AGENDA

Tuesday, March 7, 2023: 6:00 PM
Town Council Agenda Meeting
C. Michael Haney Community Room: Southern Pines Police Department
450 W. Pennsylvania Ave

1. CALL TO ORDER

2. TOWN MANAGER'S COMMENTS

3. PRESENTATIONS

a. Town Logo Options

Tripp Muldrow from Arnett Muldrow will share some new concepts for the Town's logo.

b. Campbell House Addition

The Arts Council of Moore County leases the first floor of the Campbell House for their operations and gallery. The Council is interested in constructing a two-story addition to the Campbell House to expand their space. Chris Dunn will attend the meeting to present the proposal.

4. ITEMS FOR ACTION 03-07-23

a. Authorize the Town Manager to Sign a Minor Subdivision Plat for Parcel #00991984 Located Along Morganton Road, East of Henley St.

This will allow the Town to subdivide an existing parcel owned by the Town and record the subject plat.

5. REVIEW PROPOSED ACTION ITEMS FOR MARCH 14, 2023 MEETING

a. AR-01-23 Knollwood Tract Phase 2 Apartments

Mr. Philip Payonk with Hawthorne Residential Partners, LLC, on behalf of Knollwood Partners, LLC and Kaveri Investment Management (legal property owners), is requesting approval of an Architectural Compliance Permit for "Knollwood Multi-Family," a 236-unit apartment home community constituting Phase 2 of the Knollwood Tract CDP.

b. Convey Property to YMCA of the Sandhills

The Town owns approximately 49+/- acres of land located on the north side of Morganton Road along Henley Street. In accordance with NCGS §160A-279, the Town is interested in transferring approximately 8.375+/- acres of the total 49 acres to the YMCA of the Sandhills. In exchange, the YMCA will construct and operate a recreation facility.

c. Consider User Agreement with Southern Pines Pickleball Club

The Southern Pines Pickleball Club (SPPC) has approached the Town about formalizing a user agreement, to include a $16,000 contribution toward a Town construction project to convert existing tennis courts at Memorial Park into permanent pickleball courts. The SPPC has requested that the Town take steps to expedite this project. Staff will provide more details at the meeting, but next steps include: 1) execute a user agreement between the

Town and SPPC; 2) accept a $16,000 donation from the SPPC; 3) amend the FY 22-23 budget to account for the donation and expenditures; and 4) Town staff begins the contractor selection process in accordance with state purchasing statues. Staff will forward the necessary items to Council for formal approval as these steps advance.

6. REVIEW PROPOSED CONSENT AGENDA FOR MARCH 14, 2023 MEETING

a. Approve Ordinance #2058 Amending the FY 22-23 Budget in the Amount of $9,850

Council previously approved the condemnation and demolition of the former house at 875 Clark Street. This work has been completed and this budget amendment represents the total amount of this work.

b. Approve Two Appointments for the Library Advisory Board.

Staff asks that the Council consider the applications of Kira Shoenfelder and Shawna Fink to the Library Advisory Board.

c. Approve Resolution #1041 for Resident Exemption from Curbside Solid Waste Collection

Effective July 1, 2023, GFL will discontinue back door garbage collection and curbside collection will become the standard for both garbage and recycling. GFL will provide back door service to residents who qualify for a medical exemption. Staff has drafted a policy which contains suggested criteria that will make a resident eligible for medical exemption from curbside collection for both garbage and recycling.

d. Approve Interlocal Agreement with Moore County for Mobile311 GIS

The Town's Mobile311 system uses GIS to provide mapping data for certain work orders.
Town IT staff has worked with Moore County IT staff to replace the vendor's interface with a hosted solution through Moore County. The Town will enter into an interlocal agreement that outlines this arrangement.

e. Approve Town Council Meeting Minutes for February 2023

Staff has prepared meeting minutes for the Council's approval.

- February 7, 2023
- February 14, 2023
- February 28, 2023

7. APPLICATIONS FOR MARCH 14, 2023 EVIDENTIARY (QUASI-JUDICIAL) HEARING

a. SU-06-22: MidSouth Modifications (hearing continued from 02/14/23)

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 various modifications to the MidSouth development. Modifications include adding two residential lots near the north entrance and subdividing off the property on which the north gatehouse is located. The subject property is identified as PIN: 857200264820 (PARID: 00041026701).

8. ADJOURNMENT

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

ARTS COUNCIL
OF MOORE COUNTY

February 28, 2023

Town Council
Town of Southern Pines
For Work Session meeting on March 7

RE: Proposed addition to Campbell House

Dear Council Members,

On behalf of the Arts Council of Moore County, thank you for adding this to the agenda at the March work session meeting to review a proposed addition to the first floor of the Campbell House. Our goal at this point is to get the Town's blessing to begin fundraising for the project.

I have attached a preliminary schematic design of the addition by B&L Architects of Charleston, SC (now based in Flat Rock, NC). Highlights of the plan as submitted include:

- The addition will match the existing architecture of the Campbell House.
- The addition will be funded privately by the Arts Council.
- Campbell House's interior will increase by almost 1,600 ft^2.
- The plan includes a great room with an enclosed porch. The great room will be used daily as a gallery, and frequently for lectures, concerts, receptions, and meetings. The enclosed porch may be used for food service during events and as a small meeting space.
- Between the new addition and the existing house will be a small gallery and hallway with two ADA bathrooms. (The house currently has no ADA bathrooms for to the public.)
- The plan also includes a public elevator just off the foyer. In addition to granting ADA accessibility to the 2nd floor of the Campbell House, we would gain access to the basement for much needed storage.

I recently emailed the plan to the Town's Fire Marshal, Ken Skipper, for feedback on appropriate locations of emergency exits in the addition. I hope to have heard back before the meeting, but know that the plan is flexible enough to add exits in several locations to keep visitors safe.

Please call me at 910-692-2787 with any questions you may have before the work session. Otherwise, I look forward seeing you all on March 7.

For the Arts,

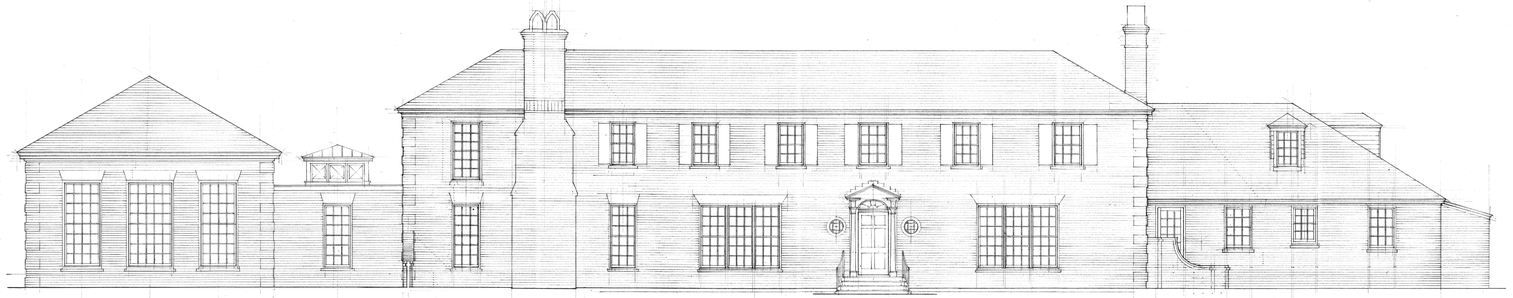
Chris Dunn

Chris Dunn
Executive Director

Attachment: PDF of the proposed addition to the Campbell House

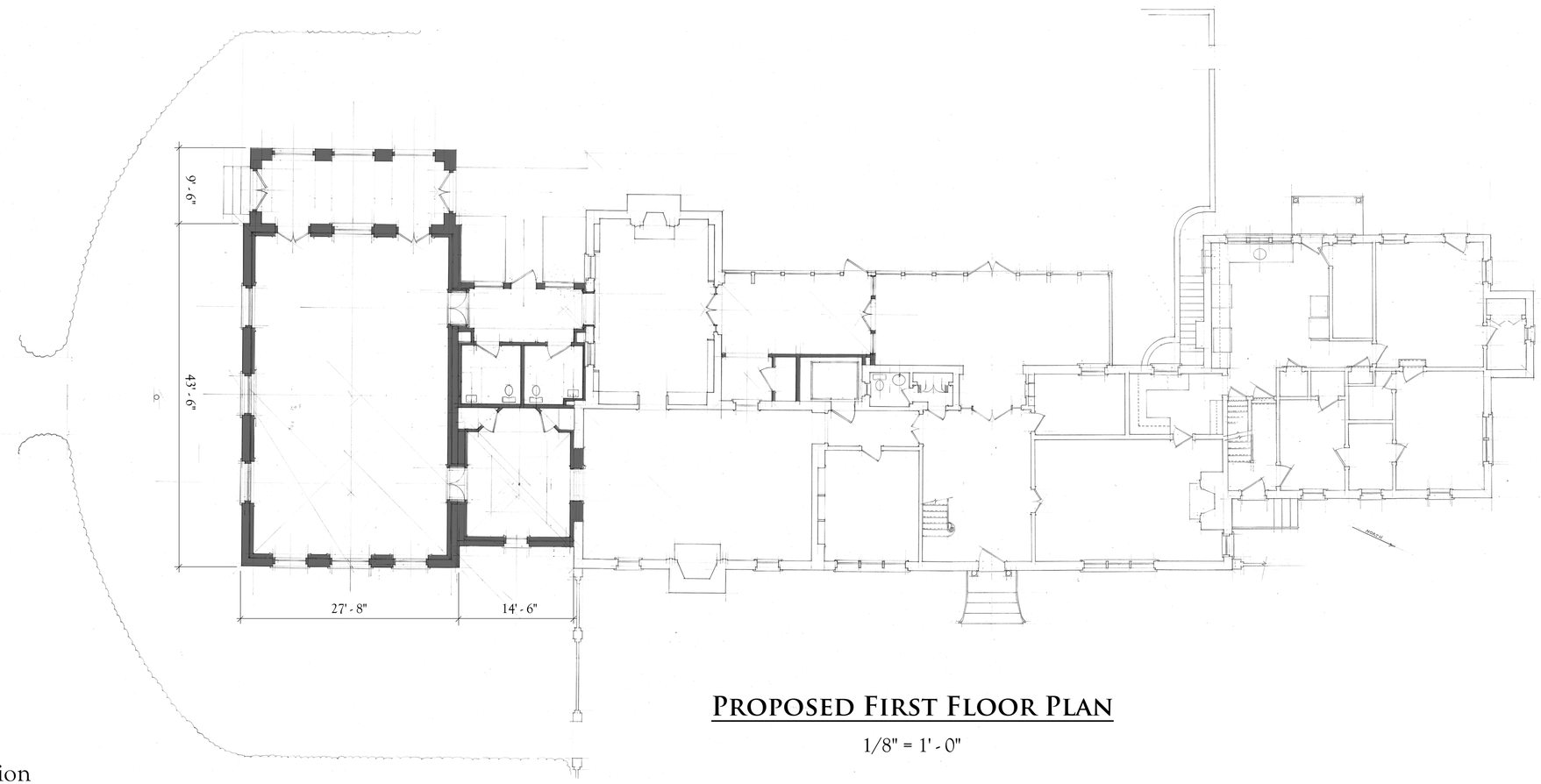
CAMPBELL HOUSE • 482 EAST CONNECTICUT AVENUE • P.O. BOX 405 • SOUTHERN PINES, NC 28388
910-692-ARTS (2787) • acmc@mooreart.org • www.MooreArt.org

Issued December 22, 2022



Proposed North Elevation

1/8" = 1' - 0"

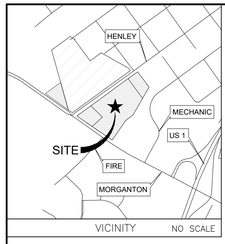


Proposed First Floor Plan

1/8" = 1' - 0"

Proposed Addition
Campbell House
Southern Pines, NC

B&L Architects
89 Wentworth St
Charleston, SC
(843) 743 - 4224



GENERAL NOTES
1. THIS MAP IS IN ACCORDANCE WITH GS 47-30.
2. AREA BY COORDINATE METHOD.
3. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCE.
4. DASHED LINES NOT SURVEYED, DRAWN FROM INFORMATION AS INDICATED.
5. THERE ARE NO VISIBLE ENCROACHMENTS OTHER THAN THOSE SHOWN HEREON.
6. THIS PROPERTY IS LOCATED IN A WATER SUPPLY WATERSHED: WS-II(P); DROWNING CREEK; LUMBER BASIN.
7. THIS PROPERTY IS NOT LOCATED IN A DESIGNATED FEMA SPECIAL FLOOD HAZARD AREA PER FIRM NO. 3710854000J WITH AN EFFECTIVE DATE OF 10/17/2006.
8. LOCATION OF UNDERGROUND UTILITIES, IF SHOWN, ARE BASED ON VISIBLE EVIDENCE OR DRAWINGS PROVIDED TO THE SURVEYOR. LOCATION OF UNDERGROUND UTILITIES AND STRUCTURES MAY VARY FROM SHOWN LOCATIONS. ADDITIONAL UTILITIES MAY EXIST. LOCAL UTILITY COMPANIES SHOULD BE CONSULTED FOR FURTHER INFORMATION ON UTILITIES AFFECTING THE PROPERTY.
9. THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF AN ATTORNEY'S TITLE SEARCH WHICH COULD DISCLOSE ZONING, BUILDING SETBACKS OR OTHER INFORMATION WHICH COULD AFFECT THE SURVEYED PROPERTY.
10. THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, RIGHT-OF-WAYS AND AGREEMENTS OF RECORD PRIOR TO THE DATE OF THIS PLAT.
11. GPS COORDINATES ESTABLISHED USING SPECTRA PRECISION SP80 MODEL; NC GNSS REAL TIME NETWORK.

LEGEND
CP ○ = CALCULATED POINT
EIR ◉ = EXISTING IRON ROD
EIP ○ = EXISTING IRON PIPE
ECM □ = EXISTING MONUMENT
= RIGHT OF WAY
= BOUNDARY LINE
= BOUNDARY NOT SURVEYED
= EDGE OF PAVEMENT
= EDGE OF CONCRETE
= EXISTING FENCE
= OVERHEAD ELECTRIC
= UTILITY POLE
= LIGHT POLE
⊠ = WATER METER

TITLE REFERENCE:
PARID 98000748
DEED BOOK 5625 PAGE 451
RENTAL DERBY, LLC
PARID 00991984
DEED BOOK 143 PAGE 303
TOWN OF SOUTHERN PINES
MOORE COUNTY REGISTRY

OWNER:
RENTAL DERBY, LLC
39 SPEARHEAD DRIVE
WHISPERING PINES, NC 28327

TOWN OF SOUTHERN PINES
PO BOX 870
SOUTHERN PINES, NC 28388

SITE DATA:
JURISDICTION: SOUTHERN PINES
ADDRESS:
-PARID 98000748
704 W MORGANTON RD
-PARID 00991984
604 MORGANTON RD
ZONING: FRR
BUILDING HEIGHTS AND SETBACKS SHALL CONFORM TO THOSE OF THE ABUTTING DISTRICT.

SURVEYOR:
JEFFREY L. GREEN, PLS
LICENSE # 3972
140 AQUA SHED COURT
ABERDEEN, NC 28315

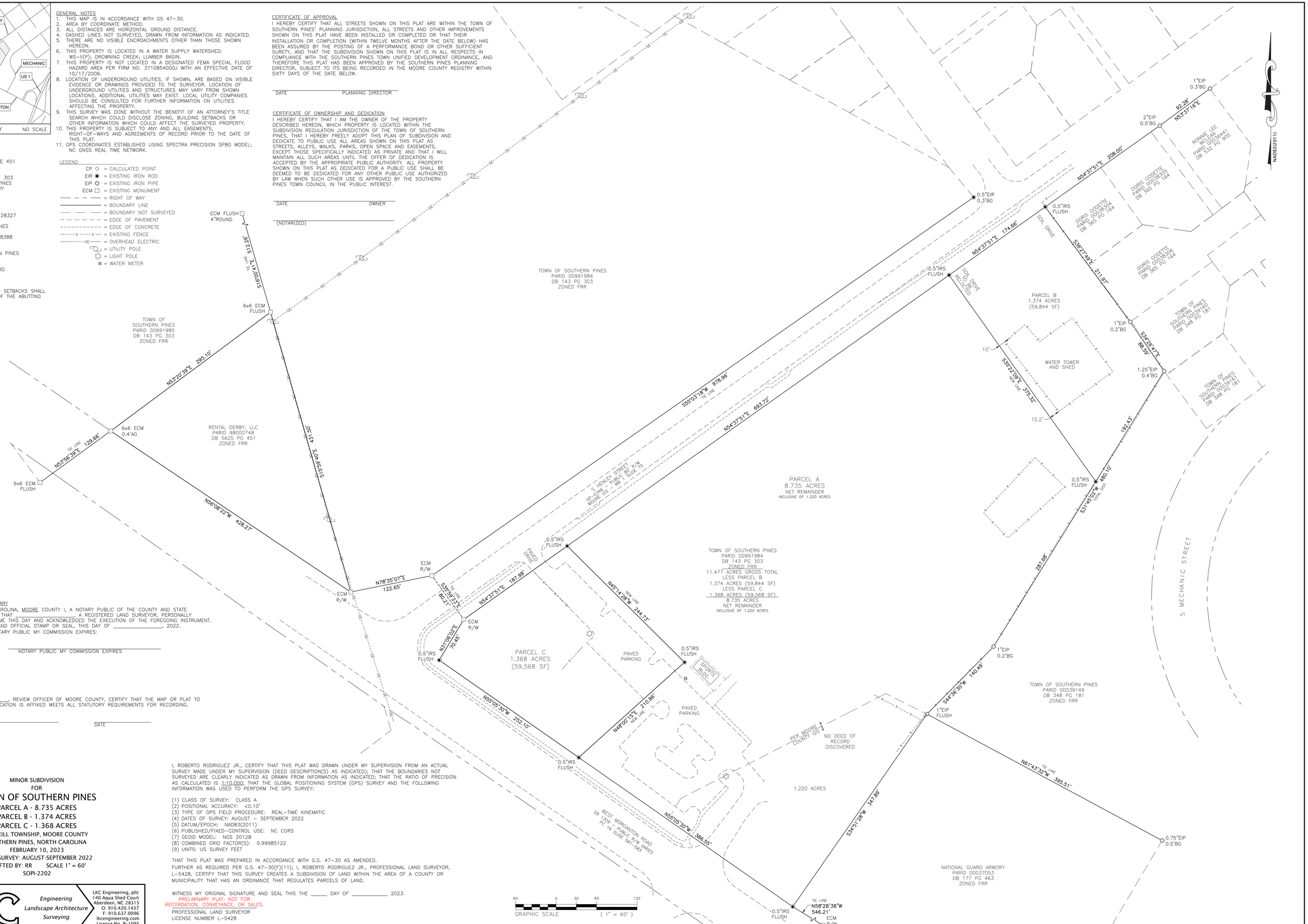
CERTIFICATE OF APPROVAL
I HEREBY CERTIFY THAT ALL STREETS SHOWN ON THIS PLAT ARE WITHIN THE TOWN OF SOUTHERN PINES' PLANNING JURISDICTION, ALL STREETS AND OTHER IMPROVEMENTS SHOWN ON THIS PLAT HAVE BEEN INSTALLED OR COMPLETED OR THAT THEIR INSTALLATION OR COMPLETION (WITHIN TWELVE MONTHS AFTER THE DATE BELOW) HAS BEEN ASSURED BY THE POSTING OF A PERFORMANCE BOND OR OTHER SUFFICIENT SURETY, AND THAT THE SUBDIVISION SHOWN ON THIS PLAT IS IN ALL RESPECTS IN COMPLIANCE WITH THE SOUTHERN PINES TOWN UNIFIED DEVELOPMENT ORDINANCE, AND THEREFORE THIS PLAT HAS BEEN APPROVED BY THE SOUTHERN PINES PLANNING DIRECTOR, SUBJECT TO ITS BEING RECORDED IN THE MOORE COUNTY REGISTRY WITHIN SIXTY DAYS OF THE DATE BELOW.

DATE PLANNING DIRECTOR

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

DATE OWNER

(NOTARIZED)



CERTIFICATE OF NOTARY
STATE OF NORTH CAROLINA, MOORE COUNTY I, A NOTARY PUBLIC OF THE COUNTY AND STATE AFORESAID, CERTIFY THAT _____, A REGISTERED LAND SURVEYOR, PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT. WITNESS MY HAND AND OFFICIAL STAMP OR SEAL, THIS DAY OF _____, 2022.
SEAL OR STAMP NOTARY PUBLIC MY COMMISSION EXPIRES:

STAMP OR SEAL NOTARY PUBLIC MY COMMISSION EXPIRES

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

REVIEW OFFICER DATE

MINOR SUBDIVISION
FOR
TOWN OF SOUTHERN PINES
PARCEL A - 8.735 ACRES
PARCEL B - 1.374 ACRES
PARCEL C - 1.368 ACRES
MCNEILL TOWNSHIP, MOORE COUNTY
SOUTHERN PINES, NORTH CAROLINA
FEBRUARY 10, 2023
FIELD SURVEY: AUGUST-SEPTEMBER 2022
DRAFTED BY: RR SCALE 1" = 60'
SOPI-2202

I, ROBERTO RODRIGUEZ JR., CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION(S) AS INDICATED); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION AS INDICATED; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000; THAT THE GLOBAL POSITIONING SYSTEM (GPS) SURVEY AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE GPS SURVEY:

(1) CLASS OF SURVEY: CLASS A
(2) POSITIONAL ACCURACY: <0.10'
(3) TYPE OF GPS FIELD PROCEDURE: REAL-TIME KINEMATIC
(4) DATES OF SURVEY: AUGUST - SEPTEMBER 2022
(5) DATUM/EPOCH: NAD83(2011)
(6) PUBLISHED/FIXED-CONTROL USE: NC CORS
(7) GEOID MODEL: NGS 2012B
(8) COMBINED GRID FACTOR(S): 0.99985122
(9) UNITS: US SURVEY FEET

THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.
FURTHER AS REQUIRED PER G.S. 47-30(F)(11); I, ROBERTO RODRIGUEZ JR., PROFESSIONAL LAND SURVEYOR, L-5428, CERTIFY THAT THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS THE _____ DAY OF _____ 2023.
PRELIMINARY PLAT: NOT FOR RECORDATION, CONVEYANCE, OR SALES.
PROFESSIONAL LAND SURVEYOR
LICENSE NUMBER L-5428

GRAPHIC SCALE 60 0 30 60 120 (1" = 60')

LKC
Engineering
Landscape Architecture
Surveying
LKC Engineering, pllc
140 Aqua Shed Court
Aberdeen, NC 28315
O: 910.420.1437
F: 910.637.0096
lkcengineering.com
License No. P-1095

Agenda Item

To: **Reagan Parsons, Town Manager**

From: **Pamela Graham, Principal Planner**

Subject: **AR-01-23 Knollwood Multi-Family**

Date: **March 14, 2023**

I. SUMMARY OF APPLICATION REQUEST:

Mr. Philip Payonk with Hawthorne Residential Partners, LLC, on behalf of Knollwood Partners, LLC and Kaveri Investment Management (legal property owners), is requesting approval of an Architectural Compliance Permit for "Knollwood Multi-Family," a 236-unit apartment home community constituting Phase 2 of the Knollwood Tract CDP. The PDP associated with this project is known as PD-11-22 and was approved in November of 2022. The property to be developed is located on the north side of US Highway 1, between Midland Road and St. Joseph Road and consists of +/-19.57 acres.

II. PROJECT INFORMATION:

A. Property Owners(s)

1. PIN 858211667500 (PARID 00039300701)
Owned by Knollwood Partners, LLC
1010 Midland Road
Southern Pines, NC 28387

2. PIN 858210471209 (PARID 00037785)
Owned by Mid-Pines Development Group, LLC
PO Box 88
Southern Pines, NC 28388

3. PIN 858207694691(PARID 00031176)
Owned by Kaveri Investment Management Company, LLC
3515 Collins Avenue, #4B
Miami Beach, Florida 33140

B. Applicant and Authorized Agent

Hawthorne Residential Partners c/o Philip M. Payonk
806 Green Valley Road, Suite 311
Greensboro, NC 27408

III. STAFF REVIEW:

1. **Review Process:**
   Architectural Compliance Permit applications are reviewed pursuant to UDO §2.26.

