the image of the library as an empowering and shame-free environment.

INCREASED NUMBER OF ACTIVE PATRONS

Once the threat of fines is lifted, the library becomes a community resource that is safe for everyone to use regardless of their financial situation. When fines are eliminated, libraries see old patrons return and lapsed patrons come in to renew their library card.

“Lifting fines has had a surprising dual effect: More patrons are returning to the library, with their late materials in hand. Chicago saw a 240% increase in return of materials within three weeks of implementing its fine-free policy last month. The library system also had 400 more card renewals compared with that time last year.” (Bowman, 2019).

People who never had a library card may sign up for the first time, allowing libraries to expand outreach to their communities.

“Without fines, more community members are stepping into the Library, and this allows us to better fulfill our mission. The number of items checked out during the 17–18 fiscal year increased 16% from the previous year. We also signed up nearly 26,000 new cardholders.” (The City Library, 2018).

(The City Library, 2018)

Without fines, more community members are stepping into the Library, and this allows us to better fulfill our mission.

The number of items checked out during the 17–18 fiscal year increased 16% from the previous year.

We also signed up nearly 26,000 new cardholders.

INCREASED CIRCULATION

While circulation rates have levelled or gone down in recent years, eliminating fines is one of the best ways to increase circulation. Libraries have seen circulation increases of 2-16% following the elimination of late fees (Graham, 2017; City Library, 2018, Marx, 2017).

“Since St. Paul, Minnesota killed overdue fines, some branches have seen a double-digit percentage increase in circulation. Citywide, circulation is up nearly 2 percent – which may not sound like much, but it is the first increase the city has seen in 10 years.” (PYMNTS).

The reason circulation goes up is because people keep using the library even when they’ve returned material late. For some, the cost – or even the threat -- of late fees becomes a bar too high so they discontinue using the library as soon as late fees become an issue (The City Library, 2018; Marx, 2017).

ELIMINATING FINES OFFERS BENEFITS

LONG OVERDUE MATERIAL RETURNED

Depending on how the library goes about eliminating fines, it can result in a wave of returned material that has been long gone from the library. Combining the elimination of new fines and offering to forgive all existing fines opens the door for patrons to come back to use the library and return their long overdue material.

One large, urban library system held a one month amnesty program in which \$329,797 in fines was forgiven. In exchange, they got 700,000 books back that were valued at \$236,490 and 5,067 patrons had their borrowing privileges restored (Sawyer, 2017).

IMPROVED RELATIONSHIPS BETWEEN STAFF AND PATRONS

Eliminating late fees transforms the experience of staff working with customers. Rather than having 90% of one's interactions with patrons being related to fees, staff can spend more time helping patrons find answers to questions, get help using library resources and generally enjoy a positive interaction.

"Staff members are happy, because they no longer spend time locked in awkward exchanges with patrons who are angry, distraught, or indignant about their overdue fines." (Graham, 2017).

"It's been smooth sailing since the new policy went into effect. Interactions between staff and patrons have been friendlier, and libraries in low-income neighborhoods have been busier." (Carter, 2019).

SUGGESTIONS FOR MORE EFFECTIVE APPROACHES

CHARGE FOR LOST ITEMS BUT NOT LATE FEES

Many libraries have offered alternatives to charging late fees that have fewer of the drawbacks associated with the traditional approach.

- 1 Do not charge late fees, but if not returned after 45 days, the item is billed. If not paid by 61 days, the item goes to debt collection. (Crist et al, 2017)
- 2 Bill for replacement cost in lieu of fines once the item is two weeks overdue, plus a processing fee and blocked from further checkouts. If and when the items are eventually returned, the bill and processing fees are waived and no fines assessed. (Kohn, 2015)
- 3 Revoke patron's library privileges until they return the overdue item. After three weeks have lapsed, they'll be charged for the cost of the material. After 81 days, their account will be transferred to a collection agency, which will impose a nominal fee." (Carter, 2019).
- 4 Renew material automatically up to 15 times as long as there are no holds on it. Afterwards, the item will be marked lost, and the library will charge the borrower its market value, though charges will be cleared as long as the borrower returns it." (Poon, 2019).

USE REMINDERS TO ENCOURAGE ON-TIME RETURNS

Many libraries are finding that simply sending out more frequent reminders is the best way to get more material returned on time. Reminders are a way to help people be responsible without using the punitive approach of a fee.

With most patrons using email, it is virtually free to send out multiple, timely reminders that will increase the chance of material being returned on time (Morehart, 2018).

If the goal is to get library material back (even if it's late), then late fees can actually have the opposite effect. However, timely and persistent reminders - without the threat of punitive fees - provides positive encouragement to find and return library material.

CONCLUSION

Charging late fees for overdue library material stopped being an effective way to increase on-time returns long ago. The practice is a remnant from a more paternalistic time in public library history. It has eroded the image of the library being a welcoming place where everyone belongs by imposing a punitive and, for many, unaffordable, financial cost.

Today there are much more effective ways to encourage the timely return of library material including email reminders before the due date and after items are overdue.

Continuing to charge for damaged and lost items and eliminating late fees ensures the investment in library resources is protected without causing embarrassment to patrons who incur fees, and guards against patrons discontinuing their use of the library resulting from the real and imagined cost of borrowing material intended to be free for all.

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Many public libraries are finding it valuable—even profitable in ways that go beyond revenue—to reduce and eliminate some fees, particularly late fines, as shown by the responses to *LJ*'s 2022 Fines and Fees Survey. In comparison to *LJ*'s 2017 survey, the percentage of U.S. public libraries charging patrons overdue fines dropped dramatically from 92 to 36. From near universal to a minority represents an amazing sea change in the core assumptions of how U.S. public libraries operate in only five years. Some other fees (such as those for printing, copying, and faxing) are still charged by 78 percent of libraries, still a significant decrease from 2017's 86 percent.

While eliminating late fees was not an option for some libraries surveyed in 2022, the respondents whose libraries did abolish them pointed to increases in patron satisfaction and participation and to staff morale. One librarian in Minnesota enthused, "It has engendered a lot of good will in the community and we have seen people—and even materials!—return to the libraries after years away."

Andrew Gerber, Young Adult and Media Librarian for North Brunswick Public Library, NJ, has previously written articles for LJ and Medical References Services Quarterly.

SURVEY STAT

Of libraries that collect fines, **82%** offer ways for patrons to clear their fines without paying money

Three hundred twenty people participated in the survey. In every size category, especially the largest, the number of libraries that have dropped fines have increased in the past five years.

Among the 64 percent of libraries that do not currently charge late fees, certain trends emerge. A nearly universal 95 percent of this group previously charged fines for overdue materials. About half (54 percent) eliminated fees during the COVID-19 pandemic between 2020 and 2022, and many chose to keep this policy afterward.

Some hoped the lack of fines would increase patrons' usage of the library, and in a number of cases this appears to be true. A quarter (26 percent) said circulation in their libraries has increased, about the

same (25 percent) stated that it hadn't, and the remaining 49 percent did not know—comments indicated that they were unsure whether circulation changes were attributable to changes in fine policy, the pandemic, or both.

Eight percent of newly fine-free libraries, according to the survey, attempted to replace or offset lost fine revenue through fundraising, collecting voluntary donations at the circulation desk (such as via a fine forgiveness jar), and increasing their local budgeting request. One library added a passport agency; another started charging for for-profit/private meeting room reservations.

