



AGENDA

Thursday, March 23, 2023: 6:00 PM

Planning Board

Douglass Community Center: 1185 W. Pennsylvania Ave

1. CALL TO ORDER

2. APPROVAL OF MINUTES

a. December 15, 2022 Regular Meeting

3. OATH OF OFFICE

4. ELECTION OF CHAIRMAN

5. PUBLIC HEARINGS

a. Z-01-23 Tiara Properties, LLC Zoning Map Amendment

1.25 acres on SE Service Road between Wisconsin Avenue and Illinois Avenue

b. PD-01-23: Morganton-Henley Conceptual Development Plan

±37 acres on the North Side of West Morganton Road between South Henley Street and Patriot Boulevard

c. PD-02-23 New York Place Conceptual Development Plan

.786 acres on the west side of Bennett Street between New York Avenue and Pennsylvania Avenue

6. UNFINISHED BUSINESS

7. NEW BUSINESS

8. PUBLIC COMMENTS

9. ADJOURNMENT

MINUTES
Planning Board Regular Meeting
E.S. Douglass Community Center, 1185 W. Pennsylvania Avenue
Thursday, December 15, 2022 at 6:00 PM

Chairman Carroll called the meeting to order at 6:00 PM.

Chair Gary Carroll, Vice Chair Diane Westbrook, Kim Wade, Andy Bleggi and Matthew Walden were present.

Diane Westbrook made a motion, which was seconded by Andy Bleggi, to approve the Minutes of the November 17, 2022 regular meeting. The motion carried.

Andy Bleggi made a motion, which was seconded by Kim Wade, to adopt the 2023 Planning Board meeting schedule as presented. The motion carried.

PRELIMINARY FORUM:

PD-12-22 Preliminary Development Plan for Phases 3B and 4 of the Caropines Planned Development

Mr. Bob Koontz, on behalf of Caropine Ventures, LLC and 71st Partners, LLC submitted an application for a Planned Development - Preliminary Development Plan and Major Subdivision Preliminary Plat to develop 77 residential units on portions of the parcels identified as PIN: 858300789195 (PARID: 00031457) and PIN: 858400613908 (PARID: 20050760) owned by Caropines Ventures, LLC; PIN: 858419511440 (PARID: 96000281); PIN: 858419508871 (PARID: 96000280); and PIN: 858300592330 (PARID: 96000278) owned by 71st Partners, LLC.

Andy Bleggi made a motion, which was seconded by Diane Westbrook, to open the preliminary forum. The motion carried.

B.J. Grieve stated that the request was to develop 12 detached single-family lots with an 8,000 SF minimum lot size and 11 slightly smaller cottage lots with a 5,000 SF minimum lot size as Phase 3B; and 54 single-family attached lots with a 2,000 SF per unit minimum lot size as Phase 4. Approval of these 77 lots will bring the total number of lots to 227 of the 550 residential units that were approved under the Conceptual Development Plan that was approved in 2018. A total of 102 lots existed prior to approval of the CDP.

Mr. Grieve stated that staff would prefer that the statement regarding administrative flexibility due to market conditions or engineering design constraints be removed from sheet L-1.0 as administrative amendments are address in UDO §2.18.7(H).

NCDOT reviewed the new TIA phasing study and provided revised comments dated November 17, 2022 regarding the offsite improvements that will be required. The Town Engineer agreed with transportation improvements 1, 2 and 3 listed in the letter as long as they are completed prior to the approval of any plat or combination of current or previously approved plats associated with this application in which the total number of platted lots exceeds 50 lots. The Town has been very clear with the applicants that the Town does not want any conditions tied to certificates of occupancy and therefore the Town is not going to approve a final plat that includes the unit that triggers the infrastructure improvements.

The approved CDP states that Avenue of the Carolinas would be fully paved within three years from the date of approval of a Preliminary Development Plan to construct the first phase of the CDP, which was March 25, 2022. The road has not been completed and therefore it does not currently comply with the CDP. The applicants expressed concern, which the Town agreed was a reasonable concern, that the road may have to be relocated after it was built due to utility design issues that arise during approval of Phases 3B and 4.

The narrative submitted with the current PDP application states that the current emergency and construction access road will be fully paved to the secondary access entrance on Airport Road but the timeline was not specified. Staff requested as a condition of approval that the first phase developed pursuant to this PDP include the engineering plans for Avenue of the Carolinas and that no final plat be approved for either Phase 3B or 4 until the entirety of Avenue of the Carolinas is paved and completed and approved by the Town Engineer and that completion of the entirety of Avenue of the Carolinas shall not be allowed to be further delayed as part of a Subdivision Performance Guarantee because it was actually required to have been completed in March 2022.

The applicants have worked with the Town Engineer James Michel to create a sewer arrangement to serve these lots and he has stated that based on what he saw at his meeting with the applicants, he believes it is feasible that they will be able to serve the current design of lots as modified with a gravity sewer line. However, staff requests as a condition of approval that no site plan be approved without an acceptable gravity sewer system design.

The applicants have stated in their application that during the full construction engineering design phases a letter will be obtained from US Fish & Wildlife to clear the areas for Phases 3B and 4. Staff requests that this be a condition of approval.

The CDP includes a list of amenities that will be provided. To staff's knowledge, no additional amenities have been provided and therefore a condition of approval for the Board's consideration is that the amenities will be provided pursuant to the CDP.

Paul Saathoff of Koontz Jones Design, representing the applicant, stated that Phase 3B is located in Land Use Area A and Phase 4 is located in Land Use Area B. The number of lots in Phase 3B

has been reduced to 23 to make the gravity sewer work and also due to grading issues. Alleyways behind the lots on the west side of Avenue of the Carolinas are proposed. Those lots will be rear loading with garages in the rear due to grading concerns to prevent steep driveways. Phase 4 will consist of 52 – not 54 – townhome lots. There is a stipulation in the approved CDP that lots cannot front Avenue of the Carolinas north of the existing wetlands bridge. Pursuant to the CDP, completion of Avenue of the Carolinas was to occur before March 25, 2022. They have been working with the Town on sewer alignment. They could not pave the existing roadway without Phases 3B and 4 being approved. The developer wants to get paving of that road underway. With the first of these two phases engineering plans will be provided showing completion of Avenue of the Carolinas to Airport Road, which is currently a gravel emergency access. This will be completed prior to final plat approval for either Phase 3B or 4.

The left and right turn lanes and tapers that need to be installed at Site Drive 1, which is the secondary entrance into the development, need to occur prior to final plat approval of 50 additional lots. The phasing study also stated that no new platted lots could be added to the existing Avenue of the Carolinas, which is the old portion, without the installation of left and right turn lanes at the existing entrance. A westbound slip lane at Airport Road at the roundabout will be required before plat approval exceeding 225 homes. A total of 66 lots have been platted since the CDP was approved and 33 of those lots have been developed.

The community clubhouse, which includes a gym, and a swimming pool have been constructed and are in use. A splash pad is also being added at the pool. Golf is located throughout the community. The practice range is open and being maintained and there is a three-hole practice course that is open to residents. Open play fields on some of the old golf holes, particularly holes 1, 18 and 9 which are near the clubhouse and are adjacent to Phase 3B. A greenway trail connection has been made and open space on some of the existing golf holes still remain. They are working on a community garden that will be located near the secondary entrance. Phases 3B and 4 meet all of the standards of the CDP and the developer is committed to completing Avenue of the Carolinas with the approval of Phases 3B and 4 and NCDOT improvements will also be made.

Andy Bleggi asked Mr. Saathoff if they agreed to the conditions that staff proposed.

Mr. Saathoff responded that they feel that they comply with the requirement to provide amenities.

Mr. Grieve asked if the applicant was amenable to providing the community garden and splash pad before approval of the final plat of the second of the two phases.

Mr. Saathoff responded that they would give that consideration.

Mr. Saathoff stated that only one traffic improvement is required with approval of the 51st lot.

Mr. Bleggi asked if the applicants wanted to propose a new date for completion of the road.

Mr. Saathoff responded that the developer wants to get it done and they have been working with Engineering and Planning staff.

Ms. Westbrook asked who is responsible for having the road completed.

Mr. Saathoff responded that the road will be completed before final plat approval for Phase 3B or 4.

Mr. Grieve stated that the applicants have not built the road they said they were going to build and therefore are currently in violation and they have not provided the amenities they said would be provided.

Chair Carroll asked if a finite date for the paving of Avenue of the Carolinas could be set and said he assumed that that the turn lanes on Airport Road would be installed at the same time.

Mr. Grieve responded that NCDOT has certain requirements.

Chair Carroll said he would like to have a clear track for the completion of Avenue of the Carolinas and he would like for that to include the turn lanes.

Mr. Grieve said staff's recommendation is to default to NCDOT's triggers for improvements as stated in the letter that has been provided.

Chair Carroll recalled that several possible amenities were discussed at the time of CDP approval and stated that he would like to have something definite.

Attorney John Scarbrough, representing the applicant, stated that they are looking at 77 proposed dwelling units. If the Town places a condition on permit approval, in other words that they have to provide certain amenities in order to get permit approval, the NC Supreme Court has said that demand for amenities has to be proportional to the impact of 77 dwelling units. He wants it to be understood that there is a limit, and it is the Town's burden to show that the demand meets the proportionality test. As for the road not being paved by March 25, 2022, he appreciates Mr. Grieve initially acknowledging their concern with not wanting to install the road and tear it back up is reasonable. The note in the staff report that the entire project is noncompliant with zoning – that is not before this Board and that will not be before the Town Council. What is before the Town Council and this Board is whether this application is consistent with the CDP – not if there an underlying violation to the CDP.

Ms. Westbrook asked what amenities the applicants are committed to ultimately completing.

Mr. Scarbrough responded that is a condition that will need to be worked out prior to going before the Town Council so the commitments are specific and not overly burdensome when you are looking at 77 dwelling units.

Mr. Bleggi stated that it would be nice to know what amenities they are going to commit to and which ones they are not going to commit to and a date certain. It is imperative to establish a date that the applicants are willing to commit to for the completion of Avenue of the Carolinas or they will come back to the Town and request an extension.

Perry Shelly of Caropine Ventures asked if the two concerns were amenities and the paving of the road.

Ms. Westbrook responded that they were concerned about everything that was listed in the report.

Mr. Shelly stated that they are going to pave the road but they cannot pave the road until the PDP is approved and they can then do the engineering. They are committed to building the road. They are fine with no more lots being platted until the road is completed and the turn lanes are installed.

Mr. Grieve said Mr. Saathoff mentioned the conditions regarding amenities and completion of the road.

Mr. Shelly acknowledge that he was fine with the staff's recommendation regarding the road.

Mr. Grieve said the PDP did not address amenities at all.

Mr. Shelly stated that he was confused about the amenities. They built a \$1.8M clubhouse for 33 homes and they have reserved more greenspace than is required. They are maintaining three to four golf holes and the driving range which they do not have to do. In his mind they are committed up front to tremendous amenities. They have a walking trail from one end of the development to the other. They have already invested millions and are maintaining golf holes that are hardly being played. He is not clear about what they need to be doing.

Mr. Grieve stated that Mr. Shelly e needed to explain what has been provided in the PDP application and provide a date of completion for anything listed in the presentation as "Coming Soon."

Mr. Shelly responded that they have provided a clubhouse with fitness equipment and a swimming pool and they host monthly events for the community and he is not sure what else they need to provide.

Mr. Bleggi said Mr. Grieve was asking them to list the amenities that they have already provided and any other amenities that may be added.

Chair Carroll asked that staff's request that the statement regarding administrative flexibility be removed from sheet L-1.0 of the application be addressed.

Mr. Saathoff responded that the statement would be removed.

Ms. Linda Holmes of 695 Ave of the Carolinas, stated that the homeowners are concerned that the proposed lot sizes for a couple of the lots in Phase 4 do not meet the minimum lot size requirement; the turn lanes on Airport Road have not been completed, creating a safety issue; the remainder of Avenue of the Carolinas has not been built; the master sewer plan that was supposed to have been presented on October 31, 2022 has not been provided; and they would like for the Planning Board to address maintenance. They are concerned about the safety of children with these ponds. There is a clubhouse and pool, putting and driving ranges and three holes of golf and some sidewalks in the trail system. However, currently there is no contiguous sidewalk to the clubhouse or trail without having to walk or drive a golf cart in the road. The CDP states that "Recreational opportunities for the residents of The Carolina may include the following: golf short course, soccer and/or baseball play fields, parks and community gathering areas, performance/movie outdoor amphitheater, pickle ball courts, walking trails and sidewalk network, open play areas, community garden and other potential active and passive amenity areas." None of this has happened and they do not see any amenity locations depicted on the site plan or the preliminary plat for Phases 3B and 4. They only have the pool and clubhouse and events are not held monthly.

Chair Carroll asked Ms. Holmes if there is an HOA and Ms. Holmes responded that only the first phase has an HOA.

Ms. Holmes said a majority of homeowners have had to install French drains because of the water runoff.

Mr. Bleggi asked if there is a reason why the other phases do not have an HOA and Ms. Holmes responded that a certain percentage of homes need to be built.

Mr. Bleggi asked if the homeowners in the first phase pay any type of dues or fees and Ms. Holmes responded that they all pay dues and fees.

Mr. Shelly stated that they have an onsite manager.

Andy Bleggi made a motion, which was seconded by Diane Westbrook, to close the preliminary forum. The motion carried.

ACTION OF THE BOARD:

Andy Bleggi made a motion, which was seconded by Diane Westbrook, to adopt the following for transmission to the Town Council as a result of the December 15, 2022 preliminary forum on application PD-12-22 for Caropines Phases 3B and 4 Preliminary Development Plan:

The information presented at the forum indicated the following issues with the PDP application PD-12-22:

1. As stated in the staff report with the addition of a definitive date for completion of Avenue of the Carolinas whether or not Phase 3B or 4 is completed with staff revising any recommendations based on what was heard during the preliminary forum.

The motion carried.

PUBLIC HEARING:

OA-04-22 Text Amendments to the Unified Development Ordinance; Petitioner: Town of Southern Pines Planning Department

1. At the request of the Town Attorney, delete the general zoning exemption process in UDO §2.11 and delete some of the subsections of UDO §8.5.2 that relate to certain types of zoning exemptions because there is no “exemption” process set forth in North Carolina General Statute and move UDO §8.5.2(H) related to Town-initiated development approval requests to UDO §2.5.8, subsection (C) where it makes more sense.
2. Amend UDO 2.18.3(C) to clarify that amendments to an approved Conceptual Development Plan (CDP) require the signature of all landowners within the Planned Development (PD) district because Planned Developments are development projects with many common design elements and individual property owners should not be able to modify those design elements later without the knowledge of others who previously bought into the project. Amend UDO §2.18.4(I)(4) to clarify that approval of a CDP does, in fact, provide a vesting of certain development rights because it does under North Carolina laws governing vested rights. Amend UDO §2.18.7 by creating a new section 2.18.8 that addresses minor vs. major amendments to approved Conceptual Development Plans and Preliminary Development Plans. Amend UDO §4.7 to clarify that unique fencing standards may be included in a Planned Development because fences are one element of design that may be unique in a Planned Development project.
3. Remove one vestige reference to “Sketch Plats” remaining in UDO §2.20.4(G)(1) because the Sketch Plat process was previously removed by Ordinance #1919 on July 1, 2021.

4. Clarify requirements for establishing sign standards and creating Unified Sign Plans in Planned Development districts in UDO §3.5.14(I) & (J) because this section has always been confusing to sign permit applicants and is extraordinarily difficult for Planning staff to administer and enforce.
5. Amend UDO §4.10.4(E)(3) to allow the use of metal awnings in districts other than the CB and DTO districts because in most zones other than CB and DTO districts the distances from which awnings on commercial structures are viewed make metal an aesthetically acceptable and more durable alternative to canvas or other flexible materials.
6. Remove the requirement in UDO §5.9.3 for zoning permits for operators of food trucks when operating in an approved Food Truck Campus because the operator of the Food Truck Campus is responsible for ensuring all food trucks within the campus follow the operating requirements of the campus. Requiring a Special Use Permit and a site plan review to verify compliance with food truck operating requirements then also requiring up to six additional zoning permits for each food truck within the campus is just a lot for everyone and does not result in making anything better.
7. Amend UDO §8.14.6(D) to clarify that when hearing “questions involving interpretations” by the Planning Director or other member of the Town’s administration, the Board of Adjustment does not render recommendations in writing to the Town Council, they make a quasi-judicial decision per State Statute that may be appealed to Superior Court.
8. Amend UDO §8.16.1(B) and (F) to be consistent with State Statute regarding membership eligibility for the Historic District Commission because presently (F) can be interpreted to allow those who move outside Southern Pines to continue serving until a replacement is appointed and the actual requirement from State Statute fits better under subsection (B) than (F).
9. Add a definition of the word “Neighborhood” to UDO §9.3 because several sections of the UDO (such as §1.2.2(A) & (B), §1.8.4(B), §2.15, §2.17.9, §2.17.10, §2.18.4, §2.18.5, §2.21.6, §2.22.6, etc.) reference the word “neighborhood” but there is presently no definition of the word in Chapter 9 of the UDO.

Andy Bleggi made a motion, which was seconded by Kim Wade, to open the public hearing. The motion carried.

Mr. Grieve provided an overview of the proposed amendments.

A brief discussion ensued.

PLANNING BOARD ACTION:

Mr. Walden made a motion that after reviewing the proposed text amendments to the UDO and considering the criteria for approval of text amendments to the UDO found in UDO §2.17.10:

1. The proposed amendments are consistent with the Comprehensive Long-Range Plan for the reasons set forth in Attachment A of staff report OA-04-22.

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

1. With regard to text amendment no. 1 regarding exemptions, that staff work with interested parties on a text amendment to allow murals as a public art program.

and therefore, to recommend approval of OA-04-22 to the Town Council. The motion was seconded by Andy Bleggi and the motion carried.

UNFINISHED BUSINESS:

No unfinished business was discussed.

NEW BUSINESS:

Mr. Grieve stated that a Special Meeting was scheduled for January 4, 2023, which would be a summit with the Town Council.

Diane Westbrook made a motion, which was seconded by Andy Bleggi, to adjourn the meeting. The motion carried.

The meeting adjourned at 8:00 PM.

Respectfully submitted:

Cindy Williams
Secretary to the Planning Board

Agenda Item

To: Planning Board

Via: BJ Grieve, Planning Director

From: Alaina Mallette, Senior Planner

Subject: Z-01-23: Initial zoning of ±1.25 acres on the northeast corner of SE Service Rd and W Wisconsin Ave presently not zoned (former NCDOT ROW) to OS (Office/Service); Applicant: Richard Knight, Tiara Properties, LLC

Date: March 23, 2023

I. SUMMARY OF APPLICATION REQUEST

Jeffrey Barczak, on behalf of Richard Knight of Tiara Properties, LLC, has submitted a request to zone a currently un-zoned 1.25-acre parcel to Office/Service (OS) within the town's city limits. The subject parcel was originally owned by the North Carolina Department of Transportation (i.e., NCDOT, a public entity) and was quitclaimed to Tiara Properties, LLC (i.e., a private entity). The subject parcel is located on the northeast corner of SE Service Road and W Wisconsin Avenue, which is located near the U.S. Highway 1 highway exit between the Morganton Road and W Pennsylvania Avenue exits.

II. PROJECT INFORMATION

A. Physical Address

No address has been created for the subject property; however, it is located at the northeastern corner of the U.S. Highway 1/SE Service Road and W Wisconsin Avenue rights-of-way intersection.

Parcel ID: 20160148 (PIN 857100988668)

B. Property Owner/Applicant

Tiara Properties, LLC
2236 Kivett Dr.
Greensboro, NC 27406

C. Authorized Agent

Jeffrey Barczak
139 Grantham House Way
Apex, NC 27523

D. Existing Zoning

The subject property was previously a right-of-way owned by the NCDOT. The adjacent properties—also owned by Tiara Properties, LLC—are currently zoned OS and the subject property is in proximity to the Residential Mixed Housing (RM-2) zoning district, which allows for approximately five to seven dwelling units per acre.

The principal uses in the OS zoning district include office, services, and medium-density residential. Due to the proximity to U.S. Route 1, a portion of the parcel also falls within the Urban Transition Highway Corridor Overlay District (See Figure 1 and Figure 2).

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

Within the Town of Southern Pines Comprehensive Long-Range Plan (CLRP), the site is not identified in one of the general land use categories for future land uses considering that it was previously NCDOT right-of-way property.

III. STAFF REVIEW

1. Review Process

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

2. Application Review Dates

Application Submitted: **February 13, 2023**

Application Complete: **February 20, 2023**

Planning Board Public Hearing Notice: **March 2, 2023**

Planning Board Regular Meeting: **March 23, 2023**

Town Council Agenda Meeting: **April 4, 2023**

Town Council Regular Meeting: **April 11, 2023**

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

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

Consistency with the CLRP has been reviewed by looking at the document itself as well as the potential new allowed uses in the proposed OS zoning district and adjacent properties' categories on the Future Land Use Map. A comprehensive list of land uses that are allowed in OS can be found in bullet point "(H) Applicant Representations" below. The parcel is not identified in one of the general land use categories for future land uses considering that it was previously NCDOT right-of-way property.

However, the site is adjacent to parcels that are intended to be residential. According to the CLRP, residential future land use "encompasses the majority of Southern Pines' residential land, providing for single-family and attached housing at development densities ranging from one unit per acre in areas that are less intensively developed to up to twelve units per acre in places that are clearly more urban... neighborhood scale commercial services may be authorized through the rezoning process without amending the future land use map." Staff finds that all OS by-right uses would be appropriate in this area for "neighborhood-scale commercial services."

Figure 1: Vicinity Zoning Map and Urban Transition Highway Corridor Overlay with 2021 Aerial Basemap (approximate boundaries of proposed map amendment are outlined in blue).



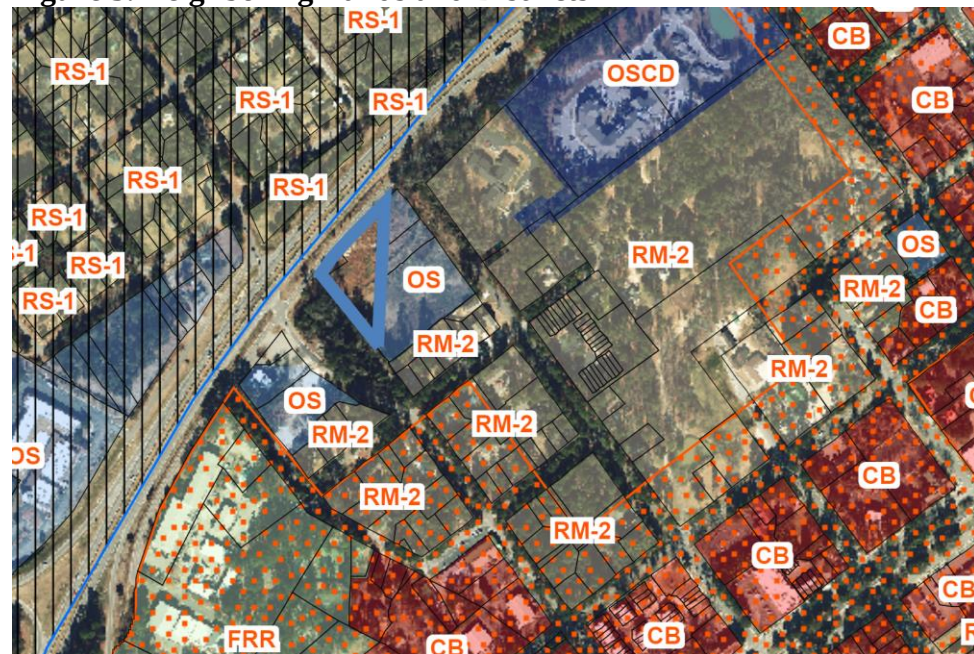
Figure 2: Subject Property as of April 14, 2022, with Approximate Boundaries of Proposed Map Amendment (in Red).



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

Neighboring lands adjacent to the subject parcel are zoned OS. The southern portion of the block is zoned RM-2. Parcels across W Wisconsin Avenue's ROW are OS and RM-2, as well. Across from U.S. Highway 1, there are parcels zoned Residential Single-Family (RS-1) and OS. In addition to these and within a quarter-mile from the subject property, there are two additional zones: an OS Conditional Zoning District (i.e., the Southern Pines Gracious Retirement Living) and Facilities, Resources, and Recreation (i.e., FRR, the Town's Community Development building, the Town's GIS and Information Technology building, and the Boys and Girls Club). The boundary of the Downtown Overlay and West Southern Pine Overlay districts are within a quarter mile of the subject property, as well. Considering this mix of uses and the intended character of each district, the proposed OS zoning would be substantially consistent with the surrounding area.

Figure 3. Neighboring Lands and Districts



With regards to traffic congestion, the applicant has recently submitted a Trip Generation Analysis letter for a project on the subject property as part of their site plan review. Based on 26,400 square feet of office space used for the analysis (though 21,600 is being proposed) and two proposed access driveways, approximately 364 new daily trips are projected for this section of SE Service Road. According to Kimley-Horn and Associates, INC., "As the site traffic will be spread

over two driveways, neither one should have over 300 trips per day... Therefore, based on the low projected trip volume, no roadway improvements are recommended based on this analysis, and no other analysis should be required for this development.”

(C) Suitability as Presently Zoned. *The Hearing Body shall consider the suitability or unsuitability of the Tract for its use as presently zoned. This factor, like the others, should be weighed in relation to the other standards, and instances can exist in which the land may be rezoned to meet public need, to reflect substantially changed conditions in the neighborhood, or to effectuate important goals, objectives and policies of the Comprehensive Plan or UDO.*

- The subject property is not presently zoned, and to the Planning Department’s knowledge it has never been zoned.
- OS would be a more suitable zone than no zone considering that the NCDOT held the property for potential ROW development (per ROW agreements mentioned in the deed), but sold the property to the applicant as land “surplus.” Thus, the transfer of ownership from a public transportation agency to a private entity necessitates the request for zoning.
- Note that the subject property is within the Urban Transition Highway Corridor Overlay District due to its proximity to U.S. Highway 1. The highway corridor overlay districts are intended to place special land development controls on land adjacent to major highway corridors to protect environmental features (i.e., physical, aesthetic, recreational, and economic assets).
- The applicant claims in their narrative that, “The parcel in its current configuration prohibits it from being developed... [but] when combined with the adjacent parcels, will provide a suitable buildable site...”

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

- No health, safety, or welfare concern has been identified based on the information that was provided in the application.
- There are no historic or archeological sites on the subject property to the applicant’s and Planning staff’s knowledge.

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

- See comments under “(A) Consistency.”

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

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

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

- The proposed zoning district's current development standards for the subject property—which is approximately 35,500 square feet—are as follows:
 - Maximum height is 35 feet;
 - Minimum lot area for one dwelling unit is 10,000 square feet;
 - Minimum lot area per additional dwelling units is 3,600 square feet per unit; and
 - Setbacks and other development standards would default to the Urban Transition Highway Corridor Overlay district's standards.
- For reference, several of the Urban Transition Highway Corridor Overlay district development standards currently are:
 - Minimum lot area of 40,000 square feet;
 - Minimum lot width is 200 feet;
 - Building setback is 75 feet;
 - 50-foot parking area setback;
 - 50-foot buffers from residential zones and 25-foot buffers from non-residential zones; and
 - Applicable minimum and maximum parking space requirements.
- The closest basic commercial services such as medical offices, grocery stores, eateries, coffee, schools and fitness centers exist in the downtown area, along Morganton Rd, and U.S. Highway 1.
- According to the Town of Southern Pines GIS, the water supply is high quality and part of Little River (Intake no. 2) with a classification of Water Supply III that is used for drinking, culinary, and food processing and is protected for Class C uses. According to UDO Exhibit 3-14, "New Development shall be limited to two (2) Dwelling Units per acre or twenty-four (24) percent built-upon area. If the new Development exceeds either of these thresholds the project may apply for the 5/70 exemption."

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

- OS zoning district is meant, primarily, to accommodate office and service uses as well as medium-density residential uses. The district objectives are to (1) encourage land uses that buffer residential districts from intensive non-residential uses and arterial streets, (2) provide aesthetic controls and dimensional requirements to ensure compatible office and service development with surrounding residential uses, (3) encourage a mixture of medium-density residential uses with offices and services, and (4) allow for single-family dwellings in business corridors to be used for business or residential purposes.
- The boards should consider the full range of possible uses in the proposed new OS zone. The authorized uses (either permitted by-right, allowed with supplemental standards, or as conditional uses) are listed below.
 - **Residence or accommodation functions**, including single-family detached and attached dwellings; two-family dwellings; accessory dwellings; multifamily; assisted living homes; bed and breakfast homes; rooming/boarding house; and a hotel, motel, or tourist home or court.
 - **General sales or services**, including banking and credit services, insurance-related services, other financial establishments, real estate services, rental housing property management services, intellectual property establishments, legal services, accounting services, architectural- and engineering-related services, design services, consulting services, advertising and media services, administrative services (except collection agencies), and travel services.
 - **Transportation, communication, information, and utilities**, including newspaper publishing, software publishing, motion picture and video production, telecommunication towers and antennas 50 feet tall or less, telephone/wired communications, online information services, library or archive, news syndicate, electric service distribution lines, natural gas service, water service, and wastewater service.
 - **Arts, entertainment, and recreation**, including agent and management services, independent artists, museum, historical institution, private fitness facilities, and natural or other recreational parks without special economic functions.
 - **Education, public administration, health care, and other institutions**, including public administrative offices, civilian courts of law and correctional institutions, fire and rescue services, police

- services, emergency response services, clinics and health spas, outpatient family planning and care clinic, child and youth services, child daycare, associations, clubs, and non-profit organizations.
- **Agriculture**, including outdoor crop production.
- **Miscellaneous land uses**, including temporary uses, subdivisions, combination uses, and home occupations.

4. Outside Agency Comments

- A request for comments was emailed to agencies on February 24, 2023. Agencies notified include Town of Southern Pines Streets, Public Works, Utilities, Fire, Recreation and Parks, and Engineering departments, the Regional Land Use Advisory Commission (RLUAC), United States Fish and Wildlife Services (US FWS), the Moore County Airport, and the North Carolina Department of Transportation (NCDOT).
- RLUAC responded on March 9, 2023, and stated that they do not have any comments.

5. Staff Recommendation

Planning staff recommend that the hearing bodies approve the rezoning request for Parcel ID 20160148 from no zone to OS.

IV. ATTACHMENTS

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

1. Zoning Map Amendment Application
2. List of Adjacent Property Owners and Legal Description of the Subject Property
3. Deed
4. Narrative for Proposed Amendment
5. Survey and GIS Tax Parcel Update
6. Proposed Site Plan for Tiara Office Park
7. Traffic Trip Generation Letter
8. Agency Comments (all)
9. Draft Planning Board Resolution to Adopt a Written Recommendation for Zoning Map Amendment Application

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

V. PLANNING BOARD ACTION

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

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

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

1. The proposed amendments are consistent with the Comprehensive Long-Range Plan for the reasons set forth in Attachment 9 of staff report Z-01-23;
2. The proposed amendments are consistent with the Comprehensive Long-Range Plan for the reasons set forth in Attachment 9 of staff report Z-01-23 as revised by the Planning Board;
3. The proposed amendments are inconsistent with the Comprehensive Long-Range Plan for the reasons set forth in Attachment 9 of staff report Z-01-23 as revised by the Planning Board;

I further move that the following other matters were considered by the Planning Board and shall be added to Attachment 9 by Planning staff as part of the Planning Board's written recommendation to the Town Council:

- 1.
- 2.
- 3.
- 4.

And, therefore, I move to:

1. Recommend approval of Z-01-23 to the Town Council;
2. Recommend denial of Z-01-23 to the Town Council



Zoning Map Amendment (Rezoning)

REQUIRED APPLICATION MATERIALS:

- X **Application fee** in the amount of **\$1,500.00**.
- X **Completed Application** for a Zoning Map Amendment (Rezoning) signed by the applicant. Please do not leave anything blank and make sure that all of the information provided is correct.
- X **Appointment of Agent**, if applicable, signed by the property owner(s) and the agent.
- X **List of Adjacent Property Owners**: Please list all properties that are that are within two hundred (200) feet of the outermost boundaries of the subject property (**not counting streets, railroads or other transportation corridors**). Attach additional pages if needed. No fewer than ten (10) property owners shall be notified by mail.
- X **Deed** copy to provide proof of ownership and property boundaries.
- X **Reasons for proposed amendment**: Explain the need for the proposed changes to the zoning map. Please provide additional text and/or maps to demonstrate consistency with the approval criteria listed in **UDO §2.17.9 Criteria for Zoning Map Amendments**. The list of criteria is attached.
- X **Survey** of the subject property.
- X **Written metes and bounds description** of the subject property.
- X **Site** plan, if applicable
- X **Electronic copy (PDF) of all application materials** submitted to plan@southernpines.net.

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

REVIEW AND APPROVAL:

1. **Staff review**: Planning staff will review the application and notify the applicant if additional materials are needed.
2. **Public hearings**: The applicant is expected to attend a public hearing on the application before the Planning Board followed by a public hearing before the Town Council the following month. (Please refer to the **Application Processing Timeline** to determine the hearing dates.) The Planning Board will recommend approval, conditional approval or denial to the Town Council. The Town Council will consider that recommendation, as well as evidence and testimony presented, and approve, conditionally approve or deny the rezoning request.
3. **Approval**: The approval of an amendment to the UDO text or Zoning Map does not authorize the use, occupancy, or development of property until the applicant receives necessary development approvals, such as subdivision, site plan and building permits. (UDO §2.17.12)



Zoning Map Amendment Application

Fee: \$1,500.00

Date Received: _____

Case No.: Z-_____-____

Project Information:

Street Address: Parcel is located on SE Service Road between Wisconsin Ave and Illinois Ave.

PIN: 857100988668

Parcel ID: 20160148

Site Size: 1.25 acres

Zoning: no zoning

Applicant:

Name(s): Richard Knight

Email: tiarapropertiesllc@gmail.com

Phone: 304-541-1492

Mailing Address: 2236 Kivette Drive, Greensboro, NC. 27406

Authorized Agent, if different from Applicant:

Name(s): Jeffrey Barczak

Email: barczakengineering@gmail.com

Phone: 414-429-4865

Mailing Address: 139 Grantham House Way, Apex, NC. 27523

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

Name(s): Tiara Properties LLC

Email: tiarapropertiesllc@gmail.com

Phone: 304-541-1492

Mailing Address: 2236 Kivette Drive, Greensboro, NC. 27406

1/12/22

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

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

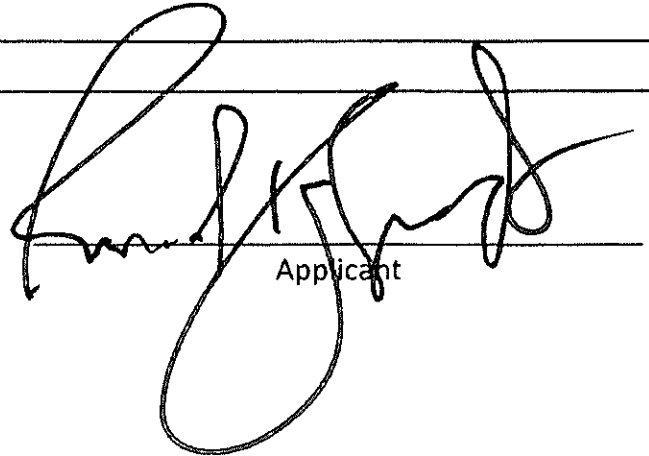
The property which is the subject of this application is located on the south side of SE Service Road (St./Ave.), between Wisconsin (St./Ave.) and Illinois (St./Ave.). The property has a frontage of 330 feet feet and a depth of 0 to 350 feet.

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

The property will be utilized for office service

Date:

2/8/23


Applicant

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

APPOINTMENT OF AGENT

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

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

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

Signed this 11th day of February, 2023.

[Signature]
Property Owner

Tiara Properties LLC
Property Owner

[Signature]
Agent

1/12/22

List of Adjacent Property owners within 200 feet of Zoning Application

SMYTHE, SHAMUS
550 KENSINGTON ROAD
SOUTHERN PINES, NC. 28387

SILVER RIDGE HOLDINGS, LLC
ADDRESS: PO BOX 4839
PINEHURST, NC. 28374

STEUDEL, EDWARD MARTIN III
580 KENSINGTON ROAD
SOUTHERN PINES, NC. 28387

C/O UNITED MANAGEMENT
PO BOX 87509
FAYETTEVILLE, NC. 28304

TIARA PROPERTIES, LLC
2236 KIVETT DRIVE
GREENSBORO, NC. 27406

Reason for Proposed Amendment

The property in question is currently not zoned.

Written Metes and Bounds Description

BEGINNING at an existing NCDOT concrete right of way monument having NC Grid coordinates of $y = 518,952.00$ feet (US) and $x = 1,869,948.31$ (US), marking on southeast right of way line of U.S. Highway 1, situate in Block P & 8 in the Town of Southern Pines, said monument further located as being $S43^{\circ}08'41''W$ a distance of 72.08 feet from an iron pipe found in the southwest right of way line of West Illinois Avenue; running thence from said beginning monument $S2^{\circ}59'08''W$ a distance of 517.18 feet, crossing that vacated portion of South Saylor Street right of way and a ditch in Block P & 7, Town of Southern Pines, to another existing NCDOT concrete right of way monument having NC Grid coordinates of $y = 518,435.52$ feet (US) and $x = 1,879,921.37$ feet (US); thence continuing $S2^{\circ}59'08''W$, a distance of 1.90 feet to an iron rod situate in the north east right of way line of West Wisconsin Avenue; thence with said right of way line of West Wisconsin Avenue, $N36^{\circ}31'09''W$ a distance of 188.63 feet to an iron pipe found, the West corner of Block P & 7 situate at the intersection of right of way lines of West Wisconsin Avenue and (southeast) South Saylor Street; thence continuing with said right of way line of West Wisconsin Avenue, $N36^{\circ}22'03''W$ a distance of 79.81 feet to an iron pipe found, South corner of Block P & 8, Town of Southern Pines situate at the intersection of said right of way line of West Wisconsin Avenue and (northwest) South Saylor Street; thence continuing with said right of way line of West Wisconsin Avenue, $N36^{\circ}30'36''W$ a distance of 60.75 feet to its intersection with the southeast right of way line of U.S. Highway 1, a new corner; thence as the southeast right of way line said highway (Service Road) as a curve, curving to the right, in a northeasterly direction, having an arch length of 337.67 feet with a radius of 4,878.62 feet, the chord which curve bears $N41^{\circ}17'05''E$ a chord distance of 337.61 feet to the BEGINNING, containing 1.26 acres, more or less.

List of Adjacent Property owners within 200 feet of Zoning Application and minimum of 10

ROBERT LEI
426 W. ILLINOIS AVE
SOUTHERN PINES, NC. 28387

AMANDA WODKOWSKI
510 KENSINGTON RD
SOUTHERN PINES, NC. 28387

DANA AYERS
530 KENSINGTON RD
SOUTHERN PINES, NC. 28387

SMYTHE, SHAMUS
550 KENSINGTON ROAD
SOUTHERN PINES, NC. 28387

SILVER RIDGE HOLDINGS, LLC
ADDRESS:PO BOX 4839
PINEHURST, NC. 28374

TREVOR & TINA LITTLE
580 KENSINGTON RD
SOUTHERN PINES, NC. 28387

STEUDEL, EDWARD MARTIN III
580 KENSINGTON ROAD
SOUTHERN PINES, NC. 28387

TIARA PROPERTIES, LLC
2236 KIVETT DRIVE
GREENSBORO, NC. 27406

PINEBROOK ASSOICIATES
C/O UNITED MANAGEMENT
PO BOX 87509
FAYETTEVILLE. NC. 28304

SPARTAIN REAL PROPERTY, LLC
625 SE SERVICE ROAD
SOUTHERN PINES, NC. 28387

CAMERON DDS
C/O PEGG C MORDECAI
1423 ACADIA ST
DURHAM NC 27701

GARY WENDELL BROWN
385 W CONNECTICUT AVE
SOUTHERN PINES NC 28387

LARRY CHRISTOPHER BROWN
ROY THOMPSON
660 S HALE ST
SOUTHERN PINES NC 28387

LEROY AND BETTY CAMPBELL
510 S HALE ST
SOUTHERN PINES NC 28387

PHILLIP EVANS
640 W ILLINOIS AVE
SOUTHERN PINES NC 28387

JOAN BALDWIN FRYE
690 KENSINGTON RD
SOUTHERN PINES NC 28387

GLORIOUS CHURCH OF THE LIVING
GOD INC.
C/O JOHNNIE BARRETT
131 CROCKER ST
WEST END NC 27376

DONALD SCOTT HARPSTER
670 KENSINGTON RD
SOUTHERN PINES NC 28387

TREVOR AND TINA LITTLE
580 KENSINGTON RD
SOUTHERN PINES NC 28387

MILTON AND MARY MCCRIMMON HRS
C/O MARCIA MCCRIMMON
263 MEADOW LN
BOWLING GREEN VA 22427

MID-STATE DEVELOPMENT LLC
10615 NC HWY 105 SOUTH
BANNER ELK NC 28604

JACQUELINE MONROE
JOHN DEXTER PRIDE SR
77 SEVENTH AVE NE
MINNEAPOLIS MN 55413

STEVEN AND ELIZABETH MORGAN
911 ROSE RIDGE RD
ABERDEEN NC 28315

MELANIE NELSON
660 KENSINGTON RD
SOUTHERN PINES NC 28387

LUCINDA OATES
1540 W NEW YORK AVE
SOUTHERN PINES NC 28387

FLOYD AND ROSE PAIGE
520 S HALE ST
SOUTHERN PINES NC 28387

PINEBROOKE ASSOCIATES
C/O UNITED MANAGEMENT
PO BOX 87509
FAYETTEVILLE NC 28304

SILVER RIDGE HOLDINGS LLC
PO BOX 4839
PINEHURST NC 28374

SHAMUS SMYTHE
550 KENSINGTON RD
SOUTHERN PINES NC 28387

SPARTAN REAL PROPERTY LLC
625 SE SERVICE RD
SOUTHERN PINES NC 2837

STATE OF NORTH CAROLINA
PO BOX 629
RALEIGH NC 27611

TIARA PROPERTIES LLC
2236 KIVETT DR
GREENSBORO NC 27406

ANDREA TOMANN
680 KENSINGTON RD
SOUTHERN PINES NC 28387

LU ELLA TURNER
605 ILLINOIS AVE
SOUTHERN PINES NC 28387

THOMAS D VON CANON
159 BIG MACEDONIA RD NW
SUPPLY NC 28462

JAMES AND SHIRLEY WEATHERSPOON
390 W WISCONSIN AVE
SOUTHERN PINES NC 28387

BARBARA ANN WHITE
PO BOX 8114
AUGUSTA GA 30905

JEFFREY BARCZAK
139 GRANTHAM HOUSE WAY
APEX NC 27523

RICHARD KNIGHT
2236 KIVETTE DRIVE
GREENSBORO NC 27406

Z-01-23

FOR REGISTRATION REGISTER OF DEEDS
 Judy D. Martin
 Moore County, NC
 July 19, 2017 03:00:44 PM
 Book 4847 Page 99-103
 FEE: \$26.00
 INSTRUMENT # 2017010488

Ln



INSTRUMENT # 2017010488

Prepared by: Phyllis Turner, Assistant Attorney General, North Carolina Department of Transportation, Attorney General's Office, 1505 Mail Service Ctr., Raleigh, NC 27699-1505

Return to: NCDOT, Attn: Terry Niles, Real Property Coordinator, 1546 Mail Service Center, Raleigh, N.C. 27699-1546

mail to: Grantee

The hereinafter described property does not include the primary residence of the DEPARTMENT.

NORTH CAROLINA

QUITCLAIM DEED

MOORE COUNTY

THIS QUITCLAIM DEED made this the 5th day of July, 2017, by and between the Department of Transportation, an agency of the State of North Carolina, 1 S. Wilmington, Raleigh, NC 27601 (hereinafter "DEPARTMENT") and TIARA PROPERTIES, LLC, 55 Elkton Drive, Pinehurst, NC 28374, hereinafter "GRANTEE";

mail ✓

WITNESSETH:

WHEREAS, GRANTEE has requested that the DEPARTMENT convey to it approximately 1.260 acres, more or less, in which the DEPARTMENT deems surplus; and

WHEREAS by that resolution adopted June 1, 2017, the Board of Transportation, acting upon request of GRANTEE, approved the conveyance of the property more particularly described below and authorized the DEPARTMENT to execute and deliver this instrument to the GRANTEE;

NOW, THEREFORE, the DEPARTMENT for no monetary consideration, but for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby

grant unto GRANTEE, its successors and assigns, all of its right, title, claim or interest in and to that parcel of land lying and being in MOORE COUNTY, North Carolina and being more particularly described as follows:

BEGINNING at an existing NCDOT concrete right of way monument having NC Grid coordinates of $y = 518,952.00$ feet (US) and $x = 1,869,948.31$ (US), marking the southeast right of way line of U. S. Highway 1, situate in Block P & 8 in the Town of Southern Pines, said monument further located as being South $43^{\circ}08'41''$ West a distance of 72.08 feet from an iron pipe found in the southwest right of way line of West Illinois Avenue; running thence from said beginning monument South $2^{\circ}59'08''$ West a distance of 517.18 feet, crossing that vacated portion of South Saylor Street right of way and a ditch in Block P & 7, Town of Southern Pines, to another existing NCDOT concrete right of way monument having NC Grid coordinates of $y = 518,435.52$ feet (US) and $x = 1,879,921.37$ feet (US); thence continuing South $2^{\circ}59'08''$ West, a distance of 1.90 feet to an iron rod situate in the northeast right of way line of West Wisconsin Avenue; thence with said right of way line of West Wisconsin Avenue, North $36^{\circ}31'09''$ West a distance of 188.63 feet to an iron pipe found, the West corner of Block P & 7 situate at the intersection of right of way lines of West Wisconsin Avenue and (southeast) South Saylor Street; thence continuing with said right of way line of West Wisconsin Avenue, North $36^{\circ}22'03''$ West a distance of 79.81 feet to an iron pipe found, South corner of Block P & 8, Town of Southern Pines situate at the intersection of said right of way line of West Wisconsin Avenue and (northwest) South Saylor Street; thence continuing with said right of way line of West Wisconsin Avenue, North $36^{\circ}30'36''$ West a distance of 60.75 feet to its intersection with the southeast right of way line of U. S. Highway 1, a new corner; thence as the southeast right of way line said highway (Service Road) as a curve, curving to the right, in a northeasterly direction, having an arc length of 337.67 feet with a radius of 4,878.62 feet, the chord of which curve bears North $41^{\circ}17'05''$ East a chord distance of 337.61 feet to the BEGINNING, containing 1.26 acres, more or less.

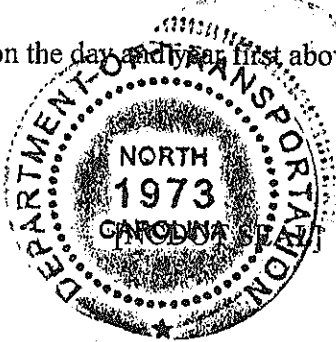
The above-described property was acquired by the DEPARTMENT from Paul M. Van Camp and Marjorie M. Van Camp, his wife by Right of Way Agreement dated October 27, 1955, recorded on March 28, 1956 in Deed Book 207 at Page 41; Katie T. Charles and David Charles, her husband, and Dorothy C. Thompson, divorced by Right of Way Agreement dated September 28, 1955, recorded December 29, 1955 in Deed Book 193 at Page 505; David Charles and Katie T. Charles, his wife by

Right of Way Agreement dated August 1, 1955, recorded December 29, 1955 in Deed Book 193 at Page 007; David Campbell and Alberta C. Campbell, his wife by Right of Way Agreement dated October 5, 1955, recorded December 2, 1955 in Deed Book 193 at Page 477; all recorded in the Moore County Registry.

This conveyance is made subject to any underground or above-ground utilities in existence at the time of this conveyance to the GRANTEE, and is subject to any recorded and/or unrecorded easements known and visible within the boundaries of the property conveyed hereby. In the event the GRANTEE should desire the utilities to be relocated or removed, the costs of such relocation or removal shall be borne by the GRANTEE.

TO HAVE AND TO HOLD the above-described lands and premises together with all privileges and appurtenances thereunto belonging to the said GRANTEE, its successors and assigns, free and discharged from all right, title, claim or interest of the DEPARTMENT, and the DEPARTMENT makes no warranty, expressed or implied, as to title to the property hereinabove described.

IN WITNESS WHEREOF, the Department of Transportation has hereunto sets its hand and seal on the day and year first above written.



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

By: Steve Grimes
Steve Grimes
Acting Manager of Right of Way

ATTEST: Sereca W. Batts
CUSTODIAN OF THE SEAL OF THE DEPARTMENT
OF TRANSPORTATION

Approved as to form:

JOSH STEIN
Attorney General

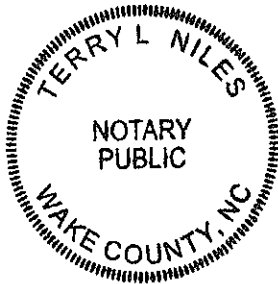
By: Phyllis A. Luma
Assistant Attorney General

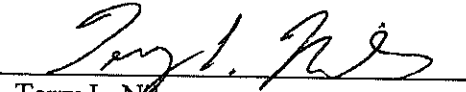
NORTH CAROLINA

WAKE COUNTY

I, Terry L. Niles, a Notary Public of said County and State do hereby certify that this day, Tereca W. Batts, personally appeared before me, who being by me duly sworn, says that she knows the Seal of the Department of Transportation and is acquainted with Steve Grimes, who is the Acting Manager of Right of Way of the Division of Highways of said Department, and that she, Tereca W. Batts, is the Custodian of the Seal of the Department of Transportation, and saw said Acting Manager of Right of Way sign the foregoing instrument, and that she, the said Custodian of the Seal of the Department of Transportation, affixed said seal to said instrument and signed her name in attestation of the execution thereof in the presence of said Acting Manager of Right of Way.