2. **Application Review Dates:**
   Application Submitted: February 6, 2023 and February 17, 2023
   Application Complete: February 21, 2023
   Town Council Agenda Meeting: March 7, 2023
   Town Council Regular Meeting: March 14, 2023

3. **Criteria for Review:**
   UDO §2.26.1 describes the purpose of the architectural compliance permit as follows: *"This section enables the Town Council and the developer of a multi-family, attached single-family, commercial or mixed-use Development project to collaborate on the project design, thereby providing flexibility from the strict application of the Town's Commercial Design Standards."*

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

   (A) The following Comprehensive Plan goals and policies may be considered relevant to the proposal, when considered in the broader scope of the project as a whole (including but not limited to the architectural character):
   G-10. Economy. Achieve a sustainable, resilient, balanced economy.
   G-11. Housing. Facilitate the provision of a broad range of housing choices that serve residents of all abilities and incomes.
   G.13. Growth. Ensure that services, facilities and land resources accommodate anticipated growth while enhancing the quality of life for Southern Pines' residents.
   P-6. Mobility. Enhance mobility options for residents of Southern Pines by:
   a. Ensuring that new neighborhoods and mixed-use centers interconnect with adjoining land uses;
   b. Making walking and bicycling safe, convenient and economical transportation alternatives to driving through development of greenways and streets that are designed to support all user.
   P-9. Access Management. Enhance the safety and function of arterial and collector streets through access management strategies that:
   a. Encourage common or shared parking facilities as well as common driveways;
   b. Control the number, width, and location of driveways; and
   c. Require site access from side streets where appropriate.
   P-10. Greenways. Continue development of a greenway system in coordination with Moore County, Pinehurst, Aberdeen and other stakeholders to facilitate open space retention and link Southern Pines'

neighborhoods, parks, civic uses, activity centers and connections to regional trails and greenways.
<u>P-12. New Housing Choices</u>. Foster the provision of a mix of housing that meets the financial and physical needs of existing and future residents by encouraging development of a variety of housing types in new residential areas and promoting compatible infill in existing neighborhoods.

(B) The application substantially conforms with the applicable multi-family or commercial design standards and other applicable provisions of the UDO, including the purposes of the zoning district in which the property is located; *Staff has included two areas of compliance that we recommend be included in the conditions for approval of this project, bringing it into "substantial conformity" with the standards, while acknowledging the guidance found in the two remaining criteria that follow below.*

(C) The application is consistent with applicable conditions of prior Development approvals; and

(D) The development as proposed will be compatible with neighboring development and has mitigated potential conflicts.

4. Staff Comments based on Multi-Family Development Building Design Requirements per UDO §4.10.8:

✓ = compliant ✗ = not compliant ? = compliance has not been determined

UDO §4.10.8 (C) ***states that Multi-Family Developments shall:***

- *Include variations in heights, color, setback, rooflines, trim, and building sizes to create visual diversity between structures.*

  ✗ **Requesting a deviation:**
  Each of the buildings are designed with a focus on consistency *between* structures, and diversity *within* each structure. Each building contains variations in height, color, rooflines, and trim; however, each of the buildings exhibit these variations in a fashion that is similar to each of the other buildings. This approach is commonly used in multi-family design to create a cohesive appearance throughout the development.

- *Group buildings in clusters.*

  ✓ **Generally compliant with standard(s):**
  The proposal includes nine multi-family buildings with a clubhouse/amenity area and associated parking throughout. The buildings are clustered to a reasonable degree, given the need to position parking areas directly adjacent to the buildings and allow for vehicular circulation throughout the development, as well as provide for some open space areas easily accessible by residents.

- *Articulate facades by including projections of at least five (5) feet at least once every fifty (50) feet along the façade.*

  ✗ **Current design requires a deviation approval for Building Type 2:**

The multi-family structures are designed according to two proposed building types. Building Type 1 is compliant with this standard, providing projections from the front and rear facades of at least 8'-6" at least once every fifty feet, and 5'-10.5" along the side facades. However, Building Type 2 includes projections of less than 2' along the front and rear facades and approximately 3' along the side facades, and therefore does not comply with the standard. This deviation is less frequently requested than others that are common to multi-family design proposals and staff is recommending that the design be revised to meet the standard prior to release of architectural permit approval documents.

- *Locate windows to provide easy surveillance of open spaces and walkways, without placing such windows within direct alignment with windows of adjacent structures.*

  ✓ **Compliant with standard(s):**
  Site plan indicates compliance with this standard and can be confirmed during site plan review.

- *Units above grade level shall have access to private balconies of usable dimensions no smaller than ten (10) feet by six (6) feet.*

  ✓ **Compliant with standard(s):**
  All balconies for both Building Type 1 and Type 2 have minimum dimensions of 6' by 10'.

- *Provide private entrances at grade level and adjacent to private open space to the greatest extent possible. Unless otherwise approved by the Town Council, no more than four (4) Dwelling Units shall share a common entrance.*

  ✗ **Requesting a deviation:**
  The applicant has responded to this standard by stating the following in their narrative:
  "Three common entrances are provided at grade level to shared apartment breezeway corridors. We would ask as part of the planned development that these be allowed to serve more than four dwelling units each."

  Because the planned development approval did not request (nor was it granted) a deviation from this standard, the justification for the deviation must be found elsewhere. This particular standard has been the topic of much discussion regarding the intent of the standard, the interpretation that should be applied, and the consistent pattern of deviation requests by applicants.

  The ground floors of the Type 1 buildings comply with the requirement by a considerable margin by having only eight units accessed by four

building entrances. Adding the unit entrances for the second floor, the Type 1 buildings still comply by now having sixteen units accessed by four building entrances. However, the third floor units change the ratio of unit entrances to building entrances with a calculation of twenty-four unit entrances to four building entrances, which exceeds the standard.

Building Type 2 is designed with an interior arrangement of three ground floor building entrances with eight unit entrances on each floor. Therefore, only the ground floor of these buildings are compliant with the standard. Staircases are positioned near all building entrances for both building types to allow access to the upper floor units.

Staff has no evidence that the buildings will benefit aesthetically from the application of this standard. Assuming that safe egress from buildings was, at least in part, the intent of the standard, the following estimates based on the floor plans provided by the applicant may offer justification for granting a deviation from this challenging standard:

- The common entrances for the buildings are between nine and ten feet wide.
- The greatest distance from any unit door to an exit/stairwell is +/- 31' for Type 1 buildings and +/- 53' for Type 2 buildings.

- *Avoid aligning doors to separate Dwelling Units with each other unless screening is provided. However, entrances should be visible from the sidewalk or public walkway and other Dwelling Units, when practical.*

  ✓ **Compliant with standard(s):**
  Buildings have been situated over the site in a manner that avoids direct alignment of doorways.

- *Provide porches or roofed overhangs over building entrances.*

  ✓ **Compliant with standard(s):**
  All common entrances to the buildings feature overhangs.

- *Set back buildings or entries so that the entry paths extend at least ten (10) feet from the sidewalk or public circulation walkway. Do not provide access to apartments via long-shared access galleries.*

  ? **Compliance is undetermined at this time:**
  The applicant has provided the following response to this requirement: *"The spatial requirements as described in section 4.10.8(B) of the UDO will be met and addressed during the site plan approval process."*
  Staff agrees that this standard is related more to the site than to the architecture. Staff can assure compliance during site plan review if that is the desire of Town Council. A condition specific to this item is included in the staff-recommended conditions.

5. **UDO §4.10.4 addresses building design requirements for commercial development, which includes multi-family developments, as follows:**

- UDO §4.10.4 (A) *states that the front of buildings shall face and have the primary customer entry facing that street. Corner lot buildings shall face and have the primary customer entry facing the higher order street, facing the corner or facing each street. Buildings that extend the full depth of a block may be required to have entries on each street frontage. Maximum spacing or distance between customer entries shall not exceed the standards in Exhibit 4-15, for PD is determined at the time of the Final Development Plan (FDP) approval. The FDP states that the UDO standards apply.*

  ✓ **Compliant with standard(s):**
  All buildings face the private streets that provide access through the development.

- UDO §4.10.4 (B) *states the width of the buildings or building segments shall not be more than twice the building height. Building segments may be created through a combination of vertical features such as changes in material, building offsets, courtyards, changes in rooflines or architectural features that create the appearance of building segments.*

  ✓ **Compliant with standard(s):**
  The facades of the buildings are distinctly segmented through the use of building materials, fenestration, offsets, rooflines, and exterior design detailing. With the widest segment measuring 34'-6" and the building heights being less than 40', the design easily complies with this standard.

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

  ✗ **Requesting a deviation:**
  The applicant has provided calculations related to this standard and are included below, which indicate that the percentage of brick for each multi-family building type is less than the 80% standard. The remaining percentages are made up of fiber cement exterior materials of different configurations (vertical, horizontal, and trim pieces).
  The applicant's narrative states:
  "We provide these materials to note that many of the buildings fall short of the brick percentage provisions. After studying the elevations and designs required to comply with the UDO, we have concluded that the brick percentages stipulated create too heavy and massive a design

for typical multifamily and/or residential buildings, especially when trying to reflect the traditional architecture of the area."

<u>Building Type 1</u>
Front Elevation = 42% brick
Typical Side Elevation = 40% brick
Rear Elevation = 43% brick

<u>Building Type 2</u>
Front Elevation = 45% brick
Typical Side Elevation = 44% brick
Rear Elevation = 44% brick

The frequency of deviation requests from this standard is quite high, with the justifications largely consistent in stating that the standard may be appropriate for commercial buildings, it results in an institutional look that is inappropriate or unappealing for multi-family residential construction.

- UDO §4.10.4 (D) *states that windows shall be glazed in non-reflective clear glass. Windows and doors shall comprise at least 25% of street facing building facades between the elevations of 2 and 10 feet above the grade of the building entry.*
  - ✓ **Compliant with standard(s):**
    The elevation drawings show the transparency percentages to range between 25 and 33% for all multi-family buildings.

- UDO §4.10.4 (E) *states awnings shall be canvas or material of similar appearance and flexibility unless otherwise approved by the Town Council. Street facing awnings shall not be taller than six (6) feet unless specifically approved by the Town Council.*
  - ✓ **Compliant with standard(s):**
    No awnings are proposed for the buildings.

- UDO §4.10.4 (F) *states galleries and arcades are encouraged and may encroach up to six (6) feet into any street side setback but may not encroach into public right-of-way.*
  - ✓ **Compliant with standard(s):**
    No galleries or arcades are proposed.

- UDO §4.10.4 (G) *states buildings may use parapets and changes in parapet height or design in the roofline as viewed from any public street shall be required for any building that is wider that 100'. For buildings that are wider than 100', changes in rooflines shall be used to avoid uninterrupted planes of longer than 200'.*
  - ✓ **Compliant with standard(s):**

There are frequent breaks in the roofline for the proposed multi-family buildings, and all are less than 200' in width. Therefore, there are no uninterrupted planes of longer than 200'.

- UDO §4.10.4 (H) *states that mechanical equipment shall be screened from view from the street and cannot be located between the building and the street.*

  ? **Compliance is undetermined at this time:**
  This standard is related more to the site than to the architecture. Staff is accustomed to reviewing landscape plans for compliance with screening standards during site plan review, and can assure that this standard is met at that time.

- UDO §4.10.4 (I) *states garage doors and loading bays shall face an interior lot line alley or service drive and shall not face a street unless buffered or screened per the landscaping code in UDO §4.3.*

  ✓ **Compliant with standard(s):**
  No garage buildings or loading bays are proposed.

- UDO §4.10.4 (J) *states signage shall comply with the standards in section 4.6 and any applicable zoning district standards.*

  ? **Compliance will be determined during sign permit review:**
  No signage has been submitted with the architectural plans. All signs will be reviewed under separate application and must comply with the standards as stated in the UDO.

6. Noteworthy Project Elements for Town Council Consideration and Staff Recommendation

Town Council should be aware that the applicant has submitted two sets of designs for the multi-family buildings, with the only differences being the building heights and rooflines. One design option features a flat roof with varying parapet heights measuring less than 40' in height. The second set of designs include a pitched roof that exceeds the 40' height standard imposed by the Planned Development District language found in UDO §3.5.14 (O)(2), which defaults to the building height limitations for the RM-1 District unless otherwise approved by the Town Council. The elevation drawings highlight the impact that roof design has on building architecture; however, building height deviation requests are typically made during the PD process. The pitched roof designs measure 44'-9.5" for Building Type 1 and 45'-1.75" for Building Type 2.

Notwithstanding the building height options, the application indicates four deviations from the UDO standards, as enumerated in this report. Some of these requests are consistent with those often made for multi-family projects and the frequency of these deviations reinforce the need for updates to the Town's architectural standards and processes. With this in mind, staff has selected a single

standard that is less commonly included in the list of deviations granted by Town Council, and is recommended that it be required as a condition of approval. This standard is found in UDO §4.10.8(C) and addresses the depth of projections along the buildings' facades.

We also acknowledge that there are standards included in UDO Sections 4.10.4 and 4.10.8 that are more related to site design and sign regulations than to building architecture. These items can be reviewed by TRC during the site plan review process, where more detailed site design is made available, or by staff during the standard sign permitting process. Staff has listed these in the conditions to remind the applicant and staff that compliance must be verified during site plan review and sign permit review prior to final approval.

Staff recommends approval of AR-01-23 with the following conditions:

1. The design for all multi-family buildings shall comply with the UDO §4.10.8 standard that each facade includes projections of at least five feet at least once every fifty feet. The applicant shall submit design drawings indicating full compliance with this standard prior to staff releasing approval documents for the architectural compliance permit.
2. The design shall be reviewed during the TRC's site plan review process and compliance with the UDO §4.10.8 standard that buildings must be set back at least ten feet from the sidewalk or public circulation walkway shall be confirmed prior to final approval of the site plan. Additionally, appropriate screening of mechanical equipment as required by UDO §4.10.4(H) shall be reviewed during the site plan review process and shall be deemed compliant with the standard prior to final approval of the site plan.
3. Any proposed signage for the project shall be compliant with UDO §4.6 and shall be reviewed and approved according to the sign permitting process established in UDO §2.41.

I. ATTACHMENTS PROVIDED BY THE APPLICANT:

1. Application
2. Deeds
3. Appointment of Agent
4. Applicant's Narrative
5. Architectural Renderings
6. Dimensioned Building Elevation Drawings with Material Calculations
7. Building Materials Exhibit
8. Floor Plans
9. Site Plan

II. TOWN COUNCIL ACTION:

The Town Council should consider the purpose of an architectural compliance permit per UDO §2.26 and shall vote on whether the proposed application is consistent with the

criteria per UDO §2.26.7, in that it is consistent with applicable Comprehensive Plan goals and policies, substantially conforms with the applicable multi-family or commercial design standards and other applicable provisions of the UDO, is consistent with applicable conditions of prior development approvals, and the resulting development will be compatible with neighboring development and has mitigated potential conflicts.

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

I move to:

1. Approve AR-01-23;
2. Approve AR-01-23 with the conditions as recommended by staff (Town Council may include all or part of staff's recommended conditions listed at the top of this page, or choose an alternative set of conditions, at their discretion);
3. Deny AR-01-23.

Architectural Compliance Permit

REQUIRED APPLICATION MATERIALS:

____ **Application fee** in the amount of **$100.00** (gross floor area of 3,499 sq. ft. or less); or **$300.00** (gross floor area of 3,500 sq. ft. or greater).

____ **Completed Application** signed by the applicant. Please do not leave anything blank and make sure that all of the information provided is correct.

____ **Appointment of Agent**, if applicable, signed by the property owner(s) and the agent.

____ **Deed** copy to provide proof of ownership and property boundaries.

____ **Written narrative:** It is the responsibility of the applicant to demonstrate compliance with **UDO §2.26.7**. Please also address **UDO §4.10.4** as part of the narrative.

____ **Renderings of elevations** (color).

____ **Site plan** if applicable.

____ **Electronic copy (PDF) of all application materials** submitted to plan@southernpines.net.

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

REVIEW AND APPROVAL:

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

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

1/12/22

Town of Southern Pines
Chartered 1887
North Carolina

Architectural Compliance Permit Application

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

TO THE TOWN COUNCIL OF THE TOWN OF SOUTHERN PINES:

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

Project Information:

Project Name: KNOLLWOOD MULTI-FAMILY

Street Address: US HIGHWAY 1 (UNASSIGNED)

PIN: 858211667500; 858207694691; 858208786370; 858300709512; 858200882301 Parcel ID: 00039300701; 00031176; 00037579701; 00037581; 20080332 Zoning: PD

Type of building (retail, office, etc.): MULTI-FAMILY & CLUBHOUSE Total square footage: BLDG TYPE 1: ±29,579 SF
BLDG TYPE 2: ±36,459 SF
CLUBHOUSE: ±6,000 SF

Applicant:

Name: HAWTHORNE RESIDENTIAL PARTNERS C/O PHILIP M PAYONK

Email: ppayonk@hrpliving.com Phone: 336-553-1700

Mailing Address: 806 Green Valley Rd. Suite 311 Greensboro, NC 27408

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

Name(s): KNOLLWOOD PARTNERS, LLC; KAVERI INVESTMENT MANAGEMENT

Email: kelly.miller@rossresorts.com Phone: 910-692-5372

Mailing Address: 1010 MIDLAND RD. SOUTHERN PINES, NC 28387
C/O PINE NEEDLES & MID PINES, PO BOX 88 SOUTHERN PINES, NC 28388

Date: 2/1/2023

DocuSigned by:
Phil Payonk
6C0EEF9C686642F...
Applicant

1/12/22

UDO §2.26.7. Criteria

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

(A) The application is consistent with applicable Comprehensive Plan goals and policies;

(B) The application substantially conforms with the applicable multi-family or commercial design standards and other applicable provisions of the UDO, including the purposes of the zoning district in which the property is located;

(C) The application is consistent with applicable conditions of prior Development approvals; and

(D) The development as proposed will be compatible with neighboring development and has mitigated potential conflicts.

UDO §2.26.9. Effect of Approval

(A) The Architectural Compliance Permit shall expire unless a Building Permit is issued within one (1) year of approval.

(B) Development activities subject to this section shall conform to the approved application and any conditions or restrictions. Any deviation from the approved Architectural Compliance Permit, unless approved in advance and in writing by the Planning Director, is deemed a violation of the UDO.

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

cw

FOR REGISTRATION REGISTER OF DEEDS
JUDY D MARTIN
MOORE COUNTY, NC
2005 DEC 30 04:08:26 PM
BK:2952 PG:233-241 FEE:$6,220 00
NC REVENUE STAMP:$6,182.00
INSTRUMENT # 2005025878

Excise Stamps $6,182 00 Recording Time, Book & Page

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

Brief Description for Index 440 +/- acres, McNeill Twp

NORTH CAROLINA GENERAL WARRANTY DEED

THIS GENERAL WARRANTY DEED made this 30th day of December 2005, by and between **Pine Needles Country Club, Inc.**, a North Carolina corporation (hereafter "Grantor"), of Southern Pines, NC, and **Knollwood Partners, LLC**, a North Carolina limited liability company (hereafter "Grantee") of PO Box 88 Southern Pines, NC 28388

MAY 4:47.00

WITNESSETH·

The Grantor, for valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in/near the Town of Southern Pines, McNeill Township, Moore County, North Carolina, and more particularly described as follows:

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

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

SellerDocs /PineNeedles toKnollwoodPartners

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

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

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

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

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed in its official capacity, the day and year first above written.

PINE NEEDLES COUNTRY CLUB, INC.

By: _____
Name: Bonnie Bell McGowan
Title: Vice President

STATE OF NORTH CAROLINA, COUNTY OF MOORE

I, Lynne M. Jones, a Notary Public of the County and State aforesaid, certify that ~~X~~ either being personally known to me ~~or proven by satisfactory evidence (said evidence being~~ _____), personally appeared before me this day and acknowledged that (s)he is Vice President [title of officer] of Pine Needles Country Club Inc. a North Carolina corporation, and that (s)he, as Vice President, [title of officer] being authorized to do so, voluntarily executed the foregoing on behalf of the corporation for the purposes stated therein. X Bonnie Bell McGowan

WITNESS my hand and official stamp or seal, this 30 day of December 2005.

_____

Notary Public My Commission Expires: 10-19-07

LYNNE M. JONES NOTARY PUBLIC MOORE COUNTY, N.C.

SellerDocs /PineNeedles toKnollwoodPartners

EXHIBIT "A"

Tract 1

BEGINNING at the fourth corner of the E.R. Buchan grant,(being the third corner of 122 acre Knollwood tract, formerly Lovedy Jane Blue land) at a concrete monument set at the junction of a small branch from the southeast with McDeed's Creek, and running thence S 12-50 East with line of said 122 acre Knollwood tract, for 575 feet to a concrete monument; thence N 48-45 East, a new line across Ollie McNair lands, for 654 feet to a concrete monument; thence N 48-45 East the same course, for 458 feet to another concrete monument(probably beginning corner of L.E. Norris 230 acre tract), a corner of Nancy Chamber's 5.5 acres; thence, N 58 East with Nancy Chambers' line for 462 feet, (crossing Lower Pond Branch) to another concrete monument; thence N 39-30 West with northeast line of E.R. Buchan grant, for 561 feet, more or less, to McDeed's Creek; thence southwesterly up McDeed's Creek, with line of Scott lands(now Knollwood's 212 acre tract) for 1340 feet, more or less, to the beginning. The whole forming a roughly quadrilateral parcel of land lying along the east side of McDeed's Creek, which forms on of its boundaries, and containing 18 acres, more or less.

TRACT 2 -

That certain tract or parcel of land as shown and delineated on a plan or map of land of the Niagara Realty Company made by James B. Swett and recorded in Map Book 1, Section 2, Page 103, in the Office of the Register of Deeds of Moore County, North Carolina, said tract of land located at the northeast edge of the Town of Southern Pines, located about two hundred fifty yards north of Highway No. 1, fronting on the north side of the 33 foot wide Pinehurst Road right of way, adjoining the lands of Bell and others, and beginning at a concrete monument at the northwest corner of Lot No. 1 of the Niagara Realty Company that is shown on a map of the Niagara Realty Company that is recorded in Map Book 1, Section 2, Page 103, in the Moore County Registry, running thence with the north lines of Lots Nos. 1 and 2, South 84 degrees 03 minutes East 650.44 feet to a concrete monument at the northeast corner of Lot No. 2, a common corner with Lot No. 3; thence with the east line of Lot No. 2, South 04 degrees 41 minutes East 471.30 feet to a concrete monument in the north line of the 33 foot wide Pinehurst Road right of way as set out on the Niagara Realty Company map, said monument being the southeast corner of Lot No. 2; thence with the north line of the Pinehurst Road right of way, South 85 degrees 25 minutes West 944.94 feet to a concrete monument, the southwest corner of Lot No. 1; thence with the west line of Lot No. 1, a line common with Bell, North 22 degrees 45 minutes East 664.08 feet to the beginning, containing 9.85 acres, more or less, and being all of Lots Nos. 1 and 2 as shown on a map entitled, "Property of The Niagara Realty Company", made by J.B. Swett, dated March 2, 1911, and recorded in the Office of the Register of Deeds for Moore County in Map Book 1, Section 2, Page 103.

TRACT 3

A CERTAIN TRACT OR PARCEL OF LAND IN MCNEILLS TOWNSHIP, MOORE COUNTY, NORTH CAROLINA NEAR THE TOWN OF SOUTHERN PINES, N. C.; SAID PROPERTY LYING ABOUT 300 YARDS NORTH OF U.S. HIGHWAY NO. 1 AND ABOUT 500 YARDS WEST OF THE VILLAGE OF NIAGARA AND THE SEABOARD COASTLINE RAILROAD, DESCRIBED AS FOLLOWS;

BEGINNING AT AN IRON STAKE IN THE WEST LINE OF THE MAGGIE MCNAIR DAVIS PROPERTY THAT IS RECORDED IN DEED BOOK 173 AT PAGE 42 IN THE MOORE COUNTY REGISTRY; SAID BEGINNING CORNER BEING LOCATED N 22 41' 33" W 26.64 FEET FROM A CONCRETE MONUMENT, THE BEGINNING CORNER OF OLLIE MCNAIR'S 47 ACRE TRACT THAT IS RECORDED IN DEED BOOK 75 AT PAGE 589 IN THE MOORE COUNTY REGISTRY; RUNNING THENCE FROM THE BEGINNING, ON THE NORTH SIDE OF A POST AND WIRE FENCE THE FOLLOWING CALLS; S 65 28' 48" W 140.01 FEET TO AN IRON STAKE; THENCE S 62 55' 51" W 147.61 FEET TO AN IRON STAKE; THENCE S 61 42' 12" W 243.33 FEET TO AN IRON STAKE; THENCE N 77 50' 52" W 182.87 FEET TO AN IRON STAKE; THENCE N 81 16' 24" W 54.07 FEET TO AN IRON STAKE; THENCE S 80 54' 47" W 325.09 FEET TO AN IRON STAKE IN THE PINE NEEDLES COUNTRY CLUB, INC., (TUERK & MCWILLIAM TRACT) LINE; THENCE WITH SAID LINE THE FOLLOWING CALLS; N 71 36' 14" E 422.74 FEET TO A CONCRETE MONUMENT; THENCE N 01 50' 14" E 662.20 FEET TO AN IRON STAKE IN GREEN POND BRANCH; THENCE WITH THE RUN OF SAID BRANCH THE FOLLOWING CHORD N 03 36' 04" E 312.69 FEET TO AN IRON STAKE IN THE BRANCH; SAID STAKE BEING A COMMON CORNER WITH MOSS LAND; THENCE WITH THE COMMON LINE OF MCNAIR WITH MOSS N 46 42' 10" E 654.00 FEET TO A CONCRETE MONUMENT IN SAID LINE; THENCE CONTINUING STRAIGHT N 46 42' 10 " E 459.28 FEET TO A CONCRETE MONUMENT ON THE EAST SIDE OF A SMALL BRANCH; THENCE S 13 02' 46" E 330.00 FEET TO AN IRON STAKE ON THE EAST SIDE OF A SMALL BRANCH; SAID CORNER BEING THE NORTHWEST CORNER OF OLLIE MCNAIR'S TRACT THAT IS RECORDED IN DEED BOOK 87 AT PAGE 04 IN THE MOORE COUNTY REGISTRY; THENCE AS THE WEST LINE OF SAID TRACT S 02 15' 10" W 586.92 FEET TO AN IRON STAKE IN A SMALL BRANCH; THE SOUTHWEST CORNER OF MCNAIR'S TRACT THAT IS REFERENCED ABOVE; THENCE S 08 12' 51" E 228.91 FEET TO A CONCRETE MONUMENT, A CORNER OF MAGGIE MCNAIR DAVIS'S PROPERTY; THENCE WITH THE COMMON LINE OF MCNAIR WITH DAVIS S 48 42' 58" W 501.42 FEET TO A CONCRETE MONUMENT, ANOTHER CORNER OF MAGGIE MCNAIR DAVIS; THENCE S 22 41' 33" E 173.12 FEET TO THE BEGINNING, CONTAINING 25.68 ACRES MORE OR LESS AND BEING A PORTION OF OLLIE MCNAIR'S 47 ACRE TRACT THAT IS RECORDED IN DEED BOOK 75 AT PAGE 589 IN THE OFFICE OF THE REGISTER OF DEEDS FOR MOORE COUNTY, NORTH CAROLINA. BEARINGS BASED ON NORTH CAROLINA GRID COORDINATE SYSTEM.