A WEALTH OF REASONS

Respondents who chose to eliminate fines listed various grounds for their decisions, including opportunities to foster good will and improve customer service, promote social justice, and adhere to their mission statements and directives. In some cases, the decision to discontinue late fees came about because libraries successfully suspended them during the COVID pandemic and decided to continue doing so. Other libraries made the decision to not charge late fees decades ago.

Some looked at the success of other libraries that have gone fine-free. Adult Program Coordinator and Refer-

LJ's 2022 Fines and Fees Survey shows a transformed landscape since 2017

By Andrew Gerber

FINE FAREWELLS

ence Librarian Kristina Giovanni of Bloomington Public Library, IL, recounted, “A neighboring library stopped charging fines/fees in 2019 and their success, on top of the pandemic in 2020 that involved patrons holding onto materials far longer than we would typically allow, made going fine-free the most sensible option.”

San Francisco Public Library (SFPL) Strategic Data Analyst Zahir Mammadzada described how the library came to a similar conclusion. “Based on extensive research of national publications, conversations with library leaders and experts across the country, surveys of patrons and staff, and rigorous analysis of SFPL data, SFPL concluded that the use of overdue fines did not align with the library’s goals,” he wrote. “Overdue fines restrict access and exacerbate inequality by disproportionately affecting low-income and racial-minority communities, create conflict between patrons and the library, require an inefficient use of staff time, and do not consistently ensure borrowed materials end up back on library shelves.” Many other respondents agreed.

President and CEO Tonya Aikens explained that Howard County Library System (HCLS), MD, found the decision to be both practical and in accordance with the library’s philosophy. The lack of late fees “removes a barrier to access,” she wrote. “Being fine-free is in keeping with HCLS’s commitment to equity and inclusion, and it positions us to more fully live our mission of providing high quality public education for all Howard County residents. At any given time, seven percent of customers have their accounts blocked due to overdue fines. Full access has a dividend for Howard County—we all benefit from a curious and engaged community.”

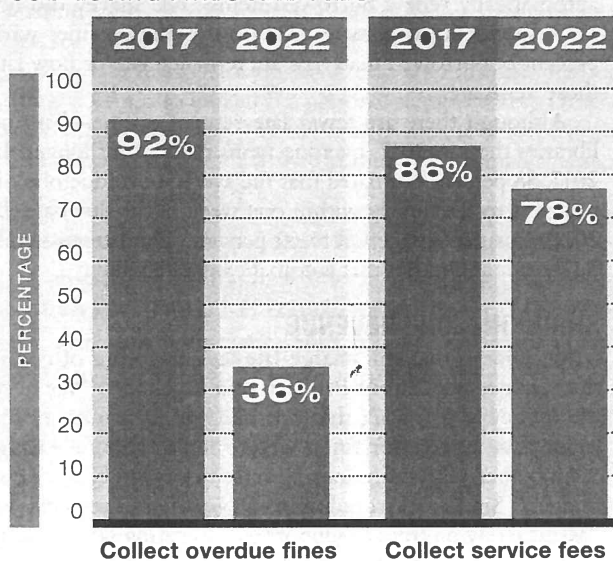
Libraries’ consideration of communities’ needs was often a factor. “We originally stopped charging fines because of COVID,” wrote Tami Cox, assistant director of East Moline Public Library, IL. “Our mission is to serve our patrons and some of them cannot afford to pay a \$10 fine. That is literally a dinner for their family, and why would we want someone to have to pick between food and a library fine?” Casandria Crane, director of American Fork Library, UT, commented, “We realized the poorest in our community were paying the most.”

COLLECTING FEES

All fee-collecting libraries accept cash payments. Personal checks and money orders are accepted at 88 percent of libraries, a sizable majority but still down from 2017’s 96 percent. Conversely, the percentage of libraries that accept credit and debit card payment for fines has increased from 59 to nearly three quarters, at 73 percent. Four percent of libraries take digital payment methods through apps such as Paypal, Venmo, and Apple Pay.

Most (92 percent) libraries’ circulation staff notify and remind patrons about owed fines. Four-fifths (82 percent) inform patrons on their online accounts, and two-thirds

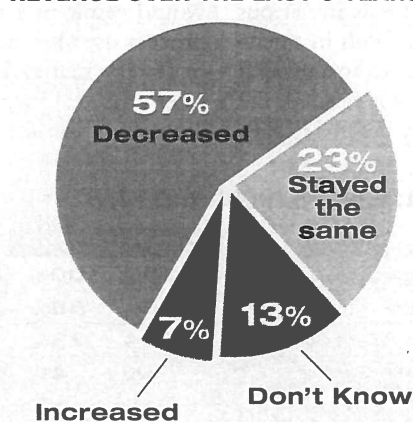
PERCENT OF LIBRARIES COLLECTING FINES AND FEES



SOURCE: LJ FINES & FEES SURVEY 2017, 2022

(64 percent) use email. Other methods include paper mail (54 percent), phone calls (41 percent), texts (37 percent), printed messages on checkout slips (31 percent), and mobile apps (17 percent). Ninety-one percent of libraries train staff to communicate with patrons about fines owed and the concept of shared resources.

CHANGES IN MONTHLY FINE REVENUE OVER THE LAST 3 YEARS*



*Based on libraries that charge fines.

SOURCE: LJ FINES & FEES SURVEY 2022

Ninety-six percent of libraries charging late fees suspend patrons’ borrowing privileges after they have reached a specific amount of outstanding fees, at an average of \$11. When fines remain outstanding too long, about a third (31 percent) contact collection agencies. This is significantly fewer than 2017’s 44 percent. The average fine threshold that prompts libraries to refer to a collection agency is \$39. Nine percent of respondents’ libraries have pursued legal action for unpaid fines, 70 percent have not, and 21 percent were unsure.

Among the 78 percent of libraries that charge fees for services, the most common are for printing (95 percent), copying (94 percent), and faxing (61 percent). About half

charge processing fees for replacement of lost and damaged items (53 percent), library card replacement (52 percent), and cards for nonresidents (48 percent). Most (81 percent) do not charge for participation in programs and events. The median monthly revenue from service fees is \$250, 38 percent lower than the median in 2017 (\$400).

LATE RETURNS

At libraries that charge fines, it is estimated that 12.9 percent of all borrowed items are returned late, down from 2017’s

14.9 percent, which may have to do with the introduction of automatic renewals. Some 60 percent of responding libraries automatically renew borrowed items. The survey did not ask respondents at libraries that do not charge fines what percent of borrowed materials are returned late or how late those items are.

Although there are fewer late returns at fine-charging libraries than in 2017, overdue items remain out longer. In 2017, 88 percent estimated that the average overdue book is returned to the library within one week of the due date. In 2022, this percentage fell to 69 percent. The lateness tends to be shorter at libraries that automatically renew items.

SHRINKING FINE REVENUE

Most libraries that still charge late fees do so out of necessity. One respondent in Pennsylvania explained, "We need the money as it is built into our budget. Even without the money we receive for fines, we are responsible for raising \$25,000 per year in fundraising activities just to balance our budget." Similarly, according to a New Jersey respondent, "We still rely on fines to support our operating budget. Until we can replace the revenue with another source, we're not in a position to get rid of them entirely."

