



AGENDA

Thursday, November 17, 2022: 6:00 PM

Planning Board

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

1. CALL TO ORDER

2. APPROVAL OF MINUTES

3. PUBLIC HEARINGS

a. Z-02-22 Zoning Map Amendment

4. PUBLIC FORUMS

a. SU-06-22 Special Use Permit for Mid South

b. SU-07-22 Special Use Permit for Southern Pines Country Club

5. UNFINISHED BUSINESS

6. NEW BUSINESS

7. PUBLIC COMMENTS

8. ADJOURNMENT

Agenda Item

To: Planning Board

Via: BJ Grieve, Planning Director

From: Alaina Mallette, Senior Planner

Subject: Z-02-22: Rezoning of 13.81 acres on Equestrian Road presently zoned FRR (Facilities, Resource, and Recreation) to RE (Rural Estate); Applicant: RJ Property Holding, LLC

Date: November 17, 2022

I. SUMMARY OF APPLICATION REQUEST

Mr. Brandon Goodman, on behalf of RJ Property Holding, LLC, has submitted a request to establish a rezoning of a 13.81-acre portion of one (1) parcel totaling 16.84 acres from FRR (Facilities, Resource, and Recreation) to RE (Rural Estate) in the extra-territorial jurisdiction (ETJ). The subject parcel was owned by the North Carolina State University Veterinary and Equestrian research center (i.e., a public entity) and was sold to RJ Property Holding, LLC (i.e., a private entity). The subject parcel is located on the south side of Equestrian Road, which is off of U.S. Route 1. Due to the proximity to U.S. Route 1, a portion of the parcel also falls within the Urban Transition Highway Corridor Overlay District (See Figure 1 and Figure 2). This rezoning will divide a single lot into two districts, which triggers consistency with UDO § 3.4.3(B). Adjacent properties are FRR, Rural Equestrian, residential, and a General Business Conditional District.

II. PROJECT INFORMATION

A. Physical Address

Beginning at a monument found on the southeasterly highway line of Equestrian Road (S.R. 2124) marking the northwesterly corner of the property now or formerly of RJ Property Holding, LLC and the northeasterly corner of land now or formerly of The Walthour Moss Foundation fronting on Equestrian Road.
Parcel ID: **37131** (PIN **859200896310**)

B. Property Owner/Applicant

RJ Property Holding, LLC
8525 East Pinnacle Peak Road, Suite 135
Scottsdale, AZ 85255

C. Authorized Agent

Brandon Goodman
155 East Indiana Ave.
Southern Pines, NC 28387

D. Existing Zoning

The area proposed to be zoned is located in the ETJ and was previously the North Carolina State University Veterinary and Equestrian research center and is zoned FRR. Note that the subject property is also within the Urban Transition Highway Corridor Overlay District due to its proximity to U.S. Route 1. The adjacent properties within the Town of Southern Pines zoning jurisdiction are currently zoned RS-2 (Residential Single-Family), RS-3 (Residential Single Family), RR (Rural Residential), RM-1 (Residential Single & Multi-Family), FRR, and NBCD (General Business Conditional District; See Figure 1 and Figure 2 below). The adjacent properties within Moore County zoning jurisdiction are currently zoned Rural Equestrian and also owned by RJ Property Holding, LLC.

E. Comprehensive Long-Range Plan Designation for Future Land Uses

Within the Town of Southern Pines Comprehensive Long-Range Plan (CLRP), the site is identified to be Parks and Open Space. According to the CLRP, parks and open space *“applies to large parks owned by the Town, tracts of land held as conservation easements, schools with outdoor recreational facilities, publicly owned institutional uses to other parcels prevented from developing into any other use. While neighborhood parks will exist within other land use designations, the parks and open spaces in this category are generally oriented to regional recreation or open space preservation.”*

Figure 1: Vicinity Zoning Map and Highway Corridor Overlay with 2019 Aerial Basemap (approximate boundaries of proposed map amendment are outlined in red).



Figure 2: Subject Property as of October 28, 2022, with Approximate Boundaries of Proposed Map Amendment (in Red).



III. STAFF REVIEW

1. Review Process

When reviewing an application for zoning, the hearing bodies (Planning Board and Town Council) shall consider and be guided by the following criteria, as set forth in UDO §2.17.9 and outlined below.

2. Application Review Dates

Application Submitted: **September 26, 2022**

Application Complete: **September 29, 2022**

Planning Board Public Hearing Notice: **October 27, 2022**

Planning Board Regular Meeting: **November 17, 2022**

- The Planning Board will hold a public hearing for this request. The meeting will provide an opportunity to hear comment from any member of the public on this legislative matter.
- Notices of the Planning Board's public hearing were posted, mailed and published as required by the UDO.

Town Council Agenda Meeting: **December 7, 2022**

Town Council Regular Meeting: **December 13, 2022**

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

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

Consistency with the CLRP has been reviewed by looking at the document itself as well as existing allowed uses in the FRR zone, the potential new allowed uses in the proposed RE zone, and what is shown in the Future Land Use Map. A list of land uses that are allowed in RE, but not in FRR (and vice versa) can be found in bullet point "(H) Applicant Representations" below. Staff have provided comments below regarding the rezoning consistency with the CLRP.

- The CLRP identifies one vision that the proposed map amendment *may* complement, depending on future development in the proposed RE zone: *Natural resources will be protected, with sustainable growth and development.*
- The proposed zoning map amendment *may* prove to be consistent with Goal 5 (*Retain the aesthetic and functional characteristics of Horse Country*) and Policy 5 (*Ensure new growth and development in Horse Country is compatible with existing Horse Country use and design characteristics...*) of the CLRP. The applicant claims that the proposed map amendment would be consistent with this goal and policy, as argued in their narrative on UDO § 2.17.9 attached. The applicant further claims that the rezoning would maintain the rural appearance of Horse Country as a low-density, open-space, 13.81-acre zone.
 - However, UDO Exhibit 4-1 (footnote #4) requires a 10-acre minimum lot size for keeping horses, this proposed map amendment

would only be able to have one lot keeping horses due to the size, which is 13.81 acres. Though, the property would be able to allow a horse track, which is not allowed in the current FRR zone.

- The proposed zoning map amendment from FRR to RE *may* address a land use issue identified in the CLRP: *Establishing compatible transitions between uses*. RE and FRR allows for similar intensity of land uses as opposed to a higher intensity mixed use or commercial use, especially as one enters the ETJ from the Moore Country zoning jurisdiction.
- Within the Town of Southern Pines CLRP, the future use of the subject property is identified to be Parks and Open Space, which does show inconsistency with the rezoning request. However, similar to the previous comment, RE is closer to “open space” than other zones which authorize more intensive uses.

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

As mentioned, the property is located in the town’s ETJ and is adjacent to the county’s jurisdiction.

- Properties within the town’s ETJ that are adjacent to the subject property are zoned FRR (Facilities, Resource, and Recreation), RM-1 (Residential Multi-Family Medium Density), RS-2 (Residential Single-Family), RS-3 (Residential Single-Family), RR (Rural Residential), and NBCD (Neighborhood Business Conditional District).
- Neighboring properties in the county’s jurisdiction are owned by the same property owner as the subject property and are zoned RE (Rural Equestrian).
- The subject property’s proposed rezone of RE (Rural Estate) is consistent with the existing neighborhood character.

(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.*

- The present zone, FRR, is a suitable classification for the tract considering that it is located next to the Walthour-Moss Foundation, which is 2,420 acres dedicated to horse trails, silviculture, and environmental preservation. Note that FRR zones are classified in the UDO as non-residential while RE zones are considered residential.

- Note that the subject property is also within the Urban Transition Highway Corridor Overlay District due to its proximity to U.S. Route 1. The highway corridor overlay districts are intended to place special land development controls on land adjacent to major highway corridors to protect environmental features (i.e., physical, aesthetic, recreational, and economic assets). The standards overlay standards established in the underlying zoning district except for single-family lots, which may be developed according to the standards of the underlying zoning district without being considered non-conforming situations.

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

- The potential new land uses allowed in RE would be compatible with the protection of Horse Country as a cultural landscape, depending on the intensity of any proposed future uses.
- No other health, safety, or welfare concern has been identified based on the information that was provided in the application.

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

- See comments under “(A) Consistency.”

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

- The rezoning is for a single lot, the ownership of which has substantially changed recently. The lot was originally public property owned by North Carolina State University, but has since switched ownership to a private entity, which precipitated the rezoning request.

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

- Basic commercial services such as medical offices, grocery stores, eateries, coffee, schools and fitness centers exist between four and seven miles away with the closest services in the downtown area.
- According to North Carolina Department of Environmental Quality Division of Water Resources' interactive online map, the water supply is labeled as Little River (Intake no. 2) with a classification of Water Supply III that is used for drinking, culinary, and food processing and is protected for Class C uses. According to UDO Exhibit 3-14, "*New Development shall be limited to two (2) Dwelling Units per acre or twenty-four (24) percent built-upon area. If the new Development exceeds either of these thresholds the project may apply for the 5/70 exemption.*"

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

- FRR zoning district is meant, primarily, for open space, public facilities, and privately-owned recreation areas while RE is established as a district in which the principal use of land is for low-density residential purposes and for horse farms, horse stables, and related activity purposes. However, there is much overlap between allowed uses in both zones. The boards should consider the full range of possible uses in the proposed new zone. The authorized uses (either permitted by-right, allowed with supplemental standards, or as conditional uses) that differ between the two zones are as follows:
 - i. **RE (Rural Estate) authorizes, but FRR (Facilities, Resource, and Recreation) does not authorize:** single-family detached dwelling; class a single-family manufactured home; accessory dwelling; assisted-living board and care and adult care group homes; bed and breakfast home or inn; animal services and boarding; telephone and other wired tele-communications; natural gas service; water service; horse track; camps, camping, and related establishments such as trailer parks; nursing, supervision and other rehabilitative services; cemetery accessory to religious institution; animal production (e.g., cattle ranch, poultry production, horses); forestry and logging; fishing, hunting, and trapping; home occupations; or conservation subdivision; while
 - ii. **FRR (Facilities, Resource, and Recreation) authorizes, but RE (Rural Estate) does not authorize:** markets for farm produce or crafts; air transportation uses; courier and messenger services; towers and antennas taller than 50 ft; electric substations; drinking water; solid waste collection; waste treatment and disposal;

wastewater treatment plants; historical or archeological institution; zoos, botanical gardens, arboreta; private golf course; golf course resort; middle, junior, senior, high schools; college or university; or free-standing cemetery.

4. General Staff Comments

- This rezoning will divide a single parcel into two districts, which triggers consistency with UDO § 3.4.3(B), in this case, which states *whenever a single Lot greater than two (2) acres in size is located within two (2) or more different zoning districts, then:*
 - (1) *If each portion of the Lot located within a separate district is equal to or greater than the minimum Lot size for that district, then each portion of the Lot shall be subject to all regulations applicable to the district in which it is located.*
 - (2) *If any portion of the Lot located within a separate district is smaller than the minimum Lot size for that district, then such smaller portion shall be regarded as if it were in the same zoning district as the nearest larger portion to which it is attached.*
- In the FRR zone, there is no minimum lot size and the minimum lot size in RE is five (5) acres. Thus, per the UDO section referenced above, each portion of the lot shall be subject to all regulations applicable to the district in which it is located.
- The portion of the lot that will remain zoned FRR if the proposed rezoning is approved is where the previous North Carolina State University's equestrian center was located and the facility continues to remain in that location. Veterinary and/or pet/animal sales/services are not authorized in the FRR zone, but per UDO § 3.5.13(C), *existing uses within the FRR district that are not authorized by right may be allowed to continue as non-conforming uses or allowed to achieve conforming status subject to issuance of a Special Use Permit.* Furthermore, access to the nonconforming use in the FRR portion of the lot may require an easement or other acceptable and appropriate solution.
- The applicant's survey incorrectly labels the remaining 3.03-acre, FRR portion of the rezoning parcel, which includes the previous equestrian center building, as "RE ZONE MOORE COUNTY." As discussed in this staff report and in consistency with both Official Zoning Maps for the Town of Southern Pines and Moore County, the remaining 3.03-acre, FRR portion of the parcel is within the Town of Southern Pines ETJ.

5. Outside Agency Comments

- A request for comments was emailed to agencies on October 26, 2022. Agencies notified include Town of Southern Pines Streets, Utilities, Fire, Recreation and Parks, and Engineering departments, the Regional Land Use Advisory Commission (RLUAC), United States Fish and Wildlife Services

(US FWS), the Moore County Airport, and the North Carolina Department of Transportation (NCDOT).

- On October 26, 2022, the Town of Southern Pines Utilities Department did not have any comments on this zoning map amendment.
- On November 1, 2022, NCDOT did not have any comments on this zoning map amendment.
- On November 6, 2022, RLUAC determined that the parcel is classified as “Critical to Protect in the Fort Bragg Compatible Use Rating System” due to the presence of active red-cockaded woodpecker foraging areas on the site. Fort Bragg’s environmental protection obligations leads them to discourage any cumulative loss of active red-cockaded woodpecker habitat outside their installations as a loss of habitat elsewhere may lead to greater restrictions or limitations within their installations, which would constrain their training capabilities.

Figure 3: Subject Property with Approximate Boundaries of Proposed Map Amendment (in red) and Active and Inactive Red-Cockaded Woodpecker Foraging Areas (in green and purple, respectively).



6. Staff Recommendation

Planning staff recommend that the hearing bodies approve the rezoning request for Parcel ID 37131 from FRR to RE with the acknowledgement of boundary survey labeling error and RLUAC comments urging that the property be professionally surveyed and monitored following U.S. Fish and Wildlife guidelines for the red-cockaded woodpecker prior to any development approvals or determinations. If

approved, the CLRP Future Land Use Map should be updated accordingly pursuant to NCGS 160D-605(a), access to the nonconforming use on the remaining FRR portion of the parcel should be addressed, and a new survey should be created for record with the correct zoning jurisdictions' labels.

IV. ATTACHMENTS

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

1. Draft Planning Board Resolution to Adopt a Written Recommendation for Zoning Map Amendment Application
2. Zoning Map Amendment Application
3. List of Adjacent Property Owners
4. Deed
5. Narrative for Proposed Amendment
6. Survey
7. Legal Description of Metes and Bounds of the Subject Property
8. Agency Comments (all)

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

V. PLANNING BOARD ACTION

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

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

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

1. The proposed amendments are consistent with the Comprehensive Long-Range Plan for the reasons set forth in Attachment 1 of staff report Z-02-22;
2. The proposed amendments are consistent with the Comprehensive Long-Range Plan for the reasons set forth in Attachment 1 of staff report Z-02-22 as revised by the Planning Board;
3. The proposed amendments are inconsistent with the Comprehensive Long-Range Plan for the reasons set forth in Attachment 1 of staff report Z-02-22 as revised by the Planning Board;

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

- 1.

And, therefore, I move to:

1. Recommend approval of Z-02-22 to the Town Council;
2. Recommend denial of Z-02-22 to the Town Council



**PLANNING BOARD
RESOLUTION TO ADOPT A WRITTEN RECOMMENDATION
FOR ZONING MAP AMENDMENT APPLICATION
Z-02-22**

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

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

WHEREAS, the Planning Board has reviewed the proposed rezoning which includes the written report, documentation and maps showing the proposed district boundaries and has conducted a public hearing on November 17, 2022, to listen to public comments, ask questions of the Town's planning staff and consider zoning map amendment application Z-02-22.

NOW, THEREFORE BE IT RESOLVED that the Planning Board finds and recommends to the Town Council that the proposed amendment to the Town of Southern Pines Zoning Map is reasonable, in the public interest and consistent with the current character of Horse Country. The Planning Board recommends adopting the rezoning request for RE (Rural Estate) on Equestrian Road in the Extra-Territorial Jurisdiction (ETJ) of the Town of Southern Pines. The proposed rezoning is consistent with the text of the Town of Southern Pines Comprehensive Long-Range Plan (CLRP) considering that the parcel has switched from public to private ownership and the RE zone is consistent with Goal 5 (G-5) of the CLRP, "*[To r]etain the aesthetic and functional characteristics of Horse Country.*" However, the rezoning is inconsistent with the Future Land Use Map. Therefore, pursuant to NCGS 160D-605(a), a plan amendment to the CLRP Future Land Use Map and a zoning amendment should be considered concurrently with no additional request or application for a plan amendment required by the applicant. The Planning Board recommends the governing board adopt the rezoning (i.e., zoning amendment) and a plan amendment for Z-02-22.

ADOPTED this the 17th day of November, 2022.

Gary Carroll, Chairman

ATTEST:

Cindy Williams
Secretary to the Planning Board

Zoning Map Amendment (Rezoning)

REQUIRED APPLICATION MATERIALS:

- _____ **Application fee** in the amount of **\$1,500.00**.
- _____ **Completed Application** for a Zoning Map Amendment (Rezoning) signed by the applicant. Please do not leave anything blank and make sure that all of the information provided is correct.
- _____ **Appointment of Agent**, if applicable, signed by the property owner(s) and the agent.
- _____ **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.
- _____ **Reasons for proposed amendment**: Explain the need for the proposed changes to the zoning map. Please provide additional text and/or maps to demonstrate consistency with the approval criteria listed in **UDO §2.17.9 Criteria for Zoning Map Amendments**. The list of criteria is attached.
- _____ **Survey** of the subject property.
- _____ **Written metes and bounds description** of the subject property.
- _____ **Site** plan, if applicable
- _____ **Electronic copy (PDF) of all application materials** submitted to plan@southernpines.net.

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

REVIEW AND APPROVAL:

1. **Staff review**: Planning staff will review the application and notify the applicant if additional materials are needed.
2. **Public hearings**: The applicant is expected to attend a public hearing on the application before the Planning Board followed by a public hearing 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 rezoning request.
3. **Approval**: The approval of an amendment to the UDO text or Zoning Map does not authorize the use, occupancy, or development of property until the applicant receives necessary development approvals, such as subdivision, site plan and building permits. (UDO §2.17.12)



Zoning Map Amendment Application

Fee: \$1,500.00

Date Received: _____

Case No.: Z-____-____

Project Information:

Street Address: RJ Property Holding, LLC

PIN: 859200896310 Parcel ID: 00037131

Site Size: 13.81 ac Zoning: Current: FRR Proposed: RE

Applicant:

Name(s): RJ Property Holding, LLC

Email: jerry@spensagroup.com Phone: 952.456.1234

Mailing Address: 8525 East Pinnacle Peak Road, Suite 135

Authorized Agent, if different from Applicant:

Name(s): Brandon Goodman

Email: brandon.redbrand@gmail.com Phone: 910.334.1330

Mailing Address: 155 East Indiana Ave. Southern Pines, NC 28387

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

Name(s): _____

Email: _____ Phone: _____

Mailing Address: _____

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 to grant a zoning map amendment as required by the Town of Southern Pines Zoning Ordinance. The following information is submitted in support of this application:

The property which is the subject of this application is located on the South side of Equestrian Rd (S.R. 2124) (St./Ave.), between Mile Away Ln (St./Ave.) and Youngs Rd (St./Ave.). The property has a frontage of +/- 781 feet and a depth of +/- 1537 feet.

The zoning map amendment sought is based upon Section(s) 3.5.1 of the **Town of Southern Pines Unified Development Ordinance**. The proposed use of the property is as follows:

Rural Estates (RE) The principal use of land is for low density residential and for horse farms, horse stables, and related activity purposes.

Date: 9/20/22


Applicant
Neil Schulth

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

1/12/22

APPOINTMENT OF AGENT

The undersigned owner(s), Jerry Schwalbach, hereby appoint(s) Brandon Goodman as the exclusive agent for the purpose of making an application to the Town of Southern Pines for a Zoning Map Amendment for a rezoning of the property described in the attached application. The owner(s) hereby agree(s) that this agent has the authority to act for and on behalf of the owner(s) as follows:

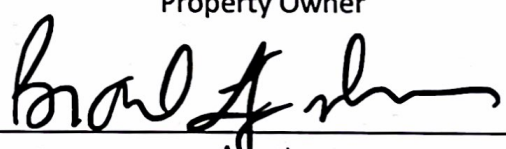
1. to submit an application and required supplemental materials;
2. to appear at public meetings and give representation and comments on behalf of the owner(s);
3. to accept conditions or recommendations made by the Town of Southern Pines Planning Board and Town Council for a Zoning Map Amendment for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

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

Signed this 20th day of September, 2022.



Property Owner

Property Owner


Agent

UDO §2.17.9. Criteria for Zoning Map Amendments

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

- (A) **Consistency.** Rezoning shall be consistent with the adopted Comprehensive Plan.
- (B) **Adverse Impacts on Neighboring Lands.** The Hearing Body shall consider the nature and degree of an adverse impact upon neighboring lands. Lots shall not be rezoned in a way that is substantially inconsistent with the uses of the surrounding area, whether more or less restrictive. The Town finds and determines that vast acreages of single-use zoning produces uniformity with adverse consequences, such as traffic congestion, air pollution, and social alienation. Accordingly, rezonings may promote mixed uses subject to a high degree of design control.
- (C) **Suitability as Presently Zoned.** The Hearing Body shall consider the suitability or unsuitability of the Tract for its use as presently zoned. This factor, like the others, should be weighed in relation to the other standards, and instances can exist in which the land may be rezoned to meet public need, to reflect substantially changed conditions in the neighborhood, or to effectuate important goals, objectives and policies of the Comprehensive Plan or UDO.
- (D) **Health, Safety, and Welfare.** The amending ordinance must bear a substantial relationship to the public health, safety or general welfare, or protect and preserve historical and cultural places and areas. The rezoning may be justified, however, if a substantial public need or purpose exists, even if the private owner of the Tract will also benefit.
- (E) **Public Policy.** Certain public policies in favor of the rezoning may be considered. Examples include a need for affordable housing, economic Development, mixed-use Development, or sustainable environmental features, which are consistent with neighborhood, area, or specific plans.
- (F) **Size of Tract.** The Hearing Body shall consider the size, shape, and characteristics of the Tract in relation to the affected neighboring lands. Amendatory ordinances shall not rezone a single Lot when there have been no intervening changes or other saving characteristics. Proof that a small Tract is unsuitable for use as zoned, or that there have been substantial changes in the immediate area, may justify ordinance rezoning.
- (G) **Other Factors.** The Hearing Body may consider any other factors relevant to the rezoning application under state law.

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

Adjacent Properties

Owner	Parcel ID	PIN
The Walthour-Moss Foundation	40069	950200047999
AKR Properties LLC	38519	859200798828
Windridge Gardens, LLC	20140484	859300804296
Nicholas Williams	40864	859300808771
RJ Property Holding, LLC	97000423	859200992507
RJ Property Holding, LLC	97000424	859200999630

Mailing Address	Town/State
PO Box 1794	Southern Pines, NC 28380
183 Pinetop Drive	Carthage, NC 28327
650 Valley View Road	Southern Pines, NC 28387
329 Brooks Lane	Southern Pines, NC 28387
8525 East Pinnacle Peak Road, Suite 135	Scottsdale, AZ 85255
8526 East Pinnacle Peak Road, Suite 135	Scottsdale, AZ 85256

For Registration Register of Deeds

Judy D. Martin

Moore County, NC

Electronically Recorded

August 12, 2022 9:31:48 AM

Book: 5896 Page: 163 - 167 #Pages: 5

Fee: \$26.00 NC Rev Stamp: \$4,540.00

Instrument# 2022013912

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: \$4,540.00

Parcel Identifier No. 00037131, 97000423, and 97000424 Verified by _____ County on the _____ day of _____, 20____
By: _____

Mail/Box to: Grantee

This instrument was prepared by: Adams, Howell, Sizemore & Adams, P.A., 1600 Glenwood Ave., Suite 101, Raleigh, NC 27608, without the benefit of title or tax review

Brief description for the Index: Three Tracts; US Highway 1, Southern Pines, North Carolina

THIS DEED made this _____ day of _____, 2022, by and between

GRANTOR

**THE BOARD OF TRUSTEES OF THE
ENDOWMENT FUND OF NORTH CAROLINA
STATE UNIVERSITY**

c/o University Real Estate and Development
Campus Box 7408
Raleigh, NC 27695

GRANTEE

**RJ PROPERTY HOLDING, LLC, a Delaware
limited liability company**

8525 East Pinnacle Peak Road, Suite 135
Scottsdale, AZ 85255

Enter in appropriate block for each Grantor and Grantee: name, mailing 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 Moore County, North Carolina and more particularly described as follows:

See Exhibit A attached hereto and incorporated herein by reference.

All proceeds from the sale and conveyance of this property to the Grantee shall be used for the support of veterinary medicine at North Carolina State University in Raleigh.

The property hereinabove described was acquired by Grantor by instruments recorded in Book 441, Page 757, Book 441, Page 753, and Book 3946, Page 347.

NC Bar Association Form No. 6 © 1977, 2002
Printed by Agreement with the NC Bar Association - 1981

Submitted electronically by "Lorenz & Creed Law Firm PLLC"
in compliance with North Carolina statutes governing recordable documents

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

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 furthermore the Grantor hereby covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, other than the following exceptions:

1. Ad valorem taxes for the year 2022 and subsequent years.
2. Any matters that would be disclosed by an updated survey.
3. All other easements, covenants, declarations, restrictions, maps and rights-of-way of record and affecting the property described herein.

THE REMAINDER OF THIS PAGE INTENTIONALLY BLANK

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

GRANTOR:

**THE BOARD OF TRUSTEES OF THE ENDOWMENT
FUND OF NORTH CAROLINA STATE UNIVERSITY**

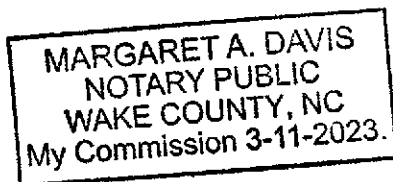
By: Charles Maimone
Charles A. Maimone, Treasurer

State of North Carolina - County of Wake

I, the undersigned Notary Public of the County and State aforesaid, certify that Charles A. Maimone personally came before me this day and acknowledged that he is Treasurer of THE BOARD OF TRUSTEES OF THE ENDOWMENT FUND OF NORTH CAROLINA STATE UNIVERSITY, and that by authority duly given and as the act of such entity he signed the foregoing instrument in its name on its behalf as its act and deed.

Witness my hand and Notarial stamp or seal, this 10 day of August, 2022.

(Affix Seal)



Margaret A. Davis, Notary Public
Notary's Printed or Typed Name
My Commission Expires: 3-11-2023

EXHIBIT A

Legal Description

Tract 1:

BEGINNING at a concrete monument in the southeast right of way line of Highway No. 1, 50 feet from the center of the pavement, said beginning monument being in the northeast line of Lot 156, Edgemore Heights, running thence from the beginning monument with the northeast line of Lot 156, S 32-50 E 1465.15 feet to a concrete monument in the west line of Carroll's Road; thence with the line of Carroll's Road S 44-32 W 71 feet to a concrete monument in the north edge of a fire lane; thence along the north edge of the fire lane N 62-45 W 1707.8 feet to a concrete monument in the southeast line of Highway No. 1; thence with the line of Highway No. 1, N 57-10 E 920.87 feet to the beginning, containing 16.84 acres, more or less, and being a part of Lot 156 and a small part of Lot 155, as shown on a map of "Edgemore Heights", made by Francis Deaton, dated march 28, 1921, and recorded in the Office of the Register of Deeds for Moore County.

The above tract being the same conveyed to The Board of Trustees of the Endowment Fund of North Carolina State University by deed recorded in Book 441, Page 753, Moore County Public Registry.

Tract 2:

BEGINNING at a concrete monument in the northwest line of Carroll's Road, said monument being a common corner of Lots 156 and 157, as shown on a map of Edgemore Heights, made by Francis Deaton, C. E., and recorded in the Office of the Register of Deeds for Moore County, N. C., said monument being the east corner of The N. C. Veterinary Research Foundation 16.84 acre tract, running thence from the beginning with the common line of Lots 156 and 157, N 32-50 W 1272.41 feet to a stake in the south right of way line of Highway Number One; thence N 57-09 E 18.61 feet to a concrete monument, a corner of the right of way; thence continuing with the right of way, a chord of N 00-47 W 94.33 feet to a concrete monument in the right of way; thence with the highway right of way N 57-13 E 151.36 feet to an iron stake, thence S 64-24 E 966.0 feet to a concrete monument in the west line of Carroll's Road; thence with Carroll's Road S 47-50 W 150.0 feet to a point of curve; thence with the curve to the left in a southwesterly direction, having a radius of 358.1 feet and an arc distance of 331.2 feet to its point of tangency; thence S 5-10 E 95.8 feet to a point of curve; thence with the curve to the right in a southwesterly direction a distance along the arc of 366.38 feet with a chord of S 16-45 W 359.33 feet to the beginning, containing 12.46 acres, more or less, being a part of Lot 157, Edgemore Heights, Southern Pines, North Carolina.

The above tract being the same conveyed to The Board of Trustees of the Endowment Fund of North Carolina State University by deed recorded in Book 441, Page 757, Moore County Public Registry.

Tract 3:

BEGINNING at a concrete monument in the northwest edge of Carroll's Road (30 feet wide),

about 300 yards South of U.S. Highway No. 1, said monument being the East corner of a 12.46 acre tract deeded to the Veterinary Research Foundation, running thence from the beginning as the northeast line of the 12.46 acre tract, North 64 degrees 24 minutes West 1098.45 feet to a corner in the right-of-way of U.S. Highway No. 1; thence North 57 degrees 10 minutes East 1551.7 feet to a corner in the right-of-way of U.S. Highway No. 1; thence leaving the said highway, a new line South 42 degrees 52 minutes East 1111.85 feet to a concrete monument; thence South 27 degrees 46 minutes West 1895.89 feet to a concrete monument in the northeast edge of a firelane; thence as the edge of the firelane, North 62 degrees 43 minutes West 629.0 feet to a concrete monument in the northwest line of Carroll's Road; thence as the West line of Carroll's Road, the following calls: North 44 degrees 32 minutes East 71.0 feet to a concrete monument; thence as the West edge of the road as it curves to the left in a northerly direction, a chord of North 16 degrees 45 minutes East 359.33 feet, an arc distance of 366.38 feet to an iron pin in the West line of Carroll's Road; thence continuing as the West edge of the road North 5 degrees 10 minutes West 95.80 feet to an iron pin, a point of curve in the road; thence as the West edge of the road as it curves to the right in a northerly direction, having a radius of 358.10 feet, an arc distance of 331.2 feet to an iron pin; thence continuing as the northwest edge of the road North 47 degrees 50 minutes East 150.00 feet to the beginning, containing 54.01 acres, more or less.

The above tract being the same conveyed to The Board of Trustees of the Endowment Fund of North Carolina State University by deed recorded in Book 3946, Page 347, Moore County Public Registry.

UDO §2.17.9 Criteria for Zoning Map Amendments

Request to rezone property from FRR (Facilities, Resource, Recreation) to RE (Rural Estates) for the purpose of a residential equestrian lot.

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

The following are excerpts from the Comprehensive Long-Range Plan adopted March 8, 2016.

Goal 5 (Page 2-7). Horse Country. Retain the aesthetic and functional characteristics of Horse Country.

Policy 5 (page 2-8). Horse Country. Ensure new growth and development in Horse Country is compatible with existing Horse Country use and design characteristics...

Rural Appearance (Page 3-1) One of the hallmarks of Southern Pines is its proximity with very low-density, rural open-space areas, especially those known as Horse Country. Horse Country serves important economic, cultural and recreational functions. Though typically not used by residents except perhaps as the focus of a country drive or bicycle ride, Horse Country serves Southern Pines as a type of “branding” element, associating the Town with highly pastoral, beautiful landscapes.

Maintaining the Rural Character of Horse Country (Page 3-5). A big part of Southern Pine’s charm is the proximity of rural areas. Horse Country farms help retain this rural character while contributing to the local culture and economy. Because these farms are located both within and outside the Town’s ETJ, the Town should coordinate with Moore County to support the continued viability of local agricultural by minimizing pressures for the conversion of rural land to sprawling residential development.

Future Land Use Map – This property is shown as Parks/Open Space due to the NC State Veterinary’s office (for horse care specifically) that has closed. The area immediately to the south is shown as Rural Equestrian.