TRACT 4

A CERTAIN TRACT OR PARCEL OF LAND IN MCNEILLS TOWNSHIP, MOORE COUNTY, NORTH CAROLINA NEAR THE TOWN OF SOUTHERN PINES, N. C.; SAID PROPERTY LYING ABOUT 300 YARDS NORTH OF U.S. HIGHWAY NO. 1 AND ABOUT 500 YARDS WEST OF THE VILLAGE OF NIAGARA AND THE SEABOARD COASTLINE RAILROAD, DESCRIBED AS FOLLOWS;

BEGINNING AT AN IRON STAKE IN A SMALL BRANCH; SAID STAKE BEING THE BEGINNING CORNER OF THE OLLIE MCNAIR TRACT THAT IS RECORDED IN DEED BOOK 87 AT PAGE 04 IN THE MOORE COUNTY REGISTRY; SAID CORNER ALSO BEING A CORNER OF THE FORMERLY ELWOOD BLAKE AND THE TOWN OF SOUTHERN PINES PROPERTY; RUNNING THENCE FROM THE BEGINNING WITH THE NORTHERN LINE OF SAID TRACT N 68 30' 06" E 1264.92 FEET TO AN IRON STAKE ON THE EAST SIDE OF A BRANCH WITH A POPLAR POINTER; THENCE N 58 00' 46" W 660.00 FEET TO AN IRON STAKE, A CORNER OF NANCY CHAMBERS PROPERTY RECORDED IN DEED BOOK 54 AT PAGE 387 IN THE MOORE COUNTY REGISTRY; THENCE WITH THE SOUTHERN LINE OF CHAMBERS S 69 05' 29" W 635.86 FEET TO AN IRON STAKE ON THE EAST SIDE OF A SMALL BRANCH; THENCE S 02 15' 10" W 586.92 FEET TO THE BEGINNING, CONTAINING 11.63 ACRES MORE OR LESS. BEARINGS BASED ON NORTH CAROLINA GRID COORDINATE SYSTEM.

TRACT 5

A CERTAIN TRACT OR PARCEL OF LAND IN MCNEILLS TOWNSHIP, MOORE COUNTY, NORTH CAROLINA FRONTING ON THE SOUTH SIDE OF STATE ROAD NO. 1853, CAMP EASTER ROAD, ABOUT ONE HALF MILE EAST OF THE INTERSECTION OF STATE ROAD NO. 1853 WITH N. C. HIGHWAY NO. 22, BOUNDED ON THE SOUTH BY THE LANDS OF PINE NEEDLES (FORMERLY DENT), ON THE EAST BY THE MCDEEDS CREEK DEVELOPMENT, AND ON THE NORTH BY HUGH L. KERR AND GRANTOR, DESCRIBED AS FOLLOWS;

BEGINNING AT A P. K. NAIL IN THE CENTER OF THE PAVEMENT OF STATE ROAD NO. 1853, CAMP EASTER ROAD, WHERE A SOUTH LINE OF THE 202 ACRE TRACT DEEDED TO GRANTOR, RECORDED IN DEED BOOK 608 AT PAGE 125, CROSSES THE CENTER OF SAID ROAD, SAID BEGINNING CORNER BEING LOCATED S 77-32'08"E 13.97 FEET FROM A CORNER OF THE 202 ACRE TRACT REFERENCED ABOVE; RUNNING THENCE FROM THE BEGINNING N 70-27'21"E 1217.07 FEET TO A NAIL IN THE CENTER OF THE PAVEMENT OF S. R. NO. 1853, A SOUTHWEST CORNER OF HUGH L. KERR'S TRACT RECORDED IN DEED BOOK 428 AT PAGE 187 IN THE MOORE COUNTY REGISTRY; THENCE AS THE COMMON LINES OF THIS TRACT AND HUGH L. KERR, THE FOLLOWING CALLS, N 70-23'14"E 177.78 FEET TO A NAIL IN THE CENTER OF THE PAVEMENT OF S. R. NO. 1853; THENCE N 65-41'48"E 204.65 FEET TO A NAIL IN THE CENTER OF THE PAVEMENT OF S. R. NO. 1853; THENCE N 56-04'33"E 150.17 FEET TO A NAIL IN THE CENTER OF THE PAVEMENT OF S. R. NO. 1853; THENCE N 46-45'59"E 154.53 FEET TO A NAIL IN THE CENTER OF THE PAVEMENT OF S. R. NO. 1853; THENCE N 38-01'38"E 147.74 FEET TO A NAIL IN THE CENTER OF THE PAVEMENT OF S. R. NO. 1853; THENCE N 29-25'11"E 112.56 FEET TO A NAIL IN THE PAVEMENT OF S. R. NO. 1853; THENCE AS A NEW LINE, LEAVING THE ROAD, ALONG THE CENTER OF AN ACCESS EASEMENT S 78-21'20"E 445.93 FEET TO AN IRON STAKE IN THE EAST LINE OF THE 202 ACRE TRACT REFERENCED ABOVE, IN THE CENTER OF A 60 FOOT WIDE ACCESS EASEMENT LEADING FROM STATE ROAD NO. 1853 TO THE MCDEEDS CREEK DEVELOPMENT, SAID EASEMENT BEING RECORDED IN DEED BOOK 437 AT PAGE 718 IN THE MOORE COUNTY REGISTRY; THENCE AS THE EAST LINE OF THE 202 ACRE TRACT S 02-40'22"W 1487.90 FEET TO A CONCRETE MONUMENT, THE SOUTHEAST CORNER OF THE 202 ACRE TRACT; THENCE AS THE SOUTH LINE OF THE 202 ACRE TRACT N 73-51'18"W 1876.98 FEET TO A CONCRETE MONUMENT, A CORNER OF THE 202 ACRE TRACT; THENCE N 77-32'08"W 459.68 FEET TO THE BEGINNING, CONTAINING 39.863 ACRES MORE OR LESS AND BEING A PORTION OF GRANTOR'S 202 ACRE TRACT RECORDED IN DEED BOOK 608 AT PAGE 125 IN THE MOORE COUNTY REGISTRY.

TRACT 6

A certain tract of land located on the north side of the Town of Southern Pines, adjoining the corporate limits of the Town, adjoining the lands of the Pine Needles Golf Club property, Edwin Longcope, McDeeds Creek Development, Virginia Moss, McNair lands, Niagara Realty property and others, and BEGINNING at a concrete monument in the southeast line of Aiken Road, said monument being the common corner of Lots Nos. 78 and 79 of the Kenwood Subdivision that is recorded in Map Book 5, page 47, in the Office of the Register of Deeds for Moore County, North Carolina, running thence from the beginning with the southeast line of Aiken Road, North 70 degrees 00 minutes East 196.5 feet to a monument in the Kenwood-Longcope line, a corner of Lot No. 79; thence with the Kenwood-Longcope line, South 75 degrees 24 minutes East 368.0 feet to a monument; thence South 71 degrees 45 minutes East 4314.6 feet with the Longcope and McDeeds Creek lines to a corner on the west bank of McDeeds Creek; thence up the run of the creek, a line traversed South 44 degrees 21 minutes West 159.3 feet, South 26 degrees 12 minutes West 155.5 feet, and South 32 degrees 51 minutes West 185.5 feet to the confluence of Green Pond branch with McDeeds Creek; thence up the run of Green Pond branch, traversed South 06 degrees 51 minutes West 493.7 feet, South 39 degrees 39 minutes East 132.0 feet, South 02 degrees 25 minutes East 205.7 feet and South 35 degrees 39 minutes East 96.3 feet to an iron stake in the run of the branch, thence South 03 degrees 53 minutes West 662.2 feet to a concrete monument; thence South 73 degrees 39 minutes West 821.2 feet to a concrete monument; thence North 45 degrees 05 minutes West 198.0 feet to a concrete monument; thence South 66 degrees 54 minutes West 1183.5 feet to a concrete monument; thence North 81 degrees 46 minutes West 1010.5 feet to a concrete monument, a corner of a tract deeded from W.O. Moss to Warren Bell; thence with the Bell line, North 15 degrees 18 minutes West 2731.4 feet to a corner of the Bell-Moss tract and the Pine Needles land; thence with the Pine Needles lands, North 70 degrees 54 minutes West 988.9 feet to a concrete monument, South 51 degrees 20 minutes West 781.53 feet to a corner with Pine Needles; thence continuing with Pine Needles, North 55 degrees 30 minutes West 106.2 feet to a point of curvature; thence with the curve to the left having a radius of 52.94 feet, a chord of South 82 degrees 26 minutes West 70.95 feet to the point of tangency; thence South 33 degrees 03 minutes West 77.66 feet to a corner of the Dent "Home Tract"; thence with the Pine Needles line, North 55 degrees 30 minutes West 337.69 feet to a corner in the southeast line of Kenwood Lot No. 9; thence South 34 degrees 30 minutes West 257.2 feet to the south corner of Lot No. 8; thence with the southwest line of Kenwood Lot No. 8, North 55 degrees 30 minutes West 200.0 feet to a concrete monument in the southeast line of Fairway Drive, the west corner of Lot No. 8; thence with the line of Fairway Drive, North 34 degrees 30 minutes East 442.2 feet to the point of curvature of Fairway Drive; thence with the curve to the right, having a radius of 1532.88 feet, an arc distance of 949.8 feet to the point of tangency of the Drive near the intersection with Aiken Road; thence with the southeast line of Aiken Road, North 70 degrees 00 minutes East 722.9 feet to the beginning, containing 275.53 acres, more or less. The bearings in this description were based on a map of Kenwood that is recorded in Map Book 5, at page 47, in the Office of the Register of Deeds for Moore County, North Carolina.

TRACT 7

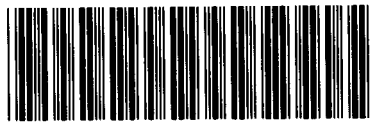
A certain tract of land lying partially in the town of Southern Pines fronting on the northeast side of Midland Road, fronting on the Northwest side of Highway #1, bounded on the northwest by McDeeds Creek, adjoining the land of Peggy Bell, Emery Smith and Pinehurst Road, described as follows:

BEGINNING in the center of the run of McDeeds Creek at the northeast line of the 120 foot wide Midland Road, running thence from the beginning with the line of Midland Road S 46°37'06"E 109.48 feet to an iron pipe, the southwest corner of the county of Moore's Southern Pines sewer pumping plant tract; thence with the sewer plant tract leaving the road, N 42°31'E 335.54 feet to an iron stake, S 48°45'00"E 100.00 feet to a stake, S 42°31'W 75.00 feet to a stake, N 48°45'W 30.00 feet to a stake and S 42°27'00"W 273.31 feet to an iron stake in the northeast line of Midland Road; thence with the line of Midland Road S 32°43'00"E 23.96 feet to an iron pin at the ramp intersection with Highway #1; thence with the west right of way line of the highway, N 69°06'59"E 226.65 feet to a concrete right-of-way marker; thence northeasterly with a curve of the right-of-way, having a radius of 100 feet, an arc distance of 119.18 feet as it curves to the right with a chord of N 34°58'27"E 112.25 feet; thence N 69°06'59"E 40.24 feet to a point of curve, thence with the right of way as it curves to the left with a radius of 925.00 feet, an arc distance of 318.02 feet with a chord of N 59°16'01"E 316.46 feet to a point of tangency of the right-of-way; thence continuing with the right-of-way N 49°25'03"E 2327.19 feet to a point of curve of the highway; thence with the curve to the right having a radius of 5859.65 feet and arc distance of 1599.06 feet with a chord of N 57°14'07"E 1594.09 feet to an iron stake in an east line of the Taylor 300 acre tract, said corner located N 66°57'33"E 240.58 feet from North Carolina Geodetic monument "Bank"; thence leaving the Highway with the Taylor line, N 16°31'33"W 544.40 feet to a concrete monument; a corner of the 300 acres in the south line of Pinehurst Road (road not open); thence with the south line of the 33 foot wide road right-of-way, S 85°33'39"W 1501.13 feet to a concrete monument at the west terminus of the road right-of-way; thence continuing with the Taylor-Bell line N 80°07'21"W 190 83 feet to the center of the run of McDeeds Creek; thence up the run of the creek the following chords, S 28°21'27"E 103.44 feet, S 04°50'13"W 210.82 feet, S 19°24'36"E 401.58 feet, S 23°08'46"W 435.83 feet, S 49°11'29"W 299.35 feet, S 51°46'11"W 405.05 feet, S 51°52'56"W 406.08 feet, S 42°15'03"W 398.66 feet, S 42°57'50"W 399.80 feet, S 42°28'36"W 297.78 feet and S 41°29'40"W 571.37 feet to the BEGINNING, containing 66.60 acres more or less and being a part of the 300 acre parcel No. 3 of the Taylor property that is recorded in Deed Book 489 at page 172 in the Office of Register of Deeds for Moore County, North Carolina. Bearings in this description based on the North Carolina Grid system.

FOR REGISTRATION REGISTER OF DEEDS
Judy D. Martin
Moore County, NC
June 30, 2008 02:00:34 PM
Book 3437 Page 109-111
FEE: $20.00
NC REVENUE STAMP: $100.00
INSTRUMENT # 2008010715

HM

may



INSTRUMENT # 2008010715

Drafted by: Robert S. Thompson, Attorney at Law
ROBERT S. THOMPSON, P.A.
325 West Pennsylvania Avenue, Suite E
Southern Pines, North Carolina 28387

NORTH CAROLINA

WARRANTY DEED

MOORE COUNTY

THIS DEED, made this 24th day of May, 2007, by **EMERY SMITH, III and wife, JEAN S. SMITH,** GRANTOR, to **KNOLLWOOD PARTNERS, LLC, a North Carolina limited liability company** GRANTEE;

Tax Address: 1005 Midland Road, Southern Pines, NC 28387

WITNESSETH:

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

BEING the property described in Exhibit A attached hereto and incorporated herein by reference.

The property hereinabove described is a portion of the land acquired by Grantor by instrument recorded in Book 1759, Page 81, Moore County Registry.

This conveyance is made subject to: (i) the lien of the County of Moore for taxes or other assessments for the current year, which taxes or other assessments shall be pro rated as of the date of closing; and (ii) utility easements and (iii) unviolated restrictive covenants that do not materially affect the value of the property.

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

And the Grantor covenants with the Grantee, that Grantor is seized of said premises in fee simple and has the right to convey in fee simple; that the title is marketable and free and clear of all encumbrances; and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever; subject, however, to the exceptions, reservations and conditions hereinabove referred to.

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

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

Emery Smith III (SEAL)
EMERY SMITH, III

Jean S. Smith (SEAL)
JEAN S. SMITH

MOORE COUNTY
NORTH CAROLINA

I certify that the following person(s) personally appeared before me this day and (✓) I have personal knowledge of the identify of the principal(s); (____) 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 driver's license; (____) a credible witness has sworn to the identity of the principal(s); each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:
Name of Principal(s): **Emery Smith, III and Jean S. Smith**

Date: 6/26/2008

Mary M. Thompson
Notary Public

OFFICIAL SEAL
North Carolina Moore County
MARY M. THOMPSON
Notary Public
My Commission Expires April 4, 2009

Mary M. Thompson
Printed or typed name of Notary Public

My commission expires: 04/04/2009

2

EXHIBIT A

PROPERTY DESCRIPTION

Lying and being in McNeill Township, Moore County, North Carolina north of and about 1000' from US Hwy. #1. Bounded on the north, west and south by other lands of Knollwood Partners and on the east by Emery Smith, III and being more particularly described as follows:

BEGINNING at an existing concrete monument, the northwest corner of that Lot #3 as will be shown on a plat recorded in PC 8 Slide 252 and runs thence as the north line of said Lot #3 S 83°51'10" E 360.46' to an existing concrete monument, the northeast corner of Lot #3 and the northwest corner of Lot #4; thence as the north line of Lot #4 N 64°49'43" E 108.00' to a point in said north line of Lot #4; thence as a new line S 14°31'05" E 483.60' to an existing concrete monument, a corner in the south right-of-way of Pinehurst Road, said existing concrete monument also being the northwest corner of Lot #5; thence as said south right-of-way of Pinehurst Road S 85°36'09" W 539.42' to a point in said south right-of-way of Pinehurst Road; thence crossing Pinehurst Road N 04°30'03" W 33.11' to an existing concrete monument, the southwest corner of Lot #3; thence as the west line of Lot #3 N 04°30'03" W 470.63' to the BEGINNING, containing 5.35 acres and being the major portion of Lot #3, a portion of Lot #4 and a portion of Pinehurst Road right-of-way. The above-described land also being a portion of the lands conveyed to Emery Smith, III by deed recorded in Deed Book 1759 page 81, Moore County Registry.

For Registration Register of Deeds
Judy D. Martin

Moore County, NC
Electronically Recorded
March 13, 2020 3:39:48 PM
Book: 5289 Page: 399 - 401 #Pages: 3

Fee: $26.00 NC Rev Stamp: $331.00

Instrument # 2020004365

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: $

Parcel Identifier No. 00031176 Verified by _____ County on the ____ day of_____, 2020
By:_____

Mail/Box to: Grantee

This instrument was prepared by: Mary Kay Baynard, Esq. 525 N. Tryon St., Ste. 700, Charlotte, NC 28202. Title examination performed by John M. May, 120 Applecross Road, Pinehurst, NC 28374.

Brief description for the Index: 64 +/-acres, Southern Pines, Moore County

THIS DEED made this 11th day of March, 2020, by and between

GRANTOR	GRANTEE
WARREN KIRK BELL, WHOSE WIFE IS SARAH ELIZABETH JOHNSON*	KAVERI INVESTMENT MANAGEMENT COMPANY, LLC, a Delaware limited liability company
15 Braemar Road Pinehurst, North Carolina 28374-7046	3315 Collins Avenue, #4B Miami Beach, Florida 33140

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 of Grantor's right, title and interest in and to that certain lot or parcel of land situated in the City of Southern Pines, McNeills Township, Moore County, North Carolina and more particularly described as follows:

SEE ATTACHED EXHIBIT A

*Sarah Elizabeth Johnson joins in this conveyance solely for the purpose of conveying and waiving all right, title and interest which she has or may in the future have, in the land conveyed hereby and she does not join in any of the warranties contained in this instrument.

NC Bar Association Form No. 6 © 1/1/2010
Printed by Agreement with the NC Bar Association

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.

The Grantor's interest in the property above-described was acquired by Grantor by instruments recorded in Book 640 at Page 652 and Book 641 at Page 221 of the Moore County Registry.

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

A map showing the above described property is recorded in _____.

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

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

Restrictive covenants of record, easements and rights-of-way of record, existing leasehold interests, and the lien of real property taxes for the year in which this conveyance is made.

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

(Entity Name)

By:_____

Print/Type Name & Title:_____

Warren Kirk Bell (SEAL)
Print/Type Name: WARREN KIRK BELL

Sarah Elizabeth Johnson (SEAL)
Print/Type Name SARAH ELIZABETH JOHNSON

State of NORTH CAROLINA - County ~~or City~~ of Lee

I, the undersigned Notary Public of the County or City of Lee and State aforesaid, certify that WARREN KIRK BELL personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 12th day of March, 2020.

My Commission Expires: 04/25/2020
(Affix Seal)

Gladys T. Mills
Gladys T. Mills Notary Public
Notary's Printed or Typed Name

State of ~~NORTH CAROLINA~~ Virginia - County ~~or City~~ of Roanoke

I, the undersigned Notary Public of the County or City of Roanoke and State aforesaid, certify that SARAH ELIZABETH JOHNSON personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 11 day of March, 2020.

My Commission Expires: 11-30-2023
(Affix Seal)

JAKE EDWARD FRAC
Notary Public
Commonwealth of Virginia
Reg. #7637136
My Commission Exps. Nov. 30, 2023

Jake Frac
Jake Frac Notary Public
Notary's Printed or Typed Name

State of North Carolina - County or City of _____

I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that _____ personally came before me this day and acknowledged that _he is the _____ of _____, a North Carolina or _____ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), 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 _____ day of _____, 201_.

My Commission Expires:_____
(Affix Seal)

_____ Notary Public
Notary's Printed or Typed Name

NC Bar Association Form No. 6 © 1/1/2010
Printed by Agreement with the NC Bar Association

Exhibit A

BEGINNING at a concrete monument by a pine on the north side of Beaver Dam Branch, a west corner of a 385.2 acre tract formerly lands of Knollwood, Inc., deeded to W. O. Moss by E. M. Aiken in 1949, also a corner of the Pine Needles Property east of the Golf Course Fairway #11, and running thence with three lines along the east side of the Golf Course as follows: North 10-45 West 536.9 feet to a concrete monument; North 19-16 West 697.2 fee to a concrete monument; North 27-36 East 1486.5 feet to a concrete monument in the south line of a 53.8 acre tract deeded to W. O. Moss by E. M. Aiken in 1949; thence South 15-44 East 2731.4 feet to a concrete monument, the northwestern corner of Lot #1 in the subdivision of the Niagara Realty Company property, Niagara, N.C.; thence with the western line of said Lot #1, South 24-31 West 700.8 feet to a concrete monument; thence North 78-30 West 792 feet to a concrete monument; thence North 1-15 West 604 feet to the Beginning, containing 64 acres, more or less.

NC Bar Association Form No. 6 © 1/1/2010
Printed by Agreement with the NC Bar Association

DocuSign Envelope ID: 2E1F0A7E-5F27-4619-BB81-0A08B1C025DB

APPOINTMENT OF AGENT

The undersigned owner(s), KNOLLWOOD PARTNERS, LLC KAVERI INVESTMENT MANAGEMENT, hereby appoint(s) HAWTHORNE RESIDENTIAL PARTNERS as the exclusive agent for the purpose of making an application to the Town of Southern Pines for an **Architectural Compliance Permit** for improvements to the property described in the attached application. The owner(s) hereby agree(s) that this agent has the authority to act for and on behalf of the owner(s) as follows:

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

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

Signed this 1st day of February, 2023.

Property Owner
Managing Member

Property Owner

DocuSigned by:
Phil Payonk
6C0EEF9C686642F...
Agent

1/12/22

PLANWORX
ARCHITECTURE

February 17, 2023

Attn: Community Development Department
Town of Southern Pines
180 SW Broad Street
Southern Pines, North Carolina 28387

Re: Hawthorne at Southern Pines
Response to 2/13/23 Architectural Compliance Permit Application Comments

To the Town Council of the Town of Southern Pines:

4.10.4. Building Design Requirements

1. UDO 4.10.4 (B)(2) addresses the ratio of width to height of buildings or building segments in all zoning districts other than the CB and DTO Districts. Please provide horizontal dimensions on elevation drawings so that compliance with this standard can be confirmed. If the building design features vertical segmentation that assists with meeting this standard, those segments should be dimensioned. Please see provided horizontal dimensions on elevations.
2. UDO 4.10.4 (C) requires that exterior building materials be primarily composed of brick, with only 20% of the exterior walls be comprised of alternative material(s), exclusive of windows and doors. Please provide a table or other exhibit that clearly indicates the percentages of the exterior building materials proposed. I am attaching a calculation guide to assist you with putting together this information. Please refer to the attached Architectural drawing and material percentages table for each site building. We provide these materials to note that many of the buildings fall short of the brick percentage provisions. After studying the elevations and designs required to comply with the UDO, we have concluded that the brick percentages stipulated create too heavy and massive a design for typical multifamily and/or residential buildings, especially when trying to reflect the traditional architecture of the area.
3. UDO 4.10.4(D)(3) requires that windows and doors comprise at least 25% of street-facing building facades between two and ten feet above grade. Please provide calculations showing if the proposal meets this standard. We comply. Please see added window/door percentage table for each elevation type.
4. UDO 4.10.4(G) addresses the allowed length of rooflines that do not include changes in the roof design. The horizontal dimensions requested in item #1 above will assist us in determining compliance with this standard. Please see provided horizontal dimensions on elevations.
5. UDO 4.10.8(C)(3) requires that facades be articulated by projections of at least five feet at least once every fifty feet along the façade. Please clearly show on either plan view or elevation drawings of the buildings if the proposal meets this standard. Dimensions showing compliance are needed. 6' deep Balconies are provided at each apartment, between 20' and 30' on center.
6. UDO 4.10.8(C)(5) requires that units above grade level have access to private balconies of usable dimensions of no less than ten feet by six feet. Please clearly show on either plan view or elevation drawings of the buildings if the proposal meets this standard. Dimensions showing compliance are needed. We comply. Please see building floor plans.