WITNESS my hand and Notarial Seal, the 5th day of July, 2017.




Terry L. Niles
NOTARY PUBLIC

My Commission Expires: July 27, 2021

UDO §2.17.9. Criteria for Zoning Map Amendments

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

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

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

Zoning Map Amendment Criteria UDO Sec 2.17.9 Applicants report

The subject property is a triangular parcel of land that abuts SE Service Road and W. Wisconsin Avenue. The parcel currently does not show any zoning assigned to it on the Towns Official Zoning map. It is assumed the Town did not zone this portion of land because at one time it was owned by the North Carolina Department of Transportation. However, the lands in question were deeded over to Tiara Properties by Book 487 Page 99 on July 19th, 2017, and recorded at the Moore County Register of Deeds office. Lands were originally part of lots 1-5, 18-21 and part of Saylor Street in Map 1 Page 70 in Moore County Register of Deeds Office. The parcel needs to be zoned to "OS" to allow for a proposed development shown on the attached site plan. The "OS" zoning is consistent with abutting properties.

In reference to Section "A"

Zoning this triangular parcel to OS will be consistent with the current adopted Comprehensive Plan as the proposed use will be consistent with the abutting properties.

In reference to Section "B"

The adjacent lands are currently owned by the applicant and will be utilized in accordance with current "OS Zoning" rules and regulations. The surrounding lands are all zoned "OS" or are public right of ways. Traffic analysis has been submitted as part of the site plan approval process and was determined to comply with current traffic analysis supporting the proposed development and "OS Zoning".

In reference to Section "C"

The parcel has no current zoning because it was owned by the Department of Transportation and sold to Tiara Properties LLC. Therefore, its original intended use no longer exists. The parcel in its current configuration prohibits it from being developed on its own merit, due to setbacks and odd shape. The parcel, when combined with the adjacent parcels will provide a suitable buildable site as shown on the attached site plan and be consistent with the Comprehensive Plan or UDO.

In reference to Section "D"

The public Health, Safety, and Welfare will positively impact the area by providing professional office space for the growing business community of Southern Pines. The parcel is not located in any historical district or cultural place.

In reference to Section "E"

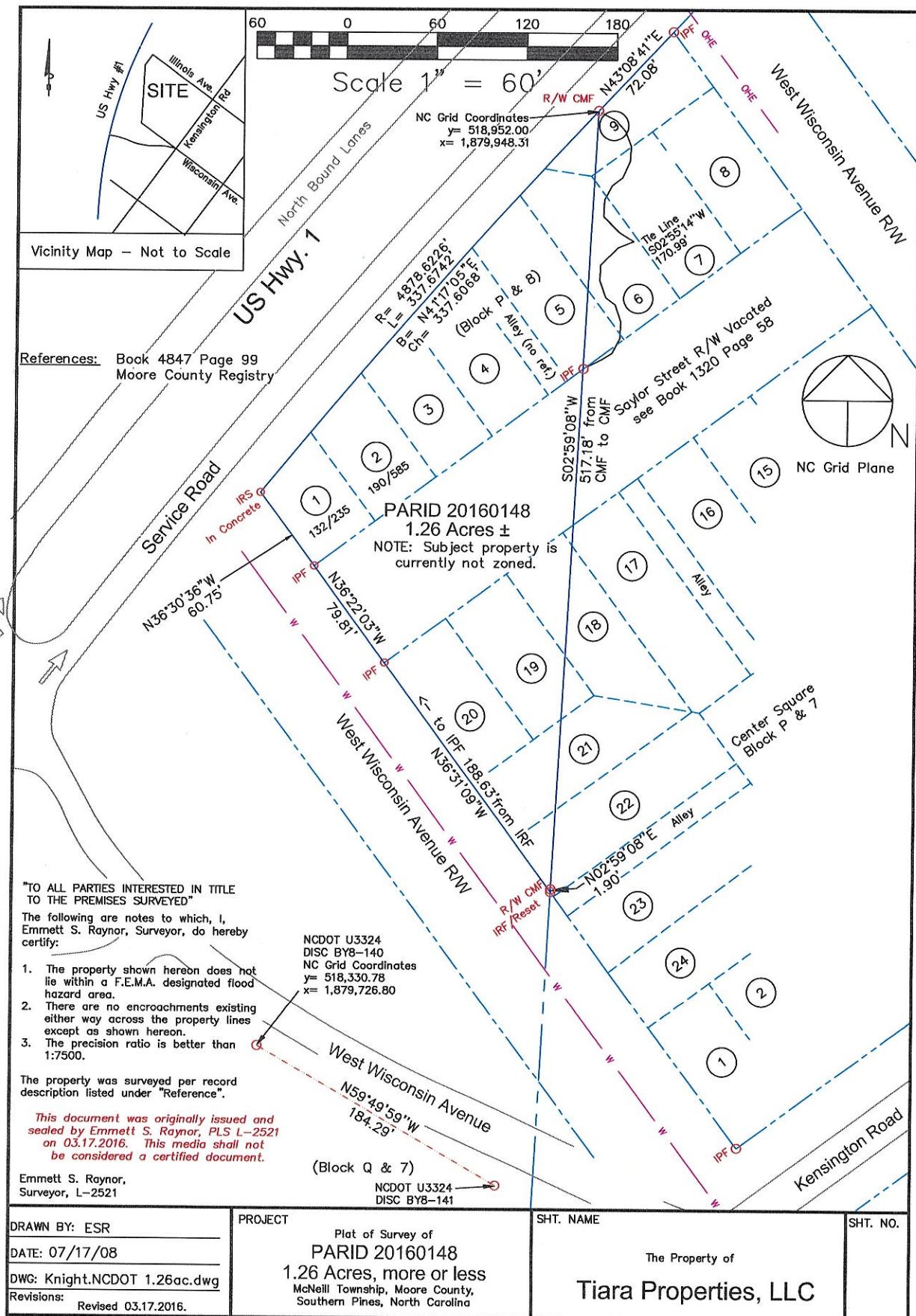
The zoning of the parcel will allow the development of office service buildings of approximately 21,600 square feet in total to service the community's business partner's needs. The attached site plan shows the proposed development plan intended for the use of these lands.

In Reference to Section "F"

The size and shape of the current un-zoned lands make it difficult to develop under current development standards with respect to buffers and setbacks from roadways and adjoining parcels. However, combining the parcels with adjacent parcels owned by the current owner will allow a more practical development to occur.

In Reference to Section "G"

The applicant is unaware of any relevant factors that will prohibit the lands being zoned "OS".



From: [Alaina Mallette](#)
To: ["Renee Key"](#)
Cc: [Amy Kirk](#); [Gene Ruiz](#); [Pam Graham](#)
Subject: FW: Z-01-23 Tiara Properties Legal Description Mapping Request
Date: Friday, March 10, 2023 9:11:00 AM
Attachments: [image.png](#)
[image001.png](#)
[4 - Deed.pdf](#)

Good morning, Renee,

The Town of Southern Pines Planning staff are working on both a rezoning and a site plan for PARID 20160148. Our in-house IT/GIS Senior Support Specialist and guru has remapped the parcel using the legal metes and bounds description as written in the attached deed and copied below in my March 8, 2023 email. She has a screenshot of the difference in her email below. I wanted to see what procedure we can follow to get this GIS parcel's boundaries updated.

Thank you, in advance, for any information you can provide.

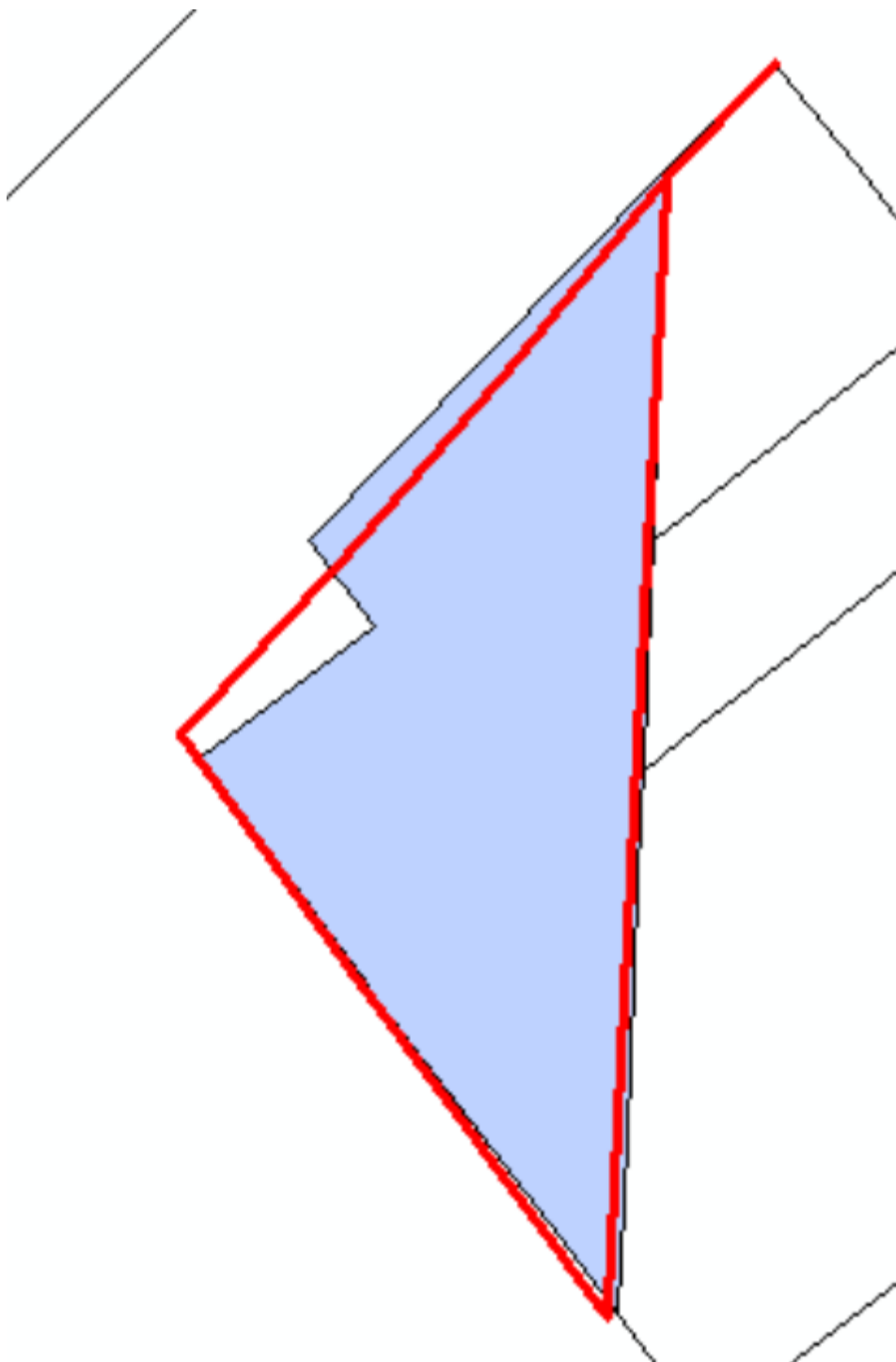
Best,
Alaina

Alaina Mallette, MSc
Senior Planner
Town of Southern Pines
801 SE Service Road
Southern Pines, NC 28387
Office: (910) 692-4003
<http://www.southernpines.net/>



From: Amy Kirk <Kirk@southernpines.net>
Sent: Wednesday, March 8, 2023 9:17 PM
To: Alaina Mallette <amallette@southernpines.net>; Gene Ruiz <GRuiz@southernpines.net>; Pam Graham <PGraham@southernpines.net>
Subject: Fwd: Z-01-23 Tiara Properties Legal Description Mapping Request

It definitely doesn't match. The acreage is 1.23 for the red area.



From: Alaina Mallette <amallette@southernpines.net>

Date: March 8, 2023 at 12:12:57 PM EST

To: Amy Kirk <Kirk@southernpines.net>

Cc: IT Support <ITSupport@southernpines.net>, Pam Graham
<PGraham@southernpines.net>, Gene Ruiz
<GRuiz@southernpines.net>

Subject: Z-01-23 Tiara Properties Legal Description Mapping Request

Hello, Amy,

I see a pop-up for your automatic reply about being out until 3/13/23. But, I believe that you are the only one who does this work for the town. I'll copy the IT email, as well, just in case. I'm working on a zoning map amendment for PARID 20160148 on the southeast corner of SE Service Rd and W Wisconsin Ave. I was reading the legal description of the property in the deed, and it appears that the GIS parcel boundaries are different from the legal deeded boundaries. Would you be able to map up the boundaries for us with this description? I highlighted in yellow the particular portion that I believe differs from Moore County parcel data.

BEGINNING at an existing NCDOT concrete right of way monument having NC Grid coordinates of $y=518,952.00$ feet (US) and $x=1,869,948.31$ (US), marking the southeast right of way line of U. S. Highway 1, situate in Block P & 8 in the Town of Southern Pines, said monument further located as being South $43^{\circ}08'41''$ West a distance of 72.08 feet from an iron pipe found in the southwest right of way line of West Illinois Avenue; running thence from said beginning monument South $2^{\circ}59'08''$ West a distance of 517.18 feet, crossing that vacated portion of South Saylor Street right of way and a ditch in Block P & 7, Town of Southern Pines, to another existing NCDOT concrete right of way monument having NC Grid coordinates of $y=518,435.52$ feet (US) and $x=1,879,921.37$ feet (US); thence continuing South $2^{\circ}59'08''$ West, a distance of 1.90 feet to an iron rod situate in the northeast right of way line of West Wisconsin Avenue; thence with said right of way line of West Wisconsin Avenue, North $36^{\circ}31'09''$ West a distance of 188.63 feet to an iron pipe found, the West corner of Block P & 7 situate at the intersection of right of way lines of West Wisconsin Avenue and (southeast) South Saylor Street; thence continuing with said right of way line of West Wisconsin Avenue, North $36^{\circ}22'03''$ West a distance of 79.81 feet to an iron pipe found, South corner of Block P & 8, Town of Southern Pines situate at the intersection of said right of way line of West Wisconsin Avenue and (northwest) South Saylor Street; thence continuing with said right of way line of West Wisconsin Avenue, North $36^{\circ}30'36''$ West a distance of 60.75 feet to its intersection with the southeast right of way line of U. S. Highway 1, a new corner; thence as the southeast right of way line said highway (Service Road) as a curve, curving to the right,

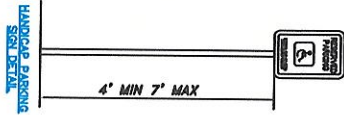
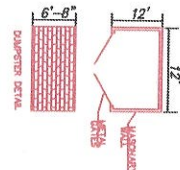
in a northeasterly direction, having an arc length of 337.67 feet with a radius of 4,878.62 feet, the chord of which curve bears North 41°17'05" East a chord distance of 337.61 feet to the BEGINNING, containing 1.26 acres, more or less.

Thank you, and I hope you enjoyed your time off, by the time you see this.

Best,
Alaina

Alaina Mallette, MSc
Senior Planner
Town of Southern Pines
801 SE Service Road
Southern Pines, NC 28387
Office: (910) 692-4003
<http://www.southernpines.net/>





BENCH MARK DESCRIPTIONS
BM #1 NAIL IN UTILITY POLE
AT SOUTHEAST CORNER OF
EXISTING SERVICE ROAD
AND ILLINOIS AVE. (455.48)
BM #2 BOLT IN SHORT
UTILITY POLE LOCATED ON
THE NORTH SIDE OF
SERVICE ROAD JUST NORTH
OF ENTRANCE DRIVE TO
APARTMENTS (455.20)

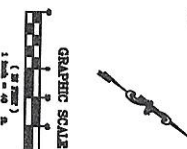


- ### LEGEND
- EXISTING WATER MAIN
 - PROPOSED WATER MAIN
 - EXISTING SANITARY SEWER
 - PROPOSED SANITARY SEWER
 - EXISTING STORM SEWER
 - PROPOSED STORM SEWER
 - EXISTING PROPERTY LINE
 - PROPOSED PROPERTY LINE
 - EXIST. FIRE OFFER LINE
 - PROPOSED FIRE OFFER LINE
 - EXIST. GAS LINE
 - PROPOSED GAS LINE
 - EXIST. OVERHEAD UTILITY LINES
 - PROPOSED CABLE

NOTES

1. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY.
2. ALL UTILITIES SHALL BE DEEPLY REINFORCED AND BUILT TO LAST.
3. ALL UTILITIES SHALL BE INSTALLED TO MEET ALL CITY AND STATE REQUIREMENTS.
4. ALL UTILITIES SHALL BE INSTALLED TO MEET ALL CITY AND STATE REQUIREMENTS.
5. ALL UTILITIES SHALL BE INSTALLED TO MEET ALL CITY AND STATE REQUIREMENTS.
6. ALL UTILITIES SHALL BE INSTALLED TO MEET ALL CITY AND STATE REQUIREMENTS.
7. ALL UTILITIES SHALL BE INSTALLED TO MEET ALL CITY AND STATE REQUIREMENTS.
8. ALL UTILITIES SHALL BE INSTALLED TO MEET ALL CITY AND STATE REQUIREMENTS.
9. ALL UTILITIES SHALL BE INSTALLED TO MEET ALL CITY AND STATE REQUIREMENTS.
10. ALL UTILITIES SHALL BE INSTALLED TO MEET ALL CITY AND STATE REQUIREMENTS.

PREPARED FOR:
TARA PROPERTIES LLC
2236 RIVETT DR.
GREENSBORO, NC. 27406



REVISIONS

DATE	BY	DESCRIPTION
06/20/24	BAR	ISSUED FOR PERMIT

BARCZAK ENGINEERING SERVICES, INC.

TOWN OF SOUTHERN PINES, NC

PROPOSED SITE PLAN

TARA OFFICE PARK

SCALE: 1" = 40'

DESIGNED BY: BARCZAK ENGINEERING SERVICES, INC.

CHECKED BY: BARCZAK ENGINEERING SERVICES, INC.

APPROVED BY: BARCZAK ENGINEERING SERVICES, INC.

City Engineer: [Signature]

Page 1 of 11

PROJECT NO. 24-003

DRAWING NO. 02221-003

DISPOSE WATER MAIN	_____
PROPOSED WATER MAIN	_____
PROPOSED SANITARY SEWER	_____
EXIST STORM SEWER	_____
PROPOSED STORM SEWER	_____
EXISTING PROPERTY LINE	_____
PROPOSED BUILDING	_____
EXIST. FIRST OF THE LINE	_____
EXIST. TELEPHONE LINE	_____
EXIST. GAS LINE	_____
EXIST. OVERHEAD UTILITY LINES	_____
PROPOSED PLANS	ONE _____

[illegible]

PREPARED FOR:
TIARA PROPERTIES LLC
2236 KIVETT DR.
GREENSBORO, NC. 27406



FORM NO. P-1803
DRAWING NO. C22214R0

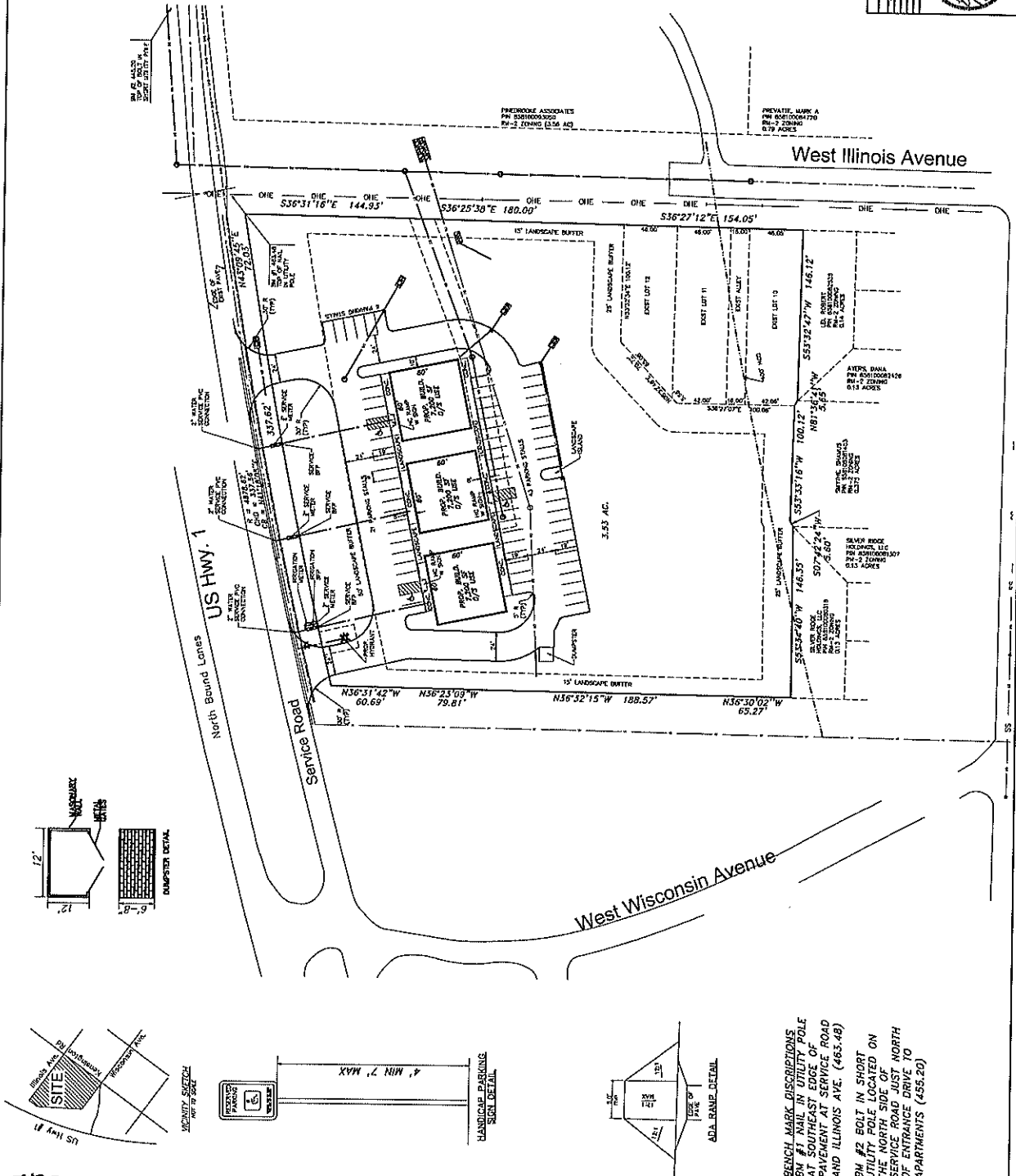
BARCZAK ENGINEERING SERVICES PLLC.

TOWN OF SOUTHERN PINES, NC
 252-285-3665 Information@TownofSP.com

PROPOSED SITE PLAN
TIARA OFFICE PARK

SCALE: 1" = 40'	DESIGNED BY: ARTHUR BACZAK	DRAWN BY: JRM	CHECKED BY: JRM	DATE: 11/15/22
APPROVED BY: _____			CITY Engineer _____	
PAGE 1 OF 11				

PAGE 1 OF 11

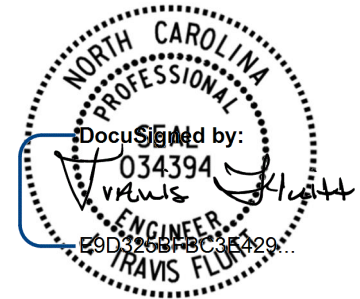


BENCH MARK DISPOSITIONS
BM #1 NAIL IN UTILITY POLE
 AT SOUTHEAST EDGE OF
 PAVEMENT AT SERVICE ROAD
 AND ILLINOIS AVE. (463.48)

BM #2 BOLT IN SHORT
 UTILITY POLE LOCATED ON
 THE NORTH SIDE OF
 SERVICE ROAD JUST NORTH
 OF ENTRANCE DRIVE TO
 APARTMENTS (455.20)

August 18, 2022

Mr. James Michel
Town of Southern Pines
2236 Kivett Dr.
Greensboro, NC 27406



RE: SE Service Road Development - Trip Generation Analysis, Southern Pines, NC 8/18/2022

Kimley-Horn has prepared an analysis of the trip generation potential of the proposed development on the SE Service Road north of W Wisconsin Avenue in Southern Pines, NC. Per the attached concept plan, this project is proposed to include 26,400 square feet (sf) of office space. The development will be accessed by two driveways on the SE Service Road.

Traffic for this project was generated using data from the 11th Edition of the *ITE Trip Generation Manual* based on land use code (LUC) 710 (General Office Building). The trip generation is summarized in Table 1 below, and detailed trip generation calculations are attached.

Table 1 ITE Trip Generation (Vehicles)							
Land Use	Size	Daily		AM Peak Hour		PM Peak Hour	
		In	Out	In	Out	In	Out
General Office Building (LUC 710)	26,400 sf	182	182	48	6	9	46

Table 1 shows that the proposed development is projected to generate approximately 364 new daily trips on a typical weekday, 54 new trips during the AM peak hour, and 55 new trips during the PM peak hour.

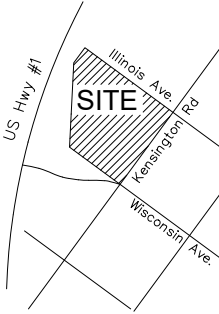
NCDOT previously provided trip estimates for this project based on retail land uses that exceeded the Town's trip threshold for requiring a traffic impact analysis (TIA). However, it has been clarified that General Office Building (LUC 710) is a more applicable land use for this project and hence the lower projected trip generation estimate. As the site traffic will be spread over two driveways, neither one should have over 300 trips per day, which will be below the Town's trip threshold for requiring a TIA. Therefore, based on the low projected trip volume, no roadway improvements are recommended based on this analysis, and no other analysis should be required for this development.

Please let me know if you have any questions or require any further information.

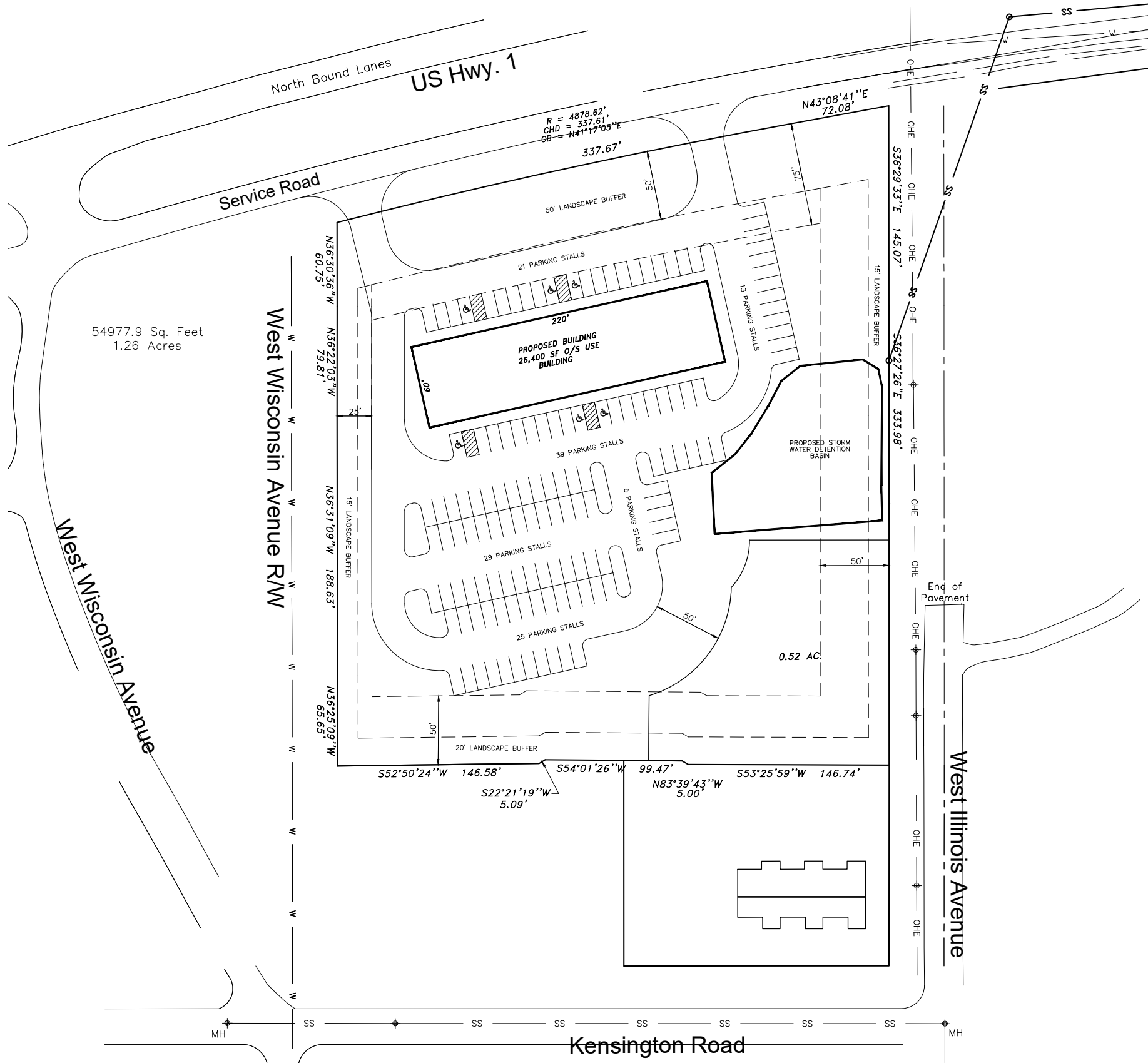
Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

Travis Fluitt, P.E.
Project Manager



VICINITY SKETCH
NOT TO SCALE



LEGEND

- W ——— EXISTING WATER MAIN
- SS ——— PROPOSED SANITARY SEWER
- EXISTING PROPERTY LINE
- PROPOSED CURB AND GUTTER
- PROPOSED BUILDING

NOTES:

PARCEL NUMBERS 98000377/858100080569
00037470 / 857100989888
20160148 / 857100988668
20020660 / 858100080718

CURRENT ZONING OFFICE SERVICE

WATERSHED HWQ CAPE FEAR BASIN
LITTLE RIVER (INTAKE #2)
TYPE WS-IIP

PARCEL IS ENTIRELY WITHIN THE HIGHWAY CORRIDOR OVERLAY
DISTRICT— URBAN TRANSITION

LANDSCAPE BUFFERS FRONT = 50'
SIDE = 15'
REAR = 20'

PARKING BUFFERS FRONT = 50'
SIDE = 25' (NON-RESIDENTIAL)
REAR = 50' (RESIDENTIAL)

ZONING SETBACKS FRONT = 15'
SIDE = 15'
REAR = 20'

HCO OVERLAY DISTRICT SETBACKS
FRONT BUILDING = 75'
PARKING AREA = 50'
LANDSCAPE BUFFER = 50'
SIDE & REAR RESIDENTIAL = 50'
SIDE & REAR YARD NON-RESIDENTIAL = 25'

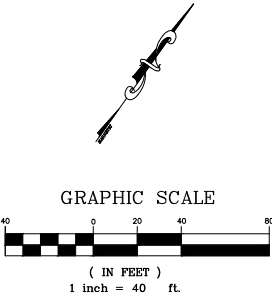
MAXIMUM PARKING PER TABLE 3-13 SOUTHERN PINES UDO
5 SF/1,000 SF BUILDING = 132 SPACES

PROPOSED SITE 3.51 ACRES

PROPOSED IMPERVIOUS SURFACES 1.84 ACRES

PROPOSED PERCENT IMPERVIOUS = 52.4%

PREPARED FOR:
TIARA PROPERTIES LLC
2236 KIVETT DR.
GREENSBORO, NC. 27406



REVISIONS		BARCZAK ENGINEERING SERVICES PLLC.	
DATE	BY	139 Grantham House Way, Apex, NC. 27523	
3/29/22	J.D.B.	414-425-4805 barczakengineering@gmail.com	
4/13/22	J.D.B.	TOWN OF SOUTHERN PINES, NC	
		OS ZONING LAYOUT	
		TIARA PROPERTIES LLC	
SCALE: HORIZ. 1" = 40'		JOB NO.: C22207R0	DATE: 3/29/22
DESIGNED BY: JEFFREY BARCZAK		DRAWN BY: JDB	CHECKED BY: JDB
APPROVED BY: _____		City Engineer	Date

DRAWING NO. C21804R0

SE Service Road Development

Table 1 - Trip Generation

Land Use	Intensity	Daily			AM Peak Hour			PM Peak Hour		
		Total	In	Out	Total	In	Out	Total	In	Out
<u>710</u> General Office Building	26,400 s.f.	364	182	182	54	48	6	55	9	46

K:\RAL_TPTO_Traffic\014906000 SE Service Road OS Building\[Trip Generation Worksheet (11th Edition).xls]Trip Gen

7/15/22

From: [RLUAC Executive Director](#)
To: [Cindy Williams](#)
Subject: RE: Z-01-23 Request to Rezone PARID 20160148
Date: Thursday, March 9, 2023 5:52:41 PM

Cindy,

RLUAC does not have any comments on this case.

Thanks,

Vagn

Vagn K. Hansen II, AICP, Executive Director
Regional Land Use Advisory Commission
6205 Raeford Road
Fayetteville, NC 28304
(910) 398-3743
director@rluac.com
www.rluac.com

From: Cindy Williams <CWilliams@southernpines.net>
Sent: Friday, February 24, 2023 10:13 AM
To: Archie Daniel <adaniel@southernpines.net>; Cindi King <CKing@southernpines.net>; Cory Albers <calbers@southernpines.net>; David Byrd <DByrd@southernpines.net>; Director <director@rluac.com>; James Michel <JMichel@southernpines.net>; Ken Skipper <KSkipper@southernpines.net>; NCDOT <djuarezpozos@ncdot.gov>; ncsandhillsrcw@fws.gov; Ron Istre <Ristre@southernpines.net>; Ron Maness <rmaness@moorecountyairport.com>
Cc: Alaina Mallette <amallette@southernpines.net>; Cindy Williams <CWilliams@southernpines.net>
Subject: Z-01-23 Request to Rezone PARID 20160148

Good morning,

Please see the attached information regarding the proposed zoning of a parcel that was previously owned by NCDOT and is not currently zoned. Please respond with any comments or concerns at your earliest convenience.

Thank you.

Sincerely,

Cindy Williams
Planning Department

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



**PLANNING BOARD
RESOLUTION TO ADOPT A WRITTEN RECOMMENDATION
FOR ZONING MAP AMENDMENT APPLICATION
Z-01-23**

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

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

WHEREAS, the Planning Board has reviewed the proposed zoning map amendment—which includes the written staff report, application materials, documentation, and maps showing the proposed district boundaries—and has conducted a public hearing on March 23, 2023, to listen to public comments, ask questions of the Town’s planning staff, and consider zoning map amendment application Z-01-23.

NOW, THEREFORE BE IT RESOLVED that the Planning Board finds and recommends to the Town Council that the proposed amendment to the Town of Southern Pines Zoning Map is reasonable, in the public interest, and consistent with the current character of the Memorial Park neighborhood. The Planning Board recommends adopting the zoning map amendment request for OS (Office/Service) districting on the northeast corner of the intersection of Southeast Service Road and West Wisconsin Avenue in the Town of Southern Pines. The proposed zoning amendment is consistent with the text of the Town of Southern Pines Comprehensive Long-Range Plan (CLRP) considering that the parcel has switched from public to private ownership and the OS zoning district will allow opportunities for economic development, housing, recreation, and/or public facilities and services. The Future Land Use Map does not categorize the subject parcel. Therefore, pursuant to NCGS 160D-605(a), a plan amendment to the CLRP Future Land Use Map and a zoning amendment should be considered concurrently with no additional request or application for a plan amendment required by the applicant. The Planning Board recommends the governing board adopt the zoning amendment and a plan amendment for Z-01-23.

ADOPTED this the 23rd day of March, 2023.

Gary Carroll, Chairman

ATTEST:

Cindy Williams
Secretary to the Planning Board

Agenda Item

To: Planning Board

From: Alaina Mallette, Senior Planner

Via: BJ Grieve, Planning Director

Subject: PD-01-23: West Southern Pines Morganton-Henley Conceptual Development Plan for a Planned Development District for +/-37 acres on the north side of West Morganton Road between South Henley Street and Patriot Boulevard; Petitioner: Town of Southern Pines, Southern Pines Housing Authority, and Rental Derby, LLC, by the Town of Southern Pines Planning Department (authorized agent)

Date: March 23, 2023

I. SUMMARY OF APPLICATION REQUEST:

The Town of Southern Pines Planning Department—on behalf of the Town of Southern Pines, the Southern Pines Housing Authority, and Rental Derby, LLC—has submitted a Conceptual Development Plan application pursuant to §2.18.4 of the Town of Southern Pines Unified Development Ordinance to create a mixed-use Planned Development District, which includes approximately 64 residential dwelling units for seniors, 9 additional dwelling units (not age-restricted), approximately 50,000 square feet of recreation space, approximately 171,000 square feet of office and retail space, and about eight acres of open space. The subject parcels are currently zoned FRR (Facilities, Resources, and Recreation) and are within the Urban Village Highway Corridor Overlay district and the West Southern Pines Overlay district. The parcels are identified as PIN 857100682968 (PARID 00991985), PIN 857107782687 (PARID 00991984), PIN 857107790157 (PARID 00039154), and PIN 857107686501 (PARID 98000748); and are owned by the Town of Southern Pines, the Town of Southern Pines, the Southern Pines Housing Authority, and Rental Derby, LLC, respectively.

Development of the subject properties will require adding streets through the Planned Development district, including providing a greenway connection from the intersection of West Lowe Avenue and South Stevens Street to Morganton Road through planned rights-of-way and open space. One of the Planned Development streets will be directly across from the new Morganton Park South Planned Development district. A conceptual transportation plan with streetscapes, rights-of-way descriptions, and standards was provided as part of the application.

Figure 1: Vicinity & Current Zoning Map (Subject Property outlined in Red). Note that the Town's water tower will be on its own parcel and is not considered to be a part of this conceptual development plan.



Figure 2: Oblique Aerial Image of Present Condition of Subject Property (June 17, 2021)



Figure 3: Proposed Conceptual Development Plan Layout (PD-01-23)



Figure 4: Proposed Conceptual Development Plan District Map (PD-01-23)



West Southern Pines: Morganton-Henley Planned Development

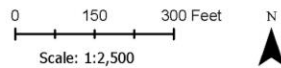
Conceptual Development Plan
District Map

Legend

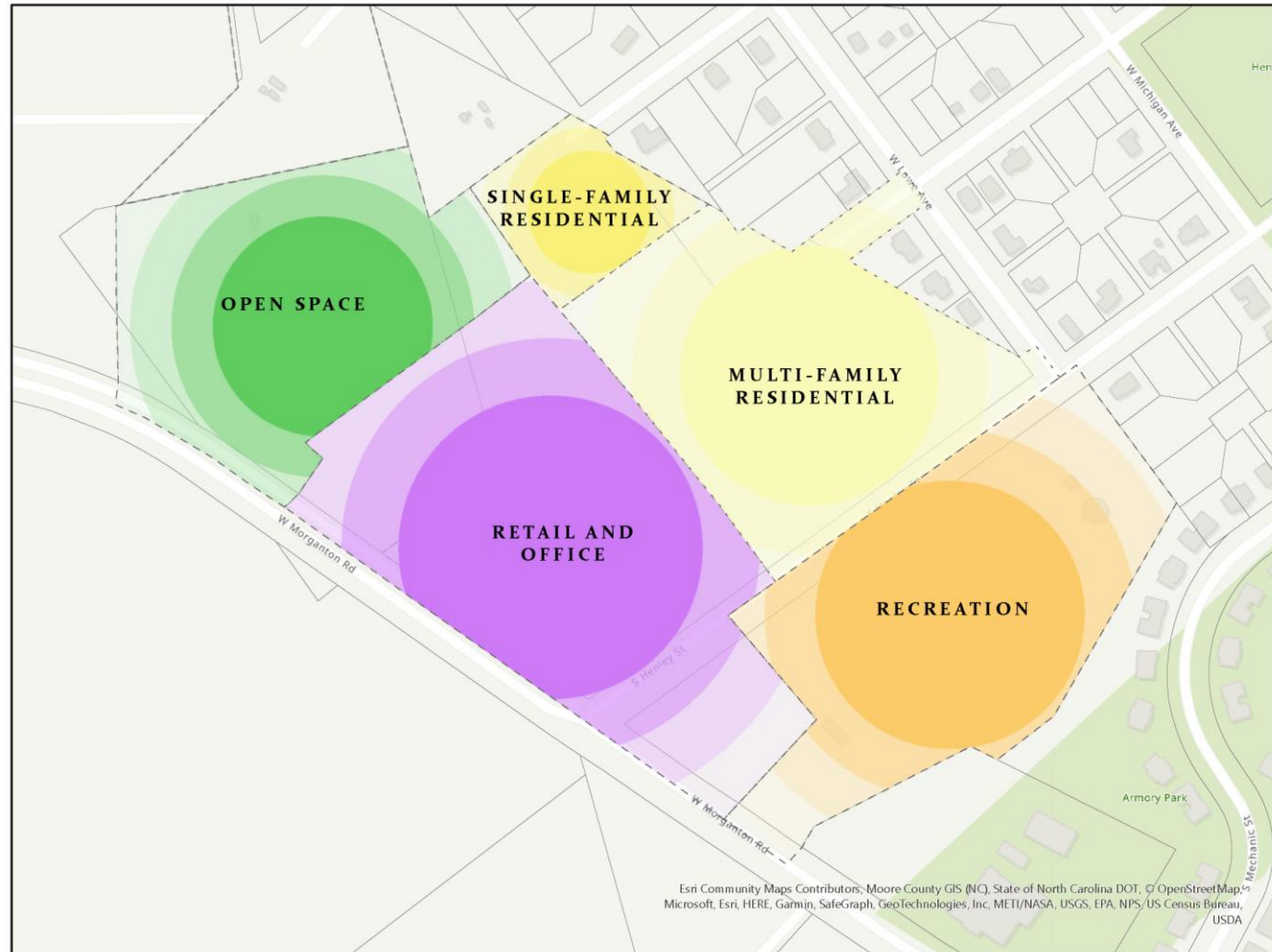
District

- Multi-Family Residential
- Open Space
- Recreation
- Retail and Office
- Single-Family Residential

Credits: Town of Southern Pines/AM (01/26/23)
Source Data: Town of Southern Pines (2023)



This information was compiled for planning purposes and is NOT a survey product. It may not be reproduced or transmitted for commercial purposes or for any other purpose without the prior authorization of the Town of Southern Pines. The Town shall not be liable for misuse or misrepresentation of this information. The Town makes no claim as to the accuracy or completeness of the data contained hereon.



Esri Community Maps Contributors: Moore County GIS (NC), State of North Carolina DOT, OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

II. STAFF REVIEW:

A. Review Process:

Applications for a Planned Development District (PD) are reviewed in accordance with UDO §2.18. Creating a Planned Development District is a three-step process including Conceptual Development Plan (CDP), Preliminary Development Plan (PDP) and Final Development Plan (FDP). The first step, CDP, is when the unique zoning standards to which the entire project will be subject in the future are established via a rezoning process. This application is for a CDP.

B. Application Review Dates:

- CDP Application Submitted: March 2, 2023
- The Town's Planning Department held two Neighborhood Meetings on January 6, 2023, and January 7, 2023, in compliance with UDO §2.18.3(D). The Town's Planning Department also held a site visit on January 5, 2023, to discuss the possible extension of South Stephens Street. Meeting minutes, copies of materials presented, and a sign-in sheet from the meeting are in Attachment 3.
- Application Deemed Complete: March 2, 2023
- Notice of March 23, 2023, Planning Board Public Hearing:
 - Posted On-site: March 2, 2023
 - Mailed: March 2, 2023
 - Publication Dates: March 8 and March 15, 2023
- Planning Board Regular Meeting: March 23, 2023

C. Criteria for Review:

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

Conceptual Development Plan

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

D. Staff Comments:

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

The applicant has provided narratives addressing consistency of the proposed CDP with the Town's Comprehensive Long-Range Plan. The applicant's narratives are

attached to this staff report. The Future Land Use designation of the subject property is “Parks/Open Space,” a designation with which the proposed Planned Development generally does not comply. However, approval of this CDP can concurrently amend the Future Land Use Map pursuant to State Statute Chapter 160D §605. Despite inconsistency with the Future Land Use Map, it is generally consistent with other chapters of the CLRP.

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

An application for approval of a Conceptual Development Plan (CDP) follows the procedure for a rezoning because the CDP document, once approved, will constitute the zoning of the subject properties. The criteria against which a CDP shall be reviewed are found in UDO §2.18.4(H). The applicants have provided a narrative and CDP zoning document addressing the purposes of a Planned Development per UDO §2.18.4(A), the criteria for a CDP per UDO §2.18.4(H), and the criteria for a zoning map amendment per UDO §2.17.9. Copies of the applicant’s narrative documents containing their descriptions of the manner in which the project meets applicable criteria are attached to this staff report.

iii. Deviations from Unified Development Ordinance (UDO):

The applicant has provided a narrative outlining the deviations from the UDO. The applicant has also provided zoning language in a separate document for the entire Planned Development district, which contains the development and design standards for each sub-district within the PD. Any development design requirements not specifically modified within the CDP will default to the requirements set forth in the UDO.

iv. Consultation with Technical Review Committee:

The proposed development was discussed with the Engineering Department on December 9, 2022, and was presented to the full Town of Southern Pines Technical Review Committee (TRC) on March 14, 2023. Discussion was held regarding the conceptual transportation plan, open space, and stormwater management. It was discussed that the hierarchy of streets is incorrectly classified based on anticipated traffic volumes. The CDP-identified residential sub-collector streets should be residential local streets and the commercial local street should be classified as a commercial collector. Furthermore, the Fire Chief stated that the residential alleys proposed in the Single-Family Residential sub-district should be residential local streets with at least 20 feet—curb to curb—width for fire truck access. He stated that there may be a design that allows for residential alleys behind the dwelling units, but each dwelling unit should front a residential local street. The TRC all agreed that at this conceptual stage it is okay to envision different scenarios and road types, and that the Preliminary Development Plan process will involve traffic impact analyses and proposed designs that allow for more detailed discussion and informed decision making.

Furthermore, Planning staff believed that the approximate eight acres of open space surrounding the proposed stormwater facilities should be undisturbed to maintain the integrity of the forested area for conservation and wildlife connectivity purposes. They believe that a multiuse trail can still cross the open space in a way that does not create a significant disturbance to the land. Therefore, future site plans for the developed area adjacent to the open space should have tree protection fencing to avoid damage to trees and vegetation in the open space areas.

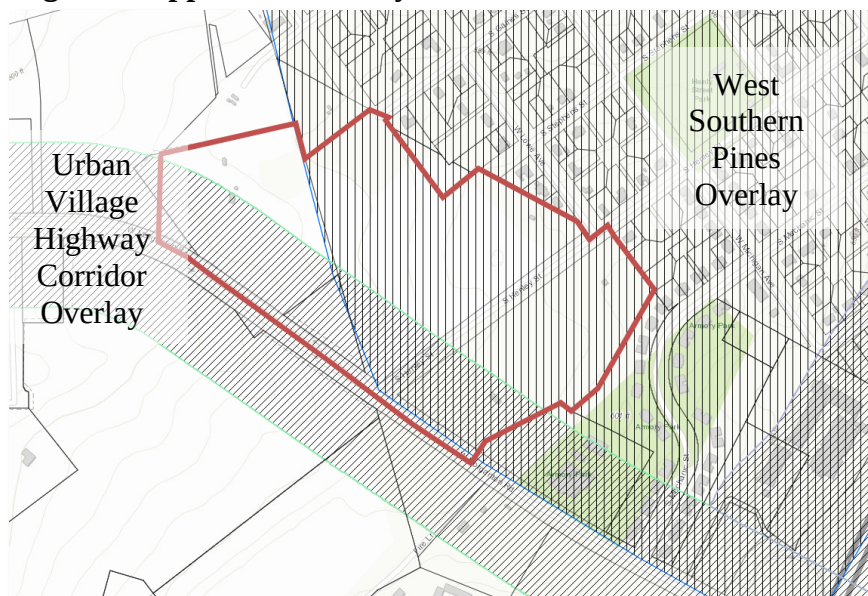
Lastly, stormwater retention for the retail/office and recreation sub-districts was discussed. Stormwater measures on land in the retail/office sub-district south of South Henley Street could create an agreement with the retail/office developer north of South Henley Street to pipe stormwater under South Henley Street toward stormwater retention facilities in the northwestern open space sub-district. The southern-most retail/office land could also create an agreement with the neighboring recreation developer or store stormwater on-site, as long as the post-development runoff rate is equal to or less than the pre-development rate.

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

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

- The proposed Planned Development is located within the West Southern Pines Overlay and Urban Village Highway Corridor Overlay districts.

Figure 5. Applicable Overlay Districts within PD



- Most of the acreage is town-owned. The town is working closely with the YMCA of the Sandhills to transfer ownership of the proposed recreation sub-district to them. The town is also working closely with the Cangas family to complete a land swap within the planned development district so that the land can be more easily developed. A draft of the proposed land swap can be seen in Attachment 7 (Additional Information). Lastly, the Southern Pines Housing Authority who owns a small parcel in the planned development district is in the process of quitclaiming the property to the Town of Southern Pines.
- An Environmental Site Assessment was conducted on the site in 2021, and the final report can be reviewed in Attachment 7 (Additional Information), as well. The study concluded that there are potential subsurface impacts from the former landfill operations on Area 1 in Figure 6 below. Concerns for redevelopment identified in the report include potential soil impacts, soil vapor impacts, groundwater impacts, and geotechnical impacts. The report further states that while the landfill appears to have been restricted to Area 1, there is potential that groundwater impacts from the landfill could migrate west-southwest under the southeast portion of Area 2 in Figure 6. To confirm the absence or presence of impacts, a Phase II assessment of the area would be required.