The above excerpts and the location of this property deem this request to be consistent with the adopted Comprehensive Long-Range Plan.

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

There are no adverse impacts on neighboring lands as this application proposes to rezone the property similar to surrounding properties.

- (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.

Neighboring land is zoned equivalent to this zoning district request is for and also abuts Walthour Moss Foundation (conservation land for riding horses).

- (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.

This application presents no detriment to the health, safety, and welfare of the public.

- (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.

As currently zoned FRR, it is more consistent with public land uses.

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

The UDO describes that horse tracts are generally 5 acres or greater. This property is ~13.81 acres.

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



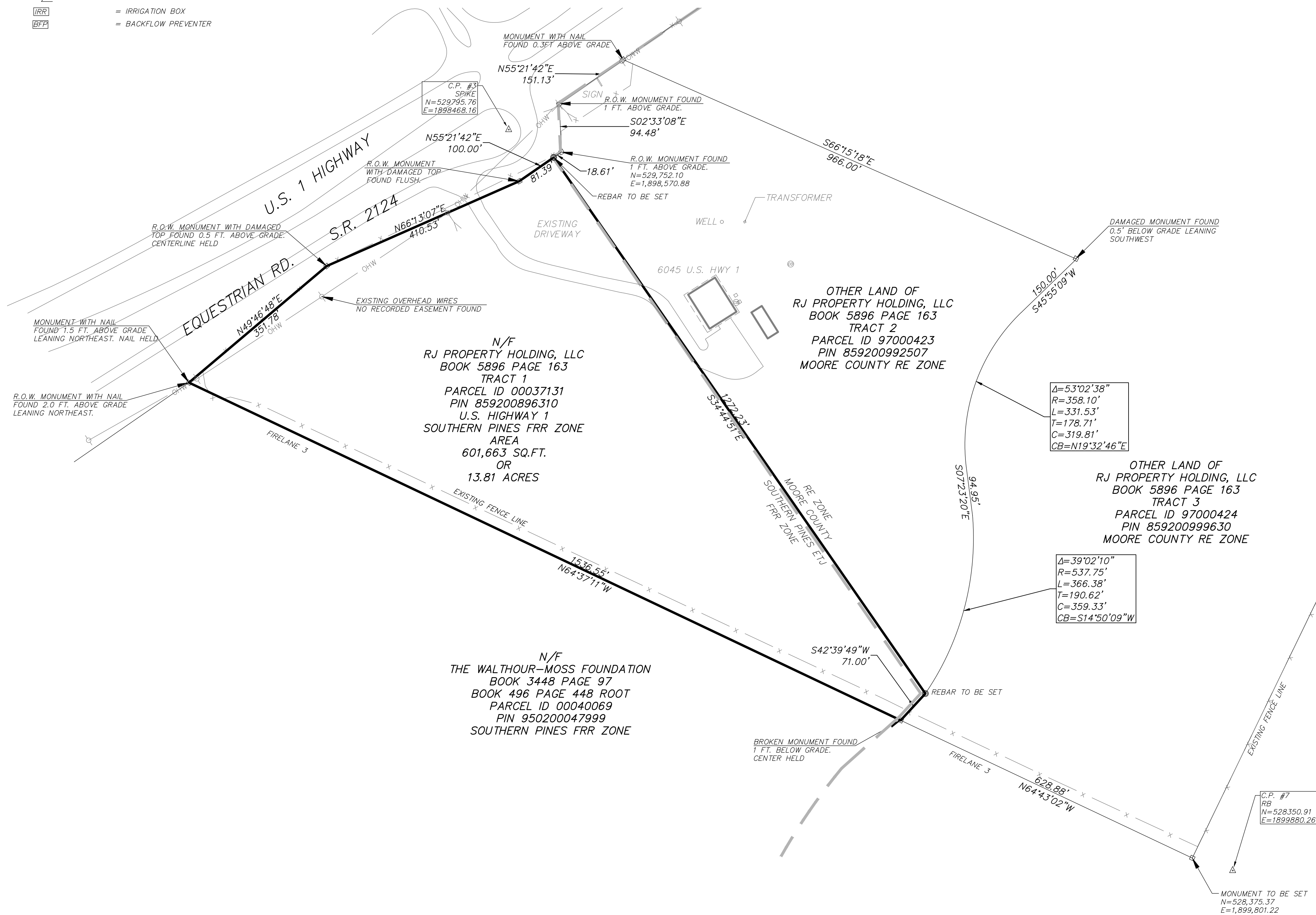
LEGEND
(SYMBOLS NOT TO SCALE)

= CATCH BASIN	
= SANITARY MANHOLE	
= DRAINAGE MANHOLE	
= WATER MANHOLE	
= TELEPHONE MANHOLE	
= ELECTRIC MANHOLE	
= UNKNOWN MANHOLE	
= YARD DRAIN	
= CABLE MANHOLE	
= FLARED END SECTION	
= FIRE HYDRANT	
= WATER GATE VALVE	
= GAS GATE VALVE	
= WISC. GATE VALVE	
= VENT PIPE	
= FILLCAP	
= WELL	
= MAIL BOX	
= HAND HOLE	
= CONTROLLER CABINET	
= ELECTRIC TRANSFORMER	
= UTILITY POLE	
= GUY WIRE	
= CROSSWALK POLE	
= LIGHT POLE	
= POST	
= TRAFFIC LIGHT SUPPORT POLE	
= STREET SIGN	
= TREE (TYP.)	
= MONITOR WELL	
= BORING	

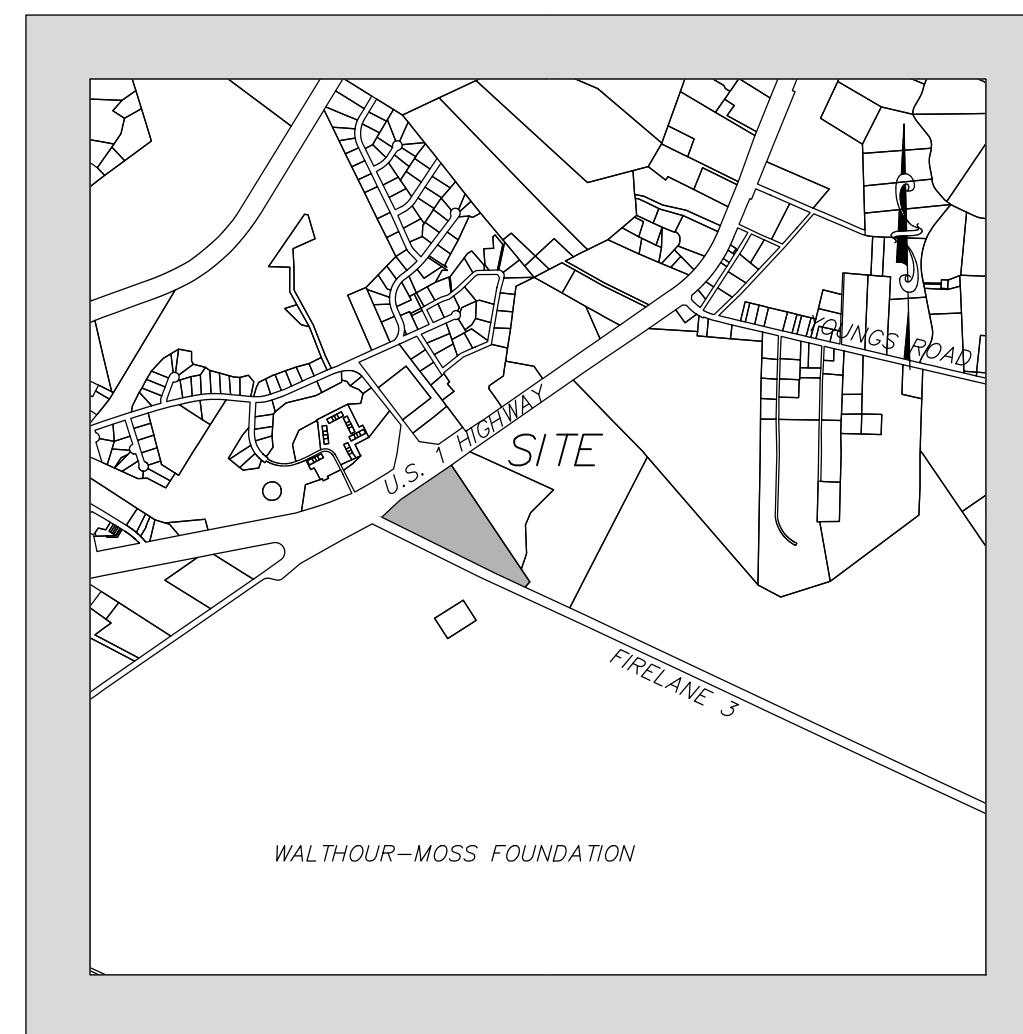
- = ELECTRIC METER
- = GAS METER
- = WATER METER
- = TELEPHONE
- = AC UNIT
- = TREE LINE
- = STONE WALL
- = GUIDE RAIL
- = DIRECTION OF FLOW
- = I.P. PROPERTY CORNER
- = MONUMENT
- = DRILL HOLE
- = SURVEY CONTROL POINT
- = POINT OF BEGINNING
- = NORTHING
- = EASTING
- = NOW OR FORMERLY
- = DELTA ANGLE
- = RADIUS
- = TANGENT
- = LENGTH
- = CHORD
- = CHORD BEARING
- = FRONT YARD
- = SIDE YARD
- = REAR YARD
- = CONTROL POINT
- = DENOTES SAME OWNERSHIP
- = IRRIGATION BOX
- = BACKFLOW PREVENTER

LINE LEGEND

=====	=	PROPERTY LINES
=====	=	ABUTTING PROPERTY LINES
-----	=	EASEMENT LINES
- - - - -	=	SETBACK
_____ X _____ X _____	=	FENCE
_____ W _____	=	WATER
_____ G _____	=	GAS
_____ E _____	=	ELECTRIC
_____ CATV _____	=	CABLE TELEVISION
_____ OHW _____	=	OVERHEAD WIRE



**Know what's below.
Call before you dig**

VICINITY MAP
(NOT TO SCALE)

NOTES:

1. THIS SURVEY WAS PERFORMED ON THE GROUND IN APRIL 2022 UNDER THE DIRECT SUPERVISION OF THE PROFESSIONAL LAND SURVEYOR WHOSE NAME APPEARS HEREON.
2. THIS IS A BOUNDARY SURVEY INTENDED TO DEPICT A PORTION OF LAND OF RJ PROPERTY HOLDING, LLC WITHIN THE TOWN OF SOUTHERN PINES ETC.
3. THE SUBJECT PARCEL IS CURRENTLY OWNED BY RJ PROPERTY HOLDING, LLC DEED BOOK 5996 PAGE 163.
4. THE BEARINGS AND COORDINATES DEPICTED HEREON ARE BASED UPON 2011 BOUNDARY STATIC OBSERVATIONS PERFORMED ON APRIL 14TH 2022 AND REFER TO THE NORTH AMERICAN DATUM OF 1983 (NAD83).
5. THE SUBJECT PARCEL IS LOCATED THE TOWN OF SOUTHERN PINES ETC FFR (FACILITY RESOURCES RECREATION) DISTRICT.
6. ACOREAGE DETERMINED BY COORDINATE METHOD.
7. THE SUBJECT PARCEL DEPICTED HEREON DOES NOT LIE WITHIN A FEMA DESIGNATED FLOOD HAZARD AREA BASED UPON AN INSPECTION OF THE MAPS ENTITLED "FIRM FLOOD INSURANCE RATE MAP, NORTH CAROLINA, PANEL 8300A, 02000 AND 9200A EFFECTIVE DATE OCTOBER 17, 2006, BY THE STATE OF NORTH CAROLINA FEDERAL EMERGENCY MANAGEMENT AGENCY". THE SUBJECT AREA LIES WITHIN ZONE X - AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
8. THERE ARE NO VISIBLE ENCROACHMENTS OTHER THAN THOSE NOTED OR DEPICTED HEREON.
9. THIS SURVEY IS SUBJECT TO ANY DECLARATION OF RESTRICTIONS, CONDITIONS, EASEMENTS, COVENANTS, AGREEMENTS, LIENS AND CHARGES OF RECORD.
10. CALL THE NORTH CAROLINA ONE-CALL CENTER AT 811 OR 1-800-832-4949 PRIOR TO ANY EXCAVATION.

MAP REFERENCES:

1. W.O. MOSS TO NORTH CAROLINA VETERINARY RESEARCH FOUNDATION, INC.
MONEILLS TOWNSHIP, MOORE COUNTY, NORTH CAROLINA SEPT 3, 1965, SCALE
1"=300' C.H. BLUE, REG. SURVEYOR, SOUTHERN PINES, N.C. MOORE COUNTY
DEED BOOK 284 PAGE 473.

2. DIVISION AND PLAN OF MILE-AWAY FARMS, INC. PROPERTY MCNEILL, AND
LITTLE RIVER TOWNSHIPS, MOORE COUNTY, NORTH CAROLINA, SCALE 1"=800',
MAY 16, 1977 BY CHARLES D. WARD L-1416, SOUTHERN PINES, N.C.. THIS
MAP IS UNRECORDED.

3. MAP OF A BOUNDARY SURVEY OF THE CLYDE AND BARBARA SULLIVAN
HEIRS, 63,27 ACRE TRACT, (MOORE COUNTY CLERK OF COURT FILE
15-105), MCNEILL, TOWNSHIP, MOORE COUNTY, NORTH CAROLINA
DECEMBER 19, 2001 BY BLUE LAND, WATER, INFRASTRUCTURE, P.A.,
SOUTHERN PINES, MOORE COUNTY PLAT CABINET 8 SLIDE 208.

OTHER LAND OF
PROPERTY HOLDING, LLC
BOOK 5896 PAGE 163
TRACT 3
PARCEL ID 97000424
PIN 859200999630
ORE COUNTY RE ZONE

$$\begin{aligned}\Delta &= 53^{\circ}02'38'' \\ R &= 358.10' \\ L &= 331.53' \\ T &= 178.71' \\ C &= 319.81' \\ CR &= N19^{\circ}32'46''E\end{aligned}$$
$$\begin{aligned}\Delta &= 39^{\circ}02'10'' \\ R &= 537.75' \\ L &= 366.38' \\ T &= 190.62' \\ C &= 359.33' \\ CB &= S14^{\circ}50'09''\end{aligned}$$
$$\begin{aligned}\Delta &= 39^{\circ}02'10'' \\ R &= 537.75' \\ L &= 366.38' \\ T &= 190.62' \\ C &= 359.33' \\ CB &= S14^{\circ}50'09''\end{aligned}$$

C.P. #7
RB
N=528350.91
E=1899880.26

— MONUMENT TO BE SET
N=528,375.37
E=1,899,801.22

OWNER:
RJ PROPERTY HOLDING, LLC
8525 EAST PINNACLE PEAK ROAD, SUITE 135
SCOTTSDALE, AZ 85255

PROFESSIONAL LAND SURVEYOR:
CRAIG A. FOSTER P.L.S. L-4710
CRAIG FOSTER P.L.S., PLLC FIRM P-2304
395 FURR ROAD
VASS, NC 28394
910-691-1348

GRAPHIC SCALE

120 0 60 120 240 480

(IN FEET)
1 inch = 120 ft.

I CERTIFY THAT IS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (SEE NOTE #3); THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1:7,500 AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600).

THIS MAP IS NOT VALID WITHOUT THE LIVE SIGNATURE AND IMPRESSION TYPE
SEAL OF THE LAND SURVEYOR WHOSE SIGNATURE APPEARS HEREON.

SEAL OF THE LAND SURVEYOR WHOSE SIGNATURE APPEARS HEREON.

Progress 09-20-2022

CRAIG A. FOSTER PROFESSIONAL LAND SURVEYOR L-4710 DATE

Boundary Survey
Land of
RJ Property Holding, LLC
U.S. Hwy 1
Southern Pines
McNeill Township
Moore County
North Carolina

[illegible]

SCALE: 1"=120'
PROJECT NO.: 22716
DESIGNED BY: CAF
REVIEWED BY: CAF
DATE: SEPTEMBER 20, 2022

BS-1

C:\My Drive\PROJECTS\22716 - NC State Vet School\SOUTHERN PINES BOUNDARY 1.dwg, layout, Sep. 20, 2022 - 8:10:36 PM

Property of RJ Property Holding, LLC

All that certain piece or parcel of land situated in the Town of Southern Pines ETJ, County of Moore, and State of North Carolina depicted as “N/F RJ Property Holding, LLC, Book 5896 Page 163, Tract 1, Parcel ID 00037131, PIN 859200896310, U.S. Highway 1, Southern Pines FRR Zone, Area 601,633 sq.ft. or 13.81 Acres” on a map entitled “Boundary Survey Land of RJ Property Holding, LLC, U.S. Highway 1, Southern Pines, McNeill Township, Moore County, North Carolina, dated 09-20-2022, Sheet 1 of 1 by Craig Foster P.L.S., PLLC”, and more particularly described as follows:

Beginning at a monument found on the southeasterly highway line of Equestrian Road (S.R. 2124) marking the northwesterly corner of property now or formerly of RJ Property Holding, LLC and the northeasterly corner of land now or formerly of The Walthour Moss Foundation fronting on Equestrian Road.

Thence, N 49°46'48" E a distance of 351.78 feet to point marked by an NCDOT ROW Monument.

Thence, N 66°13'07" E a distance of 410.53 feet to a point marked by an NCDOT ROW Monument.

Thence, N 55°21'42" E a distance of 81.39 feet to a point. The last 3 courses being along the southeasterly right of way of Equestrian Road (S.R.2124).

Thence, S 34°44'51" E a distance of 1272.23 feet to a point.

Thence, S42°39'49" W a distance of 71.00 feet to a point marked by a broken monument. The last two courses being along other land of RJ Property Holding, LLC.

Thence, N64°37'11" W along the northeasterly boundary of land now or formerly of The Walthour Moss Foundation a distance of 1536.55 feet to the point and place of beginning

Said parcel area contains 601,663 square feet or 13.81 acres more or less.

From: [Ron Istre](#)
To: [Cindy Williams](#)
Subject: RE: Z-02-22 Zoning Map Amendment
Date: Wednesday, October 26, 2022 5:22:27 PM

No comments.

Ron Istre
Town of Southern Pines
Utilities Superintendent

910-692-1983 ext. 6228

ristre@southernpines.net

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

From: Cindy Williams <CWilliams@southernpines.net>
Sent: Wednesday, October 26, 2022 4:33 PM
To: Archie Daniel <adaniel@southernpines.net>; Cindi King <CKing@southernpines.net>; Cory Albers <calbers@southernpines.net>; David Byrd <DByrd@southernpines.net>; Director <director@rluac.com>; James Michel <JMichel@southernpines.net>; Ken Skipper <KSkipper@southernpines.net>; Maurice Holland <mbholland63@gmail.com>; NCDOT <djuarezpozos@ncdot.gov>; ncsandhillsrcw@fws.gov; Ron Istre <RIstre@southernpines.net>; Ron Maness <rmaness@moirecountyaairport.com>
Cc: BJ Grieve <BJGrieve@southernpines.net>; Cindy Williams <CWilliams@southernpines.net>
Subject: Z-02-22 Zoning Map Amendment

Good afternoon,

Please review the attached proposed zoning map amendment and respond with any concerns as soon as possible.

Thank you.

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

From: [JuarezPozos, Dagoberto](#)
To: [Cindy Williams](#)
Subject: RE: [External] Z-02-22 Zoning Map Amendment
Date: Tuesday, November 1, 2022 10:06:17 AM
Attachments: [image001.png](#)
[Z-02-22 PB PHN.pdf](#)

Cindy,

No comments om this one.

Dago

Dagoberto Pozos, P.E.

Assistant District Engineer
Division 8 District 2

910-944-7621 Office
djuarezpozos@ncdot.gov

902 North Sandhills Blvd.
Aberdeen, NC 28315



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

From: Cindy Williams <CWilliams@southernpines.net>
Sent: Wednesday, October 26, 2022 4:33 PM
To: Archie Daniel <adaniel@southernpines.net>; Cindi King <CKing@southernpines.net>; Cory Albers <calbers@southernpines.net>; David Byrd <DByrd@southernpines.net>; Director <director@rluac.com>; Michel, James <JMichel@southernpines.net>; Ken Skipper <KSkipper@southernpines.net>; Maurice Holland <mbholland63@gmail.com>; JuarezPozos, Dagoberto <djuarezpozos@ncdot.gov>; ncsandhillsrcw@fws.gov; ISTRE, RONALD <ristre@southernpines.net>; Ron Maness <rmaness@moorecountyaairport.com>
Cc: BJ Grieve <BJGrieve@southernpines.net>; Cindy Williams <CWilliams@southernpines.net>
Subject: [External] Z-02-22 Zoning Map Amendment

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

Good afternoon,

Please review the attached proposed zoning map amendment and respond with any concerns as soon as possible.

Thank you.

Cindy Williams

Planning Department
Town of Southern Pines
801 SE Service Road
Southern Pines, NC 28387
(910) 692-4003

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



SOUTHERN PINES COURTESY REVIEW

Case: Z-02-22 (FRR to Rural Estate)

Location: Equestrian Rd. between Mile Away Lane and Youngs Rd.

PIN#: 859200896310

November 6, 2022

Following a review of the above referenced application by the RLUAC staff and Board of Directors, it has been determined that:

- The parcel is classified as Critical to Protect in the Fort Bragg Compatible Use Rating System due to the presence of active red cockaded woodpecker foraging areas on the site.

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

With the presence of known red-cockaded woodpecker clusters, RLUAC encourages the applicant to have this property surveyed by personnel experienced in management and monitoring of the species prior to the removal of any mature pine trees. The protocol can be obtained at: https://www.fws.gov/ncsandhills/pine_tree_removal.html The results of this survey can be sent to the US Fish and Wildlife Service office located in Raleigh, NC, ATTN: John Hammond, for review. The applicant is also encouraged to preserve as many mature pines and as much contiguous undisturbed forested land on the site as possible within the defined foraging area.

RLUAC encourages the Town of Southern Pines and the applicant / owner to ensure that the site maintains as much forested open space as possible to preserve RCW habitat. Maintaining the integrity of important environmental assets contributes to the overall compatibility of our region with Fort Bragg's environmental protection mission, which goes hand-in-hand with its military training and operational missions.

Beyond the potential environmental impact of the proposed development, the nature of the zoning proposed for the site does not present any additional compatibility concerns with regard to military training or operations.

Thank you for allowing RLUAC to review this case.

Jeff Sanborn, Chairman

Vagn K. Hansen II, AICP, Executive Director

Agenda Item

To: Planning Board

From: Pamela Graham, Principal Planner

Subject: SU-06-22 Special Use Permit and Preliminary Plat Approval; Major Subdivision for the Development of Three Detached Single-Family Dwellings on +/- 2.03 Acres Located Immediately East of the Entrance to Mid-South from S. Knoll Road: Owner/Applicant: Plantation Investors, LLC; Authorized Agent: Jeremy Sparrow, KoontzJones Design

Date: November 17, 2022

I. SUMMARY OF APPLICATION REQUEST:

On behalf of Plantation Investors, LLC, Mr. Jeremy Sparrow with Koontz Jones Design has submitted an application for a special use permit and a major subdivision preliminary plat for the following:

1. Subdivision of land identified in the Moore County Tax Registry as PARID #00041026701, resulting in three lots intended to be developed as single-family dwellings and a +/- .88 acre area of open space (referred to as “Area A” on applicant’s Overall Key Sheet L-1.0 and as Lots 1, 2, and 3 on applicant’s Area A Preliminary Plat Sheet L-1.2);
2. Subdivision of land not identified in the Moore County Tax Registry, constituting a portion of the private road/right-of-way system for the Mid South development, resulting in a .969 acre (42,208 square foot) parcel that currently serves as the location for the gatehouse adjacent to Knoll Road (referred to as “Existing Gate House” on applicant’s Area A Existing Conditions Sheet L-1.1 and as “Gatehouse Lot (to be subdivided and conveyed)” on applicant’s Area A Preliminary Plat Sheet L-1.2.
3. An amendment to the Mid South Master Plan approved in 1988 in conjunction with Conditional Use Permit CU-08-88, to remove from the plan a +/- 9.26 acre portion that is located in Pinehurst’s jurisdiction and includes the northern-most portion of Palmer Drive between Knoll Road and Midland Road.
4. An amendment to CU-08-88 to allow the three lots to be developed in “Area A” to be below the minimum size of 19,200 square feet as prescribed by the conditional use permit.

The development proposal is for three detached single-family dwellings with the smallest proposed lot containing +/- 13,123 square feet and the largest containing 17,562. A special use permit is required for major subdivisions. The proposal is classified as a major subdivision pursuant to UDO §2.19.3(B)(1)(f) which precludes minor subdivision classification for developments that create more than five lots through cumulative

subdivisions, which is the case for Mid South. The subject property is identified as PIN: 857200264820 (PARID: 00041026701).

II. PROJECT INFORMATION:

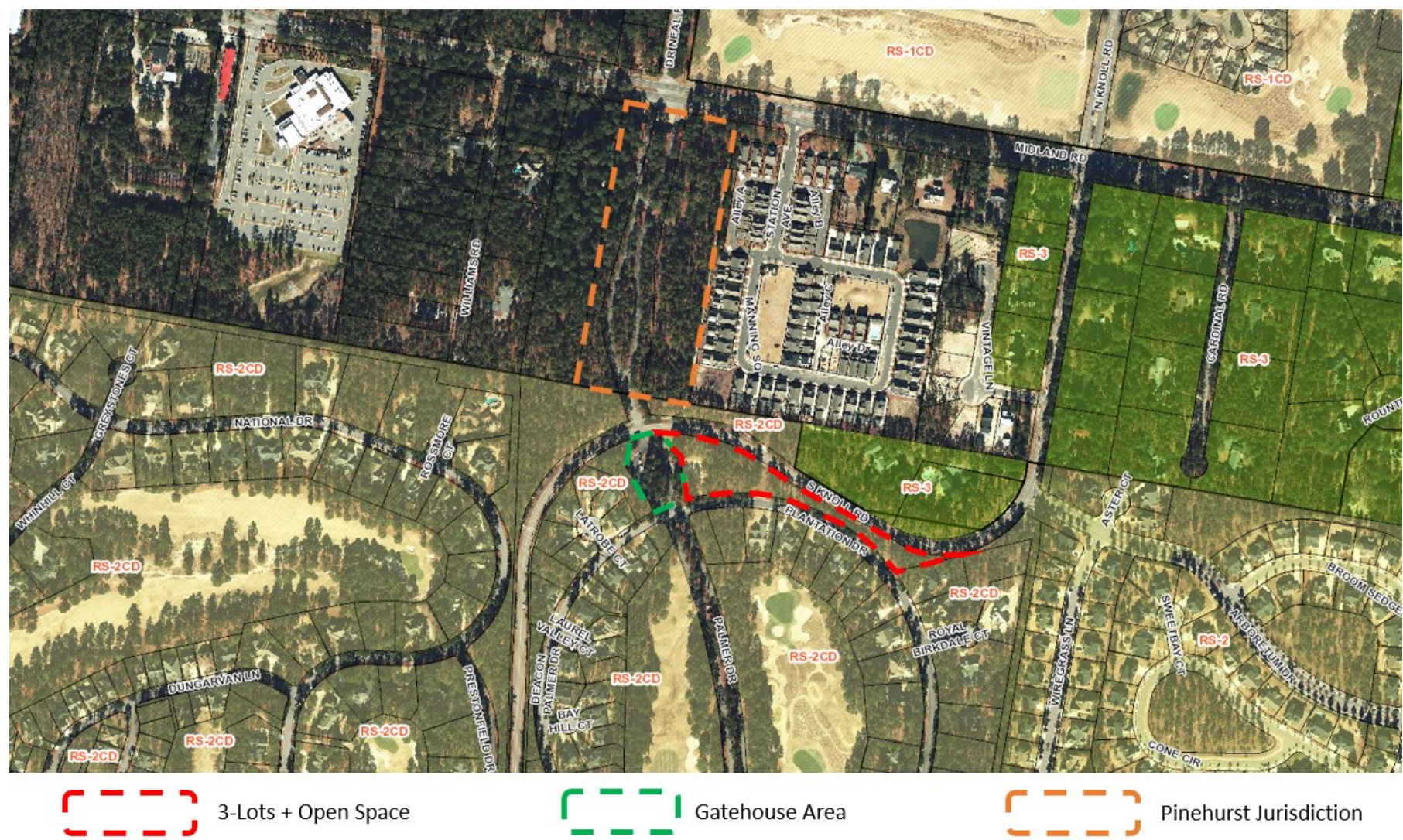
A. Property Owner & Applicant Information:

- i. Property Owner(s):**
Plantation Investors, LLC
PO Box 8000
Pinehurst, NC 28374
- ii. Applicant:**
Plantation Investors, LLC
c/o Bob Levy
PO Box 8000
Pinehurst, NC 28374
- iii. Authorized Agent:**
Koontz Jones Design
Jeremy Sparrow
150 S. Page Street
Southern Pines, NC 28387

B. Project History and Site Information:

- i. Location:**
The subject properties are located in the immediate vicinity of the South Knoll Road entrance into the Mid-South development. (See Figure 1 below).
- ii. Zoning:**
The zoning of the subject parcel is RS-2CD, consistent with the majority of Mid-South.
- iii. Future Land Use Map Designation:**
The subject parcel is designated as Residential/Golf on the Future Land Use Map. *Per the CLRP, the Residential/Golf designation applies to areas that include public or private golf courses and residences. This category may accommodate a single family or attached dwellings at a variety of densities, recreational facilities in addition to the golf course, limited guest accommodations, and limited commercial services intended to serve residents of and visitors to the development.*

Figure 1: Zoning and Location Map (Subject Properties Outlined by Dashed Lines):



III. STAFF REVIEW:

A. Application Review Dates:

- TRC Pre-Application Review: March 8, 2022
- Special Use Permit SU-06-22 Application Submitted: September 12, 2022
- Application Deemed Complete: September 27, 2022
- Notice of Planning Board Public Hearing:
 - Posted On-site: October 3, 2022
 - Mailed: October 26, 2022
 - Internet: October 26, 2022
 - Published: N/A for SUP
- Planning Board Agenda Meeting: November 10, 2022 (Meeting Not Held)
- Planning Board Preliminary Forum: November 17, 2022

B. Process of Review:

The procedures for review and approval of a Special Use Permit, per UDO §2.21, establish a process and standards to approve certain uses that, because of unique characteristics or potential impacts on adjacent land uses, are not permitted in zoning districts as a matter of right.

C. Standards for Review:

The following UDO standards apply to the review of this special use permit:

- i. Major Subdivision, UDO §2.20
- ii. Special Use Permit Criteria, UDO §2.21.6 (A-F)
- iii. RS-2 Zoning District Standards, UDO §3.5.4, as modified by Z-15-87 and/or CU-08-88
- iv. Preliminary Plat, UDO §2.20.4
- v. Various Standards, UDO Chapter 4

D. Criteria for Review:

Compliance with the UDO:

i. Compliance with Special Use Permit Criteria – UDO §2.21.6 (A-F):

A Special Use is permitted only if the applicant demonstrates that:

- A. *The proposed special use shall comply with all regulations of the applicable zoning district and any applicable supplemental use regulations;*

The applicant's Justification document (attached) states the following: "The proposed development will comply with all regulations of the RS-2 CD zoning district and any applicable supplemental use regulations. All single-family lots created will meet the standards specified in the RS-2 CD district and provide appropriate setbacks for the RS-2 CD zoning district. Access will meet the Town's requirements."

The RS-2 Zoning District is described in the UDO §3.5.4 as being “established as a district in which to allow primarily low-density Single-Family residential land uses (approximately 201 Dwelling Units per acre). The regulations of this district are intended to:

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

The 1988 rezoning of Mid South (Z-15-87) required that each phase of development be submitted as a conditional use permit, and was immediately followed by a conditional use permit request (CU-08-88) that proposed the initial phase of residential development in the community, with 384 single-family lots of the total 647 approved by the previous rezoning. The Master Plan that accompanied CU-08-88 also listed 28.16 acres of “Open Space/Natural Areas/Utility Easements”. As adjustments and new proposals have come in for the overall Mid South development, staff has researched the history and has sought to maintain the open space set-aside that was included in the Master Plan, for the purposes of ensuring compliance with the conditional use permit approval.