7. UDO 4.10.8(C)(7)(a-d) – Please address these standards through clear indication on the drawings.

   a) Provide private entrances at grade level and adjacent to private open space to the greatest extent possible. Unless otherwise approved by the Town Council, no more than four (4) Dwelling Units shall share a common entrance. Three common entrances are provided at grade level to shared apartment breezeway corridors. We would ask as part of the planned development that these be allowed to serve more than four dwelling units each.
   b) Avoid aligning doors to separate Dwelling Units with each other unless screening is provided. However, entrances should be visible from the sidewalk or public walkway and other Dwelling Units, when practical. We comply.
   c) Provide porches or roofed overhangs over building entrances. We comply.
   d) Set back buildings or entries so that the entry paths extend at least ten (10) feet from sidewalk or public circulation walkway. These entry areas should be designed to provide semi-public gardens around the front entryways. Do not provide access to apartments via long-shared access galleries. (Ord. #1714)

Respectfully,

MARC W. MILLS
REGISTERED ARCHITECT
7579
NORTH CAROLINA
RALEIGH, NC

Marc W. Mills, President
Planworx Architecture

BUILDING TYPE 1 - FRONT ELEVATION

SCALE: 1/8"=1'=0"

BUILDING TYPE 1 - TYPICAL SIDE ELEVATION

SCALE: 1/8"=1'=0"

hawthorne RESIDENTIAL PARTNERS

PLANWORX ARCHITECTURE

Schematic Design Submission Set
01-31-2023
001322

Hawthorne at Southern Pines
Hawthorne Residential Properties
Southern Pines, NC

BUILDING TYPE 1 - REAR ELEVATION

SCALE: $\frac{1}{8}$"=1'=0"

Schematic Design Submission Set
01-31-2023
001322

Hawthorne at Southern Pines Apartments
Hawthorne Residential Properties
Southern Pines, NC

hawthorne RESIDENTIAL PARTNERS

PLANWORX ARCHITECTURE

BUILDING TYPE 1 - FRONT ELEVATION

SCALE: $\frac{1}{8}$"=1'=0"

BUILDING TYPE 1 - TYPICAL SIDE ELEVATION

SCALE: $\frac{1}{8}$"=1'=0"

Schematic Design Submission Set
01-31-2023
001322

Hawthorne at Southern Pines Apartments
Hawthorne Residential Properties
Southern Pines, NC

hawthorne RESIDENTIAL PARTNERS

PLANWORX ARCHITECTURE

BUILDING TYPE 1 - REAR ELEVATION

SCALE: $\frac{1}{8}$"=1'=0"

Hawthorne at Southern Pines Apartments
Hawthorne Residential Properties
Southern Pines, NC

Schematic Design Submission Set
01-31-2023
001322

hawthorne RESIDENTIAL PARTNERS

PLANWORX ARCHITECTURE

BUILDING TYPE 2 - FRONT ELEVATION

SCALE: 1/8"=1'=0"

BUILDING TYPE 2 - TYPICAL SIDE ELEVATION

SCALE: 1/8"=1'=0"

Hawthorne at Southern Pines Apartments
Hawthorne Residential Properties
Southern Pines, NC

Schematic Design Submission Set
01-31-2023
001322

hawthorne RESIDENTIAL PARTNERS

PLANWORX ARCHITECTURE

BUILDING TYPE 2 - REAR ELEVATION

SCALE: 1/8"=1'-0"

Hawthorne at Southern Pines Apartments
Hawthorne Residential Properties
Southern Pines, NC

Schematic Design Submission Set
01-31-2023
001322

hawthorne RESIDENTIAL PARTNERS

PLANWORX ARCHITECTURE

BUILDING TYPE 2 - FRONT ELEVATION

SCALE: 1/8"=1'=0"

BUILDING TYPE 2 - TYPICAL SIDE ELEVATION

SCALE: 1/8"=1'=0"

hawthorne RESIDENTIAL PARTNERS

PLANWORX ARCHITECTURE

Hawthorne at Southern Pines Apartments

Hawthorne Residential Properties

Southern Pines, NC

Schematic Design Submission Set

01-31-2023

001322

BUILDING TYPE 2 - REAR ELEVATION

SCALE: 1/8"=1'=0"

Hawthorne at Southern Pines Apartments
Hawthorne Residential Properties
Southern Pines, NC

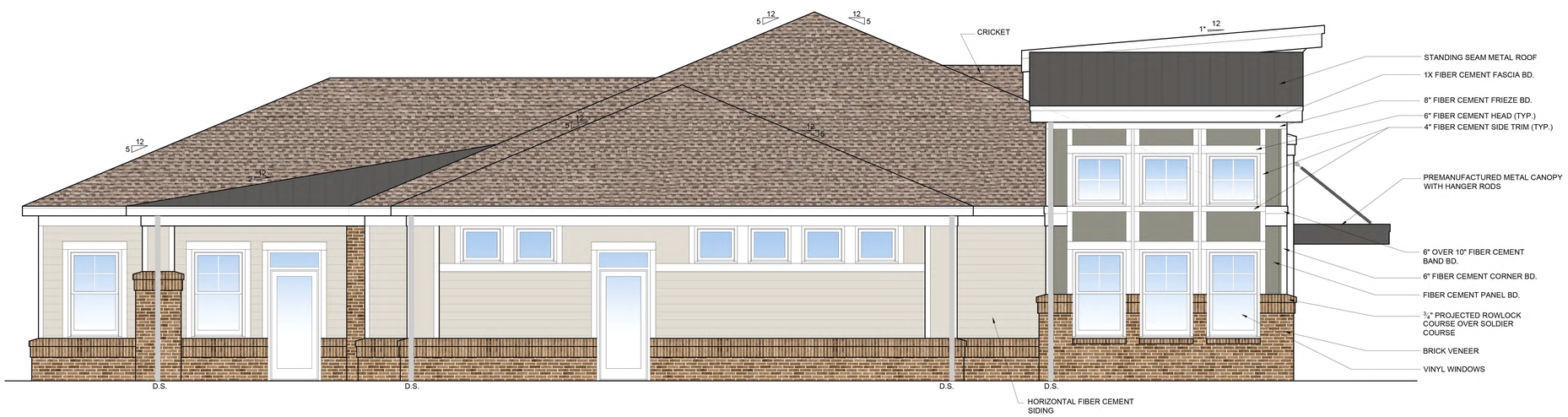
Schematic Design Submission Set
01-31-2023
001322

hawthorne RESIDENTIAL PARTNERS

PLANWORX ARCHITECTURE

CLUBHOUSE - FRONT ELEVATION

SCALE: $\frac{1}{4}$" =1'=0"



CLUBHOUSE - LEFT ELEVATION

SCALE: $\frac{1}{4}$" =1'=0"

Hawthorne at Southern Pines Apartments
Hawthorne Residential Properties
Southern Pines, NC

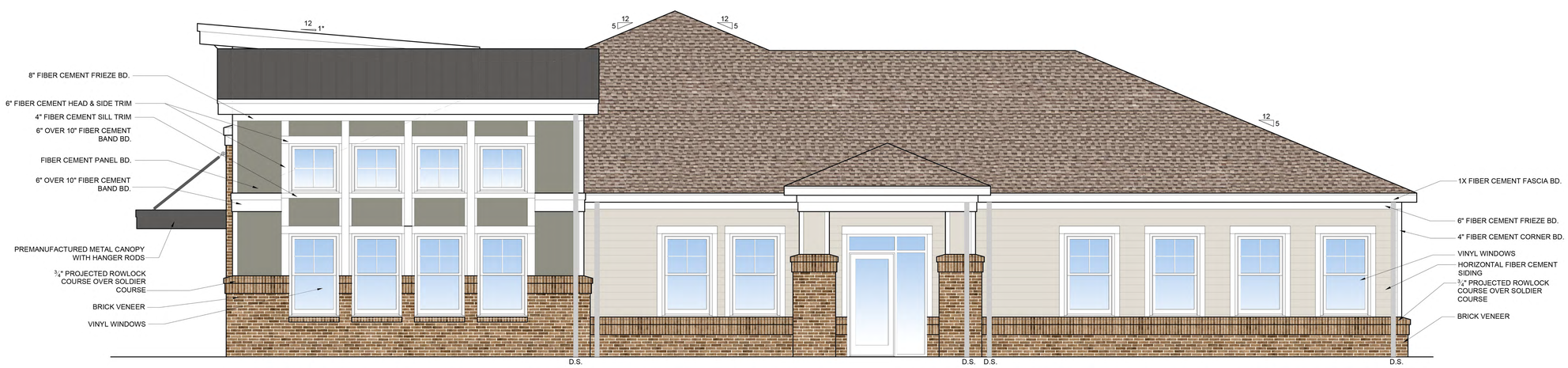
Schematic Design Submission Set
01-31-2023
001322

hawthorne RESIDENTIAL PARTNERS

PLANWORX ARCHITECTURE

CLUBHOUSE - REAR ELEVATION

SCALE: $\frac{1}{4}$" =1'=0"



CLUBHOUSE -RIGHT ELEVATION

SCALE: $\frac{1}{4}$" =1'=0"

hawthorne RESIDENTIAL PARTNERS

PLANWORX ARCHITECTURE

Hawthorne at Southern Pines Apartments
Hawthorne Residential Properties
Southern Pines, NC

Schematic Design Submission Set
01-31-2023
001322

UDO 4.10.4 (D) STREET FACING WINDOW PERCENTAGE:
TOTAL FRONT FACADE SF (TOTAL AREA BETWEEN 2' AND 10') = 841 SF
TOTAL FRONT WINDOW SF = 152 SF
TOTAL FRONT DOOR SF = 70 SF
PERCENTAGE OF WINDOWS AND DOORS - 222/841 = 26%

UDO 4.10.4 (C):
FULL FACADE (A) = 4,901
TOTAL WINDOW/DOORS (B) = 738
A-B = (C) = 4,163
TOTAL SQFT OF BRICK ON FACADE (D) = 1,730
D/C = 42%

BUILDING TYPE 1 - FRONT ELEVATION

SCALE: $\frac{1}{8}$"=1'=0"

UDO 4.10.4 (D) STREET FACING WINDOW PERCENTAGE:
TOTAL FRONT FACADE SF (TOTAL AREA BETWEEN 2' AND 10') = 508 SF
TOTAL FRONT WINDOW SF = 74 SF
TOTAL FRONT DOOR SF = 70 SF
PERCENTAGE OF WINDOWS AND DOORS - 144/508 = 28%

UDO 4.10.4 (C):
FULL FACADE (A) = 2,895
TOTAL WINDOW/DOORS (B) = 510
A-B = (C) = 2,385
TOTAL SQFT OF BRICK ON FACADE (D) = 930
D/C = 40%

BUILDING TYPE 1 - TYPICAL SIDE ELEVATION

SCALE: $\frac{1}{8}$"=1'=0"

hawthorne RESIDENTIAL PARTNERS

PLANWORX ARCHITECTURE

Hawthorne at Southern Pines Apartments
Hawthorne Residential Properties
Southern Pines, NC

Schematic Design Submission Set
02-16-2023
001322

UDO 4.10.4 (D) STREET FACING WINDOW PERCENTAGE:
TOTAL FRONT FACADE SF (TOTAL AREA BETWEEN 2' AND 10') = 1,007 SF
TOTAL FRONT WINDOW SF = 236 SF
TOTAL FRONT DOOR SF = 70 SF
PERCENTAGE OF WINDOWS AND DOORS - 306/1,007 = 30%

UDO 4.10.4 (C):
FULL FACADE (A) = 5,310
TOTAL WINDOW/DOORS (B) = 1,008
A-B = (C) = 4,302
TOTAL SQFT OF BRICK ON FACADE (D) = 1,846
D/C = 43%

BUILDING TYPE 1 - REAR ELEVATION

SCALE: $\frac{1}{8}$"=1'=0"

Schematic Design Submission Set
02-16-2023
001322

Hawthorne at Southern Pines Apartments
Hawthorne Residential Properties
Southern Pines, NC

hawthorne RESIDENTIAL PARTNERS

PLANWORX ARCHITECTURE

UDO 4.10.4 (D) STREET FACING WINDOW PERCENTAGE:
TOTAL FRONT FACADE SF (TOTAL AREA BETWEEN 2' AND 10') = 841 SF
TOTAL FRONT WINDOW SF = 152 SF
TOTAL FRONT DOOR SF = 70 SF
PERCENTAGE OF WINDOWS AND DOORS - 222/841 = 26%

UDO 4.10.4 (C):
FULL FACADE (A) = 4,707
TOTAL WINDOW/DOORS (B) = 738
A-B = (C) = 3,969
TOTAL SQFT OF BRICK ON FACADE (D) = 1,730
D/C = 44%

BUILDING TYPE 1 - FRONT ELEVATION

SCALE: $\frac{1}{8}$"=1'=0"

UDO 4.10.4 (D) STREET FACING WINDOW PERCENTAGE:
TOTAL FRONT FACADE SF (TOTAL AREA BETWEEN 2' AND 10') = 508 SF
TOTAL FRONT WINDOW SF = 74 SF
TOTAL FRONT DOOR SF = 70 SF
PERCENTAGE OF WINDOWS AND DOORS - 144/508 = 28%

UDO 4.10.4 (C):
FULL FACADE (A) = 2,654
TOTAL WINDOW/DOORS (B) = 510
A-B = (C) = 2,144
TOTAL SQFT OF BRICK ON FACADE (D) = 930
D/C = 43%

BUILDING TYPE 1 - TYPICAL SIDE ELEVATION

SCALE: $\frac{1}{8}$"=1'=0"

hawthorne RESIDENTIAL PARTNERS

PLANWORX ARCHITECTURE

Schematic Design Submission Set
02-16-2023
001322

Hawthorne at Southern Pines Apartments
Hawthorne Residential Properties
Southern Pines, NC

UDO 4.10.4 (D) STREET FACING WINDOW PERCENTAGE:
TOTAL FRONT FACADE SF (TOTAL AREA BETWEEN 2' AND 10') = 1,007 SF
TOTAL FRONT WINDOW SF = 236 SF
TOTAL FRONT DOOR SF = 70 SF
PERCENTAGE OF WINDOWS AND DOORS - 306/1,007 = 30%

UDO 4.10.4 (C):
FULL FACADE (A) = 4,908
TOTAL WINDOW/DOORS (B) = 1,008
A-B = (C) = 3,900
TOTAL SQFT OF BRICK ON FACADE (D) = 1,846
D/C = 47%

BUILDING TYPE 1 - REAR ELEVATION

SCALE: $\frac{1}{8}$"=1'=0"

Schematic Design Submission Set
02-16-2023
001322

Hawthorne at Southern Pines Apartments
Hawthorne Residential Properties
Southern Pines, NC

hawthorne RESIDENTIAL PARTNERS

PLANWORX ARCHITECTURE

UDO 4.10.4 (D) STREET FACING WINDOW PERCENTAGE:
TOTAL FRONT FACADE SF (TOTAL AREA BETWEEN 2' AND 10') = 1,072 SF
TOTAL FRONT WINDOW SF = 212 SF
TOTAL FRONT DOOR SF = 136 SF
PERCENTAGE OF WINDOWS AND DOORS - 348/1,072 = 32%

UDO 4.10.4 (C):
FULL FACADE (A) = 5,399
TOTAL WINDOW/DOORS (B) = 1,140
A-B = (C) = 4,259
TOTAL SQFT OF BRICK ON FACADE (D) = 1,904
D/C = 45%

BUILDING TYPE 2 - FRONT ELEVATION

SCALE: $\frac{1}{8}$"=1'=0"

UDO 4.10.4 (D) STREET FACING WINDOW PERCENTAGE:
TOTAL FRONT FACADE SF (TOTAL AREA BETWEEN 2' AND 10') = 560 SF
TOTAL FRONT WINDOW SF = 141 SF
TOTAL FRONT DOOR SF = 0 SF
PERCENTAGE OF WINDOWS AND DOORS - 141/560 = 25%

UDO 4.10.4 (C):
FULL FACADE (A) = 2,864
TOTAL WINDOW/DOORS (B) = 291
A-B = (C) = 2,573
TOTAL SQFT OF BRICK ON FACADE (D) = 1,123
D/C = 44%

BUILDING TYPE 2 - TYPICAL SIDE ELEVATION

SCALE: $\frac{1}{8}$"=1'=0"

hawthorne RESIDENTIAL PARTNERS

PLANWORX ARCHITECTURE

Hawthorne at Southern Pines Apartments
Hawthorne Residential Properties
Southern Pines, NC

Schematic Design Submission Set
02-16-2023
001322

UDO 4.10.4 (D) STREET FACING WINDOW PERCENTAGE:
TOTAL FRONT FACADE SF (TOTAL AREA BETWEEN 2' AND 10') = 1,176 SF
TOTAL FRONT WINDOW SF = 248 SF
TOTAL FRONT DOOR SF = 136 SF
PERCENTAGE OF WINDOWS AND DOORS - 384/1,176 = 33%

UDO 4.10.4 (C):
FULL FACADE (A) = 5,504
TOTAL WINDOW/DOORS (B) = 1,308
A-B = (C) = 4,196
TOTAL SQFT OF BRICK ON FACADE (D) = 1,830
D/C = 44%

BUILDING TYPE 2 - REAR ELEVATION

SCALE: $\frac{1}{8}$"=1'=0"

Hawthorne at Southern Pines Apartments
Hawthorne Residential Properties
Southern Pines, NC

Schematic Design Submission Set
02-16-2023
001322

hawthorne RESIDENTIAL PARTNERS

PLANWORX ARCHITECTURE

UDO 4.10.4 (D) STREET FACING WINDOW PERCENTAGE:
TOTAL FRONT FACADE SF (TOTAL AREA BETWEEN 2' AND 10') = 1,072 SF
TOTAL FRONT WINDOW SF = 212 SF
TOTAL FRONT DOOR SF = 136 SF
PERCENTAGE OF WINDOWS AND DOORS - 348/1,072 = 32%

UDO 4.10.4 (C):
FULL FACADE (A) = 4,991
TOTAL WINDOW/DOORS (B) = 1,140
A-B = (C) = 3,851
TOTAL SQFT OF BRICK ON FACADE (D) = 1,904
D/C = 49%

BUILDING TYPE 2 - FRONT ELEVATION

SCALE: $\frac{1}{8}$"=1'=0"

UDO 4.10.4 (D) STREET FACING WINDOW PERCENTAGE:
TOTAL FRONT FACADE SF (TOTAL AREA BETWEEN 2' AND 10') = 560 SF
TOTAL FRONT WINDOW SF = 141 SF
TOTAL FRONT DOOR SF = 0 SF
PERCENTAGE OF WINDOWS AND DOORS - 141/560 = 25%

UDO 4.10.4 (C):
FULL FACADE (A) = 2,626
TOTAL WINDOW/DOORS (B) = 291
A-B = (C) = 2,335
TOTAL SQFT OF BRICK ON FACADE (D) = 958
D/C = 41%

BUILDING TYPE 2 - TYPICAL SIDE ELEVATION

SCALE: $\frac{1}{8}$"=1'=0"

hawthorne RESIDENTIAL PARTNERS

PLANWORX ARCHITECTURE

Schematic Design Submission Set
02-16-2023
001322

Hawthorne at Southern Pines Apartments
Hawthorne Residential Properties
Southern Pines, NC

UDO 4.10.4 (D) STREET FACING WINDOW PERCENTAGE:
TOTAL FRONT FACADE SF (TOTAL AREA BETWEEN 2' AND 10') = 1,176 SF
TOTAL FRONT WINDOW SF = 248 SF
TOTAL FRONT DOOR SF = 136 SF
PERCENTAGE OF WINDOWS AND DOORS - 384/1,176 = 33%

UDO 4.10.4 (C):
FULL FACADE (A) = 4,988
TOTAL WINDOW/DOORS (B) = 1,308
A-B = (C) = 3,680
TOTAL SQFT OF BRICK ON FACADE (D) = 1,830
D/C = 49%

BUILDING TYPE 2 - REAR ELEVATION

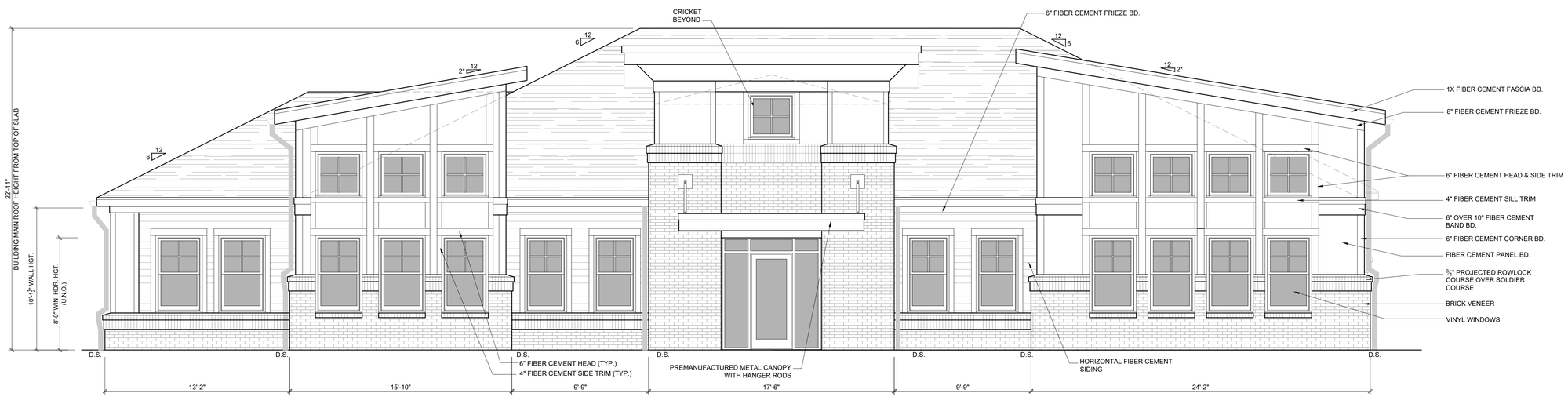
SCALE: $\frac{1}{8}$"=1'=0"

Schematic Design Submission Set
02-16-2023
001322

Hawthorne at Southern Pines Apartments
Hawthorne Residential Properties
Southern Pines, NC

hawthorne RESIDENTIAL PARTNERS

PLANWORX ARCHITECTURE



UDO 4.10.4 (C):
FULL FACADE (A) = 1,390
TOTAL WINDOW/DOORS (B) = 329
A-B = (C) = 1,061
TOTAL SQFT OF BRICK ON FACADE (D) = 559
D/C = 53%

CLUBHOUSE - FRONT ELEVATION

SCALE: $\frac{1}{4}$" =1'=0"

UDO 4.10.4 (C):
FULL FACADE (A) = 886
TOTAL WINDOW/DOORS (B) = 185
A-B = (C) = 701
TOTAL SQFT OF BRICK ON FACADE (D) = 270
D/C = 39%