Libraries that collect fines are earning less revenue from them in 2022 than in 2017. The monthly median fell dramatically from \$500 to \$200. Fifty-seven percent of respondents answered that fine revenue has decreased since 2019, citing various reasons. Half (51 percent) of the respondents blame decreased circulation and COVID for the decrease, 39 percent cite more digital checkouts, and 28 percent say it is the result of instituting automatic renewals. A quarter also changed their fine structure, such as eliminating fines for children's materials.

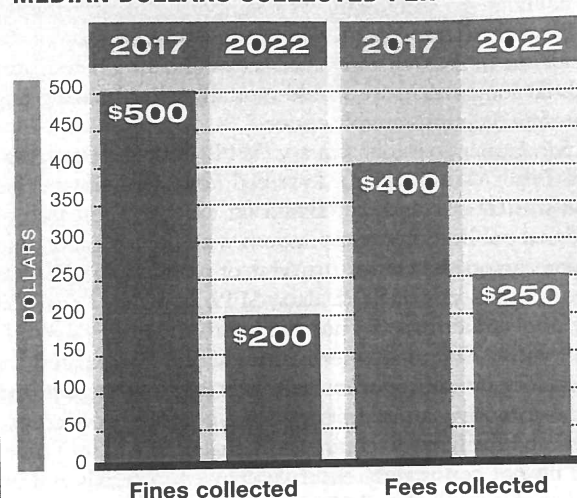
Fee-collecting libraries disperse these funds in various ways. Nearly two-thirds (64 percent) place funds in a general library fund; 22 percent allocate the funds to a general municipality or county fund. Only 10 percent earmark the funds for library materials, and half as many use these funds for programming.

COST OF COLLECTION

When deciding whether or not to go fine-free, the cost-effectiveness of collecting outstanding fines is a consideration for some. Libraries estimate that they spend an average of \$198 per month collecting fines in staff time, collection fees, etc.—seven percent of the average monthly fine income (\$3,001).

Library Manager SueAnn Burkhardt explained the process of how Luther Callaway Public Library, FL, approached the question: "A study was done by the library taking into consideration the staff hours spent on notifying patrons of overdue items, collecting overdue fines, reports and delivery

MEDIAN DOLLARS COLLECTED PER MONTH*



*Based on libraries that charge fines and/or fees.

SOURCE: LJ FINES & FEES SURVEY 2017, 2022

to finance department. It was found to be a loss for the library, not worth the time spent." However, she added, "We were told specifically, by the county, to continue collecting fines regardless of costs incurred by the library."

County Librarian Todd Deck said that Tehama County Library, CA, determined that stopping late fees saves the library money and benefits both staff and patrons. "It isn't financially responsible," he wrote about collecting fines. "Last year, the library collected \$6,000 from overdue fines. This represents less than 1.9 percent of the library's overall annual operating budget. We estimate that going fine-free would result in a reduction of staff time to collect and process overdue fines; it will also encourage the return of library materials, so many items will not have to be repurchased. Once implemented at the Tehama County Library, a fine-free program is estimated to save \$7,280 annually." (He also noted that it promotes the health and safety of patrons and staff by cutting down on physical transactions during the ongoing pandemic.)

FINE ALTERNATIVES

Of libraries that collect fines, 82 percent—up from 61 percent in 2017—offer ways for patrons to clear their fines without paying money. Sixty-nine percent have

waived fines for various reasons. Thirty-six percent allow people to donate food to charity drives in lieu of payment. Other methods include fine amnesty periods (31 percent), volunteering in exchange for fines (9 percent), and donations of materials to the library (5 percent). Five

PAYMENT METHODS ACCEPTED

	2017	2022
Cash	100%	100%
Check or money order	96%	88%
Credit/Debit card	59%	73%
Digital payments (e.g., Paypal, Venmo, Apple Pay)	n/a	4%

SOURCE: LJ FINES & FEES SURVEY 2017, 2022

METHODOLOGY

The Fines and Fees survey was emailed to a random list of U.S. public library employees on May 26, 2022, with a reminder on June 16. The survey closed on July 1, with 320 U.S. public library responses. Data reported in total was weighted by library size to match the weights used in the 2017 Fines and Fees survey.

percent allow children and teens to “read down their fines.”

About two-thirds (68 percent) have considered eliminating fines altogether, twice the number that were considering going fine-free in 2017. By comparison, only two percent of those not charging fines are considering adding them. Respondents listed several reasons why their libraries still charge fines besides financial dependence on them. Some cited a belief that patrons must be held accountable for lateness, and that without consequences nothing would stop people from returning materials late or simply keeping them. Others said that even when directors and staff favored eliminating some or all fees, municipal officials and library boards do not support this course of action.

COMPELLING ARGUMENTS

While some directors and staff members received enthusiastic support from their boards or local government for dropping late fees, others found challenges to getting consensus from stakeholders. “Emotionally and morally almost everyone was in favor of it,” recalled Jessica Paulsen, patron experience manager at Jefferson County Public Library, CO. “Practically, especially financially, was harder for some people to reconcile.”

Yolo County, CA, used a test case to convince stakeholders. “We went fine-free for youth first and monitored the results,” explained Director Mark Fink. “The data demonstrated an increase in new cardholders, and existing cardholders using the library more, and there was not a substantial increase in lost/missing items. This data made consensus easy after it was presented.” Clintonville Public Library, WI, also met success with a similar approach.

In some cases, the success of other libraries’ abolishment of overdue fees managed to convince stakeholders, as did the success of automatic renewals.

Advocates used a combination of hard data and anecdotal evidence about the virtues of dropping late fines. Meg Lojek, director of McCall Public Library, ID, wrote, “Honestly, one of the biggest arguments in our favor was that, during COVID we stopped charging fines due to wanting people to stay home and stay safe. Then we were able to show the limited impact on our budget and no impact on people getting materials back to the library. Emotionally, it is easy to tell the stories about families who don’t want to borrow books because of the fines and to show that it is an equity issue—perhaps those who could benefit from the library the most are the same people who fear they will have to pay fines.”

This point was illustrated by Deck’s comment: “Lots of data was helpful. But the single most impactful tool was reading a letter from an eight-year-old asking for forgiveness for having late library books.”

The late fee discussion for Delaware County District Library, OH, also looked at a personal request, wrote Director George Needham. “This was all it took to seal the deal: One letter from a woman who couldn’t pay a small fine she

Fine receipts are less than 0.4 percent of our county library’s annual budget. It was and is such an insignificant amount in library revenue, yet patrons who had fines potentially stopped visiting the library altogether. My advice: ask yourself, Would you rather collect 0.4 percent profit or let a child take books home to read with [the adults in their lives], increase literacy rates in your county, and ultimately change the way your community approaches library use (for the good)?

—ALICIA BLAKE, WORCESTER COUNTY PUBLIC LIBRARY, MD

owed, but offered to work off her fine so that her kids could have access to the collection. I had the numbers for what we would be giving up, but the letter was the emotional impact that pushed the discussion over.”

Alicia Blake, assistant branch manager at Worcester County Public Library, MD, offered advice for libraries considering eliminating overdue fees: “Fine receipts are less than 0.4 percent of our county library’s annual budget. It was and

is such an insignificant amount in library revenue, yet patrons who had fines potentially stopped visiting the library altogether. My advice: ask yourself, Would you rather collect 0.4 percent profit or let a child take books home to read with [the adults in their lives], increase literacy rates in your county, and ultimately change the way your community approaches library use (for the good)?”