Town procedures have changed in the ensuing years, in some cases dictated by changes in state statutes. Conditional use permits are now special use permits. As a part of the current special use permit request, the applicant seeks to amend the 1988 Master Plan to remove the acreage that lies within Pinehurst’s jurisdiction. Ultimately, Southern Pines’ only interest in this request is to ensure that the open space requirements for the overall development are maintained. As this +/- 9.26 acre portion of the Mid South property is depicted as undeveloped land on the Master Plan and is believed to have been included in the 1988 open space calculation, that acreage must be accounted for elsewhere in the development if Southern Pines relinquishes regulatory control over it. Two enlargements of the 1988 Master Plan are included as attachments to this report. Staff has been informed by the applicant that a revised plan, providing evidence that the open space requirements will be maintained with the removal of Pinehurst’s portion of the development, will be available for Planning Board review during the Preliminary Forum. This exhibit had not yet been provided at the time of this writing.

- B. The proposed special use shall conform to the character of the neighborhood in which it is located and not injure the use and enjoyment of property in the immediate vicinity for the purposes already permitted;*

The applicant's narrative states the following: "The special use meets the standards of the zoning district and is in character with the surrounding properties. The proposed single-family detached lots are still below the 647 total residential units permitted under the property's zoning and are consistent with other developments within the Mid-South community."

C. Adequate public facilities shall be provided as set forth herein;

The applicant has provided the following information regarding this item: "Public water and sewer utilities are readily available for the project, any cost of which will be borne by the developer. Previous phases of the development have developed the infrastructure adequate for the full-build out of the community. Lots will have adequate access to accommodate emergency and waste removal vehicles."

The Technical Review Committee discussed SU-05-22 (an earlier submittal that included the three-lot subdivision but was later withdrawn) at its July 12, 2022 meeting and noted that water and sewer are available, that the existing sewer line reaches Lot 3, and will require extension by the developer to access Lots 1 and 2. There is an existing water line on Plantation Drive that is accessible to the proposed lots.

D. The proposed use shall not impede the orderly Development and improvement of surrounding property for uses permitted within the zoning district or substantially diminish or impair the property values within the neighborhood;

The application narrative states: "This project will not impede the development of surrounding properties as it is in conformance with the surrounding development and zoning classifications as described in Item B of this exhibit. The proposed use is consistent with the previous phases of the development." (*Staff note: Item B is Sheet L-1.2*)

E. The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, comfort or general welfare;

The narrative responds to this criterion as follows: "This residential neighborhood will continue the existing development pattern in the neighborhood and conform to all development standards of the UDO and engineering requirements of the Town. As a result, the use

will not be detrimental to or endanger the public health, safety, comfort, or general welfare of the surrounding neighborhood.”

F. The public interest and welfare supporting the proposed use shall be sufficient to outweigh individual interests that are adversely affected by the establishment of the proposed use

The narrative provides the following response: “The requested special use permit is in compliance with the established development pattern and is in conformance with the underlying conditional zoning district. This project is also consistent with the goals and objectives of the Comprehensive Long Range Plan (CLRP) and establishes a development pattern that is in context with the surrounding neighborhood and the projects in this area of Southern Pines. The CLRP classifies this property as Residential/Golf, which is consistent with the overall plan. The development pattern also meets the land use goals defined by the CLRP by adding development where public utilities are available and developing infill locations near downtown Southern Pines.”

ii. Current Controlling Conditional Use Permit Standards (CU-08-88)

The conditional use application approved as CU-08-88 includes development data as follows (see attachment):

- 1.85 dwelling units per acre
- Minimum lot size for lots along golf fairways: 110’ x 180’, or 19,800 square feet
- Minimum lot size for lots not along fairways: 120’ x 160’, or 19,200 square feet (the three lots proposed in this application are not along fairways and would therefore be expected to adhere to this standard unless the conditional use permit is amended)
- +/-28.2 acres of natural area/open space (master plan shows +/- 28.16)

The lots being proposed range in square footage from 13,123 to 17,562. Approval of the lots as proposed will constitute an amendment to the 1988 conditional use permit.

No references to required setbacks have been found in the 1988 approvals; therefore, the RS-2 District setback standards apply. The preliminary plat proposes setbacks that are consistent with those required in the RS-2 District.

iii. Development Design and Other Standards from UDO Chapter 4

The proposal will require Site Plan Review and approval by the TRC but is exempt from Architectural Review pursuant to state statutes limiting local design standards for single-family dwellings. The lots will be accessed from Plantation Drive, which is an existing private street.

iv. Compliance with Preliminary Plat Criteria – UDO §2.20.4 (G)(1-6):

1. The application is consistent with the approved Sketch Plat, if applicable.
2. The application is consistent with the Comprehensive Plan, as well as any other adopted plans for streets, alleys, parks, playgrounds, and public utility facilities;
3. The proposed subdivision complies with the UDO and applicable state and federal regulations;
4. The proposed subdivision, including its Lot sizes, density, access, and circulation, is compatible with the existing and/or permissible zoning and future land use of adjacent property;
5. The proposed subdivision will not have detrimental impacts on the safety or viability of permitted uses on adjacent properties; and
6. The proposed public facilities are adequate to serve the normal and emergency demands of the proposed Development, and to provide for the efficient and timely extension to serve future Development.

E. General Staff Comments

Approval of the request will result in the following:

1. Approval of a Preliminary Plat showing the following subdivisions of land:
 - i. Property identified in the Moore County Tax Registry as PARID #00041026701, resulting in three lots intended to be developed as single-family dwellings and a +/- .88 acre area of open space (referred to as “Area A” on applicant’s Overall Key Sheet L-1.0 and as Lots 1, 2, and 3 on applicant’s Area A Preliminary Plat Sheet L-1.2);
 - ii. Property not identified in the Moore County Tax Registry, constituting a portion of the private road/right-of-way system for the Mid South development, resulting in a .969 acre (42,208 square foot) parcel that currently serves as the location for the gatehouse adjacent to Knoll Road (referred to as “Existing Gate House” on applicant’s Area A Existing Conditions Sheet L-1.1 and as “Gatehouse Lot (to be subdivided and conveyed)” on applicant’s Area A Preliminary Plat Sheet L-1.2.
2. An amendment to the Mid South Master Plan approved in 1988, in conjunction with CU-08-88, to remove from the plan a +/- 9.26 acre portion that is located in Pinehurst’s jurisdiction and includes the northern-most portion of Palmer Drive between Knoll Road and Midland Road.
3. An amendment to the Mid South Conditional Use Permit (CU-08-88) to allow for three lots to be created that are below the minimum lot sizes approved in the conditional use permit.

Pursuant to UDO §2.27.7, in approving any special use permit, the Town Council may impose such reasonable standards, conditions, or requirements as it may deem

necessary to protect the public health, safety and welfare. The following conditions, at a minimum, are recommended by staff.

- Open space for the overall development within Southern Pines' jurisdiction shall not fall below the 28.16 acres required by the 1988 conditional use permit approval (CU-08-88). The applicant shall provide evidence that the changes resulting from this SUP do not cause the open space calculations to be out of compliance with the requirements.
- The project shall be required to meet all applicable development design requirements found in Chapter 4 of the UDO.
- This development will ultimately be subject to permitting through the Inspections department and will be required to submit for site plan review. All state level development regulation and the applicable development regulations in the Unified Development Ordinance (UDO) must be met prior to site plan approval.

F. Outside Agency Comments:

In May of this year of an application (SU-05-22) for the subdivision of the same three lots as the current request, combined with an unrelated project within Mid South, was submitted to the Planning Department. A request for comments from agencies was emailed at that time to representatives of the Town of Southern Pines Engineering, Streets, Utilities, Fire and Recreation & Parks Departments as well as representatives of the North Carolina Department of Transportation, U.S. Fish and Wildlife Service and the Regional Land Use Advisory Commission. While that application was ultimately withdrawn, the agency comments received from the earlier application remain relevant to the current one.

- A response from the Department of Transportation was received on July 1, 2022, stating that the agency had no comments due to the lots having no access to the state road.
- A response from the Regional Land Use Advisory Commission was also received on July 8, 2022, stating that the agency did not have any comments on this project.
- The Technical Review Committee discussed SU-05-22 at its July 12, 2022 meeting and noted that water and sewer are available, that the existing sewer line reaches Lot 3, and will require extension by the developer to access Lots 1 and 2, and that a preliminary plat that includes all information required by the Town must be submitted for review prior to the item being presented to Town Council.

IV. ATTACHMENTS:

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

1. Special Use Permit Application
2. Applicant's Special Use Permit Narrative
3. Applicant's Special Use Permit Justification
4. Preliminary Plat Application
5. Applicant's Major Subdivision (Preliminary Plat) Justification
6. Applicant's Submitted Plans
7. Property Deed
8. Appointment of Agent
9. CU-08-88 Application Submittal
10. CU-08-88 Approval
11. Nuckols 6-17-1988 Letter re Z-15-87 Approval
12. Nuckols 12-6-1988 Letter re Lot Sizes
13. Mid South 1988 Master Plan
14. 1988 Master Plan Development Data Enlargement
15. 1988 Master Plan Pinehurst Jurisdiction Enlargement

V. PLANNING BOARD ACTION:

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

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

I move to adopt the following for transmission to the Town Council as a result of the November 17, 2022 Preliminary Forum on application SU-06-22 and the associated Preliminary Plat:

The information presented at the forum indicated that the following issues be considered in applying the criteria for a SUP to application SU-06-22, as well as the criteria for a preliminary plat:

- 1.

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

- 1.



Special Use Permit Application

Fee: \$ _____ Date Paid: _____ Case No.: SU- _____ - _____

Project Information:

Street Address: 1 PALMER DR. SOUTHERN PINES, NC 28387

PIN: 857200264820 Parcel ID: 00041026701

Site Size: ±9.15 AC Zoning: RS-2 CD

Applicant:

Name(s): PLANTATION INVESTORS LLC - C/O BOB LEVY

Email: boblevy@talamorefamily.com Phone: 215-370-9221

Mailing Address: P.O. BOX 8000 PINEHURST, NC 28374; MID TAL DEVELOPMENT, LLC

Authorized Agent, if different from Applicant:

Name(s): KOONTZ JONES DESIGN - C/O JEREMY SPARROW

Email: jsparrow@koontzjones.com Phone: 910-684-8487

Mailing Address: 150 S Page St Southern Pines, NC 28387

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

Name(s): _____

Email: _____ Phone: _____

Mailing Address: _____

8-27-21

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

I, the undersigned, do hereby make application to and petition the Planning Board and Town Council to grant a Special Use Permit as required by the Town of Southern Pines Zoning Ordinance. The following information is submitted in support of this application:

The property which is the subject of this application is located on the south side of Midland Rd (St./Ave.), between Morganton Rd (St./Ave.) and Midland Rd (St./Ave.). The property has a frontage of 400 feet and a depth of 7000 feet.

The special use sought is based upon Section(s) 2.21 of the **Town of Southern Pines Unified Development Ordinance**. The proposed use of the property is as follows:

Residential - Single Family

Date: 9 / 12 / 2022

Aut 3 1
Applicant

Robert Levy, Jr
MGR Mgr Mid Tal Development LLC

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

8-27-21

**MID SOUTH PROPERTY
SPECIAL USE PERMIT NARRATIVE**

The development of the property described as the Mid South Property in the submitted exhibits is an approved mixed-residential subdivision, rezoned in 1988, located on the south side of Midland Road between Midland Road and Morganton Road. The ± 559.93 -acre property is currently zoned RS-2 CD, which is primarily a single-family residential zoning district, but allows for multi-family with conditional approval. The current conditional use approval permits a total of 647 total dwelling units of mixed residential types.

The current request to the special use permit will include two (2) parts, as described below:

Part I:

Area A:

Plat three (3) single-family detached lots on ± 2.03 acres, along with re-plat/subdivision of the main gatehouse and associated parking, with remaining land, highlighted in green on the attached map, as dedicated open space (± 0.88 acres). This green highlighted area, designated as 'open space', will be conveyed to the Mid South POA. Residential lot sizes will vary as permitted in the previously approved conditional zoning.

Part II:

Area B:

In addition to the above request and modification to the RS-2CD application, the applicant is also requesting the breakout of the entrance area (Palmer Drive) from the overall Mid South development, that connects the front entrance at Knoll Road to Midland Road from the current Mid South property (± 559.93 acres). Currently, this property is located in the Village of Pinehurst zoning jurisdiction. With this exclusion of ± 9.26 acres, the new overall development area will be ± 550.67 and the required open space as set forth in the original approvals will be maintained and exceeded with the complete build-out, as proposed in Part 1 of this application.

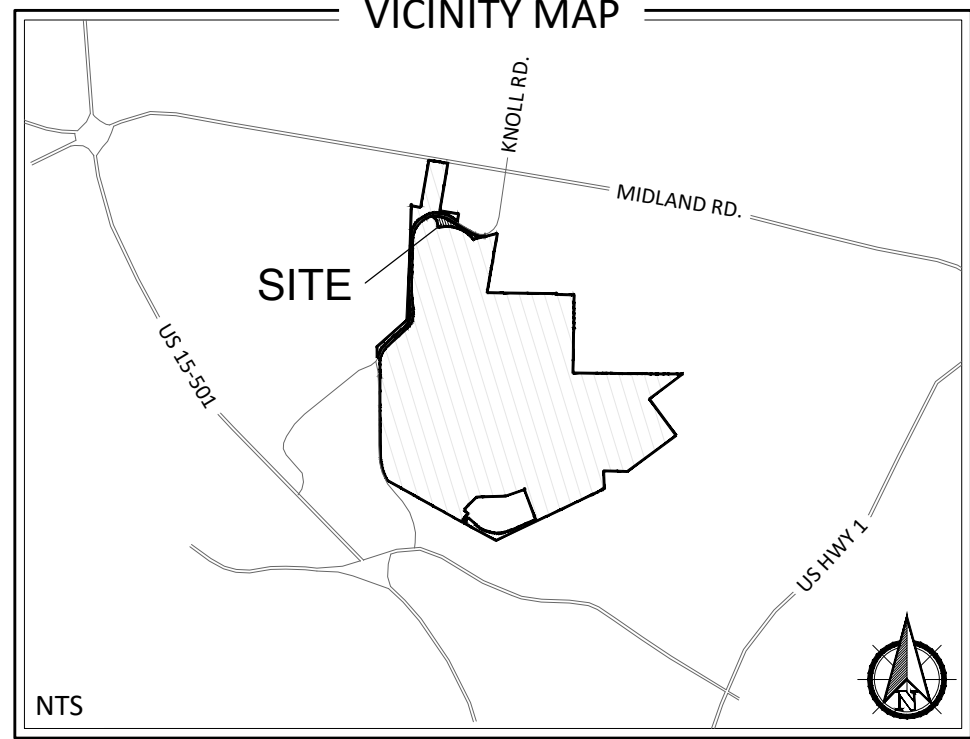
In 2020, a Conditional Use Permit request was approved for 58 new single-family lots. This addition of fifty-eight (58) residential lot brings the total approved/platted lots to 526, leaving the ability to develop an additional 121 residential units, through the special use permit process based on the conditional district. The current request is limited to three (3) single-family detached lots, leaving 118 total residential units available for future development.

This development will meet the approved development standards for the RS-2 CD district and any other Town of Southern Pines UDO requirements. The originally approved master plan required a minimum open space of ± 28.16 acres. The current master plan has a combined open space of ± 28.42 acres, excluding the ± 9.26 acres mentioned above.



Adequate water and sewer service can be provided by the Town of Southern Pines to service this development. Utilities are currently along the streets and stubbed to connection points for the proposed development areas under the SUP from previous phases of development. All utilities on the site will be located underground.

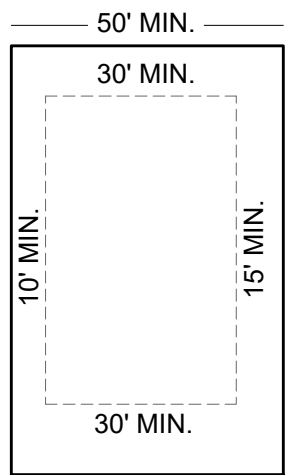
The descriptions and conditions described above will apply to the entire project as indicated in the Special Use Permit application and the preliminary plat attached to this application.



LEGEND

- PROJECT BOUNDARY
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- EXISTING MANHOLE
- OPEN SPACE

LOT TYPICALS



PROPERTY INFORMATION

PROPERTY OWNER(S):
PLANTATION INVESTORS, LLC
P.O. BOX 8000
PINEHURST, NC 28374

PARCEL ID: 00041026701 PIN: 857200264820
DB: 2069 PG: 533

APPLICANT:
PLANTATION INVESTORS, LLC
P.O. BOX 8000
PINEHURST, NC 28374

TOTAL ACREAGE (AREA A): ±2.03 AC

TOTAL LOTS (AREA A): 3 SINGLE FAMILY LOTS

TOTAL OPEN SPACE (AREA A): ±0.88 AC

ZONING INFORMATION

ZONING CLASSIFICATION:
RS-2 CD

FLOODPLAIN DATA

THIS PROPERTY IS LOCATED IN FLOOD ZONE 'X'
(AREAS OF MINIMAL FLOODING)

THE LOCATION OF THE 100-YEAR FLOODPLAIN PER
NFIP FIRM COMMUNITY
PANEL(S) NO: 8572
MAP(S): 3710857200J
DATE: OCTOBER 17, 2006

CAUTION

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



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

REVISIONS:

MID-SOUTH CLUB
SPECIAL USE PERMIT - SITE PLAN
SOUTHERN PINES, NORTH CAROLINA
AREA A - PRELIMINARY PLAT

DATE: 09-12-2022
DESIGNED BY: REK
DRAWN BY: PJS
CHECKED BY: REK
SCALE: 1" = 50'-0"
PROJECT #: KJ202017
SHEET NUMBER#:
L-1.2

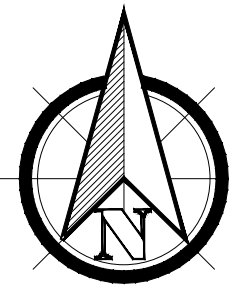
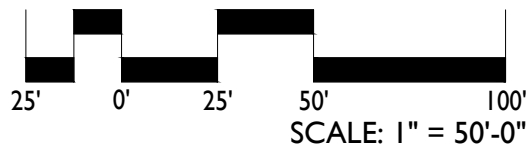


EXHIBIT A

Mid South Property Special Use Permit Justification

Below are listed the six (6) criteria required to approve a Special Use Permit application as described in Section 2.21.7 of the Town of Southern Pines UDO. Following the individual criteria is an explanation, indicated in red, describing how the project demonstrates compliance with each of these criteria.

A Conditional Use is permitted only if the Applicant demonstrates that:

- (A) The proposed special use shall comply with all regulations of the applicable zoning district and any applicable supplemental use regulations;

The proposed development will comply with all regulations of the RS-2 CD zoning district and any applicable supplemental use regulations. All single-family lots created will meet the standards specified in the RS-2 CD district and provide appropriate setbacks for the RS-2 CD zoning district. Access will meet the Town's requirements.

- (B) The proposed special use shall conform to the character of the neighborhood in which it is located and not injure the use and enjoyment of property in the immediate vicinity for the purposes already permitted;

The special use meets the standards of the zoning district and is in character with the surrounding properties. The proposed single-family detached lots are still below the 647 total residential units permitted under the property's zoning and are consistent with other developments within the Mid-South community.

- (C) Adequate public facilities shall be provided as set forth herein;

Public water and sewer utilities are readily available for the project, any cost of which will be borne by the developer. Previous phases of the development have developed the infrastructure adequate for the full-build out of the community. Lots will have adequate access to accommodate emergency and waste removal vehicles.

- (D) The proposed use shall not impede the orderly Development and improvement of surrounding property for uses permitted within the zoning district or substantially diminish or impair the property values within the neighborhood;

This project will not impede the development of surrounding properties as it is in conformance with the surrounding development and zoning classifications as described in Item B of this exhibit. The proposed use is consistent with the previous phases of the development.

- (E) The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, comfort or general welfare; and

This residential neighborhood will continue the existing development pattern in the neighborhood and conform to all development standards of the UDO and engineering requirements of the Town. As a result, the use will not be detrimental to or endanger the public health, safety, comfort, or general welfare of the surrounding neighborhood.

EXHIBIT A

- (F) The public interest and welfare supporting the proposed use shall be sufficient to outweigh individual interests that are adversely affected by the establishment of the proposed use.

The requested special use permit is in compliance with the established development pattern and is in conformance with the underlying conditional zoning district. This project is also consistent with the goals and objectives of the Comprehensive Long Range Plan (CLRP) and establishes a development pattern that is in context with the surrounding neighborhood and the projects in this area of Southern Pines. The CLRP classifies this property as Residential / Golf, which is consistent with the overall plan. The development pattern also meets the land use goals defined by the CLRP by adding development where public utilities are available and developing infill locations near downtown Southern Pines.



Major Subdivision Preliminary Plat Application

Date Received: _____ Case No.: S-____ - _____

Subdivision Name: Mid-South Street Address: 1 Palmer Dr. Southern Pines, NC 28387
PIN. 857200264820 Parcel ID: 00041026701 Zoning District: RS-2 CD
Project acreage in: Lots SF: ±1.08 ac + Roads _____ + Open Space ±0.88 ac + Common Area _____
+ Other (describe) _____ = Total Project Acreage ±2.03 ac
Number of Lots: 3 Single Family Minimum Lot Size: ±13,123 SF Setbacks: Single Family: F-30', SI-10', SE-15', B-30'
Highway Corridor Overlay: Yes/No NO If yes, Urban Village _____ Urban Transition _____ Rural Hwy _____
Watershed: Yes/No NO If yes, LR #2: _____ LR Vass: _____ Nicks Creek: _____ HQW: Yes/No _____
Does the site contain a Special Flood Hazard Area: Yes/No _____ Does the site contain wetlands: Yes/No NO

Applicant:

Name: Plantation Investors, LLC - C/O Bob Levy
Phone: 215-370-9221 Email: boblevy@talamorefamily.com
Mailing Address: P.O. Box 8000 Pinehurst, NC 28374; 48 Talamore Dr. Southern Pines, NC 28387

Contact Person, if different from Applicant:

Name: Koontz Jones Design - C/O Jeremy Sparrow
Phone: 910-684-8487 Email: jsparrow@koontzjones.com
Mailing Address: 150 S Page St Southern Pines, NC 28387

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

Name(s): _____
Phone: _____ Email: _____
Mailing Address: _____

Date: _____ Signature of Applicant _____

1/12/22

APPOINTMENT OF AGENT

Bob Levy &
Koontz Jones Design, PLLC

The undersigned owner(s), Plantation Investments LLC, hereby appoint(s) _____ as the exclusive agent for the purpose of making an application to the Town of Southern Pines for a Special Use Permit on the property described in the attached application. The owner(s) hereby agree 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 issuance of a Special Use Permit on the subject property; and
4. to act on behalf of the owner(s) without limitations with regard to any and all things directly or indirectly connected with or arising out of any application for a Special Use Permit under the Southern Pines Unified Development Ordinance.

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

Signed this 12th day of September, 2022.

Bill Perry Managing Member
Property Owner

Property Owner

Rutger
Agent
[Signature]

8-27-21

EXHIBIT B

Mid South Property Major Subdivision Justification

Below are listed the six (6) criteria required to approve a Major Subdivision application as described in Section 2.20.4 (G) Criteria of the Town of Southern Pines UDO. Following the individual criteria is an explanation, indicated in red, describing how the project demonstrates compliance with each of these criteria.

(1) The application is consistent with the approved Sketch Plat, if applicable.

Not Applicable

(2) The application is consistent with the Comprehensive Plan, as well as any other adopted plans for streets, alleys, parks, playgrounds, and public utility facilities;

The proposed application conforms to all standards set forth in the RS-2CD district and the development standards within the UDO. This project is also consistent with the goals and objectives of the Comprehensive Long Range Plan (CLRP) and establishes a development pattern that is in context with the surrounding neighborhood and the projects in this area of Southern Pines.

(3) The proposed subdivision complies with the UDO and applicable state and federal regulations;

The proposed development complies with the UDO and will meet all the requirements as provided in the previously approved conditional zoning, in addition to applicable state and federal regulations.

(4) The proposed subdivision, including its Lot sizes, density, access, and circulation, is compatible with the existing and/or permissible zoning and future land use of adjacent property;

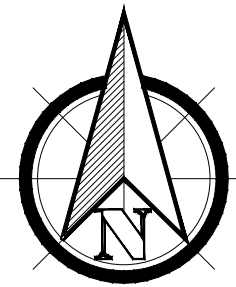
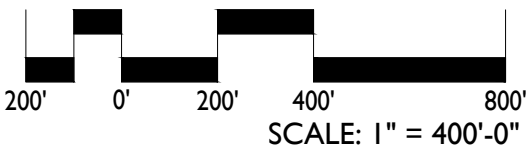
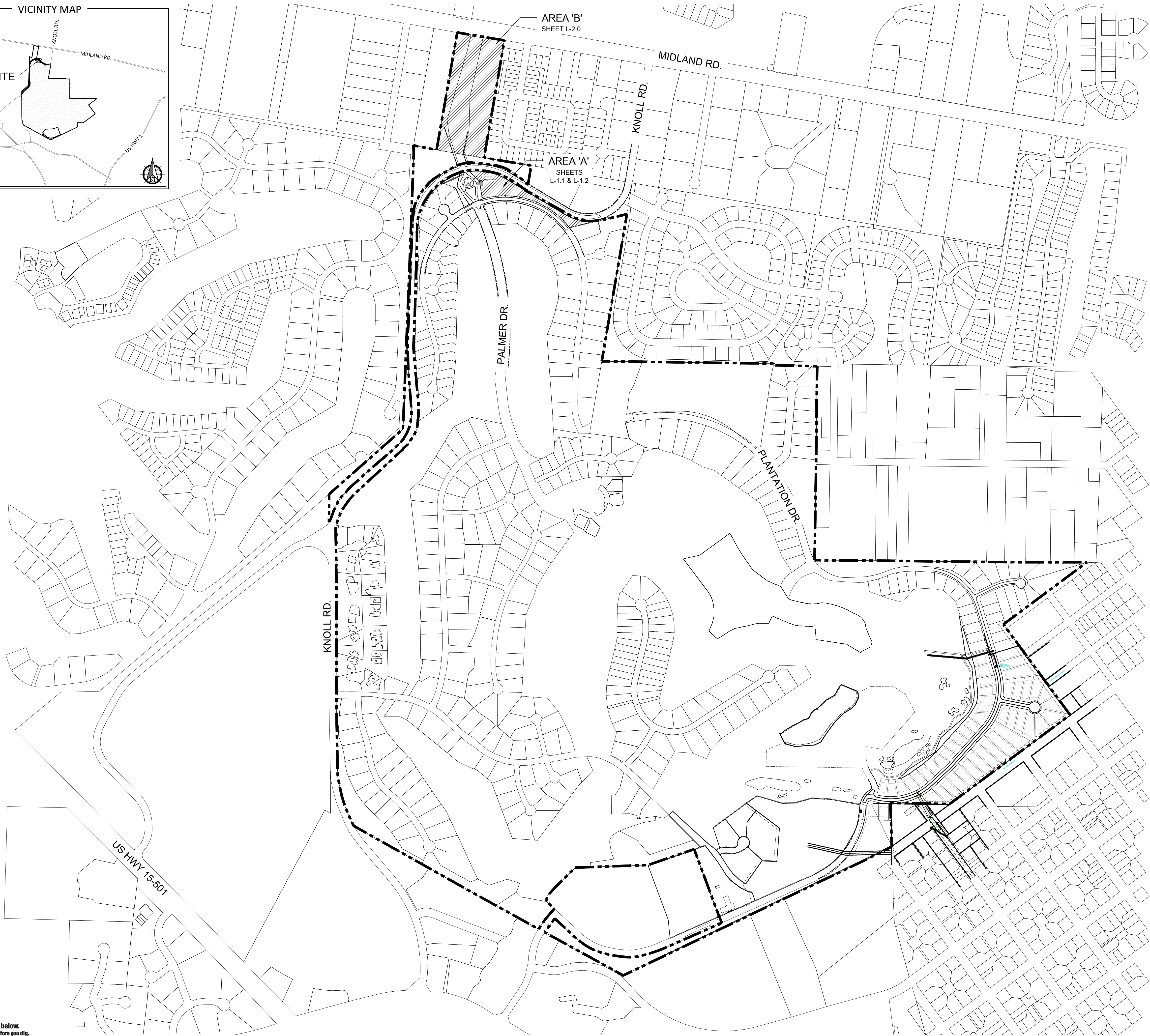
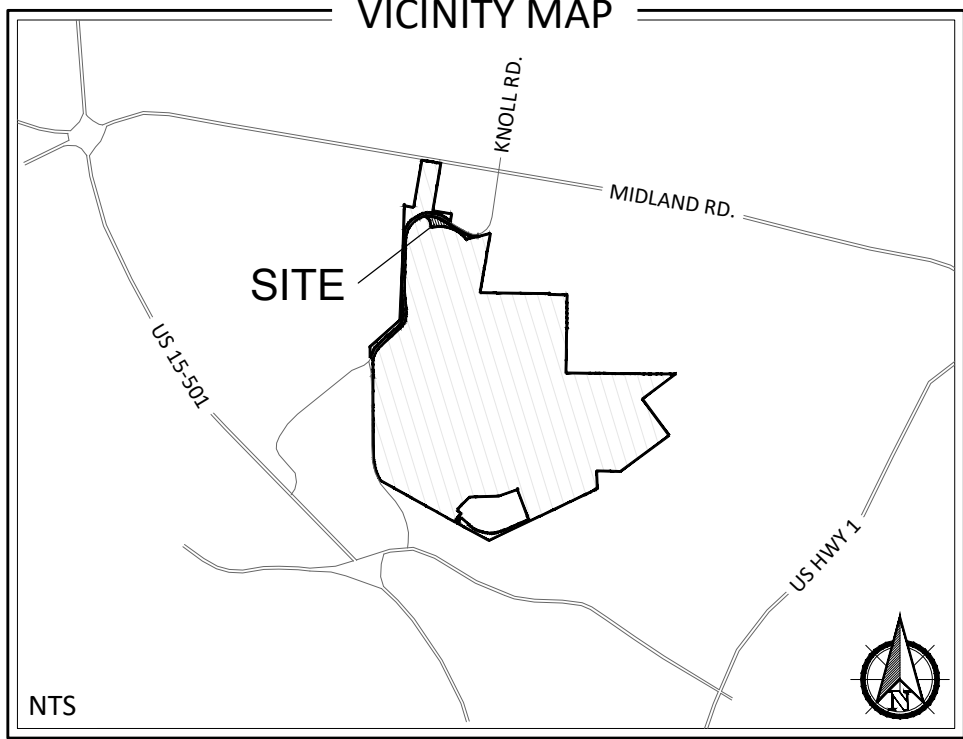
The proposed development corresponds with and meets all standards and requirements set forth in the previously approved conditional zoning district plans and conforms to the standards of the UDO. All uses are consistent with the proposed development program and allowable uses within the underlying zoning district. The development of three (3) residential lots is compatible with RS-2CD zoning district, as originally approved.

(5) The proposed subdivision will not have detrimental impacts on the safety or viability of permitted uses on adjacent properties; and

This residential neighborhood will continue the existing development pattern in the neighborhood and will conform to all development standards of the UDO and engineering requirements of the Town. As a result, the use will not be detrimental to or endanger the public health, safety, comfort, or general welfare of the surrounding neighborhood.

(6) The proposed public facilities are adequate to serve the normal and emergency demands of the proposed Development, and to provide for the efficient and timely extension to serve future Development.

Public water and sewer utilities are readily available for the project, any cost of which will be borne by the developer. Lots will have adequate access to accommodate emergency and waste removal vehicles.