CLUBHOUSE - LEFT ELEVATION

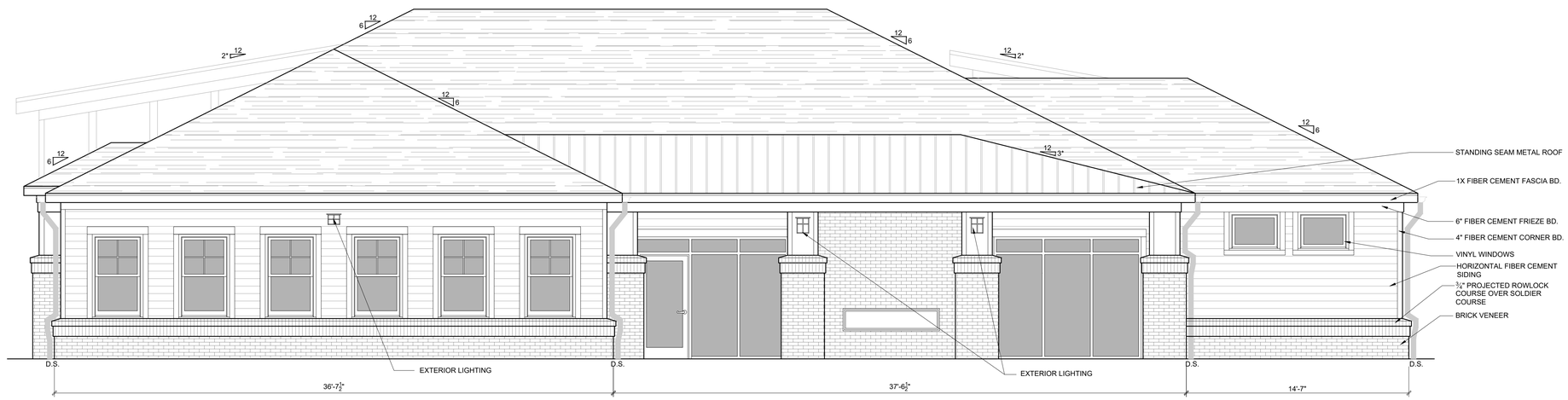
SCALE: $\frac{1}{4}$" =1'=0"

hawthorne RESIDENTIAL PARTNERS

PLANWORX ARCHITECTURE

Hawthorne at Southern Pines Apartments
Hawthorne Residential Properties
Southern Pines, NC

Schematic Design Submission Set
02-16-2023
001322



UDO 4.10.4 (C):
FULL FACADE (A) = 903
TOTAL WINDOW/DOORS (B) = 192
A-B = (C) = 711
TOTAL SQFT OF BRICK ON FACADE (D) = 319
D/C = 45%

CLUBHOUSE - REAR ELEVATION

SCALE: ¼" =1'=0"

UDO 4.10.4 (C):
FULL FACADE (A) = 933
TOTAL WINDOW/DOORS (B) = 239
A-B = (C) = 694
TOTAL SQFT OF BRICK ON FACADE (D) = 297
D/C = 43%

CLUBHOUSE -RIGHT ELEVATION

SCALE: ¼" =1'=0"

hawthorne RESIDENTIAL PARTNERS

PLANWORX ARCHITECTURE

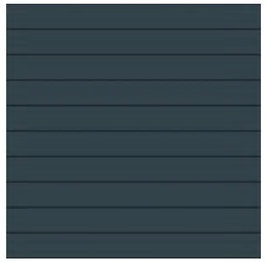
Schematic Design Submission Set
02-16-2023
001322

Hawthorne at Southern Pines Apartments
Hawthorne Residential Properties
Southern Pines, NC

SW 7003 TOQUE WHITE
FIBER CEMENT LAP SIDING

SW 7003 TOQUE WHITE
FIBER CEMENT BOARD W/2" BATTENS

SW 7605 GALE FORCE
FIBER CEMENT LAP SIDING



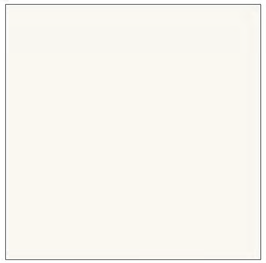
SW 7605 GALE FORCE
FIBER CEMENT BOARD W/2" BATTENS

SW 9131 CORNWALL SLATE
SMOOTH FIBER CEMENT BOARD

MODULAR BRICK

SW 9131 CORNWALL SLATE
SMOOTH FIBER CEMENT BOARD

MBCI CHARCOAL GRAY
STANDING SEAM METAL ROOF



SW 7757 HIGH REFLECTIVE WHITE
TRIM

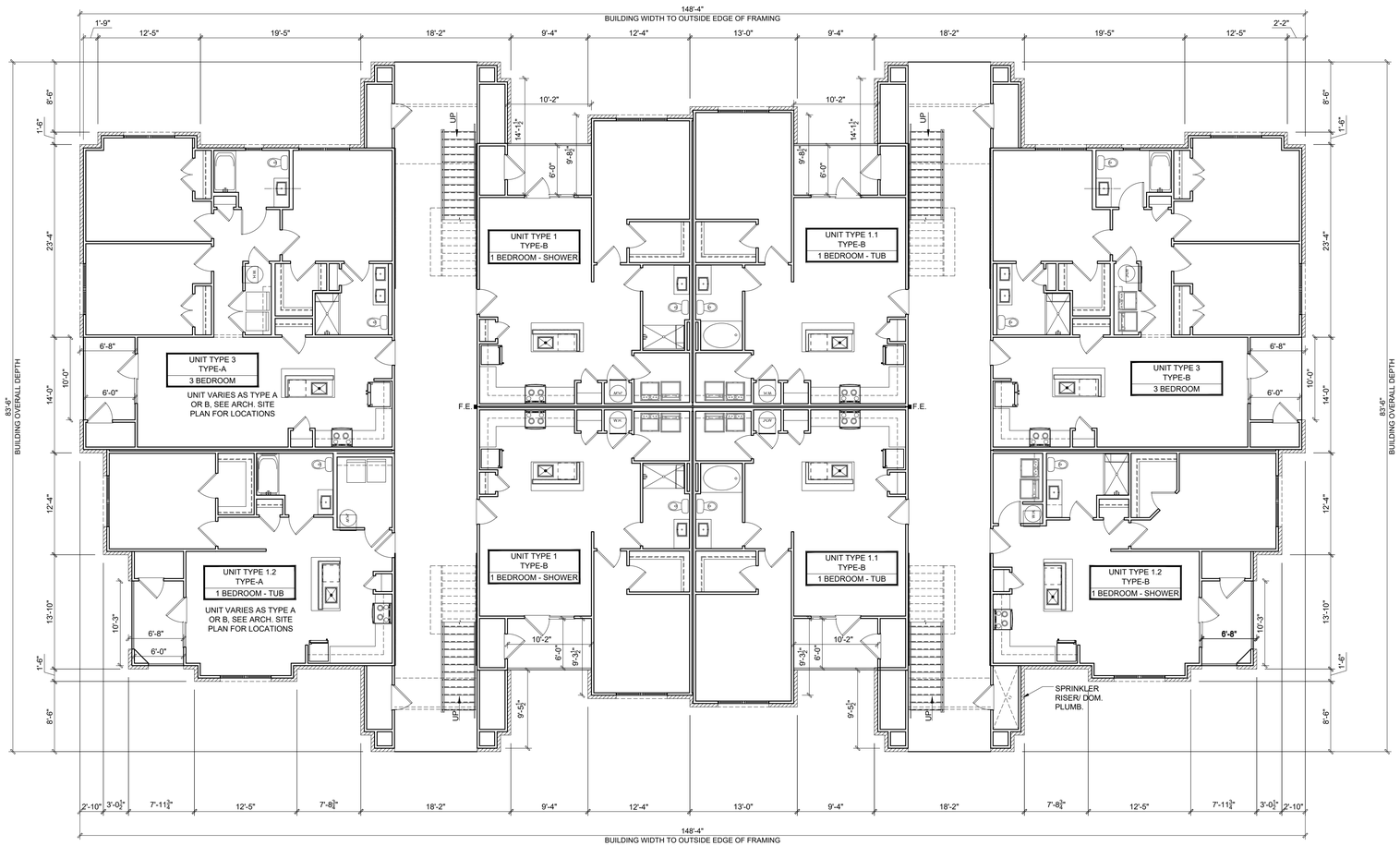
WHITE ALUMINUM RAILING
SUPERIOR ALUMINUM PRODUCTS

Schematic Design Submission Set
01-31-2023
001322

Hawthorne at Southern Pines Apartments
Hawthorne Residential Properties
Southern Pines, NC

hawthorne RESIDENTIAL PARTNERS

PLANWORX ARCHITECTURE



BUILDING TYPE 1 - FIRST FLOOR PLAN

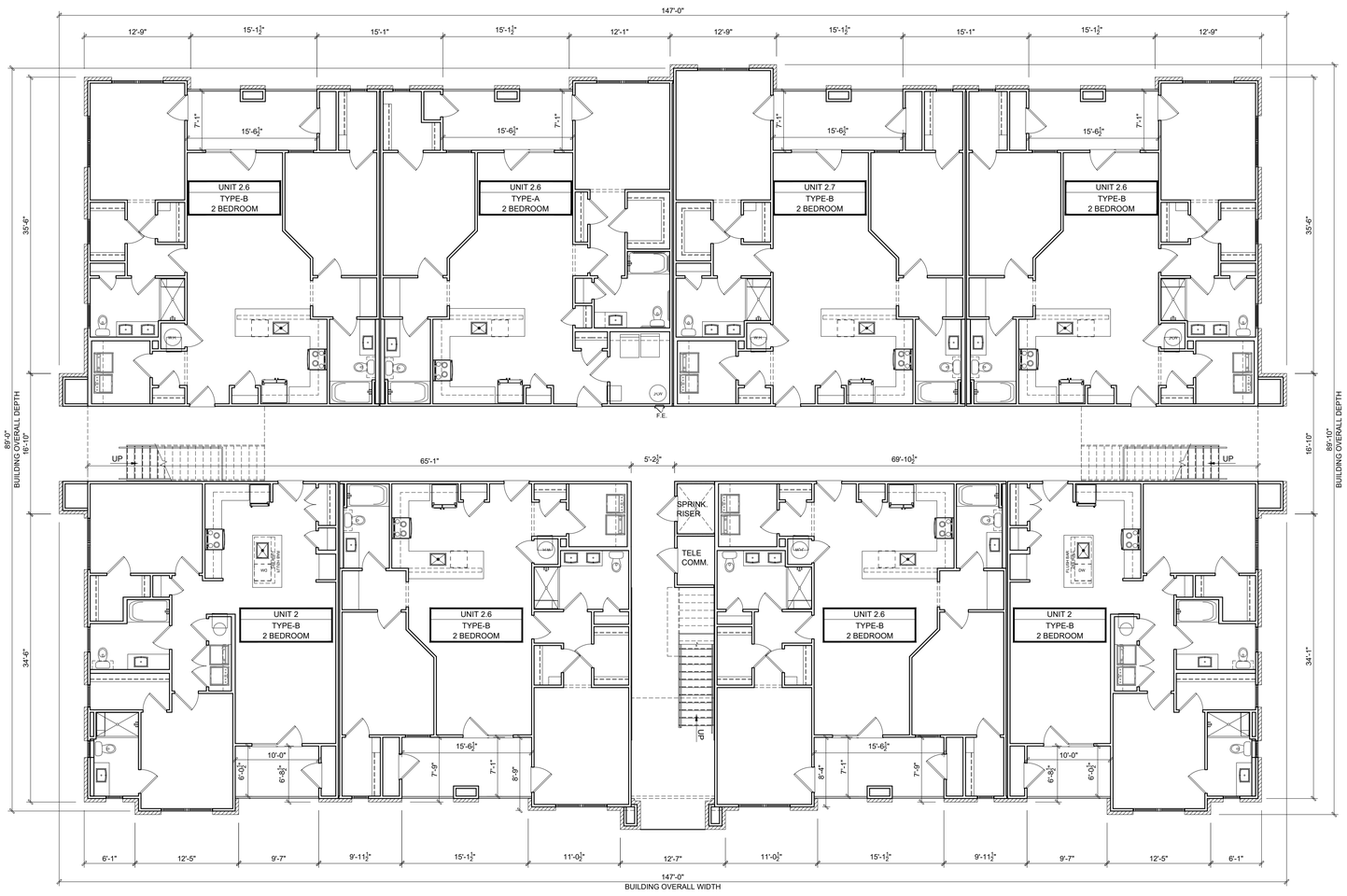
SCALE: $\frac{1}{8}$"=1'=0"

Hawthorne at Southern Pines Apartments
Hawthorne Residential Properties
Southern Pines, NC

Schematic Design Submission Set
02-16-2023
001322

hawthorne RESIDENTIAL PARTNERS

PLANWORX ARCHITECTURE



BUILDING TYPE 2 - FIRST FLOOR PLAN

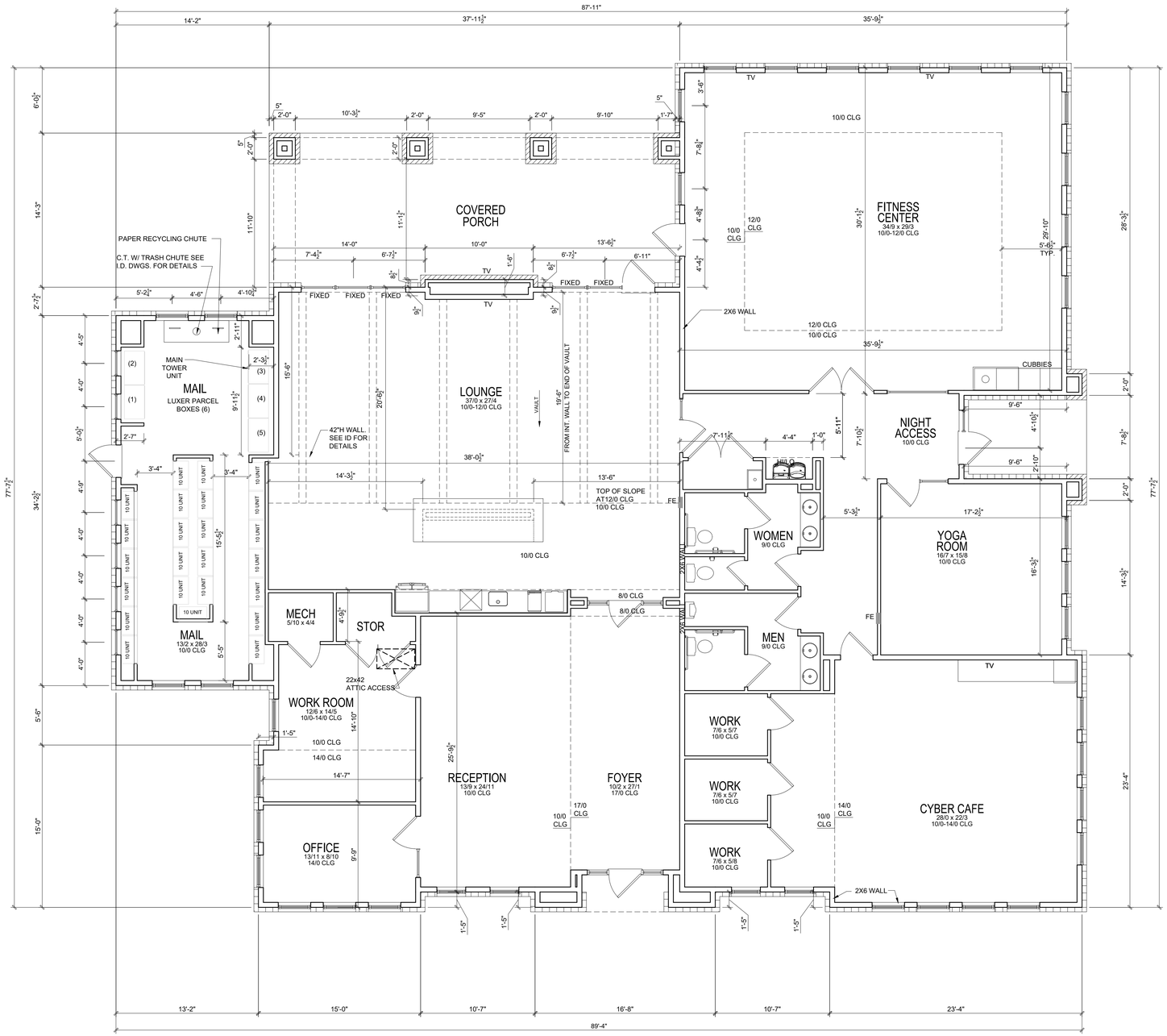
SCALE: $\frac{1}{8}$"=1'=0"

Hawthorne at Southern Pines Apartments
Hawthorne Residential Properties
Southern Pines, NC

Schematic Design Submission Set
02-16-2023
001322

hawthorne RESIDENTIAL PARTNERS

PLANWORX ARCHITECTURE



Building Square Footage Chart	
Clubhouse Htd.	4,879
Mail Kiosk Htd.	499
Porches (Front, Side, Rear)	621
Building Gross	5,999

CLUBHOUSE - FLOOR PLAN

SCALE: $\frac{3}{16}$" =1'=0"

hawthorne RESIDENTIAL PARTNERS

PLANWORX ARCHITECTURE

Hawthorne at Southern Pines Apartments
Hawthorne Residential Properties
Southern Pines, NC

Schematic Design Submission Set
02-16-2023
001322

Site Plan

McDeed's Creek
Tennis and Pickleball
Regional Stormwater Pond
Multi-Use Trail
Pool and Clubhouse
Community Entrance
Courtyard
40' Setback
Boulevard
Greenway Trails

Resolution Approving Conveyance of Property to A Nonprofit Organization Pursuant to G.S. 160A-279

WHEREAS, the Town of Southern Pines owns approximately 49+/- acres of land located on the north side of Morganton Road along Henley Street; and

WHEREAS, the Town intends to subdivide the tract into multiple parcels for the purpose of potential conveyance to multiple entities as part of a project with the Development Finance Initiative (DFI) operating out of the UNC-Chapel Hill School of Government; and

WHEREAS, North Carolina General Statute § 160A-279 authorizes a city or county to convey real or personal property by private sale to a nonprofit corporation if the city or county is authorized by law to appropriate money to the corporation; and

WHEREAS, North Carolina General Statute § 160A Article 18 outlines the authority of a Town to provide for recreational activities and facilities utilizing funds not otherwise restricted; and

WHEREAS, the Town of Southern Pines has designated an 8.375+/- acre parcel within the aforementioned 49+/- acre parent tract that it wishes to transfer to the YMCA of the Sandhills for the purpose of the YMCA constructing and operating a Recreation Facility for the provision of recreation and other services to citizens of the Town of Southern Pines and greater community; and

WHEREAS, the location of the designated tract provides convenient multi-modal access to individuals, families, and neighborhoods that might significantly benefit from the facilities and programs associated with a typical YMCA operation as recognized across the State of North Carolina and nation, thus meeting Town goals associated with fostering a healthy community, improving the quality of life for low-income individuals, and insuring development of this land interacts and functions appropriately with and within the interests of the adjacent neighborhood of West Southern Pines; now

THEREFORE, THE SOUTHERN PINES TOWN COUNCIL RESOLVES THAT:

1. The Mayor of Southern Pines is authorized to execute all documents necessary to convey fee simple defeasible title to The YMCA of the Sandhills a 8.375+/--acre tract of land located along Morganton Road and Henley Street more particularly described as follows:

LEGAL DESCRIPTION FOR PARCEL A (8.735 ACRES)

BEING ALL OF PARCEL A CONTAINING 8.735 ACRES, MORE OR LESS, LOCATED IN SOUTHERN PINES, MCNEILL TOWNSHIP, MOORE COUNTY, NORTH CAROLINA, AS SHOWN ON A MAP ENTITLED "MINOR SUBDIVISION FOR TOWN OF SOUTHERN PINES", AS RECORDED IN PLAT CABINET _____ SLIDE _____ IN THE MOORE COUNTY REGISTER OF DEEDS; AND BEING A PORTION OF THE 49 ACRES DESCRIBED TO THE TOWN OF SOUTHERN PINES, AS SHOWN IN D.B. 143 PG. 303, AS RECORDED IN THE MOORE COUNTY REGISTER OF DEEDS. BEING MORE PARTICULARLY DESCRIBED BY BEARINGS AND DISTANCES BELOW.

COMMENCING FROM A CONCRETE RIGHT-OF-WAY MONUMENT IN THE SOUTHEAST MARGIN OF S. HENLEY STREET HAVING NC STATE PLANE COORD. NAD83(2011) N:518,278.33' E: 1,876,932.61', SAID MONUMENT BEING LOCATED S35°59'23"E A DISTANCE OF 80.21 FEET FROM A CONCRETE RIGHT-OF-WAY MONUMENT IN THE NORTHWEST MARGIN OF S. HENLEY STREET; THENCE WITH THE SOUTHEAST MARGIN OF S. HENLEY STREET N54°37'51"E A DISTANCE OF 187.98 FEET TO A .5" IRON ROD SET IN SAID SOUTHEASET MARGIN AND POINT OF BEGINNING.

THENCE FROM SAID BEGINNING AND ALONG THE SOUTHEAST MARGIN OF S. HENLEY STREET N54°37'51"E A DISTANCE OF 693.72 FEET TO A .5" IRON ROD SET IN SAID SOUTHEAST MARGIN, AND BEING FURTHER LOCATED THE REVERSE CALL S54°37'51"W FOR A TOTAL DISTANCE OF 382.66 FEET FROM A 2" IRON PIPE COMMON TO RONNIE LEE MCLEAN, AS SHOWN IN D.B. 532 PG. 905, CROSSING OVER A .5" IRON ROD SET 208.00 FEET FROM SAID 2" IRON PIPE DESCRIBED ABOVE;

THENCE A NEW LINE S35°22'09"E A DISTANCE OF 375.32 FEET TO A .5" IRON ROD SET IN THE WESTERN LINE OF THE TOWN OF SOUTHERN PINES AS DESCRIBED IN D.B. 348 PG. 181, AND BEING FURTHER LOCATED S31°45'02"W A DISTANCE OF 192.43 FEET FROM A 1.25" IRON PIPE IN SAID WESTERN LINE; THENCE WITH SAID WESTERN LINE THE FOLLOWING CALLS: S31°45'02"W A DISTANCE OF 287.68 FEET TO A 1" IRON PIPE; THENCE S44°36'30"W A DISTANCE OF 140.49 FEET TO A 1" IRON PIPE COMMON TO THE NATIONAL GUARD ARMORY, AS SHOWN IN D.B. 177 PG. 463; THENCE WITH THE WESTERN LINE OF SAID NATIONAL GUARD ARMORY DESCRIBED ABOVE S34°51'28"W A DISTANCE OF 347.89 FEET TO A .5" IRON ROD SET IN THE NORTHEAST MARGIN OF W. MORGANTON ROAD, AND BEING FURTHER LOCATED N58°28'38"W A DISTANCE OF 546.21 FEET FROM A CONCRETE RIGHT-OF-WAY MONUMENT IN SAID NORTHEAST MARGIN; THENCE ALONG SAID NORTHEAST MARGIN N55°05'30"W A DISTANCE OF 386.55 FEET TO A .5" IRON ROD SET IN SAID NORTHEAST MARGIN, AND BEING FURTHER LOCATED THE REVERSE CALL S55°05'30" A DISTANCE OF 252.10 FEET FROM A .5" IRON ROD SET IN SAID NORTHEAST MARGIN;

THENCE THE FOLLOWING NEW CALLS: N48°00'15"E A DISTANCE OF 210.86 FEET TO A .5" IRON ROD SET, AND BEING LOCATED APPROXIMATELY 14 FEET DUE WEST OF THE WESTERN CORNER OF THE SPORTS BUILDING; THENCE N45°14'28"W A DISTANCE OF

244.73 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT WHICH IS THE POINT OF BEGINNING AND HAVING AN AREA OF 8.735 ACRES.

2. The consideration for the conveyance is the following set of conditions, covenants, and restrictions, which shall be incorporated in the deed given by the Town to Association:

a. The YMCA of the Sandhills will purchase the subject tract for an agreed upon amount of $5,000.

b. The YMCA of the Sandhills will fund and construct a minimum (45,000) Sq.ft. recreation facility, to include at minimum an indoor pool, in addition to any parking, landscaping, and necessary public infrastructure in accordance with general plans and architecture to be submitted to the Town and ultimately approved via the appropriate Town permitting authorities. Initial site plan and Architectural Review application will be submitted no later than (September 30, 2025)

c. The YMCA shall have applied for a Building Permit per the approved plans referenced in subsection (a) no later than (December 31, 2026)

c. The YMCA shall have constructed and opened a facility meeting the minimum requirements outlined herein no later than (December 31, 2027.) Once the improvement project is complete, The YMCA of the Sandhills will operate a recreation center in the building, offering programs for the benefit of citizens of the Town and others who join as members. Consideration for membership or program involvement shall include opportunity for low-to-moderate income individuals to participate at a reduced or negligible rate in order to meet Town of Southern Pines goals and objectives.

d. The deed given by the city to the 8.375-acre tract of land shall convey a title in fee simple determinable. The fee simple interest of the YMCA of the Sandhills in the property shall terminate if at any time during the next 25 years the YMCA shall fail to meet the deadlines outlined herein, or ultimately cease to use the property to operate a recreation facility once the improvement project is complete.

3. The Town clerk shall publish a notice summarizing the contents of this resolution, and the property may be sold at any time after 10 days after publication of the notice.

Adopted this the ____ day of _____, 20__.

[Clerk Seal] [Mayor/Chairman Signature]

TOWN OF SOUTHERN PINES ORDINANCE 2058
AMENDING THE 2022/2023 FISCAL YEAR BUDGET
(Demolition at 875 Clark Street)

BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Southern Pines in regular session assembled this 14th day of March, 2023 that the Operating Budget for the Fiscal Year 2022/2023 be and hereby is amended as follows:

DEPARTMENT	LINE ITEM	CODE	INCREASE	DECREASE
Inspections	Contractual Services	10-545-4500	$9,850.00	
General Fund	Fund Balance Appropriations	10-397-1000	$9,850.00	

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of March 14, 2023 as shown in the minutes of the Town Council for that date.