**Figure 6.
Former
Landfill Site
Potentially
Impacting
Environmental
Health**

- A Traffic Impact Analysis (TIA) is not required to be submitted with a Planned Development CDP application. General conceptual transportation planning information is provided in the CDP. A TIA will be required with each phase of development that will be reviewed individually as Preliminary Development Plans (PDP). Please note that previous conversations during the Morganton Park South planned development process brought up the possibility of putting a traffic light at the entrance to new Morganton Park South and the entrance to this proposed planned development on Morganton Road.

III. Cooperating Agency Review and Comments:

A request for comments from agencies was emailed to representatives of the Town's Technical Review Committee (TRC), the North Carolina Department of Transportation (NCDOT), U.S. Fish and Wildlife Service, Regional Land Use Advisory Commission (RLUAC) and Moore County Airport on March 2, 2023.

- RLUAC responded on March 9, 2023, and stated that they do not have any comments.

IV. ATTACHMENTS:

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

1. Deeds
2. Notification Materials
3. Neighborhood Meeting Report
4. CDP Zoning Text and District Map
5. CDP Narrative, Conceptual Transportation Plan, and Nature of Services
6. CDP Application
7. Additional Documentation
8. DRAFT Planning Board Resolution to Adopt a Written Recommendation
9. Agency Comments

V. PLANNING BOARD ACTION:

A request for approval of a Conceptual Development Plan is a request for a rezoning. Per North Carolina General Statute 160D-604(d), prior to consideration by the Town Council of the proposed Planned Development District - Conceptual Development Plan (CDP), the Planning Board shall advise and comment on whether the proposed CDP is consistent with the Comprehensive Long-Range Plan. The Planning Board shall provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendments by the Town Council.

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

I move that after reviewing the proposed Conceptual Development Plan and considering the criteria for approval of a Planned Development District found in UDO §2.18.4(H):

1. The requested Conceptual Development Plan is consistent with the Comprehensive Long-Range Plan for the reasons set forth in Attachment 8 of staff report PD-01-23;
2. The requested Conceptual Development Plan is consistent with the Comprehensive Long-Range Plan for the reasons set forth in Attachment 8 of staff report PD-01-23 as revised by the Planning Board;
3. The requested Conceptual Development Plan is inconsistent with the Comprehensive Long-Range Plan for the reasons set forth in Attachment 8 of staff report PD-01-23 as revised by the Planning Board;

I further move that the following other matters were considered by the Planning Board and shall be added to Attachment 8 by town staff as part of the Planning Board's written recommendation to the Town Council:

- 1.
- 2.
- 3.

And, therefore, I move to:

1. Recommend approval of PD-01-23 to the Town Council;
2. Recommend approval of PD-01-23 to the Town Council with conditions;
or
3. Recommend denial of PD-01-23 to the Town Council.

DOCUMENTARY \$1.10

NORTH CAROLINA,
MOORE COUNTY.

WARRANTY DEED

THIS DEED made this 31st day of July, 1943, by Margaret A. H. Tilghman of Moore County, North Carolina, party of the first part, to the Town of Southern Pines, a municipal corporation duly created, organized and existing under and by virtue of the laws of the State of North Carolina, the same being situate in Moore County, North Carolina, party of the second part.

WITNESSETH: That the said Margaret A. H. Tilghman, party of the first part, in consideration of the sum of Ten Dollars and other valuable considerations to her paid by the Town of Southern Pines, the receipt of which is hereby acknowledged, has bargained and sold, and by these presents does bargain, sell, and convey unto the said Town of Southern Pines, its successors and assigns, a certain tract or parcel of land situate in McNeill Township, Moore County, North Carolina, described and defined as follows, to-wit:

BEGINNING at the west corner of an eight acre tract of land sold to Maud Greely at a point at the northeasterly edge of the Mount Hope Cemetery Road, same being the old Pinehurst Road, approximately 1865 feet from Bennett Street, and running thence with said Old Pinehurst Road about 2200 feet to the fourth line of the 9½ acre Young Tract sold to George Gilghman in 1897; thence, with it North 36-45 West about 500 feet to its west corner; thence, with another line of it North 53-15 East 93 feet; thence, with another line of it North 78 East 620 feet to the Tilghman 23.9 acre tract; thence, with it North 15-55 West 370 feet to its north corner; thence, with another line of it (also the old Southern Pines Townsite line) South 60-59 East 1961 feet to the old Richards tract; thence, with it South 31-15 West 723 feet to the old Geyer tract acquired by G. W. Tilghman in 1907; thence, with it and the J. A. Morris tract acquired by G. H. Tilghman in 1908, South 61-30 East about 477.3 feet to the Maud Greely 8 acre tract; thence, with it about South 28.30 West about 409.2 feet to the beginning, containing about 49 acres, more or less, and comprising the unsold portions of the Tilghman land derived from the Young, Wilson, Geyer, and J. A. Morris tracts aforesaid.

TO HAVE AND TO HOLD the aforesaid tract or parcel of land and all privileges and appurtenances thereto belonging unto the said Town of Southern Pines, party of the second part, its successors and assigns forever.

And the said party of the first part covenants with the said party of the second part that she is seized of said premises in fee and has a right to convey the same in fee simple; that the same are free and clear of all incumbrances, and that she will forever warrant and will forever defend the said title to the same against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the said Margaret A. H. Tilghman, widow, has hereunto set her hand and seal, the day and year first above written.

Mrs. Margaret A. H. Tilghman (SEAL)

NORTH CAROLINA, MOORE COUNTY.

I, Evelyn Thomas, a Notary Public of the aforesaid County and State, do hereby certify that Margaret A. H. Tilghman, widow, personally appeared before me this day and acknowledged the execution of the foregoing Deed of Conveyance for the purposes therein expressed.

SEAL
Witness my hand and notarial seal, this 31st day of July, 1943.
My com. exp. Dec. 1, 1943.

Evelyn Thomas, Notary Public.

NORTH CAROLINA, MOORE COUNTY.

The foregoing certificate of Evelyn Thomas, a Notary Public of Moore County, North Carolina is adjudged to be correct. Let the instrument with this certificate be registered. Witness my hand and official seal, this 9th day of August, 1943.

Ethel Davis, Deputy Clerk Superior Court
for Moore County.

Filed: Aug. 9, 1943 at 2:20 P. M.
Registered: Aug. 17, 1943 at 11:05 A. M.

Bessie McCaskill, Register of Deeds.

STATE OF NORTH CAROLINA—Moore County.

THIS DEED, Made this 31st day of January, A.D. 19 51, by E. M. Aiken and wife, Herminia H. Aiken, Montgomery of ~~Moore~~ County and State of North Carolina, of the first part ~~and~~ to William L. Barbour (Unmarried)

of Moore County and State of North Carolina, of the second part:

WITNESSETH, That ~~the~~ said part ~~ies~~ of the first part, in consideration of Ten dollars (\$10.00) and other good and valuable considerations ~~to~~ to ~~them~~ paid by said part ~~y~~ of the second part, the receipt of which is hereby acknowledged, ha ~~ve~~ bargained and sold, and by these presents do ~~grant~~ bargain, sell and convey to said party of the second part, his ~~heirs and assigns~~ heirs and assigns, a certain tract or parcel of land in ~~State of~~ Township, Moore County/North Carolina, adjoining the lands of ~~and others, and bounded as follows, viz:~~

Certain lots, as shown on a map of E. M. Aiken property, Southern Pines, N. C., which map is duly recorded in the office of the Register of Deeds for Moore County, and said lots being more specifically identified as follows: In Block S and 9 as shown on said map, lots Nos. 1, 2, 3, 4, 5, 6, 7, and 8.

In Block S. and 10, lots Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20.

There is also hereby forever quitclaimed by the parties of the first part to the party of the second part, all right, title, interest, and possession in and to the alleyways between lots Nos. 1 and 2, 7 and 8, 13 and 14, and 19 and 20; Also there is hereby forever quitclaimed by the parties of the first part to the party of the second part the inner court of said Block, as shown on said map.

In Block S and 11, lots Nos. 3, 4, 5, 6, 9, 10, 11, 12, 21, 22, 23, and 24. There is hereby forever quitclaimed by the parties of the first part to the party of the second part all right, title, interest, and possession which the parties of the first part have, in and to the north, south, and east alleys in said Block S and 11, and all of the inner court in said block.

In Block T and 11, lots Nos. 1 and 3 as shown on said map.
In Block T and 12, lot No. 10 AS shown on said Map.

TO HAVE AND TO HOLD the aforesaid tract or parcel of land, and all privileges and appurtenances thereto belonging, to ~~the~~ said part ~~y~~ of the second part, ~~h~~ is heirs and assigns, to ~~their~~ only use and behoof forever. ~~And the said Parties of the first part for themselves and their heirs, executors and administrators, covenant with said party of the second part, his heirs and assigns, that they are seized of said premises in fee and have right to convey in fee simple; that the same are free and clear from all encumbrances, and that they do hereby forever warrant and will forever defend the said title to the same against the claims of all persons whomsoever. Except that said warranty shall not apply to those alleys and inner courts, hereinbefore quitclaimed.~~

IN TESTIMONY WHEREOF, the said E. M. Aiken and wife, Herminia H. Aiken., ha ~~ve~~ hereunto set ~~their~~ hand ~~s~~ and seal ~~s~~ the day and year first above written.
E. M. Aiken [SEAL]
Herminia H. Aiken [SEAL]

STATE OF NORTH CAROLINA. COUNTY.

I, _____, a _____ in and for said County and State, do hereby certify that _____ and _____, his wife, personally appeared before me this day and acknowledged the due execution of the foregoing deed of conveyance, and the said _____ being by me privately examined, separate and apart from her said husband, touching her voluntary execution of the same, doth state that she signed the same freely and voluntarily, without fear or compulsion of her said husband, or any other person, and that she doth still voluntarily assent thereto. Let the same, with this certificate, be registered.

Witness my hand and seal, this _____ day of _____, A.D. 19 _____.

STATE OF NORTH CAROLINA. Moore COUNTY.

I, Geneva Hall, Notary Public, _____, a _____ ~~do hereby certify that E. M. Aiken and wife, Herminia H. Aiken, personally appeared before me this day and acknowledged the execution of the foregoing instrument for the purpose therein expressed, and the same with due execution of the annexed Deed of Conveyance.~~

Witness my hand and notarial seal, this 3rd day of February, A.D. 19 51.

My commission expires: July 17, 1951 Geneva Hall, N. P. (Seal)

STATE OF NORTH CAROLINA—MOORE COUNTY.

The foregoing certificate of Geneva Hall, a Notary Public of Moore County, State of North Carolina, is adjudged to be correct. Let the instrument, with the certificate ~~s~~, be registered.

Witness my hand and official seal, this 6th day of February, A.D. 19 51.

Ethel Davis Deputy, Clerk Superior Court.

Filed at 4 o'clock PM, Feb. 6 1951 and registered at 10:45 o'clock A. M., Feb. 8, 19 51.

Bessie J. Griffin Register of Deeds.

For Registration Register of Deeds

Judy D. Martin

Moore County, NC

Electronically Recorded

May 28, 2021 9:51:49 AM

Book: 5625 Page: 451 - 453 #Pages: 3

Fee: \$26.00 NC Rev Stamp: \$430.00

Instrument # 2021012452

Excise Stamps \$430.00

Recording Time, Book & Page

Drafted by Robert M. Friesen, Attorney at Law

120 Applecross Road

Pinehurst, NC 28374

No Title Examination by drafting attorney

Brief Description for Index: 704 W Morganton Rd., Southern Pines, NC

Parcel ID# 98000748

NORTH CAROLINA GENERAL WARRANTY DEED

THIS GENERAL WARRANTY DEED made this 13th day of May, 2021, by and between **The Boys and Girls Club of the Sandhills, Inc., a North Carolina non-profit corporation**, (hereafter "Grantor"), of 160 Memorial Park Court, Southern Pines, NC 28387, and **Rental Derby, LLC, a North Carolina limited liability company** (hereafter "Grantee") of 39 Spearhead Drive, Whispering Pines, NC 28327.

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 McNeill Township, Moore County, North Carolina, and more particularly described as follows:

Being all of that real property that is currently identified by the Moore County Tax Department as being approximately 1.32 acres and having an LRK of 98000748 and PIN of 857107686501 and which real property is a portion of tract one of the tracts described in Deed Book 1589, Page 80, Moore County Public Registry and which real property is all of that property bounded on the North and West by property owned by the Town of Southern Pines which has

submitted electronically by "Clarke, Phifer, Vaughn, Brenner & McNeill, PLLC" in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Moore County Register of Deeds.

a current LRK of 991985 and PIN of 857107683906 and which is described in Deed Book 347, Page 777, Moore County Public Registry; and bounded on the North and East of property owned by the Town of Southern Pines which has a current LRK of 991984 and PIN of 857107782687; and is bounded on the South by the centerline of Morganton Road. This parcel is a right acute triangle in shape. The base of which runs with the centerline of Morganton Road, and the boundary lines adjacent to the base ("Adjacent Lines") run with the lines of the property owned by the Town of Southern Pines referred to hereinabove. Moreover, the Adjacent Lines run with portions of the 9th and 10th call of tract one of Deed Book 1589, Page 80, Moore County Public Registry.

And being a portion of the same property conveyed to Grantor in instrument recorded in Book 1589, Page 80, tract one, in the Moore County, North Carolina, Register of Deeds. The attorney preparing this instrument has not searched the title to the real property hereby conveyed and makes no opinion relative to the status of the title to the real property hereby conveyed.

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.

The property hereinabove described was acquired by Grantor by instrument recorded in Deed Book 3672, Page 558, Moore County Registry.

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

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

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

The 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.

[SIGNATURE PAGE TO FOLLOW]

[SIGNATURE PAGE TO NORTH CAROLINA GENERAL WARRANTY DEED]

IN WITNESS WHEREOF, the Grantors has hereunto set their/his/her hand and seal the day and year first above written.

The Boys and Girls Club of the Sandhills, Inc.
a North Carolina non-profit corporation

By: *Fallon Brewington* (SEAL)
Fallon Brewington, Chief Executive Officer

STATE OF NORTH CAROLINA, COUNTY OF MOORE

I, *Kimberly Talbert*, a Notary Public for said County and State, do hereby certify that Fallon Brewington, Chief Executive Officer of The Boys and Girls Club of the Sandhills, Inc., either ☐ being personally known to me or ☒ proven by satisfactory evidence, personally appeared before me this day, and acknowledged the voluntary due execution of the foregoing instrument by her for the purposes stated therein. Witness my hand and notarial seal, this *26* day of *May*, 2021.

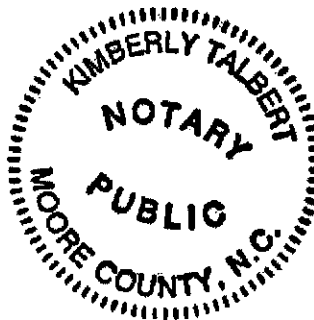
Kimberly Talbert
Notary Public

Name:

Kimberly Talbert
Printed Name of Notary Public

(Official Seal)

My Commission Expires: *3/11/24*



PARID	NAME	SECOND NAME	MAILING ADDRESS	MAILING CITY	MAILING ST^	MAILING ZIP
30809	ALFORD, JOSEPHINE (HRS)	C/O ANN ALFORD DUQUESNAY	700 VICTORY BLVD 16C	STATEN ISLAND	NY	10301
41179	BERRY, BRENDA MARSHALL& OTHERS		518 NORTH VANCE ST	RED SPRINGS	NC	28377
32112	CAROLINA POWER & LIGHT CO	ATTN TAX SECTION	PO BOX 1551	RALEIGH	NC	27602
38997	CHALMERS, JOYCE M & MILLER, DONNIE	MILLER, NANCY & OTHERS	980 W LOWE AVE	SOUTHERN PINES	NC	28387
37312	CRUSADE FOR CHRIST DELIVERANCE CENTER	TRUSTEES, C/O FRANCES BENYMON	190 RYDER CUP BLVD	PINEBLUFF	NC	28373
37130	GRANA, CATHERINE R		885 S STEPHENS STREET	SOUTHERN PINES	NC	28387
31763	HALL, BENJAMIN F		13200 WEST BLVD	LAURINBURG	NC	28352
36140	KEARNS, JEANETTE M (LE)	C/O REBECCA JONES	10225 CHILVARY DR	CHARLOTTE	NC	28277-0222
35396	KNIGHT, GAIL		955 S GAINES ST	SOUTHERN PINES	NC	28387-5121
35532	LAMBERT, BOBBY J		900 LOWE AVE	SOUTHERN PINES	NC	28387-5126
35751	LOFTON, BEVERLY G	LOFTON, EUGENE & OTHERS	424 N ROTARY DRIVE	HIGH POINT	NC	27262
35750	LOFTON, EUGENE		4001 LINDEN TERRACE	DURHAM	NC	27705
35747	LOFTON, VERONICA		4894 DROWNING DR	COLUMBUS	OH	43232
41540	MATTHEWS, WALTER JUNIOR	& GASTON JONES	7950 WILLOWGLEN DR	RALEIGH	NC	27616
36834	MCCRIMMON, MYRTLE		4812 ALENJA LANE	RALEIGH	NC	27616
36836	MCCRIMMON, MYRTLE		4812 ALENJA LANE	RALEIGH	NC	27616
992381	MCCRIMMON, MYRTLE	MCCRIMMON, CURTIS TG	4812 ALENJA LANE	RALEIGH	NC	27616
98000325	MCCRIMMON, MYRTLE	MCCRIMMON, CURTIS TG	4812 ALENJA LANE	RALEIGH	NC	27616
36441	MCLEAN, RONNIE LEE		704 FRIAR TUCK LN	SALISBURY	MD	21804-9090
34605	MCNEILL, EDNA L		850 W LOWE	SOUTHERN PINES	NC	28387
35752	MCNEILL, EDNA LOFTON		850 W LOWE AVE	SOUTHERN PINES	NC	28387
36835	MONROE, WARREN GERARD	MONROE, MARCIA	1105 W NEW YORK AVE	SOUTHERN PINES	NC	28387-4512
20210665	MONROE, WARREN GERARD	MONROE, MARCIA	1105 W NEW YORK AVE	SOUTHERN PINES	NC	28387-4512
39173	MOORE HL PROPERTIES, INC		55 WALNUT CREEK RD	PINEHURST	NC	28374
98000749	MORGANTON ROAD ENTERPRISES, LLC	VAN CAMP, THOMAS M TRUSTEE & OTHERS	PO BOX 1389	PINEHURST	NC	28370
37053	NATIONAL GUARD ARMORY		510 E MORGANTON RD	SOUTHERN PINES	NC	28387
20190272	PINEHURST SURGICAL CLINIC	REALTY LLC	5 FIRST VILLAGE DRIVE	PINEHURST	NC	28374
20220002	PINEHURST SURGICAL CLINIC	REALTY LLC	5 FIRST VILLAGE DRIVE	PINEHURST	NC	28374
32993	PTM PROPERTIES LLC		PO BOX 2704	SOUTHERN PINES	NC	28388
38304	R&M COMMERCIAL, LLC		335 FIELDS DR	ABERDEEN	NC	28315
38305	R&M COMMERCIAL, LLC		335 FIELDS DR	ABERDEEN	NC	28315
38306	R&M COMMERCIAL, LLC		335 FIELDS DR	ABERDEEN	NC	28315
36810	RICKMAN, MERRY STUBBS		899 S STEPHENS STREET	SOUTHERN PINES	NC	28387
36945	S & L USA, LLC		960 MONTICELLO DR	PINEHURST	NC	28374
39576	SHODJA, QUMARS		960 MONTICELLO DR	PINEHURST	NC	28374
39008	SMITH, ANGELA RENEE		900 W LOWE AVE	SOUTHERN PINES	NC	28387
39009	SMITH, ANGELA RENEE		900 W LOWE AVE	SOUTHERN PINES	NC	28387
40402	SMITH, LINDA		940 W LOWE AVE	SOUTHERN PINES	NC	28387
39140	TOWN OF SOUTHERN PINES		PO BOX 870	SOUTHERN PINES	NC	28388
39155	TOWN OF SOUTHERN PINES		PO BOX 870	SOUTHERN PINES	NC	28388
39160	TOWN OF SOUTHERN PINES		PO BOX 870	SOUTHERN PINES	NC	28388
39161	TOWN OF SOUTHERN PINES		PO BOX 870	SOUTHERN PINES	NC	28388
39162	TOWN OF SOUTHERN PINES		PO BOX 870	SOUTHERN PINES	NC	28388
39163	TOWN OF SOUTHERN PINES		PO BOX 870	SOUTHERN PINES	NC	28388
39166	TOWN OF SOUTHERN PINES		PO BOX 870	SOUTHERN PINES	NC	28388
55865	TOWN OF SOUTHERN PINES		PO BOX 870	SOUTHERN PINES	NC	28388

992260	TOWN OF SOUTHERN PINES		125 SE BROAD STREET	SOUTHERN PINES	NC	28387
20220003	TOWN OF SOUTHERN PINES		PO BOX 870	SOUTHERN PINES	NC	28388
39149	TOWN OF SOUTHERN PINES		PO BOX 870	SOUTHERN PINES	NC	28388
39149	TOWN OF SOUTHERN PINES		PO BOX 870	SOUTHERN PINES	NC	28388
37588	VAN CAMP, ROBERT W & JULIE M TRUSTEES	VAN CAMP, THOMAS M TRUSTEE	PO BOX 1389	PINEHURST	NC	28370
20190145	VAN CAMP, ROBERT W TRUSTEE	VAN CAMP, JULIE M TRUSTEE	PO BOX 1389	PINEHURST	NC	28370

West Southern Pines – Morganton-Henley Conceptual Development Plan Neighborhood Meeting and Visual Preference Survey

Summary of Public Comments and Responses

Authorized and Prohibited Use Feedback

Authorized Uses

- Small grocery, bodega, or convenience (not supermarket) stores for folks who do not drive
 - Fruit and veggie market
- Pharmacy or drug store would be helpful for the aging community
- Clothing stores
- Farmers' market
- Art and kid-friendly museums
- Botanical gardens
- Skating rink and/or park
- Independent artwork
- Indoor/Outdoor community centers and gathering spaces, especially for the senior rentals
- Open space, parks, picnic areas, and trails
- A "dessertery" and/or a food hall
- Bar or tavern that is within a walkable distance
- Live music, gathering spaces, and picnic areas where families can gather
- Playground for kids that are safe, well lit, have good visibility and a recreation room

Prohibited Uses

- Supermarkets (e.g., Lowe's, Harris Teeter, Walmart sized superstores)
- Furniture stores
- Home goods stores
- Tobacco stores "not good for this area"
- Bar and/or tavern

General Comments

- Uses should have landscaping requirements. Brookside Apartments is an example of what not to do, since it has poor landscaping.
- An employment agency "might be stretching it," but could be helpful
- Common space with programming for seniors would be good
- Want "something else besides Lowe's (Home Improvement)"
- It seems that there is adequate green space but what will it contain? Will it be just woods or some type of walkable space?

Office and Retail Feedback

Picture	Comments	Sample Size	Mean (MOE with 95% Confidence)	Standard Deviation
	<u>Like</u> • Downtown look/Matches Downtown • Character • “Town-like” atmosphere and charm • Good option for retail • Welcoming • Nice streetscape • Changing rooflines and building heights • Brick <u>Dislike</u> • One-story buildings • Limited parking	46	6.9 (+/-0.9)	3.1
	<u>Like</u> • Windows/Glass • Good option for office space • “Clean lines, light, and airy” • “Fit” within the area • Inviting • Modern <u>Dislike</u> • Too modern/contemporary • Too industrial • Bland/Too suburban • Too much glass • Heating/cooling costs/Efficiency	54	6.0 (+/-0.9)	3.4

Picture	Comments	Sample Size	Mean (MOE with 95% Confidence)	Standard Deviation
	<u>Like</u> • Stone masonry • Appealing architectural design • “Fit” within the area, especially the new medical buildings • Colors <u>Dislike</u> • Bland/Too suburban	50	5.8 (+/-0.9)	3.2
	<u>Like</u> • Mix of materials • Appealing architectural design <u>Dislike</u> • Too modern • Bland/Too suburban	54	5.3 (+/-0.8)	2.9

Picture	Comments	Sample Size	Mean (MOE with 95% Confidence)	Standard Deviation
	<u>Like</u> • Windows • Color <u>Dislike</u> • Bland/Too suburban • Too much glass	48	4.4 (+/-0.8)	2.7
	<u>Like</u> • Color <u>Dislike</u> • Too modern/contemporary • Too industrial • Bland/Too suburban	51	3.9 (+/-0.8)	2.9

Picture	Comments	Sample Size	Mean (MOE with 95% Confidence)	Standard Deviation
	<u>Like</u> • Good option for office space • Brick fits with community building materials/aesthetics • Appealing architectural design • Roofline <u>Dislike</u> • Bland/Too suburban • Brick color too outdated • Not enough landscaping • Looks like a medical facility • Carport	49	3.8 (+/-0.8)	2.7
	<u>Like</u> • Brick fits with community building materials/aesthetics • Appealing architectural design <u>Dislike</u> • Bland/Too suburban • Brick color too outdated	48	3.6 (+/-0.7)	2.5

Picture	Comments	Sample Size	Mean (MOE with 95% Confidence)	Standard Deviation
	<u>Like</u> • Color <u>Dislike</u> • Too modern/contemporary • Too industrial • Bland/Too suburban • Too much glass	49	3.3 (+/-0.8)	2.9

General comments

- The feedback on the office and retail space is more on the proposed conceptual renderings of the space. When looking at the image on the survey (#7,8 and 9 photos) would be more closely to the character of the neighborhood. As stated in previous conversations, I feel if the building is too high end any new opportunity for entrepreneurship would not be pursued. It would be my understanding that the overall objective is for the proposed development to maximize the rate of economic return for the community as well as for the town.
- I prefer the charm of “town like” atmosphere instead of office buildings
- The more we can make these developments look like a community and like they've always been here the better
- I love the idea of a walkable space - especially since the farmers market will be close by and because it's in an area where people can walk from the surrounding neighborhoods
- The metropolitan styles don't sit well for us because we'd love the small town feel to remain & not just be a few big buildings filled with offices. We also aren't really up for the "mall" feel of the larger buildings either.
- I feel like none of them fit the vibe of town!
- There was little welcoming outdoor space for pedestrians, no seating, no gathering spots. There was little human scale landscaping. The glass buildings are oppressive. A retail and office development needs to integrate pedestrian, vehicular have attractive outdoor living areas for people to sit, gather, eat lunch rest. The outdoor people spaces do not need to be large. They can be small and inviting and comfortable. The buildings need windows to give a hint of the indoor activity and provide the people inside natural light. The buildings should not have walls of highly reflective glass. The outside of the buildings needs visual consistency but within that variety with some solid areas and some areas of windows. They need details to stimulate and engage people. People do not like glass block buildings or concrete block buildings. They have no interest or human scale. It is fine to have an architectural feature that stands out, perhaps to

signify the main entrance of the structure. Likewise, the outdoor areas can contain a prominent feature or features that signify how to use the space, perhaps walls and lighting to help one navigate the space or a fountain where people can gather as community.

- Didn't care too much for most of them as they didn't seem to fit the architecture of Southern Pines. And definitely needed more greenery and naturalness.
- We need to have walkways, trees, and seating to enjoy the area and environment that makes Moore County so unique
- I gravitate towards more glass and windows
- Don't make it look like Fayetteville area with vacant plazas and too much development and parking

YMCA Feedback

Picture	Comments	Sample Size	Mean (MOE with 95% Confidence)	Standard Deviation
	<u>Like</u> • Wood accents • Front Setback • "Very, very cool" and stands out • More architecturally appealing • Unique • Outdoor seating • Changing rooflines • Segmenting • Elevated patio • Brick and glass façade • Greenway <u>Dislike</u> • Can see people working out	45	7.0 (+/-0.8)	3.2
	<u>Like</u> • "Neighborhood" feeling • Maximizes space • Patio	47	5.9 (+/-0.8)	2.8

Picture	Comments	Sample Size	Mean (MOE with 95% Confidence)	Standard Deviation
	<u>Like</u> - Welcoming <u>Dislike</u> - Too many elements - Too many windows (e.g., ground to roof)	44	5.6 (+/-1.0)	3.0
	<u>Like</u> - Wood accents - More architecturally appealing - Changing rooflines - Variety of building materials <u>Dislike</u> - Too many elements	45	5.6 (+/-0.9)	3.1
	<u>Like</u> - Maximizes space <u>Dislike</u> - Not modern enough - Looks like a medical facility - Not enough landscaping	41	5.5 (+/-0.8)	3.2
	<u>Like</u> - s <u>Dislike</u> - Too many elements	42	5.3 (+/-0.9)	2.8

Picture	Comments	Sample Size	Mean (MOE with 95% Confidence)	Standard Deviation
	<u>Like</u> - Maximizes space - Colorful <u>Dislike</u> - Not enough landscaping	42	5.3 (+/-0.8)	2.7
	<u>Dislike</u> Too many windows/glass (e.g., ground to roof)	45	4.4 (+/-0.8)	2.9
	<u>Like</u> - Maximizes space <u>Dislike</u> - Looks like a medical facility	42	3.8 (+/-0.8)	2.5

General Comments

- As for the YMCA-that is a done deal literally. The concern is how the structure will look as it relates to the community and its overall character.
- To "preserve the neighborhood's culture and character," I would hope some of the longleaf pine forest, for which Southern Pines is named, will be left intact.
- I liked the modern look they will bring to the community
- Like a mix of windows and brick. Wider sidewalks with sitting areas if you are waiting for others. Entries with larger covered areas seem more welcoming and encourage gathering.

- Sidewalks and an outdoor area would be really nice
- Too much glass seems too modern and out of place for our community
- Big windows, modern design, plenty of greenscaping & the flag pole really stood out to me.
- All really good options. There wasn't one I didn't like or would think was "ugly"
- I like the options with a mixture of brick and glass. Some of the options looked very modern which I think doesn't fit in with the character of southern pines.
- I like that some of the others have a ton of windows, but I wouldn't necessarily want people outside to be able to see in all the time.
- The YMCA should be integrated with outdoor recreation space also. It should be easy for people to walk or bike to it, have seating near the entrance for people to wait to be picked up by vehicle. Southern Pines is more of a brick, wood and stone town not a glass and steel community.
- I liked when I could easily tell where the entrance was. I liked when it looked like the roofline wasn't so complicated as to leak in a few years or there were useless windows to greenhouse and overheat the interior, or just so much glass to consider keeping it clean. Function is important.
- The architecture just didn't seem to be compatible with Southern Pines. Again, no greenery which is badly needed, as well as outdoor lounging spaces.
- Too many windows make the building too hot in the sun. So, breaking up the windows with some brick elements helps with maintaining interior temperatures.
- Mirrored windows could help protect patrons' privacy, especially in athletic areas.
- Use green infrastructure in the design

Affordable Senior Rental Housing Feedback

Picture	Comments	Sample Size	Mean (MOE with 95% Confidence)	Standard Deviation
	<u>Like</u> • Upscale • Deep, covered porch entries • Sidewalks • Landscaping/Mature trees • Building materials • One level <u>Dislike</u> • Too expensive to be affordable	40	7.1 (+/-2.8)	3.0
	<u>Like</u> • Similar to neighborhood's residential character • Landscaping/mature trees • Deep, covered porch entries • Sidewalks • Building materials • Overall design • One level	40	7.1 (+/-1.7)	2.7

Picture	Comments	Sample Size	Mean (MOE with 95% Confidence)	Standard Deviation
	<u>Like</u> • Similar to neighborhood's residential character • Greenspace • Sidewalks • Mature trees • Building materials • Inviting <u>Dislike</u> • Two stories	36	5.4 (+/-1.5)	3.0
	<u>Dislike</u> • Parking is too far away • Cheap building materials • Looks like military/government housing • Unwelcoming	35	3.9 (+/-0.8)	2.5

Picture	Comments	Sample Size	Mean (MOE with 95% Confidence)	Standard Deviation
	<u>Like</u> • Deep, covered porch entries • Brick, building materials, traditional Southern Pines building materials • Sidewalks • Mature trees • Building dimensions • Overall design <u>Dislike</u> • Too expensive to be affordable • Too colonial	34	3.4 (+/-2.9)	3.4

General Comments

- Functionality and accessibility
 - As stated previously, the amount of housing for Seniors is more than the development for the homeownership section. It's like a 2 to 1 ratio. In the conceptual design it would be desired from my perspective to have a one level housing like the concept design (#1 photo). Given that anything with more than one level would increase the opportunity of injury.
 - Should be one level, handicap accessible (i.e., no steps or stairs), and have some "individuality" and areas to be outside and walk with emergency care.
 - Single story is a good idea and should look like single-family dwelling units
 - Senior housing would seem to benefit from parking in front or the side of the home to minimize unloading a vehicle from shopping.
 - Entryways and porches should be accessible via sidewalk from the street and parking areas directly with no steps.
 - I feel as though senior living shouldn't have second floors. Also, to increase the community involvement there should be a yard to add a need for local yard maintenance crews to bid on the jobs, in turn, economical give back.
- Design
 - Maintain the look of community
 - I liked more porch space to sit outside for fresh air and to interact with neighbors.
 - All [images are] great options
 - Need a sound buffer (e.g., trees) and to keep it a serene area
- Uses: I believe many seniors would appreciate some sort of community space
- Concerns: Why does the currently low noise and mostly safe Stephens Street have to bear the brunt of this development? Will units be attached/share a wall?

Affordable Homeownership Feedback

Picture	Comments	Sample Size	Mean (MOE with 95% Confidence)	Standard Deviation
	<u>Like</u> • No stairs to front door • Design • Porch • Curbside appeal • Landscaping • Spacious yard <u>Dislike</u> • Driveway and path to entry material • Brick might look better	39	7.2 (+/-1.5)	2.0
	<u>Like</u> • Porch • Changing roofline <u>Dislike</u> • Steps to porch	34	6.4 (+/-1.3)	2.0

Picture	Comments	Sample Size	Mean (MOE with 95% Confidence)	Standard Deviation
	<u>Like</u> - No stairs to front door - Porch - Design - Roofline	36	6.3 (+/-1.2)	2.4
	<u>Like</u> - Economical - Good for families, especially young families <u>Dislike</u> - Stairs are too steep - Not good for seniors - Too boxy	34	6.0 (+/-3.9)	2.8

Picture	Comments	Sample Size	Mean (MOE with 95% Confidence)	Standard Deviation
	<u>Like</u> • Brick • Porch (front and back) • Size • Style • Upscale affordable home <u>Dislike</u> • Stairs are too steep • Proportions/Asymmetry • Too flat roofline and pitch • Too boxy • Not large enough for families 4 or more	36	5.9 (+/-1.0)	3.0
	<u>Dislike</u> • Stairs are too steep	33	5.7 (+/-2.5)	2.4

Picture	Comments	Sample Size	Mean (MOE with 95% Confidence)	Standard Deviation
	<u>Like</u> • Wraparound porch <u>Dislike</u> • Stairs are too steep	34	4.8 (+/-3.2)	2.7

General Comments

- Regarding the affordable homeownership concept for the proposed development, the amount of space proposed for that section is less than that for the Senior Housing section. The first photo in the survey link is closely related to the homes that are in the area. The second photo in the survey link is more closely relatable to the character of the community as well as the fourth picture. The preferred material for the homes would be brick but cost would be a factor in the overall design. The other concerns are the trees and how they would be retained. Though there could be an option of either one or two stories or a mix of both in the development.
- In looking at the area in its entirety, the concern is balanced within the entire development. In looking at the senior housing versus the new homeownership area it looks uneven, understanding that there is a need for senior housing, the proposed plan but the amount of senior obviously outweighs the need for new home ownership opportunities.
- I also think the blending of what has developed across US1 would tie into the area & connect the communities a little better. The need for sidewalks & bike paths is a big deal for our area too.
- Regarding homeownership, any of the images would work in the neighborhood.
- the homes should come as closely to reflecting the neighbor that it will be built in. Brick exterior and ranch-style look would be a more preferred look since most of the homes in the neighborhood do reflect that type of housing.
- Porches should be large enough to sit in and have a small table. Most of them did not have attractive landscaping. Trees that grow large are most important.
- All of these homes are acceptable. Please be sure to build some of these with handicapped accessibility in mind. Ramps instead of entry stairs.

Signage Feedback

Picture	Comments	Sample Size	Mean (MOE with 95% Confidence)	Standard Deviation
	<u>Like</u> • Good for entrances, exits, and greenways • A guide to markers and West Southern Pines historical sites marked by historical signage <u>Dislike</u> • Too much to comprehend	6	9.7 (+/- 0.4)	0.5
	<u>Like</u> • Good to have an opportunity to highlight community organizations • Top "Welcome to Historic" part <u>Dislike</u> • Too busy	4	9.3 (+/-0.9)	1.0

Picture	Comments	Sample Size	Mean (MOE with 95% Confidence)	Standard Deviation
	<u>Like</u> • Murals, especially if it includes the longleaf pine in some way • Brightness	6	8.8 (+/-1.1)	1.3
	<u>Like</u> • Understandable • Good for street corners	5	8.8 (+/-1.0)	1.1

Picture	Comments	Sample Size	Mean (MOE with 95% Confidence)	Standard Deviation
	<u>Like</u> Good for wayfinding, especially if used with wayfinding signage to identify and define West Southern Pines historical landmarks	6	8.5 (+/-0.7)	0.8
	None	4	7.8 (+/-3.8)	3.9

Picture	Comments	Sample Size	Mean (MOE with 95% Confidence)	Standard Deviation
	None	5	7 (+/-3.5)	3.9
	<u>Like</u> Matches Southern Pines downtown	3	6.7 (+/-5.6)	4.9

Picture	Comments	Sample Size	Mean (MOE with 95% Confidence)	Standard Deviation
	<u>Like</u> Easy to read	4	4.8 (+/-3.7)	3.8
	<u>Dislike</u> Looks like Florida	3	2 (+/-2.0)	1.7

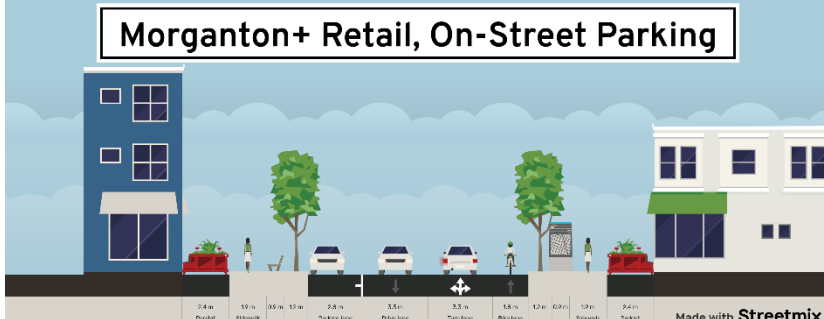
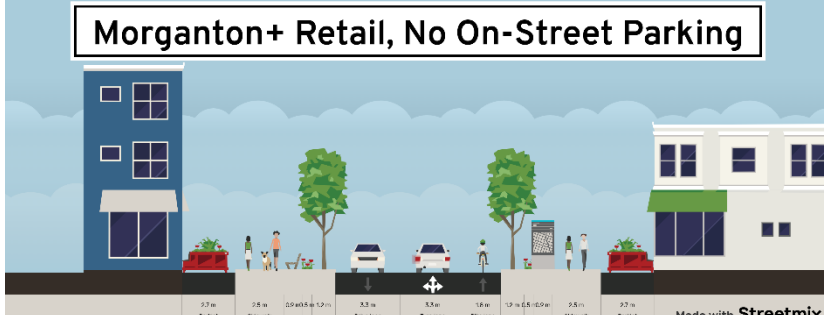
Picture	Comments	Sample Size	Mean (MOE with 95% Confidence)	Standard Deviation
	<u>Dislike</u> • Hard to read • Confusing	5	2 (+/-0.9)	1
	<u>Like</u> • Size <u>Dislike</u> • Boring	5	1 (+/-0)	0

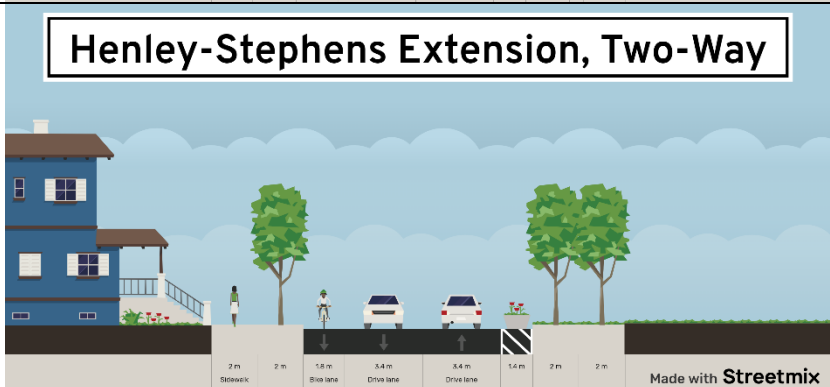
General Comments

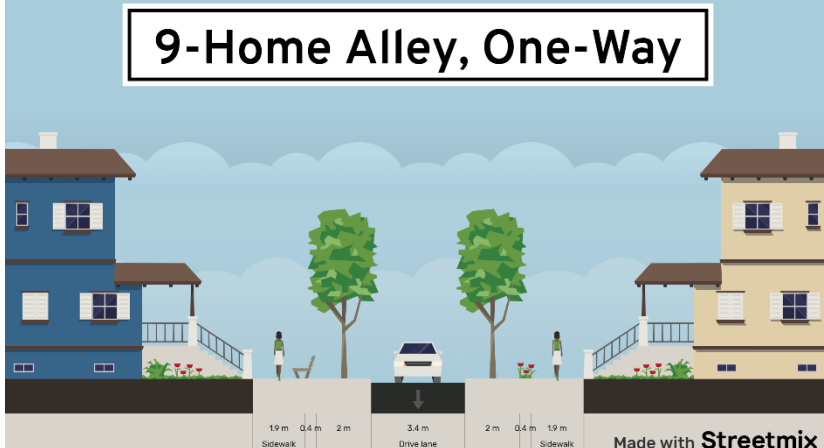
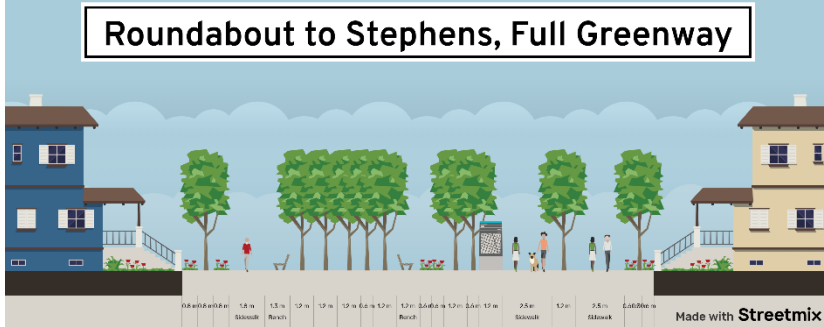
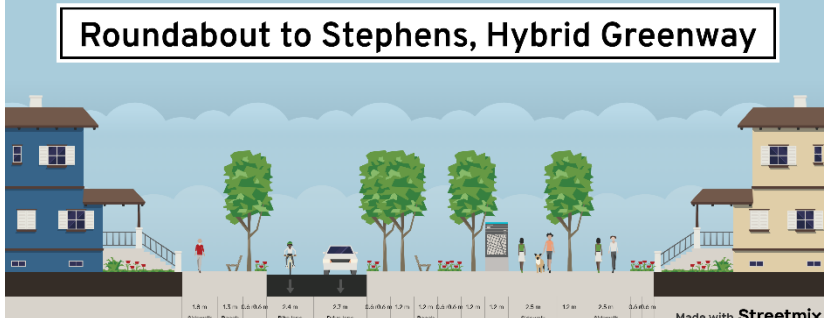
- What about a sign or memorial to the West Southern Pines Black township?
- Are wayfinding maps really necessary?
- There should be a welcome sign on the corner of Morganton and Henley
- Signage should be similar to the Southern Pines train station sign to keep similar aesthetics across the community

Transportation Facilities Feedback

Transportation feedback was provided primarily in the two neighborhood meetings. Town of Southern Pines planning staff and several town council members met with community members at the corner of West Lowe Avenue and South Stephens Street to discuss the possible extension of South Stephens Street all the way to West Morganton Road. Furthermore, the Town of Southern Pines is simultaneously updating its comprehensive long-range plan, and relevant comments from an “On the Table” community conversation for West Southern Pines have also been included.

Picture	Comments
 Morganton+ Retail, On-Street Parking	<u>Like</u> • Parklets with planters and seating for businesses • Wayfinding signage • Wide sidewalks (>6 feet) • Benches • Bicycle boulevard (i.e., lane sharing)
 Morganton+ Retail, No On-Street Parking	<u>Like</u> • Parklets with planters and seating for businesses • Wayfinding signage • Wide sidewalks (>6 feet) • Benches • Bicycle boulevard (i.e., lane sharing)

Picture	Comments
Retail & Senior Rentals, Two-Way  Made with Streetmix	<u>Like</u> • Benches • Bicycle boulevard (i.e., lane sharing)
Henley-Stephens Extension, Two-Way  Made with Streetmix	<u>Like</u> • Wide sidewalks (>6 feet) • Bicycle boulevard (i.e., lane sharing)

Picture	Comments
9-Home Alley, One-Way  Made with Streetmix	<u>Like</u> • Wide sidewalks (>6 feet) • Benches
Roundabout to Stephens, Full Greenway  Made with Streetmix	<u>Like</u> • Enhances and respects the current and past use of the existing town land as a gathering and walking space • Love greenway and there isn't one like it in WSP • Love the greenway • No [road] extension, [just] add the greenway • Great for biking and walking • Children would enjoy • All the walking/gathering space • Benches
Roundabout to Stephens, Hybrid Greenway  Made with Streetmix	<u>Like</u> • Wayfinding signage • All the walking/gathering space • Benches • Bicycle boulevard (i.e., lane sharing)

General Neighborhood Meeting Comments

- Of course, the Stephens Street issue is still going to be delicate. As what was spoken about having some of that area as green space could be a favorable option.
- Morganton Park South traffic light intersection with project area will need a pedestrian- and bike-friendly crossing (above or below ground)
- It would be better if the project area could use existing ROWs northward to connect to the Southern Pines Elementary (e.g., from Gaines to Carlisle)
- Open the connection between Michigan Ave/Mechanic St and Henley St, so traffic can flow from West Southern Pines to Morganton without hitting bottlenecks at Henley St and Morganton Rd
- Any future traffic impact studies should include appropriate peak times for the area surrounding the Southern Pines Elementary and the corner of Henley and Morganton
- Briar Creek Parkway in Raleigh is a good precedent to follow on how to have a lot of parking, but very pedestrian-friendly and walkable streetscapes
- West Pennsylvania makes a better gateway to West Southern Pines
- Wide sidewalks (>6 feet)
- Streetlights lighting should not shine into residential homes, but are good for first responders
- Bicycle racks should go on the greenway space, not the retail and office space
- We need to have walkways, trees, and seating to enjoy the area and environment that makes Moore County so unique
- Greenway is the best investment for the community.
- What about pines and hedgerow ≥ 4 feet tall on the Morganton side of the retail and office space for sound buffering and pedestrian safety and friendliness?
- Complete street design for pedestrians, kids to access YMCA area from downtown Southern Pines, safely. Maybe an over-highway pedestrian bridge?
- My biggest concern is allowing complete and safe pedestrian and bicycle access to and from new development. Right now, the design is essentially an island requiring cars for safe access. Nearby neighborhoods will likely drive across Morganton Road rather than risk walking or biking.
- Too many impermeable surfaces
 - In the interest of keeping our water safe and plentiful for us and for future generations, I suggest we look at pervious surface designs.
 - Many parking lots now drain into raingarden areas or lowly areas filled with moisture loving plants. Sidewalks and driveways can be design with pervious surfaces; mesh with pea gravel, permeable concrete, pervious concrete pavers and more.

Door-to-Door Interviews with Adjacent Landowners Comments

- The development should have trails like Reservoir Park, including a picnic area and be family oriented
- Greenspace and trails are a must
- There are too many roundabouts in the area; prefers 4-way stops
- A more direct connection to West Morganton Road may be nice
- Not in favor of an extension because it will direct traffic from Carlisle Street where small businesses are located. West Southern Pines needs traffic to go past small businesses.

Site Visit Comments

- South Carlisle Street should be the primary entrance to West Southern Pines from West Morganton Road.
 - A traffic impact analysis was done for development near South Carlisle street and should be reviewed for this planned development.
 - Small, local businesses can benefit from traffic going down South Carlisle Street.
- The speed of traffic should be limited in any way possible.
- Accessibility (to the YMCA and the retail and office space) is important and the project should not create a “West Southern Pines Island” in which residents cannot access the development easily from West Southern Pines
- Safety and flow of traffic are concerns
 - Safety for kids and the elderly
 - If South Stephens Street would be extended, there may be a negative impact on the seniors who rent in the affordable senior housing portion of the development
 - The residences on West Lowe Avenue and South Stephens Street are occupied by elderly, as well, and development should be mindful of the negative impacts of noise, traffic, and lighting on their homes. That area is known for being quiet and peaceful.
 - A sound buffer (e.g., vegetation) should be included in the design.
 - Sidewalks should be wide for pedestrian safety.
 - Participants brought up accidents on West Wisconsin Avenue and South Stephens Street
 - The Morganton Park North Apartment development will create even more traffic flow in the West Morganton Road area.
- The impact to the two adjacent property owners next to the unimproved right-of-way will be significant.
- Pool Park may have both positive and negative impacts with greater activity around the planned development.
- A two-way road could extend from West Morganton Road to the roundabout and only a one-way OR a full greenway from the roundabout to South Stephens Street and West Lowe Avenue intersection. This proposal was supported by four participants. Is a full greenway feasible?

- A greenway with bike racks and benches would make more sense than a full street extension of South Stephens Street.
- “Be more conscientious about what traffic does to the community”
- Water drainage needs to be a part of the conversation
- Lighting should not reflect into people’s homes
- A post-construction survey should be done with adjacent landowners to make sure that their concerns are being heard and addressed in some way.

On the Table Comments

How do you feel about the extending of Stephens St. to Morganton Rd. development?