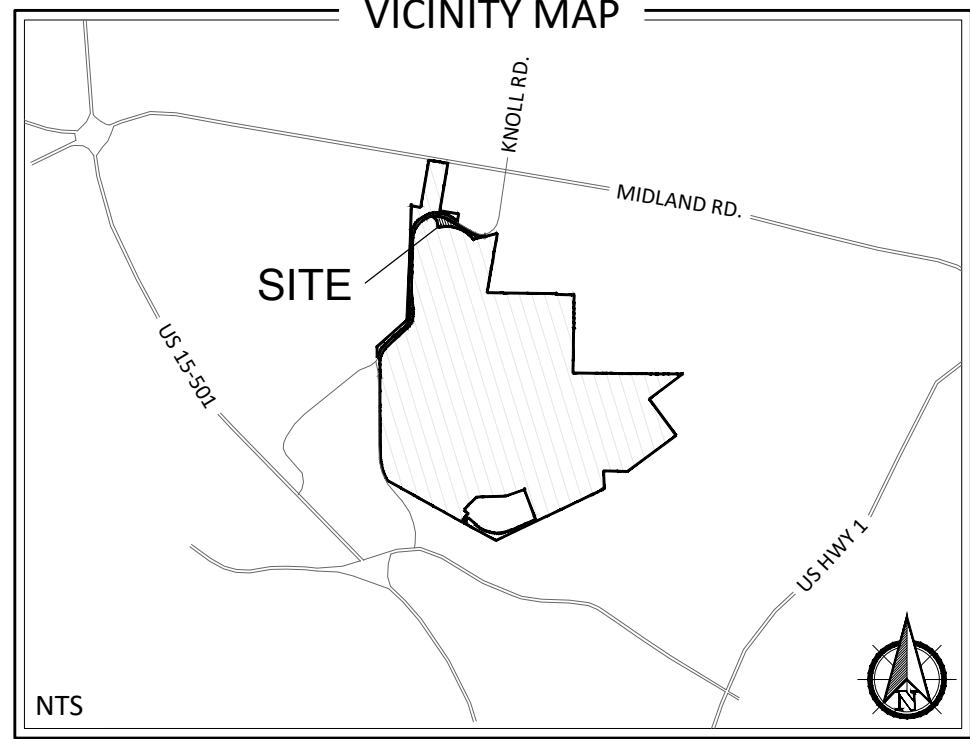
MID-SOUTH CLUB
SPECIAL USE PERMIT - SITE PLAN
SOUTHERN PINES, NORTH CAROLINA
OVERALL KEY SHEET

DATE: 09-12-2022
DESIGNED BY: REK
DRAWN BY: PJS
CHECKED BY: REK
SCALE: 1" = 400'-0"
PROJECT #: KJ022017
SHEET NUMBER#:

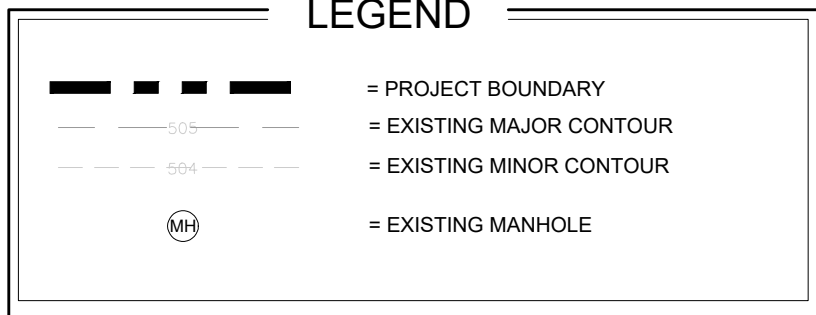
L-1.0

REVISIONS:

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



LINE TABLE			CURVE TABLE					
LINE	BEARING	DISTANCE	CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
L1	N 23°44'59" W	174.91'	C1	491.63'	173.09'	172.20'	N 63°11'11" E	20°10'22"
L2	N 68°46'04" W	116.09'	C2	20.00'	33.67'	29.83'	S 14°28'42" W	96°26'50"
L3	N 68°46'04" W	11.49'	C3	734.68'	26.76'	26.76'	S 61°44'08" W	2°05'14"
L4	S 13°10'27" W	108.41'	C4	491.63'	329.69'	323.55'	S 78°07'04" E	38°25'25"
L5	S 33°44'22" E	164.59'	C5	375.00'	289.40'	282.27'	S 81°00'53" E	44°12'59"
L6	N 08°50'59" W	130.68'	C6	685.00'	796.75'	752.59'	N 70°53'05" W	66°38'34"
L7	N 46°42'22" W	117.09'	C7	20.00'	33.28'	29.57'	N 56°31'41" W	95°20'06"
L8	S 58°54'28" E	569.58'	C8	491.63'	80.64'	80.55'	N 77°58'19" E	9°23'53"
L9	S 11°02'04" E	5.89'						
L10	S 75°47'50" W	250.88'						



PROPERTY INFORMATION

PROPERTY OWNER(S):
PLANTATION INVESTORS, LLC
P.O. BOX 8000
PINEHURST, NC 28374

PARCEL ID: 00041026701 PIN: 857200264820
DB: 2069 PG: 533

APPLICANT:
PLANTATION INVESTORS, LLC
P.O. BOX 8000
PINEHURST, NC 28374

TOTAL ACREAGE (AREA A): ±2.03 AC

ZONING INFORMATION

ZONING CLASSIFICATION:
RS-2 CD

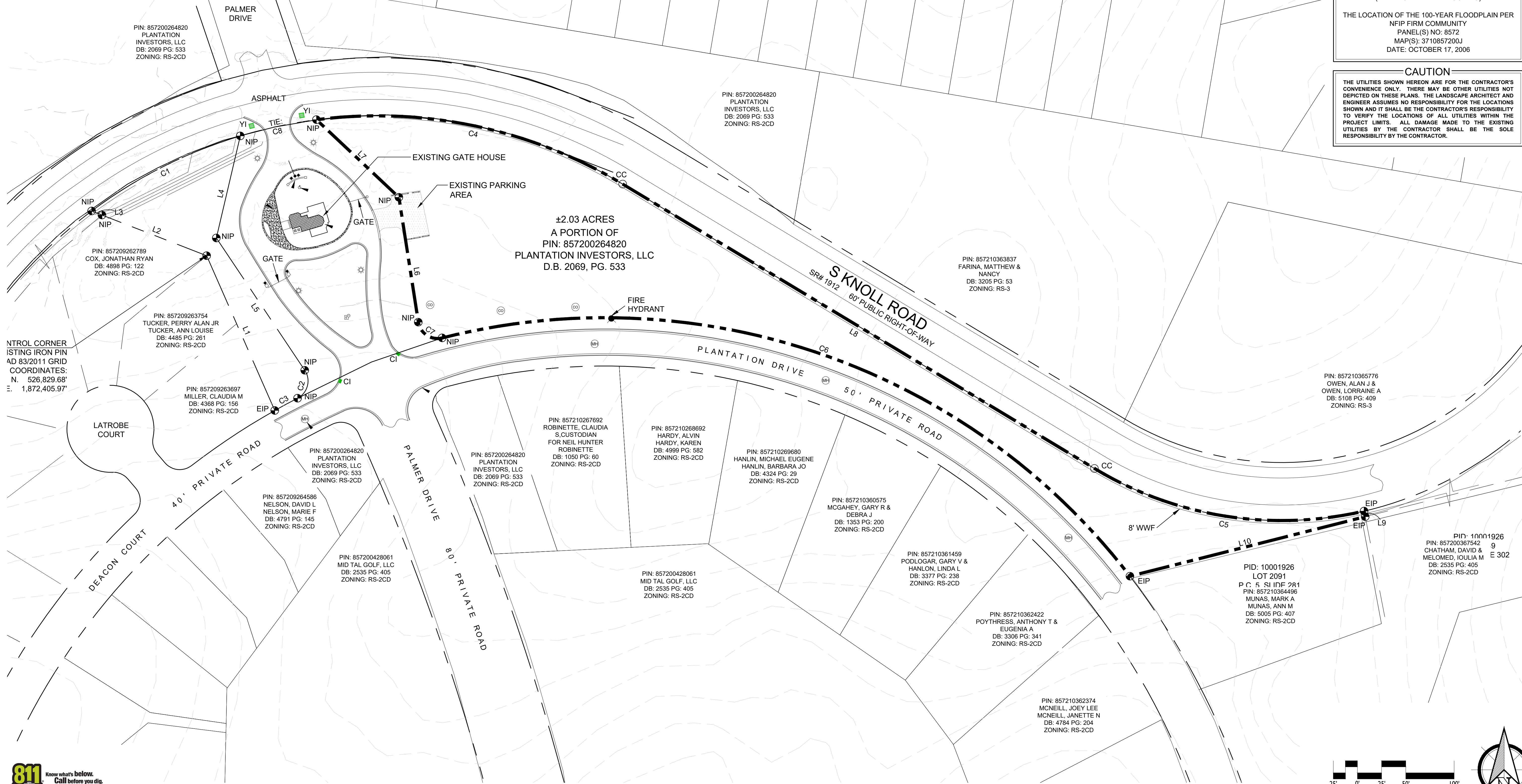
FLOODPLAIN DATA

THIS PROPERTY IS LOCATED IN FLOOD ZONE 'X' (AREAS OF MINIMAL FLOODING)

THE LOCATION OF THE 100-YEAR FLOODPLAIN PER NFIP FIRM COMMUNITY PANEL(S) NO: 8572 MAP(S): 3710857200J DATE: OCTOBER 17, 2006

CAUTION

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



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

KOONTZJONESDesign
LAND PLANNING | LANDSCAPE ARCHITECTURE

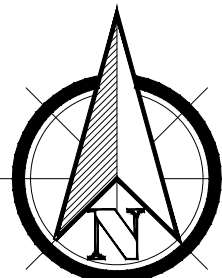
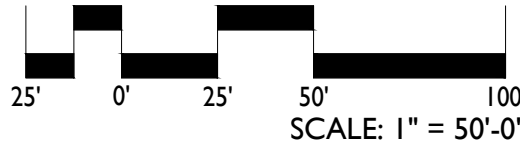
150 S PAGE STREET
SOUTHERN PINES, NC 28387
P: (910) 684-8467
W: www.koontzjonesdesign.com

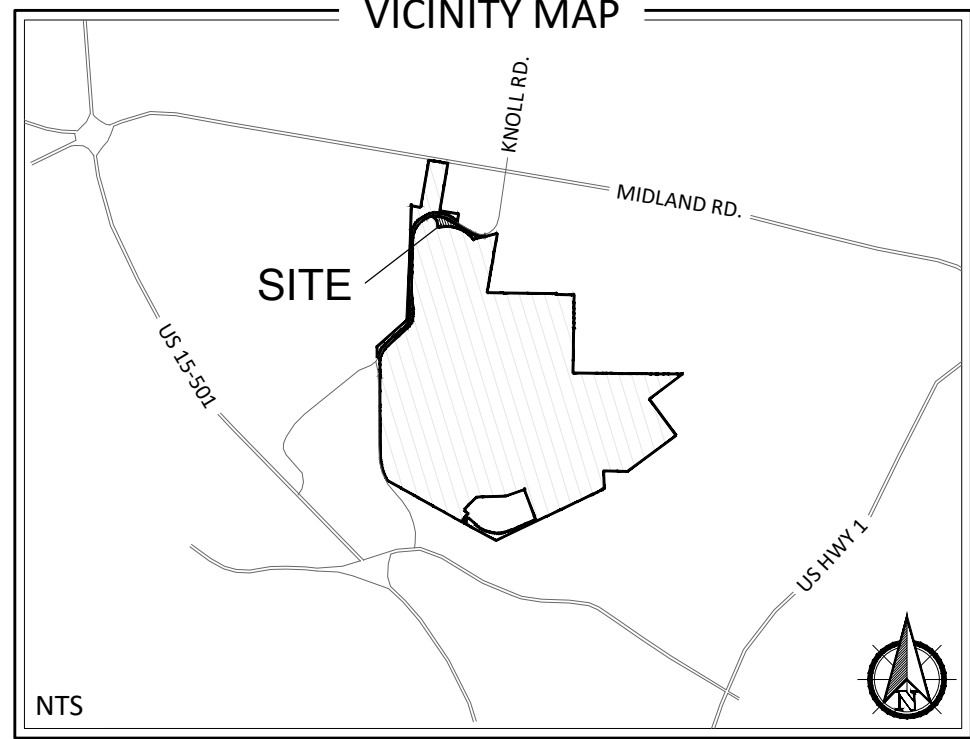
REVISIONS:

REVISIONS:

MID-SOUTH CLUB
SPECIAL USE PERMIT - SITE PLAN
SOUTHERN PINES, NORTH CAROLINA
AREA A - EXISTING CONDITIONS

DATE: 09-12-2022
DESIGNED BY: REK
DRAWN BY: PJS
CHECKED BY: REK
SCALE: 1" = 50'-0"
PROJECT #: KJ022017
SHEET NUMBER: 1
L-1.1





LEGEND

- PROJECT BOUNDARY
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- EXISTING SEWER LINE (APPROXIMATE LOCATION)
- EXISTING WATER LINE (APPROXIMATE LOCATION)
- EXISTING MANHOLE
- OPEN SPACE

PROPERTY INFORMATION

PROPERTY OWNER(S):
PLANTATION INVESTORS, LLC
P.O. BOX 8000
PINEHURST, NC 28374

PARCEL ID: 00041026701 PIN: 857200264820
DB: 2069 PG: 533

APPLICANT:
PLANTATION INVESTORS, LLC
P.O. BOX 8000
PINEHURST, NC 28374

TOTAL ACREAGE (AREA A): ±2.03 AC

TOTAL LOTS (AREA A): 3 SINGLE FAMILY LOTS

TOTAL OPEN SPACE (AREA A): ±0.88 AC

ZONING INFORMATION

ZONING CLASSIFICATION:
RS-2 CD

FLOODPLAIN DATA

THIS PROPERTY IS LOCATED IN FLOOD ZONE 'X'
(AREAS OF MINIMAL FLOODING)

THE LOCATION OF THE 100-YEAR FLOODPLAIN PER
NFIP FIRM COMMUNITY
PANEL(S) NO: 8572
MAP(S): 3710857200J
DATE: OCTOBER 17, 2006

CAUTION

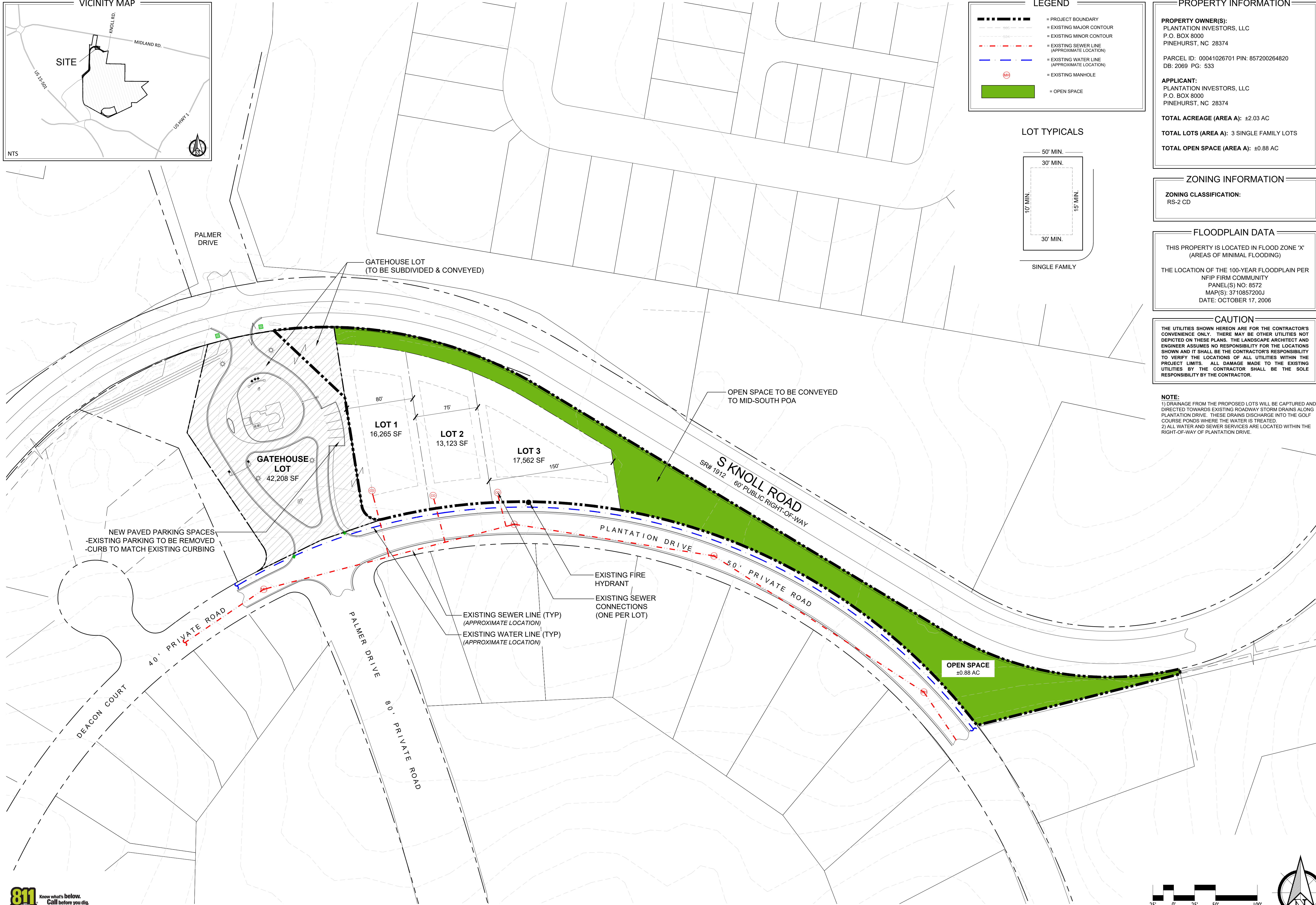
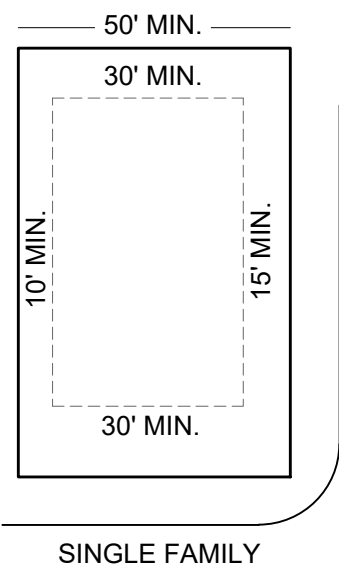
THE UTILITIES SHOWN HEREON ARE FOR THE CONTRACTOR'S CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT DEPICTED ON THESE PLANS. THE LANDSCAPE ARCHITECT AND ENGINEER ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATIONS OF ALL UTILITIES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

NOTE:

1) DRAINAGE FROM THE PROPOSED LOTS WILL BE CAPTURED AND DIRECTED TOWARDS EXISTING ROADWAY STORM DRAINS ALONG PLANTATION DRIVE. THESE DRAINS DISCHARGE INTO THE GOLF COURSE PONDS WHERE THE WATER IS TREATED.

2) ALL WATER AND SEWER SERVICES ARE LOCATED WITHIN THE RIGHT-OF-WAY OF PLANTATION DRIVE.

LOT TYPICALS



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

KOONTZJONESDesign
LAND PLANNING | LANDSCAPE ARCHITECTURE

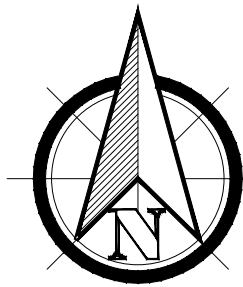
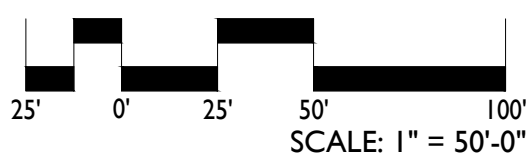
150 S PAGE STREET
SOUTHERN PINES, NC 28387
P: (910) 684-8467
W: www.koontzjonesdesign.com

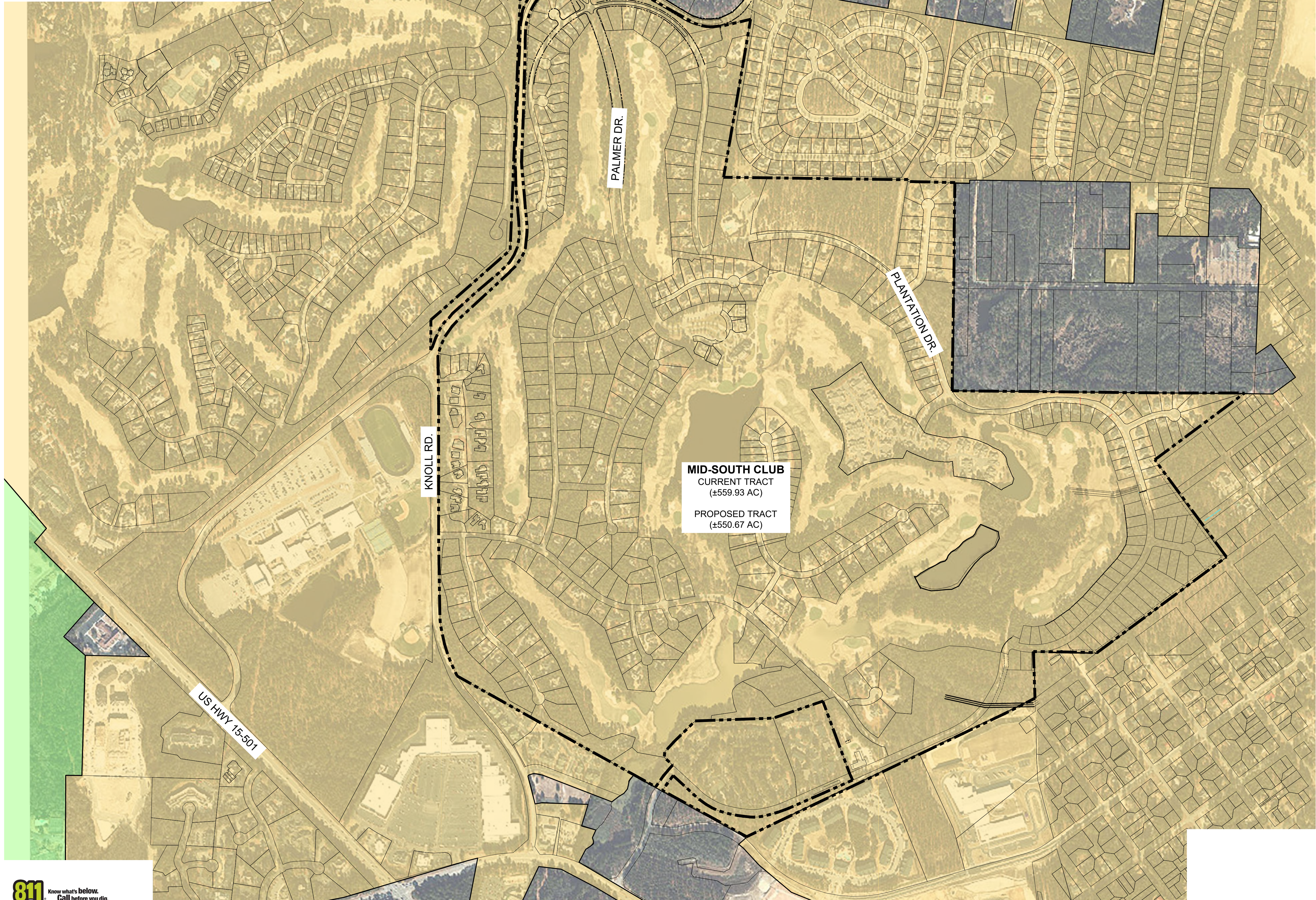
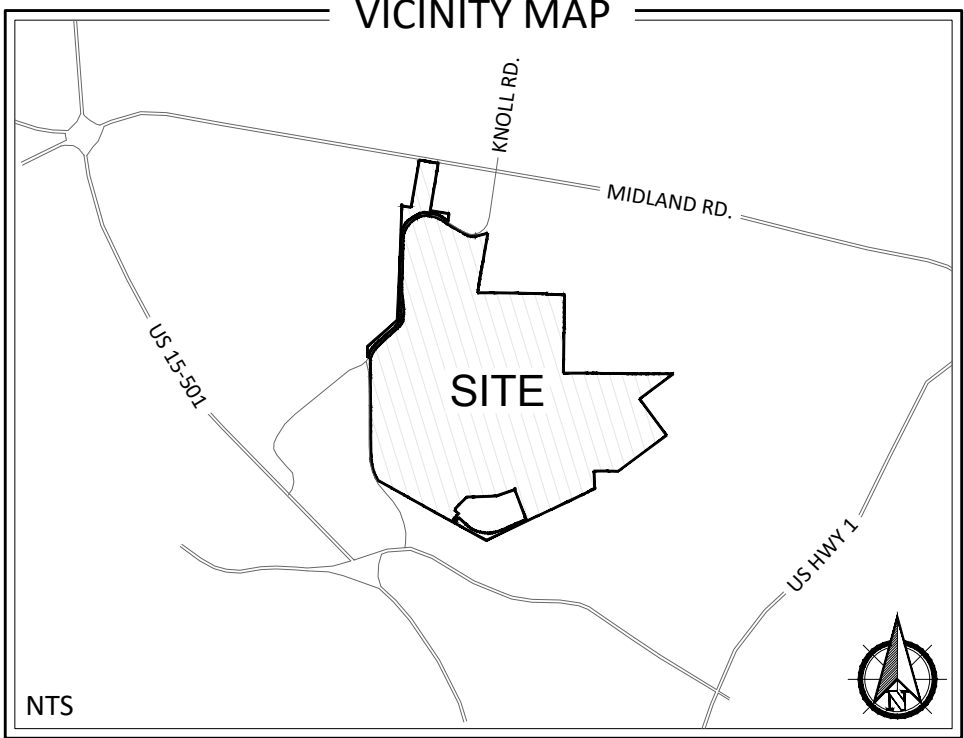
REVISIONS:

REVISIONS:

**MID-SOUTH CLUB
SPECIAL USE PERMIT - SITE PLAN
SOUTHERN PINES, NORTH CAROLINA
AREA A - PRELIMINARY PLAT**

DATE: 09-12-2022
DESIGNED BY: REK
DRAWN BY: PJS
CHECKED BY: REK
SCALE: 1" = 50'-0"
PROJECT #: KJ202017
SHEET NUMBER:
L-1.2





PROPERTY INFORMATION

PROPERTY OWNER(S):
PLANTATION INVESTORS, LLC
P.O. BOX 8000
PINEHURST, NC 28374-8000

(PORTION OF)
PARCEL ID: 0041026701 PIN: 857200264820
DB: 2069 PG: 533

APPLICANT:
PLANTATION INVESTORS, LLC
P.O. BOX 8000
PINEHURST, NC 28374-8000

EXISTING
TOTAL ACREAGE (MID SOUTH): ±559.93 AC

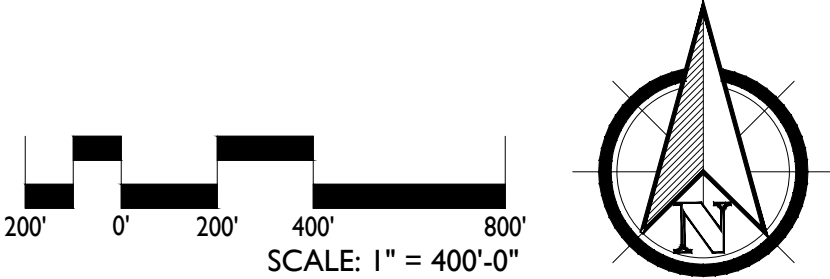
PROPERTY ACREAGE (TO BE EXCLUDED): ±9.26 AC

PROPOSED
TOTAL ACREAGE (MID SOUTH): ±550.67 AC

* OPEN SPACE FOR THE REVISE ACREAGE FOR MID SOUTH
PROPERTY WILL MEET AND/OR EXCEED THE REQUIRED OPEN
SPACE (±28.16 AC) AT FULL-BUILD OUT PER THE ORIGINAL
APPROVED SITE PLAN

LEGEND

- PROPERTY BOUNDARY
- TOWN OF SOUTHERN PINES
TOWN / ZONING JURISDICTION
- VILLAGE OF PINEHURST
VILLAGE / ZONING JURISDICTION



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

MID-SOUTH CLUB
SPECIAL USE PERMIT
SOUTHERN PINES, NORTH CAROLINA
OVERALL MASTER PLAN - ZONING LIMITS / JURISDICTION

DATE: 09-12-2022
DESIGNED BY: REK
DRAWN BY: PJS
CHECKED BY: REK
SCALE: 1" = 400'-0"
PROJECT #: KID22017
SHEET NUMBER:
L-2.0

KOONTZJONESDesign
LAND PLANNING | LANDSCAPE ARCHITECTURE
150 S PAGE STREET
SOUTHERN PINES, NC 28387
P: (910) 684-9467
W: www.koontzjonesdesign.com

REVISIONS:

Re-record

May

FOR REGISTRATION REGISTER OF DEEDS
JUDY D. MARTIN
MOORE COUNTY, NC
2002 SEP 24 02:36:06 PM
BK. 2069 PG. 533-543 FEE: \$39.00
INSTRUMENT # 2002017705

FOR REGISTRATION REGISTER OF DEEDS
JUDY D. MARTIN
MOORE COUNTY, NC
2002 AUG 09 04:03:21 PM
BK. 2038 PG. 181-189 FEE: \$35.00
INSTRUMENT # 2002014702

Excise Tax \$0

Tax Lot No _____ Parcel Identifier No _____

Verified by _____ County on the _____ day of August, 2002

by _____

Mail after recording to David R. Fricke, Esq. Hunton & Williams, Post Office Box 109, Raleigh,
N C 27602

This instrument was prepared by David R. Fricke, Esq

Brief description for the index

NORTH CAROLINA NON-WARRANTY DEED

THIS DEED made this 9th day of August, 2002, by and between **PLANTATION GOLF, LLC** (formerly known as Plantation Pinehurst Golf, LLC), a Delaware limited liability company having an address at c/o Credit Suisse First Boston Mortgage Capital LLC, 11 Madison Avenue, New York, New York 10010 ("**Grantor**"), and **PLANTATION INVESTORS, LLC**, a Delaware limited liability company having an address at having an address at 740-A NW Broad Street, Southern Pines, North Carolina 28387 ("**Grantee**") 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, hereby grants, bargains, sells, and conveys unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Southern Pines, McNeills Township, Moore County, North Carolina and more particularly described on Schedule A annexed hereto and made a part hereof

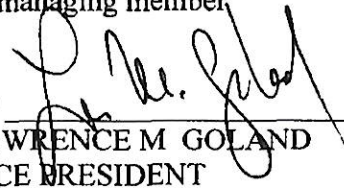
The property hereinabove described was acquired by Grantor by instrument recorded on November 3, 2000 in Book 1676, Page 72 in the Office of the Register of Deeds, Moore County, North Carolina

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 makes no warranty, express or implied, as to title to the property hereinabove described.

PLANTATION GOLF, LLC, a Delaware limited liability company

By **PTG Holdings, Inc**, a Delaware corporation,
its managing member

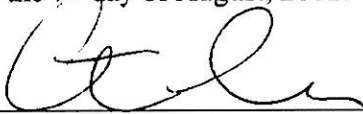
By 

LAWRENCE M GOLAND
VICE PRESIDENT

STATE OF NEW YORK)
) ss :
COUNTY OF NEW YORK)

I, a Notary Public for the County and State aforesaid, certify that LAWRENCE M GOLAND personally came before me and acknowledged that he is the Vice President of PTG Holdings, Inc , a Delaware corporation, which corporation is the managing member of Plantation Golf, LLC, a Delaware limited liability company, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its Vice President.

Witness my hand and notarial seal, this the 7th day of August, 2002.