As libraries continue to gather data, public input, and successful examples from their peers—particularly as the coming years let them judge the evidence on its own merits, rather than as a response to pandemic shutdowns—they will be better able to evaluate their approach to collecting fines and fees. It will be interesting to see what LJ’s 2027 survey reveals. ■

The complete 2022 Fines and Fees survey can be downloaded at bit.ly/Fines-Fees2022.

LIBRARY CHARGES A FEE FOR...

	2017	2022
Printing	94%	95%
Copy machine/ Photocopier	97%	94%
Faxing	n/a	61%
Processing fee for replacement of lost/ damaged items	54%	53%
Library card replacement	77%	52%
Non-resident fee	48%	48%
Space rental/ Meeting rooms	38%	34%
Debt collection processing fee	34%	25%
Interlibrary loan/ Document delivery	32%	22%
3-D printing	6%	19%
Scanning	16%	11%
Test proctoring	n/a	10%
Notary services	n/a	6%
Holds not picked up	12%	3%
Special collections/ Genealogy services	3%	2%

SOURCE: LJ FINES & FEES SURVEY 2017, 2022

Proposal Submitted By:



**Waste Industries LLC, DBA GFL Environmental
4621 Marracco Dr.
Hope Mills, NC 28348**

Response to:

**Town of Southern Pines
Attn: Jessica Roth
801 SE Service Rd.
Southern Pines, NC 28387**

Proposal : Solid Waste Services

Due Date: 9-12-22 By 2:00 pm

Original



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Tab 4: Cost/Fee Proposal with Required Signature & Attachments

Tab 5: Requested Revisions for Proposal and Exceptions

TAB 1



3301 Benson Drive, Suite 601 Raleigh, NC 27609

Executive Summary

September 12, 2022

Town of Southern Pines, NC
Jessica Roth
Assistant Town Manager
801 SE Service RD.
Southern Pines, NC 28387

Re: Proposal - Solid Waste Collection Services

Waste Industries, LLC DBA GFL Environmental, is pleased to submit this response to the Request for Proposal (RFP) for Solid Waste Collection Services. GFL further states that the RFP has been reviewed in full detail along with the addendum. GFL agrees with and is capable of providing all of the specifications requested in the RFP along with recommended exceptions as outlined in our proposal. This proposal was prepared by GFL without collusion, and is authorized and signed by Ted Habets, Regional Vice President, who has authority to bind decisions impacting the Contract, and execute a final Contract.

GFL has provided solid waste services in the Carolinas for over 50 years. We are now the fourth largest diversified environmental services Company in North America. GFL takes pride in having provided services for the Town of Southern Pines since 2013. We appreciate the opportunity to submit this proposal and continue providing services to the Town. With our experienced local team, and our vast network of supporting GFL assets located throughout Central and Eastern North Carolina, we can be relied upon to deliver dependable and responsive services into the future.

Thank you for considering our proposal. If I can be of any further assistance, please contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ted Habets', is written over a horizontal line.

Ted Habets, Regional VP

GFL Environmental

3301 Benson Drive, Suite 601

Raleigh, NC 27609

(800) 207-6618 Ext. 32428 | (C) 843-241-0162

Ted.Habets@gflenv.com | www.gflenv.com

Key Personnel



PATRICK DOVIGI

Founder and CEO

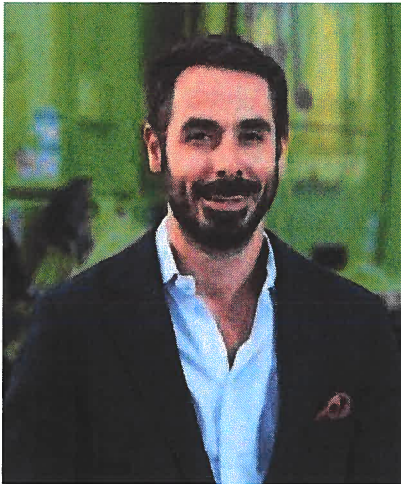
Patrick is the Founder, President and CEO and Chairman of the Board of Directors of GFL. In 2007, Patrick had a vision to create a company that is a "one –stop shop" provider of environmental solutions. Since then, drawing on the discipline he learned in his earlier hockey career, Patrick has driven GFL to become the fourth largest environmental services company in North America. Patrick has instilled an entrepreneurial culture in GFL's leadership team with a focus on operational excellence, sustainability and safety as core values. In 2017, he was recognized by Waste360 with a Top 40 under 40 award, and in the EY Entrepreneur of the Year TM Ontario Awards, as Entrepreneur of the Year in the Power & Utilities Sector. In addition to being a regular supporter of charities supporting local family and health initiatives, in 2019 he contributed \$5 million to help create the Dovigi Family Sports Medicine Clinic, a first of its kind sports medicine research and care facility pro support to individuals with sports-related injuries. Patrick currently serves on the board of directors of the Environmental Research & Education Foundation (EREF) and the Toronto General & Western Hospital Foundation.



GREG YORSTON

Executive Vice-President and Chief Operating Officer, Solid Waste

Greg was appointed GFL's Chief Operating Officer, Solid Waste, in November 2018. With an extensive leadership and operations background, he brings almost three decades of experience working in the waste industry. He previously served as President and Chief Operating Officer of Waste Industries, having joined the company in early 2013 as Senior Vice-President of Operations. Prior to this, he was a senior leader with Waste Management for almost 15 years, including two years as Corporate Vice-President of Operations and Business Solutions, and 12 years as an Area Vice-President with full responsibility for collection, recycling and landfill disposal services.



LUKE PELOSI

Executive Vice-President and Chief Financial Officer

Luke joined GFL as Director, Mergers & Acquisitions in January 2015, became Executive Vice-President, Corporate Development in October 2016 and was named GFL's Chief Operating Officer on January 1, 2018. In October 2018, he was appointed GFL's Chief Financial Officer. Luke has 15 years of financial management experience with a focus on financial analysis, mergers and acquisitions and general corporate finance. Prior to joining GFL, Luke was a Director in the Deal Advisory group of KPMG LLP where he provided due diligence services to Canadian private equity market investors. Prior to that, Luke worked in KPMG's Complex Accounting group. Luke is a Chartered Professional Accountant and holds a Bachelor's Degree in Commerce from Concordia University.



Ben Habets
Area Vice President

Ben joined the Company in 2005. Since 2014 he has served as Region Manager for portions of North Carolina, Virginia and Tennessee. He held various management positions throughout the Company. Ben holds a B.A. and Master's in Economics from North Carolina State University and has over 18 years in the Solid Waste Industry. Ben is the Area Vice President for the East US Area of GFL's footprint. He reports directly to our COO.



Ted Habets
Regional Vice President

Ted joined the Company in 2002 as the Operations Supervisor of the Graham, NC branch. In 2003, He relocated to Greenville/Spartanburg, South Carolina as the General Manager of our operations in the Upstate of South Carolina. In 2004, he became General Manager of our Atlanta, GA operation and subsequently, our Myrtle Beach, South Carolina operation in 2006. In 2009, Ted relocated to the Fayetteville/Sandhills, NC area and took on the role of Division Manager of our South Carolina and Fayetteville, NC branches. Ted also served as General Manager of our Fayetteville/Sandhills branch and retains an office there. Currently, Ted is Regional Vice President over South Carolina and Southeastern North Carolina including the Fayetteville, North Carolina area. Ted is a graduate of North Carolina State University and has a BS in Business Administration.