- Extend partially: 8 votes
 - “I live on Lowe Ave. and taking a road to run it all the way through to Morganton is a concern for me. I have a problem with the thought of that traffic causing a disturbance for the neighborhood. Why change the current traffic pattern of people going to Hensley St. to get to Morganton anyway? Why change it?”
 - “Is the conversation happening with the DOT about the growth of traffic? They keep building stuff in this community and the traffic is getting worst.”
- Extend all the way through to West Lowe Ave and South Stephens Street Intersection: 4 votes
 - “I believe if you extend it to the projected senior living area, it will connect them to the neighborhood but not have to worry about the ongoing traffic of the shopping center.”
 - “With the development of the WSP Center, the neighborhood will need those access points for better flow anyways. However, only if the traffic pattern is done correctly with the proper stop lights, four-way stops, and speed limits will we see success of doing so.”
 - “I favor the extension of the road all the way through because we are going to need to get as much access and exit because of the current traffic problem.”

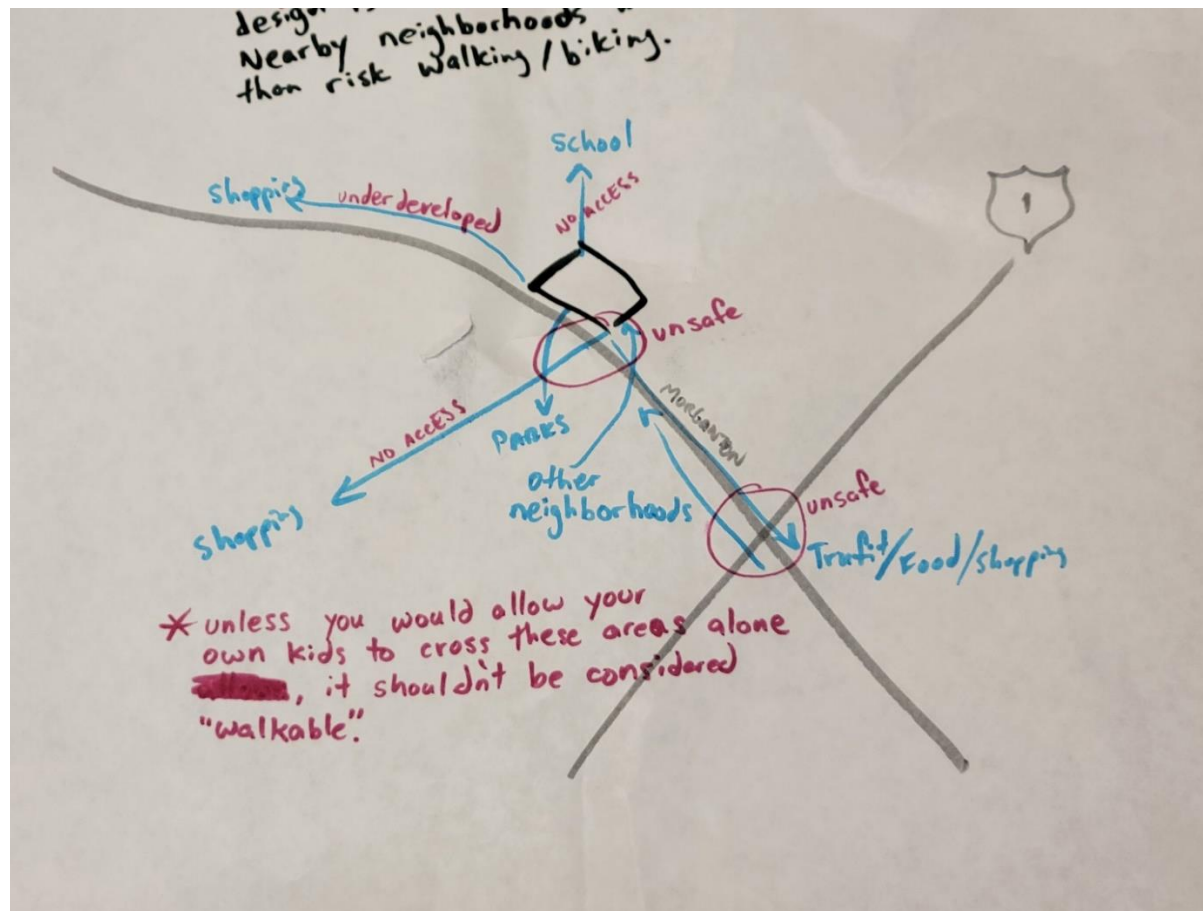


Figure 1. Handwritten comment on "Traffic Stop" exhibit at Neighborhood Meeting.

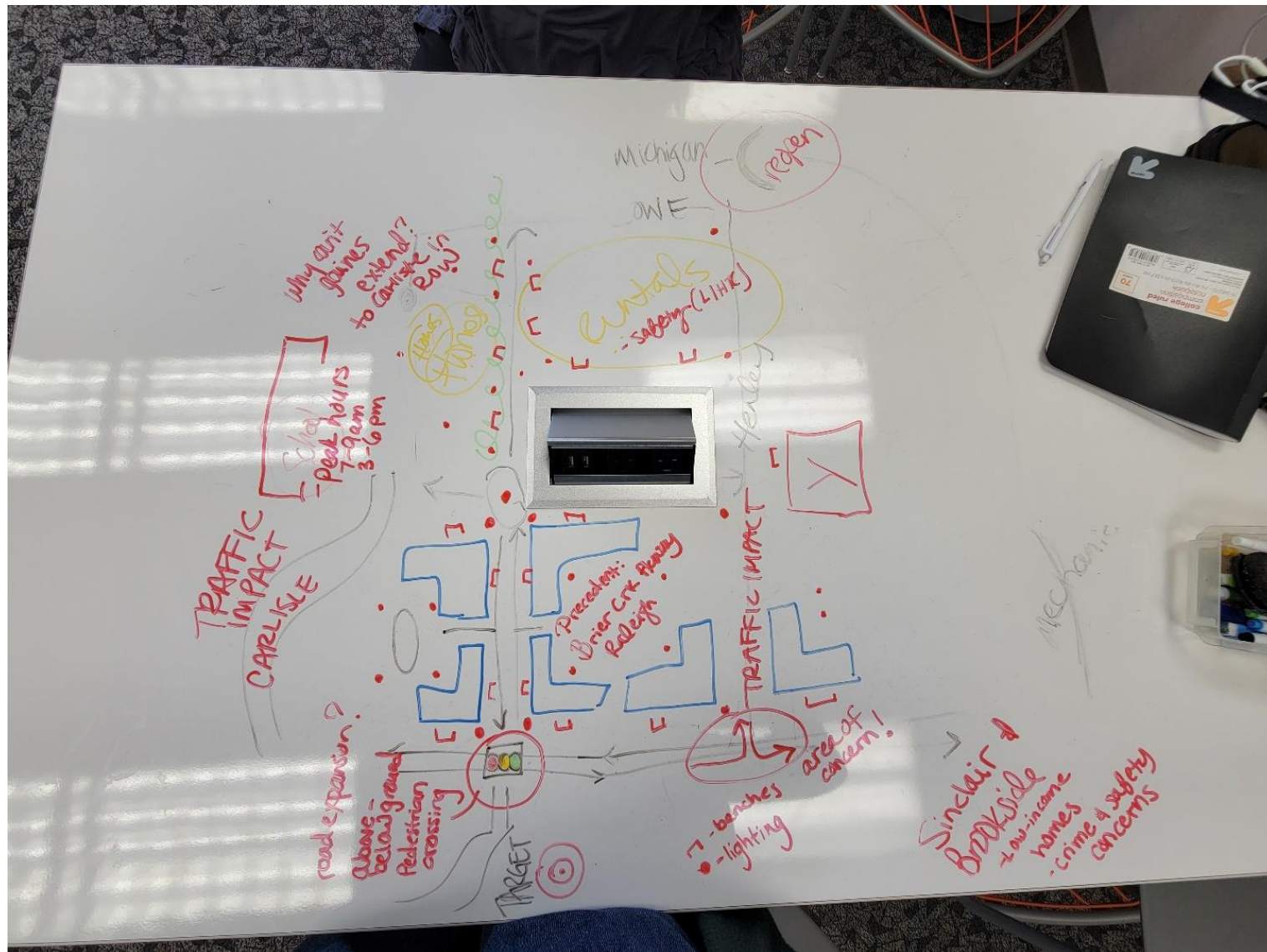


Figure 2. One-on-One Transportation Facilities and Concerns Meeting with Community Resident.

West Southern Pines **Proposed** Planned Development



The Town of Southern Pines Planning Department was tasked on October 24, 2022, to write a Planned Development District for an area off Morganton Road and South Henly Street that will include retail and office space, a YMCA, and affordable housing components.

Click on the star for each component to fill out the design preference survey. Each component has its own unique survey. We look forward to hearing from you!

Background: The proposed development and conceptual layout were created by the Development Finance Initiative program of UNC Chapel Hill's School of Government with feedback from the West Southern Pines community and Southern Pines governing bodies and staff. The goal of the proposed development is to guide public interests by serving as an entry point to the West Southern Pines neighborhood and Morganton Road area, creating a transition zone between high density uses on Morganton Road to residential uses in the neighborhood, and increasing the economic and physical vitality of the area. This proposed development also aims to preserve the neighborhood's culture and character. For these reasons, the Town of Southern Pines is looking for your feedback on the design standards and uses allowed within the four components of the proposed development plan.

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MEETING SIGN-IN SHEET

Project: West Southern Pines CDP

Meeting Date: 1/5/2023

Facilitator: Alaina Mallette

Place/Room: Lowe & Stephens

Name	Email/Address (optional)	Newsletter
1 Jocelynn & Latoya Jones		☒
2 Nina Walker		☒
3 Nora Bowman		☐
4 Linda Smith		☐
5 Lisa Quiller		☐
6 In's Kelly-Wallace		☒
7 Bill Pate		☐
8 Taylor		☐
9 Amie Fraley		☐
10 [Redacted]		☐
10 Jimmy SCARBOROUGH		☐
11 Jimmy Royster		☒
12 Bill Bolstad		☒
13 Kathy Stilwell		☐
14 Nina's family 1		☐
15 Nina's family 2		☐
		☐
		☐
		☐

MEETING SIGN-IN SHEET

Project: West Southern Pines CDP

Meeting Date: 1/6/2023 - 1/7/2023

Facilitator: Alaina Mallette

Place/Room: E.S. Douglass Comm. Center

Name	Email/Address (optional)	Newsletter
1 Lisa Quiler		☐
2 MYRON DICE		☒
3 Martin McCall		☐
4 DOF Brower		☒
5 Gabe Mattress		☐
6 Nova Bowman		☐
7 Laura Douglass		☐
8 Iris Kelly-Wallace		☒
9 TMM Gillis		☒
10 Lucinda Carpenter		☐
11 Felicia Winfield		☐
12 Lynn Thompson		☐
13 Elise		☐
14 C Ingram		☐
15 Susan Ward		☐
16 Fongela Upchurch		☐
17 Jorely Jones		☐
18 Joyce Chalmers		☐
19 Monica Harvey		☒

Town of Southern Pines

West Southern Pines: Morganton-Henley Conceptual Development Plan

Final Version: March 2023

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Chapter 1. General Provisions

1.1. PURPOSE

The West Southern Pines: Morganton-Henley Conceptual Development Plan (“CDP”) is designed to accommodate mixed land uses—such as office, residential, service, commercial, and public or private recreational development—while also protecting and promoting the health, safety, and welfare of the present and future residents of the Town of Southern Pines. The regulations in this CDP intend to:

- (A) Serve as a distinctive entry point to the West Southern Pines neighborhood and Morganton Road area;
- (B) Allow for a greater density of commercial uses along Morganton Road and transition to lower density uses that align with the residential character of the West Southern Pines neighborhood;
- (C) Create multifamily development standards that are consistent with the design quality standards and requirements set by the North Carolina Housing Finance Agency in their annual Qualified Allocation Plan for Low-Income Housing Tax Credit housing;
- (D) Promote creativity and innovation in the design that leads to more appropriate relationships between land uses, structures, and community character;
- (E) Align with the West Southern Pines neighborhood’s revitalization goal to increase economic and physical vitality while preserving the neighborhood’s culture and character;
- (F) Preclude large-scale buildings that are inconsistent with the Neighborhood character;
- (G) Provide performance standards to ensure a mix and intensity of land uses that are compatible with other development on Morganton Road;
- (H) Include publicly accessible recreational uses currently not available in the area that are compatible with proposed residential and retail and office uses;
- (I) Encourage new residential development that is compatible with that in the existing Neighborhoods;
- (J) Provide a variety of Dwelling types to expand the spectrum of housing choices for households of various type, size, income and age; and
- (K) Provide pedestrian and bike access to and around the site, including improved Multimodal connectivity, mobility, and walkability from the West Southern Pines neighborhood to Morganton Road without substantially increasing non-resident traffic;
- (L) Foster the development of a network of open space to serve a variety of recreational and environmental purposes;
- (M) Minimize public investment and maximize private investment while ensuring that any public investment maximizes benefits to the community, as a whole;
- (N) Establish a general conceptual street layout that is consistent with mobility needs of the Town and the proposed development;
- (O) Control the quantity of impervious surfaces within the Planned Development District (PD);
- (P) Encourage common or shared off-street parking;
- (Q) Set standards that permit reasonable use of signs and preserve the character of the West Southern Pines community;
- (R) Produce new uplifting, playful, inspiring, colorful, thoughtful, or historical Original Art Murals with a universal appeal to locals and visitors that engage local

artists, regional artists, and the West Southern Pines community, especially youth, and create new opportunities for muralists and pedestrians;

- (S) Prohibiting the erection of signs in such numbers, sizes, designs, illumination, and locations as may create a hazard to pedestrians and motorists; and
- (T) Amend the Future Land Use Map within the Comprehensive Long-Range Plan from Parks/Open Space/Public Facilities to Traditional Mixed Use.

1.2. APPLICABILITY

1.2.1. Generally

- (A) The use of buildings and land within the PD is subject to all other Town of Southern Pines regulations, General Statutes of North Carolina, and any other applicable regulations, as well as this CDP, whether or not such other provisions are specifically referenced in this CDP.
- (B) Regarding coordination with other regulations, the CDP will follow the same regulations as the Town of Southern Pines Unified Development Ordinance (“Town’s UDO”) §1.8 Coordination with Other Regulations. This CDP provides additional regulations that complement or supersede provisions within the Town’s UDO.

1.2.2. Overlay District

As of the writing of this CDP, the PD is within the Urban/Village Highway Corridor Overlay district and the West Southern Pines Overlay district. Development shall comply with all current and future overlay district provisions, as amended, within the Town’s UDO.

1.2.3. Fees

Any and all fees related to development shall be subject to payment as established by the Town of Southern Pines.

1.3. AUTHORITY

This planned development is adopted pursuant to the authority contained in Chapter 160D and Chapter 160A Article 8 of the North

Carolina General Statutes as well as that in the Town’s UDO, as amended. The Town’s UDO §3.5.14 PD – Planned Development District describes the purpose, applicability, procedures, land use mix, development patterns, and general provisions and regulations guiding this CDP for the PD. Whenever any provision of this planned development refers to or cites a section of the North Carolina General Statutes or the Town’s UDO and that section is later amended or superseded, the planned development shall be deemed amended to refer to the amended section or the section that most nearly corresponds to the superseded section.

1.4. ADMINISTERING THIS PLANNED DEVELOPMENT DISTRICT

This CDP is intended to be administered jointly with the Town of Southern Pines UDO throughout the development review process. The roles of the Town’s governing bodies shall be the same for this PD.

Chapter 2. Development Processes

2.1. COORDINATION WITH THE TOWN’S UDO CHAPTER 2. DEVELOPMENT PROCESSES

All development shall comply with the development processes, requirements, and regulations as stipulated in the Town’s UDO Chapter 2. Development Processes.

Chapter 3. Districts, Map, and Development Patterns

3.1. COORDINATION WITH THE TOWN’S UDO CHAPTER 3. ZONING

All development shall comply with the development processes, requirements, and regulations as stipulated in the Town’s UDO Chapter 3. Zoning, except as provided by the regulations of this Chapter and all of the applicable standards and regulations in other Chapters of this CDP.

3.2. ESTABLISHMENT OF DISTRICTS

- (A) The PD zoning district is declared to be in effect upon all land areas included within the boundaries of the district

as shown on the PD District Map (see rules for interpretation of boundaries in section 3.4.2 of the Town's UDO).

- (B) After adoption of the CDP, any amendments to the PD boundaries shall be made by legal description or metes and bounds description, which shall be the best evidence of the boundaries, amended or created, and shall control unless a scrivener's or other error in such plat or description is manifestly contrary to the intent of the amending ordinance.
- (C) PD sub-district boundary lines are approximate on the PD District Map and are intended to be administered with flexibility depending on unique circumstances of development proposals that best achieve the purposes of this CDP.

3.2.1. Non-Residential and Mixed-Use Development Zoning Sub-Districts

- (A) Retail and Office District (Retail/Office)
- (B) Recreation District
- (C) Open Space

3.2.2. Residential Planned Development Zoning Sub-Districts

- (A) Single-Family Residential District (R-Single-Family)
- (B) Multifamily Residential District (R-Multifamily)

3.3. PD DISTRICT MAP

- (A) There shall be a map designated as the PD District Map, which shall show the boundaries of each sub-district zone within the District. This PD District Map shall update the existing Town of Southern Pine's Official Zoning Map to "Planned Development", and shall be stored in both the Town's geographic information systems and printed

on durable material with the adoption date and kept in the Planning Department's office.

- (B) Any revisions to the PD District Map must follow appropriate Town procedures, pursuant to the Town's UDO §3.4. Zoning Map.

3.4. RETAIL AND OFFICE DISTRICT DEVELOPMENT REQUIREMENTS AND STANDARDS

3.4.1. Intent

The Retail and Office sub-district is established to allow a mix of pedestrian-oriented commercial land uses in an intensive development pattern.

3.4.2. Authorized and Prohibited Uses

The uses authorized by [§ 3.9. Authorized Uses Table and Interpretation](#) and [§ 3.10 Prohibited Uses](#) of this CDP may be established in accordance with the provisions of this CDP, including, but not limited to the procedures established in the Town's UDO, the sub-district standards of this Chapter, and the design standards of [Chapter 4](#).

3.4.3. District Use Standards

Standards for specific uses and development patterns authorized in this sub-district are established in [Chapters 5](#) and [6](#).

3.4.4. District Development Standards

Dimensional and density standards are summarized in [Table 2](#). Additional sub-district development standards are established in [Chapter 4](#) of this CDP and the Town's UDO Overlay district standards.

3.5. RECREATION DISTRICT DEVELOPMENT REQUIREMENTS AND STANDARDS

3.5.1. Intent

The Recreation sub-district is established to allow arts, entertainment, recreation, education, public administration, and other institutions. Publicly owned land uses include governmental, recreational, educational programming, and natural resource facilities. Privately owned land uses include performing arts, recreation, sports, among others.

3.5.2. Authorized and Prohibited Uses

The uses authorized by [§ 3.9. Authorized Uses Table and Interpretation](#) and [§ 3.10 Prohibited Uses](#) of this CDP may be established in accordance with the provisions of this CDP, including, but not limited to the procedures established in the Town's UDO, the sub-district standards of this Chapter, and the design standards of [Chapter 4](#).

3.5.3. District Use Standards

Standards for specific uses and development patterns authorized in this sub-district are established in [Chapters 5](#) and [6](#).

3.5.4. District Development Standards

Dimensional and density standards are summarized in [Table 3](#). Additional sub-district development standards are established in [Chapter 4](#) of this CDP and the Town's UDO Overlay district design guidelines.

3.6. OPEN SPACE REQUIREMENTS AND STANDARDS

3.6.1. Intent

Open Space is intended for natural areas, trails, Greenways, parks, buffers, and stormwater retention basins.

3.6.2. Authorized and Prohibited Uses

The uses authorized by [§ 3.9. Authorized Uses Table and Interpretation](#) and [§ 3.10 Prohibited Uses](#) of this CDP may be established in accordance with the provisions of this CDP, including, but not limited to the procedures established in the Town's UDO, the sub-district standards of this Chapter, and the design standards of [Chapter 4](#).

3.6.3. District Use Standards

The Open Space requirements established in the Town's UDO §4.9.1 Usable Open Space Required letters (B) and (C); §3.5.14 (H) Landscaping, Screening, Buffers, and Trees; and §3.5.14(K) Stormwater Control shall apply to all areas within this PD. Unless dedicated to and accepted by the Town or a similar legal entity, the owner or property owners' association is required to provide for the continuing maintenance of Open Space.

3.6.4. District Development Standards

Additional sub-district development standards are established in [Chapter 4](#) of this CDP and the Town's Overlay district design guidelines.

3.7. SINGLE-FAMILY RESIDENTIAL DISTRICT (9 DWELLING UNITS PER ACRE) ZONE REQUIREMENTS AND STANDARDS

3.7.1. Intent

The Single-Family Residential sub-district is established to allow a slightly denser residential pattern that serves as a transition from a greater density of commercial uses along Morganton Road to lower density, existing single-family residential land uses within West Southern Pines with approximately five dwelling units per acre.

3.7.2. Authorized and Prohibited Uses

The uses authorized by [§ 3.9. Authorized Uses Table and Interpretation](#) and [§ 3.10 Prohibited Uses](#) of this CDP may be established in accordance with the provisions of this CDP, including, but not limited to the procedures established in the Town's UDO, the sub-district standards of this Chapter, and the design standards of [Chapter 4](#) of this CDP.

3.7.3. District Use Standards

Standards for specific uses and Development Patterns authorized in this sub-district are established in [Chapters 5](#) and [6](#).

3.7.4. District Development Standards

Dimensional standards are summarized in [Table 3](#). Additional sub-district development standards are established in [Chapter 4](#) of this CDP and the Town's Overlay district design guidelines.

3.8. MULTIFAMILY RESIDENTIAL DISTRICT (16 DWELLING UNITS PER ACRE) REQUIREMENTS AND STANDARDS

3.8.1. Intent

The Multifamily Residential sub-district is established to allow multifamily residences at a medium density (approximately 16 dwelling units per acre).

3.8.2. Authorized and Prohibited Uses

The uses authorized by [§ 3.9. Authorized Uses Table and Interpretation](#) and [§ 3.10 Prohibited Uses](#) of this CDP may be established in accordance with the provisions of this CDP, including, but not limited to the procedures established in the Town's UDO, the sub-district standards of this Chapter, and the design standards of [Chapter 4](#).

3.8.3. District Use Standards

Standards for specific uses and development patterns authorized in this sub-district are established in [Chapters 5](#) and [6](#).

3.8.4. District Development Standards

Dimensional and density standards are summarized in [Table 3](#). Additional sub-district development standards are established in [Chapter 4](#) of this CDP and the Town's Overlay district design guidelines.

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3.9. AUTHORIZED USES TABLE AND INTERPRETATION

Table 1 (Table of Authorized Land Uses) lists the Principal Uses allowed by right within zoning sub-districts. The listed use is allowed by right within the corresponding PD zoning sub-district or sub-districts subject to the issuance of development approvals within the Town's UDO and compliance with the applicable standards and regulations within this CDP and the Town's UDO. For uses not specifically listed in Table 1 (Table of Authorized Land Uses), then interpretation guidance from the Town's UDO §3.7.2(A) shall apply to proposed uses in relation to the permissible uses set forth in Table 1 (Table of Authorized Land Uses) below.

Table 1. Table of Authorized Land Uses

Land Use		LBCS Code	Description	Office/ Retail	Recreation	Open Space	R-Single- Family	R- Multifamily
RESIDENCE OR ACCOMODATION FUNCTIONS (1000)								
Private Dwelling (1100)	Single-family detached	1110	Typical Single-Family Dwelling					
	Single-family attached (townhomes)		Each dwelling unit on a separate Lot; fire wall may protrude from roof or roofs may be staggered					
	Two-family (double or Duplex)	1120	Two dwelling units					
	Accessory dwelling unit	S1130	A residential dwelling that is secondary to the Principal Use					
	Multi-family	1151	Three or more dwelling units					
Housing Services (1200)	Retirement housing services	1210	Offer minimal convenience services					
	Congregate living services	1220	Provide convenience services such as housekeeping, transportation, recreational programs					
	Assisted-Living Board and Care, Adult Care Group Homes	1230	Adult care, group homes, board and care (excludes rehab uses in code #6520)					
GENERAL SALES OR SERVICES (2000)								
Retail Sales or Service/Repair (2100)	Bicycle sales and repair	2113b	New or used bicycles sales or repair					
	Hardware, home center	2122	Home building and repair supplies, lighting supply					
	Lawn and garden supplies	2123	Nursery and garden products predominantly grown elsewhere, outdoor power equipment sales or services					
	Electronics and appliances	2125	Household-type appliances, tv's, stereos, including repair shops and cell phone stores					
	Computer and software	2131	Computers and prepackaged software without other electronic equipment, including repair, support, and training					
	Camera and photographic supplies	2132	Primarily retail cameras and photographic supplies or retail with repair and film developing					
	Clothing, jewelry, luggage, shoes, clocks, sewing	2133	Including shoe repair and tailoring					

	Land Use	LBCS Code	Description	Office/ Retail	Recreation	Open Space	R-Single- Family	R- Multifamily
	Sporting goods, toy and hobby, and musical instruments	2134						
	Books, magazines, music, videos, CDs, stationery, greeting cards, seasonal decorations, school and office supplies, etc.	2135						
	Florist	2141						
	Art dealer, supplies, sales and service	2142	Including frame shops					
	Mail order or direct selling establishment	2144	Retailing other than in stores					
	Antique shop, flea market, thrift store	2145						
	Grocery store, bodega, or bakery	2151	Included are meat and seafood markets and delicatessens; excluded are supermarkets					
	Convenience store, bodega	2152	Excludes those with fuel pumps					
	Specialty food store	2153	Retail specialty food items such as coffee and gourmet foods					
	Fruit and vegetable store	2154						
	Pharmacy or drug store	2161	Primarily retail prescription or nonprescription drugs and excludes stand-alone pharmacies or drug stores					
	Cosmetic and beauty supplies and personal grooming products	2162	Primarily retail cosmetics, perfumes, toiletries					
	Optical and contact lenses	2163	Retail prescription or nonprescription eyeglasses					
	Markets for farm produce or crafts	2199						
Finance and Insurance (2200)	Bank, credit union, or savings institution	2210	Central banking functions					
	Credit and finance establishment	2220	Credit card, sales financing, unsecured consumer lending, real estate credit, international trade financing					
	Investment banking, securities, and brokerages	2230	Securities underwriting, brokering, exchange services, managing portfolios					
	Insurance-related establishment	2240	Insurance underwriting, selling insurance					
	Fund, trust, or other financial establishment	2250	Pool assets on behalf of shareholders or beneficiaries					
2300	Property management services (commercial, mini- or self-storage, or rental housing-related)	2320-2322	Manage real property for others, includes leasing buildings not used as residences, mini-warehouses, self-storage, dwelling units used as residences					

	Land Use	LBCS Code	Description	Office/ Retail	Recreation	Open Space	R-Single- Family	R- Multifamily
	Consumer goods rental	2335	Rent personal and household-type goods and a range of consumer, commercial, and industrial equipment geared toward consumers					
	Intellectual property rental	2336	Establishments that assign patents, trademarks, brand names, and franchise agreements					
Business, Professional, Scientific, and Technical (2400)	Legal services	2411	Title abstract, lawyers, notaries					
	Accounting, tax, bookkeeping, payroll services	2412						
	Architectural, engineering, surveying, and related services	2413	Architectural, engineering, building inspection, surveying and mapping, and laboratory testing (except medical, veterinary, or auto emission)					
	Graphic, industrial, interior design services	2414	Interior, industrial, and graphic design					
	Consulting services (management, environmental, technical)	2415	Advise and assist businesses on management, scientific, and technological issues					
	Scientific research and development services	2416	Conduct research or analyze in the physical, engineering, cognitive, or life sciences					
	Advertising, media, and photography services	2417	Advertising, public relations, media buying agencies, direct mail advertisers, market research, translation providers					
	Office administrative services	2421	Office administration such as billing, record keeping, personnel, organizational planning					
	Facilities support services	2422	Provide operating staff for support services within a client's facilities, including janitorial, security, laundry services, etc.					
	Employment agency	2423	Provide employee placement, temporary help					
	Copy center, private mail center, other business support services	2424	Provide document preparation, telephone answering, telemarketing, court reporting, steno typing, FAX, etc.					
	Collection agency	2425	Collect payments, compile credit information, repossess tangible assets					
	Travel arrangement and reservation services	2430	Promote or sell travel, includes convention and visitors' bureaus					
	Investigation and security services	2440	Provide detective, guard and patrol services, picking up and delivery of money, selling of security systems, remote monitoring of security systems					
2500	Full service restaurant	2510	Provide services to patrons who order and are served while seated or in combination with takeout					

	Land Use	LBCS Code	Description	Office/ Retail	Recreation	Open Space	R-Single- Family	R- Multifamily
	Cafeteria or limited service restaurant	2520	Provide services to patrons who order or select items and pay before eating; may be consumed on premises, taken out, or delivered					
	Snack or nonalcoholic bar	2530	Prepare and serve specialty snacks, such as ice cream, frozen yogurt, cookies, coffee, juices for consumption on or near the premises, snowball stand					
	Bar or drinking place	2540	Bars, taverns, nightclubs primarily serving alcoholic beverages; may provide limited food and entertainment (not including restaurants and other principal uses that serve alcoholic beverages)					
	Mobile food services	2550	Prepare and serve meals and snacks for immediate consumption from motorized vehicles					
	Caterer	2560	Provide single event-based food services, including banquet halls with catering for wedding receptions, etc.					
	Food service contractor	2570	Provide food services at institutional, governmental, commercial, or industrial locations based on contracts					
Personal Services (2600)	Hair, nail, and cosmetic skin care	2611	Barber or beauty shop					
	Dieting and weight reducing	2612						
	Tanning salon	2614						
	Electrolysis, ear piercing, and other personal care services	2616						
	Coin-operated laundromat	2621						
	Dry cleaning and laundry	2622						
	Linen and uniform supply	2623						
	Photofinishing	2630	Primarily engaged in developing film or making slides, etc.					
	Massage therapist	2651						
	Tattoo parlor	2652						
Pet (2700)	Animal services	2721	Grooming and training, excludes sitting, boarding, and veterinary and farming services					
COMMUNICATION AND INFORMATION (4000)								
4200	Newspapers, books, periodicals, etc.	4211	Publish newspapers, magazines, books, databases, greeting cards, calendars, maps, and similar works					
	Software publisher	4212	Publish and reproduce computer software					

Land Use		LBCS Code	Description	Office/ Retail	Recreation	Open Space	R-Single- Family	R- Multifamily
	Motion picture and video production, publishing, and distribution	4221	Produce or distribute motion pictures, videos, television programs, or commercials					
	Motion picture viewing and exhibition services	4222	Operate movie theaters, film festival exhibitions					
	Sound recording, production, publishing	4223	Produce, distribute, or publish music and musical recordings or provide sound recording					
	Radio and television broadcasting	4231	Operate broadcasting studios and facilities for over the air or satellite delivery of radio and television programs					
	Tele-communications and broadcasting towers and antennas 50 feet tall or less	4233a						
	Online information services	4241	Internet access and service providers					
	Library or archive	4242	Provide library or archive services					
	News syndicate	4243	Supply information such as news reports, articles, pictures and features to the news media					
ARTS, ENTERTAINMENT, AND RECREATION (5000)								
Performing Arts, etc. (5100)	Theater, dance, or music establishment	5110	Companies, groups, or theaters that produce theatrical presentations, dance, dinner theaters, and live musical entertainment					
	Sports team or club	5120	Professional or semi-professional sports teams or clubs participating in live sporting events					
	Independent artist, writer, or performer	5160	Independent individuals engaged in art, productions					
5200	Museum	5210	Includes art museums, science museums, and more					
	Historical or archeological institution	5220	Archeological sites, battlefields					
	Zoos, botanical gardens, arboreta	5230						
Amusement, Sports, Rec. (5300)	Miniature golf establishment	5340						
	Fitness, recreational sports, gym, athletic club, multipurpose facility, public or private	5370	Includes archery and shooting ranges, horseback riding, ball parks and courts, fitness clubs, and more					
	Skating rink, roller skating	5390						
5500	Natural and other recreational parks	5500	All parks without special economic functions					
EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE, AND OTHER INSTITUTIONS (6000)								
6100	Nursery or preschool	6110						

	Land Use	LBCS Code	Description	Office/ Retail	Recreation	Open Space	R-Single- Family	R- Multifamily
	Adult education services	6126						
	College or university	6130						
	Technical, trade, or other specialty schools	6140	Offer vocational and technical training					
6200	Legislative and executive functions	6210	Government and public administrative offices					
6300	Other government functions	6300	Government and public administrative offices					
Health and Human Services (6500)	Outpatient clinic and health spas	6511	Include physician offices, dentists, chiropractors, optometrists, licensed massage therapists, and other licensed or certified health care providers					
	Outpatient family planning or outpatient care clinic	6512	Provide outpatient family planning services and outpatient care					
	Outpatient medical or diagnostic laboratory	6513	Provide analytic or diagnostic services including medical imaging					
	Child and youth services	6561	Offer services such as adoption, foster care, drug prevention services					
	Child daycare	6562	Provide care for infants and preschool children, offer pre-kindergarten education programs					
	Community food services	6563	Collect, prepare, and deliver food for the needy, food banks, meal delivery programs and soup kitchens					
	Emergency and relief services	6564	Provide food, shelter, clothing, medical relief, resettlement to disaster victims					
	Other family services	6565	Hotline centers, suicide crisis centers, selfhelp organizations, etc.					
	Services for elderly and disabled	6566	Does not include housing for the elderly					
	Veterans affairs	6567						
	Vocational rehabilitation	6568	Provide job counseling, job training, and other vocational services					
6600	Small religious institutions	6600	Churches, temples, synagogues, mosques up to 250 seats in largest seating area, excludes those that have more than 250 seats in largest seating area					
Associations, Nonprofit, Clubs (6800)	Labor or political organization	6810	Labor unions, political groups, and political fund-raising groups					
	Business association or professional membership	6820	Promote the business interests of their members organization or of their profession					
	Civic, social, or fraternal organization	6830						

Land Use		LBCS Code	Description	Office/ Retail	Recreation	Open Space	R-Single-Family	R-Multifamily
UNCLASSIFIABLE (9900)								
	Special events	9910	As defined in the Town's UDO §9.3 Definitions and regulated in the Town's UDO §5.18 Special Events.					
	Temporary uses	9920	Temporary uses as regulated by the Town's UDO §5.22 Temporary Uses					
	Minor subdivision	9932	Lot splits or resubdivision of one or more Parcels into not more than five (5) Lots as described in the Town's UDO §2.19.3 Subdivision Classification					
	Major subdivision	9931	Any subdivision not exempted by the Town's UDO or state law, other than a minor subdivision					
	Combination uses	9940	Mixed uses within a single zone that are compatible with each other, such as buildings with retail on the ground floor and dwelling units in the upper floors					
	Home occupations	9950	Any occupation, trade profession, or craft carried on by an occupant of a dwelling as a use secondary to the residential use of the building subject to the same regulations of the Town of Southern Pines West Southern Pines Overlay					

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3.10. Prohibited Uses

The following uses are prohibited as principal uses within this planned unit development:

- (A) Hotels, motels, or other accommodation services homes (Class A, B, and C) and manufactured home parks;
- (B) Department store, warehouse club, superstore, or supermarkets;
- (C) Manufacturing and wholesale trade uses;
- (D) Furniture or home furnishing, including furniture, flooring, bedding stores, window treatment;
- (E) Beer, wine, and liquor store;
- (F) Tobacco or tobacconist establishment;
- (G) Adult establishment;
- (H) Adult cabaret;
- (I) Rental and leasing cars, trucks, trailers, RVs, buses, aircraft, tugboats, recreational goods, or commercial or industrial machinery and equipment;
- (J) Any drive-in or drive-through use, including but not limited to drive-through restaurants;
- (K) Parking lot and parking garages that do not include a principal building on the same lot;
- (L) Transportation services;
- (M) Hazardous waste collection, hazardous waste treatment and disposal, solid waste collection, solid waste combustor or incinerator, solid waste landfill, waste treatment and disposal, septic tank and related services, wastewater treatment plants, or wastewater service; and

(N) Mining and extraction establishments.

Chapter 4. Development and Design Standards

4.1. COORDINATION WITH THE TOWN'S UDO CHAPTER 4. DEVELOPMENT AND DESIGN STANDARDS

The standards in this Chapter are intended to be additional requirements for development of buildings, sites, and infrastructure. All development shall comply with the development processes, requirements, and regulations as stipulated in the Town's UDO Chapter 4. Development and Design Standards and other relevant sections of the Town's UDO, except as provided by the regulations of this Chapter and all of the applicable standards and regulations in other Chapters of this CDP.

4.2. LOT DEVELOPMENT STANDARDS

Lot development standards are summarized in Table 6. Guidance for applying these is included in the Town's UDO Chapter 4.2 Lot Development Standards.

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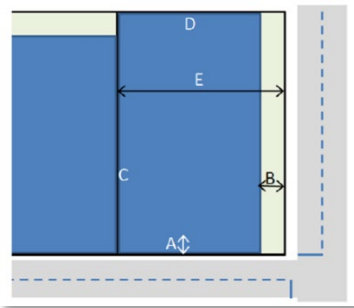


Figure 2. Retail and Office Dimensional Standards Illustration. Letters match dimension in design element column of Table 2.

Table 2. Retail and Office District Building Height, Setbacks, and Lot Dimensional Standards.

Design Standard	Retail/ Office District
Min. Height	25' (two stories) for all buildings
Max. Height	45' (three stories) for buildings with a Building Elevation that faces West Morganton Road 35' (two stories) for all other buildings
Max. Front Setback (A)	10'
Max. Exterior Side Setback from ROW (B)	10'
Min. Exterior Side Setback (C)	10'
Min. Rear Setback (D)	No minimum
Min. Lot Width (E)	No minimum
Min. Lot Size	No minimum

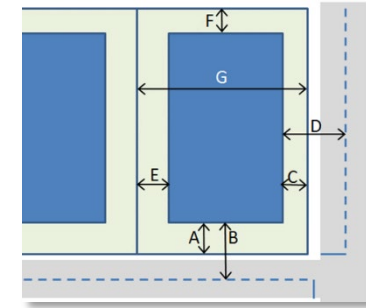


Figure 1. Recreation and Residential Dimensional Standards Illustration. Letters match dimension in design element column of Table 3.

Table 3. Recreation and Residential Building Height, Setbacks, and Lot Dimensional Standards by District.

Design Standard	Recreation District	Single-Family Res. District	Multifamily Res. District
Max. Height	35' (two stories)	15'	15'
Max. Front Setback from ROW (A)	5'	35'	25'
Min. Front Setback from Street Centerline (B)	45'	60'	55'
Min. Exterior Side Setback from ROW (C)	15'	15'	15'
Min. Exterior Side Setback from Street Centerline (D)	45'	45'	45'
Min. Interior Side Setback (E)	20'	10'	10'
Min. Rear Setback (F)	20'	30'	30'
Min. Lot Width (G)* <i>*Not applicable to Townhouse Development</i>	No minimum	45'	45'
Min. Lot Size/Density	Not applicable	5,000 sq. ft.	12 dwelling units/acre

4.3. LANDSCAPING

Development shall comply with the Town's UDO Landscaping Code and the provisions in this CDP.

4.3.1. Morganton Road Street Trees and Screening

- (A) Retail and office lots adjacent to West Morganton Road shall provide street trees and a colorful Planting Strip that physically separates any sidewalk, sidepath, shared use path, Parklet, or other seating area from the roadway. A hedgerow may also be considered by the Town's Planning Director.

4.3.2. Buffers

- (A) Required buffers shall comply with the Town's UDO §4.3.4 Buffers and shall be based on the use established in the sub-district and the abutting use or sub-district, whichever requires the greater buffer.
- (B) A 50-foot undisturbed buffer is required along lot lines adjacent to Residential zones.

4.4. OFF-STREET PARKING AND LOADING

4.4.1. Purpose and Applicability

All developments in all zones shall provide a sufficient number of parking spaces to accommodate the number of vehicles that ordinarily are likely to be attracted to the development in question while precluding parking lots that are larger than necessary.

4.4.2. Parking Space Requirements

New development for by-right uses within all PD zoning sub-district shall be required to comply with the minimum and maximum number of off-street parking spaces established in Table 4, provisions in the Town's UDO §4.5.5, and Exhibit 4-7 Parking Space Design Standards in the Town's UDO. When determining the number of parking spaces, any fraction of one-half or less may be disregarded, while a fraction in excess of one-half shall be counted as one parking space. All square footage is measured as gross footage.

Table 4. Minimum and Maximum Number of Parking and Bicycle Spaces Required

Zone	Maximum Parking	Minimum Bicycle Parking Requirements
Retail and Office sub-district	1 parking space for every 370 square feet	1 space per 2,500 square feet of floor area unless a central bicycle parking hub is provided elsewhere in the planned development
Recreation sub-district	1 parking space for every three persons that the facilities are designed to accommodate when fully utilized	1 space per 3,000 square feet of floor area unless a central bicycle parking hub is provided elsewhere in the planned development
Open Space	None	1 space per 10,000 square feet of open space
Single-Family Residential sub-district	One parking space per dwelling unit	None
Multifamily sub-district	One parking space per dwelling unit	One space per 10 dwellings unless a central bicycle parking hub is provided elsewhere in the planned development

4.4.3. Parking Lot Locations

- (A) In the Retail and Office sub-district, parking lots shall be located on the rear or interior side of any building.
- (B) In the Retail and Office sub-district and Recreation sub-districts, there shall be no off-street parking between the front Building Elevation and street Right-of-Way.

4.5. SIGNS

4.5.1. Purpose and Intent

Signs perform an important function in identifying and promoting properties, businesses, services, residences, events, and other matters of interest to the public. The intent of this section is to regulate all signs within the PD to ensure that they are appropriate for their respective uses, in keeping with the appearance of the affected property and surrounding environment, and protective of the public health, safety, and general welfare.

4.5.2. Applicability

(A) Any sign erected, altered, or maintained after the effective date of this CDP shall conform to the following regulations and the Town's Sign Code, UDO §4.6 Signs, with the following exceptions:

- a. Primary Off-Premise Landmark Signage;
- b. Secondary Off-Premise Landmark Signage;
- c. Pedestrian-Scale Signage;
- d. Gateway Signage; and
- e. Original Art Murals.

(B) Private signs are prohibited on public property.

(C) External electronic message center and digital signs, including but not limited to video displays, are prohibited.

4.5.3. General Standards

Signs containing noncommercial speech are permitted anywhere that advertising or business signs are permitted and subject to the same regulations.

4.5.4. Primary Off-Premise Landmark Signage

(A) Primary Off-Premise Landmark Signs are allowed at the intersection of West Morganton Road and one PD

roadway that intersects buildings in the Retail and Office sub-district and within a roundabout.

(B) Design standards.

- a. One Primary Off-Premise Landmark Sign is permitted for the entire Retail and Office sub-district.
- b. The Primary Off-Premise Landmark Sign shall contain no more than one sign band per tenet.
- c. The Primary Off-Premise Landmark Sign must be consistent with the character of the buildings within the Retail and Office sub-district.
- d. The Primary Off-Premise Landmark Sign shall have a low profile and shall not exceed 10 feet in height.
- e. Exposed frame, masts, or poles are all prohibited on Off-Premise Landmark Signage.
- f. Landscaping around the base of the Primary Off-Premise Landmark Sign shall include flower beds.

4.5.5. Secondary Off-Premise Landmark Signage

(A) Secondary Off-Premise Landmark Signage is allowed on South Henley Street adjacent to the entrance of off-street parking.

(B) Design standards.

- a. Secondary Off-Premise Landmark Signage shall be consistent with the design and character of the Primary Off-Premise Landmark Signage.
- b. Secondary Off-Premise Landmark Signage shall comply with the same design standards as the Primary Off-Premise Landmark Signage, except:

- i. The Secondary Off-Premise Landmark Sign shall not exceed seven feet in height.

4.5.6. Pedestrian-Scale Signage

- (A) Pedestrian-Scale Signage, such as Wayfinding Signs and Historical Signs, are permitted and encouraged throughout the PD.
- (B) Pedestrian-Scale Signage is allowed on sidewalks at the corner of roadways, at the entrances to off-street parking, and on multiuse trails and Greenways.
- (C) Design standards.
 - a. Pedestrian-Scale Signage shall use sans-serif, non-cursive fonts to improve sign legibility and readability.
 - b. Vertical Wayfinding Signs shall not exceed seven feet.
 - c. Historical Signs shall be between four and five feet, measured from the floor to the baseline of the text and/or braille characters.
 - d. Wayfinding Signs shall not direct persons to more than eight destinations.

4.5.7. Gateway Signage

- (A) Gateway Signage is only permitted on the corner of West Morganton Road and South Henley Street by a public institution for noncommercial messages.
- (B) Design standards.
 - a. Gateway Signage is encouraged to be large enough to highlight local organizations within the West Southern Pines community.

- b. Metal or PVC framing on Gateway Signage is prohibited.
- c. Gateway Signage that is wider than it is tall is prohibited.
- d. Gateway Signage that has more than 25% of the gross sign face area as blank space (i.e., sign face without content) is prohibited.
- e. Landscaping around the base of Gateway Signage shall including flower beds.

4.5.8. Original Art Murals

- (A) Original Art Murals are allowed on up to 50% of one Building Elevation per building in the Retail and Office sub-district and the Recreation sub-district, provided that Original Art Murals do not contain any commercial messaging.
- (B) Original Art Murals shall be consistent with the character and history of the Original Art Mural location and surrounding area.

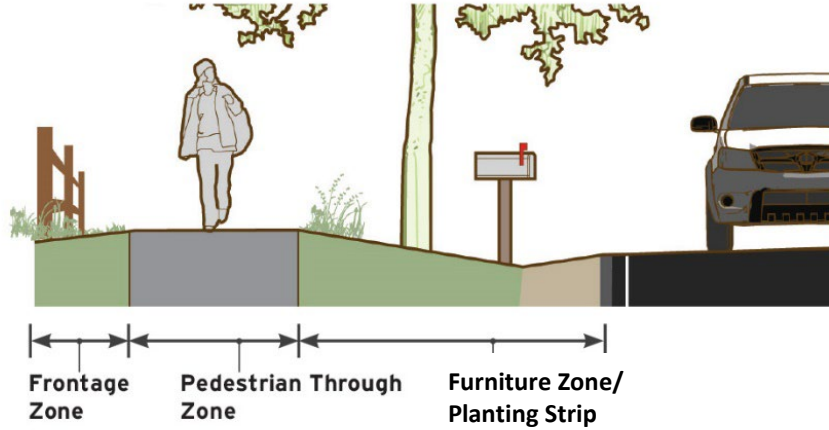
4.6. FURNITURE ZONE AND FRONTAGE ZONE

4.6.1. Furniture Zone within Frontage

All regulations in the Town's UDO §4.10.5 apply within the PD and new development shall comply with Figure 3. Sidewalk Zone and the following additional standards:

- (A) Sidewalks, sidepaths, and shared use paths must be physically separated from the roadway by Planting Strips—which may include planters—and street trees.
- (B) In the Retail/Office and Recreation sub-districts, lighting, landscaping and Planting Strips, benches, bike racks, and Wayfinding Signs are required within the Furniture Zone. One street light is required per 150 feet.

Figure 3. Sidewalk Zone Components and Standards.



<i>VOLUME & USER MIX</i>	<i>FRONTAGE ZONE</i>	<i>PEDESTRIAN THROUGH ZONE</i>	<i>FURNITURE ZONE OR PLANTING STRIP</i>	<i>TOTAL WIDTH</i>
PD and UDO Code Minimum	3 ft (0.9 m)	8 ft (2.4 m)	6 ft (1.8 m)	17 ft (5.2 m)

4.6.2. Frontage and Furniture Zone Requirements in the Retail and Office Sub-district

The Front Setback may be increased to establish courtyards, Parklets, benches, Wayfinding Signs, and dining areas, provided that not more than 25% of the total of any block face shall be set back more than the maximum established in [Table 2](#) and the Planning Director finds that:

- (A) The Sidewalk Zone improves the visual quality and character of the street, promotes pedestrian traffic, Multimodal design, and is ADA compliant;
- (B) The Sidewalk Zone enhances access between outdoor and indoor spaces;

- (C) Flooring and surfaces are constructed of durable, non-slip materials that complement sidewalk paving;
- (D) Changes in colors are used to highlight steps;
- (E) The shape and design, including landscaping, of the space provides visibility of the entire space from the sidewalk;
- (F) The Sidewalk Zone is not enclosed, except for decorative walls—which shall not be taller than 30 inches—and posts with decorative ropes or chains or other decorative enclosures approved by the Planning Director;
- (G) At least 70% of the wall surface between two and 10 feet above the average grade of the Sidewalk Zone shall be glazed and shall have a minimum transparency of 80%; and
- (H) Other than Street Furniture for dining and Parklet areas, Sidewalk Zone improvements are limited to seating, decorative waste receptacles, fountains, water features, and landscaping.

4.7. OUTDOOR STORAGE, DISPLAYS, AND OPERATIONS

4.7.1. Retail and Office Outdoor Storage and Displays

Outdoor storage is prohibited in the Retail and Office sub-district. Outdoor displays shall comply with the following standards:

- (A) The display or displays are within 12 feet of the Premises excluding the 8-foot pedestrian zone (i.e., up to one foot into the Furniture Zone and anywhere in the Frontage Zone) and do not interfere with pedestrian or vehicular movement;
- (B) The display or displays do not occupy more than 20 square feet and are no greater than four feet in height; and

- (C) The display or displays are removed when the premises are not open for business.

4.7.2. Recreation Outdoor Operations

Outdoor operations are limited to playgrounds, programming, outdoor courts for sports, skate parks, zoos, botanical gardens, arboreta, and other natural or recreational parks and shall comply with the Town's UDO.

4.8. LIGHTING

Development shall comply with the Town's UDO Lighting Code and the provisions in this CDP.