Notary Public

My commission expires _____

ANTOINE KHADER
Notary Public, State of New York
No. 01KH6084840
Qualified in Suffolk County
Commission Expires October 1, 2005

The foregoing Certificate(s) of

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

_____ REGISTER OF DEEDS FOR _____ COUNTY

By _____ Deputy/Assistant-Register of Deeds

SCHEDULE A

Description of Property

All that certain lot or tract of land lying and being in Moore County, State of North Carolina, and being more particularly described as follows:

A certain tract or parcel of land in McNeills Township, Moore County, Southern Pines, North Carolina, bounded on the north by Midland Farms Subdivision and Midland Road (NC. Highway No.2), on the west by State Road No. 1905 and the properties owned by Pinehurst National Corporation and the Moore County Board of Education (Pinecrest High School Tract), on the southeast by Pine Street, the south by Pinecrest Plaza, the properties of Van Camp and others, and on the east by Westhaven Grove, the Eastman lands and others, being more particularly described as follows:

Tract I:

BEGINNING at a P.K. nail in the center of the pavement of State Road No. 1905, in the west line of Grantor's 451.8 acre Chatham Lumber Company Tract as described in a deed recorded in Deed Book 238, Page 205, Moore County Registry, said point of BEGINNING being located the following courses and distances from North Carolina Geodetic Survey Monument "Crest", S 66° 49' 06" E 3779.53 feet, S 61° 15' 56" E 76 48 feet, and N 00° 10' 14" W 455.52 feet to the point of beginning of this tract; running thence from the point of beginning as near the center of State Road No. 1905 and beyond N 00° 10' 14" W 2275.56 feet to a concrete monument, a common corner of this tract and the Pinehurst National Corporation Property as shown on plat recorded in Plat Cabinet 4, Slide 55 in the Moore County Registry; thence with the line of Pinehurst National Corporation N 49° 33' 56" E 24.20 feet to a concrete monument; thence N 49° 03' 21" E 767.13 feet to an iron stake; thence N 2° 06' 23" E 2387.79 feet to a concrete monument, the common corner with Pinehurst National Corporation as shown on plat recorded in Plat Cabinet 4, Slide 29 in the Moore County Registry; said corner also being the southwest corner of John Tighe's property as described in Deed Book 906, Page 365 in the Moore County Registry, also being the southern common corners of Lot 29 and Lot 31, Midland Farms Subdivision as shown on plat recorded in Map Book 2, Page 1 in the Moore County Registry; thence along and with the south line of John Tighe's property S 80° 11' 36" E 199.96 feet to a concrete monument; thence with the eastern line of John Tighe's property N 9° 44' 27" E 1000.43 feet to a concrete monument in the southern right-of-way of Midland Road (120 feet wide); thence along and with the southern right-of-way of Midland Road S 80° 09' 42" E 199.74 feet to an iron stake; thence S 80° 11' 52" E 199.92 feet to a concrete monument, said monument also being the northwest corner of Frank Connor's property described in Deed Book 1273, Page 169 in the Moore County Registry; thence leaving the road and running with the Connor line S 9° 42' 35" W 1000.17 feet to a concrete monument; thence with the Connor line S 80° 18' 39" E 400.01 feet to a concrete monument, the south common corner of Frank Connor and Brenda Bauer's property as described in Deed Book 1404, Page 235 in the Moore County Registry; said monument also being the north west corner of the Morrell tract; thence with the Morrell tract S 09° 42' 35" W 156.69 feet to an iron stake; thence S 58° 55' 00" E 397.14 feet to an iron stake; thence along a curve to the left, said curve having a radius of 315 feet, an arc distance of 612.32 feet, and a chord of N 65° 23' 47" E 520.37 feet to an iron stake; thence N 09° 42' 35" E 6.78 feet to a concrete monument at the current southern terminus of Knoll Road and also being the southeast corner of Lot 4, Mid-South Properties Inc. as shown on plat recorded in Map Book 4, Page 88 in the Moore County Registry; thence crossing Knoll Road S 80° 09' 23" E 60.03 feet to a concrete monument, the southwest corner of Lot 5, Mid-South Properties Inc. and the northwest corner of the "Otter Pond Tract" as described in Deed Book 1490, Page 172 in the Moore County Registry; thence with the eastern line of the "Otter Pond Tract" S 9° 49' 06" W 2127.40 feet to an iron stake; thence S 80° 32' 40" E 1556.20 feet to a concrete monument; thence N 02° 04' 55" E 813.96 feet to a concrete monument; thence S 88° 41' 47" E 364.95 feet to an iron stake, the northwest corner of the Town of Southern Pines property as described in Deed Book 467, Page 241; thence S 1° 42' 56" W 785.37 feet to an iron stake in the western line of Margaret Smith's property as described in Deed Book 636, Page 126 in the Moore County Registry; thence S 2° 20' 56" W 164.63

Tract I: (Continued)

feet to an iron stake; thence S 02° 19' 51" W 642.07 feet to an iron stake; thence S 88° 00' 47" E 789.52 feet to an iron stake in the south line of Jonathan Waddell's property as described in Deed Book 359, Page 12 in the Moore County Registry; thence S 88° 50' 26" E 1515.10 feet to an iron stake, the northeast corner of the former J.V. Jessup Construction Company, Inc., 30.913 acre tract described in a deed recorded in Deed Book 375, Page 440 in the Moore County Registry; thence S 53° 32' 11" W 872.41 feet to an iron stake; thence S 36° 25' 53" E 949.78 feet to an iron stake in the northern right-of-way of Pine Street; thence along and with the northern right-of-way of Pine Street S 53° 30' 36" W 539.69 feet to a concrete monument; thence S 53° 32' 49" W 718.63 feet to a concrete monument; thence leaving said Pine Street right-of-way N 89° 09' 23" W 636.19 feet to an iron stake; thence S 22° 27' 19" E 393.66 feet to an iron stake in the northern right-of-way of Pine Street; thence leaving said Pine Street right-of-way S 64° 29' 33" W 2496.56 feet to an iron stake (the tie line corner to the Tanglewood Apartment Tract); thence N 61° 14' 36" W 1196.33 feet, crossing SR. No. 1927 to a concrete monument; thence N 61° 15' 56" W 1371.94 feet to a concrete monument in the eastern right-of-way of State Road No. 1905; thence along and with the eastern right-of-way of SR. No. 1905 as it curves to the right, said curve having a radius of 1079.80 feet, arc distance of 585.17 feet, and a chord of N 15° 39' 05" W 578.04 feet to an iron stake; thence S 89° 49' 46" W 29.63 feet to the point and place of beginning, containing 553.24 acres, more or less and being the same property described in Deed Book 1676, Page 372 in the Moore County Registry.

TOGETHER WITH the easements and rights granted pursuant to that certain Declaration of Covenants, Conditions and Restrictions of Pinchurst National East Development recorded at Deed Book 878, Page 180 as amended at Deed Book 1057, Page 177 and at Deed Book 1160, Page 90 and the Covenants, Declarations and Restrictions for Birkdale Village Pinchurst Plantation Golf Club recorded at Deed Book 1232, Page 384, all in the Moore County Registry. Also a perpetual easement for ingress, egress and regress, consisting of an easement 60 feet in width extending from the southwest corner of John Tighe's property, being the southwest corner of Lot 31, Midland Farms Subdivision as shown on plat recorded in Map Book 2, Page 1 in the Moore County Registry and extending to the east line of a 60 foot wide road between Lots 27 and 29, Midland Farms and as described in a deed recorded in Book 513, Page 322, Moore County Registry, and that certain Encroachment Permit related thereto as described in deed recorded in Deed Book 615, Page 432, aforesaid records.

EXCEPTING from the above described tract is a tract containing 18.02 acres encompassing the Tanglewood Apartment Development, described as follows:

BEGINNING at an iron stake in the northern right-of-way of Windsong Drive, said iron stake being located N 45° 46' 45" E 367.95 feet from the most southerly corner of the above-described 553.24 acre tract (previously designated as the tie corner to the Tanglewood Apartment Tract); running thence from the beginning with the northern right-of-way of Windsong Drive as it curves to the right, said curve having a radius of 583.68 feet, an arc distance of 674.31 feet, and a chord of N 80° 41' 20" W 637.43 feet to an iron stake; thence continuing with the northern right-of-way of said road and beyond, N 47° 35' 37" W 367.87 feet to an iron stake in the Moore County Sewer Line Easement as described in Deed Book 393, Page 19 in the Moore County Registry; thence N 32° 34' 20" W 42.79 feet to an iron stake; thence N 36° 36' 35" E 105.00 feet to an iron stake; thence N 46° 09' 17" E 237.92 feet to an iron stake; thence N 87° 58' 11" E 610.00 feet crossing the Moore County Sewer Line to an iron stake; thence N 71° 02' 15" E 412.63 feet to an iron stake; thence S 20° 21' 16" E 600.71 feet to an iron stake in the northwest right-of-way of Windsong Drive; thence along and with the northern right-of-way of Windsong Drive S 66° 12' 57" W 567.19 feet to the point and place of beginning, containing 18.02 acres more or less.

SAVE and excepting the following residential lots previously conveyed to third parties:

Phase 1A: Lots 1056, 1057, 1058, 1059, 1060, 1061, 2090 & 2091 Recorded in Plat Cabinet 5, Slide 281.

Tract I: (Continued)

Phase 1A: Lots 1092, 1093, 1094, 1095, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1108, 1109, 1110, 1111, 1113, 1114, 2152, 2153, 2154, 2184, 2185, 2186, 2187, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2208, 2209 & 2210 Recorded in Plat Cabinet 5, Slide 282.

Phase 1B: Lots 1065, 1066, 2082, 2083, 2084, 2085, 2086, 2087, 2088 & 2089 Recorded in Plat Cabinet 5, Slide 302.
Lots 1116, 1117, 1118, 1119, 1122, 1123, 1124, 1125, 1126, 1130, 1137, 1138 & 2132 Recorded in Plat Cabinet 5, Slide 303.
Lots 1127, 1128, 1129, 1134, 1135, 1140, 1141, 1142, 2131, 2133, 2136, 2139, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150 & 2151 Recorded in Plat Cabinet 5, Slide 303.

Phase 1C: Lots 1069, 1070, 1071, 1072, 1073, 1074, 1075, 2077, 2078, 2079, 2080 & 2081 Recorded in Plat Cabinet 5, Slide 298.
Lots 2159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1174, 2155, 2156, 2157, 2158, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2205, 2206 & 2207 Recorded in Plat Cabinet 5, Slide 299.

Phase 1B: Lot 1115R, Recorded in Plat Cabinet 5, Slide 693.

Phase 1D: Lots 1001, 1002 & 1003, Recorded in Plat Cabinet 5, Slide 715.

Phase 1D: Lots 239, 240, 241, 242 & 102, Birkdale Village, Recorded in Plat Cabinet 6, Slides 404.

ALSO CONVEYED hereby is an easement which allows access over the platted and planned roads of the subdivision known as Pinehurst Plantation, Moore County, North Carolina, As shown on plats recorded in office of the Town Southern Pines and the register of Deeds Office.

EXPLANATION STATEMENT TO CORRECT A MINOR ERROR MADE IN THE
ATTACHED INSTRUMENT AS ORIGINALLY RECORDED

NAMES OF ALL PARTIES TO THE ORIGINAL INSTRUMENT

GRANTOR Plantation Golf, LLC

GRANTEE. Plantation Investors, LLC

Recorded in Book No. 2038, Page 181-189, Moore County Registry

The undersigned, hereby certifies that he prepared the attached Deed and the following correction is made in the recorded instrument in accordance with the provisions of G S. 47-36 1

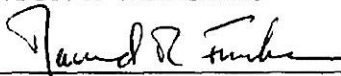
DESCRIPTION OF CORRECTION

Plantation Investors, LLC was inadvertently referred to as a Delaware limited liability company.
Plantation Investors, LLC, is a North Carolina limited liability company.

This the 19th day of September, 2002

HUNTON & WILLIAMS

By.



David R. Fricke



JUDY D. MARTIN
REGISTER OF DEEDS, MOORE
JUDICIAL BUILDING
100 DOWD STREET
CARTHAGE, NC 28327

Filed For Registration: 08/09/2002 04:03:21 PM

Book: RE 2038 Page: 181-189

Document No.: 2002014702

DEED 9 PGS \$35.00

Recorder: REGINA GARNER

State of North Carolina, County of Moore

The foregoing certificate of ANTOINE KHADER Notary is certified to be correct. This 9TH of August 2002

JUDY D. MARTIN , REGISTER OF DEEDS

By: *Janette B. Chisholm*
Deputy Assistant Register of Deeds

2002014702
2002014702



JUDY D MARTIN
REGISTER OF DEEDS, MOORE
JUDICIAL BUILDING
100 DOWD STREET
CARTHAGE, NC 28327

Filed For Registration: 09/24/2002 02:36:06 PM

Book: RE 2069 Page: 533-543

Document No.: 2002017705

DEED 11 PGS \$39.00

Recorder. REGINA GARNER

State of North Carolina, County of Moore

JUDY D. MARTIN , REGISTER OF DEEDS

By. Regina Garner
Deputy/Assistant Register of Deeds

2002017705
2002017705

APPOINTMENT OF AGENT

Bob Levy &
Koontz Jones Design, PLLC

The undersigned owner(s), Plantation Investments LLC, hereby appoint(s) _____ as the exclusive agent for the purpose of making an application to the Town of Southern Pines for a Special Use Permit on the property described in the attached application. The owner(s) hereby agree 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 issuance of a Special Use Permit on the subject property; and
4. to act on behalf of the owner(s) without limitations with regard to any and all things directly or indirectly connected with or arising out of any application for a Special Use Permit under the Southern Pines Unified Development Ordinance.

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

Signed this 12th day of September, 2022.

Bill Perry Managing Member
Property Owner

Property Owner

Auty H.
Agent
[Signature]

8-27-21

VOIT GILMORE TRACT

Southern Pines, North Carolina
July, 1988

MASTER PLAN DESIGN TEAM

Palmer Course Design Company
Golf Course Architects
Ponte Vedra Beach, Florida

Edward D. Stone, Jr. and Associates
Planners and Landscape Architects
Wilmington, North Carolina

DEVELOPED BY:
L.F. Rossignol Development
Corporation of North Carolina
Raleigh, North Carolina

VOIT GILMORE TRACT

SINGLE FAMILY RESIDENTIAL (6.4-4)

Zoning and Ownership

The site is presently zoned in the Town of Southern Pines under the classification of Residential Single Family (RS2-CD). The property is currently owned by Voit Gilmore/Storey Corporation with the ownership being transferred to L.F. Rossignol Development Corporation prior to construction. The development will be private and, as such, will be maintained by a Homeowner's Association.

Planning Objectives

The Voit Gilmore Tract is to be a private residential development constructed around an eighteen hole golf course. The single family phase of the development will be complemented in future submissions with cottage lot and multi-family development. The single family area and roadway system are to be developed with minimal disturbance to the existing pine forest and topography. A feeling of natural openness is to be created throughout the development. An overall theme of old country charm will be promoted throughout the development in the architecture, fencing and landscape treatment. The single family lots have been designed to take advantage of the best views of golf and water amenities.

Development Schedule

Construction of the single family residential and roadway system is expected to begin immediately upon Conditional Use Permit approval and all related state agency approvals. Construction and completion of the extension of Knoll Road will occur simultaneously. Clearing and grading of the entrance drive from Midland Road to Knoll Road is scheduled to begin in mid September, 1988 and be completed by December 1, 1988. Construction of Knoll Road to the main entrance corridor is scheduled to take place from the first of October to mid December, 1988. The main entrance corridor shall be under construction from November 1, 1988 to April 1, 1989. Construction of the single family residential circulation is scheduled to begin mid November, 1988 with utility installation occurring in mid December and paving in March, 1989. Landscaping would begin as soon as the paving is completed. The main entrance corridor, Knoll Road Extension and loop road system are proposed to be open for traffic by October 1, 1989. In addition, the first lots within the single family residential would be available for sale at the same time.

Development Data

The single family residential development comprises approximately 60% of the total residential density. Developed on ± 208.70 acres and with a density of 1.85 du/ac, 383 lots are proposed with 187 on golf fairways, 11 on water and the remaining 185 in wooded areas. Two minimum sizes of lots are proposed: 110' x 180' lots along the golf fairways and 120' x 160' lots away from the fairways. Approximately 178.6 acres of golf will be developed throughout the single family residential with an additional ± 25.5 acres of lakes and ± 28.20 acres of natural area/open space between the golf and residential lots. Approximately 43.20 acres of road R.O.W. is laid out through the single family area.

Buildings, Structures and Improvements

All single family dwelling units will be submitted for site plan review prior to obtaining building permits at the time of construction. The density for the single family development is 1.85 d.u./acre.

Natural Areas and Open Space

The golf course, which meanders through the single family residential, is comprised of ± 178.60 acres, of which ± 45.1 acres will not be cleared and will remain in a natural state. An existing ± 8 -acre lake is the central focus of the site; however, an additional ± 15 acres of lakes are to be created. All areas between the golf course corridors and the backs of residential lots or property buffer shall remain as Natural Area/Open Space. Comprised of approximately 28.20 acres, the Open Space areas shall have walking/jogging trails developed within for use by all residents.

Traffic/Circulation

The extension of Knoll Road has been proposed abutting the north and west sides of the Voit Gilmore Tract. The funding and construction of the Knoll Road Extension will be completed as a part of the development of the Voit Gilmore Tract. The main project entrance is located off Midland Road; however, a secondary entrance has been located at the southwest corner of the project on Pinecrest School Road. Both entrances are to be gated with a manned guardhouse at the main entrance. All construction and service traffic will enter/exit from this secondary access which connects to Morganton Road. Service traffic to the golf maintenance area will use Windsong Drive which will be abandoned beyond Tanglewood Apartments. The only proposed crossover on Midland Road would be at the Knoll Road intersection. No crossover at Dr. Neil Road across from the main entrance is proposed or advocated. Any traffic leaving the Voit Gilmore Tract via the

main entrance will be required to turn right (east) on Midland Road. In addition, north bound traffic on the Knoll Road extension will not be allowed to turn left at the main entrance, but will continue on Knoll Road to Midland Road. All streets within the development will be private and, as such, will be maintained by a Homeowner's Association. Each single family lot will be served by a private driveway.

Landscaping and Buffering

Every effort will be made to preserve as many trees as possible. Special measures such as tree wells, retaining walls, etc. shall be employed where grade changes are required close to existing trees.

A minimum 25' buffer screen will be established around the perimeter of the site. All existing plant material shall remain in buffer. In addition, the area between the cleared golf corridor and the back of residential lot lines shall remain as a natural buffer. In areas where plant material is removed due to necessity or no plant material exists, supplemental landscaping may be installed to enhance and/or create the buffer screening. Buffer plant material will be predominantly evergreen used in conjunction with native flowering trees and shrubs.

Brick/wrought iron/wood, and chainlink fencing shall be installed around the perimeter of the site. Project entrances shall be buffered with walls. The walls are to be of a stone/brick construction with a height of five to eight feet. Fencing is intended to be a compatible buffering treatment with the project entrance walls and landscaping. The height of fence will be a minimum of five feet. The main entrance corridor from Midland Road to the Clubhouse area is to be heavily landscaped with native flowering/ornamental plant material. The corridor is a boulevard with a landscaped median.

All landscaping requirements shall conform to or exceed the Southern Pines Zoning Ordinance, Section 11 - Landscaping and Buffer Requirements.

In addition, the landscaping is intended to promote compatible and continuous landscape treatment and buffering throughout the site. More specifically, the standards are intended to provide for a neat and well maintained appearance throughout the single family area, as it blends in with the golf course, the surrounding courses of Pinehurst National and Starland Farms, and the adjacent residential development to the north along Midland Road.

Minutes

Regular Meeting of the Southern Pines Town Council

Tuesday, September 13, 1988, 7:00 P.M., Council Chambers

C. CU-08-88 Voit Gilmore (PRD)

Request for a conditional use permit to allow 383 single family lots as a Planned Residential Development (PRD) as part of the Pinehurst Plantation Golf development. The development is to be located on the south side of Midland Road between Pinehurst National Golf Club and the proposed Carolina Retreat Development.

The petitioner is requesting a Conditional Use Permit for a 647-unit Planned Residential Development located east of the Pinehurst National Golf Development and south of Midland Road. The petitioner is requesting initial approval for 383 single-family lots as first phase of the residential development. The petitioner will be submitting, at a later date, the site plans for the zero lot line cottage units and multi-family townhouse units as a separate approval by the Planning Board and Town Council.

The developer will be required to have site plan approval for the zero lot line patio home lots and multi-family townhomes. The current request for approval of the single-family lots will also serve as preliminary subdivision plat for the single-family lots only.

Public hearing comments were generally favorable toward the request. The developer informed the staff that they will be providing a revised plan that will show 384 lots instead 383 as currently shown on the CUP proposal. 384 was the approved density in the rezoning request. This should not present a significant change from the present site plan.

Councilman Daniels made a motion to approve CU-08-88 provided a revised site plan is submitted denoting the additional lot. Motion was seconded by Councilman Clark and carried unanimously.

D. S-05-88 Middleton Place, Phase 5, Page 2

Request for final plat approval for units 29 and 30 of Middleton Place located on the northeast corner of the intersection of Pee Dee Road and Midland Road.

Middleton Place received Conditional Use approval on January 10, 1984 for 65 detached/attached single-family residential units. The petitioner is requesting final plat approval for Phase 5, Page 2 of this development.

Councilman Clark moved to grant S-05-88. Motion was seconded by Councilman Daniels and carried unanimously.

E. S-06-88 Knollwood Village Townhouses, Units 167-172

Request for final plat approval for units 167-172 of the Knollwood Village addition located on the western portion of the existing Knollwood Village development.

The Knollwood Village addition (units 159-218) received Conditional Use approval on September 13, 1988. The petitioner is requesting final plat approval for lots 167-172.

CU-08-88 Voit Gilmore (Pinehurst Plantations)

Petitioner: L.F. Rossignol Developement Group
4020 Westchase Blvd., Suite 222
Raleigh, N.C. 27607

Property Owner: Voit Gilmore
901 Chinquapin Road
Pinehurst, N.C. 28374

Property Location: Located on the south side of Midland Road,
between Midland Road and Morganton Road.
(Tax Map McNeill Out 85 and Mineral Springs 86)

Property Acreage 535.58 acres

Current Zoning: RS-2 (CD)

Surrounding Land Uses: North - Pinehurst jurisdiction, single-family
lots zoned RA, vacant property zoned RSD (CD)
East - Vacant property zoned RSD(CD), single-
family zoned RS-1
South - Apartments zoned RM-3, vacant RA
West - Pinecrest High School zoned PC
Pinehurst National Zoned RS-3 (CD)

Request: The petitioner is seeking a Conditional Use
Permit based on Section 6-4.4, Planned Residential
Developments, of the Southern Pines Zoning
Ordinance.

Analysis of Request

The petitioner is requesting a Conditional Use Permit for a 647-unit Planned Residential Development located east of the Pinehurst National Golf Development and south of Midland Road. The petitioner is requesting intitial approval for 383 single-family lots as first phase of the residential development. The petitioner will be submitting, at a later date, the site plans for the zero lot line cottage units and multi-family townhouse units as a separate approval by the Planning Board and Town Council.

Development Impact

A. Density
Permitted 1,165 units
Proposed 647 units
Request/Single-family 383 units

B. Land Use (Request)
Single-family 208.70 acres

The developer will be required to have site plan approval for the zero lot line patio home lots and multi-family townhomes. The current request for approval of the single-family lots will also serve as preliminary subdivision plat for the single family lots only.

Public Hearing Comments

Public hearing comments were generally favorable toward the request. The developer informed the staff that they will be providing a revised plan that will show 384 lots instead 383 as currently show on the CUP proposal. 384 was the approved density in the rezoning rerquest. This should not present a significant change from the present site plan.

Planning Board and
Staff Recemmendation:

Grant the request on the condition that a revised
site plan is submitted and approved.

August 30, 1988

CONDITIONAL USE PERMIT

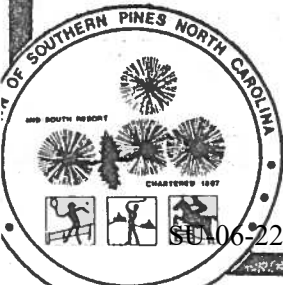
The Town Council of the Town of Southern Pines, North Carolina, having held a meeting on the 13th day of September, 1988, to consider case number CU - 08 - 88, application being made by Pinehurst Plantations, a request for a Conditional Use Permit to develop the property located between Midland Road and Tanglewood Apts., more specifically described as lot(s) number 2 & 3, block(s) number 1 & 5, of Moore County Tax Map # 85 & 86, McNeill Out & Mineral Spg Township, for the purpose of developing a mixed use golf development consisting of single and multi-family uses., and having heard all the evidence and arguments presented at the public hearing, makes the following findings:

1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plans as approved;
2. That the use meets the required conditions;
3. That the use will not substantially injure the value of adjacent or abutting properties, or that the use is a public necessity;
4. That the location and character of the use if developed according to the plans as submitted and approved, will be in harmony with the area in which it is located and in general conformity with the plan of development of Southern Pines and its environs.

Therefore, because the Town Council concludes that all of the specific and general conditions precedent to the issuance of a Conditional Use Permit have been satisfied, it is ordered that the application for the issuance of a Conditional Use Permit be granted, subject to the following conditions:

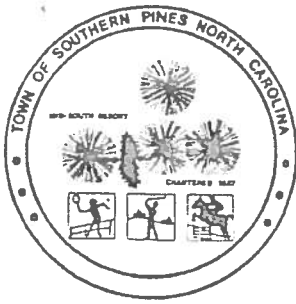
1. The applicant(s) shall fully comply with all of the specific requirements stated in the Zoning Ordinance for the proposed use, as well as any additional conditions stated below.
2. If any of the conditions stated below shall be held invalid, then this permit shall become void and of no effect.
3. The land must be developed in accordance with the site plan submitted and approved.
4. Other: All club cottage and multi-family sites must have site plan approval from Planning Board and Town Council.

Approved the 13th day of September, 1988, by the Town Council of the Town of Southern Pines, North Carolina.



Bart S. Nichols
Authorized Signature

Planner 9/20/88



Town of Southern Pines

POST OFFICE BOX 870
SOUTHERN PINES, NORTH CAROLINA 28387

June 17, 1988

Mr. Ben Green
L.E. Rossignol Dev. Corp.
4020 West Chase Blvd.
Suite 222
Raleigh, N.C. 27607

RE: Rezoning Request, Voit Gilmore Tract
Case #Z-15-87

Dear Mr. Green:

The Southern Pines Town Council, at its meeting on June 14, 1988, voted to approve your request to rezone 535 acres located on the south side of Midland Road from RA, RS-2, RM-3, RSMH to RS-2 (CD) for the purpose of developing a mixed use project consisting of an 18-hole golf course and accessory facilities with single and multi-family development. The town will need a metes and bounds description of the property from you before the rezoning becomes official.

In order to proceed with the project, the following steps should be followed:

1. A Conditional Use Permit (CUP) for any aspect of the residential development, the golf course must be obtained. An application for a CUP may involve all or a portion of the proposed uses delineated on the approved master site plan. Applications for a CUP should adhere to the submission requirements of either Section 6-4.4, Planned Residential Developments or Section 6-4.10, Golf Courses, depending on the nature of the particular phase being initiated.
2. A CUP will be necessary for each phase proposed to be initiated. The CUP process involves a public hearing, planning board review, and town council approval. The time frame for securing a CUP is normally about 60 days from application submission to approval.
3. Each CUP or site plan approval requested must adhere to the master site plan as originally approved or as amended with concurrence of the Town Council. Amendments to the master site plan will follow the same procedures as the CUP Process.
4. The final site plan for each phase initiated need only include the necessary support documentation (i.e., floor plans, building elevations, and landscape plans) for that particular phase.

Should you have further questions regarding the process for proceeding with the Voit
Gilmore Tract development, please advise.

Sincerely,

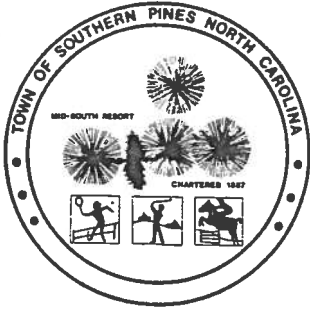
TOWN OF SOUTHERN PINES

A handwritten signature in cursive script that reads "Bart S. Nuckols".

Bart S. Nuckols
Planner

BSN/jm

CC: Jim Holshouser, Attorney at Law
John Wood, EDSA



Town of Southern Pines

POST OFFICE BOX 870
SOUTHERN PINES, NORTH CAROLINA 28387

December 6, 1988

Mr. Ben Green
L. F. Rossignol Development Corporation
4020 West Chase Blvd., Suite 222
Raleigh, North Carolina 27607

REFERENCE: Pinehurst Plantation Minimum Lot Area Requirement

Dear Mr. Green:

This letter is in reference to an inquiry by your office concerning the minimum lot area requirements of Pinehurst Plantation. I hope this will clarify any confusion that may have occurred.

Pinehurst Plantation received a Conditional Use Permit (C.U.P) under the planned residential development (P.R.D) requirements of the Southern Pines Zoning Ordinance. The P.R.D allows for a variance in the minimum lot area requirements if approved by the Planning Board and Town Council. The following minimum lot area requirements were approved with the C.U.P. as originally proposed by L. F. Rossignol Development Corporation. Golf fairway lots will be approximately 110' x 180' or 19,800 square feet and all other lots will be approximately 120' x 160' or 19,200 square feet.

If you should have any further questions, please advise.

Sincerely,

TOWN OF SOUTHERN PINES

Bart S. Nuckols
Planner

kd

cc: John Wood, E.D.S.A.

CU-08-64
 (supersedes the plan dated July 12, 1986 through dated earlier)

DEVELOPMENT DATA

SINGLE FAMILY		± 208.70 ac
Golf Lots	188	
Lake Lots	13	
Wooded Lots	<u>183</u>	
	384	
COTTAGES		± 22.08 ac
Golf Lots	59	
Lake Lots	20	
Wooded Lots	<u>40</u>	
	119	
MULTI-FAMILY	<u>144</u>	± 15.84 ac
TOTAL UNITS	647	
CLUBHOUSE & RECREATION AMENITY COMPLEX		± 8.20 ac
GOLF COURSE		± 178.60 ac
GOLF MAINTENANCE LAKES		± 2.00 ac
OPEN SPACE/NATURAL AREAS/UTILITY EASEMENTS		± 25.50 ac
ROAD R.O.W.	80'	± 28.16 ac
	50'	± 5.40 ac
	40'	± 19.20 ac
		<u>± 21.90 ac</u>
TOTAL		± 535.58 ac

PARKING

All parking for residential development shall be provided in accordance with Section 6-4.4 Planned Residential Developments and Sections 8 and 9 of the Southern Pines Zoning Ordinance.

All parking for the Clubhouse and Recreation Amenity Complex shall be provided in accordance with Section 6-4.10 Golf Courses, and for Country Clubs and Sections 8 and 9 of the Southern Pines Zoning Ordinance.

LANDSCAPING & BUFFERING

Every effort will be made to preserve as many trees as possible. Special measures such as tree wells, retaining walls, drain fields, etc. should be employed where grade changes are required close to existing trees.

A minimum 25' buffer screen will be established around the perimeter of the site. All existing plant material shall remain in buffer. In areas where plant material is removed due to necessity or no plant material exists, additional landscaping will be installed to enhance and/or create the buffer screening.

All landscaping requirements shall conform to or exceed the Southern Pines Zoning Ordinance.

In addition, the landscaping is intended to promote compatible and continuous landscape treatment and buffering throughout the site. More specifically, the standards are intended to provide for a neat and well maintained appearance in areas not covered by buildings or parking, and minimize the adverse visual and environmental impact of large paved areas.

PROPOSED PHASING

Opening of Golf Course, Clubhouse and Recreation Amenity Complex is proposed for October, 1989.





Agenda Item

To: Planning Board

From: Pamela Graham, Principal Planner

Subject: SU-07-22 Special Use Permit for the Development of Ten Guest Cottages on a +/-9.48 Acre Property Located on the West Side of Country Club Circle Between Spring Road and Ridge Street: Owner/Applicant: Mid-Pines Development Group, LLC; Authorized Agent: Bob Koontz, Koontz Jones Design

Date: November 17, 2022

I. SUMMARY OF APPLICATION REQUEST:

On behalf of Mid-Pines Development Group, LLC, Mr. Bob Koontz with Koontz Jones Design has submitted an application for a special use permit for the development of ten guest cottages on a portion of property that formerly served as the Southern Pines Elks Club Facilities, also known as the Southern Pines Country Club. The addition of guest accommodations to an existing private golf course requires a special use permit in the Facilities, Resource, and Recreation (FRR) Zoning District per the Town's Unified Development Ordinance (UDO).