Jeremy Freeman
General Manager

Jeremy joined the Company in 2008 as the Outside Sales Representative for the Fayetteville, NC branch. In 2010, he entered the Waste Industries Management Development Program and subsequently was promoted to Operations Manager for the Fayetteville, NC Branch. In April of 2018, Jeremy was promoted to General Manager of the Fayetteville, NC Branch and reports directly to Ted Habets Regional Vice President. Jeremy is a 2004 graduate of Campbell University with a BS in Business Administration and is also a former United States Marine.



3301 Benson Drive, Suite 601 | Raleigh, NC 27609

Financial Capability

GFL, Environmental Inc. has the financial capability of providing the equipment and resources to begin services on July 1, 2023. We have provided a copy of our Annual Report as documentation. If additional information is needed you may contact our Financial Analyst Carol Dalton at Carol.Dalton@gflenv.com or visit our website www.gflenv.com.

TAB 2



Company Service History

GFL is at the forefront of solid waste management innovation and technology with many product lines in the industry. GFL was founded in 2007 and provides innovative, cost-effective solid waste solutions for our customers. By not taking the easy way out, by standing on our principles, we have earned our customers' trust and the industry respect. We take pride in the essential services that our productive, safe, and loyal workforce provides each day, and we are part of the vital infrastructure in the communities we serve. From collection, disposal, recycling and waste reduction, our business is servicing others. We look forward to continuing our tradition of service that is responsive to our customers, to our community, to our co-workers and sensitive to the community/environment around us. We are built on service, fueled by growth, and driven by performance. We are part of everyday life.

GFL represents a wide range of residential and commercial projects. We provide residential and commercial services under exclusive franchise agreements to more than 150 contracts in the Southeast Region of GFL. We have a long history and successful track record of exceptional Municipal contracts, residential and commercial services. In addition, we own and operate multiple landfills and transfer stations.

All locations are staffed with employees that are drug screened along with criminal background checks performed before hiring. Safety is a company culture that is top priority at all branches. We are committed to providing a clean, environmentally safe, and cost-effective solution to solid waste is backed up by a dedicated team of drivers, office personnel, technicians, engineers, and managers. Our philosophy is emphasizing change and performance is the foundation for our company's continued growth and success.

Sustainability is fundamental to GFL. We strive to provide accessible, cost-effective environmental solutions to our customers and the communities we service to allow them to be Green for Life. Aligned with this purpose, we have made significant investments in new technology and in the innovation of existing management and operating processes. These investments reflect our commitment to providing sustainable environmental solutions and are also value-enhancing initiatives for our business.

Our goal is to be recognized as a leader in driving sustainable solutions. In support of this initiative, GFL is developing a three-year plan to further identify and embed sustainable management initiatives into our operations. We strive to continuously

enhance our management systems and strengthen our team with individuals that are empowered to identify and implement sustainable environmental solutions that enhance our return on capital, drive growth, and to continuously improve:

- employee and community engagement,
- environmental responsibility,
- health and safety, and
- diversity in our workplace.

Experience:

GFL Environmental Inc. is the 4th largest Solid Waste Management Company in North America employing more than 18,000+ hard working men and woman. GFL not only provides residential, multifamily, and commercial solid waste collection services, GFL is also the only diversified environmental service company in North America offering services in solid waste management, liquid waste management and infrastructure development. More specifically, we believe that by providing safe and accessible solutions, we will encourage greater environmental responsibility and allow our current and future customers and the communities we serve to be Green For Life! The following information will provide an overview of our services and facilities.

GFL specializes in the following operations and programs:

- ✓ Curbside Organics Collection and Composting – 15 Organics Facilities
- ✓ Recycling Collection and Processing (MRF's) – 28 Facilities
- ✓ Landfill Operations – 88 Facilities
- ✓ Transfer Stations – 150 Facilities
- ✓ Sustainability Practices – 75 Liquid Waste and 11 Soil Remediation Facilities
- ✓ Residential and Commercial Collection Operations – 195 Facilities
- ✓ Community Giving – The Full Circle Project
- ✓ Industrial and Commercial Solid Waste Collection

As you can see, GFL is uniquely equipped to handle practically any environmental or infrastructure challenge. Whatever the requirements, we are committed to work with our current and future communities in which we serve to develop the right solutions for their specific needs. In addition to our rigorous safety standards, GFL operates to the highest degree of environmental and regulatory compliance. We maintain all necessary authorizations from local, state, and federal authorities to deliver our broad range of environmental and industrial services. One of the keys to our success lies in the diversity of our services. GFL is dedicated to providing our customers with a full-service 'one-stop-shop' that delivers integrated solutions traditionally supplied by multiple service providers from one efficient source. We are truly driven to support the environmental goals of our current and future communities in which we serve which ultimately creates a brighter future for all of us!



References

GFL currently provides services for more than 250 municipal customers in North Carolina alone. This \$108 million dollars of annual revenue represents Counties, school systems, Cities and Towns. Please find listed below references which represents Residential, Multi-family and commercial services similar to Southern Pines. We can provide additional information upon request.

Columbus County, NC – *Countywide Curbside Residential Solid Waste Service*

- 18,377 homes with Front-End Dumpster, Roll-Off and Transfer Station Operation
- 2016-present
- Eddie Madden, Columbus County Manager: (910) 640-6630
111 Washington Street
Whiteville, NC 28472

Brunswick County, NC – *Countywide Curbside Residential Solid Waste Service*

- 90,330 homes with Front-End, Roll-Off, Sites, Transfer Station Operation
- 1996-present
- Steve Stone, Deputy County Manager: (910) 253-2016
PO Box 249
Bolivia, NC 28422

City of Sanford, NC – *Curbside Residential Solid Waste and Recycle Service*

- 9,046 homes with Front-End and Roll-Off
- 2013-present
- Hal Hegwer, City Manager: (910) 777-1110
PO Box 3729
Sanford, NC 27331

Town of Elizabethtown – *Curbside Residential Solid Waste, Recycle, City wide Dumpster service*

- 3,000 homes with Front-End and Roll-Off
- 2013-present
- Dane Rideout, City Manager: Sylvia Campbell, Mayor (910) 862-2066
805 West Broad Street
Elizabethtown, NC 28337

Columbus County

ADMINISTRATION

TELEPHONE
910-640-6630



TELEFAX
910-640-1654

September 9, 2022

In Re: Letter of Support for GFL Environmental

To Whom It May Concern:

GFL Environmental has provided trash collection services for Columbus County since 2017. We have a great working relationship with all of the company representatives. The General Manager for our County is great to work with and he and his staff have always provided excellent customer service to our residents and staff.

Please feel free to contact me should you need any additional information.

Sincerely,

Eddie Madden, Manager
Columbus County



Solid Waste Department
P.O. Box 2773 (Mailing)
200 Alexander Drive (Physical)
Lillington, NC 27546
910-814-6156

To whom it may concern,

GFL has provided services for Harnett County for 15+ years. They have serviced our facilities by providing multi pickups per week as well as provide hauling and disposal from our Transfer Stations at both landfills. We are more than satisfied with the service and professionalism of GFL.