4.8.1. Residential District Lighting

Only luminaires with cutoffs less than 90 degrees are permitted in residential districts and in rights-of-way adjacent to residential districts, including the Single-Family Residential sub-district and the Multifamily Residential sub-district.

4.9. FENCING

Chain link fencing over 36 inches high is prohibited in the PD. Barbed or razor wire or any other type of wire designed to cut, puncture, etc., are also prohibited in the PD. Chain link fencing must be vinyl with a non-reflective color such as brown, black or dark green.

4.10. DEVELOPMENT DESIGN STANDARDS

4.10.1. Building Orientation and Entries

- (A) In the Recreation and Retail and Office sub-districts, there shall be at least one customer entry that faces the Pedestrian Zone on each street-facing Building Elevation. Additional customer entries may face an interior parking lot.
- (B) Maximum spacing between customer entries shall not be more than 50 feet apart on a single Building Elevation.

4.10.2. Building Dimensions

- (A) In the Recreation and Retail and Office sub-districts, buildings or building segments shall be taller than wide.

- (B) Building segments shall 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.

4.10.3. Building Materials

- (A) Development in the Retail and Office sub-district shall comply with the following standards.
 - a. Buildings shall have a similar character to the buildings in the Central Business district and/or the West Southern Pines community.
 - b. The exterior finish of Building Elevations shall be primarily comprised of brick covering equal to or greater than 80% of the exterior walls, excluding doors and windows. Buildings may deviate from this requirement if more than 60% of the street-facing Building Elevations are covered with glazed, non-reflective glass.
 - c. Cementitious horizontal lap siding, textured concrete masonry, and cast stone may be used for accents, provided that they cover no more than 20% of the exterior walls, exclusive of doors and windows. Wood and metal may be used as trim around doors and windows.
- (B) Development in the Recreation sub-district shall comply with the following standards.
 - a. No single material shall comprise more than 20% of the exterior finish of Building Elevations. One of the materials shall be brick.
 - b. Cementitious horizontal lap siding, textured concrete masonry, or wood shall be used for

accents. Wood and metal may be used as trim around doors and windows.

- c. If the building is two stories, or greater than 20 feet tall, then the exterior finish of second-story Building Elevation shall be primarily comprised of glass.

4.10.4. Windows

- (A) In the Retail and Office sub-district, the following standards shall apply.

- a. Windows shall use glazed and non-reflective glass.
- b. On the ground floor a minimum of 70% of the street-facing building façades between the Building Elevations of two and 10 feet above the sidewalk must be comprised of windows with at least 80% transparency or doors.
- c. Openings shall be horizontally aligned with openings on adjacent buildings, vertically aligned, or proportionate with openings on the ground floor of the building.
- d. Window height shall be at least 1.5 times the width.

- (B) In the Recreation sub-district, the following standards shall apply.

- a. A minimum of 40% of the street-facing building façades between the Building Elevations of two and 35 feet above the sidewalk must be comprised of windows or doors with at least 80% transparency.
- b. Reflective glass is permitted to protect the privacy of patrons and shall not create glare

visible from public rights-of-way or adjacent land uses.

4.10.5. Roofs

- (A) In the Retail and Office sub-district, horizontal parapets with cornices shall be required on Building Elevations facing PD streets, West Morganton Road, and South Henley Street. Parapet height shall vary between adjacent buildings. If a building is more than 50 feet wide, then the parapet height shall vary every 100 feet.
- (B) In the Recreation and Retail and Office sub-districts, Building Elevations facing streets and residential Lots shall have mansard or false mansard roofs or shingled or standing seam roofs with a minimum pitch of 6:12 (vertical rise:horizontal run).

4.10.6. Parklets and Patios

- (A) In the Retail and Office sub-district, Parklets are encouraged off the street-facing building facades.
 - (B) In the Recreation sub-district, a patio or similar seating area is required off the street-facing building facade or a building façade facing an interior lot line and may be ground level off the first story or on a balcony of the second story of the building. Patios in the Recreation sub-district shall be at least 40% the width of the building façade where it is located.
- (A) In the Recreation sub-district, balconies and covered porches may extend up to five feet into the Front Setback, provided that such features do not impede pedestrian circulation or extend more than 25% into the setback.

4.11. MULTIFAMILY DEVELOPMENT STANDARDS

- (A) Applicability. The following development standards shall apply to all multifamily structures within the PD.

(B) Building Setback and Lot Standards.

- a. Up to four multifamily dwelling units can be attached in a single building.
- b. Each dwelling unit and each building of up to four multifamily dwelling units shall be spaced at least 10 feet from any other dwelling unit and building.
- c. Buildings shall be set back a minimum of 10 feet and a maximum of 15 feet from sidewalks, public walkways, and street right-of-way. Setbacks may be greater than 15 feet if the intervening distance consists of common open space.
- d. Where practical, dwellings should be located to face each other across common landscaped space with buildings no closer 30 feet.

(C) Building Design Standards. The standards of the Town's UDO §4.10.8(C) Building Design shall apply to the Multifamily Residential sub-district and the following design standards shall also apply to new development.

- a. To the extent practicable and in addition to variations in Town's UDO §4.10.8(C.1), buildings shall include variations in gables and porches to create visual diversity between structures.
- b. All multifamily dwelling units shall be no more than one story tall, i.e., up to 15 feet tall.
- c. A minimum 6-foot deep, 10-foot wide, covered, ground-level porches are required per multifamily dwelling unit.

(D) Frontage and Pedestrian Improvement Standards.

- a. Concrete—or a material of similar durability—sidewalks at least six feet wide are required to connect the front porch of each multifamily dwelling unit to the street Pedestrian Zone. The sidewalks of buildings with multiple dwelling units may join together to create one sidewalk at any point in the Frontage Zone.
- b. Continuous walkways shall be provided through the project and connect Multifamily Dwellings Units to and through common open space.
- c. Landscaping, Planting Strips, and benches are required within the six-foot Furniture Zone.

(E) Parking Standards.

- a. To the greatest extent practicable, parking shall not separate dwelling units from common open space.
- b. A hard concrete—or a material of similar durability—surface shall connect parking areas to the front porch of each multifamily dwelling unit.

(F) Open Space

- a. Common usable open space shall comprise 20% of the total project area.
- b. To the extent practicable, common open space with Street Furniture shall front all streets.
- c. Common open space depths from the front lot line to multifamily dwelling units may vary depending on site layout as approved by the Town's Planning Director. Driveways and frontage improvements may occur in common open space.

- d. To the extent practicable, dwelling units shall have access to common open space without having to cross a street or parking lot.
- e. Where clustered or attached dwelling units are included in a project, the applicant shall ensure open space uniqueness for each cluster and dwelling unit. Uniqueness may be achieved through variation in the design—including but not limited to size, dimensions, grading, planting, site Street Furniture, and play equipment—of the common open spaces of each cluster.
- f. Property owners or another authorized entity shall be responsible for the maintenance of all required landscaping and follow provisions established in the Town's UDO §4.3.11 Maintenance Responsibility.

4.12. TRANSPORTATION (STREETS AND TRAFFIC ANALYSES)

4.12.1. Street Location and Classification

- (A) Street classification shall be interpreted as defined in the Town's UDO §4.11.2 Street Classification.
- (B) Streets within the Retail and Office sub-district shall be two-way local commercial streets.
- (C) Streets adjacent to the Multifamily Residential sub-district shall be Residential Sub-Collector Roads with the exception of streets that include a Greenway shared use path.
- (D) Streets connecting to the South Stephens Street and West Lowe Avenue intersection shall be one-way from the PD towards South Stephens Street and shall include at least 30 feet of Greenway space. If a street does not

connect the roundabout within the PD to the intersection of South Stephens Street and West Lowe Avenue, then the full right of way shall be a Greenway at least 60 feet wide.

- (E) Streets within the Single-Family Residential sub-district shall be residential alleys.

4.12.2. On-Street Parking

On-street parking is only permitted in the Retail/Office, Recreation, and Multifamily Residential sub-districts

4.12.3. General Street Layout

- (A) All streets are encouraged to be shared roadways, designed to offer priority to bicyclists operating on a roadway shared with motor vehicle traffic.
- (B) To the extent practicable, traffic calming and speed reduction measures, such as parallel on-street parking, shall be used along streets in the Retail and Office sub-district and the Recreation sub-district.

4.12.4. Street Intersections

- (A) Traffic calming and speed reduction measures such as Bulb-outs shall be used at residential sub-collector street intersections.
- (B) A roundabout shall be located at the intersection of the PD commercial collector street and residential sub-collector streets.

Chapter 5. Supplementary Conditions for Specific Uses

5.1. COORDINATION WITH THE TOWN'S UDO CHAPTER 5. SUPPLEMENTARY CONDITIONS FOR SPECIFIC USES

All development shall comply with the development processes, requirements, and regulations as stipulated in the Town's UDO Chapter 5. Supplementary Conditions for Specific Uses.

Chapter 6. Non-Conformities

6.1. COORDINATION WITH THE TOWN'S UDO CHAPTER 7. NON-CONFORMITIES

All development shall comply with the development processes, requirements, and regulations as stipulated in the Town's UDO Chapter 7. Non-Conformities.

Chapter 7. Administration

7.1. COORDINATION WITH THE TOWN'S UDO CHAPTER 8. ADMINISTRATION

All development shall comply with the development processes, requirements, and regulations as stipulated in the Town's UDO Chapter 8. Administration, except as provided by the regulations of this Chapter and all of the applicable standards and regulations in other Chapters of this CDP.

7.2. ENACTMENT AND REPEAL OF EXISTING DEVELOPMENT REGULATIONS

The CDP hereby adopted, shall supplement the Town's existing UDO regulations and shall supersede all provisions of the Town's UDO or any other Town ordinances in conflict herewith.

7.3. INTERPRETATION

This CDP shall be interpreted to promote the safety, health, convenience, comfort, prosperity, and general welfare of the public. The Town's UDO

shall be liberally interpreted in order to further its underlying purposes. The meaning of any and all words, terms, or phrases in the Town's UDO shall be construed in accordance with [Chapter 9 – Definitions](#). In case of a conflict between the CDP Narrative document with the text of the CDP Code, the CDP Code text shall control.

7.4. SEVERABILITY

If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word, this code is declared involved, such involvement shall not affect the validity or enforceability of the remaining portions of the Code.

7.5. RESPONSIBILITIES FOR APPLICATION OF THE CDP

- (A) The Town of Southern Pines staff shall be responsible for approval tasks associated with development approvals and any other roles and responsibilities as outlines in the Town's UDO.
- (B) Maintenance of streets and the Pedestrian and Furnishing Zones within the street rights-of-way shall be determined at the time of development solicitations for preliminary development plans associated with this CDP.

7.6. EFFECTIVE DATE

The provisions in this CDP were adopted and became effective on _____, _____, and shall be published and recorded with the Town of Southern Pines.

Chapter 8. Word Usage and Definitions

8.1. COORDINATION WITH THE TOWN'S UDO CHAPTER 9. DEFINITIONS

All development shall comply with the provisions in the Town's UDO Chapter 9. Definitions, in addition to the provisions of this Chapter.

8.2. WORD USAGE

Except where specifically defined herein, all words used in this planned unit development code shall carry their customary meanings. Words used in the present tense include the future, and the plural included the singular. The word “lot” includes the word “plot;” “Building” includes the word “structure;” and “planned unit development” includes “conceptual development plan.” The word “shall” is intended to be mandatory. “Occupied” or “used” shall be considered as though followed by the words “or intended, arranged, or designed to be used or occupied.” Any definition not explicitly stated in the Definitions sections shall have the meanings assigned to them in the Town’s UDO §9.3 Definitions.

8.2.1. Definitions

As used in this CDP, the following terms shall have the meanings as prescribed below in this section.

Building Elevation: The visible vertical plane of the side of a building from ground level to the roof line.

Bulb-out: Curb extensions at intersections that reduce curb-to-curb roadway travel lane widths. Bulb-outs make sidewalks more pedestrian-friendly by reducing vehicle speeds which increases pedestrian safety. The extended area can also accommodate landscaping, outdoor dining, and other features.

Frontage Zone: A zone adjacent to the property line and along the Pedestrian Zone that provides space for people to enter and exit buildings and where business patios and outdoor seating may occur.

Furniture Zone: The zone closest to the street that provides space for signs, street lighting, street trees, and other utilities. Lighting, landscaping, bike racks, waste receptacles and Street Furniture may be approved for use in this area.

Gateway Sign: Any sign or display intended for its purpose to provide information to the traveling public advising motorists they are entering the boundaries of the West Southern Pines community.

Glare: The effect by reflections of light with intensity sufficient as determined in a commercially reasonable manner to cause annoyance, discomfort, or loss in visual performance and visibility in any material respects.

Greenway: A contiguous or linear open space, including multiuse trails, that links parks, nature reserves, cultural features, or historic sites with each other, for recreation and conservation purposes.

Historical Sign: A sign designated by the Town of Southern Pines that highlights an historic or cultural resource or an historical element of an historical landmark.

Hotel, Motel, or Other Accommodation Service: Lodging and short-term accommodation for travelers. This definition shall include bed and breakfast homes, bed and breakfast inns, room and boarding dormitories. Short-term rentals are excluded from this definition.

Multimodal: A transportation design that allows for flexible, environmentally sustainable, and compact streetscape design., which creates multiple modes of connections, mobility, and access for all users and modes of travel.

Parklet: A platform or similar level surface extending into the public right of way Frontage Zone with amenities such as but not limited to tables and/or chairs (including benches), bike parking, and umbrellas, designated as public space, located in or on the public right-of-way or resting on, or projecting into, the sidewalk and parking area, which are not physically or structurally attached to a building.

Patio: An uncovered horizontal structure with a surface height, at any point, no greater than 2 feet above grade, intended for use as an outdoor amenity space.

Pedestrian (Through) Zone: The clear width needed for pedestrian travel activity wide enough for at least two people to walk side-by-side. The Pedestrian Zone is located between the Furniture Zone and the Frontage Zone.

Planting Strip: A portion of any street between two curb lines or between the curb line and the adjacent property line not intended for pedestrian or vehicular traffic.

Sidewalk Zone: The portion of a front yard that includes the Frontage Zone, Pedestrian Zone, and Furnishing Zone.

Street Furniture: Equipment and furnishings such as bike racks and benches, positioned between a street and a principal building for use by the public.

Traditional Mixed Use (*excerpted and modified from the Town of Southern Pines’ Comprehensive Long-Range Plan, 2016*): A CLRP future land use category that applies to larger, mostly undeveloped parcels well-suited to mixing residential and non-residential uses in a manner similar to that found in downtown Southern Pines. This designation applies to the Morganton Road area as a likely spot for mixed uses including an interconnected street network as found in traditional town development. No specific development intensity is implied by this designation. It simply indicates that such areas will be built to urban levels, will incorporate a variety of uses and will have a street network accommodating modes of travel beyond the automobile.

Original Art Mural: A hand-painted, hand-tiled, or digitally printed image on the exterior vertical building wall that does not contain any commercial message. For definition purposes, a commercial message is any message that advertises a business conducted, services rendered, or goods produced or sold.

Wayfinding Sign: A type of sign that allows users to find their way, using information provided along a pathway, including a sidewalk, a sidepath, a shared use path, and Greenways.

8.2.2. Acronyms

ACRONYM	FULL NAME
(Town’s) UDO	Town of Southern Pines Unified Development Ordinance
CDP	Conceptual Development Plan
CLRP	Town of Southern Pines Comprehensive Long-Range Plan
HUD	United State Housing and Urban Development
NC	North Carolina
PD	Planned Development District
ROW	Street right-of-way (singular) or rights-of-way (plural)
TIA	Traffic impact analysis
WSP	West Southern Pines

Table 5. List of Conceptual Plan Development Acronyms



West Southern Pines: Morganton-Henley Planned Development

Conceptual Development Plan
District Map

Legend

District

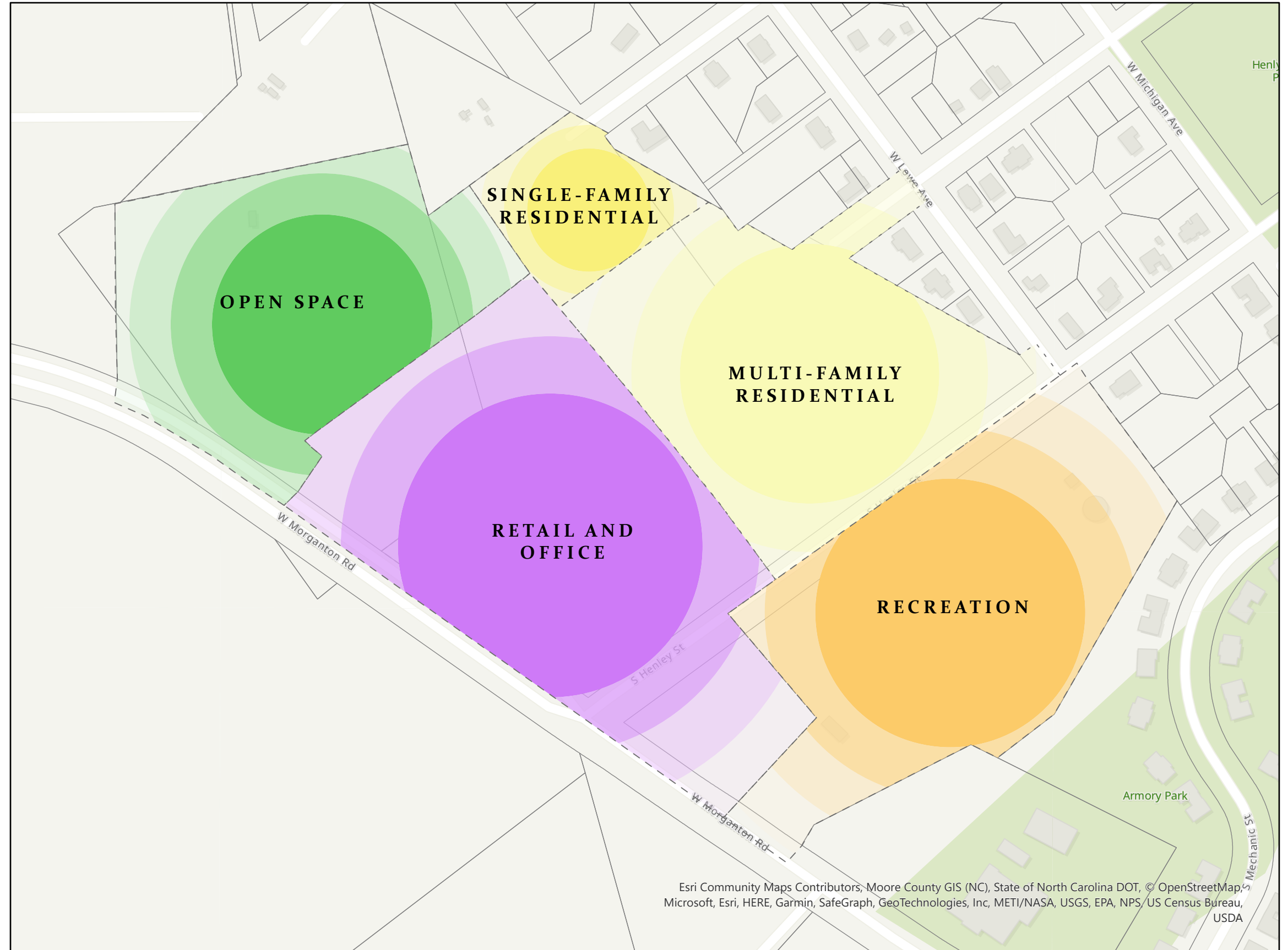
- Multi-Family Residential
- Open Space
- Recreation
- Retail and Office
- Single-Family Residential

Credits: Town of Southern Pines/AM (01/26/23)
Source Data: Town of Southern Pines (2023)

0 150 300 Feet
Scale: 1:2,500



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West Southern Pines

Morganton-Henley Conceptual Development Plan Narrative

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I. SUMMARY AND PURPOSE

SUMMARY

37 acres are requesting rezoning from Facilities, Resources, and Recreation to Planned Development on the corner of West Morganton Road and South Henley Street. A Conceptual Development Plan (CDP) has been created in collaboration with the University of North Carolina Chapel Hill's School of Government's Development Finance Initiative (DFI) and the West Southern Pines (WSP) community. As a local resident commented at the neighborhood meeting, "Every aspect of this development needs to enhance and respect the history of West Southern Pines." With this spirit in mind, the CDP intends to look back and act forward; look back at the history of West Southern Pines while acting forward to address current housing, recreation, and development needs and desires.

Placemaking is another key aspect of the CDP to help strengthen the community's identity, create spaces for civic activities, and create conditions to attract and retain businesses. If approved, this conceptual development plan will culminate in a competitive development solicitation process, guided by DFI, to identify development partners for each component of the CDP: affordable senior rental housing (i.e., Multifamily Residential district), affordable single-family homeownership (i.e., Single-Family Residential district), retail and office space (Retail/Office district), the YMCA (i.e., Recreation district), and Open Space.

The CDP is divided into three primary documents, plus attachments required by Appendix A of the Town of Southern Pines Unified Development Ordinance (Town's UDO). The primary document is the CDP zoning, which mimics the format and zoning language of the Town's UDO. Complementary to the CDP zoning is the Official District Map that will amend the Town's Official Zoning Map. Lastly, this CDP narrative provides context to the CDP zoning, informative visualizations, and descriptions of different aspects of the CDP zoning in layman's terms.

BACKGROUND AND GUIDING PUBLIC INTERESTS

In March 2021, the Town engaged the DFI—which advises communities in North Carolina on how to attract private investment for transformative projects—to provide pre-development services for the Town's Morganton Road properties. DFI, generally, provides specialized real estate development and finance expertise. For this project, DFI conducted a site analysis, market analysis, and financial analysis using feedback from community outreach and staff that has informed this conceptual development plan. These analyses have allowed the Town to create a more feasible development plan that fits the character and needs of the West Southern Pines community.

The community outreach that informed the analyses also provided guiding public interests. According to these outreach efforts, the planned development for this project should:

- Serve as a distinctive entry point to the West Southern Pines neighborhood and Morganton Road area;
- Allow for a greater density of commercial uses along Morganton Road and transition to lower density uses that align with the residential character of the West Southern Pines neighborhood;
- Align with the West Southern Pines neighborhood's revitalization goal to increase economic and physical vitality while preserving the neighborhood's culture and character;

- Include publicly accessible recreational uses currently not available in the area;
- Provide pedestrian and bike access to and around the site, including improved connectivity from the West Southern Pines neighborhood to Morganton Road without substantially increasing non-resident traffic; and
- Minimize public investment and maximize private investment.

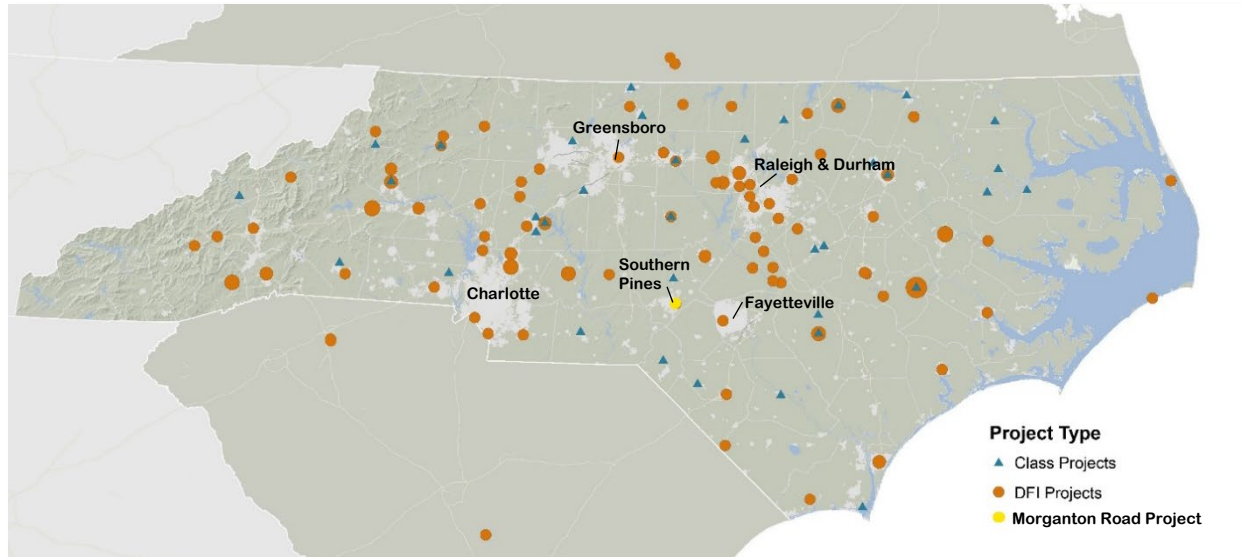


Figure 1. UNC Chapel Hill School of Government Project Sites.

The Planning Department staff would like to recognize the invaluable assistance of the DFI team that has worked on this project, including Ms. Sarah Odio, Project Manager; Ms. Rory Dowling, Development Advisor; Ms. Marcia Perritt, Quality Control; and Mr. Frank Muraca, Analyst. Furthermore, this project would not have been possible without the input and feedback from the West Southern Pines community who invested time and energy into meetings, workshops, and one-on-one conversations to help town staff envision the concept for this area.

RECOMMENDED PROJECT NAMES PROPOSED BY COMMUNITY RESIDENTS

As part of the public participation plan, community residents at the neighborhood meetings were asked to provide recommendations for project names based on the history and culture of the community. The following list is in order of staff favorites, with the top being the preferred options:

- Heritage Square
- Heritage Village
- McLean's Corner (in honor of Veola McLean)
- Walden's Place
- Stephens Place
- American Square
- American Village

II. GEOGRAPHY

PROPERTY BOUNDARIES

This project area includes the entirety of the tax parcels—including their legal metes-and-bounds boundary descriptions—listed in Table 1, for a total of 37.057 acres. Agent authorizations have been provided by Rental Derby, LLC, and the Southern Pines Housing Authority.

Table 1. Tax Parcels Included in Project Area

No.	Owner	PIN and PARID	Mailing Address	Deed Acreage	Zoning	Future Land Use
1	Rental Derby, LLC	85710768650198000748	39 Spearhead Drive Whispering Pines, NC 28327	1.32	FRR (Extra-territorial Jurisdiction)	Parks/Open Space
2	Southern Pines Housing	85710779015700039154	801 S Mechanic St Southern Pines, NC 28387	0.687	RS-1	Residential
3	Southern Pines Town Of	85710068296800991985	PO Box 870 Southern Pines, NC 28388	9.45	FRR	Parks/Open Space
4	Southern Pines Town Of	85710778268700991984	PO Box 870 Southern Pines, NC 28388	25.6	FRR	Parks/Open Space

PROJECT LOCATION AND MAP

This project will be located across from new Morganton Park South commercial center—colloquially known as the “Target Development”—on the opposite side of subject properties on West Morganton Road.

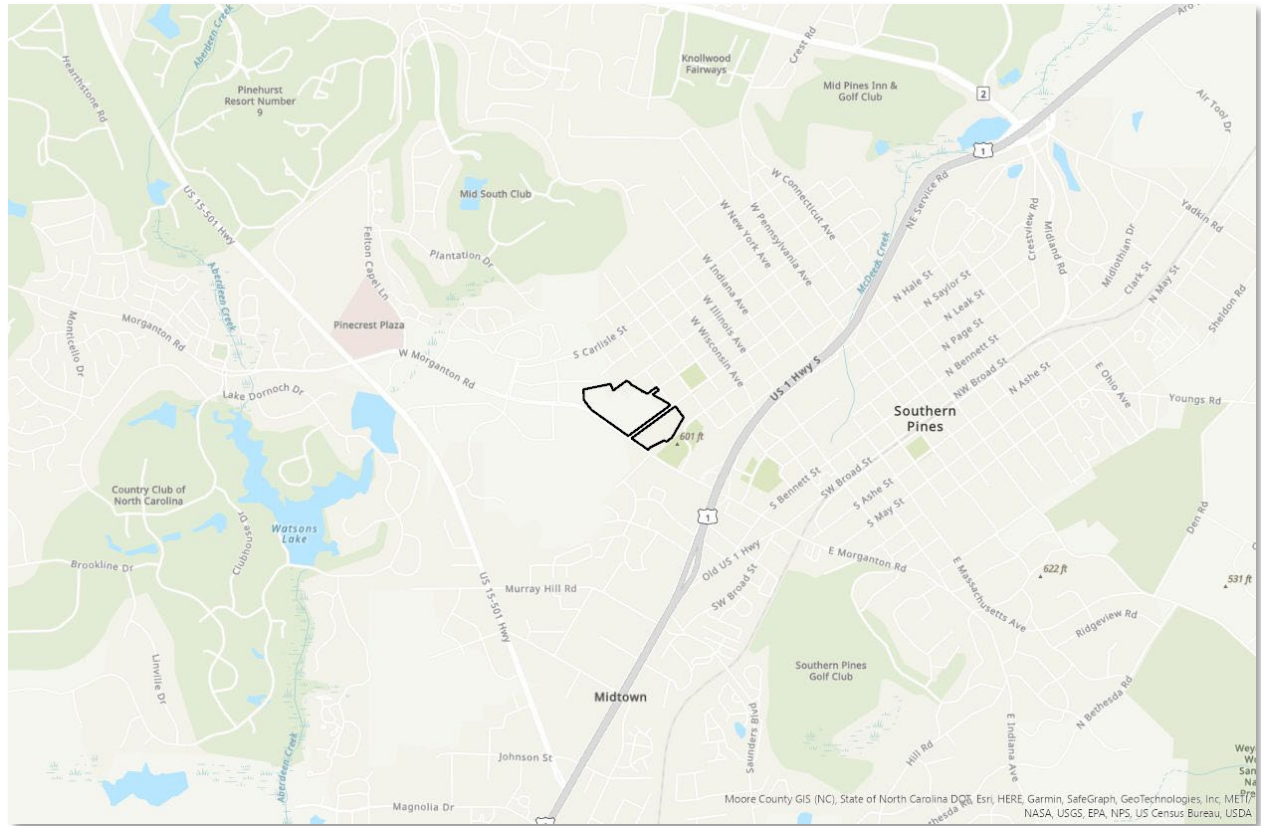


Figure 2. Project Location Map at a Scale of 1" Equals 2,000' (or 1:24,00).

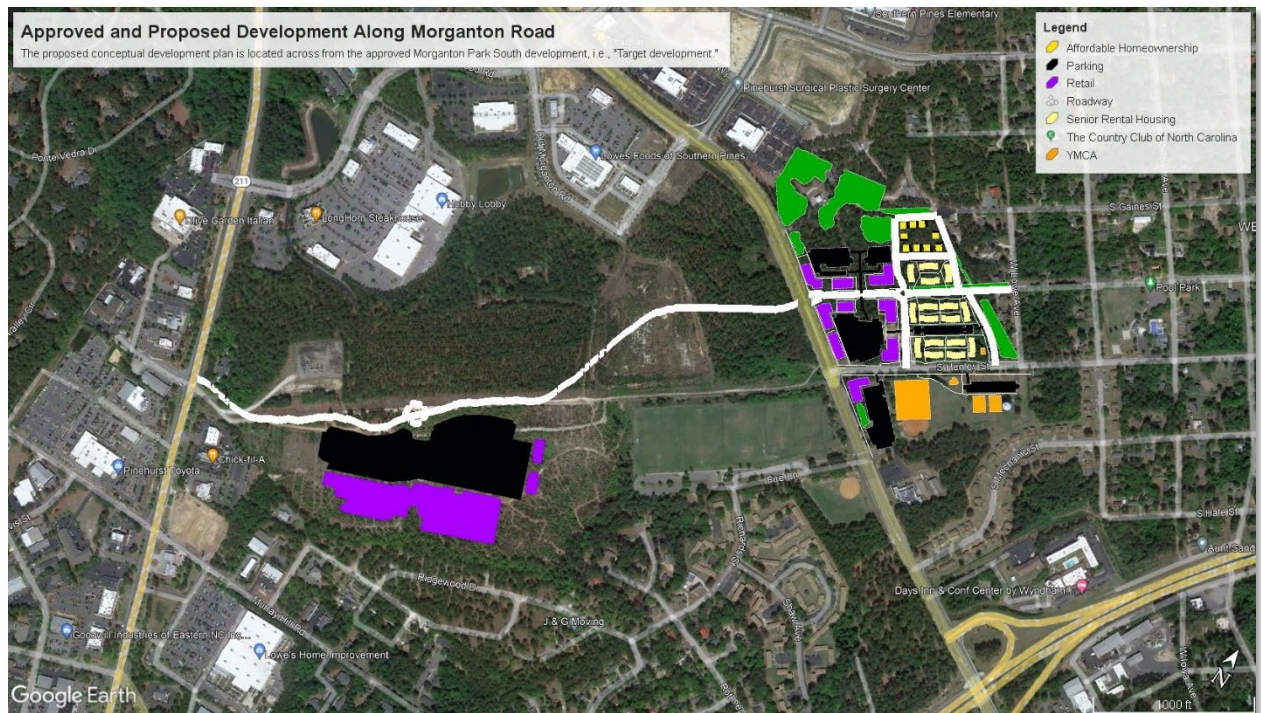


Figure 3. Project Location in Relation to the Morganton Park South Planned Development District The purple buildings represent office and retail uses; the orange represents the YMCA grounds; the light yellow represents affordable senior housing; and the darker yellow represents affordable homeownership. Go to tinyurl.com/WSPPD to see a Google Map of the proposed development area.

LOCATION AND ROW OF PUBLIC STREETS AS WELL AS FUNCTIONAL CLASS

<i>Road Name</i>	<i>ROW Width* (approx. ft)</i>	<i>Jurisdiction</i>	<i>Functional Class</i>
West Morganton Road	100	State	Secondary Route, Minor Arterial
South Henley Street	80	Town of Southern Pines	Local
West Lowe Avenue	80	Town of Southern Pines	Local
South Gaines Street	80	Town of Southern Pines	Local

**ROW width was measured using ArcGIS Pro and Moore County Parcel Data (2022).*

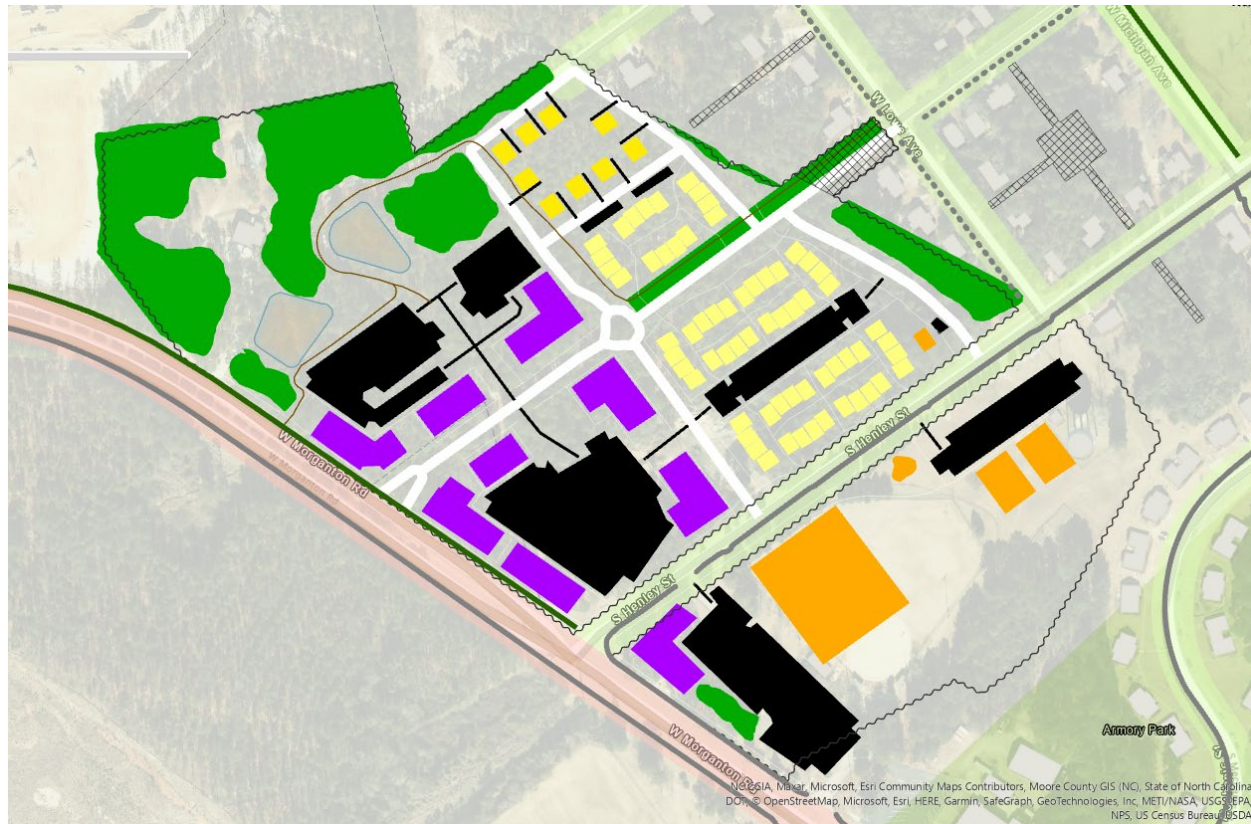


Figure 4. Location of Public Streets and Adjoining Roads. Grey dashed lines represent proposed sidewalk improvements while solid grey lines symbolize existing sidewalks. The black hashed areas represent unimproved rights-of-way, one of which is within the CDP boundaries.

III. PUBLIC PARTICIPATION PLAN

The Town of Southern Pines Planning Department put together a seven-part public participation plan. Each part is described in detail below. Planning staff believe that a successful conceptual development plan for this site required input and feedback from residents within the West Southern Pines and broader Southern Pines community considering the unique history of the area. The comments and feedback provided have been captured in Attachment 3 Neighborhood Meeting Records for reference.

POSTCARDS

Postcards were created and hand-delivered to adjacent landowners who live within 200 feet of or slightly further from the subject properties. A total of 30 postcards were delivered between December 28 and December 30, 2022. In addition to postcards, a copy of the proposed development district map and a public engagement informational flyer were provided to these residences.



Figure 5. Images of the Postcard Concept.

MEDIA KIT

On December 21, 2022, a news release was sent to media outlets in the area, which can be read on the town's website: [News Flash • Southern Pines, NC • CivicEngage](#). Planning staff also provided interviews for local newspaper, The Pilot, staff writers that contributed to three featured articles:

- “Community Input Requested: West Southern Pines Development Plan Moves Forward” by Ana Risano on January 3, 2023;
- “Neighbors, Officials Tour West Southern Pines Project Site” by Laura Douglass and Ana Risano on January 5, 2023; and
- “Neighbors Provide Feedback: Morganton Development Enters Final Stages” by Ana Risano on January 10, 2023.

Lastly, information about the public engagement process was posted on the Town of Southern Pines Facebook page.

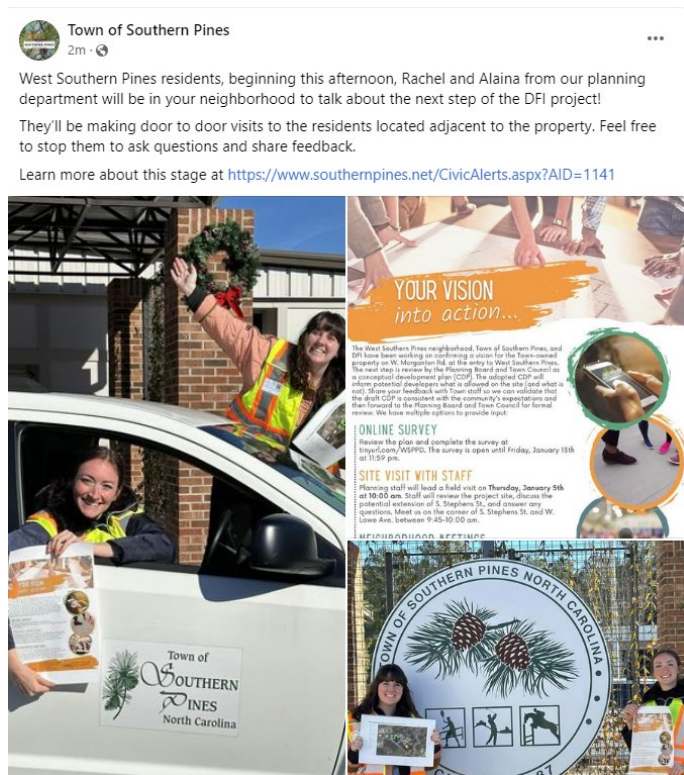


Figure 6. Town Planning Staff as Depicted in Social Media Post.

COFFEE KLATCHES

Two town Planning staff—in addition to handing out postcards, flyers, and maps to adjacent landowners—were able to speak one-on-one with seven adjacent residents, three of which invited staff into their home. In these informal conversations, staff spoke to residents about what uses should be authorized and what should be prohibited, design ideas for the open spaces, design requirements for senior housing. Public safety concerns as well as traffic and the potential extension of South Stephens Street were also discussed. Information from these conversations were noted and included in revisions of the authorized use table and requirements within the conceptual development plan code.

Town staff would like to thank the community for welcoming us into their homes and for taking time to meet and speak with us.

VISUAL PREFERENCE SURVEY AND NEIGHBORHOOD MEETINGS

A visual preference survey is a public feedback tool that allows participants to rank different design alternatives based on their preferences. Four visual preference surveys were created for each major element of the proposed development: retail and office, affordable homeownership, affordable senior rental housing, and the YMCA. Nine building precedents (eight provided by UNC Chapel Hill's DFI Program and one of Meadowmont Village Google Streetview) were included in the retail and office visual preference survey.

Seven building precedents (provided by Habitat for Humanity of the NC Sandhills) were included in the affordable homeownership visual preference survey. Five building precedents from Oroysom, Cedar of Chapel Hill, and Arbor Park Apartments were used for the affordable senior rental housing visual preference survey. Lastly, nine building precedents from Gro Dev, a preferred vendor for the YMCA, were used for the YMCA visual preference survey.

People were able to access the survey links through a landing page www.tinyurl.com/wsppd as seen in the snapshot below. The visual preference surveys were created on Google Forms for those interested in participating online. There was also an opportunity, through "dotmocracy," to provide feedback on the visual preference survey at the two in-person neighborhood meetings. People were given stickers to rank the same images that were on the online visual preference surveys. Those stickers were later added to the online survey and all the results were analyzed together. A total of

22 people signed in at the neighborhood meetings, but there were more people who attended who did not sign in. A summary of their comments and survey results can be found in Attachment 3.

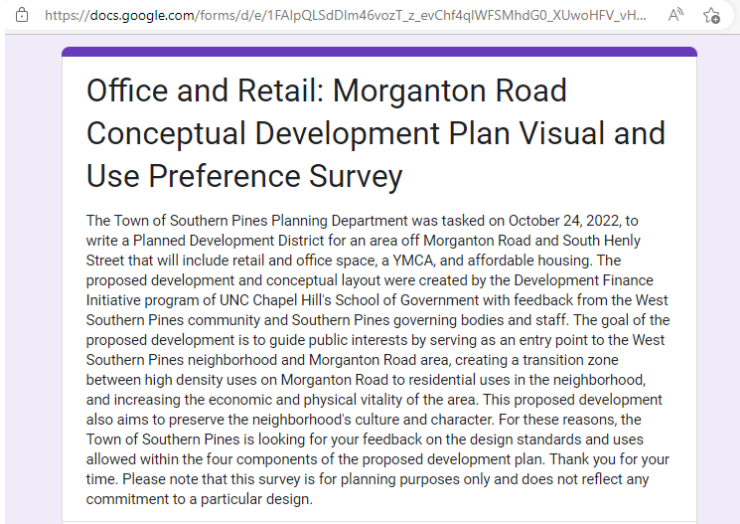


Figure 7. Screenshot of One of the Online Visual Preference Survey Introductions.



Figure 8. Figure 8. Screenshot of the CDP Landing Page and Pop-Up of the Purple Star to Access the Retail/Office Survey.

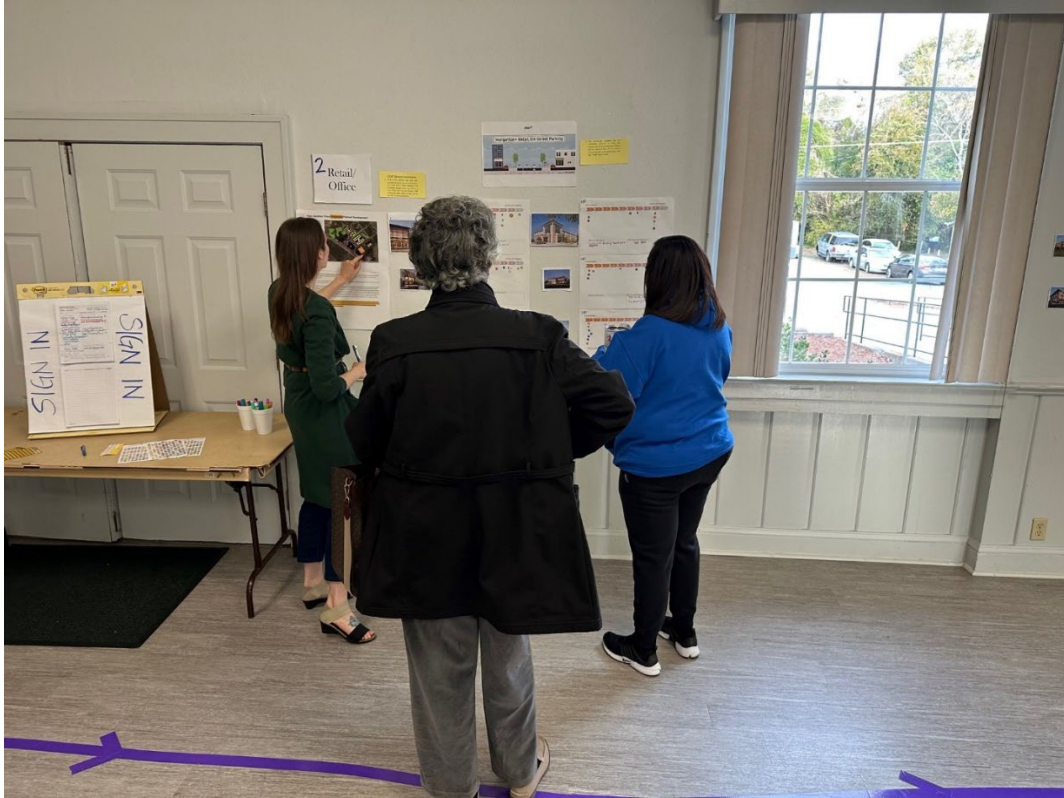


Figure 9. Images Captured at Each of the Neighborhood Meetings at the E.S. Douglass Community Center.

SOUTH STEPHENS STREET EXTENSION FIELD VISIT

Figure 10. Town Planning staffled a group of interested community members on a tour of the CDP project site on Thursday, Jan. 5. Photo credit: Laura Douglass.



15 participants joined town Planning staff at the corner of West Lowe Avenue and South Stevens Street to discuss a potential extension of South Stephens Street directly to West Morganton Road. Access to and from the West Southern Pines community was noted as important, but that other roadways would serve as better “gateway” roads to the community, including West Pennsylvania Avenue, South Carlisle Street, and South Henley Street. The flow of traffic, pedestrian safety, noise concerns for seniors living in the senior rental housing were all discussed prior to walking the site. Planning staff pointed out approximately where each planned development zone, roadways, and the proposed roundabout would be located. It was clear from the site visit that the “extension” of South Stephens Street should be either a full greenway or a hybrid greenway and one-way street flowing from the roundabout to the West Southern Pines community, which is what is being proposed in the conceptual development plan. Other traffic concerns were followed up on by staff with a participant from the site visit and were captured in the image below.

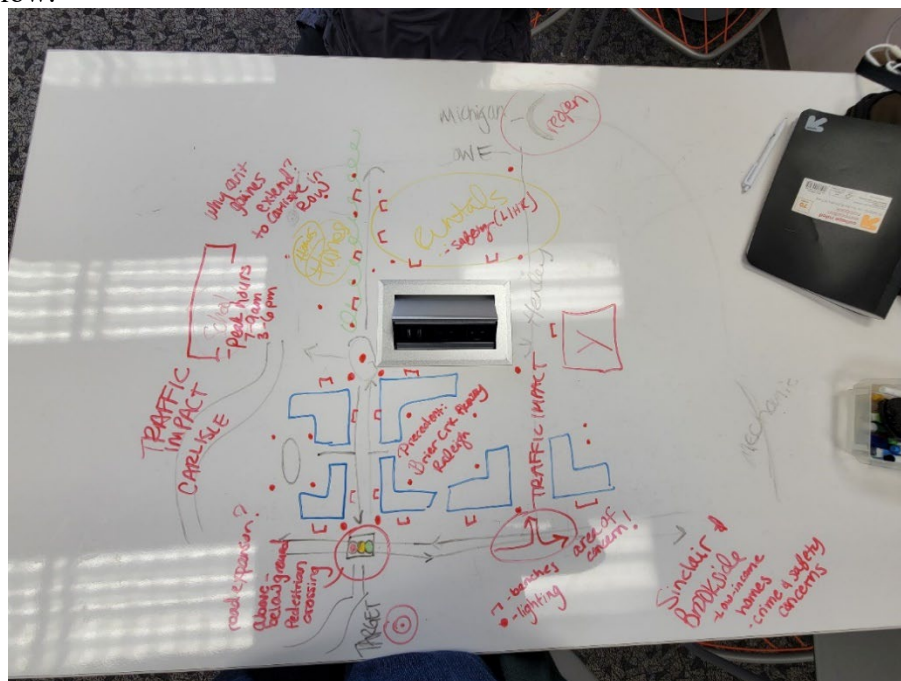


Figure 11. Town Planning staff met with a community member to discuss CDP traffic concerns, captured in these notes.

EXHIBITS/DISPLAYS IN PUBLIC SPACES

Planning staff hung up 11” by 17” public engagement and project flyers at the E.S. Douglass Community Center and Blendz Barber Shop, each located on West Pennsylvania Avenue. Notice was also posted on the subject property.