The development proposal is for ten detached golf cottage temporary dwellings housing a total of fifty-six guest rooms with associated parking and amenities such as a putting green and practice tee. No subdivision of property is proposed for the site, which constitutes a portion of the +/-292.11 total acreage of the property. The subject property is identified as PIN: 858100121842 (PARID: 00048946).

II. PROJECT INFORMATION:

A. Property Owner & Applicant Information:

i. Property Owner(s):

Mid Pines Development Group
c/o Kelly Miller
PO Box 88
Southern Pines, NC 28388

ii. Applicant:

Mid Pines Development Group
c/o Kelly Miller
PO Box 88
Southern Pines, NC 28388

- iii. **Authorized Agent:**
Koontz Jones Design
Bob Koontz
150 S. Page Street
Southern Pines, NC 28387

B. Project History and Site Information:

- i. **Location:**
The subject property is located southwest of downtown Southern Pines and borders developed residential areas in Southern Pines along the South and East, residential areas in Aberdeen to the southwest, and the CSX Rail corridor to the west. (See Figures 1 and 2).
- ii. **Zoning:**
The zoning of the subject parcel is Facilities, Resource and Recreation (FRR), consistent with remainder of the former Elks Club property.
- iii. **Future Land Use Map Designation:**
The subject parcel is designated as Residential/Golf on the Future Land Use Map. *Per the CLRP, the Residential/Golf designation applies to areas that include public or private golf courses and residences. This category may accommodate a single family or attached dwellings at a variety of densities, recreational facilities in addition to the golf course, limited guest accommodations, and limited commercial services intended to serve residents of and visitors to the development.*

Figure 1: Zoning and Location Map:

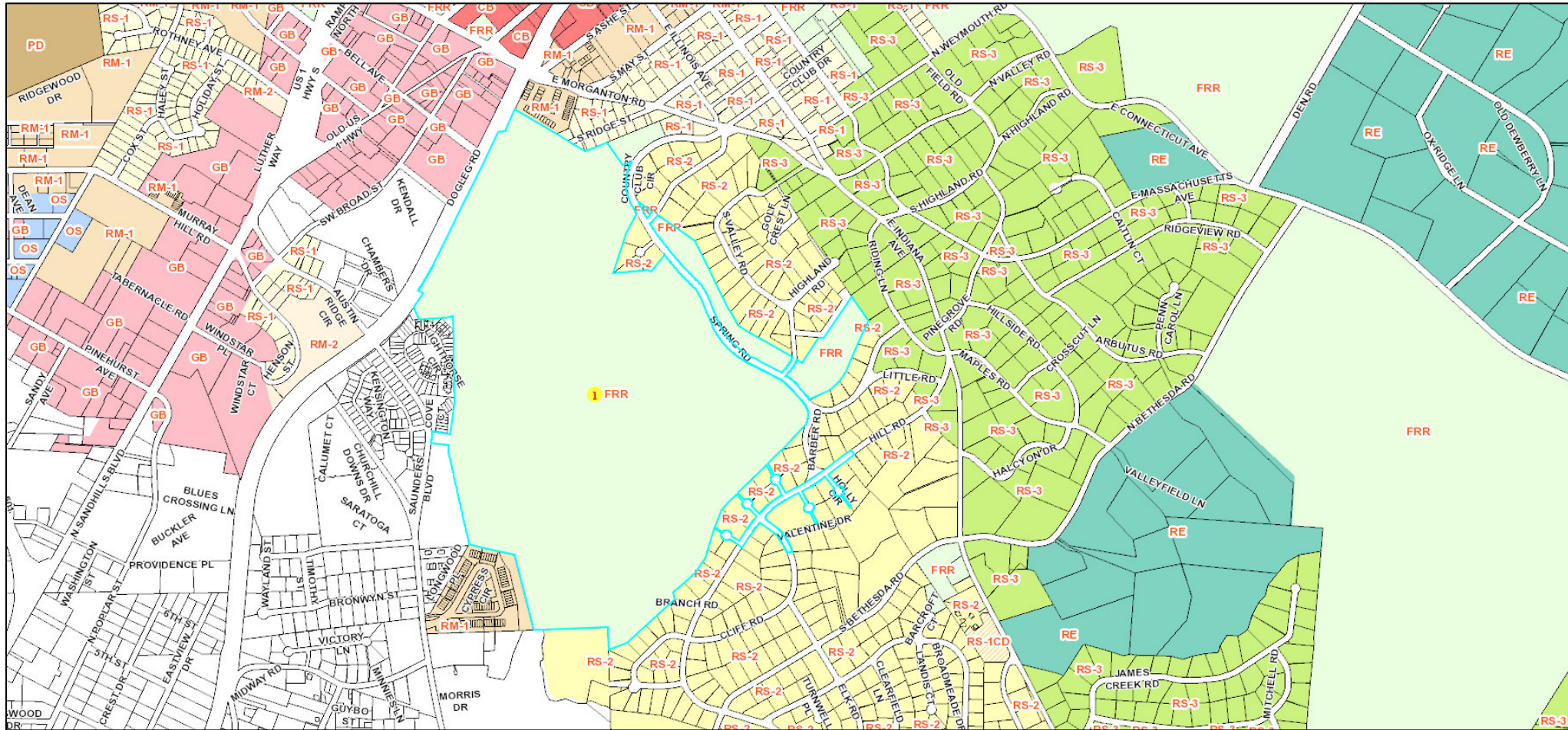
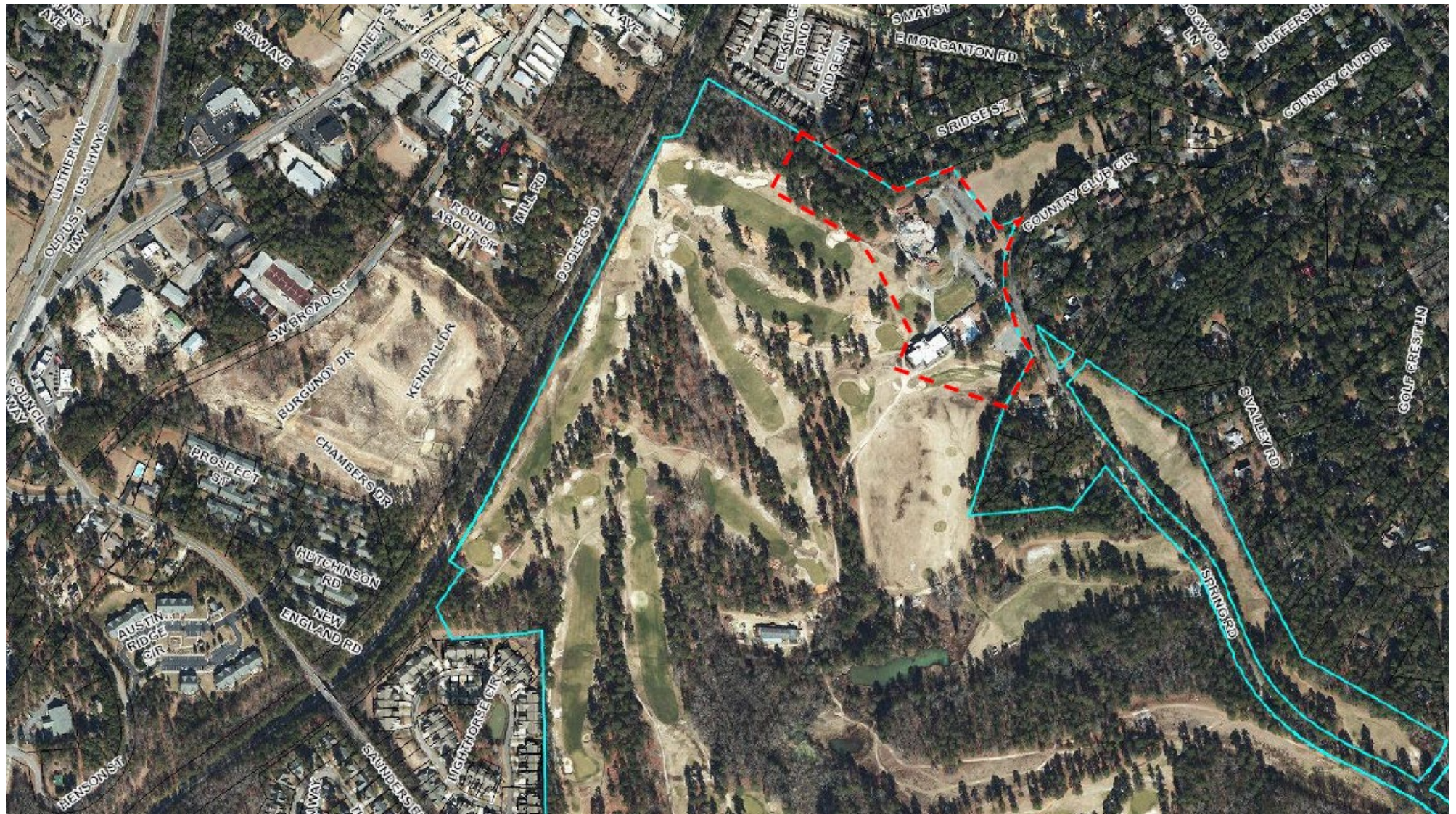


Figure 2: Immediate Vicinity Map (Approximate Project Area Boundary Indicated by Dashed Red Line):



III. STAFF REVIEW:

A. Application Review Dates:

- TRC Pre-Application Review: September 28, 2021
- Special Use Permit SU-07-22 Application Submitted: October 10, 2022
- Application Deemed Complete: October 14, 2022
- Notice of Planning Board Public Hearing:
 - Posted On-site: October 27, 2022
 - Mailed: October 27, 2022
 - Internet: October 26, 2022
 - Published: N/A for SUP
- Planning Board Agenda Meeting: November 10, 2022 (Meeting Not Held)
- Planning Board Preliminary Forum: November 17, 2022

B. Process of Review:

The procedures for review and approval of a Special Use Permit, per UDO §2.21, establish a process and standards to approve certain uses that, because of unique characteristics or potential impacts on adjacent land uses, are not permitted in zoning districts as a matter of right.

C. Standards for Review:

The following UDO standards apply to the review of this special use permit:

- i. Special Use Permit Criteria, UDO §2.21.6 (A-F)
- ii. FRR Zoning District Standards, UDO §3.5.13
- iii. Various Standards, UDO Chapter 4

D. Criteria for Review:

Compliance with the UDO:

i. Compliance with Special Use Permit Criteria – UDO §2.21.6 (A-F):

A Special Use is permitted only if the applicant demonstrates that:

- A. *The proposed special use shall comply with all regulations of the applicable zoning district and any applicable supplemental use regulations;*

The applicant's Justification document (attached) states the following: "The existing zoning for the property is Facilities, Resource and Recreation (FRR). This district permits a wide variety of uses including 'golf resorts and related facilities...and recreational facilities that typically include substantial open space.' The proposed lodging use replaces the previous Elks Lodge structure and adds very little built-upon area to the site while preserving much of the approximately 292.11-acre property. With the demolition of the former lodge and the installation of the large practice putting green, impervious surface increases by only +/- 5,200 sf or .04% the overall property. The area of the property impacted by this Special Use Permit application will include

approximately 9.48 acres of the +/-292.11-acre property. The proposed cottages will meet or exceed all regulations within the UDO related to the FRR district and other sections of the UDO, including setbacks, buffers and landscaping.”

The FRR Zoning District is described in the UDO §3.5.13 as being “intended for open space, public facilities and privately owned and recreation areas. Publicly owned land uses include governmental, recreational, education, natural resource and utility facilities. Privately owned land uses include golf resorts and related facilities, land trusts established to preserve natural resources, schools and recreational facilities that typically include substantial open space”.

The objectives of the FRR District are to:

- (1) Provide land for publicly-owned governmental facilities and privately-owned natural and man-made resource and recreation areas; and
- (2) Preclude major residential, retail office, institutional, and industrial uses that typically provide limited open space.

B. The proposed special use shall conform to the character of the neighborhood in which it is located and not injure the use and enjoyment of property in the immediate vicinity for the purposes already permitted;

Please refer to the applicant’s Justification document for the full response to this criterion. In summary:

- (1) The size, building heights, and general character of the proposed cottages will be designed to appear as single-family residences and to reflect the character of other homes in Southern Pines and the surrounding neighborhood.
- (2) Setbacks will exceed those required by the UDO, and will be driven by the commitment that no building will be located within 65’ of adjoining properties. Setbacks required by the UDO are as follows:
 - Front setback = 30’
 - Internal side setback = 10’
 - External side setback = 15’
 - Rear setback = 30’
- (3) An undisturbed buffer will be provided along the property boundary for a minimum of 25’.
- (4) Parking areas will be no closer to the property boundary than those which currently exist today, and will be screened in accordance with UDO standards.

C. Adequate public facilities shall be provided as set forth herein;

The applicant has provided the following information regarding this item: "Public water and sewer utilities are readily available for the project. The cost of extending these utilities to the project will be borne by the developer. Water and sewer lines currently cross areas of the site.

The main entrance and secondary entrance to the site will be provided from Country Club Circle. There are currently 4 access points along Country Club Circle. The number of access points will be reduced to a total of 3 locations, with one serving only a service entrance. An emergency access connection will be provided to the existing right-of-way on Ridge Street. This access point will be gated and utilized only for emergency vehicles. The connection will not be "paved" with asphalt. The emergency access point will utilize grass pavers with an adequate base to accommodate emergency vehicles. These pavers will be designed to adequately meet the requirements of the Town of Southern Pines and will be approved by the Town's Fire Marshall."

D. The proposed use shall not impede the orderly Development and improvement of surrounding property for uses permitted within the zoning district or substantially diminish or impair the property values within the neighborhood;

The application narrative states: "This is a redevelopment project located on the site of the former Elks Lodge. Adjacent properties have been located adjacent to the golf course, clubhouse, lodge and other facilities since it was constructed in the early 20th century. Proposed improvements to the property will maintain the overall character of the area, while providing updated facilities and high-quality cottage units, resembling single-family residences and creating an appearance which is consistent with the surrounding neighborhood. This project will not impair the ability of surrounding properties to achieve their full development potential or to meet the standards of the RS-1 zoning district. Accordingly, the project will not substantially diminish or impair the property values within the surrounding neighborhood."

E. The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, comfort or general welfare;

The narrative responds to this criterion as follows: "This project meets all of the standards set forth in the Town's CLRP and UDO pertaining to land use. Based on the standards set forth in these

publicly reviewed and approved documents, this project will not be detrimental to or endanger the public health, safety, comfort, or general welfare of the surrounding neighborhood or the Town of Southern Pines. The proposed development incorporates goals of the CLRP related to golf, golf course development and tourism.

Traffic volumes will not endanger the residents of the Town of Southern Pines and all vehicular access will remain in locations similar to the existing access points for the property. Traffic generated by the project will not have any adverse impact on existing neighborhoods or streets and will be similar to that which exists today. A Trip Distribution Analysis has been provided for the site as required by the UDO.”

Staff comments: Following submittal of a trip generation analysis by Kimley Horn, the Town Engineer, Mr. James Michel, determined that the project did not require further study based on the results of the analysis.

F. The public interest and welfare supporting the proposed use shall be sufficient to outweigh individual interests that are adversely affected by the establishment of the proposed use

Please refer to the applicant’s Justification document for the full response to this criterion. In summary:

- (1) The proposed use is permitted and encouraged by the CLRP and UDO within the FRR District;
- (2) The proposed cottages will resemble single-family residential homes, consistent with the surrounding neighborhood;
- (3) The infrastructure extensions will be made by the developer and be dedicated to the Town, benefitting the public interest and welfare without adversely affecting individual interests;
- (4) In particular, CLRP language supporting this project include:
 - a. The CLRP encourages the Town to capitalize on tourism and support promotional efforts. The additional lodging offered by this proposal will help maintain the integrity and quality of the facility and promote Southern Pines as a golfing destination.
 - b. Goal G-7 states: “Retain golf as an essential part of Southern Pines’ economy, physical character and culture”.
 - c. Policy P-11.i calls for “coordinating with public and private golfing interests to facilitate changes needed to support golf’s role as a recreational and economic

asset to the Town”. The applicant states that the project will assist in maintaining the open space, character and quality of the SPCC golf course, which also is a community asset.

- (5) The proposal is fully consistent with ordinances, plans, and standards found in the Town’s guiding documents. The public interests supporting the proposed uses outweigh any individual interests that may be adversely affected by the proposed use.

ii. Development Design and Other Standards from UDO Chapter 4

The proposal will require Site Plan Review and approval by the TRC but may be exempt from Architectural Review pursuant to state statutes limiting local design standards for structures built to a single-family dwelling building code.

E. General Staff Comments

Approval of the request will result in the development of ten detached golf cottage temporary dwellings housing a total of fifty-six guest rooms with associated parking and amenities such as a putting green and practice tee.

Pursuant to UDO §2.27.7, in approving any special use permit, the Town Council may impose such reasonable standards, conditions, or requirements as it may deem necessary to protect the public health, safety and welfare.

F. Outside Agency and Neighborhood Meeting Comments:

Staff has provided information on the project to outside agencies and has received the following responses:

- A response from the Department of Transportation was received on November 2, 2022, stating that the agency had no comments.
- A response from the Regional Land Use Advisory Commission was also received on November 1, 2022, stating that the agency did not have any comments on this project.
- A response from the Town’s Utilities Superintendent Ron Istre was received on October 26, 2022 stating that he had no initial comments.
- The Technical Review Committee reviewed a Pre-Application submittal for the project at their September 28, 2021 meeting, with no major issues identified. The Land Based Classification Standard (LBCS) was clarified as being #5353 (golf course resort). Site plan review and approval will be required prior to issuance of any building permits for the project.

Additionally, the applicant conducted a neighborhood meeting on September 27, 2022 to present the proposal to the neighboring community and receive feedback. A copy of the resulting report is included in the attachments to this document.

IV. ATTACHMENTS:

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

1. Special Use Permit Application
2. Applicant's Special Use Permit Narrative
3. Applicant's Special Use Permit Justification
4. Existing Conditions Plan
5. Site Plan
6. Immediate Vicinity Map
7. Property Deed
8. Appointment of Agent
9. Trip Generation Analysis
10. Neighborhood Meeting Report

V. PLANNING BOARD ACTION:

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

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

I move to adopt the following for transmission to the Town Council as a result of the November 17, 2022 Preliminary Forum on application SU-07-22:

The information presented at the forum indicated that the following issues be considered in applying the criteria for a SUP to application SU-07-22:

- 1.

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

- 1.



Special Use Permit Application

Fee: \$ _____

Date Paid: _____

Case No.: SU- _____

Project Information:

Street Address: 290 COUNTRY CLUB CIR. SOUTHERN PINES, NC 28387

PIN: 858100121842

Parcel ID: 00048946

Site Size: ±292.63 AC

Zoning: FRR

Applicant:

Name(s): MID-PINES DEVELOPMENT GROUP LLC - C/O KELLY MILLER

Email: kelly.miller@rossresorts.com

Phone: 910-692-5372

Mailing Address: PO BOX 88 SOUTHERN PINES, NC 28388

Authorized Agent, if different from Applicant:

Name(s): KOONTZ JONES DESIGN - C/O BOB KOONTZ

Email: bkoontz@koontzjones.com

Phone: 910-684-8487

Mailing Address: 150 S PAGE ST SOUTHERN PINES, NC 28387

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

Name(s): _____

Email: _____

Phone: _____

Mailing Address: _____

8-27-21

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

I, the undersigned, do hereby make application to and petition the Planning Board and Town Council to grant a Special Use Permit as required by the Town of Southern Pines Zoning Ordinance. The following information is submitted in support of this application:

The property which is the subject of this application is located on the EAST side of COUNTRY CLUB CIR. (St./Ave.), between SPRING RD (St./Ave.) and RIDGE ST (St./Ave.). The property has a frontage of ±3500 feet and a depth of ±2400 feet.

The special use sought is based upon Section(s) 2.21; 3.7.2 of the **Town of Southern Pines Unified Development Ordinance**. The proposed use of the property is as follows:

GOLF COURSE RELATED LODGING

Date: 10/10/22


Applicant
M10 Pines Development Group, LLC

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

**SOUTHERN PINES COUNTRY CLUB
SPECIAL USE PERMIT NARRATIVE (SUP)**

Southern Pines Country Club (SPCC) was purchased in 2021 by Mid Pines Development Group, LLC. In addition to SPCC, Mid Pines Development Group, LLC also operates the Mid Pines and Pine Needles Golf Course Resort facilities, located in Southern Pines. Pine Needles recently hosted the 2022 USGA Women's US Open Golf Tournament. Since purchasing SPCC, the owners have made substantial investments in the restoration of the golf course to reflect the original Donald Ross design and significantly improve playing conditions. These investments and restructuring of the facilities have insured that the SPCC golf course will remain a vital part of the community, and that the community will retain the large open space that presently exists in this location.

With the golf course improvements, additional opportunities for the property now exist. The proposed development at SPCC described in this application will add additional lodging opportunities for golf travelers coming to Southern Pines at the newly restored golf course facility, in roughly the same location previously occupied by the Elks Lodge building. Lodging on site will improve the existing golf opportunities in the area, add a third unique property to the existing offerings, and provide another golf tourism destination for Southern Pines.

In the Town's Comprehensive Long-Range Plan (CLRP) one of the stated goals is "Capitalizing on Tourism". Specifically, it states "the Town should support promotional efforts, as well as efforts to retain their integrity." Additional lodging opportunities at this existing golf course will help maintain the integrity and quality of the facility and promote Southern Pines as a golfing destination. Also, goal G-7 of the CLRP states "Golf. Retain golf as an essential part of Southern Pines' economy, physical character and culture." Under policies P-11.i. the CLRP states "Coordinating with public and private golfing interests to facilitate changes needed to support golf's role as a recreational and economic asset to the Town." This project supports these goals.

Additional lodging and the restoration/renovation of the SPCC golf course facilitates changes that are needed to enhance the economic viability of one of the Town's premier golf assets. The addition of lodging, which will be operated by the golf club, also will assist in maintaining the character and quality of the SPCC golf course.

The existing zoning for this property is the Facilities, Resource and Recreation District (FRR). This district permits a wide variety of uses including "golf resorts and related facilities...and recreational facilities that typically include substantial open space." The proposed lodging use replaces the previous Elks Lodge structure and adds very little built-upon area to the site while preserving much of the approximately 292.11-acre property. With the demolition of the former lodge and the installation of a new large practice putting green, impervious surface only increases by +/- 5,200 sf (0.12 acres) or .04% of the overall property. The area of the property impacted by this Special Use Permit application will include approximately 9.48 acres of the +/- 292.11-acre property, or approximately 3.2% of the overall property.

Design elements for the project are described below.

- **Cottages**

- The proposed plan includes a mixture of four (4) and eight (8) bedroom cottages. The total number of bedrooms requested in this SUP will not exceed fifty-six (56) bedrooms. These lodging units will be managed by the Mid Pines Development Group, LLC.
- All buildings will be designed to resemble single-family detached homes. Buildings will not exceed the Town's standard for residential building height of thirty-five (35) feet. It is intended that only one two-story above grade building will be constructed as indicated on the plan. Up to five (5) buildings may have a basement level if grading permits an additional level below grade. Any units with a "basement" level will be designed to appear to be as one-story from the street side of the structure with the basement level facing the internal golf facilities.
- New buildings will be designed to reflect the original clubhouse facility which was constructed in the early 20th century. New buildings will be brick and stucco structures which mimic the character of the original clubhouse. Images of the original clubhouse have been included with this application.
- The new buildings will be constructed in phases and may be built over several years.
- The plans indicate construction of 2 cottages and the main entrance drive on the location of the existing pool facility. The existing pool facility is being evaluated for long term viability. Whether the pool remains permanently, is removed after several years or is removed in the first phase has yet to be determined. The plans indicate the possible full build-out of the cottage area.

- **Parking Areas**

- Adequate parking will be provided on site to meet the needs of both the golf course facilities and the lodging.
- Parking required and provided:
 - Parking required for the lodging = 56 spaces
 - Parking required for clubhouse = 48 spaces
 - Parking required for the golf course = 48 spaces
 - Total spaces required = 152 spaces
 - Total Parking provided = 155 spaces

- **Streets and Access**

- The main entrance and secondary entrance to the site will be provided from Country Club Circle. There currently are 4 access points along Country Club Circle. The number of access points will be reduced to a total of 3 locations, with one serving only as a service entrance.
- An emergency access connection will be provided to the existing right-of-way on Ridge Street. This access point will be gated and utilized only for emergency vehicles. The connection will not be "paved" with asphalt. The emergency access point will utilize grass pavers with an adequate base to accommodate emergency vehicles. These pavers will be designed to adequately meet the requirements of the Town of Southern Pines and will be approved by the Town's Fire Marshal.

- Construction traffic will be prohibited from using the Ridge Street access point. All construction traffic will be directed to Country Club Circle, which has the width and pavement structure necessary to accommodate construction vehicles.
- **Circulation and Pedestrian Connections**
 - All golf cart and pedestrian circulation will be internal to the property. A 12' wide golf cart path will be provided in front of all units and will connect to the clubhouse and golf course cart path network. This cart path also will serve as internal pedestrian circulation for the cottage area.
 - Ordinary vehicular circulation will be limited to the parking lot, entry drive and service access drive.
- **Open Space**
 - The project will maintain more than 280 acres of open space, which includes the golf course, driving range and other areas of the overall property. The Proposed developed area consists of approximately 9.48 sf or 3.2% the property. SPCC will continue to provide significant open space for the community.
- **Buffers/Setbacks/Landscaping**
 - The FRR zoning district requires that setbacks match the adjacent properties. The UDO states "District Development Standards, Building heights and setbacks shall conform to those of the abutting district. Required buffers shall be based on the use established in the FRR district and the abutting use or district, whichever requires the greater buffer."
 - The adjoining properties are zoned RS-1. Building setbacks for the RS-1 district, which would apply to this property are as follows:
 - Front = 30'
 - Internal Side = 10'
 - External Side = 15'
 - Rear = 30'
 - Parking areas along the property boundary will be located no closer to the new buildings than the existing parking areas. The existing areas are located on flat ground. Utilizing the existing parking location will allow existing vegetation in this area to remain. Vegetation in the parking areas adjacent to the adjoining property boundaries, as indicated on the site plan, will be maintained. In addition, a 10' landscape buffer, which does not exist today, will be planted along the boundary of the parking lot in this area to meet the Town of Southern Pines parking lot screening standards and to screen the parking area from adjacent properties.
 - While the RS-1 zoning standards would apply to the adjacent FRR district per the UDO standards, buildings on the SPCC property will be no closer than 65' from the adjoining property boundary and the cart path and emergency access area will remain a minimum of 50' from the adjoining property boundary.
 - A 25' non disturbed buffer will remain along the adjacent property boundaries.
 - Landscaping for parking lots and other areas of the site will be provided as required by the Town of Southern Pines UDO.
- **Stormwater**
 - Stormwater best management practices will be applied as necessary and required by the Town of Southern Pines and State of North Carolina to control stormwater runoff for the

project. Any required stormwater management devices will be permitted as required by the appropriate state and local agencies.

- **Utility Service**

- Adequate water and sewer service can be provided by the Town of Southern Pines to this project and will be extended at the developer's expense. Utilities currently serve the property and additional services are within close proximity, along Country Club Circle. All utilities on the site will be located underground.

- **Signage**

- A sign indicating that the property is the location of the Southern Pines Country Club will be placed at each of the two entrances to the property off Country Club Circle.
- Small wayfinding signs and cottage identification signs will be installed internally on the property in a form that is consistent with the current golf course signage that exists on the site. Any additional directional or on-site signage for parking areas, cottages and golf course operations will follow the Town of Southern Pines sign standards in Section 4.6 of the UDO for size, materials, and height, if the signs are specifically regulated by the ordinance.

The descriptions and conditions described above will apply to the entire project as indicated in the Special Use Permit plan document.

EXHIBIT A

Southern Pines Country Club Special Use Permit Justification

Below are listed the six (6) criteria required to approve a Special Use Permit application as described in Section 2.21.7 of the Town of Southern Pines UDO. Following the individual criteria is an explanation, indicated in blue, describing how the project demonstrates compliance with each of these criteria.

A Special Use is permitted only if the Applicant demonstrates that:

(A) The proposed special use shall comply with all regulations of the applicable zoning district and any applicable supplemental use regulations;

The existing zoning for the property is Facilities, Resource and Recreation District (FRR). This district permits a wide variety of uses including “golf resorts and related facilities...and recreational facilities that typically include substantial open space.” The proposed lodging use replaces the previous Elks Lodge structure and adds very little built-upon area to the site while preserving much of the approximately 292.11-acre property. With the demolition of the former lodge and the installation of the large practice putting green, impervious surface increases by only +/- 5,200 sf or .04% the overall property. The area of the property impacted by this Special Use Permit application will include approximately 9.48 acres of the +/- 292.11-acre property. The proposed cottages will meet or exceed all regulations within the UDO related to the FRR district and other sections of the UDO, including setbacks, buffers and landscaping.

(B) The proposed special use shall conform to the character of the neighborhood in which it is located and not injure the use and enjoyment of property in the immediate vicinity for the purposes already permitted;

When a use is permitted as a special use within a zoning district, the law recognizes that the applicable ordinance creates a rebuttable presumption that the permitted use conforms with and is in harmony with the surrounding area. Since the FRR district permits “golf resorts and related facilities...and recreational facilities that typically include substantial open space,” the presumption is that this use conforms to the character of the neighborhood in which it is located and will not injure the use and enjoyment of property in the immediate vicinity. Per the UDO, Golf Resorts “may include club house, guest accommodations and/or residences that may be individually owned but fall within the management of the resort”.

The proposed cottages will be constructed to appear as single-family detached residences similar in size and character to that of the surrounding neighborhood and other homes located in Southern Pines. Cottages will range between 1,800 sf and 3,600 sf, similar to homes throughout Southern Pines. These buildings will be single-story or two-story units, and all will be constructed below the UDO’s 35’ maximum height regulation for single-family residential development.

The proposed cottages will reflect a neighborhood character similar to that of the surrounding area. Per the FRR standards in the UDO in Section 3.5.13.(D), “building heights and setbacks shall conform to those of the abutting zoning district. Required buffers shall be based on the use established in the FRR district and the abutting use or district, whichever requires the greater buffer.” In this case, the required setbacks from the adjacent RS-1 zoned properties are as follows:

- Front = 30’
- Internal Side = 10’
- External Side = 15’
- Rear = 30’

EXHIBIT A

The proposed project will exceed these standards. No building will be located within 65' of the adjoining properties. This is more than double the required setbacks.

Buildings will be designed to reflect the architectural character of the original clubhouse facility which was constructed in the early 20th century. Buildings will be brick and stucco structures to mimic the original clubhouse. Buildings will be screened from adjoining properties and oriented toward the golf course to take advantage of the wonderful views. A non-disturbed buffer will be provided along the adjoining property boundary for a minimum 25'. Parking areas will be no closer to the property boundary than those which currently exist today, and landscape screening of the parking areas will be provided as required by the UDO.

The proposed project also is consistent with the Town's Comprehensive Long-Range Plan ("CLRP") for this property, which further indicates that it conforms to the character of the surrounding community.

(C) Adequate public facilities shall be provided as set forth herein;

Public water and sewer utilities are readily available for the project. The cost of extending these utilities to the project will be borne by the developer. Water and sewer lines currently cross areas of the site. All amenities and improvements will be provided by the developer.

The main entrance and secondary entrance to the site will be provided from Country Club Circle. There currently are 4 access points along Country Club Circle. The number of access points will be reduced to a total of 3 locations, with one serving only a service entrance. An emergency access connection will be provided to the existing right-of-way on Ridge Street. This access point will be gated and utilized only for emergency vehicles. The connection will not be "paved" with asphalt. The emergency access point will utilize grass pavers with an adequate base to accommodate emergency vehicles. These pavers will be designed to adequately meet the requirements of the Town of Southern Pines and will be approved by the Town's Fire Marshal.