Sincerely,

A handwritten signature in blue ink, appearing to read "C.C. Beane", is written over a horizontal line.

Chad C. Beane
Harnett County Solid Waste Director



Services provided to Town of Southern Pines

GFL has provided contracted services with the Town since 2013 / present .
Services provided to residents and a small number of commercial businesses with the collection and disposal of solid waste, recycling, yard debris, and bulk items.



Service Transition History

GFL has considerable local experience with contract start-ups associated with residential, multi-family, and commercial/industrial customers. Examples include Sanford, NC; Broadway, NC, Elizabethtown, NC and Columbus County, NC. These equated to approximately 27,000 total homes with multiple services. Additional recent examples include the City of Whiteville and the City of Rolesville.

In all situations, we had a plan in place so that equipment would be delivered on time and service provided efficiently. In all cases, we had knowledgeable leadership and an execution plan in place that involved multiple teams within our organization. For example, we utilize our GIS department to optimize routing and our marketing department for notifications and communication to the residents.

Some lessons learned and applied related to transitions:

- Have extra cart/ dumpster inventory available at local business unit
- Have back up lease options for Rental Trucks available
- Have an Emergency Support and Deployment program for companywide access to additional employees/assets if assistance is required.

Ted Habets, Regional Vice President, assisted with all contracts listed above and will continue to support the Town of Southern Pines.

Jeremy Freeman, General Manager, will continue to be directly responsible for day-to-day execution of the Town of Southern Pines contract.

Jennifer Rackley, Govt. Contracts Manager, will be an addition resource available to the Town of Southern Pines .

Non-Performance History

GFL has no history of non-performance as described in Sec (2) g. of the RFP

TAB 3



Proposed Scope of Work

Services Offered

Option 1

- Weekly curbside trash collection with 95-gallon cart
- *Every-other-week* curbside recycle collection with 95-gallon cart
 - o Trash and Recycle will be collected with automated trucks
- Loose yard waste collection provided every-other week. Same as current.
 - o GFL to provide the service. No subcontractor.
- Bulk and White Goods – Provided as-needed by resident request. Same as current.
- All services to be provided on the same day of week at each residence according to our current collection schedule – Monday- Friday.
- Commercial and Multi-Family services and schedule to be provided same as current.

Option 2

- Weekly curbside trash collection with 95-gallon cart
- *Weekly* curbside recycle collection with 95-gallon cart
 - o Trash and Recycle will be collected with automated trucks
- Loose yard waste collection provided every-other week. Same as current.
 - o GFL to provide the service. No subcontractor.
- Bulk and White Goods – Provided as-needed by resident request and billed per pick up. Same as current.
- All services to be provided on the same day of week at each residence according to our current collection schedule – Monday- Friday.
- Commercial and Multi-Family services and schedule to be provided same as current.

Types of Vehicles

(3) 2023 Labrie Automizer 29y Automated Side Loading trucks for Trash and Recycle Collection

(3) 2023 Petersen TL3 Grapple Trucks for Yard Waste and Bulk Collection

All new trucks dedicated to Southern Pines. (See brochure for new trucks with specifications that provide great access to downtown areas).

At this time, new truck deliveries can be made by July 2023; however, we have access to rental equipment should there be any delays.

Routing and Service Delivery:

All services we will be provided according to our current service schedule within the Town of Southern Pines.

- 2 Automated Trash Routes/2 Drivers – Monday –Friday
- 1 Automated Recycle Route/ 1 Driver – Monday – Friday
- 2 Yard Waste/Bulk Routes/ 2 Drivers – Monday – Friday. We will deploy a 3rd truck in peak seasons.
- 1 Commercial/Multi Family Route/ 1 Driver – Monday – Friday
- 1 Lead Driver/Route Supervisor in field pickup truck

Carts / Containers

All containers provided for trash and recycle services will be 95-gallon carts. With the use of automated collection trucks, 18-gallon bins or other smaller containers will not be provided.

- Existing GFL/WI provided 95-gallons trash carts provided during our first contract term will not be replaced.
 - We will replace or fix existing carts that are damaged on an as-needed basis.
- Residents who currently use personal trash containers will receive a new 95-gallon cart.
- All residents will receive a new 95-gallon recycle cart.

New Container Delivery – We will utilize a 3rd party vendor to deliver new 95-carts during June 2023.

GFL Location/Facility

4621 Marracco Drive, Hope Mills, NC 2843

This is our local hub for Customer Service, Vehicle Maintenance and Truck/Container storage.

Customer Service and Reporting

Hours:

Monday-Friday – 8:00am to 5:00pm

Holidays Observed: New Year's Day, Thanksgiving, Christmas.

Holidays Schedule. In the event that we run behind due to a holiday, services will be delayed by one day for any customer whose collection day falls after the holiday.

In the event that routes run behind (for example weather related delays), GFL will notify the Assistant Public Works Director so that the town can notify residents via email, text or phone via the Code Red communication system.

Unacceptable waste items placed at the curb will be marked with a carbon copy tag as notification. A copy of each tag will be provided to the Town's Public Works Department.

Any reporting required by the Town will be provided on a monthly basis by our local team. Reports could include monthly invoicing, bulk collections, unacceptable waste streams, customer service contacts and tonnages collected.

Disposal Sites

We have access to 3 alternate disposal sites for the execution of this contract.

Moore County Transfer Station
645 Turning Leaf Way
Aberdeen, NC 28315

GFL Fayetteville Transfer Station
583 Winslow Street
Fayetteville, NC 28301

Sonoco Recycling
111 S Rogers Ln
Raleigh, NC 2761

Transition

Our goal will be to execute as seamless of a transition as possible by continuing to provide the exact same service schedule that is in place now. By doing so, the only significant changes that will take place from the resident's perspective are the delivery of new containers and the conversion to curbside collection.

Educational Material

We will provide 2 forms of communication to assist with educating residents on the transition to curbside collection.

1. We will provide the Town with an informational invoice "stuffer" that can be printed and included with the Town's monthly water bill in the months leading up to July 1, 2023.
2. We will attach an informational "hanger" on each of the new 95-gallon recycle carts that are delivered during the month of June 2023.

Our expectation is that all other communication explaining upcoming service level changes comes from the Town through methods deemed necessary.

Our local customer service team will be prepared to assist and explain service levels changes to residents that call our office.

We will provide the Town with detailed container "not-out" lists during the first 2 weeks of July 2023 so that the Town can gauge the curbside-conversion success rate and validate actual missed pick-ups.

Building up to July 1, 2023, our local team will provide the Town with monthly updates regarding new truck/container delivery timelines and obtain approval of the informational literature we will provide for cart hangers and water bill stuffers.

Organizational Structure of team directly responsible for managing day-to-day operations in Southern Pines:

Jeremy Freeman – General Manager
Lance Edwards – Operations Manager
Joseph Bush – Residential Operations Supervisor
Jannie Revels – Office Administrator
Franzine Holly – Lead Driver/Route Supervisor
7 – Route Drivers



AUTOMIZER™

 **labrie**

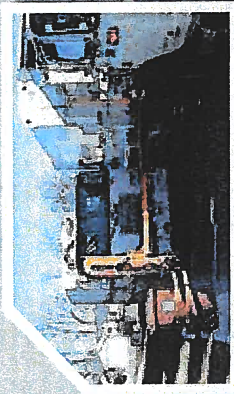


ZERO GRAB

The Automizer Right-Hand™ stop-and-go operation is quick, simple and effective. The zero grab, low swing out Right-Hand™ arm is smooth to operate in narrow alleys and tight spaces.