**YOUR VISION
into action...**

The West Southern Pines neighborhood, Town of Southern Pines, and DPI have been working on confirming a vision for the Town-owned property on W. Morganton Rd. at the entry to West Southern Pines. The next step is review by the Planning Board and Town Council as a conceptual development plan (CDP). The adopted CDP will inform potential developers what is allowed on the site (and what is not). Share your feedback with Town staff so we can validate that the draft CDP is consistent with the community's expectations and then forward to the Planning Board and Town Council for formal review. We have multiple options to provide input:

ONLINE SURVEY
Review the plan and complete the survey at tinyurl.com/WSPPD. The survey is open until Friday, January 13th at 11:59 pm.

SITE VISIT WITH STAFF
Planning staff will lead a field visit on **Thursday, January 5th at 10:00 am**. Staff will review the project site, discuss the potential extension of S. Stephens St., and answer any questions. Meet us on the corner of S. Stephens St. and W. Lowe Ave. between 9:45-10:00 am.

NEIGHBORHOOD MEETINGS
We've scheduled two drop-in meetings to review the CDP and receive input on the proposed uses. The first meeting will be **Friday, January 6th from 6:00-8:00 pm**, and the second on **Saturday, January 7th from 8:00-10:00 am**. Both meetings will be at the E.S. Douglass Community Center; light snacks will be available.

CONTACT US
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Southern Pines, NC 28587

910-692-4003 x7232
www.tinyurl.com/WSPPD



LOCATION AND SIZE OF PROPOSED DEVELOPMENT AND COMMON AREAS



The five major elements of the proposed conceptual development plan are (approximately) eight acres of affordable senior rental housing (i.e., Multifamily Residential district), two acres of affordable single-family homeownership (i.e., Single-Family Residential district), 12 acres of retail and office space (Retail/Office district), nine acres of recreation space, and about eight acres Open Space. Note that this approximate acreage includes portions of rights-of-way, which is why it is greater than the deeded acreage totals mentioned previously. Furthermore, the boundaries of each district may shift slightly depending on designs proposed in the preliminary development plan process.

The office and retail zone would include approximately 171,000 square feet of two-story retail space. A total of nine one-story affordable homes and 64 one-story affordable senior rental units are proposed. The recreation district will include land to be owned by the YMCA. The principal building may be up to two stories tall, accessory uses may include 7,500 square feet of basketball courts and a 7,500 square foot of skate park. Approximately 1,700 square feet is proposed for a playground.

Open space will comprise at least 20%, at about eight acres, of the gross land area of the planned development per UDO §3.5.14(G) Open Space. Greenway trails and other multiuse trails are

proposed throughout the planned development, as well. More information about the trail and street system can be found in the [Conceptual Transportation Plan](#).

Although district boundaries are shown on the district map, they are intended to be approximate. They do not illustrate any surveyed metes-and-bounds divisions. The final property boundaries, and corresponding acreage, will depend on site design as approved during the preliminary development plan process.

LOCATION OF EASEMENTS AND NATURE OF PLANNED UTILITY SERVICES AND PROVIDERS

There are two known easements in the planned development area. The first is a 20-foot sewer easement, shown in purple on the image above, owned by the Town of Southern Pines that is in the South Henley Street right-of-way. The second is a 20-foot water easement, shown in orange on the image above, owned by the Town of Southern Pines, as well. At the moment of application submittal, the applicant is unaware of any other easements on the subject properties.

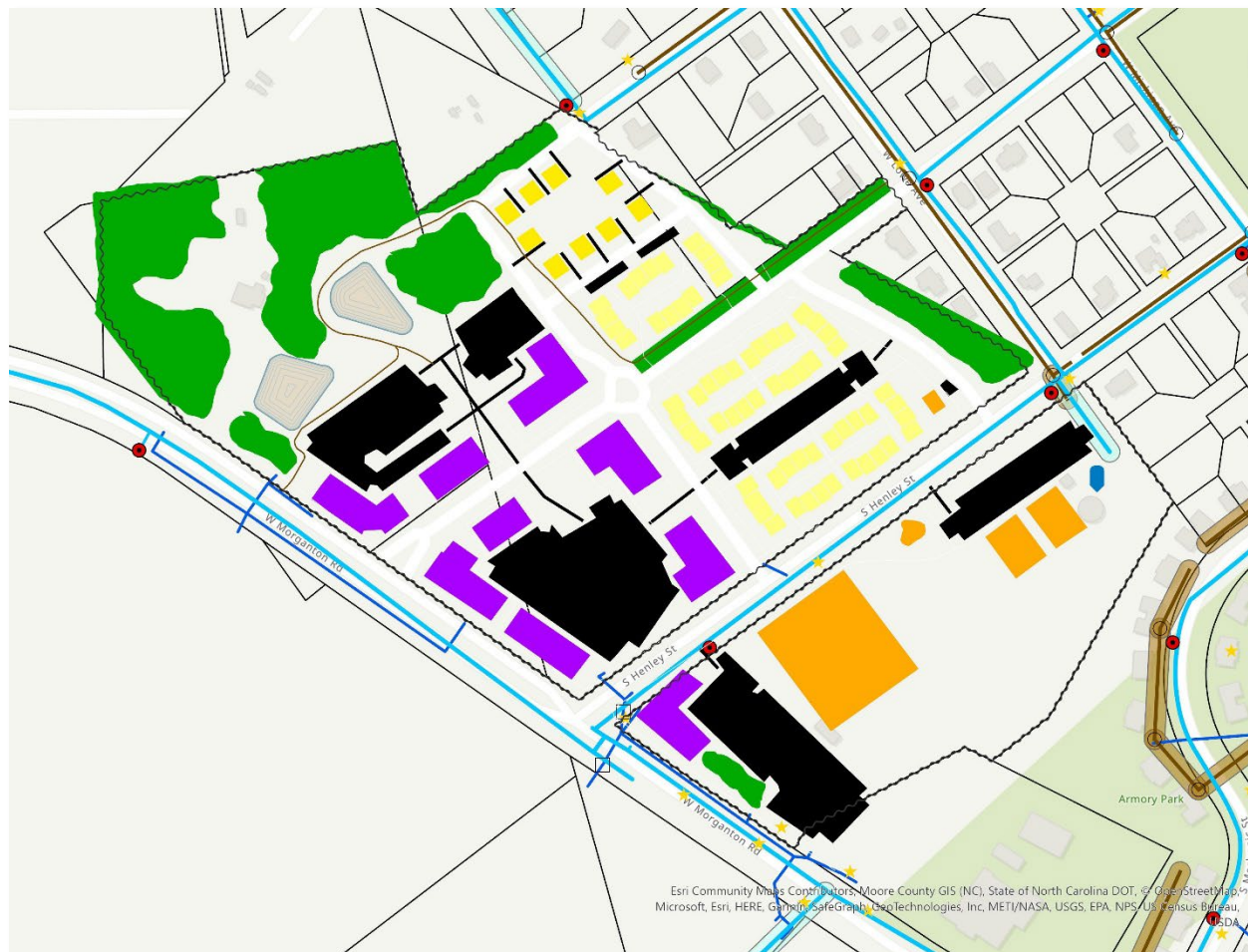


Figure 12. Utilities, Easements, and Infrastructure Map. The Town's water tank is shown as a blue waypoint while the water lines are light blue. Stormwater lines are in a medium blue. The water easement is a light blue fill and the sewer easements are a brown fill around the brown sewer lines. Duke Energy lighting is symbolized as yellow stars. Sewer and stormwater manholes are circles and squares, respectively. Fire hydrants are red points with black centers. Lastly, water retention basins are light brown with blue elevation lines.

Existing water lines are readily available on West Morganton Road, South Stephens Street, South Gaines Street, and South Henley Street. Sewer lines are also readily available on South Mechanic Street, West Lowe Avenue, and South Gaines Street. Stormwater connections will require a minimal on-site cost. Stormwater facilities for the impermeable surfaces will be located at the north side of the planned development, including two stormwater catchment basins. As mentioned previously, at least 20% of the development area will be left as open space.

Broadband and electricity are all readily available to the site. Some potential current broadband providers include Charter Communications (i.e., Spectrum), T-Mobile home internet, Viasat, HughesNet, Earthlink, Starlink, and kinetic by windstream. Please note that this may not be a holistic list of what is currently available. Duke Energy provides most of the electricity to the area. P&G may offer gas services to the subject properties.

LANDSCAPING AND FENCING STANDARDS

In addition to following the UDO Landscape Code, additional requirements are created for properties adjacent to Morganton Road and residential districts. Along Morganton Road, in addition to street trees, planting strips or a hedgerow must be created to physically separate the roadway from the sidewalk zone. In all PD districts that abut a residential zone (not applicable if zones are separated by a right of way), a 50-foot undisturbed buffer is required.

In addition to following UDO §4.7 Fences and Walls, chain link fencing over 3 feet tall and barbed or razor wire fencing are prohibited. If a chain-link fence is proposed, then it must be vinyl with a non-reflective color such as brown, black or dark green.

The following sections will highlight development and design standards for each sub-district.



Figure 13. Retail and Office District Preferred Building Precedents.

RETAIL AND OFFICE SUB-DISTRICT STANDARDS

A. Overview

The commercial component of the planned development will include retail and office space totaling approximately 171,000 square feet. The buildings will be two stories tall. No specific use has been established currently, as that will occur when the Town selects a development partner(s). However, authorized uses are listed in Table 1 of the CDP Code §3.9 Authorized Uses Table and Interpretation, including retail sales and services, business and professional services, and food services. Some communication, information, arts, entertainment, recreation, education, and public uses are authorized uses, as well.

B. District Development Standards

The development standards for principal structures in the retail and office district are intended to create a distinctive entry point into West Southern Pines with a creative and innovative design that is consistent with community character while also promoting economic vitality of the community. In this spirit, development within the Retail and Office sub-district are meant to be pedestrian-oriented, multimodal, and control the quantity of impervious surfaces. The development standards are summarized in Table 2 below and can be found in detail in Figure 2 and Table 2 within the CDP §4.2 Lot Development Standards, as well.

Design Element	Principal Structure Standards	Illustration
Minimum height	25 feet (two stories) for all buildings	
Maximum height	45 feet (three stories) for buildings with a Building Elevation that faces West Morganton Road 35 feet (two stories) for all other buildings	
Max. Front Setback (A)	10 feet	
Max. Exterior Side Setback from ROW (B)	10 feet	
Min. Exterior Side Setback (C)	10 feet	
Min. Rear Setback (D)	No minimum	
Min. Lot Width (E)	No minimum	
Minimum lot size	No minimum	
Parking maximum	1 parking space for every 370 square feet of floor area	
Bicycle parking minimum	1 space per 2,500 square feet of floor area unless a central bicycle parking hub is provided elsewhere in the planned development	

Table 2. Summary of Retail and Office District Development Standards.

C. District Design Standards

The design of the retail and office space is intended to mirror a similar aesthetic to the Central Business district of downtown Southern Pines, but will allow a lower coverage of brick if more windows are included in the design. All development is required to have a similar character to the West Southern Pines community, as well. In addition to standards shown in Table 2 above, the standards listed in Table 3 apply to development within the Retail and Office sub-district. The rationale for standards is also described in Table 3.

Element	Standard	Rationale
Outdoor storage, displays, and operations	- Outdoor storage is prohibited. - Displays (up to 20 square feet in size and under 4 feet tall) are allowed within the sidewalk frontage zone and (up to a foot into) the furniture zone, but is prohibited in the pedestrian through zone. The displays have to be removed when the business is closed.	Outdoor space should be used for operations, not storage. Outdoor displays are acceptable when properly located to avoid creating safety hazards for pedestrians.

Front Yards, including Frontage, Pedestrian, and Furniture Zone	• Front yards are encouraged to have courtyards, parklets, benches, wayfinding signage, and outdoor dining areas, so front setbacks have flexible administration at the discretion of the Planning Director. • Lighting, landscaping and planting strips, benches, bike racks, and wayfinding signs are required within the five-foot Furniture Zone. • Landscaping is required to follow the Town's UDO Landscaping Code and planting strips or a hedgerow physically separating the pedestrian zone from West Morganton Road will also be required.	The outdoor space in front of buildings should be utilized to create an interactive and engaging built environment that encourages pedestrian activity. Furthermore, the landscaping, lighting, and street furniture should create a safe and interesting streetscape for pedestrians.
Buildings	• Buildings shall be predominantly (80% or more) brick and other masonry materials can be used as accents. • One customer entry is required to face the pedestrian zone and interior parking lot entries are also permitted. • Entries must be no more than 50 feet apart. • Buildings segments must be taller than wide. • Changing rooflines, segmented elevations, and architectural accents are required to provide dynamic street-facing elevations, which was considered important to residents. • Windows should cover at least 70% of the first-floor building façade and have to align with adjacent buildings. • Awnings are also recommended for spaces that encroach over the pedestrian sidewalks. • Mansard or false mansard roofs/shingled or standing seam roofs and parapets and cornices are required on street-facing roofs. Parapet height has to vary between adjacent buildings. If a building is more than 50 feet wide, then the parapet height has to vary every 100 feet.	Public feedback and the Central Business district inspired the design standards.
Off-Street Parking	• Maximum of one vehicle parking space for every 370 square feet of retail and office floor area. • Minimum of one bicycle parking space per 2,500 square feet of floor area, unless a central bicycle parking hub is provided elsewhere in the planned development. • Off-street parking has to be located in the rear or interior side of a building.	Avoid overparking/parking lots that are larger than necessary while shielding any off-street parking from views within the public rights of way.

Table 3. Retail and Office District Building Design Standards and Rationale.



Figure 14. Recreation District Preferred Building Precedents.

RECREATION DISTRICT (YMCA)

A. Overview

As mentioned previously, the principal building in the Recreation district would include up to 50,000 square feet of a one-story building (though a two-story building is also permitted), and 7,500 square feet of basketball courts and a skate park, respectively. Approximately 1,700

square feet is proposed for a playground. The principal building is intended to be a YMCA indoor recreation facility; however, performing arts, a museum or zoo, amusement recreation, and public services are also allowed in the district. A more complete list of authorized uses is listed in Table 1 of the CDP Code §3.9 Authorized Uses Table and Interpretation.

B. District Development Standards

The goal of the district is to create publicly accessible recreational uses that are not currently available in the town. In keeping with the pedestrian-friendly theme of the retail and office district, limited outdoor operations are permitted and public gathering spaces are encouraged through balconies and patios. The development standards are summarized in Table 4. The principal structures design standards are summarized in Table 5 below and can be found in detail in Figure 1 and Table 3 within the CDP §4.2 Lot Development Standards, as well.

<i>Design Element</i>	<i>Principal Structure Standards</i>	<i>Illustration</i>
Maximum height	35 feet (two stories)	
Maximum front setback from right-of-way/Build-to line (A)	5 feet	
Minimum Front Setback from Street Centerline (B)	45 feet	
Minimum Exterior Side Setback from Right-of-Way (C)	15 feet	
Minimum Exterior Side Setback from centerline (D)	45 feet	
Minimum Interior Side Setback (E)	20 feet	
Minimum Rear Setback (F)	20 feet	
Minimum Lot Width (G)	No minimum	
Parking maximum	1 parking space for every three persons that the facilities are designed to accommodate when fully utilized	
Bicycle parking minimum	1 space per 3,000 square feet of floor area unless a central bicycle parking hub is provided elsewhere in the planned development	

Table 4. Summary of Recreation District Development Standards.

C. District Design Standards

The design of the recreation district is intended to mirror a similar aesthetic to the Neighborhood Business and Facilities, Resource, and Recreation districts of Southern Pines. In addition to standards shown in the Table 4, the standards listed in Table 5 apply to development within the retail and office district. The rationale for standards is also described in Table 5.

<i>Element</i>	<i>Standard</i>	<i>Rationale</i>
Outdoor and operations	Outdoor operations are limited to playgrounds, programming, outdoor courts for sports, skate parks, zoos, botanical gardens, arboreta, and other natural or recreational parks.	Outdoor operations should be strictly recreational according to the allowed uses within the district.
Front Yards (including Frontage, Pedestrian, and Furniture Zone) and Side Yards	- Playgrounds, outdoor recreational programming, basketball courts, skate parks, and other recreational uses permitted in the sub-district are allowed to occur in front yards. - Patio space is required to cover at least 40% of the building elevation where it is located (street-facing or interior lot-facing). They can be on the first or second floor and are allowed to intrude up to 25% into the setback.	Recreational programming that would be common for a YMCA as well as other authorized uses were considered. Patios and balconies were preferred by the public.
Buildings	- One customer entry is required to face the pedestrian zone and interior parking lot entries are also permitted. - Entries must be no more than 50 feet apart. - Buildings segments must be taller than wide. - No single material can be more than 20% of the exterior finish, and one of the materials shall be brick. Cementitious horizontal lap siding, textured concrete masonry, or wood are encouraged to be used for building accents. - If the building is 2 stories or taller than 20 feet, then the second story has to be primarily constructed with glass (more than any other building material). - At least 40% of the front building elevation must be windows and doors. - Reflective glass is permitted as long as there is no glare visible from the right-of-way or adjacent land uses. - Street- and resident-facing building elevations have to have a mansard or false mansard roofs or shingled or standing seam roofs.	The public preferred architecturally dynamic designs with a mix of materials with a lot of glass on the second story.
Off-Street Parking	- Maximum one parking space for every three persons that the facilities are designed to accommodate when fully utilized. - Minimum space per 3,000 square feet of floor area unless a central bicycle parking hub is provided elsewhere in the planned development. - Off-street parking is not allowed between the building frontage and street.	Avoid parking lots that are larger than necessary while still providing easy access for customers and maintaining the principal building as the primary visual icon of the lot.

Table 5. Recreation District Building Design Standards and Rationale.



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3



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AFFORDABLE HOME OWNERSHIP

A. Overview

The Single-Family Residential sub-district allows a slightly denser residential pattern (approximately five dwelling units per acre) that serves as a transition from a greater density of commercial uses along Morganton Road to lower density, existing single-family residential land uses within West Southern Pines. The homes here are envisioned to be affordable housing units with a character similar to homes within the West Southern Pines community. Single-family, single-story homes are preferred for aging in place. However, townhomes and duplexes are also permitted in case the community would prefer a higher density of affordable housing in this sub-district. The town will have the power and responsibility to ensure that whatever design is chosen is supported by the West Southern Pines community.

B. District Development Standards

The district is designed to be consistent with the conceptual illustration provided by the DFI program, as seen on Page 15 of this narrative, as well as community preferences stated

throughout the public participation process. The development standards for are summarized in Table 6 and the design standards for principal structures are summarized in Table 7 below and can be found in detail in Figure 1 and Table 3 within the CDP §4.2 Lot Development Standards, as well.

<i>Design Element</i>	<i>Principal Structure Standards</i>	<i>Illustration</i>
Maximum height	15 feet (one story)	
Maximum front setback from ROW/Build-to line (A)	35 feet	
Minimum front setback from centerline (B)	60 feet	
Minimum exterior side setback from right-of-way (C)	15 feet	
Minimum exterior side setback from centerline (D)	45 feet	
Minimum interior side setback (E)	10 feet	
Minimum rear setback (F)	30 feet	
Minimum lot width (G) *	45 feet	
*Not applicable to Townhouse Development		
Minimum lot size	5,000 square feet	
Parking maximum	One parking space per dwelling unit	

Table 6. Summary of Single-Family Residential District Development Standards

C. District Design Standards

The building precedents at the beginning of this section show the top-rated design aesthetics, according to a visual preference survey. Flexibility is encouraged to maintain the affordability of the proposed dwelling units.

<i>Element</i>	<i>Standard</i>	<i>Rationale</i>
Off-Street Parking	One parking space per dwelling unit.	Provide enough parking for a single-family residence while providing sufficient green space and lower quantities of impervious surfaces
Lighting	Only luminaires with cutoffs less than 90 degrees are permitted in residential districts.	Lighting should not shine into residents' homes, but lighting is important for safety concerns.

Table 7. Single-Family Residential District Building Design Standards and Rationale.



1



2



Example of Open Space Layout

AFFORDABLE SENIOR HOUSING RENTALS

A. Overview

The affordable housing units are intended to be developed as “Low-Income Housing Tax Credit” (LIHTC) housing, which provides a tax incentive to housing developers to construct housing for low-income individual and family. This multifamily sub-district will encourage this type of development, specifically for senior citizens. Many of the development and design standards are inspired from conversations within the community, with UNC’s DFI Program, and the 2022 Design Quality Standards and Requirements within the 2022 Qualified Allocation Plan created by the North Carolina Housing Finance Agency.

B. District Development Standards

Considering public input and feedback from the community, multifamily housing in the Multifamily sub-district should be single-story, accessible units that resemble detached single-family homes, but at a higher density. The development standards are summarized in Table 8.

<i>Design Element</i>	<i>Principal Structure Standards</i>	<i>Illustration</i>
Maximum height	15 feet (one story)	
Maximum front setback/Build-to line (A)	25 feet	
Minimum front setback from centerline (B)	55 feet	
Minimum side setback, exterior from right-of-way (C)	15 feet	
Minimum Side Setback, Exterior from centerline (D)	45 feet	
Minimum Side Setback, Interior (E)	10 feet	
Minimum Rear Setback (F)	30 feet	
Minimum Lot Width (G)	45 feet	
Maximum gross density	12 dwelling units per acre	
Parking maximum	One per two dwelling units	
Bicycle parking minimum	One space per 10 dwellings unless a central bicycle parking hub is provided elsewhere in the planned development	

Table 8. Summary of Multifamily Residential District Development Standards

C. District Design Standards

In addition to standards shown in the Table 8, the standards listed in Table 9 apply to development within the multifamily residential district. The rationale for standards is also described in Table 9. The building precedents at the beginning of this section show the top-rated design aesthetics, according to a visual preference survey, which informed the design standards.

<i>Element</i>	<i>Standard</i>	<i>Rationale</i>
Front Yards (including Frontage, Pedestrian, and Furniture Zone) and Side Yards	• A minimum 6 by 10-foot, ground-level covered porch is required per dwelling unit • 6-foot wide sidewalks are required to connect front porches to the pedestrian zone and parking. • Continuous walkways are required throughout the district. • Landscaping, planting strips, and benches are required in the frontage zone.	The public preferred buildings with porches at ground level connected to sidewalks that are wide enough to accommodate wheelchairs and other mobility concerns. Accessible sidewalks are required to connect dwelling units to other units and open space. Design should provide a relaxing, natural environment where seniors can spend their free time.

Buildings	• Buildings cannot be taller than one-story • Up to 4 dwelling units can be attached in a single building • 10 feet are required between dwelling units and/or buildings • Buildings should be between 10 and 15 feet from sidewalks, paths, and street rights-of-way unless there is common open space provided • There should be visual diversity between buildings/dwelling units (e.g., variation in gables, roofs, porches, etc.)	Allow sufficient density for single-story senior housing that allows residents to engage with pedestrians, cyclists, and open space.
Off-Street Parking	• One parking space per dwelling unit • One space per 10 dwellings unless a central bicycle parking hub is provided elsewhere in the planned development • Parking should not separate dwelling units from common open space.	According to 2022 LIHTC Design Quality Standards and Requirements, senior projects require a minimum on one parking space per unit. Whether residents are active bicycle users or they have family that wishes to visit on bicycle, there should be a place for them to store their bicycle. Furthermore, open space should be readily accessible from dwelling units without having to cross parking.
Open Space	• 20% of project area must be common, usable open space • Common open space with street furniture must front all streets • Open space areas should be unique from each other based on size, dimensions, planting, and any other design variation • Open space must be properly maintained	
Lighting	• Only luminaires with cutoffs less than 90 degrees are permitted in residential districts	Lighting should not shine into residents' homes, but lighting is important for safety concerns.

Table 9. Multifamily Residential District Building Design Standards and Rationale

PROPOSED PHASING SCHEDULE

At the time of submittal of this conceptual development plan, the Town of Southern Pines foresees the following phasing schedule:

- Phase 1. The affordable single-family homeownership component's infrastructure and development on a single lot or subdivided building lots, depending on whether or not a ground lease or similar model is used.
- Phase 2. Affordable senior rental housing infrastructure and development on a single lot.
- Phase 3. YMCA infrastructure and development on a single lot.
- Phase 4. Retail and office infrastructure, development, and building lots. There will be at least two lots, one owned by Rental Derby, LLC, and the other owned by the Town of Southern Pines until sold. Depending on the bidders' proposals, the town-owned land may or may not be further subdivided.

V. CONCEPTUAL TRANSPORTATION PLAN



Figure 15. Conceptual Transportation Plan. The project boundary is shown in a waved border pattern. New paved roads are shown in white; driveways and parking are shown in black; existing sidewalks are shown in thick grey lines and the town's proposed sidewalks are in thick grey dashed lines (note that these are not proposed as part of this conceptual development plan); project sidewalks are shown in thin white lines; shared use trails are shown as brown lines; and stormwater management facilities are shown in light brown with blue waterlines. The double arrows represent two-way traffic while the single arrows represent one-way traffic.

INTRODUCTION

The conceptual transportation plan was put together with support and insights from the town's engineering staff, members of the West Southern Pines community, and several members of town council, as well as the U.S. Department of Transportation's Small Town and Rural Multimodal Networks Final Report dated December 2016. The goal of this conceptual transportation plan is to be safely walkable and bikeable for people of all ages and abilities by bringing in flexible and multimodal designs. The concept, especially of the retail and office zone, is to recreate a "main street" design with street-fronting uses, slow travel speeds, and street trees.

The project boundary can be seen in Figure 15 above. It includes the four parcels mentioned in [Property boundaries](#) in the [Geography](#) section plus the unimproved (i.e., unpaved) town street within the public right-of-way at the corner of West Lowe Avenue and South Stephens Street. Note that West Morganton Road is classified as a secondary route, which is state-maintained by North Carolina Department of Transportation. The plan includes streets, sidewalks, a shared-use greenway and trail, and stormwater retention basins. All facilities will be either public or private depending on potential solicitations following adoption of the conceptual development plan. If the

road and all transportation facilities are privately owned, then a long-term maintenance and replacement of facilities plan will be submitted with the preliminary development plan, site plan, and final development plan applications.

This section highlights preferred street cross-section design standards by classes, including mixed traffic facilities, physically separated facilities, and traffic-calming measures. Generally, all transportation facilities should follow the following guidelines:

Road Type	ROW min.	Minimum Sidewalk Width (Pedestrian Zone)	Furnishing Zone or Planting Strip	Target Travel Speed	No. of Through Lanes	Lane Width	Parallel On-Street Parking Width	Bike Facility
Two-way Local Commercial	70 feet	8 feet (both sides)	6 feet (both sides)	20 mph	2	12 feet	8 feet	5-6 feet
Residential Sub-Collector	60 feet	8 feet (both sides)	6 feet (both sides)	20 mph	2	12 feet	N/A	5 feet
Local Road Hybrid Greenway	60 feet	30 feet (greenway)	At least 6 feet	20 mph	1	12 feet	N/A	At least 5 feet
Full Greenway	60 feet	60 feet (greenway)	At least 6 feet	N/A	N/A	N/A	N/A	At least 5 feet
Residential Alley (Private Easement)	30 feet	8 feet (one side)	6 feet	20 mph	2	7.5 feet	N/A	N/A

Table 10. Road Type, Dimensions, and Guidelines

STREET AND INTERSECTION TYPES

A. Two-Way Public or Private Local Commercial Street: West Morganton Road to the Roundabout



Figure 16. Streetscape of Two-Way Local Commercial Street with On-Street Parking from West Morganton Road to the Development Plan Roundabout. Note that the buildings are used for illustrative purposes only. Building design standards are mentioned elsewhere in the plan.



Figure 17. Streetscape of Two-Way Local Commercial Street Without On-Street Parking from West Morganton Road to the Development Plan Roundabout. Note that the buildings are used for illustrative purposes only. Building design standards are mentioned elsewhere in the plan.

At the intersection of the proposed Morganton Park South roadway and West Morganton Road, a NC DOT traffic light has been discussed, especially if it becomes a four-way intersection. In that case, vehicular traffic entering from the continued trajectory of the Morganton Park South roadway will enter into the heart of the retail and office zone. There are two proposed designs for the streetscape from West Morganton Road to the proposed roundabout in the center of the planned development: one with on-street parking and one with no on-street parking. Parking lots in the rear of the buildings is proposed in both alternatives.

All proposed local commercial roads adjacent to the retail and office zone must have at least a 70-foot right-of-way. Travel lanes would be a shared roadway (i.e., bicyclists and motorists share the same roadway and operate at similar speeds) 12-feet wide. If on-street parking is provided, then it should be 8-foot parallel parking and located solely on the southern side of this proposed two-way local commercial road for vehicles coming into the development.

If on-street parking is not provided, then that extra space saved should be incorporated into wider parklets and/or sidewalks. Sidewalks will need to be a minimum of 8 feet wide. Street trees are required following the Town of Southern Pines Landscaping Code. Benches, wayfinding signs, and small floral gardens are encouraged in these rights-of-way.

B. Two-Way Public or Private Residential Sub-Collector Streets: Between Retail/Office Zone and Affordable Senior Rental Housing and Surrounding the Remaining Affordable Senior Rental Housing

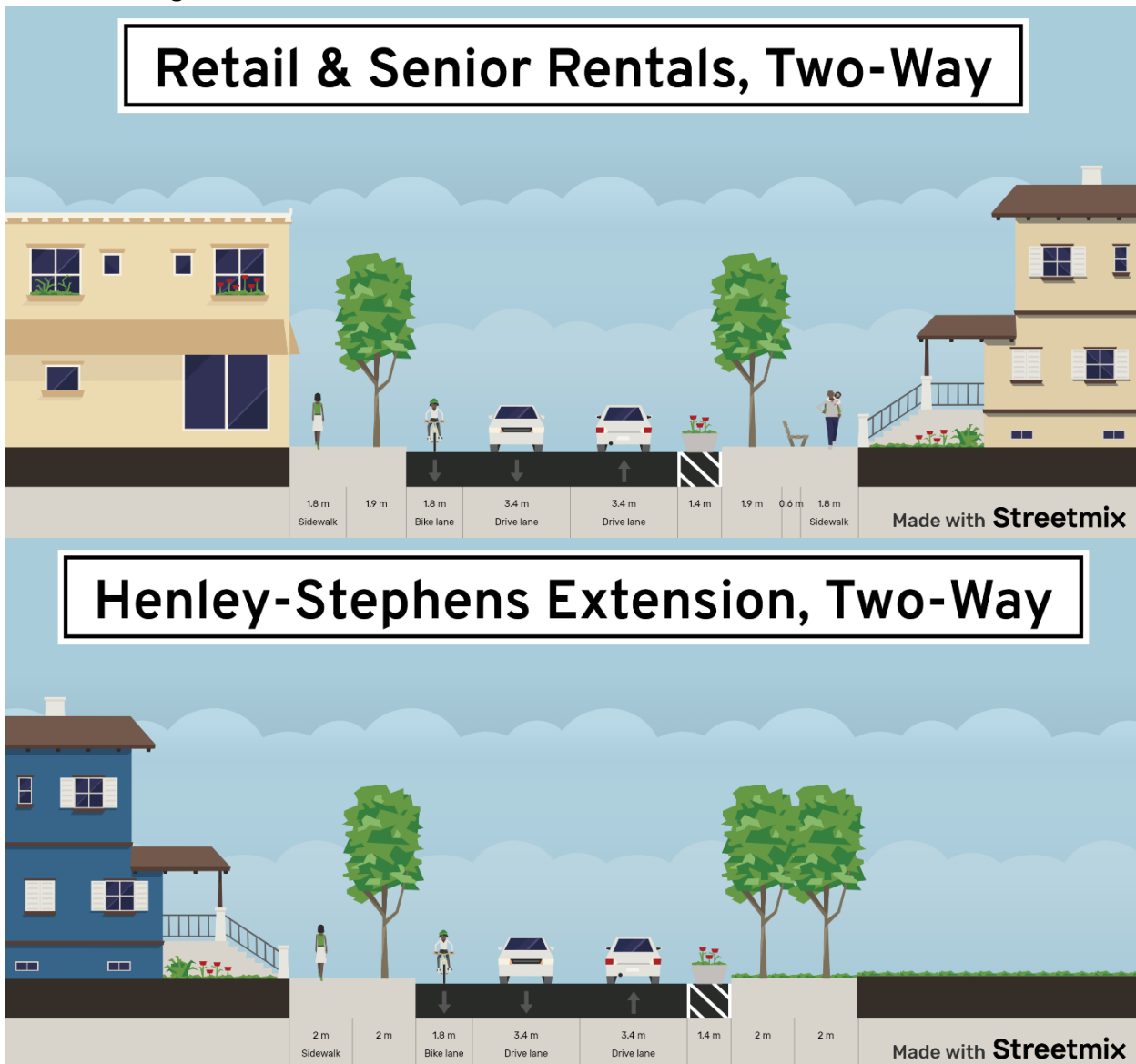


Figure 18. Two Streetscapes of Two-Way Sub-Collector Roads surrounding the Affordable Senior Rental Housing to the west, north, and east. Note that the buildings are used for illustrative purposes only. Building design standards are mentioned elsewhere in the plan

The roadways surrounding the to the west, north, and east (excluding the space from the roundabout to the intersection of South Stephens Street and West Lowe Ave) should be two-way public or private residential sub-collector roads and should have at least 60-foot rights-of-way. Within the rights-of-way, 8-foot sidewalks and 6-foot planting strips must be provided in front of retail/office buildings and residential buildings.

C. One-Way Public Local Residential Road and Greenway or Full Greenway: Roundabout to South Stephens Street and West Lowe Avenue Intersection

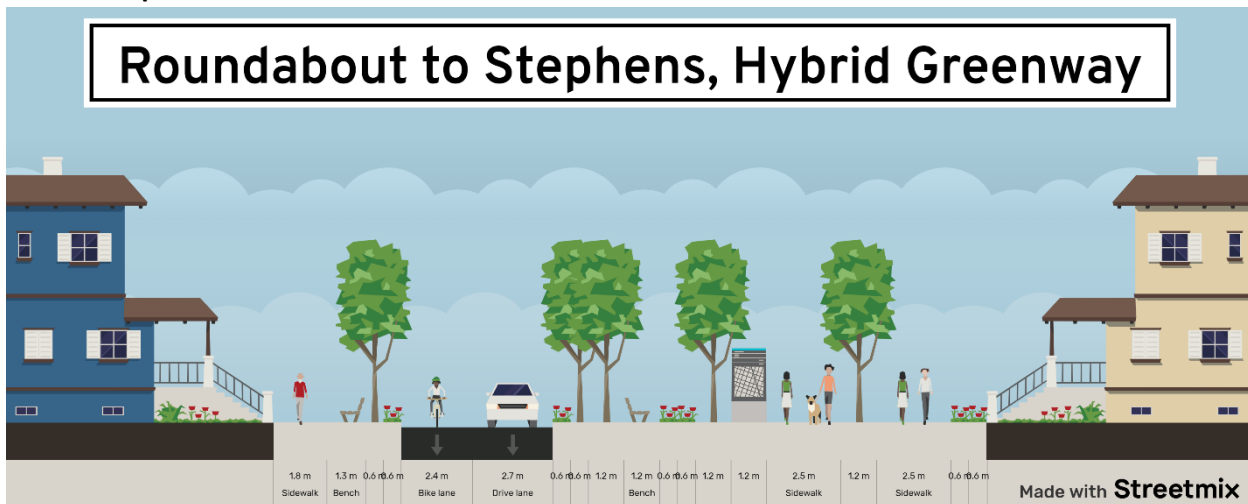


Figure 19. Streetscape of the One-Way Public Road with Hybrid Greenway from the Roundabout to South Stephens Street and West Lowe Avenue Intersection. Note that the buildings are used for illustrative purposes only. Building design standards are mentioned elsewhere in the plan.



Figure 20. Streetscape of a Full Public Greenway from the Roundabout to South Stephens Street and West Lowe Avenue Intersection. Note that the buildings are used for illustrative purposes only. Building design standards are mentioned elsewhere in the plan.

During the January 5, 2023, site plan visit, it was decided that either a full greenway or a one-way local road would connect the intersection of South Stephens Street-West Lowe Avenue with the roundabout. Both streetscape alternatives are illustrated above. The right-of-way should be at least 60 feet wide, but is encouraged to be up to 80 feet to maintain consistency with the current unimproved right-of-way off of West Lowe Avenue.

If a roadway is constructed, it must be a one-way road flowing from the roundabout to the West Southern Pines community, and the roadway must be shared with bicyclists. Street trees will be required and lighting encouraged in a way that does not cast light into the senior rental units. In both alternative streetscapes, a greenway must be constructed that includes both undisturbed existing and new mature trees—including the longleaf pine—and any additional trees recommended by the Town of Southern Pines UDO Appendix F. The greenway should include

several wayfinding signs, benches, and bicycle racks. The greenway can include a dirt, gravel, paved, or concrete trail that connects to West Morganton Road as shown in Figure 20.

D. Two-Way or One-Way Private Residential Alley

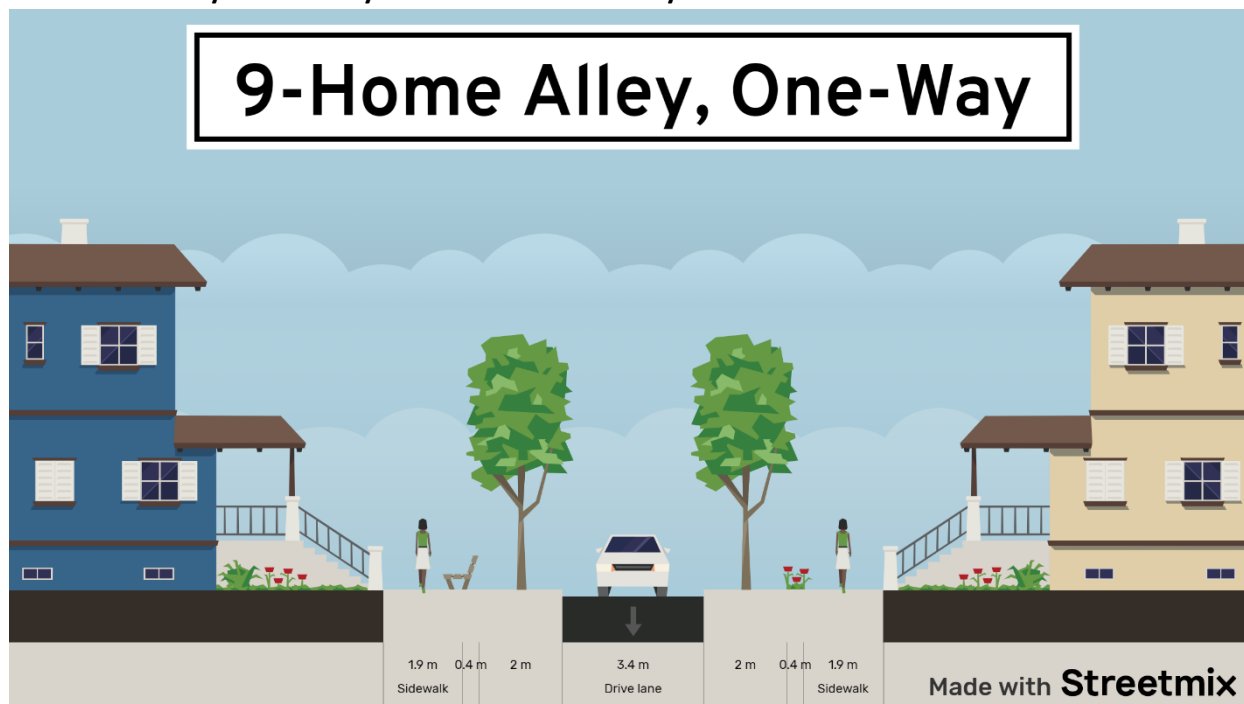


Figure 21. Streetscape of One-Way Private Alley surrounding the Affordable Senior Rental Housing to the West, North, and East. Note that the buildings are used for illustrative purposes only. Building design standards are mentioned elsewhere in the plan

The roadways west, north, and east of the nine affordable single-family homes are recommended to follow the Town of Southern Pines’ UDO Appendix B Sheet R4 “Typical Section Residential Alley.” The proposed residential alley and the one-way road should have at least a 30-foot right-of-way. The roadway is meant to flow from two-lane residential sub-collector road off the northern exit of the plan’s roundabout northward turning eastward and finally turning southward to end and connect with two-lane residential sub-collector road on the north eastern edge of the senior rental housing. The alleys should include sidewalks at least eight feet wide and street trees (at least a six-foot planting strip) per the Town of Southern Pines Landscaping Code. Lighting and benches are both encouraged, as well. Note that all alleys are considered private easements and will not be maintained by the town.

E. Intersections

Between six and eight intersections will be created (depending on whether the road following the eastern edge of the senior rental housing will connect all the way to Henley and whether the one-lane local road will extend from the roundabout to West Lowe Avenue). All driveways and intersections for local and alley roads as described herein must comply with the Town of Southern Pines UDO Appendix B Sheet R5 and Sheet R8 or Sheet R9, depending on entrance type. Any proposed roadway site plans must include driveway and intersection sight triangles as shown in Appendix B Sheet R7.

MIXED TRAFFIC FACILITIES

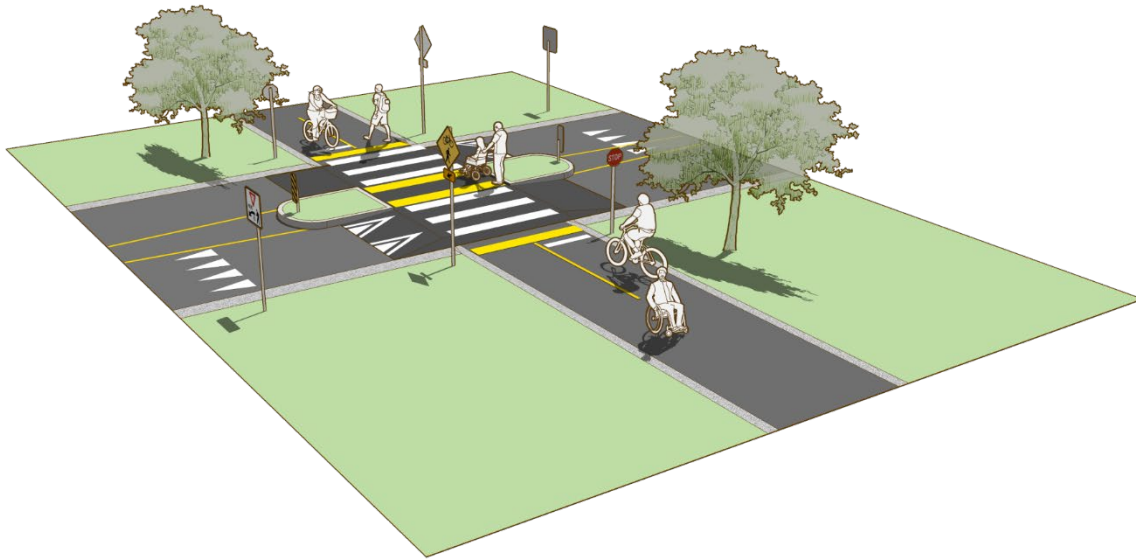


All proposed roadways are encouraged to be shared roadways, designed to offer priority to bicyclists operating on a roadway shared with motor vehicle traffic. The appropriate speeds on any proposed roadways should not exceed 20 miles per hour and will be designed for up to 3,000 average daily traffic volume. No roads being proposed are meant to be used as through roads between Morganton Road and West Southern Pines. These bicycle- and pedestrian-friendly roadways will include traffic calming measures, such as bulb-outs, on-street parking (parallel), and a roundabout.

The benefits of this design are increasing bicyclist comfort on shared streets by reducing motor vehicle operating speeds and volumes, connecting local residents and residential roads to commercial corridors, and improving conditions for pedestrians via spacious sidewalk space and street trees. Since this model includes a pedestrian and bicyclist perspective, more paved surface and maintenance will be required.

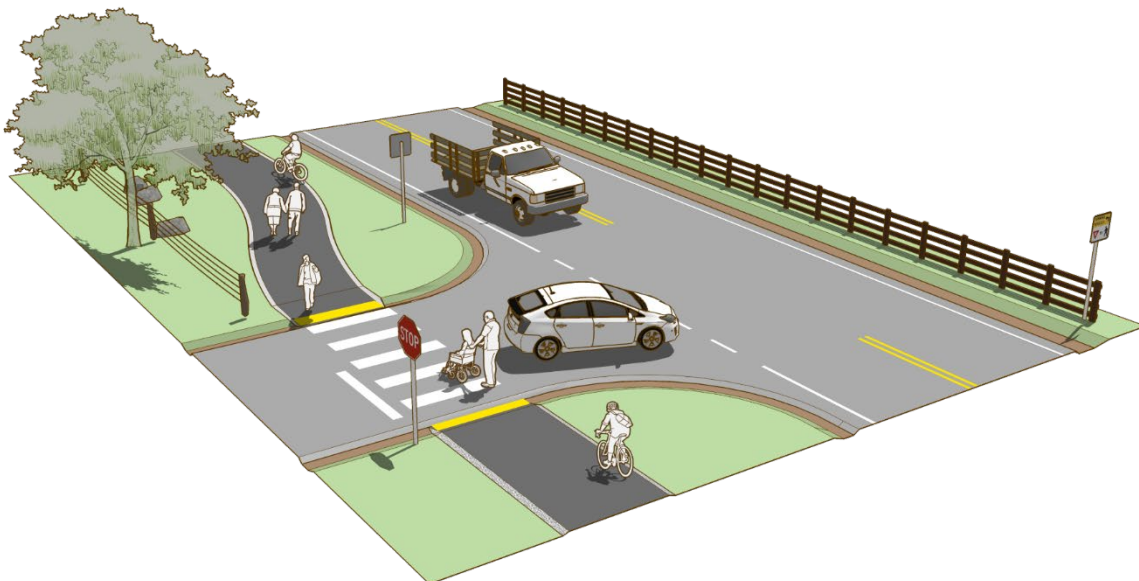
PHYSICALLY SEPARATED PEDESTRIAN PATHS

A. Shared Use Paths



In the greenway between the roundabout and West Lowe Avenue, shared use paths or sidepaths are proposed. Shared use paths include eight to 14 feet of dirt, gravel, concrete, or paved pathways depending on the volume and user mix. At least two feet of horizontal clearance (i.e., shoulders on either side of the path) is required to be free from and vertical elements or obstructions, such as benches and wayfinding signs. Note that “Bike Yield to Peds” signs might be appropriate to remind bicyclists to yield to other pathway users.

B. Sidepaths



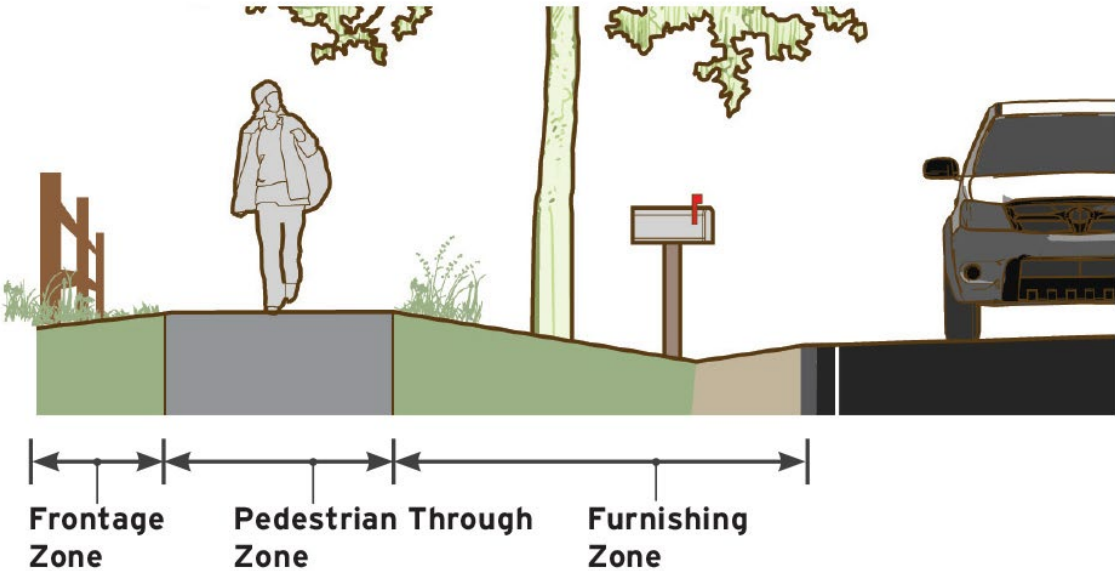
A sidepath (i.e., a bidirectional shared use path parallel to a roadway) is a multigenerational transportation facility that would be an alternative to a full shared use path in the greenway if a

one-way local road is developed. Sidepaths would also be appropriate throughout the senior rental housing development and YMCA areas. A six-foot roadway separation for street trees would be required between the edge of the curb and 3-foot clearance of the pathway. At least three feet horizontal clearance is necessary between trees and the pathway. Any signage should be directed towards pathway users and away from the roadway travel lane.

C. Sidewalks



Sidewalks must include a frontage zone, a pedestrian through zone, and a furnishing zone or planting strip. Frontage zones are adjacent to property lines and allow access to buildings. Pedestrian through zones are exclusively for pedestrian travel and should be wide enough for at least two people to walk side-by-side. The furnishing zone—closest to the street—is where signs, street lighting, benches, street trees and other items should be located. In this planned development, sidewalks must be physically separated from the roadway by planters or planting strips. The following table includes the recommended minimums for each sidewalk zone.