_____
Elizabeth Robertson, Town Clerk

Southern Pines Public Library

M E M O R A N D U M

DATE: 24 February 2023

TO: Reagan Parsons, Town Manager

CC: Jessica Roth, Beth Robertson

FROM: Amanda Brown, Library Director

RE: Library Advisory Board Appointments

We have two Library Advisory Board positions to fill. Library Advisory Board member William Hamel's term expired12/31/2022 and he is not able to renew, and Diann Fortune, or non-resident member, is not able to complete her current term ending 12/31/2024. Both have been valuable and insightful members of the Library Advisory Board and I hope that the Council will recognize their contributions to the Library and the Town and thank them for their years of service.

Kira Shoenfelder has submitted her application to serve on the Board. She resides in Southern Pines and works at Southern Pines Brewing Company.

For our non-resident unexpired term, Shawna Fink submitted her application. Shawna is a local educator and owns and operates Ladybug Farm and Nature Immersion School.

On February 11 2023, the Library Advisory Board voted to recommend the following applicants to the Council for their consideration.

Kira Shoenfelder	1/1/2023 to 12/31/2025
Shawna Fink	1/1/2023 to 12/31/2024

TOWN OF SOUTHERN PINES RESOLUTION #1041
APPROVING THE POLICY AUTHORIZING RESIDENT EXEMPTIONS FROM MANDATORY CURBSIDE SOLID WASTE COLLECTION

WHEREAS, the Town of Southern Pines has a population of over 15,000 residents and encompasses nearly 18 square miles. The Town provides for the collection and disposal of solid waste to all residential areas; and

WHEREAS, effective July 1, 2023, curbside collection will become the standard for both garbage and recycling; and

WHEREAS, the Town has defined criteria which will provide an exemption from mandatory curbside collection for those residents with a medical condition or physical restriction that prevents them from being able to take their receptacle(s) to and from the curb.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southern Pines, North Carolina in regular session assembled this 14th day of March, 2023, that:

1. The Town Council of Southern Pines hereby adopts the attached policy which outlines the criteria under which an exemption may be approved, the review and approval process, and the standards for collection.
2. The curbside collection exemption applies to garbage and recycling only. Yard debris, bulky items, and white goods must be placed at the curb for collection.
3. The policy shall go into effect on July 1, 2023.
4. Approved exemptions which are already in effect as of March 14, 2023 shall automatically extend to June 30, 2024, unless the exemption was for a shorter time frame due to a temporary medical condition or physical restriction.

Adopted this 14th day of March, 2023

TOWN OF SOUTHERN PINES

_____
Carol R. Haney, Mayor

I certify that this resolution was adopted by the Town Council of the Town of Southern Pines at its meeting of March 14, 2023 as shown in the minutes of the Town Council for that date.

_____
Elizabeth Robertson, Town Clerk

RESOLUTION #1041, ATTACHMENT A
TOWN OF SOUTHERN PINES POLICY FOR RESIDENT EXEMPTION
FROM CURBSIDE SOLID WASTE & RECYCLING COLLECTION
Effective July 1, 2023

The Town of Southern Pines collects garbage and recycling from all residential homes, provided the receptacles are placed at the curb.

Residents who have a medical condition or physical restriction which prevents them from being able to place their receptacle(s) at the curb may apply for an exemption from curbside collection. If approved, the waste hauler will collect and return the receptacle(s) from a point near the resident's home. This policy outlines the criteria under which an exemption may be approved, the review and approval process, and the standards for collection.

Criteria for Medical Exemption

- Residents may qualify for an exemption from curbside collection if they have a medical condition or physical restriction which makes them incapable of bringing a receptacle(s) to and from the curb.
- Residents who need this exemption must submit a request to the Town, signed by a physician who verifies that the individual 1) is not physically capable of bringing a receptacle(s) to and from the curb and 2) does not live with a person who is physically capable of doing so.
- The physician shall indicate if the medical condition is temporary and, if so, make a recommendation on how long the exemption should be applicable.
- Residents will not be asked to provide specific details about the medical condition or physical restriction. It is only necessary that the resident and attending physician certify that the condition/restriction does not allow the resident to physically take a receptacle(s) to and from the curb.
- Multi-family neighborhoods are serviced with dumpsters. Residents in these neighborhoods do not qualify for this exemption.
- The medical exemption is for residential customers only; business accounts do not qualify.

Review and Approval Process

- The Town shall provide a form for residents to complete, which will include a section for the physician's certification of the medical condition or physical restriction.
- The resident must submit the completed form to the Public Works department for review.
- The Assistant Town Manager or his/her designee shall review the request to determine if the resident qualifies for exemption based on the criteria of this policy. The Town shall provide a written decision to the resident following review.
    - If approved, the resident's exemption shall be documented for the next scheduled collection. In the event the approval is issued less than 48 business hours before the resident's scheduled collection, the exemption shall go into effect for the following collection.
- The approved exemption shall be in effect for a period of twelve (12) months unless it is for a shorter timeframe based on the physician's certification of a temporary condition or restriction. If the resident wishes to renew the exemption, he/she shall submit a completed form for review prior to expiration of the existing exemption.
- The Town may rescind the exemption under either of the following conditions:
    - The resident's status regarding eligibility criteria changes, i.e. a person permanently moves into the resident's home who is physically able to take the receptacle(s) to and from the curb.

    - The Town determines that the information submitted on the application was not factual and the resident would not have been approved for the exemption.
- In the event that the application is denied or the exemption is rescinded, the resident may submit an appeal to the Town Manager, who will make a final decision.

Collection Requirements for Residents Exempted from Curbside Service

- The garbage and recycling receptacles must be placed no later than 6am on the scheduled collection day in the following manner:
    - Placed in front of or beside the home. Receptacles may only be located behind the home if the standard collection route is via a rear alley.
    - Clearly visible from the street or alley.
    - Access must be convenient and safe for the hauler. Receptacles will not be collected if they are in a fenced area, in a carport or garage, or in an otherwise enclosed or inaccessible area.
    - Vehicles shall be parked so they do not hinder access to the receptacles.
    - If the receptacle(s) is not placed in this manner, the hauler will be unable to collect the garbage and/or recycling. The hauler will return at the next regularly scheduled collection and the resident will not be eligible for a "missed collection" recall.
- The Town will collect a maximum of one receptacle each for garbage and recycling per scheduled collection. All items must be placed in a receptacle; loose items will not be collected.
- Receptacles must meet the same Town standards for those collected curbside. For receptacles with wheels, they must be maintained in good working condition so they can be rolled to the curb and back.
- The hauler will return the receptacle(s) to the location where it was originally placed.
- The resident's property must be maintained in a manner so that the hauler is not exposed to unreasonable hazards. Examples include, but are not limited to, vicious animals that are loose or tethered near the receptacles, trip or slip hazards, and similar.
    - If the hauler repeatedly experiences these hazards, the Town will inform the resident in writing of the required improvements. If the resident fails to correct the hazards in a timely manner, the Town may suspend or rescind the exemption.
- The curbside collection exemption applies to garbage and recycling only. Yard debris, bulky items, and white goods must be placed at the curb for collection.
- This service is provided at no additional charge to the resident.

MEMORANDUM

To: Reagan Parsons, Town Manager

Cc: Mac McCarley, Town Attorney

From: Nedra Norton, Director of Information Technology & GIS

Re: Interlocal Agreement with Moore County – Mobile311 GIS

Date: March 3, 2023

The Town was informed late last year by the vendor that our Mobile311 multi-departmental work order system's GIS (geographic information system) interface would be end of life\end of service effective December 31st, 2022. This Mobile311 GIS interface provides Town mapping data necessary to successfully complete specific type work orders within the Mobile311 system.

Town IT Staff has worked with Moore County IT Staff to replace the interface through a Moore County GIS hosted solution. We very much appreciate the County's willingness to work with us towards a solution. Town Staff and Moore County Staff including IT, Managers and Attorneys have prepared an interlocal agreement under North Carolina General Statute 160A-461 in support the above referenced engagement.

We would like to request approval of the attached interlocal agreement.

Thank you in advance for your consideration.

Best Regards,

Nedra H. Norton

Town of Southern Pines North Carolina

Chartered 1887

Interlocal Agreement between the County of Moore and the Town of Southern Pines.

This Agreement, made and entered into this the _____day of _____, 202_, by and between the Town of Southern Pines, a municipal corporation organized and existing pursuant to the laws of the State of North Carolina, Party of the First Part and hereinafter referred to as the TOWN and the COUNTY of MOORE, a political subdivision of the State of North Carolina established and operating pursuant to the laws of the State of North Carolina, Party of the Second Part and hereinafter referred to as the COUNTY;

WITNESSETH:

WHEREAS, the Town has been using ConnectGIS to host its website map and web map for Mobile 311 for work orders; and

WHEREAS, the vendor of ConnectGIS has notified Town that ConnectGIS will no longer be available after December 31, 2022; and

WHEREAS, the Town has requested County to host its web map to facilitate work orders in Mobile 311 utilized by the Town; and

WHEREAS, the County has created a process to take Town layers published to ArcGIS Online and publish it to a rest service end point to be utilized by Town for use with Mobile 311.

WHEREAS, the TOWN and the COUNTY, pursuant to the authority granted by the North Carolina General Statute 160A-461, hereby covenant and agree as follows:

1. That the TOWN hereby contracts with the COUNTY to use the services of the COUNTY to publish data to a rest service end point to be utilized by Town for use with Mobile311; and

2. That the COUNTY shall provide sufficient resources to publish the TOWN's data for utilization in the Town's Mobile311 program; however the COUNTY provided rest service shall be made available only to the TOWN as directed in this Interlocal Agreement. The TOWN's data, layers and rest service will not be shared or published outside of what this Agreement directs. The intent of this section is to keep non-public record data from being released; and

3. That the TOWN acknowledges that the COUNTY's provision of such service to the Town shall be subject to interruption for scheduled and unscheduled periods of system maintenance; interruption of the COUNTY's internet service; interruption of electrical or other utility service due to weather conditions or other natural calamity: and interruption resulting from intention acts or other conditions

resulting in the COUNTY's inability to publish TOWN's data to a rest service end point for use with Mobile311; and

4. That should any claims arise out of the services provided by the COUNTY under this agreement, the TOWN agrees to indemnify and hold the COUNTY, its employees, agents and contractors harmless from any and all claims for liability, loss, injury, damages to persons or property, costs or attorney's fees resulting from any allegation or act of negligence brought against the COUNTY, its employees, agents, contractors and Commissioners arising as a result of these services performed on behalf of the TOWN that are the subject of this Agreement that are due to the negligence of the TOWN. The COUNTY agrees to indemnify and hold the TOWN, its employees, agents and contractors harmless from any and all claims for liability, loss, injury, damages to persons or property, costs or attorney's fees resulting from any allegation or act of negligence brought against the TOWN, its employees, agents, contractors and Commissioners arising as a result of these services performed on behalf of the TOWN that are the subject of this Agreement and are due to the negligence of the COUNTY, its employees, agents or contractors; and

5. It shall not be considered a breach of this Agreement or an event of Default and the County shall not be responsible for an inability to perform or for any delays, damages, costs, expenses, liabilities, or other consequences that may arise as a result of Force Majeure. In order to avail itself of this provision, the County must take reasonable actions to remedy the consequences of the Force Majeure event and the County shall give notice of the Force Majeure event to the Town as soon as practicable. Force Majeure is defined as any event arising from causes beyond the reasonable control of the County. Force Majeure events may include, but are not limited to, cyber attacks, power system and backup power system failures, hardware or software failures, riots or civil disorders, fire, earthquakes, or other acts of God.

6. That this Agreement shall continue until such time, not to exceed five (5) years, as either the TOWN or COUNTY resolves to discontinue the Agreement and presents six (6) months written notice to the other party of said termination or upon mutual agreement of both parties; and

7. This Agreement may only be modified in writing and executed by both parties; and

8. That the effective date of this Interlocal Agreement shall be _____, 202 __.

IN WITNESS WHEREOF, the Town of Southern Pines has caused this Agreement to be signed in its name by its Mayor, attested by its Clerk, and its Official Seal to be hereunto affixed, and THE COUNTY OF MOORE has caused this agreement to be signed in its name by the Chair of the Board of Commissioners and attested by the

Clerk of its Board and its Official Seal to be hereunto affixed, the day and year first above written.

TOWN OF _____, NORTH CAROLINA

By: _____
, MAYOR

ATTEST:

_____
, Town Clerk

[SEAL]

COUNTY OF MOORE, NORTH CAROLINA

By: _____
, Chairman
Moore County Board of Commissioners

ATTEST:

_____
Clerk to the Board

[SEAL]

MINUTES

Tuesday, February 7, 2023: 6:00 PM
Town Council Agenda Meeting
C. Michael Haney Community Room: Southern Pines Police Department
450 W. Pennsylvania Ave

DRAFT

1. CALL TO ORDER

Mayor Pro Tem Murphy called the meeting to order. The following members of Town Council were present: Taylor Clement; Paul Murphy; Bill Pate; and Ann Petersen.
Absent: Mayor Carol Haney.

2. TOWN MANAGER'S COMMENTS

Asst. Town Manager Jessica Roth briefly reviewed the proposed agenda. Town Manager Parsons is representing the Town at another event.

a. CivicClerk Update

Asst. Town Manager Jessica Roth and Planning Director BJ Grieve will discuss some updates and improvements in the CivicClerk system

Asst. Town Manager Roth and Planning Director BJ Grieve reviewed the latest updates and improvements to the CivicClerk system.

3. LEGISLATIVE HEARINGS FOR 2/14 AGENDA

4. EVIDENTIARY (QUASI-JUDICIAL) HEARINGS FOR 2/14 AGENDA

a. SU-06-22: MidSouth Modifications (hearing continued from 01/10/23 Regular Meeting)

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 various modifications to the MidSouth development. Modifications include adding two residential lots near the north entrance and subdividing off the property on which the north gatehouse is located. The subject property is identified as PIN: 857200264820 (PARID: 00041026701).

Councilmember Clement made a motion to move SU-06-22: MidSouth Modification Hearing to the end of the agenda for the February 14, 2023, meeting seconded by Councilmember Petersen; the vote was as follows:

Mayor Haney - absent
Mayor Pro Tem Murphy - aye
Councilmember Pate - aye
Councilmember Clement - aye
Councilmember Petersen - aye

Motion passed.

5. REVIEW PROPOSED ACTION ITEMS FOR 2/14 AGENDA

a. SU-07-22: Southern Pines Country Club (hearing closed, decision continued from 01/10/23 Regular Meeting)

This is a continuation of a public hearing that was opened at the December 13, 2022 Regular Meeting. On behalf of Mid-Pines Development Group, LLC, Mr. Bob Koontz with KoontzJones 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 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.

b. Resolution Honoring the 100-Year Anniversary of the Chartering of West Southern Pines

March 3, 2023 is the 100-year anniversary of the chartering of West Southern Pines. The community has joined together to plan activities over the next 12 months to highlight their history and contributions from residents. The Community Connectors contacted staff to request a resolution from the Town Council recognizing this event and some of the important people and assets from West Southern Pines' history. Staff is working on the resolution, which will be presented to community representatives at the beginning of the February 14th meeting, unless the Council prefers otherwise.

Asst. Town Manager Roth gave an overview of the item.

Councilmember Clement requested a change regarding a reference to Rosenthall School.

c. AR-24-22 Fort Bragg Federal Credit Union (continued from 01/3/23 Agenda Meeting)

KoontzJones Design is requesting an Architectural Compliance Permit on behalf of Fort Bragg Federal Credit Union for development of a retail bank on an undeveloped parcel of land within the Southern Pines Village development. The undeveloped parcel of land is located on the west side of Brucewood Road, between TerraBella senior living facility and Residence Inn by Marriott.

Senior Planner Alaina Mallette reviewed the request and staff report for the Council.

Discussion ensued.

The Council requests the applicant bring a sample of the roof color to the February 14th meeting.

6. REVIEW PROPOSED CONSENT AGENDA FOR 2/14 AGENDA

a. Adopt Resolution #1039 Condemning Hatred and Discrimination

Based on review by the Council during the January 24th work session, staff has updated the draft resolution condemning hatred and discrimination. This will be included on the February 14th consent agenda, unless Council prefers otherwise.

Asst. Town Manager Roth reviewed the resolution for the Council.

b. Budget Amendments

Staff requests approval on a number of budget amendments which are detailed in the memo attached to each item:

- Ordinance #2053 - Amending the America Rescue Plan Act Grant Special Revenue Fund
- Ordinance #2054 - Amending the General Capital Reserve Project Budget
- Ordinance #2055 - Amending the Water & Sewer Upgrades Capital Project Fund
- Ordinance #2056 - Amending the 2022/2023 Fiscal Year Budget

Asst. Town Manager Roth reviewed the items for Council

- Ordinance #2053, #2054, #2055 are related to ARPA Funds and will close the special revenue fund now that the funds have been moved and transfer the interest accrued to capital reserve funds.
- Asst Town Manager Roth has created a special web page devoted to tracking the spending of ARPA funds, that, once the final review is complete, will be available on the Town's website.
- Ordinance #2057 and #2058 are to allow the purchase of 2 vehicles that were originally allocated in FY 21/22 Budget. We were unable to have the vehicles delivered by the end of the fiscal year, so the funds were moved to the FY 22/23 Budget.

c. Approve Town Council Meeting Minutes for January 2023

Staff has prepared meeting minutes for approval

- January 3, 2023
- January 10, 2023
- January 24, 2023

No changes were noted.

7. COUNCIL UPDATES & DISCUSSION

a. Solid Waste Update

Assistant Town Managers Mike Cameron and Jessica Roth will provide a brief update on some new information related to the solid waste services analysis.

Asst. Town Manager/Fire Chief Mike Cameron presented a status report regarding the Town's solid waste collection program and a proposed timeline for the next 18 months.

- Staff would like the approval from Council to issue a letter of intent to purchase vehicles to be used for yard debris. A budget amendment will come before the Council at the February or March meeting.

Discussion ensued.

8. ADJOURNMENT

Upon motion by Councilmember Petersen, seconded by Councilmember Pate and carried unanimously, Council adjourned at 7:33 pm.

Respectfully submitted:

_____

Elizabeth Robertson, Town Clerk

DRAFT

MINUTES

Tuesday, February 14, 2023: 6:00 PM
Town Council Business Meeting
Douglass Community Center: 1185 W. Pennsylvania Ave

1. CALL TO ORDER

Mayor Haney called the meeting to order. The following members of Town Council were present: Mayor Carol Haney; Taylor Clement; Paul Murphy; Bill Pate; and Ann Petersen.

Mayor Haney recognized the 125th Anniversary of the Southern Pines Fire Department.

2. PLEDGE OF ALLEGIANCE

3. TOWN MANAGER'S COMMENTS

Asst. Town Manager Jessica Roth reviewed the agenda. Town Manager Reagan Parsons is ill and unable to attend the meeting.

4. PRESENTATION

a. Consider and Present Resolution #1040 Honoring the 100-Year Anniversary of the Chartering of West Southern Pines

The Town of West Southern Pines was chartered on March 3, 1923. This resolution recognizes the 100th anniversary of this event and some of the history, residents, and cultural assets in West Southern Pines that have contributed to the history and culture of Southern Pines, Moore County, and North Carolina.

Dorothy Brower of 102 E. Monroe, Southern Pines, spoke to the Council regarding the resolution and asked for a few weeks to allow the West Southern Pines Community to finalize their plans for the celebration that could result in minor tweaks to the Town's offering. Council unanimously agreed to postpone the resolution.

5. PUBLIC COMMENTS

No public comments were voiced.

6. CONSENT AGENDA

Mayor Haney read Resolution #1029 out loud to the meeting participants.

Councilmember Pate motioned to approve the Consent Agenda, seconded by Mayor Pro Tem Murphy; the vote was unanimous.
Motion passed.

a. Adopt Resolution #1039 Condemning Hatred and Discrimination

In response to recent displays of hatred, discrimination, and indignity that have been shown to some citizens in Southern Pines and the greater Moore County area, this resolution condemns hatred and discrimination and asserts that everyone should be treated with respect and dignity.

b. Approve Town Council Meeting Minutes for January 2023

Staff has prepared meeting minutes for approval

- January 3, 2023
- January 10, 2023
- January 24, 2023

c. Approve Ordinances #2053, #2054, #2055, and #2056 for Budget Amendments

- Ordinance #2053 closes the America Rescue Plan Act Grant Special Revenue Fund since the Town elected the standard allowance for revenue replacement and transferred the funds to the General and Enterprise Funds accordingly.
- Ordinance #2054 amends the General Capital Reserve Project Budget to allocate $24,009 of interest revenue associated with ARPA.
- Ordinance #2055 amends the Water & Sewer Upgrades Capital Project Fund to allocate $4,584 of interest revenue associated with ARPA.
- Ordinance #2056 amends the 2022/2023 Fiscal Year Budget to appropriate $230,458 of fund balance in order to complete the purchase of two vehicles that were ordered in FY 21-22 and not received in that fiscal year due to supply chain delays.

7. ACTION ITEMS

a. Consider AR-24-22 Fort Bragg Federal Credit Union

Architectural Compliance Permit on behalf of Fort Bragg Federal Credit Union for development of a retail bank on the west side of Brucewood Road, between TerraBella senior living facility and Residence Inn by Marriott.

Senior Planner Alaina Mallette gave a brief overview of the project and noted a few changes to the application from the one that was presented at the February 7th Agenda Meeting.

Bob Koontz of KoontzJones Design, spoke to the Council on behalf of the applicant and gave a detailed presentation on the deviations that are being requested.

Mayor Haney questioned the roof color and was provided with the hunter green colored

chip sample used in the presentation. Mr. Koontz provided the sample and informed the Council that a 2nd color, darker and more muted, was also being considered. Councilmember Petersen asked for samples of the 2nd roof color and the applicant was unable to provide anything other than the electronic image and Pantone color number. Mr. Koontz agreed to work with staff to match the darker muted green color. Planning Director Grieve will agree to matching a color code but not leaving the final color up to staff discretion.

Councilmember Petersen requested the decision be postponed to the January Work Session and for the applicant to bring a sample of the 2nd roof color, seconded by Mayor Pro Tem Murphy; the vote was unanimous.
Motion approved.

b. Consider Ordinance #2057 Amending the FY 22/23 Budget to Purchase Vehicles for Yard Debris Collection Services

This ordinance appropriates $726,000 from the General Fund fund balance to order three vehicles that can be used to collect yard debris, bulk items, and white goods. The Town intends to bring this collection service in-house effective January 1, 2024.

Discussion ensued.

Councilmember Pate moved to approve Ordinance #2057 for the purchase of 3 vehicles for yard debris pick-up in the amount of $767,000, seconded by Councilmember Petersen; the vote was unanimous.
Motion passed.

Councilmember Pate exited the meeting at 6:30 pm.

c. Consider SU-07-22: Southern Pines Country Club

Mid-Pines Development Group, LLC requests a special use permit to construct ten guest cottages at the Southern Pines Country Club. The development proposal is for ten detached golf cottages with fifty-six guest rooms, associated parking, and amenities such as a putting green and practice tee. This hearing was completed and closed on January 10 and Council postponed action on the decision to February 14.

This is a quasi-judicial hearing being continued from the January 10, 2023 Business Meeting.

At the January 10, 2023 Town Council Regular Business Meeting, the Town Council voted to approve Finding of Fact #1 by a vote of 4-0.

Council discussed and voted on each criterion for Finding of Fact #2 as follows:

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

Mayor Haney - aye
Mayor Pro Tem Murphy - aye
Councilmember Clement - aye

Councilmember Petersen - nay

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

Mayor Haney - aye
Mayor Pro Tem Murphy - aye
Councilmember Clement - aye
Councilmember Petersen - nay

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

Mayor Haney - aye
Mayor Pro Tem Murphy - aye
Councilmember Clement - aye
Councilmember Petersen - aye

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.

Mayor Haney - aye
Mayor Pro Tem Murphy - aye
Councilmember Clement - aye
Councilmember Petersen - nay

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

Mayor Haney - aye
Mayor Pro Tem Murphy - aye
Councilmember Clement - aye
Councilmember Petersen - nay

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.