EXTENDED REACH

On a 100% automated route, you need to have equipment that can reach its target. The Automizer Right-Hand™ can extend up to 12 feet and lift a 1,000-lb load. This design is simple yet effective, making the entire operation smooth and steady. Maneuvering around parked cars has never been simpler.



HEAVY-DUTY ARM

Our heavy-duty arm was designed to address special lifting needs including 300-gallon and 1,100-liter containers. Our simple design relies on chains that are twice as strong to reduce stretching and premature failure. Our low mass-in-motion concept relies on a smart inline design, therefore the arm doesn't need to be overbuilt or reinforced to compensate for torsional stress, unlike offset designs.



TAB 4

Attachment A: Dumpsters at Multi-Family and Commercial Complexes and Collections for Town Facilities

Customer	Street No.	Street	Dumpster Quantity	Dumpster Size (Yards ³)	Current Collections Per Week (estimated)	Current Collections Per Month (estimated)	Current Yards ³ (estimated) Per Month	Current Tonnage Per Month (estimated)	Qty. of Recycling Carts at Same Location
Hunters Glen Apartments	1655	Central Dr	3	8	1	15	120	5.16	0
Cypress Creek Condo		Cypress Circle Road	3	8	1	16	128	5.504	0
Cypress Creek Condo		Cypress Circle Road	1	4	1	5	20	0.86	0
Greenmont Apartments	100	Dean Avenue	2	6	1	10	60	2.58	3
Greenmont Apartments	100	Dean Avenue	1	8	1	5	40	1.72	1
May Street Meadows Apts	255	E Delaware Ave	1	4	1	5	20	0.86	2
Park Place	100	E New Hampshire Ave	1	8	2	9	72	3.096	1
Broad St Trails	101	E Rhode Island Ave	1	8	1	5	40	1.72	2
Elks Ridge Apartments	10	Elks Ridge	2	6	1	8	48	2.064	2
Longleaf Cottages	10	Knoll Road	1	8	2	9	72	3.096	3
Timberlane Apartments	190	Murray Hill Rd	2	6	1	10	60	2.58	1
Longview Apartments		Murray Hill Rd	1	6	1	4	24	1.032	1
Timberlane Apartments	190	Murray Hill Rd	2	8	1	10	80	3.44	1
Market Square	471	N Ash St	1	4	1	5	20	0.86	1
Broad Street Apartments	565	NE Broad Street	1	4	1	5	20	0.86	1
Knollwood Apartments	800	North Leak St	2	8	1	10	80	3.44	2
Ice Cream Shop	176	NW Broad St	1	8	3	13	104	4.472	0
Mid South Club	610	Palmer Dr	1	8	1	4	32	1.376	1
Hunters Ridge	151	Pine Branch Ct	1	6	1	5	30	1.29	0
Hunters Ridge	173	Pine Branch Ct	1	6	1	5	30	1.29	0
Highland Apartments	1650	Richard St	4	8	1	17	136	5.848	2
Canaday Square	185	S Bennett St	1	6	1	5	30	1.29	1
Sandy Pines MHP	160	Sandy Pine Ln	1	8	1	4	32	1.376	4
Austin Ridge	300	Saunders Blvd	2	8	1	10	80	3.44	0
Brookside Apartments	591	Shaw Ave	8	8	1	40	320	13.76	0
Talamore Apartments	48	Talamore Rd	2	8	2	18	144	6.192	5
Creston Commons	555	Talmdage Way	2	8	1	8	64	2.752	2
Creston Commons II	555	Talmdage Way	2	8	1	8	64	2.752	2
Tanglewood Apartments	101	Tanglewood Dr	2	8	1	8	64	2.752	4
Grey Ridge Apts	400	W Illinois Ave	1	8	1	5	40	1.72	2
Pinebrooke Apartments	401	W Illinois Ave	2	8	1	10	80	3.44	2
Totals			56			291	2154	92.622	46

Attachment A: Dumpsters at Multi-Family and Commercial Complexes and Collections for Town Facilities

Town Facility	Street No.	Street	Quantity	Dumpster Size (Yards ³)	Current Collections Per Week	Current Collections Per Month	Current Yards ³ Per Month	Current Tonnage Per Month	Qty. of Recycling Carts at Same Location
Downtown Street Cans			32	Cans	1				
Downtown Street Cans			31	Cans	2				
Finance Building	180	SW Broad St							2
Library	170	W Connecticut Ave							2
Douglass Community Center	1185	W Pennsylvania Ave	1	8	2	9	72	3.096	2
Fire Station #2	7850	Central Dr	1	4	1	5	20	0.86	1
Henley Street Site		Henley St	1	30	2	8	240	10.32	0
Police Station	450	W Pennsylvania Ave	1	8	1	4	32	1.376	4
Public Works Complex	140	Memorial Park Ct	1	8	2	8	64	2.752	1
Reservoir Park	300	Reservoir Park Dr	1	6	1	5	30	1.29	0
Southern Pines Rec Center	130	Memorial Park Ct	1	4	2	8	32	1.376	3
Totals			7				490	21.07	11

ATTACHMENT B: TOWN OF SOUTHERN PINES

REQUEST FOR PROPOSALS (RFP)

SOLID WASTE COLLECTION SERVICES

PROPOSAL RESPONSE FORM

THIS PROPOSAL IS SUBMITTED TO THE TOWN OF SOUTHERN PINES FOR SOLID WASTE COLLECTION SERVICES BY:

FIRM NAME: Waste Industries LLC, DBA GFL Environmental Inc.

ADDRESS: 3301 Benson Drive Suite 601

Raleigh NC

ZIP 27609

PHONE: 800-207-6618 Ext.32428 | C 843-241-0162

Ted.Habets@gflenv.com

EMAIL

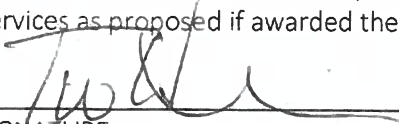
Ted Habets

PRINTED NAME OF AUTHORIZED REPRESENTATIVE

Regional Vice President

TITLE

I, the authorized representative set forth above hereby present this proposal to the Town of Southern Pines on behalf of the firm set forth above. I hereby certify that the information provided in the proposal is accurate and agree to provide the services as proposed if awarded the contract.



SIGNATURE

Ted Habets

PRINTED NAME

9-12-22

DATE

BASE COST / FEE PROPOSAL FORM

Vendors Name: Waste Industries LLC, DBA GFL Environmental Inc.

Unit prices shall be rounded to the nearest cent and shall include the price to be billed to the Town for collection and hauling to the disposal site. Actual disposal costs shall be invoiced directly to the Town for reimbursement, unless otherwise notes. The Town makes no guarantee as to the number of units to be serviced. Prior to the start of service on July 1, 2023, a mutually agreed upon final unit count will be established.