(D) The proposed use shall not impede the orderly Development and improvement of surrounding property for uses permitted within the zoning district or substantially diminish or impair the property values within the neighborhood;

This is a redevelopment project located on the site of the former Elks Lodge. Adjacent properties have been located adjacent to the golf course, clubhouse, lodge and other facilities since it was constructed in the early 20th century. Proposed improvements for the property will maintain the overall character of the area, while providing updated facilities and high-quality cottage units, resembling single-family residences and creating an appearance which is consistent with the surrounding neighborhood. This project will not impair the ability of surrounding properties to achieve their full development potential or to meet the standards of the RS-1 zoning district. Accordingly, the project will not substantially diminish or impair the property values within the surrounding neighborhood.

(E) The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, comfort or general welfare; and

This project meets all of the standards set forth in the Town's CLRP and UDO pertaining to land use. Based on the standards set forth in these publicly reviewed and approved documents, this project will not be detrimental to or endanger the public health, safety, comfort, or general welfare of the surrounding neighborhood or the Town of Southern Pines. The proposed development incorporates goals of the CLRP related to golf, golf course development and tourism.

EXHIBIT A

Traffic volumes will not endanger the residents of the Town of Southern Pines and all vehicular access will remain in locations similar to the existing access points for the property. Traffic generated by the project will not have any adverse impact on existing neighborhoods or streets and will be similar to that which exists today. A Trip Distribution Analysis has been provided for the site as required by the UDO.

The setbacks provided around the property, will exceed the minimum UDO standards and will be planted to meet Town standards and requirements. These setbacks will further protect adjoining property owners from any detrimental impacts of the project.

(F) The public interest and welfare supporting the proposed use shall be sufficient to outweigh individual interests that are adversely affected by the establishment of the proposed use.

The proposed use is permitted and encouraged by both the Town of Southern Pines CLRP adopted on March 8, 2016, and in the Town of Southern Pines UDO under the FRR zoning district classification. The Cottages proposed for the project, will replace the previous Elks Lodge, and will resemble single-family residential homes, consistent with the surrounding neighborhood and also will provide an additional golf lodging opportunity for the Town of Southern Pines.

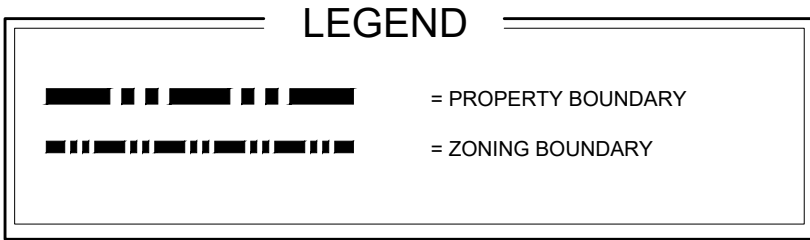
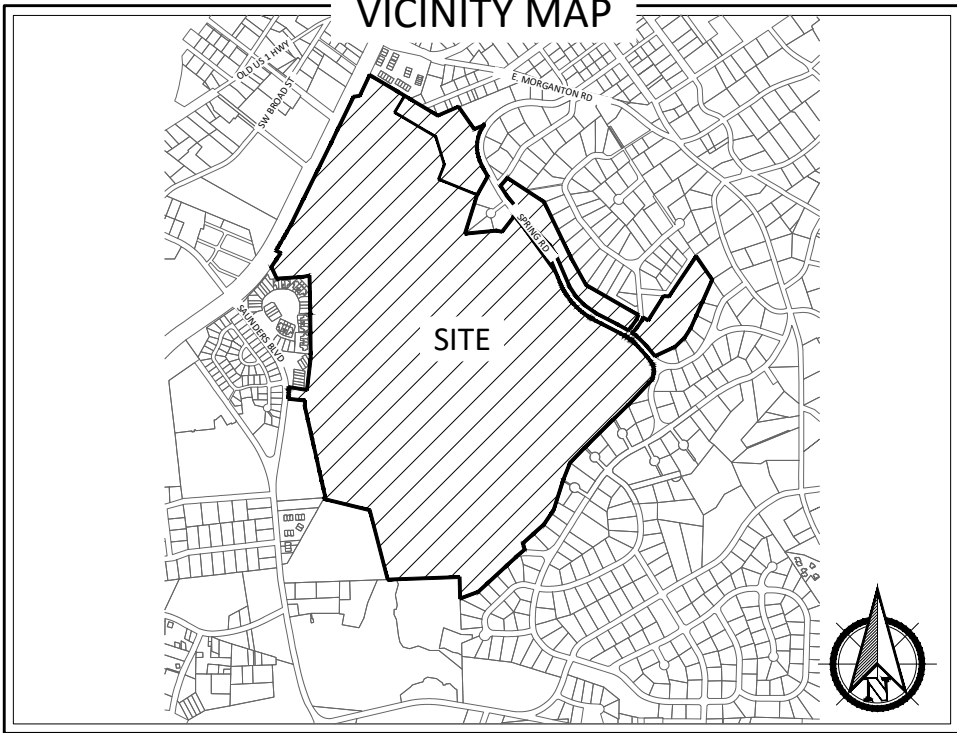
Any utility and roadway infrastructure will be extended and connected as necessary by the developer and dedicated to the Town of Southern Pines. This will benefit the public interest and welfare without adversely affecting any individual interests.

The CLRP expressly discusses "Capitalizing on Tourism" and states "the Town should support promotional efforts, as well as efforts to retain their integrity." Additional lodging opportunities at the existing golf course, will help maintain the integrity and quality of the facility and promote Southern Pines as a golfing destination. Also, goal G-7, on page 2-7 of the CLRP states "Golf. Retain golf as an essential part of Southern Pines' economy, physical character and culture." Under policies P-11.i. on page 2-10, the CLRP states "Coordinating with public and private golfing interests to facilitate changes needed to support golf's role as a recreational and economic asset to the Town." The addition of lodging to, and the restoration/renovation of, the SPCC golf course will enhance the economic viability of the Town's golf industry. The addition of lodging, which will be operated by the golf club, will assist in maintaining the open space, character and quality of the SPCC golf course, which also is a community asset.

This proposal is fully consistent with the ordinances, plans, and standards prescribed by the Town's guiding documents. These documents were developed as a result of many hours of public input, staff review and Town Council deliberation in order to protect the public interest and promote the welfare of the community.

This project incorporates many goals and objectives of the CLRP and UDO and establishes a development pattern that is consistent with those documents. The development pattern also meets the land use goals defined by the CLRP because it is tourism related, utilizes existing facilities, protects open space, is a redevelopment project and makes efficient use of the town's existing infrastructure.

Accordingly, the public interests supporting the proposed uses outweigh any individual interests that may be adversely affected by the proposed use.



PROPERTY INFORMATION

PROPERTY OWNER(S):
MID-PINES DEVELOPMENT GROUP LLC
P.O. BOX 88
SOUTHERN PINES, NC 28388

PARCEL ID: 00048946 **PIN:** 858100121842
DB: 5772 **PG:** 286

APPLICANT:
MID-PINES DEVELOPMENT GROUP LLC
P.O. BOX 88
SOUTHERN PINES, NC 28388

TOTAL ACREAGE: ±292.11 AC
SUP AREA: ±9.48 AC

ZONING INFORMATION

ZONING CLASSIFICATION:
FRR - FACILITIES, RESOURCE, & RECREATION

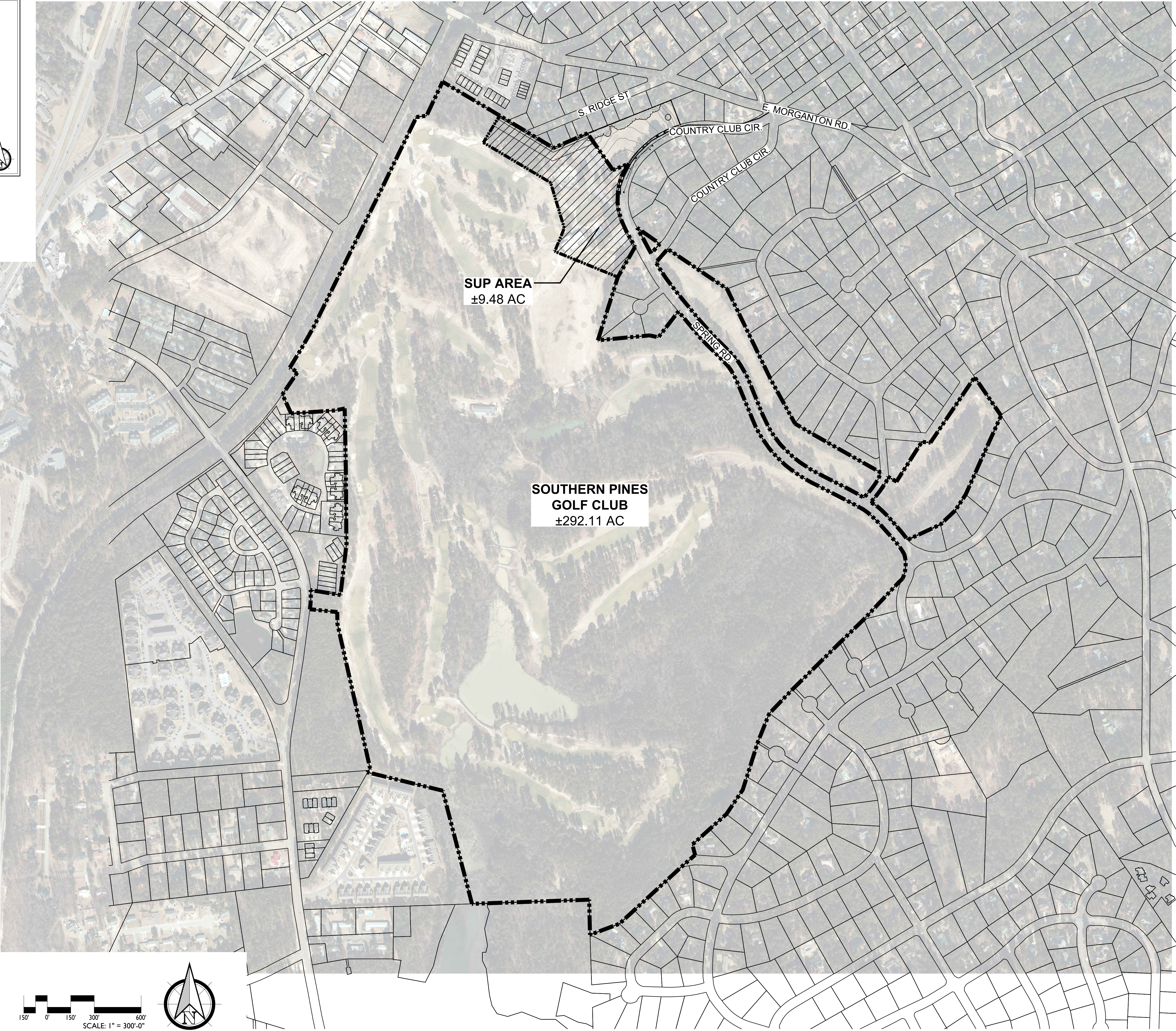
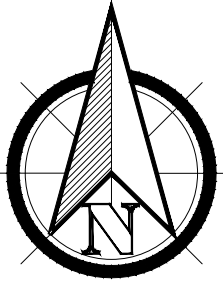
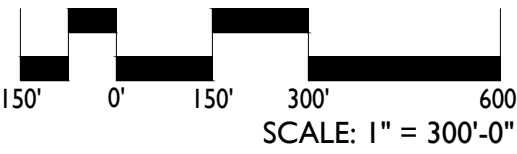
FLOODPLAIN DATA

THIS PROPERTY IS LOCATED IN FLOOD ZONE 'X'
(AREAS OF MINIMAL FLOODING)

THE LOCATION OF THE 100-YEAR FLOODPLAIN PER
NFIP FIRM COMMUNITY
PANEL(S) NO: 8571, 8580
MAP(S): 3710857100J, 3710858000J
DATE: OCTOBER 17, 2006

CAUTION

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



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

KOONTZJONESDesign
LAND PLANNING | LANDSCAPE ARCHITECTURE

150 S PAGE STREET
SOUTHERN PINES, NC 28387
P: (910) 639-4058
W: www.koontzjonesdesign.com

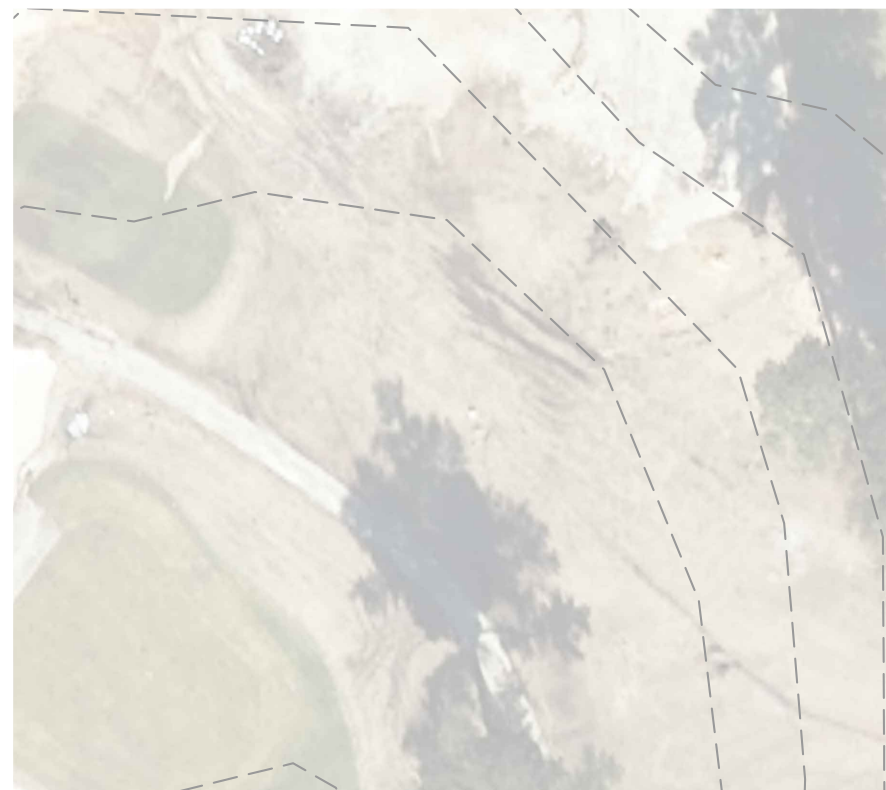
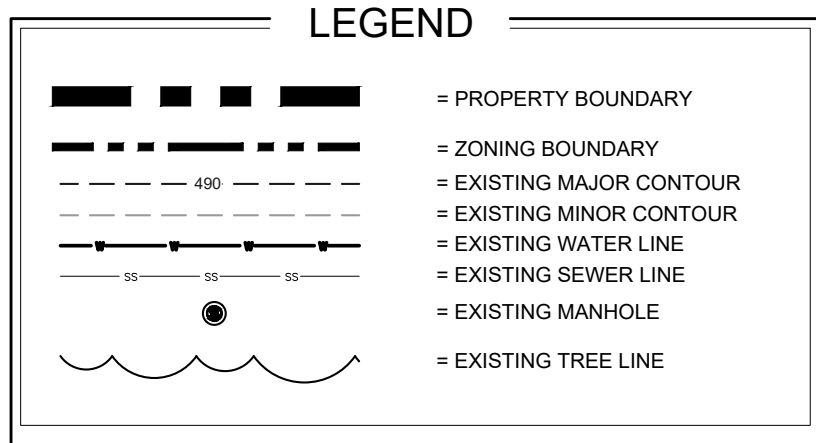
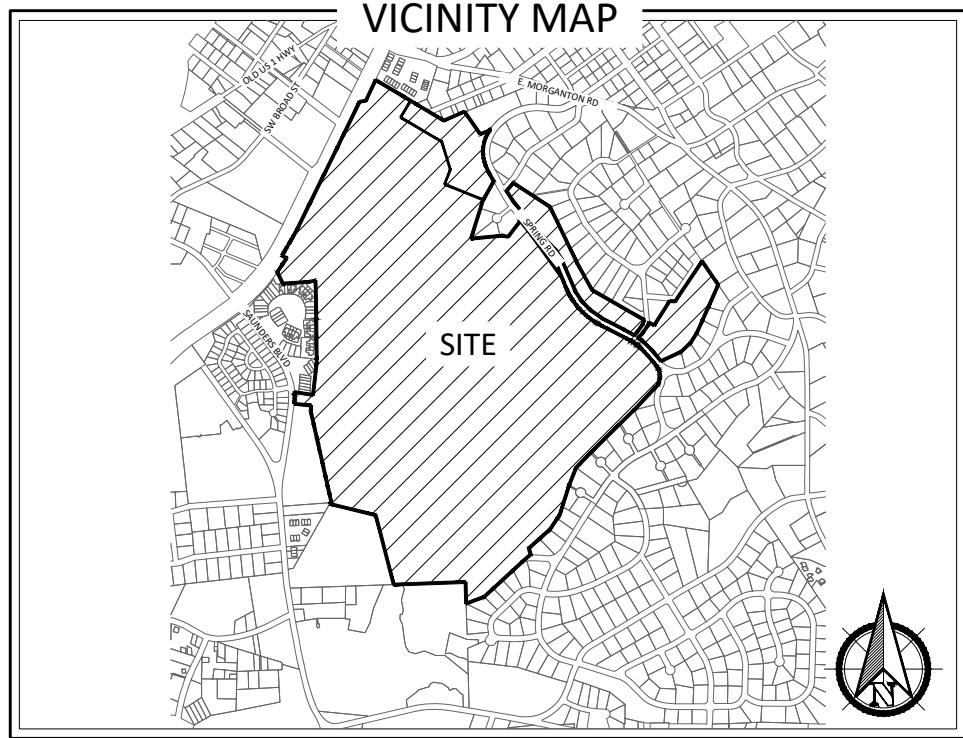
REVISIONS:

REVISIONS:

SOUTHERN PINES GOLF CLUB
SOUTHERN PINES, NORTH CAROLINA

EXISTING CONDITIONS - OVERALL

DATE: 10-10-2022
DESIGNED BY: REK
DRAWN BY: PJS
CHECKED BY: REK
SCALE: 1" = 300'-0"
PROJECT #: KID21054
SHEET NUMBER#:
L-1.0



PROPERTY INFORMATION

PROPERTY OWNER(S):
MID-PINES DEVELOPMENT GROUP LLC
P.O. BOX 88
SOUTHERN PINES, NC 28388

PARCEL ID: 00048946 PIN: 858100121842
DB: 5772 PG: 286

APPLICANT:
MID-PINES DEVELOPMENT GROUP LLC
P.O. BOX 88
SOUTHERN PINES, NC 28388

TOTAL ACREAGE: ±292.11 AC
SUP AREA: ±9.48 AC

ZONING INFORMATION

ZONING CLASSIFICATION:
FRR - FACILITIES, RESOURCE, & RECREATION

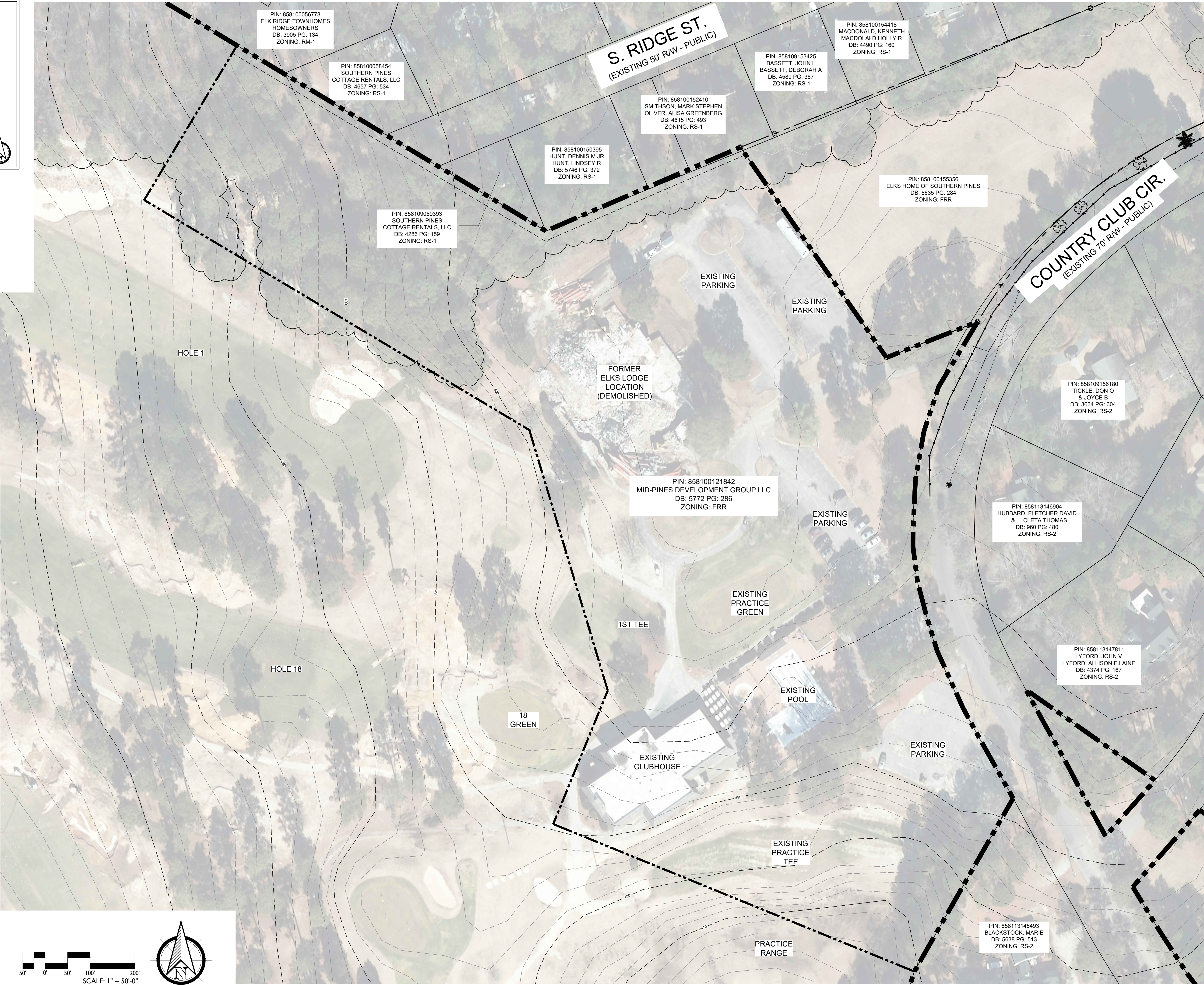
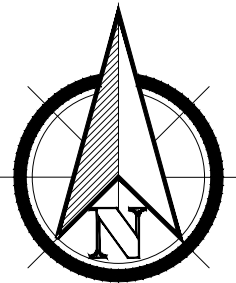
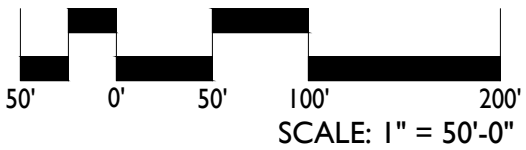
FLOODPLAIN DATA

THIS PROPERTY IS LOCATED IN FLOOD ZONE 'X'
(AREAS OF MINIMAL FLOODING)

THE LOCATION OF THE 100-YEAR FLOODPLAIN PER
NFIP FIRM COMMUNITY
PANEL(S) NO: 8571, 8580
MAP(S): 3710857100J, 3710858000J
DATE: OCTOBER 17, 2006

CAUTION

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



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

KOONTZJONESDesign
LAND PLANNING | LANDSCAPE ARCHITECTURE

150 S PAGE STREET
SOUTHERN PINES, NC 28387
P: (910) 639-4058
W: www.koontzjonesdesign.com

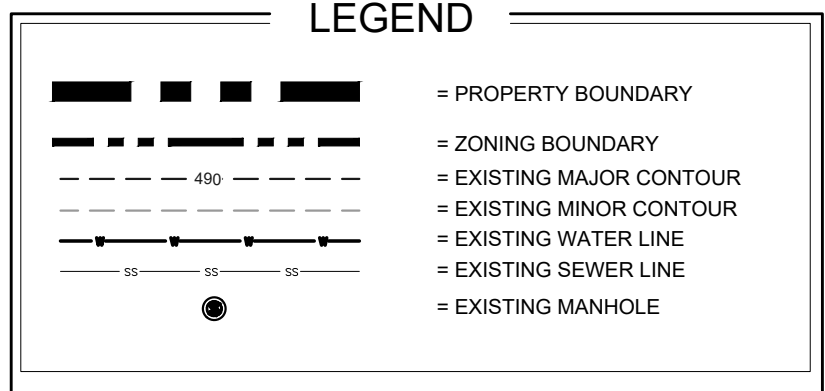
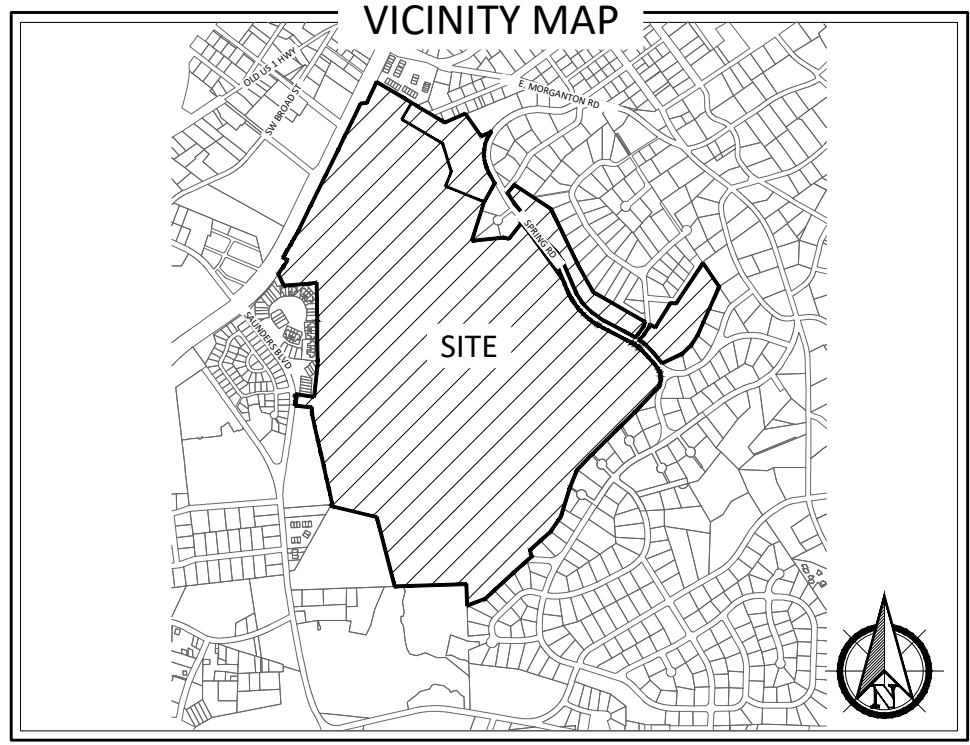
REVISIONS:

REVISIONS:

SOUTHERN PINES GOLF CLUB
SOUTHERN PINES, NORTH CAROLINA

EXISTING CONDITIONS

DATE: 10-10-2022
DESIGNED BY: REK
DRAWN BY: PJS
CHECKED BY: REK
SCALE: 1" = 50'-0"
PROJECT #: KID21054
SHEET NUMBER#: **L-1.1**



PROPERTY INFORMATION

PROPERTY OWNER(S):
MID-PINES DEVELOPMENT GROUP LLC
P.O. BOX 88
SOUTHERN PINES, NC 28388

PARCEL ID: 00048946 PIN: 858100121842
DB: 5772 PG: 286

APPLICANT:
MID-PINES DEVELOPMENT GROUP LLC
P.O. BOX 88
SOUTHERN PINES, NC 28388

TOTAL ACREAGE: ±292.11 AC
SUP AREA: ±9.48 AC

IMPERVIOUS SURFACE:
EXISTING: ±3.19 AC
PROPOSED: ±3.31 AC

REQUIRED PARKING:
LODGING (1 SPACE PER EACH ROOM)
56 GUEST ROOM = 56 SPACES
CLUBHOUSE (1 SPACE PER 200 SF)
9,500 SF CLUBHOUSE = 48 SPACES
COURSE COURSE (1 / 3 USERS @ MAX CAPACITY)
144 USERS = 48 SPACES
TOTAL: 152 REQUIRED SPACES

TOTAL PARKING PROVIDED: 155 SPACES

ZONING INFORMATION

ZONING CLASSIFICATION:
FRR - FACILITIES, RESOURCE, & RECREATION

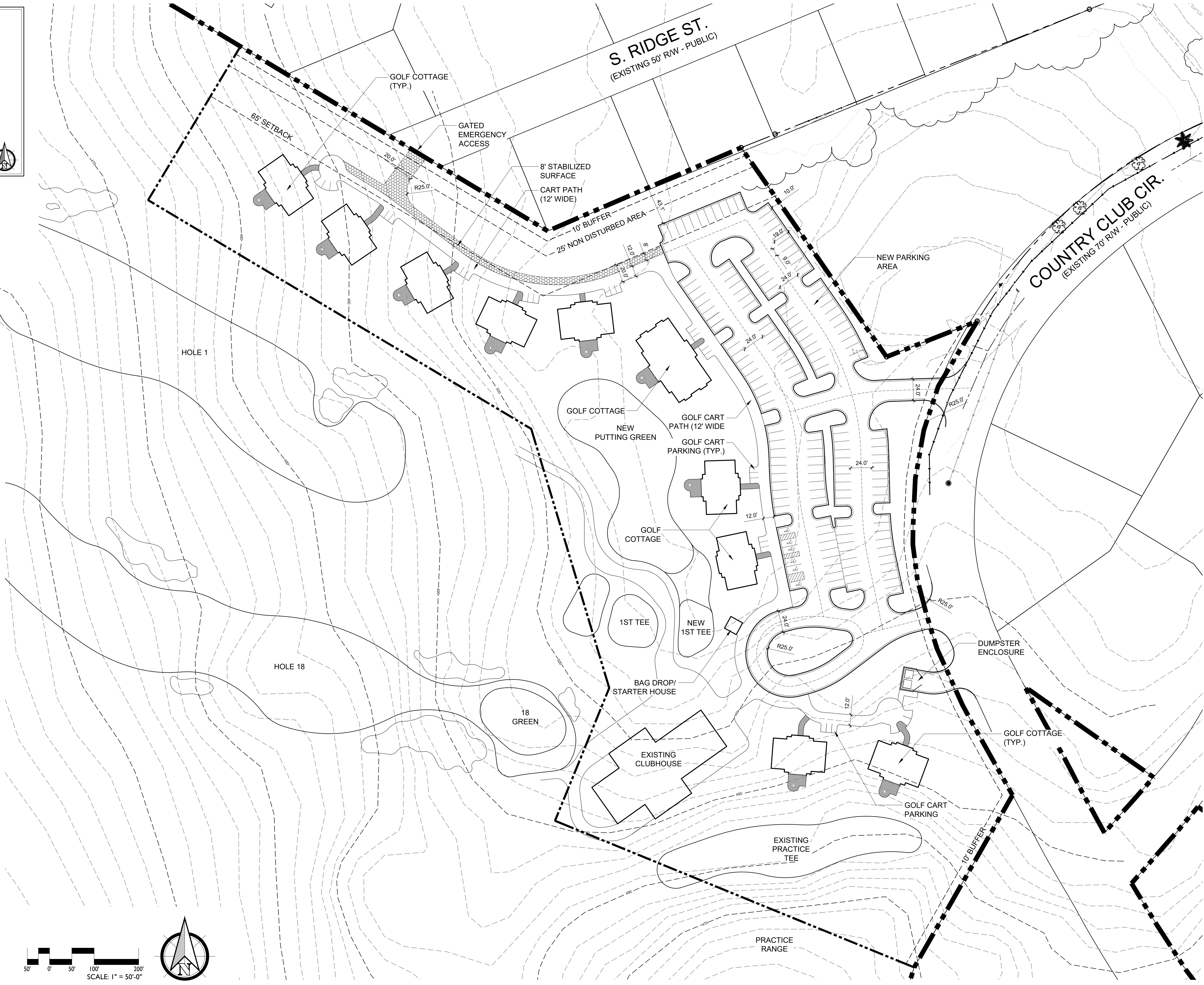
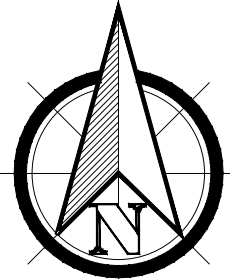
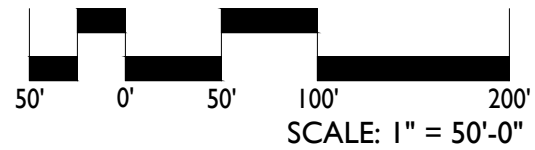
FLOODPLAIN DATA