Mayor Haney - aye
Mayor Pro Tem Murphy - aye
Councilmember Clement - aye
Councilmember Petersen - nay

Finding of Fact #3 was discussed and voted on as follows:

Mayor Haney - aye
Mayor Pro Tem Murphy - aye
Councilmember Clement - aye
Councilmember Petersen - nay

Councilmember Clement moved to adopt Attachment A of the Staff Report for SU-07-22, seconded by Mayor Pro Tem Murphy; the vote was as follows:

Mayor Haney - aye
Mayor Pro Tem Murphy - aye

Councilmember Clement - aye
Councilmember Petersen - nay
Motion Passed

Upon motion by Mayor Pro Tem Murphy, seconded by Councilmember Clement, Special Use Permit Application SU-07-22 was approved with the following conditions:

1. An undisturbed buffer of no less than 25' as well as a 10' planted buffer for a total buffer of 35' along the project boundary with adjacent properties and/or rights-of-way will be required prior to occupancy of the proposed lodging units.
2. A 65' setback from property boundaries shall be required for all proposed cottage structures.
3. Any needed improvements or extensions of infrastructure shall be made at the cost of the developer.
4. The emergency access point will be designed using grass pavers with an adequate base to meet the requirements of the Fire Department and the Technical Review Committee prior to site plan approval. The access point will be gated and used only for emergency vehicles.
5. Construction traffic will be prohibited from using Ridge Street and instead will use Country Club Circle.
6. Signage will be compliant with UD Section 4.6 and will be subject to the sign permit process.
7. Any fire pits or entertainment areas associated with the cottages will be located on the golf course side of the cottages.
8. Individual rooms within the cottages will be limited to an occupancy of two adults.
9. The applicant will include some variation in he architecture of the units to be constructed. Architectural plans will be presented to the Town Council during the Architectural Compliance Permit process. To reflect the materials and design of the neighborhood, these units may vary from the strict commercial requirement of Section 4.10.4 of the UDO for materials and design, to permit the units to be constructed with a residential character.
10. The applicant will work with the Town of Southern Pines Planning and E# engineering staff, as well as NCDOT to examine options that may improve conditions at the intersection of Morganton Road, Country Club Circle and Country Club Drive. Solutions may include the addition of wayfinding or directional signage in the area to direct golfers and guests to the Southern Pines Golf Club, or additional regulatory signage in the area.
11. The proposed cottages shall be limited to a maximum number of fifty-two (52) bedrooms.

The vote was as follows:
Mayor Haney - aye
Mayor Pro Tem Murphy - aye
Councilmember Clement - aye
Councilmember Petersen - nay
Motion passed.

*It is noted that the applicant agreed to provide 24-hour security and shuttle buses for the property.

**Attorney Petisch asked that it be noted that during the break there was discussion between staff and the Council regarding the application.

***Councilmember Petersen asked that the definitions of neighborhood be read into the record:

neighborhood - An area of a community with characteristics which distinguish it from others that may include distinct ethnic or economic bases, housing types, schools or boundaries defined by distinct physical barriers such as railroads, arterial streets, rivers or major drainage channels.

8. EVIDENTIARY (QUASI-JUDICIAL) PUBLIC HEARING

a. SU-06-22: MidSouth Modifications (hearing continued from 01/10/23)

Plantation Investors, LLC requests a special use permit and a major subdivision preliminary plat for various modifications to the MidSouth development. Modifications include adding two residential lots near the north entrance and subdividing the property on which the north gatehouse is located. The subject property is identified as PIN: 857200264820 (PARID: 00041026701).

Mr. Jeremy Sparrow of KoontzJones Design on behalf of the applicant requested to postpone the hearing to the March 14, 2023, Town Council Business Meeting.

Upon a motion by Councilmember Petersen, seconded by Councilmember Clement, and agreed to unanimously, the hearing for SU-06-22 was postponed to the March 14, 2023 Town Council meeting.

9. ADJOURNMENT

Upon motion by Mayor Pro Tem Murphy, seconded by Councilmember Petersen and carried unanimously, Council adjourned at 7:35 pm.

Respectfully submitted:

_____

Elizabeth Robertson, Town Clerk

DRAFT

MINUTES

Tuesday, February 28, 2023: 3:00 PM
Town Council Work Session
C. Michael Haney Community Room: Southern Pines Police Department
450 W. Pennsylvania Ave

1. CALL TO ORDER

Mayor Haney called the meeting to order. The following members of Town Council were present: Mayor Carol Haney; Taylor Clement; Paul Murphy; Bill Pate; and Ann Petersen.

2. TOWN MANAGER'S COMMENTS

Town Manager Reagan Parsons reviewed the agenda.

3. ACTION ITEMS

a. Consider Written Decision for SU-07-22: Southern Pines Country Club

Staff has prepared a formal Written Decision document for the application SU-07-22 Southern Pines Country Club that was approved by the Town Council on February 14, 2023.

Mayor Haney opened the discussion.

Councilmember Petersen questioned Condition #9 and asked for clarification from the other Council members as to the meaning of the word "some" and if that is a clear enough description.
Discussion ensued.
Mayor Pro Tem Murphy feels this should be addressed at the Architectural Review Hearing and that the current verbiage leaves flexibility in the final outcome. Councilmember Petersen disagrees.
Town Attorney McCarley proposed that he and Planning Director Grieve speak to the applicant about the Council's concerns regarding the design characteristics and the Council agreed.

Councilmember Clement moved to accept the written decision for SU-07022 as modified by the Town Council omitting the word "some' from Condition #9; seconded by Mayor Pro Tem Murphy, the vote was unanimous.
Mayor Haney - aye
Mayor Pro Tem Murphy - aye
Councilmember Pate - recused
Councilmember Clement - aye
Councilmember Petersen - aye.
Motion passed.

b. Consider AR-24-22 Fort Bragg Federal Credit Union (continued from 02/14/23 Regular Meeting)

Architectural Compliance Permit on behalf of Fort Bragg Federal Credit Union for development of a retail bank on the west side of Brucewood Road, between TerraBella senior living facility and

Residence Inn by Marriott.

Senior Planner Alaina Mallete updated the Council on the most recent updates to the application. Paul Saathoff of KoontzJones Design for the applicant presented a sample of the proposed green they want to use for the roof.
Discussion ensued.

Councilmember Clement moved to approve AR-24-22 considering the totality of documentation submitted for staff and Town Council's review, including but not limited to the original documentation and subsequent color renderings and building elevations as seen in Attachments 8, 9, and 11; roofing and awning color as seeing in Attachment 12 - Leaf Green SRI 131 on the Dynaclad PVDF color chart; additional information provided in Attachment 10; and as presented by the Applicant to the Town Council at its work session meeting on February 28, 2023, to include any additional materials submitted to the Town Council by the applicant. Mayor Pro Tem Murphy seconded the motion and the vote was unanimous.
Motion passed.

4. STAFF UPDATES

a. Knoll Road Multi-Modal Trail Project

Town Engineer James Michel, along with Design Engineer Kimley-Horn, will provide an update on the project. Community leaders from Longleaf have also been invited to submit feedback on the project.

Town Engineer James Michel introduced Vance Blanton, engineer with KimleyHorne, who is assisting the Town with this project. They presented a PowerPoint presentation to the Council giving an overview of the project and its history.
Discussion ensued.

Mr. Tony Maramarco of 16 Glen Devon Drive, asked who had the right-of-way, the pedestrian or driver, when traveling on Knoll Road and turning onto the side streets and what measures would be taken (signage or other) to address this. Mr. Blanton advised that if a crosswalk was added to those road intersections, then N.C. law states the pedestrian has the right-of-way. This would need to be done in conjunction with D.O.T.
Gary Carroll of 307 Magnolia Circle, spoke to the Council about safety concerns, one of them being the lack of left turn lanes in the current drawings, and also voiced hope for the addition of 4-way stops at Belmont & Steeplechase and Talamore & Clubhouse.
Sandy Carroll of 307 Magnolia Circle, raised concerns regarding the speed along Knoll Road, sight distance and the drivers not respecting the crosswalks.
Jim Simeon of 49 Paddock Lane, voiced concerns regarding speed in the area.
Frank Rail of 20 Talamore Drive and Talamore HOA president asked if any additional lighting was being considered and was assured by Town Engineer Michel that it hadn't but they would consider increasing lighting now that the issue has been raised.
A representative from the US Kids organization spoke to the Council about the amount of traffic and the traffic speed in the area along with the amount of pedestrian traffic raise safety concerns.

b. Naming Recommendation for Local Stream

The U.S. Board of Geographic Names (BGN) is evaluating a proposal submitted by a Southern Pines resident concerning a suggested name for a local stream. The BGN has asked the local governments impacted by the decision to respond with a recommendation of approval, denial, or

some other action. The majority of the stream flows through the Village of Whispering Pines and enters Thagards Lake. The proposed name is Wet Paws Creek, based on animals and wildlife that "must wet their paws to stay alive."

Town Manager Parsons opened the discussion by detailing the request.

After discussion it was agreed that Town Manager Parsons would send a response stating that the Town Council will follow the lead of the Town of Whispering Pines in voting no to the renaming, since a majority of the stream in question resides in the Whispering Pines jurisdiction.

c. Resident Exemption from Curbside Solid Waste Collection

Effective July 1, 2023, GFL will discontinue back door garbage collection and curbside collection will become the standard for both garbage and recycling. GFL will provide back door service to residents who qualify for a medical exemption. Staff has drafted a policy which contains suggested criteria that will make a resident eligible for medical exemption from curbside collection for both garbage and recycling.

Asst Town Manager Jessica Roth reviewed the item for Council, addressing registration, ADA policies and staffing considerations.

Discussion ensued.

5. COUNCIL ROUNDTABLE DISCUSSION

Councilmember Clement has been in touch with Riley Bowman, who addressed the Council at a meeting last year regarding starting a youth council, and they will be meeting next week to further discuss the possibilities.

Councilmember Petersen raised concerns with UDO 3.5.13.C. Planning Director Grieve addressed the issue that while the Planning Department has been researching the UDO history they have not yet found any clarification on the missing pieces and he cautioned about making any changes without further planning for the consequences, but the issue still remains on the Department's radar for further work.

Councilmember Petersen questioned the lack of demolition on properties off of Yadkin Road. Asst. Town Manager/Fire Chief Cameron responded that the Town has a list of properties to be addressed but is currently looking a changes in the N.C. General Statues to assure the Town is following all the laws before bringing the issue before Council. Councilmember Petersen was assured that all properties that had been voted on and approved for demolition by the Council had been completed.

Councilmember Pate questioned if ARPA funding would need to be used for future waste management services and advised Town Manager Parsons that he was agreeable.

Town Manager Parsons clarified that the only scheduled holidays for GFL are Thanksgiving, Christmas and New Year's.

Mayor Haney complimented the staff and particularly Rachel Mann on their work with the community on the future Long Range Plan. Citizen feedback has been helpful and positive.

Councilmember Petersen addressed the Council regarding pickleball's new popularity. A local group would like to convert 2 tennis courts at Memorial Park to pickleball courts and have raised 1/2 of the money to pay to pay for the changes with the hope that the Council is agreeable to paying for the other

half. Town Manager Parsons cautioned that all the contractors that had been contacted so far have a wait list so any approved construction would not happen immediately.

Planning Director Grieve introduced the Town's new Planner 1: Gene Ruiz to the Council. The Council welcomed Mr. Ruiz and heard of his background and new job duties.

6. ADJOURNMENT

Upon motion by Councilmember Pate, seconded by Councilmember Clement and carried unanimously, Council adjourned at 5:09 pm.

Respectfully submitted:

_____

Elizabeth Robertson, Town Clerk

DRAFT

Agenda Item

To: **Reagan Parsons, Town Manager**

From: **Pamela Graham, Principal Planner**

Subject: **SU-06-22 Special Use Permit and Preliminary Plat Approval; Major Subdivision for the Development of Two Detached Single-Family Dwellings on +/- 1.08 Acres Located Immediately East of the Entrance to Mid-South from S. Knoll Road and the Creation of a New Parcel for an Area of the Knoll Road Gatehouse: Owner/Applicant: Plantation Investors, LLC; Authorized Agent: Jeremy Sparrow, KoontzJones Design**

Date: **March 14, 2023**

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 **(please note that the scope of the request has been narrowed since earlier reports to Town Council were drafted and since the Planning Board's Preliminary Forum)**:

1. Subdivision of land identified in the Moore County Tax Registry as PARID #00041026701, resulting in two lots intended to be developed as single-family dwellings and a +/-.80 acre area of open space, as depicted 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 1.04 acre (45,358 square foot) parcel that currently serves as the location for the gatehouse adjacent to Knoll Road (referred to as "Gatehouse Lot (to be subdivided and conveyed)" on applicant's Area A Preliminary Plat Sheet L-1.2). Reconfiguring of the gatehouse parking area is also planned.

The development proposal is for two detached single-family dwellings with the smallest proposed lot containing +/- 23,322 square feet and the largest containing 24,096. 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. PLANNING BOARD REVIEW:

On November 17, 2022, the Planning Board held a Preliminary Forum regarding SU-06-22 to accept public comments and compose a list of issues to forward to the Town Council for their consideration. With five members present (member Andy Bleggi being absent), the Planning Board heard from staff as well as those in attendance who wished to speak to the special use permit request. After all those present were provided an opportunity to speak, the Planning Board closed the Preliminary Forum and adopted by unanimous vote the following list of issues to forward to Town Council for consideration during their review of the proposal:

1. A Mid South POA representative and adjacent property owners shared their concerns about smaller lot sizes being inconsistent with the estate lot section of the community and the potential impact to their home values. **Staff note: the proposal presented to the Planning Board called for three lots, each below the square footage called for in the 1988 conditional use permit approval. The proposal has been amended to two lots, both of which are compliant with the 1988 lot size minimum standards.**
2. A Mid South POA representative expressed concern regarding the gatehouse parcel ownership, with the structure being owned by the applicant and the roads being owned by the Mid South POA. Town Council should also be aware that the applicant expressed willingness to explore resolutions to address these concerns.
3. A Mid South POA representative and residents shared safety concerns regarding the entrance onto Knoll Road, particularly visibility and the potential for parking reductions in the vicinity of the gatehouse. **Staff note: the proposal presented to the Planning Board showed five gatehouse parking spaces that required backing directly from or into the lane of travel. The plan has since been modified to show six spaces, offset from the lane of travel in a manner that allows vehicles to merge into the travel lane in a safer manner. The existing gravel lot appears to accommodate six vehicles.**
4. Town Council should be aware of any impact to the removal of the 9.26 portion from the Master Plan and its impact on the agreed upon open spaces. The applicant has expressed that the intent is to develop this property, but Mid South will still meet the open space requirements following the removal of this acreage from the master plan. **Staff note: this portion of the original request has been withdrawn and is no longer included in the scope of this request.**

III. 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):

IV. 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 Preliminary Forum:
  - 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
- Notice of Town Council Public Hearing:
  - Posted On-site: October 3, 2022
  - Mailed: December 20, 2022
  - Internet: October 26, 2022
  - Published: December 28, 2022 and January 4, 2023
  - January 10, 2023 Public Hearing (continued until February 14, 2023)
  - February 14, 2023 Public Hearing (continued until March 14, 2023)

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. Staff research regarding the current special use permit request has confirmed that the 28.16 acres of open space/natural areas/utility easements required by the 1988 approval has been maintained within the Mid South development.

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 Justification document 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 a three-lot subdivision but was later withdrawn) at its July 12, 2022 meeting and noted that water and sewer are available in this area of Plantation Drive.

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's Justification document 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, included as an attachment to this memo)*

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 Justification document 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 Justification document 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 (also 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 open space/natural areas/utility easements (master plan specifies +/-28.16)

The lot quantity and sizes have been amended since the proposal was presented to the Planning Board in November. Currently, two lots are being proposed and are 23,322 and 24,096 square feet in size. Each of the lots now conform withthe minimum standard called for by CU-08-88.

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 exceed those required in the RS-2 District, specifically:

	Front Setback	**Side Setback**	**Rear Setback**
Required	30' from ROW	10'	30'
Proposed	40' from ROW	15'	40'

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 structures built to a single-family dwelling building code. The lots will be accessed from Plantation Drive, which is an existing private street maintained by the Mid South POA.

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 and Recommendations

Approval of the request will result in the following:

1. Approval of a Preliminary Plat and special use permit showing the following subdivisions of land:
   i. Property identified in the Moore County Tax Registry as PARID #00041026701, resulting in two lots intended to be developed as single-family dwellings and a +/-.80 acre area of open space (as shown 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 1.04 acre (45,358 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.

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.

Staff has drafted a set of approval conditions for the Town Council's consideration, included below. Staff's recommendation is for approval of the special use permit and associated preliminary plat with conditions as drafted below or as modified by Town Council.

1. Approval of SU-06-22 and the associated preliminary plat authorizes the applicant to move forward to Site Plan review and additional permitting pursuant to the Town of Southern Pines development processes. The

development shall be consistent with the approved preliminary plat titled "Area A – Preliminary Plat Sheet L-1.2" dated September 12, 2022 and staff shall be notified immediately if adjustments are anticipated so that appropriate review/approval processes can be identified.

2. Open space/natural areas/utility easements 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) unless amended by a future approval.
3. The project shall be required to meet all applicable development design requirements found in Chapter 4 of the UDO.
4. Special Use Permit SU-06-22 shall become effective upon approval by the planning director, and recordation by the applicant, of the final plat for the applicable area.

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, though extensions at the developer's cost may be necessary.

V. ATTACHMENTS:

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

1. Special Use Permit Application
2. Applicant's Special Use Permit Narrative (amended December 8, 2022)
3. Applicant's Special Use Permit Justification
4. Applicant's Major Subdivision (Preliminary Plat) Justification
5. Applicant's Written Response to November 17, 2022 Planning Board Meeting Discussion
6. Applicant's Special Use Permit Site Plan Sheet L-1.2 "Area A – Preliminary Plat"

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

VI. TOWN COUNCIL ACTION:

To either approve or deny a Special Use Permit application, the Town Council shall make findings of fact and conclusions to the applicable standards. The Town Council shall first vote on whether the application is complete and whether the facts presented are relevant to the case. The Town Council shall then vote on whether the application complies with the criteria as set forth in Section 2.21.6(A-F) Criteria for a Special Use Permit. The Town Council may choose among the following motions or any alternative at their discretion.

Staff has provided draft findings, included with this report as Attachment A. Town Council may adopt the Findings as drafted, or modify at their discretion.

Pursuant to UDO Exhibit 2-14 and §2.19.4(C), approval of the special use permit constitutes approval of the layout as submitted on the preliminary plat. Pursuant to UDO §2.20.4(H), the special use permit shall become effective when the planning director approves, and the applicant records, the final plat for the applicable area.

REGARDING SPECIAL USE PERMIT SU-06-22, the following motion format is offered.

I move to:

1. Adopt **Attachment A** of the staff report as Findings of Fact regarding the proposed Special Use Permit SU-06-22.

-OR-

2. Adopt **Attachment A** of the staff report as Findings of Fact regarding the proposed Special Use Permit SU-06-22, with the following changes:

_____

_____.

Next, the Town Council may vote on whether to approve, deny, or approve with conditions the proposed Special Use Permit. The Town Council may choose one of the following motions, or any alternative at their discretion.

I move to:

1. Approve Special Use Permit SU-06-22.

2. Deny Special Use Permit SU-06-22.

3. Approve Special Use Permit SU-06-22 with the following conditions. 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:

1. Approval of SU-06-22 and the associated preliminary plat authorizes the applicant to move forward to Site Plan review and additional permitting pursuant to the Town of Southern Pines development processes. The development shall be consistent with the approved preliminary plat titled "Area A – Preliminary Plat Sheet L-1.2" dated September 12, 2022 and staff shall be notified immediately if adjustments are anticipated so that appropriate review/approval processes can be identified.
2. Open space/natural areas/utility easements 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).
3. The project shall be required to meet all applicable development design requirements found in Chapter 4 of the UDO.
4. Special Use Permit SU-06-22 shall become effective upon approval by the planning director, and recordation by the applicant, of the final plat for the applicable area.

REGARDING THE PRELIMINARY PLAT ASSOCIATED WITH SU-06-22, the Town Council may formalize their decision using the following motion format.

I move to:

1. Adopt **Attachment B** of the staff report, as drafted, as Findings of Fact regarding the proposed Preliminary Plat.

-OR-

2. Adopt **Attachment B** of the staff report, as drafted, as Findings of Fact regarding the proposed Preliminary Plat, with the following changes:
_____
_____.

I move to:

1. Approve the Preliminary Plat for SU-06-22;

-OR-

2. Approve the Preliminary Plat for SU-06-22 with the following additional conditions:

_____

_____.

ATTACHMENT A
Draft Town Council Findings of Fact
Special Use Permit Application SU-06-22

Finding of Fact #1:

The Town Council finds that the application is complete and that the facts submitted are relevant to the case because the request for Special Use Permit approval has fully met the specified submittal requirements as required in the Town of Southern Pines UDO Appendices, the applicants have submitted adequate evidence addressing criteria for a Special Use Permit, and the evidence submitted was sworn testimony by qualified experts or provided through substantiated documentation.

Finding of Fact #2:

The Town Council finds that the application complies with UDO §2.21.6 Criteria for a Special Use Permit, Criteria A-F, in that:

1. **The proposed special use shall comply with all regulations of the applicable zoning district and any applicable supplemental use regulations;**
   The Town Council finds that the Special Use Permit application SU-06-22 complies with the regulations of the RS-2CD Zoning District, as modified by Z-15-87 and CU-08-88. The proposed use of "single-family detached home" falls into the UDO's Land Based Classification Standard (LBCS) #1111, and is a use by right in the RS-2 District, but requires a special use permit 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, as is the case for Mid South. Section 2.21.1 of the UDO states that special use permits may be issued after ensuring that the use complies with the special use permit approval criteria, and Town Council finds that no qualified evidence has been entered into the record for SU-06-22 that the proposal is in conflict with the regulations of the RS-2 District. Furthermore, the proposal is compliant with the specific requirements of Z-15-87, which classified the Mid South development as RS-2CD. These requirements include the following:
   i. That a conditional use permit (now known as a special use permit) be obtained for any aspect of residential development and for each phase of development.
   ii. That each special use permit 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 process as the special use permit process.

   Additionally, the proposed special use is compliant with supplemental use regulations contained in CU-08-88 and its associated master plan, allowing for a 647-unit Planned Residential Development. Specific provisions of CU-08-88 include the following:
   i. 384 single-family lots are allowed;
   ii. 119 cottage lots are allowed;
   iii. 144 multi-family units are allowed;

iv. Minimum size for golf fairway lots will be approximately 19,800 square feet and all other lots will be approximately 19,200 square feet;
v. A minimum of 28.16 acres of open space/natural areas/utility easements shall be provided;
vi. A minimum 25' buffer screen will be established around the perimeter of the site.

2. **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 Town Council finds that the approvals being sought under the proposed special use are generally consistent with the character of the neighborhood in which they will be located and will not alter the character of the neighborhood. This is due, in part, because the applicant has proposed lot sizes consistent with lots in the immediate vicinity, and particularly across Plantation Drive from the proposed lots. Additionally, the applicant will be required to meet the setbacks required by the UDO and has committed to provide a buffer of no less than 10' along the project's boundary with Knoll Road.

3. **Adequate public facilities shall be provided as set forth herein;**
Town Council finds that the proposed special use does not require inefficient expansion of public facilities due to the fact that site accesses from the private road are available. Additionally, public water and sewer are readily available and the cost of any improvements to those utilities will be borne by the developer.

4. **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;**
Town Council finds that, there being no qualified evidence of negative impacts to property values within the neighborhood as a result of the special use, the proposed special use is expected to have no detrimental impact to surrounding properties or property values in the vicinity. Furthermore, the special use is not expected to impede the orderly development and improvement of surrounding property for uses permitted in the zoning district because few areas remain that have not already been platted and additional subdivisions within Southern Pines' jurisdiction of the development must also be processed by the Town as special use permits, allowing for public input to subsequent proposals and a final decision by the Town Council.

5. **The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, comfort or general welfare;**
Town Council finds that, there being no qualified evidence entered into the record of negative impacts resulting from the proposed single-family residential use, there is no expected detrimental impact to the public health, safety, comfort or general welfare.

6. **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;**

Town Council finds that the establishment of the special use will not result in adverse impacts to individual interests and that the special use advances the public interest and welfare, because the creation of two lots in an area of Mid South presently served by sewer, water and roads and in close proximity to multiple municipal services and facilities is valuable infill development and housing stock that is needed in the community; and that no qualified evidence has been entered into the record for SU-06-22 showing that allowing for the creation of a separate parcel for the gatehouse creates an adverse effect to individual interests that are not outweighed by the public interest and welfare. Furthermore, Town Council finds that no qualified evidence has been entered into the record for SU-06-22 showing that allowing for the two additional lots being proposed creates an adverse effect to individual interests that is not outweighed by the public interest and welfare. The public interest and welfare support development of housing in the area, utilization of existing public infrastructure for such uses, and for allowing property owners to develop property in a manner consistent with zoning.

Finding of Fact #3:

The Town Council finds that with all the evidence regarding this proposal in the record, including the January 10, 2023 Town Council Public Hearing, continued to March 14, 2023, the application meets Criteria A through F as set out in 2.21.7 of the Unified Development Ordinance (UDO).

ATTACHMENT B
Draft Town Council Findings of Fact
Preliminary Plat Application SU-06-22

Finding of Fact #1:

The Town Council finds that the application is complete and that the facts submitted are relevant to the case because the request for Preliminary Plat approval has met the specified submittal requirements as required in the Town of Southern Pines UDO Appendices and the evidence submitted was sworn testimony by qualified experts or provided through substantiated documentation.