				
<i>VOLUME AND USER MIX</i>	<i>FRONTAGE ZONE</i>	<i>PEDESTRIAN THROUGH ZONE</i>	<i>FURNITURE ZONE</i>	<i>TOTAL WIDTH</i>
Constrained Minimum	1 ft (0.3 m)	5 ft (1.5 m)	2 ft (0.6 m)	8 ft (2.4 m)
FHWA Recommended Minimum	2 ft (0.6 m)	6 ft (1.8 m)	4 ft (1.2 m)	12 ft (3.7 m)
PD Minimum	3 ft (0.9 m)	8 ft (2.4 m)	6 ft (1.8 m)	17 ft (5.2 m)

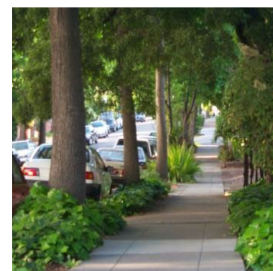
TRAFFIC-CALMING MEASURES

Several types of traffic-calming measures for speed management are proposed in the conceptual development plan to reduce speed to around 20 miles per hour. Several speed reduction measures are being proposed as measures generally applied frequently slow speeds along the roadway. Bulbouts are proposed at the residential sub-collector intersections with South Henley Street. On-street parking is an alternative in the local commercial roadway. And a roundabout is proposed in the center of the development area between the retail and office zone and the senior rental housing. Police speed enforcement signs would also be beneficial.

Bulbouts



On-Street Parking



On-Street Parking



Roundabout



TRAFFIC ANALYSES AND POTENTIAL FUTURE AREAS FOR CONNECTIVITY

A traffic impact analysis (TIA), required during the Preliminary Development Plan process, is recommended to be conducted, at a minimum, at the following intersections, as shown in Figure 22:

1. the West Morganton Road entrance to the Morganton Park South Planned Development,
2. the intersection of South Henley Street and West Morganton Road,
3. THE INTERSECTION OF WEST LOWE AVENUE AND SOUTH HENLEY STREET,
4. the intersection of West Lowe Avenue and South Stephens Street, and
5. the intersection of the unimproved ROW and South Carlisle Street in front of the Southern Pines Elementary.

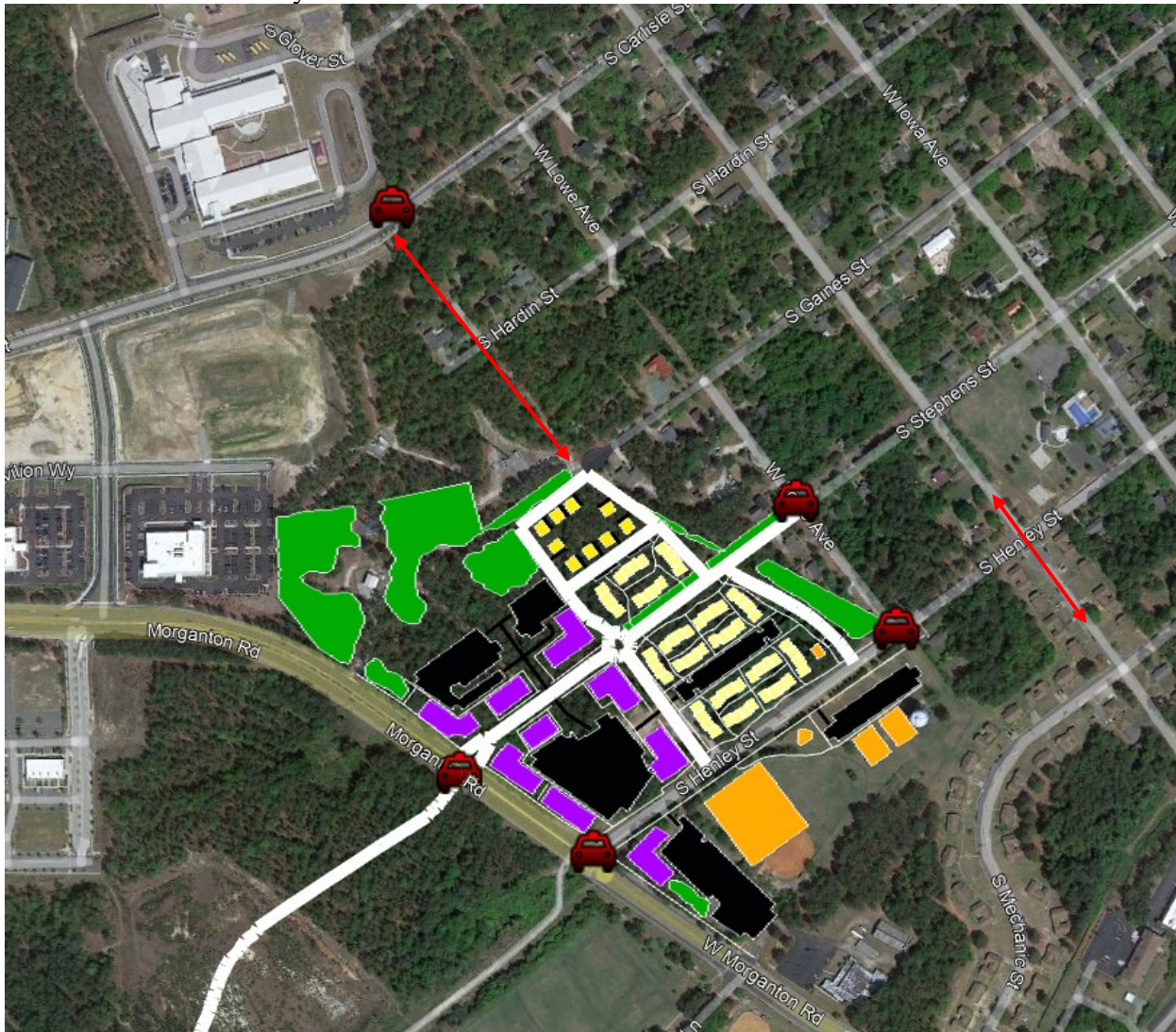


Figure 22. Traffic Impact Analysis Intersections and Potential Improved Connectivity Locations.

Some West Southern Pines residents provided feedback that the right-of-way that extends from the end of South Gaines Street northward to South Carlisle Street would improve connectivity from the Planned Development district to the Southern Pines Elementary, businesses, and services along South Carlisle Street. Concerns were also expressed about traffic congestion at the corner of South Henley Street and West Morganton Road. Re-opening West Michigan Avenue at South Henley Street to allow traffic to connect to Morganton Road via South Mechanic Street.

SIGNAGE



Figure 23. Signage Locations.

Signage is important for the placemaking of this development plan as it is considered one of only a few gateways into the West Southern Pines community. Signage should also highlight important destinations within the community. Therefore, five signage types are being proposed as part of the development plan: primary off-premise landmark signage, secondary off-premise landmark signage, pedestrian-scale signage, gateway signage, and original art murals. On-premise signage is permitted per UDO standards, and digital electronic and video signage are prohibited.

West Southern Pines gateway signage (diamond symbol) will be allowed on the corner of West Morganton Road and South Henley Street. Off-premise signage advertises a business, services, products, etc. not on the site where the sign is installed. Primary off-premise landmark signage (square symbol) will be allowed at the intersection of West Morganton Road and the proposed roadway between the retail buildings. Secondary off-premise landmark signage (circle symbol) will be allowed on South Henley Street next to the retail and office vehicle use area parking. On-premise signage will follow the Town of Southern Pines Sign Code. Wayfinding and historical signage (triangle symbols) will be allowed throughout the retail and office sidewalk space as well as the greenway space, especially to highlight any historic trails. Murals are an art form that will be permitted throughout the planned development.

Gateway welcoming signage should allow for space to highlight local organizations within the West Southern Pines community. Landscaping including flower beds is required around the gateway signage. The wayfinding signage should be at pedestrian-scale so that they can be easily

read to direct people to different destinations and are best located near street corners and along the greenway. More recommended, publicly-approved signage designs can be found in Attachment 3 for reference.

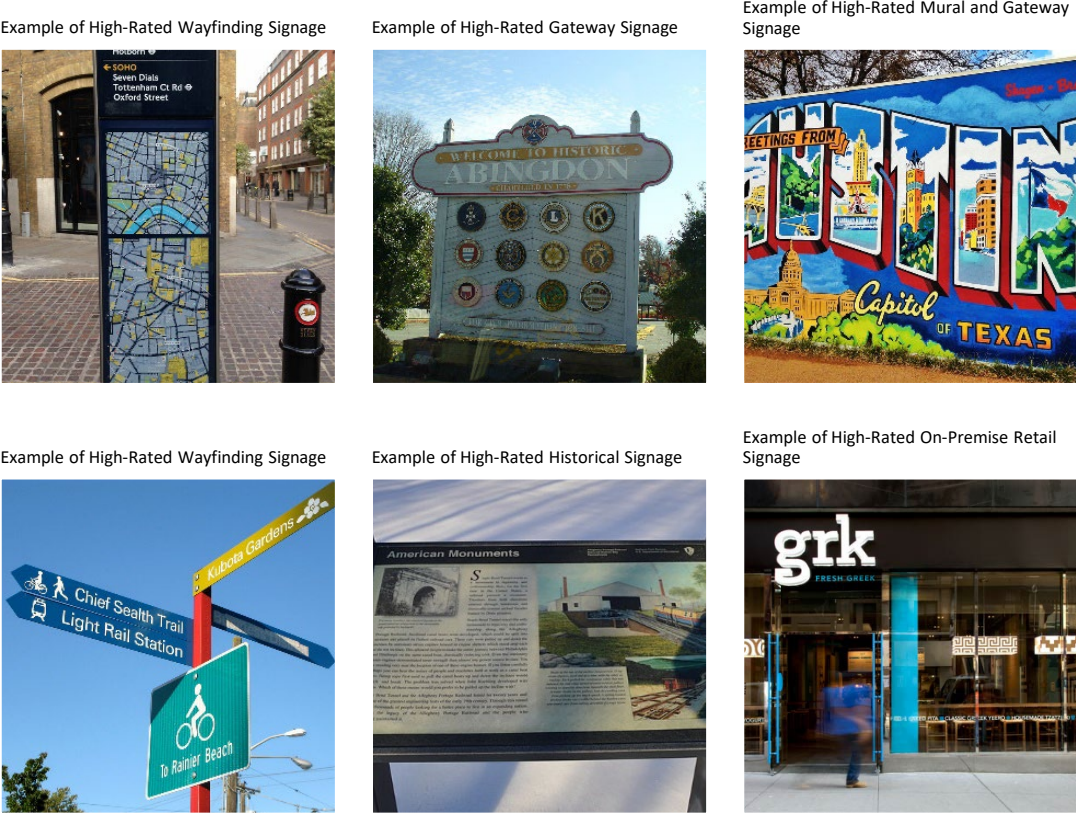


Figure 24. Examples of Community High-Rated Signage Designs.

VI. UDO CRITERIA FOR ZONING MAP AMENDMENT AND CONCEPTUAL DEVELOPMENT PLAN

UDO §2.17.9 CRITERIA FOR ZONING MAP AMENDMENT

- i. *Consistency. Rezoning shall be consistent with the adopted Comprehensive Plan.*
The CDP is inconsistent with the Future Land Use Map, but consistent with all other goals and objectives of the CLRP. Therefore, upon approval of this CDP, the applicant requests that the Town of Southern Pines Town Council—per State Statute Chapter 160D §605 (“Governing board statement”)—approve a brief statement, including clear indication in the minutes, describing both consistency and inconsistency between the CDP and the CLRP. Approval of the CDP would have the effect of also amending the Future Land Use Map in the CLRP without the requirement for additional requests or applications for a plan amendment

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

The CDP promotes mixed uses with several layers of design control that has included feedback and input from the surrounding West Southern Pines community, especially adjacent landowners. The major concern of adjacent landowners and community members is the potential impact that a full extension of South Stephens Street to West Morganton Road as well as general increase in traffic volumes would have on the quiet, residential character of neighboring lands. The CDP proposes a greater density of commercial uses along Morganton Road and a transition to lower density, residential uses towards West Lowe Avenue that would be more consistent with the existing residential character of the West Southern Pines neighboring lands. Furthermore, rather than creating social alienation, the CDP proposes a greenway (either 40 or 80 feet wide) that will allow for multimodal connectivity between the community and development (new and existing) along West Morganton Road.

iii. *Suitability as Presently Zoned. The Hearing Body shall consider the suitability or unsuitability of the Tract for its use as presently zoned. This factor, like the others, should be weighed in relation to the other standards, and instances can exist in which the land may be rezoned to meet public need, to reflect substantially changed conditions in the neighborhood, or to effectuate important goals, objectives and policies of the Comprehensive Plan or UDO.* Through a public input process, the Town and DFI heard several community-identified needs that the CDP intends to address, including:

- The need for a distinctive entry point to the West Southern Pines neighborhood and Morganton Road area;
- Align with the West Southern Pines neighborhood's revitalization goal to increase economic and physical vitality while preserving the neighborhood's culture and character;
- Include publicly accessible recreational uses currently not available in the area; and
- Provide pedestrian and bike access to and around the site, including improved connectivity, mobility, and walkability from the West Southern Pines neighborhood to Morganton Road without substantially increasing non-resident traffic.

With development pressure stemming from the Morganton Park South development, the Town intends to be thoughtful about any future development on its property. Development that is consistent with the history and character of West Southern Pines has been considered throughout the CDP drafting process.

If this CDP is not approved, the land may stay Facilities, Resources, and Recreation—which has been the desire for some community members—or in the future another development proposal on the Town's property may come through that does not engage the public in a meaningful way and produces a design aesthetic that is inconsistent with the character and needs of the community.

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

As previously mentioned, significant consideration was placed on the pedestrian, bicyclist, and motorist safety throughout the PD. The health and general welfare of tenants, homeowners, and business owners were also considered, and the proposed design and development standards are intended to promote health, safety, and welfare of stakeholders as well as encourage the

preservation (and expansion) of the West Southern Pines community history, character, and culture. For instance, historical signage coupled with wayfinding signage are encouraged on multiuse trails, greenways, and in the furniture zone of the rights-of-way.

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

The need for affordable housing was one catalyst for the conceptual plan and development districts, which is why two major elements of the plan are affordable single-family homeownership and affordable senior rental housing. Furthermore, West Southern Pines, historically, was a mixed-use community with residential, commercial, and other uses coexisting throughout the community. This CDP proposes the “activation” of a planned development district that embodies the historical mixed-use nature of the community. Community members recounted to Planning staff stories of recreation that occurred and continues to occur on the existing parcels. The greenway concept and open space requirements were added to the design and standards in an effort to pay homage to the current practical and social uses of the land.

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

The approval of the Morganton Park South development (currently being regraded after the forested land was cleared) is a substantial change in the immediate area that justifies the rezoning request.

- vii. *Other Factors. The Hearing Body may consider any other factors relevant to a rezoning application under state law.*
- viii. *Applicant Representations. Except for rezoning requests submitted in accordance with the provisions herein for conditional zoning districts, the Hearing Body shall not consider any representations made by the petitioner that, if the change is granted, the rezoned property will be used for only one of the possible range of uses permitted in the requested classification. Rather, the Hearing Body shall consider whether the entire range of permitted uses in the requested classification is more appropriate than the range of uses in the existing classification.*

See the District Map and the CDP §3.9 Authorized Uses Table and Interpretation and §3.10 Prohibited Uses, and compare to those in the Town’s UDO §3.7 Use Matrix and Interpretation and Exhibit 3-15.

UDO §2.18.4(H) CONCEPTUAL DEVELOPMENT PLAN CRITERIA RESPONSES

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

See comments in previous section.

- ii. *The Conceptual Development Plan represents an overall Development Pattern that is consistent with the goals and policies of the Comprehensive Plan, Official Zoning Map, Capital Improvements Program, and any other applicable planning documents adopted by the Town.*
 - The CDP is consistent with Southern Pines' visions (1) to protect natural resources (through open space and greenway requirements), (2) to provide new mobility and transportation options, (3) to provide housing that meets the diverse needs of residents, (4) to diversify economic development and employment opportunities, and (5) to provide recreational opportunities that meet the diverse needs of residents.
 - The CDP is consistent with goals P-2, P-3, P-6, P-7, P-9, P-10, P-11, P-12, P-15, P-19, and P-20.
 - Provides a potential gateway opportunity for West Southern Pines along Morganton Road (CLRP, 2016, p. 3-3).
 - The CDP intends to protect neighborhood integrity and vitality as well as facilitate compatible growth in West Southern Pines. The CDP also will foster mixed-use activity centers.
 - The CDP is inconsistent with the Future Land Use Map.
- iii. *The proposed Development is appropriate for the area of the Town in which it is located.*
The districts, layout, and district building precedents and standards proposed in the CDP were created with public input and feedback, which was fundamental to creating a development that Planning staff and the Town's partners believe to be appropriate for the area where it is located.
- iv. *The proposed Development will not generate the need for inefficient extensions and expansions of public facilities, utilities and services.*
The PDD has utilities readily available to the site off West Morganton Road, South Henley Street, West Lowe Avenue, and other surrounding streets.

VII. ATTACHMENTS

1. Deeds
 - ✓ RENTAL DERBY, LLC
 - ✓ SOUTHERN PINES HOUSING
 - ✓ SOUTHERN PINES TOWN OF
2. Notification materials
3. Neighborhood meeting records
4. Conceptual development plan
5. Narrative
 - ✓ Conceptual transportation plan
 - ✓ Nature of services
6. Conceptual development application and agent authorizations
7. Additional documentation
 - ✓ Draft survey of proposed land swap between property owners within the planned development
 - ✓ Report of Phase I Environmental Site Assessment (2021, 225 pages)

PLANNED DEVELOPMENT DISTRICT CONCEPTUAL DEVELOPMENT PLAN APPLICATION CHECKLIST

Process Overview

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

Submittal Requirements*

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

- ☒ **PROOF OF OWNERSHIP** – Filed deed, vendor’s lien, act of donation or tax assessment with legal description.
- ☐ ~~**DEVELOPMENT NAME** (if applicable) – The proposed name must be unique and not similar to an existing subdivision in the Town.~~
- ☒ **NOTIFICATION MATERIALS** – List of the owners of all property located within 200 feet of the perimeter of the property being rezoned and including not fewer than the 10 closest property owners.
- ☒ **NEIGHBORHOOD MEETING RECORDS** – Records shall include the following:
 - a. Copies of graphics presented at the meeting;
 - b. A copy of the sign-in sheet showing attendees;
 - c. Representations made by the Applicant regarding the proposed development; and
 - d. A summary of public comments and responses provided by the Applicant.
- ☒ **PDD CONCEPTUAL DEVELOPMENT PLAN** – Copies (4 full sized, 1 11” by 17” copy and digital copy) of scaled drawing (1” to 100’ or other scale approved by the Director) of the entire tract to be subdivided showing:
 - a. property boundaries;
 - b. a project location map at a scale of one (1) inch equals two thousand (2,000) feet or other scale approved by the Director;
 - c. the location and right-of-way width of public streets and roads adjoining, providing access to, or crossing the property;
 - d. the location and proposed functional classification of proposed public and private streets;
 - e. the location and size of proposed development areas, their proposed uses, amount of development (maximum dwelling units for residential, maximum square footage of building area for non-residential) and proposed Built-Up Area for each development

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

- ☒ **NATURE OF SERVICES** – Planned utility services and providers.
- ☐ ~~**DRAINAGE CONCEPT PLAN** (if applicable) – see separate checklist.~~
- ☒ **CONCEPTUAL TRANSPORTATION PLAN** (if applicable) - see separate checklist.
- ☒ **WRITTEN NARRATIVE** - describing the application's consistency with the Conceptual Development Plan, the UDO, and any other applicable regulations.
- ☐ ~~**APPLICATION FEE** – as specified in Appendix H.~~
- ☒ **SIGNED APPLICATION** – by the applicant or authorized agent. A property owner authorized agent requires an affidavit giving permission to sign the application.
- ☒ **ADDITIONAL DOCUMENTATION** – Additional text and/or maps provided to demonstrate consistency with the approval criteria in section 2.17 of the UDO.

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

Planned Development District Conceptual Development Plan

REQUIRED APPLICATION MATERIALS:

- N/A **Application fee** in the amount of **\$1,800.00**.
- ✓ **Completed Application** for a Planned Development District - Conceptual Development Plan signed by the applicant.
- ✓ **Appointment of Agent**, if applicable, signed by the property owner(s) and the agent.
- ✓ **List of Adjacent Property Owners**: Please list all properties that are that are within two hundred (200) feet of the outermost boundaries of the subject property (**not counting streets, railroads or other transportation corridors**). Attach additional pages if needed. No fewer than ten (10) property owners shall be notified by mail.
- ✓ **Deed** copy to provide proof of ownership and property boundaries.
- ✓ **Written narrative**: It is the responsibility of the applicant to demonstrate compliance with all applicable criteria. Please address **UDO §2.18.4(H) Criteria (1) through (4)**. The list of criteria is attached.
- ✓ **Additional documentation**: Additional text and/or maps to demonstrate consistency with the approval criteria listed in **UDO §2.18.4(H) Criteria (1) through (4)**.
- ✓ **Neighborhood meeting materials**: Submit copies of graphics presented at the meeting; a copy of the sign-in sheet showing attendees; representations made by the Applicant regarding the proposed development; and a summary of public comments and responses.
- ✓ **PDD Conceptual Development Plan**: One (1) full-size copy of a scaled drawing (1" to 100') of the entire tract to be subdivided. Please refer to the **UDO Appendices** to obtain plan requirements.
- ✓ **Nature of service**: Planned utility services and providers.
- N/A **Drainage concept plan** if applicable.
- ✓ **Conceptual Transportation Plan** if applicable.
- ✓ **Electronic copy (PDF) of all application materials** submitted to plan@southernpines.net.

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

REVIEW AND APPROVAL:

1. **Staff review**: Planning staff will review the application and notify the applicant if additional information or materials are needed.
2. **Public hearings**: The applicant is expected to attend a public hearing on the application before the Planning Board and before the Town Council the following month. (Please refer to the **Application Processing Timeline** to determine the hearing dates.) The Planning Board will recommend approval, conditional approval or denial to the Town Council. The Town Council will consider that recommendation, as well as evidence and testimony presented, and approve, conditionally approve or deny the request.
3. **Approval**: Please see **UDO §2.18.4(I) Effect of Approval**.



Planned Development District Conceptual Development Plan Application

Fee: \$1,800.00

Date Received: _____

Case No.: PD- 01 - 23

Project Information:

Project Name: West Southern Pines Morganton-Henley Conceptual Development Plan

Physical address: 704 W Morganton Rd, Southern Pines, NC 28387; Corner of S Henley St and W Morganton Rd

PIN: 857107686501, 857107790157, 857100682968, 857107782687 Parcel ID: 98000748, 00039154, 00991985, 00991984

Site Size: 38.4 acres Zoning: FRR

Applicant:

Name(s): BJ Grieve; Alaina Mallette (Public Officials, Planning Department, Town of Southern Pines)

Email: BJGrieve@southernpines.net; amallette@southernpines.net Phone: 910-692-4003

Mailing Address: 801 SE Service Rd, Southern Pines, NC 28387

Authorized Agent, if different from Applicant:

Name(s): _____

Email: _____ Phone: _____

Mailing Address: _____

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

Name(s): Rental Derby, LLC; William L. Barbour (per Deed)/Karen Lavinier (Authorized Representative of Property Owner)

Email: cangasdds@gmail.com; klavinier@laurinburgha.org Phone: 910-217-7488; 910-692-2042

Mailing Address: 39 Spearhead Dr, Whispering Pines, NC 28327; 801 S Mechanic St, Southern Pines, NC 28387

1/12/22

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

I, the undersigned, do hereby make application to and petition the Planning Board and Town Council for approval of a Planned Development District – Conceptual Development Plan as required by the Town of Southern Pines Zoning Ordinance. The following information is submitted in support of this application:

The property which is the subject of this application is located on the north side of W Morganton Rd (~~St./Ave.~~), between S Mechanic (St./Ave.) and Old Morganton Rd (~~St./Ave.~~). The property has a frontage of 3,643 feet and a depth of 405 to 1400 feet.

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

The proposed use of the property is as follows:

Retail and office uses, residential uses, recreation uses, and open space

(see Authorized Uses Table and District Map in Conceptual Development Plan)

Date: _____

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



Appointment of Agent



PLEASE PRINT. INFORMATION MUST BE LEGIBLE.

The undersigned property owner(s), Southern Pines Housing Authority, hereby appoint(s) the Town of Southern Pines as the exclusive agent for the purpose of making an application to the Town of Southern Pines for planned development zoning on the property described in the foregoing application. The property owner(s) hereby agree(s) that this agent has the authority to act for and on behalf of the property 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 Department staff for the issuance of a planned development zoning on the subject property; and
4. to act on behalf of the property owner(s) without limitations with regard to any and all things directly or indirectly connected with or arising out of any application for planned development zoning under the Southern Pines Unified Development Ordinance.

This Appointment of Agent agreement shall remain in effect until final resolution of this application.

Property Owner or Authorized Representative of
Property Owner:

Date: 2/2/2023



Signature

Karen Lavinier

Printed Name of Signatory

Authorized Agent:

Date: 2/2/23



Signature

BJ Grieve - Planning Director

Printed Name of Signatory

APPOINTMENT OF AGENT

The undersigned owner(s), Rental Derby, LLC, hereby appoint(s) the Town of Southern Pines as the exclusive agent for the purpose of making an application to the Town of Southern Pines for the approval of the Planned Development District – Conceptual Development Plan described in the attached application. The owner(s) hereby agree(s) that this agent has the authority to act for and on behalf of the owner(s) as follows:

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

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

Signed this 22 day of February, 2023.

Property owner withdraws their consent to this Appointment of Agent.



Jose Cangas
Property Owner



Yashira Cangas
Property Owner

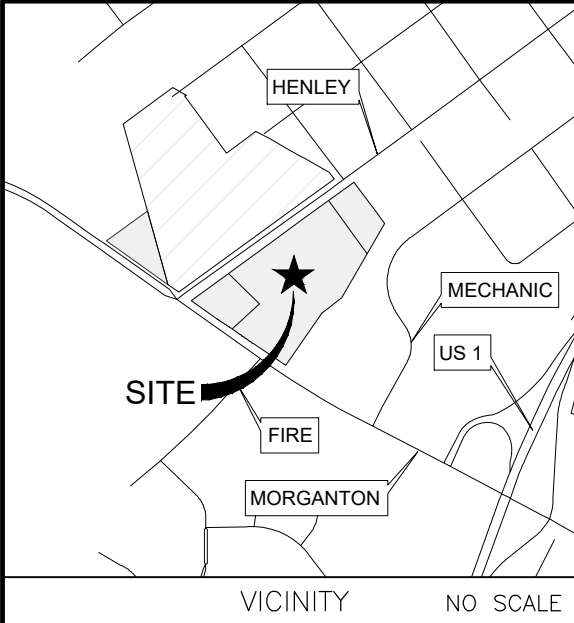


Agent
BJ Grieve,
Planning Director

UDO §2.18 Planned Development

§2.18.4(H) Conceptual Development Plan Criteria

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



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 ADJUTING
DISTRICT.

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

- 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-11(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 O = CALCULATED POINT
 - EIR ● = EXISTING IRON ROD
 - EIP O = EXISTING IRON PIPE
 - ECM □ = EXISTING MONUMENT
 - = RIGHT OF WAY
 - = BOUNDARY LINE
 - = BOUNDARY NOT SURVEYED
 - = EDGE OF PAVEMENT
 - = EDGE OF CONCRETE
 - - - - - = EXISTING FENCE
 - oe--- = OVERHEAD ELECTRIC
 - = UTILITY POLE
 - = LIGHT POLE
 - = WATER METER

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)

TOWN OF SOUTHERN PINES
PARID 00991984
DB 143 PG 303
ZONED FRR

TOWN OF SOUTHERN PINES
PARID 00991984
DB 143 PG 303
ZONED FRR
11.477 ACRES
GROSS TOTAL
1.368 ACRES (59,568 SF)
LESS LAND SWAP
1.374 ACRES (59,844 SF)
8.735 ACRES
NET REMAINDER
INCLUSIVE OF 1.220 ACRES

PARCEL C
1.368 ACRES
(59,568 SF)
FUTURE LAND SWAP

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
OCTOBER 25, 2022
FIELD SURVEY: AUGUST-SEPTEMBER 2022
DRAFTED BY: RR SCALE 1" = 60'
SOP1-2202

I, ROBERTO RODRIGUEZ JR., CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 143, PAGE 303, ETC.); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION AS INDICATED; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY AS CALCULATED IS 1:10,000±; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

FURTHER AS REQUIRED PER G.S. 47-30(F)(11); I, 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, LICENSE NUMBER AND SEAL.
THIS _____ DAY OF _____, A.D., 2022.

PROFESSIONAL LAND SURVEYOR _____ PRELIMINARY PLAT:
NOT FOR RECORDATION,
CONVEYANCE, OR SALES. _____ L-5428
LICENSE NUMBER

LKC

Engineering
Landscape Architecture
Surveying

LKC Engineering, PLLC
140 Aqua Shed Court
Aberdeen, NC 28315
O: 910.420.1437
F: 910.637.0096
lkceengineering.com
License No. P-1095

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

REPORT OF PHASE I ENVIRONMENTAL SITE ASSESSMENT

DFI Phase 2 Study

**W. Morganton Road at S. Henley Street
Southern Pines, Moore County, North Carolina
Modulus Project No. M1106**



Prepared For:

**Town of Southern Pines
125 SE Broad St
Southern Pines, NC 28387**

April 29, 2021

April 30, 2021

Ms. Jessica Roth
Assistant Town Manager
Town of Southern Pines
125 SE Broad St
Southern Pines, NC 28387

Re: Report of Phase I Environmental Site Assessment
DFI Phase 2 Study
W. Morganton Road at S. Henley Street
Southern Pines, Moore County, NC
Modulus Project No. M1106

Dear Ms. Roth:

Modulus, PLLC (Modulus) is pleased to submit this report of our Phase I Environmental Site Assessment for 4 parcels located northwest and northeast of the intersection of W. Morganton Road and S. Henley Street in Southern Pines, Moore County, North Carolina. Our services were provided in accordance with our proposal number P657 dated April 14, 2021. Our services were provided in accordance with and generally meet the requirements of ASTM E 1527-13, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process and Environmental Protection Agency (EPA) EPA Standards and Practices for All Appropriate Inquiries contained in 40 CFR Part 312. If there are questions regarding this report, or a need for further information, please contact the undersigned at (919) 800-9093.

Sincerely,
Modulus, PLLC
NC Firm License No. P 1176



Aric V. Geda, P.E.
Principal Engineer

ENVIRONMENTAL PROFESSIONAL STATEMENT

We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional as defined in § 312.10 of 40 CFR 312. We have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. We have developed and performed all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.



Aric V. Geda, P.E. April 30, 2021
Principal Engineer

PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT

DFI Phase 2 Study Southern Pines, Moore County, North Carolina Modulus Project M1106

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APPENDICES

- I. Figures
- II. File Review Documents
- III. Site Photographs
- IV. Historical Research Documentation
- V. Regulatory Database Documentation
- VI. Statement of Qualifications

1.0 EXECUTIVE SUMMARY

Modulus, PLLC was contracted by the Town of Southern Pines to conduct a Phase I ESA in general accordance with ASTM E-1527-13, Standard Practice for Environmental Site Assessments: Phase I Environmental Process. Any exceptions, deletions, Historical Data Failures and Other Data Gaps from this practice are described in Section 2.3 of this report.

Current Site Use

The Subject Site consists of 4 parcels totaling approximately 37.1-acres. The Subject Site is split by both South Henley St. and W. Morganton Rd., dividing it into 3 areas as shown on Figure 2. Area 1, located east of S. Henley St. is approximately 10.1-acres, consists of a parking area also used as a Farmers Market, a concession / restroom structure, baseball field, and a water tower with backup municipal water supply well. Area 2, located west of S. Henley St., is approximately 26.7-acres, consists primarily of undeveloped wooded land, with a small material storage yard in the eastern part and communication buildings and a communication tower in the western part. Area 3, located south of W. Morganton Rd., is approximately 0.1-acres of undeveloped wooded land.

Off-Site/Nearby Properties

This portion of Southern Pines consists of a mix of commercial, residential, undeveloped, and park properties. The Subject Site is bound to the northwest by properties containing communications towers and associated structures. To the northeast are single family residential properties. To the east of the Subject Site are residential duplexes in the northern portion and National Guard structures in the southern portion. The Subject Site is generally bound to the south by W. Morganton Rd, beyond which are soccer fields to the southeast and undeveloped wooded land to the southwest. To the west of the Subject Site are office and commercial properties currently under construction.

Regulatory Record Search

A portion of the subject property and the adjacent property to the south appears on the Pre-Regulatory Municipal Landfills listing. Based upon our review of the data and interviews performed, it is our understanding that no environmental testing has been performed to assess the former landfill. Modulus considers the unassessed former Landfill to be a Recognized Environmental Condition (REC) to the subject site.

Historical Site Use

From at least 1948 through the present date, the eastern portion of the property has been cleared with some development, while the western portion has remained generally wooded and undeveloped. Based upon information provided, field observations, topography, and aerial photographs, Modulus believes the east-central portion of the site was a sand mine from the early-1950's to the early 1960s as outlined on Figure 3. It appears that after mining was complete, S. Henley St. was constructed, and the area east of S. Henley St. (Area 1) was utilized as a municipal landfill from the mid-1960s through the early 1970's as indicated on Figure 4. Shortly after the landfill was closed, Area 1 was redeveloped with the baseball field and construction of the Water Tower in the north by the mid-1970s. The concession / bathroom structure was constructed in the late 1990s, and the existing parking lot was paved in the early 2000's.

Area 2 has remained generally undeveloped and wooded, except for the portion mined in the northeast corner from the early-1950's to the early 1960s. Modulus does not believe this portion of Area 2 was utilized as part of the landfill and was just allowed to become overgrown. It appears that the Time Warner lease area was first developed in the late 1970's. In the late 1990s the Materials Storage Area was cleared and being used. The communications tower for NC State Highway Patrol was constructed in the early 2000s. Area 3 appears to have been undeveloped wooded land since at least 1948.

Surrounding properties to the southwest, west, north, and northeast have generally been undeveloped woodland, agricultural, and residential since at least 1948. Communication towers northwest of the site appear in the mid-1980s, while the property to the west of the site has recently been cleared and commercial construction is underway. The National Guard Property has been east of the site since the mid-1950s. To the southeast, beyond W. Morganton Rd., Modulus believes the existing soccer fields were also a sand mine from the early-1950's to the early 1960s. It is likely that after mining was complete, the area was utilized as a municipal landfill from the mid-1960s through the early 1970's. The property was redeveloped into the soccer fields in the late 1990s and early 2000s.

Site Reconnaissance

Although the historical existence of the landfill on Area 1 is considered a recognized environmental concern (REC), no specific RECs were observed during our site visit.

Findings Summary

Recognized Environmental Conditions (RECs) are defined by ASTM Standard Practice E1527-13 as the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, surface water, or vapors in the subsurface of the property. The assessment conducted by Modulus has revealed no RECs associated with the subject site or nearby properties except the following:

- The historical existence of the landfill on Area 1 is considered a recognized environmental concern (REC). It is our understanding that no environmental testing has been performed to assess the former landfill.

Conclusions and Opinions

Based on the data obtained from this Phase I Environmental Site Assessment, Modulus concludes and recommends the following for this site:

- It is Modulus's opinion that there is a potential that impacts to the subsurface exist from former landfill operations on Area 1 at the Subject Site. These concerns are primarily located in the former landfill area located on Area 1, as indicated on Figure 4. Concerns for redevelopment include potential soil impacts, soil vapor impacts, groundwater impacts, and geotechnical impacts. While the landfill appears to have been restricted to Area 1 and could be separated from a redevelopment plan, there is a potential that groundwater impacts from the landfill could migrate west-southwest under the southeast portion of Area 2. To confirm the absence or presence of impacts, a Phase II assessment of the area would be required.

2.0 INTRODUCTION

2.1 Purpose and Reason for Performing Phase I ESA

The purpose of the ESA was to:

- evaluate the probability of impact to the soils, groundwater, surface water, or vapors in the subsurface within the property boundaries through a review of regulatory information and a reconnaissance of the subject site and vicinity;
- evaluate historical land usage to identify previous conditions that could potentially impact the environmental condition of the site;
- evaluate the potential for on-site and off-site contamination;
- provide a professional opinion regarding the potential for environmental impact at the site, and a list of Recognized Environmental Conditions; and,
- conduct all appropriate inquiry as defined by ASTM-E 1527-13.

The reason for the ESA is to conduct all appropriate inquiries into the uses of the subject property as a part of a redevelopment plan. The ESA should allow the Users the opportunity to qualify for landowner liability protection under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) provided certain stipulations are met. The landowner liability protections are an innocent landowner, a contiguous property owner, or a bona fide prospective purchaser. The User must meet the protection stipulations detailed in CERCLA to qualify.

2.2 Scope of Services

The environmental assessment was conducted in accordance with ASTM E 1527-13 and EPA Standards and Practices for All Appropriate Inquiry (40 CFR §312.10). The environmental assessment was conducted under the supervision or responsible charge of an individual that qualifies as an environmental professional, as defined in 40 CFR §312.10.

2.3 Limitations, Definitions, Data Gaps, and Report Use

The ESA involved a reconnaissance of the site and contiguous properties and a review of regulatory and historical information in accordance with the ASTM standard and EPA regulation referenced herein. No non-scope considerations or additional issues such as asbestos, radon, wetlands or mold were investigated, unless otherwise described in Section 8.0 of this report.

The conclusions and/or recommendations presented within this report are based upon a level of investigation consistent with the standard of care and skill exercised by members of the same profession currently practicing in the same locality under similar conditions. The intent of this assessment is to identify the potential for recognized environmental conditions in connection with the site; however, no environmental site assessment can completely eliminate uncertainty regarding the potential for recognized environmental conditions in connection with the site. The findings of this ESA are not intended to serve as an audit for health and safety compliance issues pertaining to improvements or activities at the site. Modulus is not liable for the discovery or elimination of hazards that may potentially cause damage, accidents or injury.

Observations, conclusions and/or recommendations pertaining to environmental conditions at the subject site are necessarily limited to conditions observed, and or materials reviewed at the time this study was undertaken. It was not the purpose of this study to determine the actual presence, degree or extent of contamination, if any, at this site. This could require additional exploratory work, including sampling and laboratory analysis. No warranty, expressed or implied, is made with regard to the conclusions and/or recommendations presented within this report.

Definitions

ASTM E-1527-13 defines a "Recognized Environmental Condition (REC)" as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: 1) due to any release to the environment, 2) under conditions indicative of a release to the environment; or 3) under conditions that pose a material threat of a future release to the environment. For the purposes of this practice, "migrate" and "migration" refer to the movement of hazardous substances or petroleum products in any form including solid and liquid at the surface or subsurface and vapor in the subsurface. De minimis conditions are not recognized environmental conditions.

ASTM E-1527-13 defines a "Historical Recognized Environmental Condition (HREC)" as a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted residential use criteria established by a regulatory authority, without subjecting the property to any required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls).

Before calling the past release a historical recognized environmental condition, the environmental professional must determine whether the past release is a recognized environmental condition at the time the Phase I Environmental Site Assessment is conducted (for example, if there has been a change in the regulatory criteria). If the EP considers the past release to be a recognized environmental condition at the time the Phase I ESA is conducted, the condition shall be included in the conclusions section of the report as a recognized environmental condition.

ASTM E-1527-13 defines a "Controlled Recognized Environmental Condition (CREC)" as a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted residential use criteria established by a regulatory authority, without subjecting the property to any required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls).

ASTM E-1527-13 defines a "De Minimis Condition" as a condition that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Conditions determined to be de minimis conditions are not recognized environmental conditions or controlled recognized environmental conditions.

Historical Data Failures and Data Gaps

Modulus attempted to obtain Sanborn Maps and City Directories for the above referenced site; however, these records were not available. Modulus considers this a data gap. However, based on other research and historical information gathered, Modulus considers this data gap to be non-significant. This data gap has not affected our ability to identify RECs associated with the site.

Report Use

This report is provided for the exclusive use of the Town of Southern Pines. This report is not intended to be used or relied upon in connection with other projects or by other unidentified third parties. The use of this report by any undesignated parties will be at such party's sole risk and Modulus disclaims liability for any such third-party use or reliance.

3.0 SITE DESCRIPTION

3.1 Site Location and Legal Description

The Subject Site is located northwest and northeast of the intersection of W. Morganton Road and S. Henley Street in Southern Pines, Moore County, North Carolina. See Figure 1 for a site location map. According to information provided and obtained from Moore County GIS, the properties consist of parcels as follows:

Property	PIN	Acres	Owner
1	857107683906	9.45	Town of Southern Pines
2	857107782687	25.6	Town of Southern Pines
3	857107790157	0.73	Southern Pines Housing Auth.
4	857107686501	1.32	Boys & Girls Club Sandhills

An outline of the property assessed and pertinent features is shown on Figure 2. Legal descriptions have not been provided for the parcels.

3.2 Physical Setting and Hydrogeology

Topography

The subject property's physical setting is based upon Moore County GIS Topographic Map which indicates the Subject Site to generally slope to the west-southwest with an elevation of approximately 595 feet in the northeast corner of the Subject Site, dropping to an elevation of approximately 526 feet in the southwest area.

Area Gradient

The topographic gradient across the area slopes in a generally west-southwesterly direction toward Watson Lake. A copy of the area USGS topographic map is provided as Figure 1.

Geology

The site is located in the Coastal Plain Physiographic Province. The Coastal Plain is composed of seven terraces, each representing a former level of the Atlantic Ocean. Soils in this area generally consist of sedimentary materials transported from the other areas by the ocean or rivers. These deposits vary in thickness from a thin veneer along the western edge of the region to more than 2,000 feet near the coast. The sedimentary deposits of the Coastal Plain rest upon consolidated rocks similar to those underlying the Piedmont and Mountain Physiographic Provinces.

Hydrogeology

In general, shallow unconfined groundwater movement within the overlying soils is controlled largely by topographic gradients. Recharge occurs primarily by infiltration along higher elevations and typically discharges into streams or other surface water bodies. The elevation of the shallow water table is transient and can vary with seasonal fluctuations in precipitation. Movement of groundwater under water table conditions is generally from higher to lower elevations.

Groundwater movement is generally horizontal from recharge areas to streams or lakes that serve as localized discharge points. Based on topography, it would appear that shallow groundwater in the immediate area would be from east to west-southwest.

3.3 Current Use and Description of the Site

The Subject Site consists of 4 parcels totaling approximately 37.1-acres. The subject site is split by both South Henley St. and W. Morganton Rd. As such, we have divided the site into three areas as shown on Figure 2 with pertinent features discussed throughout this report.

Area 1- The portion of the Subject Site east of S. Henley St. is approximately 10.1-acres, consisting of a parking area in the southern part that is also used as a Farmers Market. A concession / restroom structure exists immediately north of the parking lot, beyond which is a baseball field in the central part of Area 1. North of the baseball field is an open mowed field and a former community garden. A water tower and backup municipal water supply well is located at the northernmost portion of the site.

Area 2- The portion of the Subject Site west of S. Henley St. is approximately 26.7-acres, consisting primarily of undeveloped wooded land. There is a material storage yard in the eastern part utilized by the Town. In the western part of Area 2 is a communication building leased from the Town by Time Warner, and a communication tower and structure leased from the Town by the NC State Highway Patrol. Power easements also transect portions of Area 2.

Area 3- The portion of the Subject Site south of W. Morganton Rd. is approximately 0.1-acres, consisting undeveloped wooded land.

3.4 Current Uses of the Adjoining Properties

This portion of Southern Pines consists of a mix of commercial, residential, undeveloped, and park properties.

North- The Subject Site is bound to the northwest by properties containing communications towers and associated structures. To the northeast are single family residential properties.

East- To the east of the Subject Site are residential duplexes in the northern portion and National Guard Armory structures in the southern portion.

South- The Subject Site is generally bound to the south by W. Morganton Rd, beyond which are soccer fields to the southeast and undeveloped wooded land to the southwest.

West- To the west of the Subject Site are office and commercial properties currently under construction.

4.0 USER PROVIDED INFORMATION

Modulus interviewed Mr. Cory Albers, Assistant Public Works Director of the Town of Southern Pines regarding information in the User Questionnaire. The results of the interview are outlined below.

4.1 Title Information

Current title information was not provided for the site.

4.2 Environmental Liens or Activity and Use Limitations

Mr. Albers indicated that he is unaware of any Activity and Use Limitations for the site.

4.3 Specialized Knowledge

Mr. Albers indicated that he does not have any Specialized Knowledge of environmental conditions at the site.

4.4 Commonly Known or Reasonably Ascertainable Information

Mr. Albers indicated that he is aware that a portion of Area 1 of the Subject Site was utilized as a city landfill.

4.5 Valuation Reduction for Environmental Issues

As the Town is looking at redevelopment options for the Subject Site, this question is not applicable.

4.6 Owner, Property Manager, and Occupant Information

The Subject Site is primarily owned by the Town of Southern Pines, with smaller portions owned by the Southern Pines Housing Authority and the Boys and Girls Clubs of the Sandhills. Area 1 is managed by the Town as a City Park, Farmers Market, and water utility. Area 2 is utilized by the Town as a material storage yard in a small portion in the east, while portions of the west are leased to Time Warner and the NC Highway Patrol for communication towers and structures. The remainder of Area 2 and Area 3 are undeveloped.

4.7 Degree of Obviousness

Mr. Albers indicated that he is unaware of any obvious indicators that would point to the presence or likely presence of contamination on the properties.

5.0 RECORDS REVIEW

A regulatory record search of ASTM standard and supplemental databases was conducted for the site and is included in Appendix III. The regulatory search report in the appendix includes additional details about the regulatory databases that were reviewed. The regulatory records search involves searching a series of databases for facilities that are located within a specified distance from the subject property. The ASTM standard specifies an approximate minimum search distance from the subject site for each database. Pursuant to ASTM, the approximate minimum search distance may be reduced for each standard environmental record except for Federal NPL site list, and Federal RCRA TSD list. According to ASTM, government information obtained from nongovernmental sources may be considered current if the source updates the information at least every 90 days or, for information that is updated less frequently than quarterly by the government agency, within 90 days of date the government agency makes the information available to the public. The following table indicates the standard environmental record sources and the approximate minimum search distances for each.

Standard Environmental Record Sources	Approximate Minimum Search Distance Per ASTM (miles)
Federal NPL / Proposed NPL / Delisted NPL	1.0
NPL Liens	Subject Site
Federal CERCLIS / CERCLIS NFRAP	0.5
Federal RCRA CORRACTS	1.0
Federal RCRA non-CORRACTS TSD	0.5
Federal RCRA Generators	0.25
Federal IC / EC / LUCIS	0.5
Federal ERNS	Subject Site
State HSDS / SHWS	1.0
State SWF/LF / OLI	0.5
LUST / LAST / LUST TRUST / Indian LUST	0.25
UST / Indian UST / FEMA UST / AST	Site and Adjoining Properties
State IC / EC / VCP	Subject Site Only
State Brownfield Sites	0.5
Historic Landfills / IMD	0.5
Drycleaners	0.25

Based on our knowledge of the subject property and the surrounding area, Modulus attempts to verify and interpret this data. While this attempt at verification is made with due diligence, Modulus cannot guarantee the accuracy of the record(s) search beyond that of information provided by the regulatory report(s). Mapped and unmapped sites identified in the regulatory report(s) that are not addressed below were field verified and are not believed to be within the approximate minimum search distance and are excluded from this ESA report. Modulus makes no warranty regarding the accuracy of the database report information included within the regulatory report(s). The regulatory records search of ASTM standard and supplemental databases was provided by Environmental Data Resources, Inc. (EDR). Modulus maintained the ASTM recommended search distances during this assessment.

5.1 Database Review Results

Subject Property

The subject property appears on the Solid Waste Active Disaster Debris Sites (DEBRIS) and the Old Landfill Inventory (OLI) databases. The DEBRIS database is a listing of Temporary Disaster Debris Staging Site Locations and not an indication of any environmental incidents. This listing is associated with the Town operated material storage area located in the eastern portion of Area 2.

The OLI database is a listing of pre-1983 (Pre-Regulatory) municipal landfills. This listing is associated with the Former Southern Pines Dump reportedly located in the central portion of Area 1. Modulus reviewed files available on the Former Southern Pines Dump which are included in Appendix II.

Based on the data reviewed, the Former Dump was brought the attention of North Carolina Department of Environmental and Natural Resources (NCDENR) in 2006, when an adjacent property owner hired a consulting firm to investigate the extent of the former landfill to see if it encroached his property.

Using funds from the Hurricane Recovery Act of 2005, NCDENR hired Marshall Miller & Associates (MM&A) to investigate the landfill. In 2006 MM&A performed an assessment which included historical research and a site inspection to confirm the Site location, to develop an understanding of the operational and development history and to evaluate the current site and vicinity conditions. This information was compiled into a *Site Summary Report* dated April 22, 2008. The report does not indicate the years of operation of the landfill but suggests that operations ceased circa 1974. The report also suggests that the landfill encompasses approximately 6 acres of the central and southern portions of Area 1.

On April 28, 2017, the North Carolina Department of Environmental Quality (formerly NCDENR) sent a letter to the Town of Southern Pines – Planning & Inspections informing them of the Pre-Regulatory Landfills located in the Town. The letter also indicates that if any imminent plans of development or redevelopment of the former landfills are proposed, the Pre-Regulatory Landfill Unit Supervisor should be contacted.

Based upon our review of the data and interviews performed, it is our understanding that no environmental testing has been performed to assess the former landfill located on Area 1 of the Subject Site.

Off-Site Properties

A few off-site properties appeared on the records reviewed. Below is a summary of a pertinent site:

- **Southern Pines Dump** - Located south of Morganton Rd, this site is associated with the former landfill located on Area 1 of the Subject Site. This site is included in the documents obtained for the subject site located in Appendix V. Based upon our review of the data and interviews performed, it is our understanding that no environmental testing has been performed in regard to the former landfill located south of the Subject Site.

Additional off-site properties appeared in the EDR report, however, based on distance, direction, hydrology and/or the current status of these sites, Modulus does not consider any of these sites to be a REC to the subject property.

5.2 Regulatory Review Summary

A portion of the subject property and the adjacent property to the south appears on the Pre-Regulatory Municipal Landfills listing. Based upon our review of the data and interviews performed, it is our understanding that no environmental testing has been performed to assess the former landfill. Modulus considers the unassessed former Landfill to be a Recognized Environmental Condition (REC) to the subject site.