THIS PROPERTY IS LOCATED IN FLOOD ZONE 'X'
(AREAS OF MINIMAL FLOODING)

THE LOCATION OF THE 100-YEAR FLOODPLAIN PER
NFIP FIRM COMMUNITY
PANEL(S) NO: 8571, 8580
MAP(S): 3710857100J, 3710858000J
DATE: OCTOBER 17, 2006

CAUTION

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



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

KOONTZJONESDesign
LAND PLANNING | LANDSCAPE ARCHITECTURE

150 S PAGE STREET
SOUTHERN PINES, NC 28387
P: (910) 639-4058
W: www.koontzjonesdesign.com

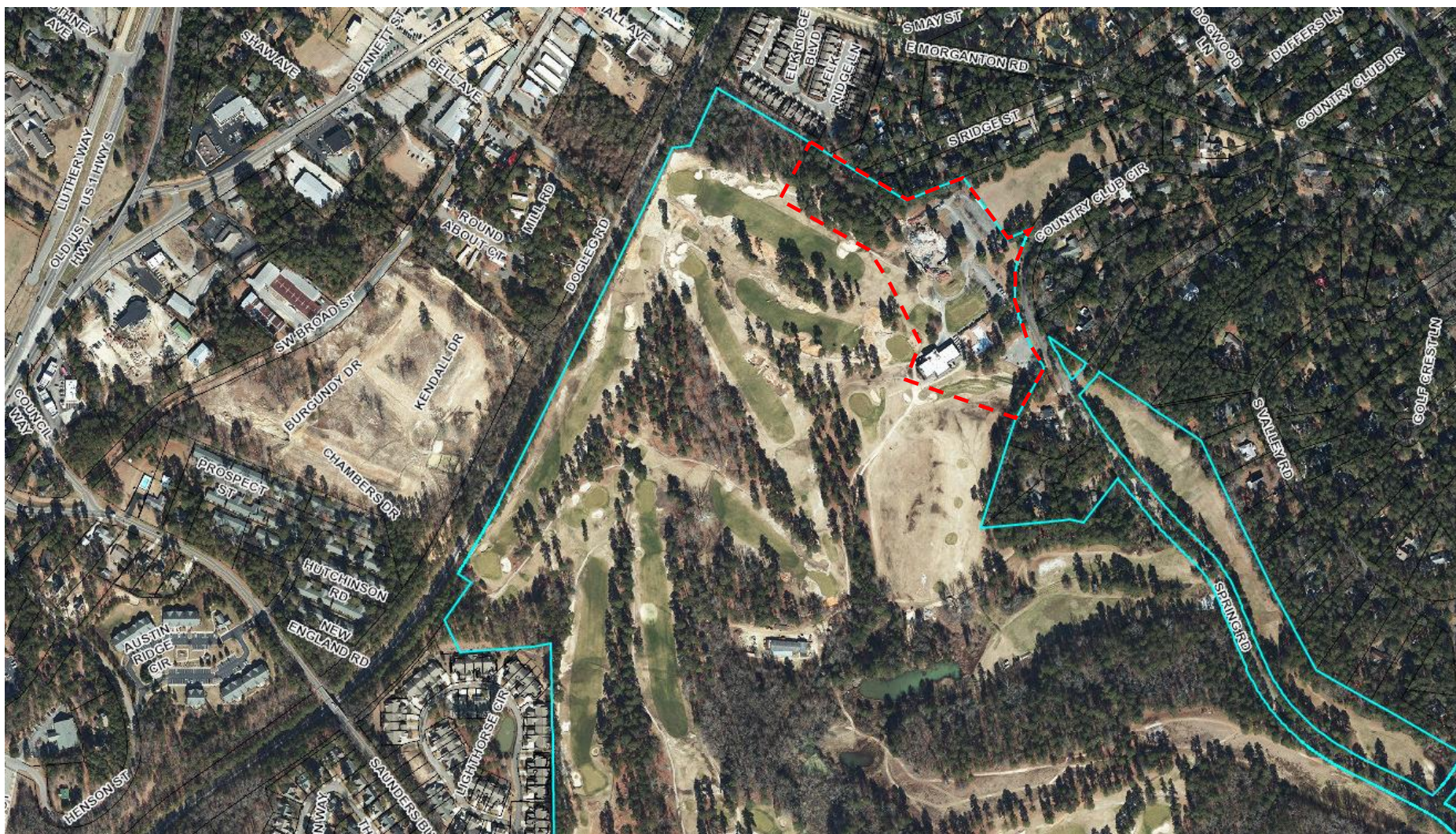
REVISIONS:

REVISIONS:

SOUTHERN PINES GOLF CLUB
SOUTHERN PINES, NORTH CAROLINA

SITE PLAN

DATE: 10-10-2022
DESIGNED BY: REK
DRAWN BY: PJS
CHECKED BY: REK
SCALE: 1" = 50'-0"
PROJECT #: KID21054
SHEET NUMBER#: **L-1.2**



For Registration Register of Deeds

Judy D. Martin

Moore County, NC

Electronically Recorded

December 30, 2021 3:48:36 PM

Book: 5772 Page: 286 - 291 #Pages: 6

Fee: \$26.00

NC Rev Stamp: \$0.00

Instrument# 2021028071

Prepared by and Return To:
 John M. May, Esq.
 Robbins May & Rich LLP
 120 Applecross Road
 Pinchurst, North Carolina 28374
 No title examination by drafting attorney

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: \$-0-

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

Brief description for the Index: Elks Club Golf Course and Related Properties

THIS DEED effective this the 28th day of May, 2021, by and between

Grantor	Grantee
Kaveri Investment Management Company, LLC, a Delaware limited liability company 3315 Collins Avenue, #4B Miami Beach, FL 33140	Mid-Pines Development Group, L.L.C. PO Box 88 Southern Pines, NC 28388

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, as a contribution to the capital of 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 Moore County, North Carolina and more particularly described as follows:

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

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

Subject and together with the following exceptions:

1. Easement and restrictions of record enforceable against the Property,
2. Town of Southern Pines zoning of the Property,
3. The lien of ad valorem taxes not yet delinquent as of the Closing Date,
4. Assessments, if any, not yet delinquent as of the Closing Date,
5. Use, development, zoning and subdivision ordinances, building codes and other legal requirements applicable to the Property,
6. Public and railroad rights-of-way, specific to the Property,
7. Matters that would be disclosed by a current survey and inspection of the Property,
8. All other matters of record on or prior to the Closing Date enforceable against the property herein described.
9. Title to that portion of the property herein described previously conveyed by the Grantor to Elks Home of Southern Pines, Inc. in Book 5635, Page 284, Moore County Registry.

The property hereinabove described was acquired by Grantor by instrument recorded in Deed Book 5623, Page 118, Moore County Registry, North Carolina.

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

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

And the Grantor covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, except for the exceptions noted above.

[Signature Page to Follow]

IN WITNESS WHEREOF, this instrument is executed (a), if by individuals, by hereunto setting their hands under seal by adoption of the word "SEAL" appearing next to the individuals' names or signatures, (b), if by a corporation, by the duly authorized officers, directors or shareholders of the corporation on its behalf under seal by adoption of the facsimile seal printed hereon for such purpose or, if an impression seal appears hereon, by affixing such impression seal or by adoption of the word "SEAL" appearing next to the name of the corporation or the signatures of the officers, directors or shareholders, (c), if by a partnership, by the duly authorized partners of the partnership on its behalf under seal by adoption of the word "SEAL" appearing next to the name of the partnership or the signatures of the partners or (d), if by a limited liability company, by the duly authorized members or managers on its behalf under seal by adoption of the word "SEAL" appearing next to the name of the limited liability company or the signatures of the members or managers, on the day and year first above written.

KAVERI INVESTMENT MANAGEMENT COMPANY, LLC

By: _____ (SEAL)
 Printed Name: Haresh Tharani
 Its: Manager

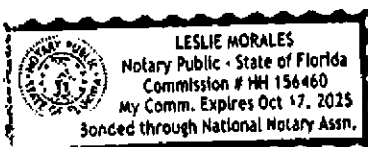
STATE OF Florida
 COUNTY OF Miami Dade

I certify that the following person personally appeared before me this day and acknowledged to me that the following person voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Name	Capacity
Haresh Tharani	Manager

- ☒ I have personal knowledge of the identity of the principal;
☐ I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a _____; or
☐ A credible witness has sworn to the identity of the principal

Witness my hand and official stamp or seal on this the 30 day of December, 2021.



Notary Public

Print notary name: Leslie Morales
 (notary name must be exactly as on notary seal)

My commission expires: 10/17/25

[affix notary seal above, which must be fully legible]

EXHIBIT "A"

(continued)

1355.55 feet crossing a branch to an iron stake with pine pointers, Morris' corner; thence with Morris' line, South 87°39' West 1859.0 feet crossing a branch to a point in the center of the pavement of Pee Dee Road; thence South 10°33' East 893.4 feet to a point in McDonald's line in the center of the pavement of Pee Dee Road; thence with

McDonald's and Johnson's lines, North 71°17' West 478.01 feet to a concrete monument; thence North

7°45' West 847.0 feet crossing State Road #2059 to a concrete monument; thence North 83°05' East

473.0 feet crossing Pee Dee Road to an iron stake; thence with a line of the Virgil Johnston Pinecrest

Manor Subdivision, North 28°38' East 807.7 feet to a concrete monument; thence continuing with the

Pinecrest Manor Subdivision, North 13°03' West 952.71 feet to a concrete monument, Eugene

McKenzie's corner; thence with McKenzie's line, North 6°56' East 523.3 feet to a concrete monument and North 1°32' West 873.38 feet to a concrete monument and North 1°32' West 873.38 feet to a concrete monument in an old road bed; thence with E. L. Rich's line, South 84°45' West 415.4 feet to a concrete monument; thence North 24°30' West 184.39 feet to a point in the center of the Seaboard Coastline Railroad; thence with the center of the railroad, North 29°24' East 585.79 feet and North 25°47' East 1705.12 feet to a corner of the Country Club Lands and Hughes' land; thence with the Hughes' line and the Sunnyside Addition line, South 57°45' East 930.95 feet to a concrete monument, the south corner of the Sunnyside Addition; thence with the south line of the Sunnyside Addition North 68°09' East 1000.37 feet to the BEGINNING, containing 481.1 acres, more or less.

The above description taken from actual survey made by C. H. Blue, Registered Surveyor, and as shown on map entitled "Southern Pines Country Club Lands, Property of Elks Home of Southern Pines, Inc., Sandhills Township, Moore County, N.C. Southern Pines, North Carolina", dated September 30, 1969.

SUBJECT, however, to the easement of the right of way of the Seaboard Coastline Railroad included within the bounds of the afore described tract and the easements of rights of way of Country Club Road, Fairway Road, Spring Road, Valley Road, Barber Road, Little Road, Hill Road, Cliff Road, Elk Road,

Branch Road, Bethesda Road, Pee Dee Road State Road #2059, Elm Circle, Holly Circle, Cedar Circle, Pine Circle, Cypress Circle, Bay Circle and Oak Circle included within the bounds of the afore described tract, and all utility easements of record.

Reference is made to various subdivision maps of the Southern Pines Country Club Lands, said maps being designated and entitled as follows: "Subdivision of part of Southern Pines Country Club Lands No. 1", dated August 1, 1928, made by W. I. Johnson, Jr., G.E., recorded in the Moore County Registry, Map Book I, Section 1, Page 35; "Subdivision of Part of Southern Pines Country Club Lands No. 2", dated November 27, 1928, made by W.I. Johnson, Jr., C.E. recorded in the Moore County Registry, Map Book I, Section 1, page 52; "Southern Pines Country Club", dated July 1939, made by J. B. Swett, C.E., recorded in the Moore County Registry, Map Book 2-A, Page 85; "Subdivision of Part of Southern Pines Country Club Lands No. 3", dated December 8, 1955, made by C. H. Blue, Registered Surveyor, recorded in the Moore County Registry, Map Book 5, Page 9; "Southern Pines

EXHIBIT "A"

All that certain tract or parcel of land lying and being near the Town of Southern Pines in Sandhills

Township, Moore County, North Carolina, and adjoining the lands of Sunnyside Addition, Golfcrest

Subdivision, Weymouth Heights Subdivision, Robinson, Down, Brooks, Greene, Jack Norris, McDonald, Johnson, the Pinecrest Manor Subdivision, Eugene McKenzie, E L. Rich, the Seaboard Coastline Railroad and others, described as follows:

BEGINNING at a concrete monument in the south line of Morganton Road at the east corner of the Sunnyside Addition (see Map book I, Section 2, Page 1 17, Moore County Registry), said Beginning monument located 1 81.0 feet east from the intersection of the south line of Morganton Road with the southeast line of Ridge Street, said Beginning monument being the north corner of Lot No. 3 as shown on a map of "Subdivision of part of Southern Pines Country Club Lands No. 1 recorded in the Office of the Register of Deeds for Moore County, North Carolina, running thence from the Beginning monument, with the south line of Morganton Road, South 70° 59' East 319.97 feet to a concrete monument; thence continuing with the south line of Morganton Road and crossing its intersection with County Club Road and Fairway Road, South 78° 37' East 369.96 feet to a corner of Weymouth Heights Lot No. 15; thence with the Weymouth Heights' line, South 33° 46' East 195.52 feet to a concrete monument, the east corner of Lot No. 1, Block 3 of the Country Club Lands, also a corner of the Golfcrest Subdivision; thence with the Golfcrest lines, South 49° 05' West 602.6 feet to a monument, South 37° 49' West 531.67 feet to a monument, South 56° 36' East 235.42 feet to a monument, South 26° 39' East 632.90 feet to a monument, South 28° 54' East 328.2 feet to a monument, South 60° 37' East 436.6 feet to a monument, South 60° 40' East 296.40 feet crossing Valley Road to a monument and North 37° 22' East 830.0 feet to a monument in the Weymouth Heights' line; thence with the Weymouth Heights' line South 33° 45' East 1664.90 feet crossing Barber Road, Little Road and Hill Road to a concrete monument, the east corner of Lot No. 301 of Section Two of the Country Club Lands; thence South 40° 38' West 680.90 feet to an iron stake, a corner of the Phillippi property; thence with Phillippi's line, South 35° 40' East 108.9 feet to an iron stake, a corner of Phillippi and Derby; thence with the lines of Derby and Robinson, South 45° 35' West 770.6 feet to a monument, a corner of Robinson and Dowd; thence with Dowd's line, South 83° 34' West 385.70 feet to a concrete monument; thence with another of Dowd's lines, South 1° 10' West 155.0 feet to a concrete monument; thence with Brooks' & Morrison's line, South 18° 46' East 697.1 feet to a corner in Bethesda Road; thence South 59° 09' West 230.0 feet to a point in Bethesda Road at its intersection with Elk Road; thence South 88° 30' East 26.85 feet to a point in the center of the pavement of Bethesda Road; thence along the center of Bethesda Road, South 58° 12' West 533.0 feet, South 58° 18' West 396.3 feet, South 47° 50' West 116.1 feet, South 31° 31' West 139.0 feet to a point at its intersection with Hill Road; thence continuing with Bethesda Road, South 23° 09' West 442.1 feet, South 45° 34' West 118.8 feet to a point in the center of the pavement of Bethesda Road; thence South 50° 09' West 227.23 feet to a stake in the south ditch of Bethesda Road, the west corner of Robinson's Margaret McNeill 36.64 acre tract; thence with a line of the Greene property, South 85° 59' West 273.0 feet to an iron stake, a corner of the Greene and McCall properties; thence with McCall's line, North 87° 21' West 393.58 feet to an iron stake, a corner of the McCall and Futrell tracts; thence with Futrell's line, North 19° 10' East 125.74 feet to the center of the pavement of Bethesda Road; thence along the center of the road, North 80° 23' West 53.94 feet to Norris' line; thence with Sack Norris property, North 2° 18' West

EXHIBIT "A"
(continued)

Country Club Lands, Section Four, Property of Elks Home of Southern Pines, Inc.", dated November 2, 1965, made by C. H. Blue, Registered Surveyor, recorded in the Moore County Registry, Map Book 7, Page 95; "Southern Pines Country Club Lands, Section Five, Property of Elks Home of Southern Pines, Inc., prepared by C. H. Blue & Associates, and recorded in plat Cabinet 2, Slide 126; and there is EXCEPTED from this indenture and not intended to be conveyed hereby the following residential lots and several tracts or parcels of land as shown on one or more of the aforesaid maps:

- (a) Those certain two tracts or parcels of land conveyed by Elks Home of Southern Pines, Inc., to George C. Graves and wife by deed dated February 14, 1952, and recorded in the Moore County Registry, Deed Book 176, Page 257.
- (b) That certain tract or parcel of land conveyed by Elks Home of Southern Pines, Inc., to Nelson S. Robinson, Trustee, by Deed dated October 11, 1956, recorded in the Moore County Registry, Deed Book 211, Page 457.
- (c) Lots Nos. 1, 2, and a portion of Lot No. 3, Block 1, as conveyed by Elks Home of Southern Pines, Inc., to Carolina Daco Corporation by Deed dated October 31, 1951, recorded in the Moore County Registry, Deed Book 175, Page 243.
- (d) That certain tract or parcel of land conveyed by Elks Home of Southern Pine, Inc., to Shirley Manning recorded in Deed Book 351, page 136, of the Moore County Registry, as amended and corrected in Deed Book 423, Page 840.
- (e) That certain tract or parcel of land conveyed by Elks Home of Southern Pines, Inc., to John O. Valentine, containing 7.2 acres, more or less, and being more particularly described in Deed Book 452, page 657, of the Moore County Registry.
- (f) Lots Nos. 1, 2, 3, 4, 5, 6, 7, 8, and 9, Block 2.
- (g) Lots 140s. 1, 2, 3, 4, 5, and 6, Block 3,
- (h) Lots Nos. 100 through 103, inclusive, 201 through 207, inclusive, 211 through 235, inclusive, 300 through 319, inclusive, 333 through 344, inclusive, 401 through 443, inclusive, and 501 through 525, inclusive.
- (i) That certain tract or parcel of land conveyed by Elks Home of Southern Pines, Inc. to Tanya C. Brown by Deed dated February 12, 1990 and being more particularly described in Deed Book 714, Page 160, of the Moore County Public Registry.
- (j) That certain tract or parcel of land conveyed by Elks Home of Southern Pines, Inc. to Hillco, Ltd. by Deed dated April 20, 1995, containing 8.62 acres, more or less, and being more particularly described in Deed Book 1097, Page 521, of the Moore County Public Registry.
- (k) Lot 512, Section 5 as described in deed recorded in Book 1947, Page 26, MCR (l) Lot 513, Section 5, as described in deed recorded in Book 1947, Page 31, MCR.
- (m) Lots 516-518 Section 5, as described in deed recorded in Book 2483, Page 422, MCR (n) Lots 405R and 406R as described in Deed recorded in Book 2934, Page 142, MCR.
- (o) That certain tract or parcel of land containing 14.77 acres, more or less, as described in deed recorded in Book 3479, Page 288, Moore County Registry, and as shown on plat recorded in Plat Cabinet 14, Slide 314, Moore County Registry.
- (p) That certain tract or parcel of land containing 11.09 acres, more or less, as described in deed recorded in Book 3511, Page 444, Moore County Registry and as shown on plat recorded in Plat Cabinet 14, Slide 561, Moore County Registry.

APPOINTMENT OF AGENT

The undersigned owner(s), MID-PINES DEVELOPMENT GROUP LLC, hereby appoint(s) KOONTZ JONES DESIGN as the exclusive agent for the purpose of making an application to the Town of Southern Pines for a Special Use Permit on the property described in the attached application. The owner(s) hereby agree 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 issuance of a Special Use Permit on the subject property; and
4. to act on behalf of the owner(s) without limitations with regard to any and all things directly or indirectly connected with or arising out of any application for a Special Use Permit under the Southern Pines Unified Development Ordinance.

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

Signed this 10th day of October, 2022.



Property Owner (MID-PINES DEVELOPMENT
GROUP, LLC)



Property Owner



Agent (KOONTZ JONES DESIGN)

May 2, 2022

Mr. Bob Koontz
Koontz Jones Design
150 South Page Street
Southern Pines, NC 28387



RE: *Southern Pines Golf Club - Trip Generation Analysis, Southern Pines, NC*

Kimley-Horn has prepared an analysis of the trip generation potential of the proposed redevelopment of the Southern Pines Golf Club on Country Club Circle in Southern Pines, NC. Per the attached concept plan, this project is proposed to add 8 rental cottages and a lodge with 12 rooms and will have access onto Country Club Circle.

Traffic for this project was generated using data from the 10th Edition of the *ITE Trip Generation Manual* based on land use codes (LUC) 265 (Timeshare) for the rental cottages and LUC 310 (Hotel) for the lodge. The trip generation is summarized in Table 1 below, and detailed trip generation calculations are attached.

Table 1 ITE Trip Generation (Vehicles)							
Land Use	Size	Daily		AM Peak Hour		PM Peak Hour	
		In	Out	In	Out	In	Out
Timeshare (LUC 265)	8 units	42	42	2	1	3	4
Hotel (LUC 310)	12 rooms	50	50	4	2	4	3
Total Net New External Trips		92	92	6	3	7	7

Table 1 shows that the proposed development is projected to generate approximately 184 new daily trips on a typical weekday, with 9 new trips during the AM peak hour and 14 new trips during the PM peak hour. Based on the low projected trip volume, no roadway improvements are recommended based on this analysis, and no other analysis should be required for this development.

Please let me know if you have any questions or require any further information. We appreciate the opportunity to provide these services to you.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

Travis Fluitt, P.E.
Project Manager

PRELIMINARY
CONCEPTUAL PLAN

FOR

SOUTHERN PINES
GOLF CLUB
OPTION 'A'

JUNE 1, 2021



DEVELOPMENT SUMMARY:

STANDARD COTTAGE (SC): 4 BLDGS
ENHANCED COTTAGE (EC): 4 BLDGS
LODGE: 1 BLDG

EXISTING PARKING: ±115 SPACES
NEW PARKING: ±126 SPACES

PREPARED BY:



SU-07-22 SP Country Club

November 2022 Planning Board



SCALE: 1" = 60'

32 of 41

Southern Pines Golf Club

Table 1 - Trip Generation

Land Use	Intensity	Daily			AM Peak Hour			PM Peak Hour		
		Total	In	Out	Total	In	Out	Total	In	Out
265 Timeshare	8 units	84	42	42	3	2	1	7	3	4
310 Hotel	12 rooms	100	50	50	6	4	2	7	4	3
Total Net New External Trips		184	92	92	9	6	3	14	7	7

K:\RAL_TPTO_Traffic\017069007 Southern Pines Golf Club\SPGC - Trip Generation Worksheet (10th Edition).xls]Trip Gen

5/2/22

NEIGHBORHOOD MEETING REPORT

DATE: September 27, 2022

PROJECT: Southern Pines Country Club (SPCC)

LOCATION: Southern Pines Country Club Clubhouse
290 Country Club Circle
Southern Pines, NC 28387

SUBMITTED BY: Bob Koontz

ATTENDEES: Bob Koontz, Koontz Jones Design, PLLC
Kelly Miller, Southern Pines Country Club

An informal Neighborhood Meeting was held on Tuesday September 27, 2022, from 4:00 pm to 6:00 pm in the Southern Pines Country Club clubhouse in Southern Pines. This meeting is not required by the Town of Southern Pines Unified Development Ordinance (UDO) for Special Use Permit applications; however, the applicant chose to hold the meeting voluntarily to meet with adjoining property owners surrounding the proposed development area. This meeting was held so adjoining property owners could review proposed plans for the project and discuss them with the development team, providing the applicant with an important dialogue to understand issues and concerns of the residents living near the proposed project. A site plan, existing site conditions aerial photograph and overall aerial property map were available for review. All adjoining parcel owners within the direct vicinity of the proposed property were notified by letter (see attached copy of the letter) at least ten (10) days prior to the meeting date. In addition, The Pilot newspaper published the meeting time and date in an article.

Several residents from the adjoining properties and other residents from the neighborhood took the opportunity to review the plans and discuss the project with the development team. (See attached sign in sheet)

Questions relating to many aspects of the development were raised and responded to by the development team based on the current direction of the plan. Overall there was very good participation and dialogue. The following is a list of many of the questions posed to the development team and dialogue related to those questions:

- Number of proposed units and bedrooms : The development team provided plans and information describing that there would be up to 10 cottages with up to 48 bedrooms located on the property.
- Ingress/egress from Ridge Street : Several attendees expressed a concern that vehicular traffic would utilize the connection to Ridge Street. It was explained that this access location was not proposed for a full roadway or driveway connection. The path leading to Ridge would only be 12' wide and accommodate golf carts with an additional 8' in a grass pavers to accommodate emergency vehicles and golf carts only. It was explained that the connection to Ridge Street would be a gated access and that only emergency vehicles would be permitted to use this entrance.
- Construction Access : Resident expressed concern that Ridge Street would be used for construction access to the property as the cottages are being constructed. The applicant agreed to consider prohibiting construction traffic from using the Ridge Street entrance. Upon hearing this concern from the property owner's regarding construction traffic, the applicant will agree in the Special Use Permit to prohibit construction traffic from using Ridge Street and utilize the much wider Country Club Circle for construction traffic.
- Ridge Street width and improvements : There were concerns that the Town would require improvements to Ridge Street as part of this application, including sidewalks and road widening. The residents expressed that they would like to keep Ridge Street as it is today. The design team stated that it was not their intent to widen Ridge Street and that preliminary meetings with the Town had not considered improvements to Ridge Street beyond making an adequate connection to the emergency service access location.
- Operation of the Cottages : Residents wanted to understand who would be operating the cottages and if they would be for sale and placed for rent by the individual owners. It was explained that all cottages would be operated and rented by the SPCC, and part of the overall Mid Pines and Pine Needles lodging program, which is also operated by the owner of SPCC.
- What will the buildings look like? : The development team explained that at this point the architectural character is still being discussed. Architectural character will be complimentary of the existing clubhouse and blend in with the surroundings. Also being discussed is utilizing an architectural style that would reflect the historic original clubhouse at SPCC which was lost in a fire many years ago.
- How tall will the buildings be? : It was explained that the intent is to keep all buildings under the standard residential building height of 35 feet. Most buildings at this point are intended to be one-story structures with a potential basement level where grade conditions permit the walk-out conditions.
- How far will the buildings and parking areas be setback from the property boundaries? : The development team explained that currently the cottages are designed to be in excess of 60' from the property boundary. In addition, the large parking nearest the adjoining properties would maintain the current limit of the existing parking lot. Existing trees will be saved close to property line where possible and by utilizing the existing parking limits will

assist in maintaining vegetation. In addition, it was explained that Southern Pines will require parking lot screening plantings of 10' along the boundary of the parking areas.

- Will the pool remain? : It was explained that the viability of the swimming pool was being evaluated. The current plan illustrates the main entry drive and drop off area at the location of the pool facility. Depending on the ultimate decision the pool may or may not stay. One participant stated specifically that they would be in favor of the project if the pool were to stay but would likely be against the project without the pool.
- Is there enough room to fit everything proposed on the property? : Some participants asked if there was enough room to fit the buildings in with the construction of the new putting green. They were assured by the design team that adequate space was available for the proposed cottages and lodge. The existing conditions aerial photograph shows the previous clubhouse during demolition and residents could see the scale of that facility versus the scale of the proposed cottages, which are much smaller.
- Parking : Two questions were posed by the participants. Are there enough parking spaces and it looks like a lot of parking, can't you have less parking? The design team explained that the parking counts shown were based on Town of Southern Pines code requirements and also using the existing parking and adding enough parking spaces for the cottages and lodge.
- Future Plans? : It was explained that beyond what is shown on the plans, there are no future plans for the development of the property. The Special Use Permit would only apply to the designated boundary that is set in plans that will be submitted and is site plan specific. Any future plans would be required to go through the same Special Use Permit process as the proposed plans.
- What is the timing of the project? : It was explained that there is no definitive timeline for the project and that it will depend on market conditions and construction costs, which are currently, very volatile. It is intended that the project be built in phases of two to three buildings at a time, assuming the first phase is well received.
- Why was the Pinecrest High School Cross Country team prohibited from using the facility? : It was explained that Cross Country Team was not prohibited from using the property for their training and events. The Club and their attorneys worked with the Moore County Schools attorneys on an agreement that would permit the team to utilize the property as they had previously, while waiving liability for SPCC. From the owner's perspective, all attorneys and both parties had agreed to the language of the agreement, but for whatever reason, Moore County Schools never signed the agreement. SPCC is very open to the Cross Country Team using the property should Moore County Schools wish to finalize the agreement.



Robert Koontz, RLA

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





SOUTHERN ANES CC - HEALTH BOARD MEETING - 9/27/2022

Name	Address	Email Address
Scott Paulsen	185 Country Club Circle	scott@paulsen@gmail.com
Phil & Hattie Cook	13 Elk Ridge Dr	KATHYCOOK@GMAIL.COM
Amy Drake	12 Elk Ridge Dr.	amymdrake@comcast.net
Michie Gentry	209 S. Ridge St.	michie.gentry@gmail.com
Jim & Bea Fishback	16 Elk Ridge	jimlovesbea@gmail.com
David & Mary Harris	180 Spring Rd	DMH242@gmail.com
MELTON BURGEMAN	125 Country Club Circle	MELTONBURGEMAN@GMAIL.COM
Don Tinker	215 " " "	DOTASSOC@AOL.COM
Scott Weaver	776, 780, 783 S Ridge St	Scott.Weaver@lehighcas.com
Don Bassett	716 Ridge St	Bassett@twc.com
Barron Moffitt	14 Elk Ridge Ln / 244 Pine Ridge, W.Va.	barron.j.moffitt@gmail.com
Robert Bover	600 S. Valley Rd.	roverb@2egmail.com
John Casavant	610 S. VINEY RD.	casavant@bbl@yahoo.com
Joel Macdonald	749 S. Ridge St Sevier	hmacdonald@gmail.com
STEPHEN CARTER	570 S. VALLEY Rd.	acbuilder@yahoo.com
Robert J. Gallagher	545 Highway Rd.	robert.j.h.gallagher@gmail.com
Ray Kirkland	515 S Valley Rd	RULKIRKLAND@RCR.COM

Email Address

Kenn875@gmail.com

Citacano@me.com

Nurtlinda@gmail.com

September 12, 2022

Dear adjoining property owner,

A Neighborhood Meeting will be held to discuss a proposed Special Use Permit (SUP) application for the property located off Spring Rd. in Southern Pines. The property is currently zoned FRR - Facilities, Resource and Recreation per the Town of Southern Pines Unified Development Ordinance (UDO). FRR zoning is intended for open space, public facilities and privately owned and recreation areas. Privately owned land uses include golf resorts and related facilities. The SUP application requests golf related lodging to be located on site.

This meeting is not a public hearing. The purpose of this meeting is to inform neighboring property owners of the proposal and to seek comments. The drop-in meeting will be held on September 27, 2022, between the hours of 4:00 pm and 6:00 pm at the Southern Pines Golf Club clubhouse located at 290 Country Club Cir. in Southern Pines. This meeting will be informal, with no scheduled presentation, so feel free to come by at your convenience during the designated hours. Conceptual plans will be made available for review and discussion with members of the project team. Anyone seeking additional information regarding the CDP application may call (910) 684-8487.

Best Regards,

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

Robert Koontz, PLA