Residential Service to Homes		
Category	Description/Notes	Cost Per Unit Per Month
Weekly Curbside MSW Collection for residential homes served by a 95-gallon cart(s). 52 collections/year/unit.	Cart(s) provided by Vendor.	Price for 1st cart collected \$ 11.89
		Price for 2 nd cart collected at same address. \$11.89
Weekly "backdoor" MSW Collection for residential homes served by a 95-gallon cart(s), where a disability waiver has been approved by the Town. 52 collections/year/unit.	Cart(s) provided by Vendor.	Price for 1st cart collected \$11.89
		Price for 2 nd cart collected at same address. \$11.89
Curbside Recycling Collection for residential homes.	Cart(s) or bin(s) provided by Vendor. Provide pricing for collection every week (52 collections/year/unit) and every other week (26 collections/year/unit). Town will choose collection schedule for Contract.	Price for weekly collection \$7.25 (95 gal cart)
		Price for collection every two weeks \$4.69 (95 gal cart)
Yard Debris Collection for residential homes every two weeks (26 collections/year).	Collection of loose piles at the curb.	\$ 10.10
	Collection from a curbside container, which is provided by the Vendor	\$ N/A
	Collection from a curbside container, which is provided by the Customer.	\$ N/A
Collection of bulk items and white goods for residential homes on an as-need basis as requested from the resident.	Collection per unit/per month	\$N/A
	Pricing per actual collection.	\$20.00
	Annual pricing to cover all residential homes and collections that are made, regardless of actual quantity or frequency.	\$N/A

Commercial Service			
Category	Description/Notes	Cost Per Unit Per Month	
Weekly Curbside MSW Collection for businesses served by a 95-gallon cart(s). 52 collections/year/unit.	Cart(s) provided by Vendor.	Price for 1st cart collected	
		\$ 13.50	
		Price for 2 nd cart collected at same address.	
		\$13.50	
Curbside Recycling Collection for commercial businesses. 52 collections/year/unit.	Cart(s) or bin(s) provided by Vendor.	Price for weekly collection	
		\$10.00(95 gallon cart)	
Multi-Family Residential & Dumpster Service			
Category	Description	Cost Per Unit Per Month	Rental Fee Per Dumpster Per Month)
Commercial and/or Multi Family Trash Dumpsters & Recycling Carts Collection prices shall be equal whether customer already owns a dumpster, rents from the Vendor, or purchases a dumpster from the Vendor. The Vendor shall provide the 95-gallon recycling carts to the customer, from either a corral or central collection area. The price of the recycling carts and collection (on the same schedule as the dumpsters) shall be included in the pricing of the dumpster collection.	4 cubic yard dumpster plus associated 95-gallon recycling carts	\$40.54 for 1 collection/week	\$N/A to rent per month OR \$N/A to purchase
		\$81.09 for 2 collections/week	
		\$121.63 for 3 collections/week	
	6 cubic yard dumpster plus associated 95-gallon recycling carts	\$60.79 for 1 collection/week	\$N/A to rent per month OR \$N/A to purchase
		\$121.58 for 2 collections/week	
		\$182.36 for 3 collections/week	
	8 cubic yard dumpster plus associated 95-gallon recycling carts	\$81.07 for 1 collection/week	\$N/A to rent per month OR \$N/A to purchase
		\$162.13 for 2 collections/week	
		\$243.20 for 3 collections/week	

TAB 5

GFL Environmental – Requested Revisions For Proposal – Clarifications, Modifications and Exceptions

Scope of services offered:

Option 1

- Weekly curbside trash collection with 95-gallon cart
- *Every-other-week* curbside recycle collection with 95-gallon cart
 - o Trash and Recycle will be collected with automated trucks
- Loose yard waste collection provided every-other week. Same as current.
 - o GFL to provide the service. No subcontractor.
- Bulk and White Goods – Provided as-needed by resident request. Same as current.
- All services to be provided on the same day of week at each residence according to our current collection schedule – Monday- Friday.
- Commercial and Multi-Family services and schedule to be provided same as current.

Option 2

- Weekly curbside trash collection with 95-gallon cart
- *Weekly* curbside recycle collection with 95-gallon cart
 - o Trash and Recycle will be collected with automated trucks
- Loose yard waste collection provided every-other week. Same as current.
 - o GFL to provide the service. No subcontractor.
- Bulk and White Goods – Provided as-needed by resident request and billed per pick up. Same as current.
- All services to be provided on the same day of week at each residence according to our current collection schedule – Monday- Friday.
- Commercial and Multi-Family services and schedule to be provided same as current.

Backdoor Service provided to residents that are physically unable to bring their cart to the curb and do not live with someone who can, which will be verified by a doctor's signature. Backdoor participation not to exceed 3% of total house count.

Yard Waste – Residents of Mid South, National Golf Club and Paddock Lane (Longleaf) may place their debris in a container at the curb rather than a loose pile; said container provided by the customer. All other yard waste will be collected loose at the curb.

Carts / Containers

All containers provided for trash and recycle services will be 95-gallon carts. With the use of automated collection trucks, 18-gallon bins or other smaller containers will not be provided.

- Existing GFL/WI provided 95-gallons trash carts provided during our first contract term will not be replaced.
 - o We will replace or fix existing carts that are damaged on an as-needed basis.
- Residents who currently use personal trash containers will receive a new 95-gallon cart.
- All residents will receive a new 95-gallon recycle cart.

Disposal

Residential MSW disposal, recycle processing and yard waste tonnage will be billed at the actual rate per ton charged at the Moore County, NC Transfer Station. The rates charged to the Town by GFL will adjust according to rate changes imposed by Moore County.

Commercial tonnage charged to the Town by GFL will be calculated using our current method. 86 pounds per yard multiplied by actual yards collected per month equals tons.

Commercial disposal will be billed at the actual rate per ton charged at the Moore County, NC Transfer Station. The rates charged to the Town by GFL will adjust according to rate changes imposed by Moore County.

Roll Off dumpster services described on Page 6 of the RFP under section named "Other Services Provided to the Town" are not included in the cost to perform services in the per unit pricing in Attachment B. Roll Off services will be provided according to the following rate schedule:

Haul and Empty - \$250.00 per haul

Disposal – Charged per ton according to Moore County Transfer Station's actual rate

Container Rental - \$125.00 monthly per container

The cost of servicing (11) Recycle carts, 63 streets cans, small animal remains in the "Other Services Provided to the Town" is included in our unit pricing.

Missed Collections will be resolved on the same-day if notification is submitted before 1:00pm. If notification is received after 1:00pm, we will return the following day. Missed collection notifications received after 1pm on Fridays will be collected the following Monday.

Consumer Price Index Adjustments will be adjusted based on actual percentage change in the Consumer Price Index for all Urban Consumers (CPI-U): US City Average, By Detailed Expense Category – Water and Sewer and Trash Collection Services (seasonally adjusted) without a percentage cap.

Transition Educational Material – We will provide 2 forms of communication to assist with educating residents on the transition to curbside collection.

1. We will provide the Town with an informational invoice "stuffer" that can be printed and included with the Town's monthly water bill in the months leading up to July 1, 2023.
2. We will attach an informational "hanger" on each of the new 95-gallon recycle carts that are delivered during the month of June 2023.

Our expectation is that all other communication explaining upcoming service level changes comes from the Town through methods deemed necessary.

Our local customer service team will be prepared to assist and explain service levels changes to residents that call our office.

We will provide the Town with detailed container "not-out" lists during the first 2 weeks of July 2023 so that the Town can gauge the curbside conversion success rate and validate actual missed pick-ups.

Our proposal assumes all services outlined in the RFP are included in the contract.



gflenv.com