Finding of Fact #2:

The Town Council finds that the application complies with UDO §2.20.5(G) Criteria for a Preliminary Plat, Criteria 1-6, in that:

1. **The application is consistent with the approved Sketch Plat, if applicable;**
   This is 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 Town Council finds that the proposed Preliminary Plat is generally consistent with the standards set forth in the CLRP because the property is designated as Residential/ Golf on the Future Land Use Map. The designation accommodates "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", and is well-aligned with the proposal associated with the preliminary plat being considered.

3. **The proposed subdivision complies with the UDO and applicable state and federal regulations;**
   The Town Council finds that the proposed subdivision generally complies with the UDO, as modified by Z-15-87 and CU-08-88. The single-family lots created will comply with all regulations of the RS-2 CD zoning district and propose to meet or exceed the setbacks required by the zoning district. Furthermore, compliance with applicable local, state and federal regulations will be assured through the site plan approval process as prescribed by UDO §2.48.

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 Town Council finds the proposed subdivision is compatible with the characteristics of adjacent properties, also zoned RS-2 CD, because the lot sizes are similar to or larger than those of adjacent properties, the density is maintained at the 2.1 dwelling units per acre called for by the RS-2 Zoning for the Mid South development, and the proposed lots as

well as the entirety of the Mid South development is categorized as Residential/Golf by the Comprehensive Long Range Plan's Future Land Use Map.

5. **The proposed subdivision will not have detrimental impacts on the safety or viability of permitted uses on adjacent properties; and**
   The Town Council finds that the proposed subdivision will not have detrimental impacts to the safety or viability of permitted uses on adjacent properties because the detached single-family residential use proposed is also the existing use of developed adjacent properties.

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;**
   The Town Council finds that public water and sewer utilities are adequate and readily available to serve the project. Adequate measures to manage stormwater at the site will be verified during the review of site plans for the proposed subdivision and public safety services are already being provided to the development.

Town of Southern Pines
Chartered 1887
North Carolina

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

Applicant

Robert Levy, JR
MBR 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
(Amended December 8, 2022)

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 has been amended to reflect comments made at the November 17th, 2022 Planning Board meeting, will include two (2) parts, as described below:

Part I:
Area A:
Plat two (2) 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 (±0.80 acres). This green highlighted area, designated as 'open space', will be conveyed to the Mid South POA. The proposed residential lot sizes will vary as permitted in the previously approved conditional zoning, with a minimum of ±19,200 SF. The currently proposed lots range between ±23,000 SF - ±24,100 SF.

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 two (2) single-family detached lots, leaving 119 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 ±32.65 acres, which excludes the ±9.26 acres mentioned above.

150 PAGE STREET
SOUTHERN PINES, NC 28387
P: 910.684.8487

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.

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.

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 two (2) 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 PROPERTY
SPECIAL USE PERMIT – PLANNING BOARD MEETING (November 17, 2022)
APPLICANT RESPONSE

The applicant has updated the Special Use Permit Application to include the following items which are in response to questions raised at the November 17th Planning Board Meeting:

Size of proposed lots

The size of the 3 lots as originally proposed were less than the ±19,200 square footage as noted by the Town Planner as being part of the original CUP for non-golf front lots.

While many golf front and non-golf front lots have been developed within Mid-South over the years at approximately the same or in many cases smaller than these proposed sizes, the Applicant has modified the proposed preliminary plat to go from 3 lots to 2 lots.

This revised plan yields lot sizes in excess of ±20,000 SF each, thereby addressing the lot size issue addressed by the Planning Staff and also comments from Mid-South residents who would prefer lot sizes in this section to be more consistent with those lots across the street.

New Parking area by Gatehouse

Parking for the Mid-South Gatehouse for use by Security officials and Board/Committee Members using the small gatehouse meeting room is presently handled by a gravel lot adjacent to the gatehouse area.

The originally proposed plan accounted for 5 new paved parking spots. Comments regarding the parking from residents included the desire to have a parking configuration that would not require someone using the parking area to have to back out into the exit roadway.

Based on going from 3 lots to 2 lots, there is now additional area to accommodate a parking area that has an in/out access without having to back into the exit roadway. Additionally, the number of parking spaces has been increased to 6 spaces.

Entry/Exit roadway area that runs through the Gatehouse Lot

The SUP and preliminary plat identify the Gatehouse area as a "lot" so that it can be conveyed to an affiliate of the Golf Course Owner at Mid-South. This conveyance has always been the intention of the Declarant/Developer and has been transparent with the Mid South Property Owner's Association ("POA") as memorialized in a 2017 "Turnover Agreement" between the Declarant/Developer and the POA.

The gatehouse lot has an entry and exit roadway that runs through it to connect to Knoll Road on one side and Plantation Drive on the other side. A comment was made at the Planning Board level to "iron out" details of access/easements through the area for Mid-South Residents and Members/Guests of the Golf Course.

Two notes have been added to the preliminary plat to address this matter. There is an existing easement to the Golf Course Owner. The Declarant/Developer will in addition convey an easement to the POA and all Mid-South residents similar to the easement to the Golf Course. Therefore, all concerned parties will

have an easement over the roadways contained on the Gatehouse lot. Maintenance of these entry/exit roadways will fall under the terms of the Gatehouse lease which calls for the POA to maintain all areas of the Gatehouse. These items are noted on the updated preliminary plat and will also appear on the final plat.

Open Space Plan/Future Planning

There is a ±9 acre parcel between Knoll Road and Midland Road that is/always has been in the Village of Pinehurst Zoning District. When the Mid-South original CUP (previously called Pinehurst Plantation) was approved in 1988, Southern Pines effectively took "joint" jurisdiction of this parcel as it was on the CUP Master plan approved by Southern Pines.

It is the Developer/Declarant's intention to develop this area into seven (7) estate size building lots with square footages of the lots to meet/exceed the existing Village of Pinehurst zoning for this area. In talks with Southern Pines Town Staff, it makes sense to allow this parcel to just be what it always has been, under the jurisdiction of the Village of Pinehurst with a caveat of meeting the notation of Open Space on the original plan, as further described below.

On the original CUP that was provided to the Town for Pinehurst Plantation there is a schedule of acreage for the community that notates approximately 28 acres of "Open Space." The approved CUP plan does not specifically identify which areas of the original plan were slated to be Open Space, nor does it define Open Space, it is just a notation of the minimum amount of open space acreage as it relates to the overall plan of the Community.

Town Staff requested that as part of the SUP process, the Applicant "prove out" the ±28 acres of Open Space WITHOUT the ±9 acre parcel in the Village Pinehurst to be sure that this particular section was not part of the original ±28 acre calculation.

Applicant has provided Town Staff with a detailed Open Space exhibit for Mid-South lands which identifies multiple parcels within the Southern Pines borders that are intended to be deeded as Open Space. These parcels exceed the ±28 acre original CUP requirement and comes in at approximately ±32 acres.

With this submission and the providing the Town Staff a detailed plan, there is now a "benchmark plan" to ensure as Mid-South completes its final sections over the coming years so that, at the very minimum, the spirit of the ±28 acres of Open Space designation on the original CUP is maintained.

As a final note on the subject matter, it is worthwhile to note the overall Open Space of the Mid-South Community when it is all completed will exceed the ±28 acres of dedicated Open Space. The previously discussed notation for approximately ±28 acres of Open Spaces does NOT include the nearly 200 acres associated with the Golf Course which pursuant to a Conservation Easement with the National Lands Trust is forever to remain as a golf course and may not be developed. When the Golf Course acreage and the other designated Open Space are combined, approximately 40% of the Mid-South Community will be Open Space when fully built out.

Mid-South Entrance Area – TIA / Improvements

The Declarant/Developer has completed multiple Traffic Studies (TIA's) in connection with this SUP and a prior SUP submission. In both cases, the TIA reviewed the entrance/exit into Mid-South from Knoll Road and qualified that based on the data that no additional improvements were required in this area.

The Town Engineer noted in their approval of a prior SUP there be a requirement to improve the visibility to the left of the Gatehouse as you exit the community to Knoll Road. These Town required improvements included:

1. A "shave down" of the grassed area to meet the visibility goals requested by the Town Engineer
2. Removal of several sections of fencing
3. Removal of several trees

All of these visibility improvements were completed by the Developer/Declarant and are noted in the TIA.

Property Owners of Mid-South have requested to add two (2) stop signs to Knoll Road at this intersection to provide for a 4-way stop. The Declarant/Developer requested these additional stop signs as part of a prior review by the Town Engineer, yet that request was turned down.

As a separate matter, not included with this SUP process, the Mid-South Property Owner's Association may pursue with Town Staff the addition of two (2) stop signs on Knoll Road and the creation of a 4-way stop at this intersection.

VICINITY MAP

LEGEND

- = PROJECT BOUNDARY
- = EXISTING MAJOR CONTOUR
- = EXISTING MINOR CONTOUR
- = EXISTING SEWER LINE (APPROXIMATE LOCATION)
- = EXISTING WATER LINE (APPROXIMATE LOCATION)
- = EXISTING MANHOLE
- = PROPOSED GATEHOUSE LOT
- = 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): 2 SINGLE FAMILY LOTS

TOTAL OPEN SPACE (AREA A): ±0.80 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

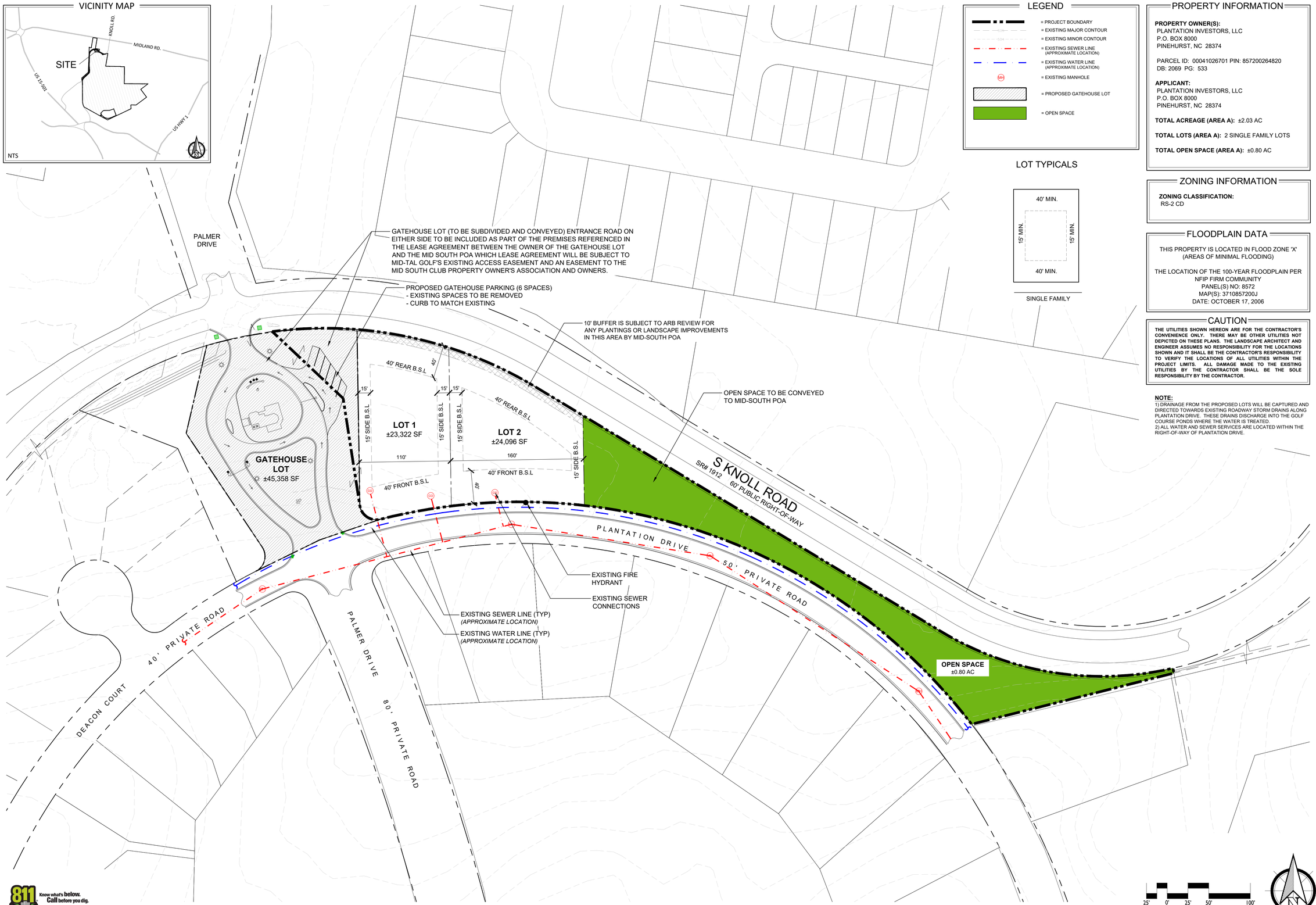
CAUTION

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

SINGLE FAMILY



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

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

KOONTZJONESDesign
LAND PLANNING | LANDSCAPE ARCHITECTURE
150 S PAGE STREET
SOUTHERN PINES, NC 28387
P: (910) 684-8487
W: www.koontzjonesdesign.com

REVISIONS:
1) 2022-12-06 - PLANNING BOARD COMMENTS (2022-11-17 MEETING)

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
Q.C. BY: REK
SCALE: 1" = 50'-0"
PROJECT #: KJD22017

SHEET NUMBER#:
L-1.2

Re Record

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

Copy

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~~ North Carolina 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

DRF

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

BRMFS1 336074v1

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

BRMFS1 336074v1

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

BRMFS1 336074v1

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

BRMFS1 336074v1

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 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 ceratin Declaration of Covenants, Conditions and Restrictions of Pinehurst 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 Pinehurst 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 Enchroachment 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 its 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

61169 000002 RALEIGH 189974v1

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: Jeanette B. Clinkscales

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

The undersigned owner(s), Plantation Investors LLC, hereby appoint(s) Bob Levy & Koontz Jones Design, PLLC 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

Agent

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.

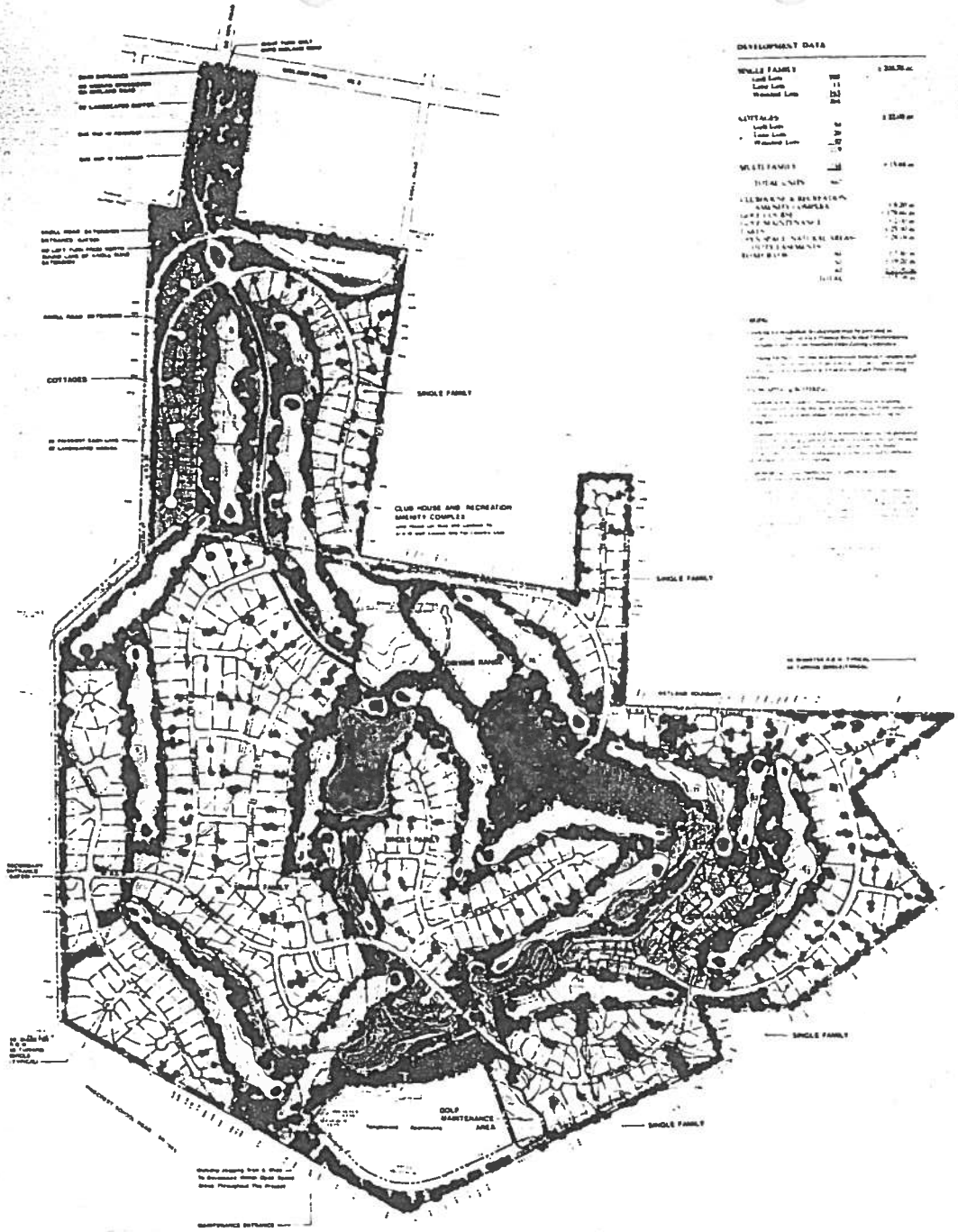
Middleton Place received Conditional Use approval on January 10, 1984 for 65 detached/attached single-family residential units. The petitioner is requesting final plat approval for Phase 5, Page 2 of this development.

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 November 13, 1987 for 60 attached single-family residential units. The petitioner is requesting final plat approval for lots 167-172.



SITE PLAN

VOIT GILMORE TRACT

Southern Pines-Pinehurst, North Carolina

L.F. Rossignol Development Corporation
of North Carolina
Raleigh, North Carolina

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

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

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.

CU-08-88 Voit Gilmore

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 intstead 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

Town of Southern Pines

CONDITIONAL USE PERMIT

The Town Council of the Town of Southern Pines, North Carolina, having held a meeting on the 13th day of September, 19 88, 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, 19 88, by the Town Council of the Town of Southern Pines, North Carolina.

Bart S. Nichols
Authorized Signature

Planner 9/20/88
Title Date

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 <u>each</u> phase proposed to be initated. 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

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 occured.

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,

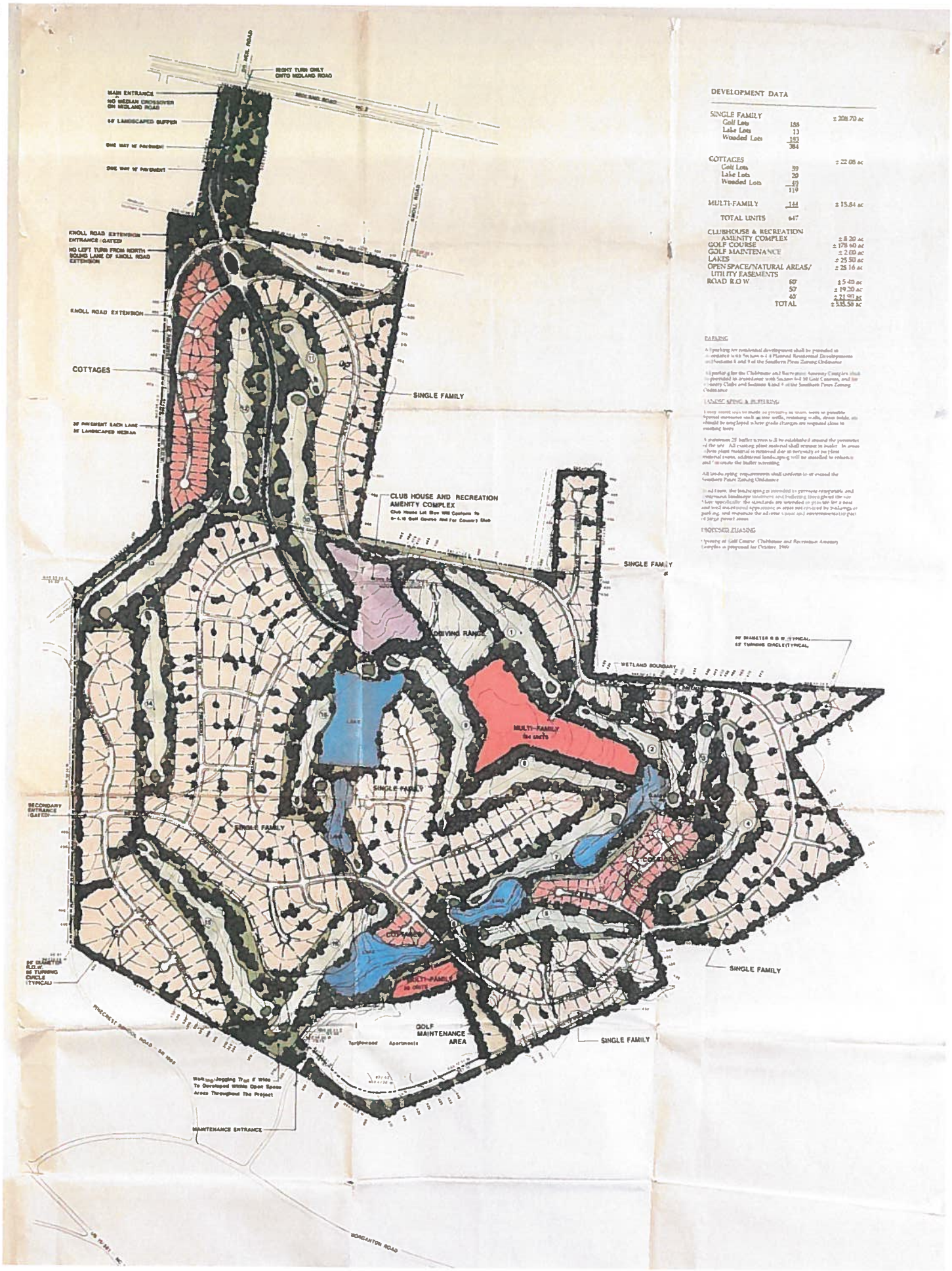
TOWN OF SOUTHERN PINES

Bart S. Nuckols

Bart S. Nuckols
Planner

kd

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



DEVELOPMENT DATA

SINGLE FAMILY		± 208.70 ac
Golf Lots	158	
Lake Lots	13	
Wooded Lots	193	
	364	
COTTAGES		± 22.08 ac
Golf Lots	39	
Lake Lots	20	
Wooded Lots	40	
	119	
MULTI-FAMILY	144	± 15.84 ac
TOTAL UNITS	647	
CLUBHOUSE & RECREATION AMENITY COMPLEX		± 8.20 ac
GOLF COURSE		± 178.60 ac
GOLF MAINTENANCE		± 2.00 ac
LAKES		± 25.50 ac
OPEN SPACE/NATURAL AREAS/ UTILITY EASEMENTS		± 25.16 ac
ROAD R.O.W.	60'	± 5.40 ac
	50'	± 19.20 ac
	40'	± 21.90 ac
TOTAL		± 535.50 ac

PARKING

A [illegible] parking for residential development shall be provided in accordance with Section [illegible] of Planned Residential Developments and Sections 8 and 9 of the Southern Pines Zoning Ordinance

[illegible] parking for the Clubhouse and Recreational Amenity Complex shall be provided in accordance with Section 6-2-10 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 attention will be [illegible] wells, retaining walls, dense hedge, etc. should be employed where grade changes are required close to existing trees

A minimum 25' buffer area is to 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 generate compatible and consistent landscape treatment and buffering throughout the site. Specifically, the standards are intended to provide for a basic and well maintained appearance on areas not covered by buildings or parking, and moderate the adverse visual and environmental impact of large paved areas

PROPOSED PHASING

Opening of Golf Course, Clubhouse and Recreational Amenity Complex is proposed for October, 1986

CU-08-~~88~~
(supersedes the plan dated July 12, 1988 - though dated earlier)

DEVELOPMENT DATA

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

RIGHT TURN ONLY
ONTO MIDLAND ROAD
MIDLAND ROAD
MAIN ENTRANCE
NO MEDIAN CROSSOVER
ON MIDLAND ROAD
60' LANDSCAPED BUFFER
ONE WAY 16' PAVEMENT
ONE WAY 16' PAVEMENT
KNOLL ROAD
KNOLL ROAD EXTENSION
ENTRANCE (GATED)
NO LEFT TURN FROM NORTH
BOUND LANE OF KNOLL ROAD
EXTENSION
Morrell Tract
KNOLL ROAD EXTENSION
24' PAVEMENT
COTTAGES
SINGLE FAMILY
11
12