6.0 HISTORICAL USE INFORMATION

6.1 Aerial Photograph Review

Modulus reviewed aerial photographs of the site and immediately surrounding properties for evidence of former usage which may constitute a potential for environmental concern. Aerial photographs were available and were obtained from EDR, Moore County GIS, and Google Earth which included years 1961, 1964, 1976, 1983, 1987, 1993, 1999, 2003, 2005, 2006, 2007, 2008, 2009, 2010, 2012, 2013, 2014, 2015, 2016, 2017, 2018 and 2019. Copies of the EDR aerial photos appear in Appendix IV. The following is a summary of pertinent information taken from the available aerial review:

Subject Property

The 1961 and 1964 aerials indicate that S. Henley St. does not exist yet in the eastern portion of the Subject Site. The eastern 1/3 of the subject site is cleared with what appears to be operations that could be sand mining or landfilling. The remainder of the site appears wooded and undeveloped. S. Henley St. appears in the 1976 aerial, along with the baseball field and water tower appearing in the east central and northern portions of Area 1, respectively. There is some clearing observed in the area of the Time Warner lease in the western portion of Area 2. In the 1983 aerial, structures can be observed in the area of the Time Warner lease in the western portion of Area 2. In 1999, the concession / bathroom structure appears south of the baseball field in Area 1, as does the material storage area in the eastern part of Area 2. The parking lot / farmers market area appears in the 2003 aerial, with the NC State Highway Patrol tower appearing in 2013 at the northwest corner of Area 2. The Subject Site then remains relatively unchanged through the current date.

Off-Site Properties

- **North-**From 1961 through 1983 Properties to the north appear as residential, undeveloped woodland, and agricultural properties. The communication towers to the northwest appear in the 1987 aerial, and the properties remain relatively unchanged through the current date.
- **East-** The National Guard structures appear to the southeast in the 1961 and 1964 aerials, with undeveloped woods to the northeast. The residential duplexes appear to the northeast in the 1976 aerial. The properties east of the site remain relatively unchanged through the current date.
- **South-** The 1961 and 1964 aerials indicate the property to the southeast is cleared with what appears to be operations that could be sand mining or landfilling. From 1976 through 1993, the property to the southeast becomes progressively overgrown. In 1999, the soccer field appear to begin construction, being completed to their existing condition in 2003. The property to the southwest appears as undeveloped woodland from 1964 through the present date.
- **West-** The property to the west appears as undeveloped woodland from 1964 to within the last year, when the site was cleared for commercial development.

6.2 Sanborn Fire Insurance Map Review

Modulus attempted to obtain Sanborn Fire Insurance Maps for the site from EDR. According to the EDR Certified Sanborn Map Report which is included in Appendix IV, coverage for the site and surrounding properties is not available.

6.3 City Directory Review

One of the ASTM standard historic sources to be reviewed for previous site use is local street directories, commonly known as City Directories. The purpose of the directory review is to identify past occupants of the site, adjoining properties, or nearby properties. In some rural areas, street directories information is limited.

Modulus attempted to review historical city directories for the subject and surrounding properties from the Southern Pines Public Library in Southern Pines and the Moore County Library in Carthage, NC. Due to the historic rural nature of the site, City Directories were unavailable.

6.3 Other Standard Historical Sources

In accordance with the ASTM Standard, other historical sources should be reviewed, if necessary and if the information is likely to be useful, to obtain historical site use information. Other Standard Historical Sources may include property tax files, recorded land title records, historic USGS topographic maps, building department records, and zoning or land use records.

- **Historic USGS Topographic Maps**

Modulus obtained Historical Topographic Maps, which included USGS maps from 1948, 1950, 1957, 1976, 1984, 2010, 2013, 2016 and 2019. While the topographic maps gave no pertinent information for the subject site, a sand pit existed north of the subject site in 1957. A copy of Historical Topographic Maps can be found in Appendix IV.

Summary of Historical Findings

From at least 1948 through the present date, the eastern portion of the property has been cleared with some development, while the western portion has remained generally wooded and undeveloped. Based upon information provided, field observations, topography, and aerial photographs, Modulus believes the east-central portion of the site was a sand mine from the early-1950's to the early 1960s as outlined on Figure 3. It appears that after mining was complete, S. Henley St. was constructed, and the area east of S. Henley St. (Area 1) was utilized as a municipal landfill from the mid-1960s through the early 1970's as indicated on Figure 4. Shortly after the landfill was closed, Area 1 was redeveloped with the baseball field and construction of the Water Tower in the north by the mid-1970s. The concession / bathroom structure was constructed in the late 1990s, and the existing parking lot was paved in the early 2000's.

Area 2 has remained generally undeveloped and wooded, except for the portion mined in the northeast corner from the early-1950's to the early 1960s. It appears that the Time Warner lease area was first developed in the late 1970's. In the late 1990s the Materials Storage Area was cleared and being used. The communications tower for NC State Highway Patrol was constructed in the early 2000s. Area 3 appears to have been undeveloped wooded land since at least 1948.

Surrounding properties to the southwest, west, north, and northeast have generally been undeveloped woodland, agricultural, and residential since at least 1948. Communication towers northwest of the site appear in the mid-1980s, while the property to the west of the site has recently been cleared and commercial construction is underway. The National Guard Property has been east of the site since the mid-1950s. To the southeast, beyond W. Morganton Rd., Modulus believes the existing soccer fields were also a sand mine from the early-1950's to the early 1960s. It is likely that after mining was complete, the area was utilized as a municipal landfill from the mid-1960s through the early 1970's. The property was redeveloped into the soccer fields in the late 1990s and early 2000s.

7.0 SITE AND AREA RECONNAISSANCE

7.1 Methodology and Limiting Conditions

Mr. Aric V. Geda, PE of Modulus conducted the field reconnaissance on April 22, 2020. Modulus was unaccompanied during the site visit. The weather at the time of the reconnaissance was approximately 70 degrees Fahrenheit and sunny. Observations were made from a walking reconnaissance through the site, around the perimeter of the site, and along several transects through the property. Photographs, taken at the time of the site reconnaissance, are included in Appendix III.

7.2 On-Site Features

The Subject Site consists of 4 parcels totaling approximately 37.1-acres. The Subject Site is split by both South Henley St. and W. Morganton Rd. As such, we have divided the site into three areas as shown on Figure 2 and described below.

Area 1- The portion of the Subject Site east of S. Henley St. is approximately 10.1-acres, consisting of a parking area in the southern part that is also used as a Farmers Market. A concession / restroom structure exists immediately north of the parking lot, beyond which is a baseball field in the central part of Area 1. North of the baseball field is an open mowed field and a former community garden. A water tower and backup municipal water supply well is located at the northernmost portion of the site.

Area 2- The portion of the Subject Site west of S. Henley St. is approximately 26.7-acres, consisting primarily of undeveloped wooded land. There is a material storage yard in the eastern part utilized by the Town. In the western part of Area 2 is a communication building leased from the Town by Time Warner, and a communication tower and structure leased from the Town by the NC State Highway Patrol. Power easements transect portions of Area 2.

Area 3- The portion of the Subject Site south of W. Morganton Rd. is approximately 0.1-acres, consisting undeveloped wooded land.

Underground or aboveground storage tanks

No indications of underground storage tanks were observed on the Subject Site during our reconnaissance. Aboveground diesel tanks were observed in the Time Warner and State Highway Patrol Lease Areas associated with emergency generators. The tanks were double wall tanks. We did not observe any indications of leaks or spills in the areas of the tanks.

Strong, pungent or noxious odors

We did not notice strong, pungent or noxious odors at the site.

Surface waters

Surface water drains from the subject site to ditches and catch basins around the site. We did not observe standing water during our reconnaissance.

Drums or containers of petroleum or hazardous substances greater than five gallons

We did not observe drums or containers of petroleum or hazardous substances greater than five gallons.

Drums or containers of petroleum or hazardous substances less than or equal to five-gallons

We did not observe drums or containers of petroleum or hazardous substances less than or equal to five-gallons on the Subject Site.

Unidentified opened or damaged containers of hazardous substances or petroleum products

We did not observe unidentified opened or damaged containers of hazardous substances or petroleum products at the site.

Known or suspect PCB-containing equipment (excluding light ballasts)

No suspect PCB-containing equipment was observed on the subject site.

Pits, ponds or lagoons

No pits, ponds or lagoons were observed on the subject site.

Stained soil or pavement

We did not observe stained soils or pavement at the site.

Stressed vegetation

We did not observe stressed vegetation at the site.

Solid waste mounds or non-natural fill materials

Various piles of sand, stone, topsoil, asphalt rubble, concrete rubble, tree debris, and miscellaneous construction debris were observed in the material storage area. We did not observe any materials that would be considered an environmental concern.

Waste management practices

A roll-off dumpster exists in the material storage area.

Wastewater discharges into drains, ditches or streams

We did not observe wastewater discharges at the site.

Groundwater wells including potable, monitoring, dry, irrigation, injection and/or abandoned

We observed one monitoring well near the northeast corner of the baseball field. The monitoring well is maintained by the NC Division of Water Resources for water level monitoring. Based upon our review of the well record information, the well has not been sampled for water quality purposes. A copy of the water level recordings is presented in Appendix II.

It is also our understanding that an 8" x 247' production well exists in the area of the water tower used as a backup water supply for the Town. A copy of the well record is included in the *MM&A Site Summary Report*, Appendix F

Septic systems or cesspools

We did not observe evidence of septic systems or cesspools on the site.

Dry Cleaning

Not applicable to this site.

Onsite Emergency Electrical Generators

Emergency generators were observed during our site visit on the leased properties, as discussed in the Tank section above.

7.3 Adjoining and Nearby Properties

This portion of Southern Pines consists of a mix of commercial, residential, undeveloped, and park properties. The Subject Site is bound to the northwest by properties containing communications towers and associated structures. To the northeast are single family residential properties. To the east of the Subject Site are residential duplexes in the northern portion and National Guard structures in the southern portion. The Subject Site is generally bound to the south by W. Morganton Rd, beyond which are soccer fields to the southeast and undeveloped wooded land to the southwest. To the west of the Subject Site are office and commercial properties currently under construction.

7.4 Reconnaissance Summary

Although the historical existence of the landfill on Area 1 is considered a recognized environmental concern (REC), no specific RECs were observed during our site visit.

8.0 ADDITIONAL SERVICES

8.1 Non-Scope Issues

ASTM guidelines identify non-scope issues, which are beyond the scope of this practice. Non-scope issues have the potential to be business environmental risks. Some of these non-scope issues include; asbestos-containing building materials (ACM), radon, lead-based paint, lead in drinking water, wetlands and mold.

Modulus was not requested to perform non-scope services at the subject site.

8.2 Previous Reports Review

Modulus reviewed files available on the Former Southern Pines Dump which are included in Appendix II and discussed in Section 5.1.

9.0 FINDINGS

Current Site Use

The Subject Site consists of 4 parcels totaling approximately 37.1-acres. The Subject Site is split by both South Henley St. and W. Morganton Rd., dividing it into 3 areas as shown on Figure 2. Area 1, located east of S. Henley St. is approximately 10.1-acres, consists of a parking area also used as a Farmers Market, a concession / restroom structure, baseball field, and a water tower with backup municipal water supply well. Area 2, located west of S. Henley St., is approximately 26.7-acres, consists primarily of undeveloped wooded land, with a small material storage yard in the eastern part and communication buildings and a communication tower in the western part. Area 3, located south of W. Morganton Rd., is approximately 0.1-acres of undeveloped wooded land.

Off-Site/Nearby Properties

This portion of Southern Pines consists of a mix of commercial, residential, undeveloped, and park properties. The Subject Site is bound to the northwest by properties containing communications towers and associated structures. To the northeast are single family residential properties. To the east of the Subject Site are residential duplexes in the northern portion and National Guard structures in the southern portion. The Subject Site is generally bound to the south by W. Morganton Rd, beyond which are soccer fields to the southeast and undeveloped wooded land to the southwest. To the west of the Subject Site are office and commercial properties currently under construction.

Regulatory Record Search

A portion of the subject property and the adjacent property to the south appears on the Pre-Regulatory Municipal Landfills listing. Based upon our review of the data and interviews performed, it is our understanding that no environmental testing has been performed to assess the former landfill. Modulus considers the unassessed former Landfill to be a Recognized Environmental Condition (REC) to the subject site.

Historical Site Use

From at least 1948 through the present date, the eastern portion of the property has been cleared with some development, while the western portion has remained generally wooded and undeveloped. Based upon information provided, field observations, topography, and aerial photographs, Modulus believes the east-central portion of the site was a sand mine from the early-1950's to the early 1960s as outlined on Figure 3. It appears that after mining was complete, S. Henley St. was constructed, and the area east of S. Henley St. (Area 1) was utilized as a municipal landfill from the mid-1960s through the early 1970's as indicated on Figure 4. Shortly after the landfill was closed, Area 1 was redeveloped with the baseball field and construction of the Water Tower in the north by the mid-1970s. The concession / bathroom structure was constructed in the late 1990s, and the existing parking lot was paved in the early 2000's.

Area 2 has remained generally undeveloped and wooded, except for the portion mined in the northeast corner from the early-1950's to the early 1960s. Modulus does not believe this portion of Area 2 was utilized as part of the landfill and was just allowed to become overgrown. It appears that the Time Warner lease area was first developed in the late 1970's. In the late 1990s the Materials Storage Area was cleared and being used. The communications tower for NC State Highway Patrol was constructed in the early 2000s. Area 3 appears to have been undeveloped wooded land since at least 1948.

Surrounding properties to the southwest, west, north, and northeast have generally been undeveloped woodland, agricultural, and residential since at least 1948. Communication towers northwest of the site appear in the mid-1980s, while the property to the west of the site has recently been cleared and commercial construction is underway. The National Guard Property has been east of the site since the mid-1950s. To the southeast, beyond W. Morganton Rd., Modulus believes the existing soccer fields were also a sand mine from the early-1950's to the early 1960s. It is likely that after mining was complete, the area was utilized as a municipal landfill from the mid-1960s through the early 1970's. The property was redeveloped into the soccer fields in the late 1990s and early 2000s.

Site Reconnaissance

Although the historical existence of the landfill on Area 1 is considered a recognized environmental concern (REC), no specific RECs were observed during our site visit.

Findings Summary

Recognized Environmental Conditions (RECs) are defined by ASTM Standard Practice E1527-13 as the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, surface water, or vapors in the subsurface of the property. The assessment conducted by Modulus has revealed no RECs associated with the subject site or nearby properties except the following:

- The historical existence of the landfill on Area 1 is considered a recognized environmental concern (REC). It is our understanding that no environmental testing has been performed to assess the former landfill.

10.0 CONCLUSIONS AND OPINIONS

This assessment has revealed evidence of potential on-site recognized environmental conditions (RECs) in connection with the property. Based on the data obtained from this Phase I Environmental Site Assessment, Modulus concludes and recommends the following for this site:

- It is Modulus's opinion that there is a potential that impacts to the subsurface exist from former landfill operations on Area 1 at the Subject Site. These concerns are primarily located in the former landfill area located on Area 1, as indicated on Figure 4. Concerns for redevelopment include potential soil impacts, soil vapor impacts, groundwater impacts, and geotechnical impacts. While the landfill appears to have been restricted to Area 1 and could be separated from a redevelopment plan, there is a potential that groundwater impacts from the landfill could migrate west-southwest under the southeast portion of Area 2. To confirm the absence or presence of impacts, a Phase II assessment of the area would be required.

11.0 REFERENCES

- Moore County Soil Survey, published by the United States Department of Agriculture, Soil Conservation Service.
- Moore County GIS online database.
- Hydric Soils List, United States Department of Agriculture.
- Google Earth
- EDR Radius Map Report, Environmental Data Resources, Inc., dated April 22, 2021.
- EDR Sanborn Map Report, Environmental Data Resources, Inc., dated April 22, 2021.
- EDR Aerial Photo Decade Package, Environmental Data Resources, Inc., dated April 23, 2021.
- Southern Pines Public Library in Southern Pines
- Moore County Library in Carthage, NC
- USGS Topographic Map Site
- <https://edocs.deq.nc.gov/WasteManagement/Search.aspx?repo=WasteManagement>

APPENDIX I

Figures

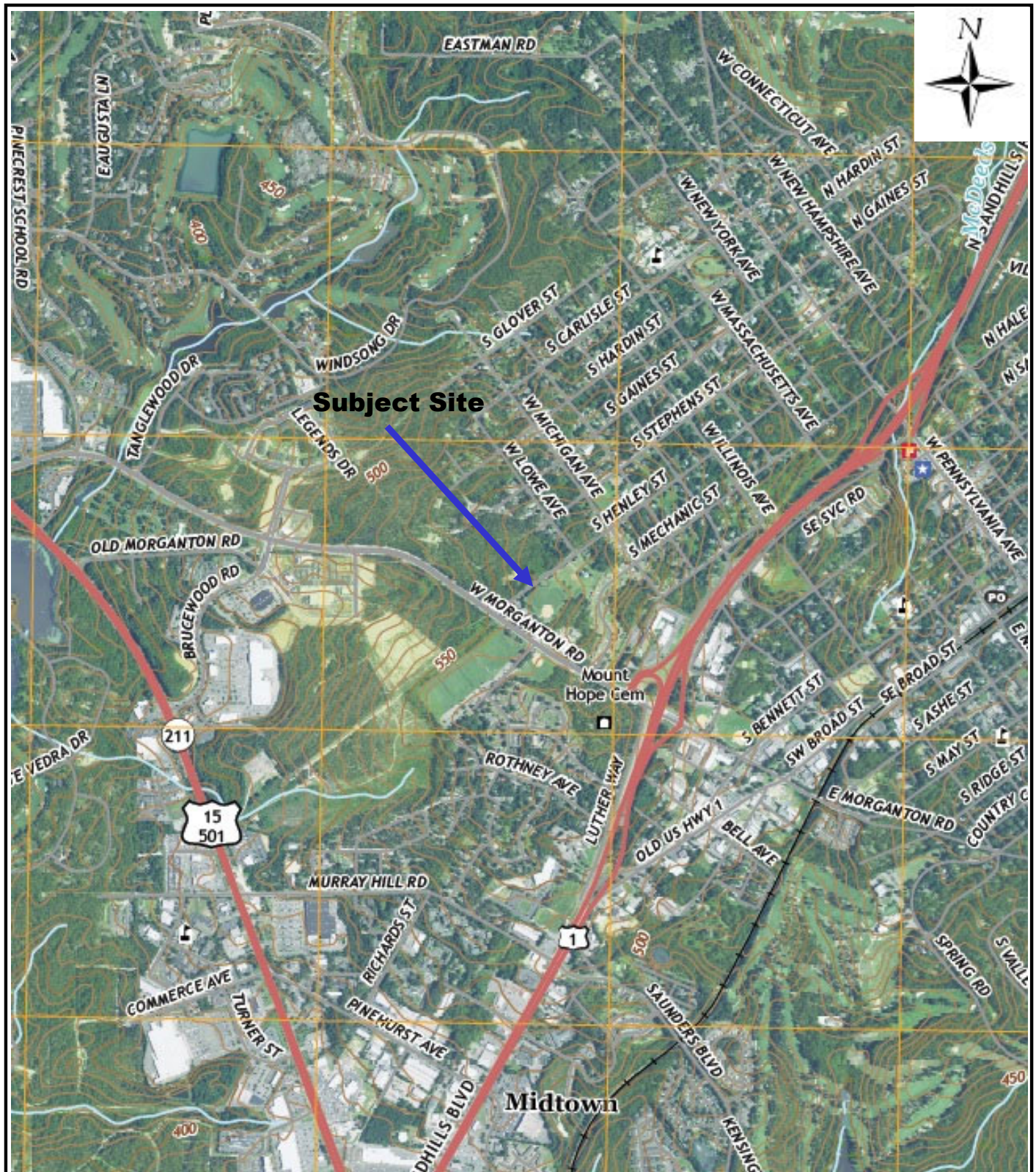


FIGURE 1- SITE LOCATION MAP

DFI Phase 2 Study ESA W. Morganton Rd. at S. Henley St. Southern Pines, Moore County, NC	Modulus, PLLC. Engineering · Due Diligence · Design PO Box 935 Oak Ridge, North Carolina 27310 (919) 800-9093	Project No: M1106 April 2021 Map Source: USGS 2019 Not to scale
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FIGURE 2- SUBJECT SITE LAYOUT

DFI Phase 2 Study ESA W. Morganton Rd. at S. Henley St. Southern Pines, Moore County, NC	Modulus, PLLC. Engineering · Due Diligence · Design PO Box 935 Oak Ridge, North Carolina 27310 (919) 800-9093	Project No: P1106 April 2021 Map Source: Google Earth 2018 Not to scale
--	---	---



FIGURE 3- AREA OF FORMER SAND MINING

DFI Phase 2 Study ESA
W. Morganton Rd. at S. Henley St.
Southern Pines, Moore County, NC

Modulus, PLLC.
Engineering · Due Diligence · Design
PO Box 935
Oak Ridge, North Carolina 27310
(919) 800-9093

Project No: P1106
April 2021

Map Source: Google Earth 2018
Not to scale



FIGURE 4- AREA OF FORMER LANDFILL

DFI Phase 2 Study ESA
W. Morganton Rd. at S. Henley St.
Southern Pines, Moore County, NC

Modulus, PLLC.
Engineering · Due Diligence · Design
PO Box 935
Oak Ridge, North Carolina 27310
(919) 800-9093

Project No: P1106
April 2021

Map Source: Google Earth 2018
Not to scale

APPENDIX II

File Review Documents



DocumentID NONCD0000762

SITENAME SOUTHERN PINES DUMP

DocumentType Correspondence (C)

RptSegment 1

DocDate 10/30/2007

DocRcvd 10/30/2007

Box SF550

AccessLevel Public

Division Waste Management

Section Superfund

Program IHS (IHS)

DocCat Facility

Hired:

NO NCD 0000 762

Blue Land Water Infrastructure
(Consulting Firm in S. Pines)

919 661 0073

over for Moore
County dumps

- Blue land was hired by landowner X to do some checking re: an old dump that is partially on their property.
- The adjacent property owned by landowner Y is currently being developed.
- Another adjacent piece of property ~~is owned~~ ~~by the town of S. Pines~~ ~~and is~~ being developed into soccer field by their Parks & Rec. dept.
- Old dump is close to where Morganton Rd crosses over U.S. 1.
- Hiedi wants info on the old dump

Robbins Dump	Moore	35.4503	079.5844
West End Dump	Moore	35.2617	079.5577
Eagle Springs Dump	Moore	35.2792	079.6706
Pine Bluff Dump	Moore	35.1005	079.4856
Vass Dump	Moore	35.2459	079.2789
Cameron Dump	Moore	35.3166	079.2630
Aberdeen Dump	Moore	35.1181	079.4415
Whispering Pines Dump	Moore	35.2734	079.3802
Old Robbins-High Falls LF	Moore	35.4591	079.5455
Aberdeen Pesticide Dump	Moore	35.14	079.4328
Carthage Dump	Moore	35.3377	079.4329
Carolina Galvanizing Corp. LF	Moore	35.1093	079.3965
Southern Pines Landfill	Moore	35.2108	079.3602
Moore Co. Landfill #1	Moore	35.1438	079.4785

Moore Total

14

Castalia Refuse Dump	Nash	36.0672	078.0833
Middlesex Dump	Nash	35.7833	078.1742
Sharpsburg Dump	Nash	35.8768	077.8287
Battleboro Dump	Nash	36.0672	077.8287
Spring Hope Dump	Nash	35.9340	078.0953
Whitakers Dump	Nash	36.0988	077.7327
Bailey Dump	Nash	35.7646	078.1508
Nash County LF	Nash	35.9078	078.1162
Rocky Mount Landfill	Nash	35.9638	077.8799
Nashville Dump	Nash	35.9795	078.9459
Nash County LF (Red Oak LF)	Nash	36.0321	077.8943

Nash Total

11

Barfield's Dump	New Hanover	34.2237	077.8259
Carolina Beach Refuse Disposal	New Hanover	34.0736	077.9019
Castle Hayne Service Dump	New Hanover	34.3301	077.8970
Castle Hayne Trash Service	New Hanover	34.3675	077.8675
Kure Beach Refuse Disposal	New Hanover	33.9942	077.9146
Military Cutoff Landfill	New Hanover	34.2471	077.8174
New Hanover Co. Landfill	New Hanover	34.0351	077.9125
Wrightsville Beach Dump	New Hanover	34.2255	077.7947
Blue Clay Rd. LF	New Hanover	34.3231	077.8935
Wilmington Landfill	New Hanover	34.2482	077.9402
Rural Garbage Service	New Hanover	34.1087	077.8942
McRae Street LF	New Hanover	34.2482	077.9402
Flemington LF	New Hanover	34.2705	077.9672
New Hanover Co.	New Hanover	34.0503	077.9069
Carolina LF	New Hanover	34.0503	077.9069

New Hanover Total

15

Woodland Refuse Disposal	Northampton	36.3616	077.2154
Jackson Refuse Disposal	Northampton	36.4107	077.4495
Conway Refuse Disposal	Northampton	36.448	077.1843
Seaboard Refuse Disposal	Northampton	36.5257	077.4567
Sovern Refuse Disposal	Northampton	36.5339	077.1778
Rich Square Refuse Disposal	Northampton	36.2179	077.3128
Perdue, Inc.	Northampton	36.4328	077.1588
Gaston Refuse Disposal	Northampton	36.524	077.6609

Northampton Total

8

Swansboro Dump	Onslow	34.6857	077.1376
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**Site Summary Report
SOUTHERN PINES DUMP
ID Number: NONCD0000762
Moore County, North Carolina**

**Hurricane Recovery Act of 2005
State of North Carolina
State Contract N06010S
MM&A Project Number NCUL101-01**



Prepared For:

**North Carolina Department of Environmental and Natural Resources
Division of Waste Management - Superfund Section
Inactive Hazardous Sites Branch
401 Oberlin Road, Suite 150
Raleigh, NC 27605**

Prepared By:

**MARSHALL MILLER & ASSOCIATES, INC.
5825 Triangle Drive
Raleigh, NC 27617
(Ph.) 919-786-1414 (Fax) 919-786-1418**

April 22, 2008

Prepared By:

A handwritten signature in blue ink that reads "Scott Denson".

Scott Denson
Project Manager

Reviewed By:

A handwritten signature in blue ink that reads "Andrew D. Waggener".

Andrew D. Waggener
Program Manager



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Moore County Tax Department – Property Records

APPENDIX B

Records of Communication

APPENDIX C

Original Field Reconnaissance Sheet

APPENDIX D

Site Inspection Photodocumentation – South Area

APPENDIX E

Site Inspection Photodocumentation – North Area

APPENDIX F

Well Construction Information

APPENDIX G

Aerial Photograph - NCDOT, 1981

Aerial Photograph - NCDOT, 1991

Aerial Photograph - USGS, 1999

1.0 SITE INFORMATION

ID NUMBER: NONCD0000762

SITE NAME: Southern Pines Dump

LOCATION: West Morganton Road, approximately 0.3 miles west of US 1

COUNTY: Moore

LANDFILL SIZE: South Area-10.5 acres; North Area-6.0 acres

PROPERTY (SITE) SIZE: South Area-18.9 acres; North Area-10.1 acres

DATE OPENED: Unknown

DATE CLOSED: Unknown

OWNER: Town of Southern Pines

OWNER CONTACT: Tim Allen

OWNER ADDRESS: 140 Memorial Park Court, Southern Pines, NC 28387

OWNER TELEPHONE NUMBER: 910-692-3016

LAND RECORD KEY (LRK)/PIN No.: South Area-55865/857111673460;
39140/857107770813;
North Area-991984/857107782687

DEED REFERENCE: Unknown

COORDINATES (at site entrance):

STATE PLANE COORDINATES (SPC): South Area-X: 572178.54; Y: 157856.04
North Area-X: 572198.3; Y: 157869.21

DEGREES, MINUTES, SECONDS (DMS): South Area-Lat.N35°10'20.377";
Long.W79°24'39.083"
North Area-Lat.N35°10'20.807";
Long.W79°24'38.304"

2.0 AREAS OF NOTE

The following areas of note were observed during the site inspection:

- One municipal water supply well is located on the north end of the North Area of the Site, though it is used principally as an emergency supply.
- Monitoring wells were located on the north side of the North Area behind the baseball field.

3.0 SITE LOCATION RESEARCH SUMMARY

Marshall Miller & Associates, Inc. (MM&A) has completed an assessment of the former Southern Pines Dump located southwest of Southern Pines in Moore County, North Carolina. The assessment included historical research and a site inspection to confirm the Site location, to develop an understanding of the operational and development history and to evaluate the current site and vicinity conditions.

3.1 SITE SUMMARY

3.1.1 Site Ownership and Dates of Operation

According to records available from NCDENR, Moore County and the Town of Southern Pines, the landfill is located on three properties owned by the Town of Southern Pines. Morganton Road splits the Site into two areas, designated as the North Area and the South Area for the purposes of this report. The North Area consists of one parcel and the Southern Area is comprised of two contiguous parcels. The Site and surrounding properties are shown on **Figure 2**. Records of the Warranted Deed and Tax Records were not available. Copies of the Moore County Property Inquiry sheets provide some limited information about the properties and are included in **Appendix A**.

The recorded dates of dumping activities at the Site are unknown, although it is presumed that activities would likely to have ceased circa 1974, which would be consistent with regulatory requirements and other locally operated landfills operating at that time. The earliest air photograph obtained was from 1981, well after dumping activities are thought to have ceased.

MM&A obtained access permission from Tim Allen, Street Superintendent, prior to performing an on-site inspection of the property. A copy of the contact sheet for site access is included as **Appendix B**.

3.1.2 Site Location

The Site, as represented by a central point of reference on Morganton Road, is located approximately 1.0 mile southwest from the center of Southern Pines (intersection of East Pennsylvania Avenue and Northwest Broad Street) with a bearing of 265 degrees from true north. US Highway 1 is located approximately 0.3 miles to the east. The Site location and the surrounding area are depicted in the various maps included with this report (**Figures 1 through 4**).

3.1.3 General Site Description

The North and South Areas of the Site are generally rectangular in shape. The former disposal area in the North Area occupies approximately six acres of the 10.1 acre parcel and is located on the southwest portion of the parcel, adjacent to Morganton Road. The former disposal area in the Southern Area occupies approximately 10.5 acres of the total 18.9 acres and is generally centered on the two parcels.

The topography of the Site is generally flat with an overall slope to the northwest. The former disposal areas consist of a soccer complex in the South Area and a baseball field in the North Area, both of which are part of the current Morganton Road Sports Complex. No evidence of mounding was observed. No evidence of significant surface erosion was noted.

The Site is bordered to the north by a residential neighborhood, to the east by the National Guard Armory and residences, and to the south and west by wooded, undeveloped property. The residences surrounding the property were confirmed to be supplied with municipal water.

3.3 SITE CONDITIONS

The following sections discuss the site conditions based on the historical research and the site inspection. Captioned photographs are included for the Southern Area in **Appendix D** and for the Northern Area in **Appendix E** to illustrate the condition of the Site as observed during the site visit that was performed on February 22, 2006.

3.3.1 On-Site Structures

There is a concession stand between the baseball field in the North Area and Morganton Road. According to Mr. Allen this structure may not be on the actual disposal area, but is likely very close. Another building, accompanying a small playground, is located to the southeast of the disposal area in the South Area. No other historical or current structures were identified at this location based on the site visit and historical resources, which included aerial photography, topographic maps and other resources.

3.3.2 Current Site Usage

This Site is used as recreational fields for soccer, baseball, and general recreation.

3.3.3 On-Site Water Supply Wells and Intakes

One on-site well was identified on the northeastern portion of the Site. This well is one of the Town of Southern Pines' municipal water supply wells and lies approximately 250 feet from the northern disposal area at a bearing of 61 degrees from true north. This well is used as an emergency water supply well and is used only when Southern Pines' principle supply from Drowning Creek is insufficient to meet the demands of the town. The well has a total depth of 260 feet with an 8 inch inner casing and can generate an estimated yield of 165 gallons per minute. The static water level is 167 feet with an estimated pumping level of 197 feet. Detailed well construction information is located in **Appendix F**.

3.3.4 Surface Water Features

No surface waters were noted within the boundaries of the Site.

3.3.5 Disposal Area

The disposal area is identifiable as a raised area relative to surrounding topography. The former disposal areas occupy a majority of both the North and South Areas and total approximately 16.5 total acres based upon GPS mapping of the perimeter.

3.3.6 Disposal Area Conditions

The surfaces of the disposal areas were landscaped for recreational fields and no evidence of the subsurface contents of the dump were observed. The area appeared settled and there were no pronounced areas of erosion that would facilitate exposing the underlying waste or transporting surface materials offsite. Also, no depressed areas were observed that would promote concentrated surface water filtration through the surface to the landfill materials.

3.3.7 Evidence of Human Activity

Human activity is limited to the Town of Southern Pines' use of the Site as recreational fields for soccer, baseball, and other recreational activities.

3.3.8 Potential Landfill Gas Migration Pathways

No potential landfill gas migration pathways were observed. The Site does not contain any other building foundations, utilities or other structures that would promote landfill gas migration.

3.3.9 Physical Barriers

There are no physical barriers limiting access to the Site.

3.3.10 Other Pertinent Information

There are two monitoring wells operated by the NCDENR Division of Water Resources located to the north of the former disposal area in the North Area of the Site. These wells were installed in 1978 and are identified as R 48Y4 and R 48Y3, Southern Pines 1. These wells are 100 feet and 220 feet deep respectively. Detailed well construction information is located in **Appendix F**.

3.4 VICINITY CONDITIONS

3.4.1 Structures Located within 50 Feet of the Disposal Area

The location of the ball field concession stand in the North Area relative to the exact perimeter of the former disposal area could not be definitively ascertained although it was reported by town officials to be either on or within 50 feet of the former disposal area. No other historical or current structures were identified within 50 feet of the disposal areas, based on the site visit and historical resources, which included interviews, aerial photography, and topographic maps.

3.4.2 Water Supply Wells and Intakes

Other than the municipal water supply well in the Northern Area, no individual water supply wells appear to exist within 500 feet of the disposal area. The numerous residential and government structures located within 1,000 feet of the disposal area are reported to be supplied with municipal water. Research on the NCDENR, Water Quality Division, Public Water Supply Website, indicated that there are no permitted Well Head Protection Areas in the vicinity of the Site.

3.4.3 Current Land Usage

Current land use within 1,000 feet of the northern and southern disposal areas is a mixture of undeveloped, wooded land and residential development and is described as follows:

Northern Disposal Area

North: Scattered residential development is present immediately north of the northern disposal area with the closest residential structure within 100 feet. An undeveloped, cleared area extends northeast 350 feet to the Site boundary. The concentration of single family residential structures increases to the north and northeast.

East: A single family residential subdivision is located 350 feet east from the northern disposal area along the northeastern Site perimeter. The structure closest to the disposal area

to the east is the ball field concession stand near the southeastern corner of the Northern Area. The National Guard Armory is located 300 feet to the east and a single family residential subdivision is located further east, approximately 650 feet from the former disposal area.

West: Henley Street runs perpendicular to the entire western site boundary. Aside from the scattered residential structures to the northwest, the area west of the Site is wooded and undeveloped.

Southern Disposal Area

North: The area north and northwest from the Site is undeveloped and wooded.

East and Southeast: A baseball field is located 150 feet due east from the disposal area at the northeastern corner of the property. A residential subdivision is located along the remaining eastern and southeastern Site boundary. The closest residential structures in this direction are approximately 200 feet to the east.

West and South: The areas west and southwest from the southern disposal area are wooded and undeveloped.

3.4.4 Surface Water Features

No surface water features were noted to be present in the immediate vicinity of the Site. The closest surface water feature is an unnamed stream approximately 680 feet south of the Site, which flows to Watson Lake to the east. This feature is shown on the excerpt of the Southern Pines 7.5 minute USGS Topographic Map (**Figure 1**). A small storm water drainage ditch is located to the north of the South Area as well as a grate on the northwestern perimeter for runoff.

3.5 AERIAL PHOTOGRAPHY REVIEW

MM&A obtained aerial photographs from the USGS and the North Carolina Department of Transportation (NCDOT) to provide information on the operational history of the dump and the development history of the vicinity. The source and year for the aerial photographs are as follows:

- 1981 NCDOT, Mission 1591, Frame 19
- 1991 NCDOT, Mission 2761, Frame 6
- 1999 NCDOT, Mission 4624, Frame 94
- 1999 USGS Southern Pines, NC Digital Ortho-Quadrangle
- 2000 NCDOT, Mission 4739, Frame 4
- 2003 Moore County GIS Department Aerial Photograph

None of the photographs show the landfill during operation. Copies of the aerial photographs pertinent to the development of the area in the vicinity of the Site are included as **Appendix G**.

TABLES

Table	1
Project No.	NCUL101-01
Date	2/22/2006
Page No.	1



**MARSHALL MILLER
& ASSOCIATES**

FIGURES

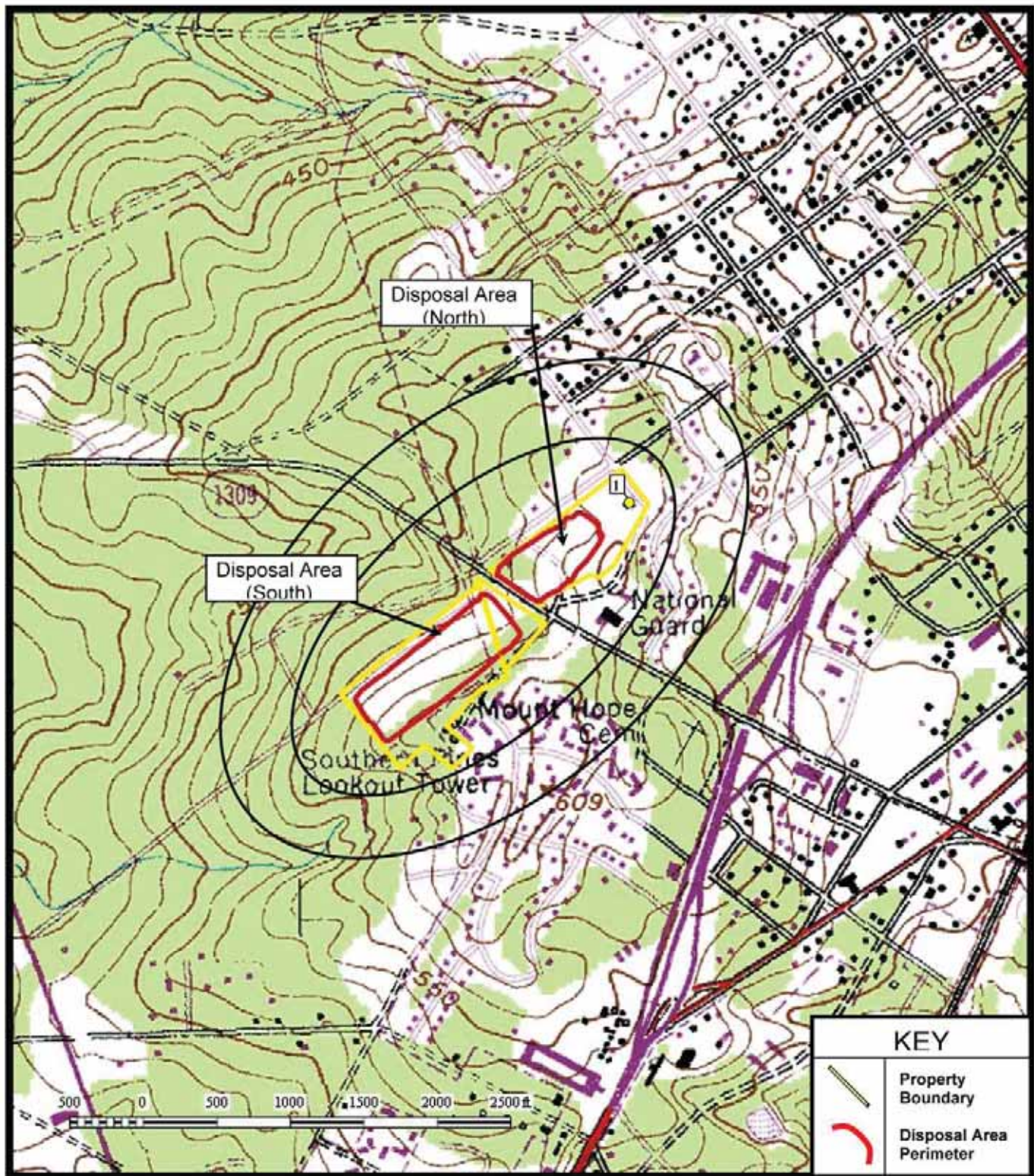


FIGURE 1

Prepared by:



SOURCE:
USGS 7.5' Southern Pines, NC Quadrangle
1957 - Photorevised 1984

NCDENR/OLD UNLINED LANDFILL ASSESSMENTS
SOUTHERN PINES DUMP
NONCD0000762
SOUTHERN PINES, MOORE COUNTY, NORTH CAROLINA

SCALE 1" = 1,000'

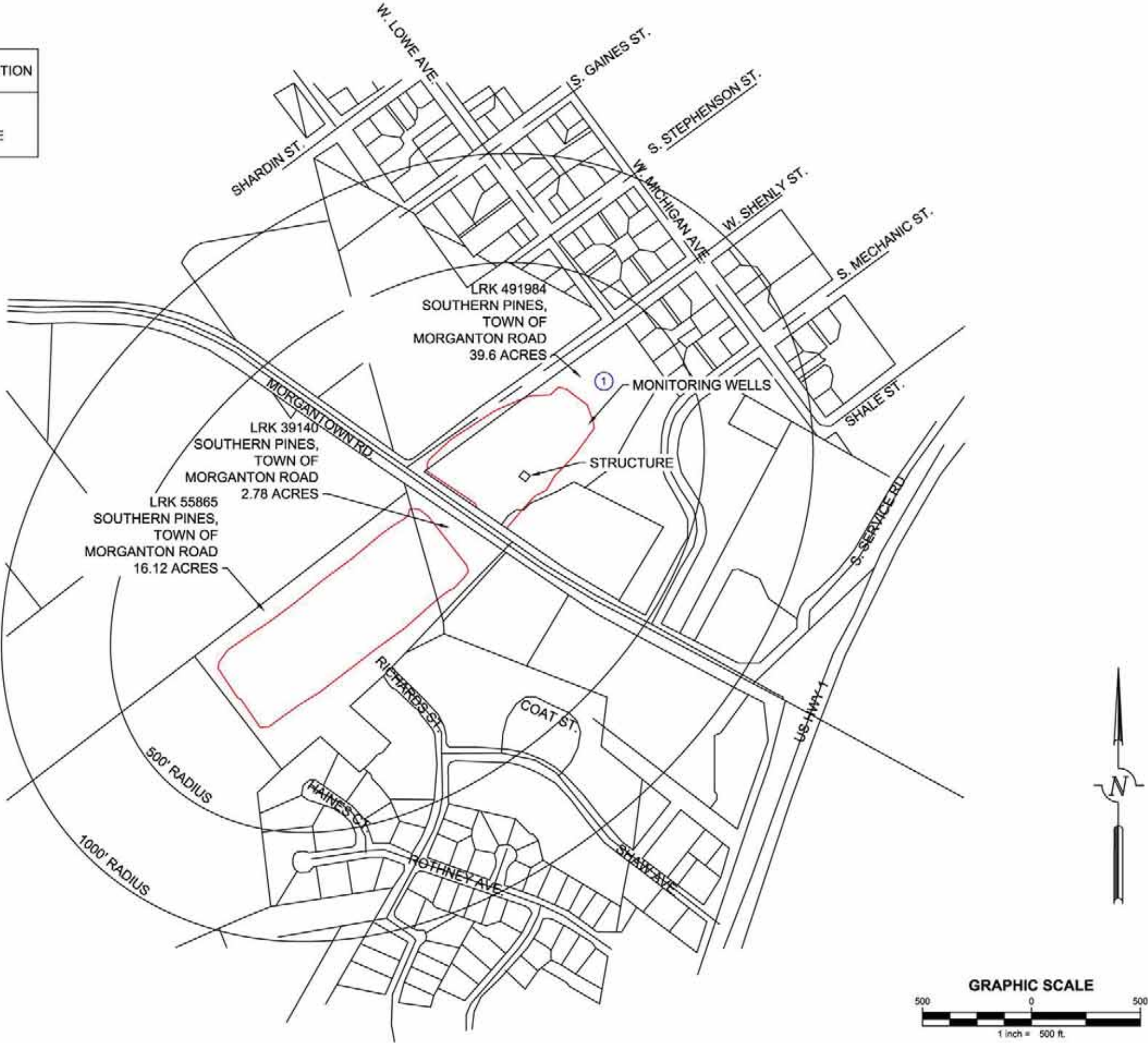
TOPOGRAPHIC MAP

Water Well Locations.
*Refer to Figure 2

WATER WELL LEGEND

WATER WELL ID	PROPERTY OWNER/ ADDRESS	DISTANCE (FEET)	DIRECTION
①	SOUTHERN PINES, TOWN OF MORGANTOWN RD.	89	NE

NOTE: ALL DISTANCES MEASURED FROM EDGE OF DISPOSAL AREA



Prepared By

Marshall Miller and Associates
Geology, Environmental Science & Engineering, Appalachia
Chapel Hill, VA • Charleston, KY • Blacksburg, NC
Richmond, VA • Charleston, WV • Charming, PA

DESIGNED: DM

DRAWN: BAH

CHECKED: XXX

DATE: 03/06

SCALE: 1" = 500'

PROJECT NO.: NCUL101-01

FILE NO.: SOUTHERN_PINES.dwg

NCDENR

OLD UNLINED LANDFILL ASSESSMENT

SOUTHERN PINES, MOORE COUNTY, N.C.

SOUTHERN PINES DUMP

PROPERTY/WATER WELL LOCATION MAP

FIGURE

2

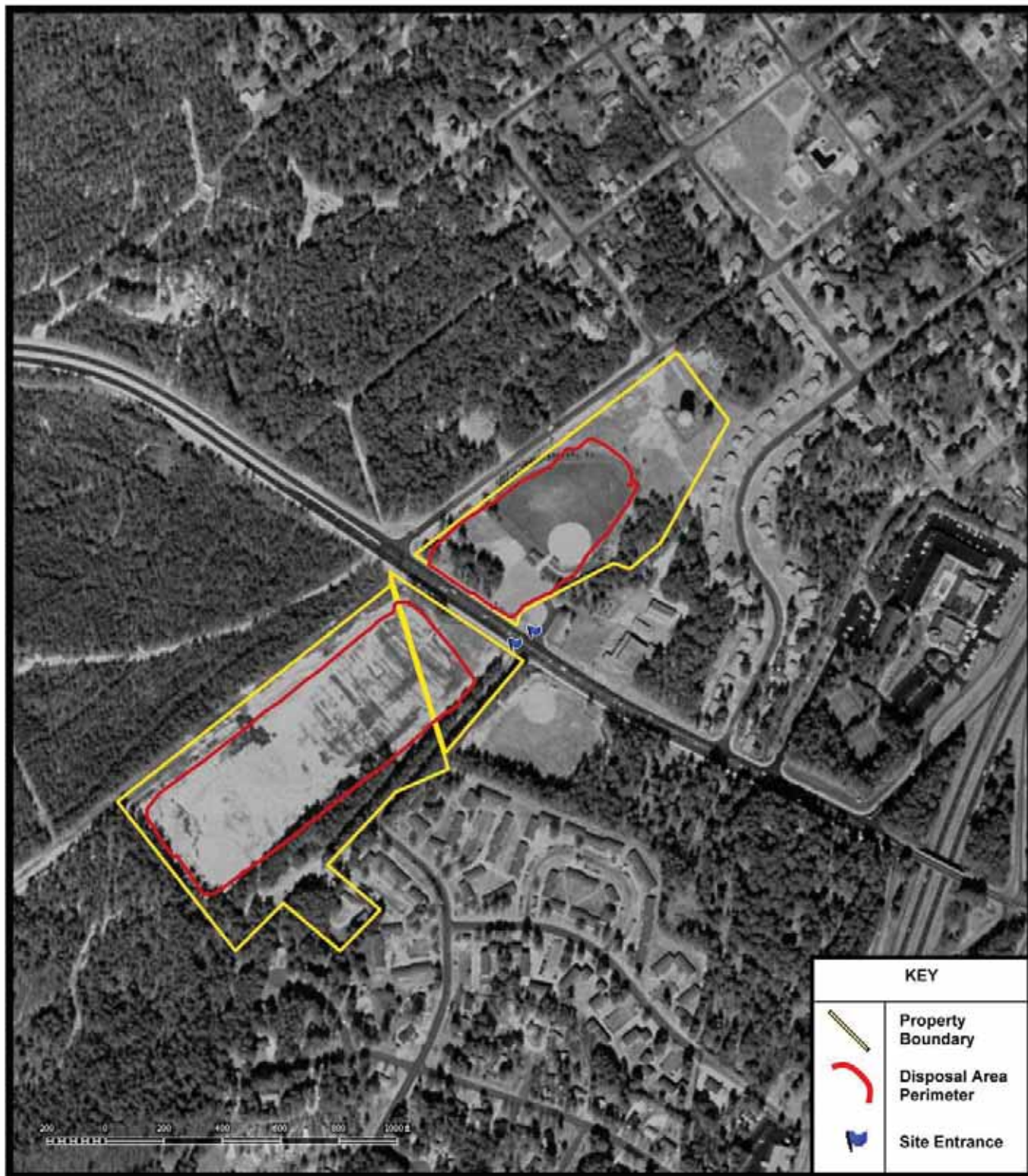


FIGURE 3

NCDENR/OLD UNLINED LANDFILL ASSESSMENTS
SOUTHERN PINES DUMP
NONCD0000762
SOUTHERN PINES, MOORE COUNTY, NORTH CAROLINA

SCALE 1" = 500'

VICINITY MAP

MOORE COUNTY
SOUTHERN PINES
QUAD



Prepared by:



SOURCE:
USGS Digital Ortho-Quadrangle
Southern Pines, NC 1999

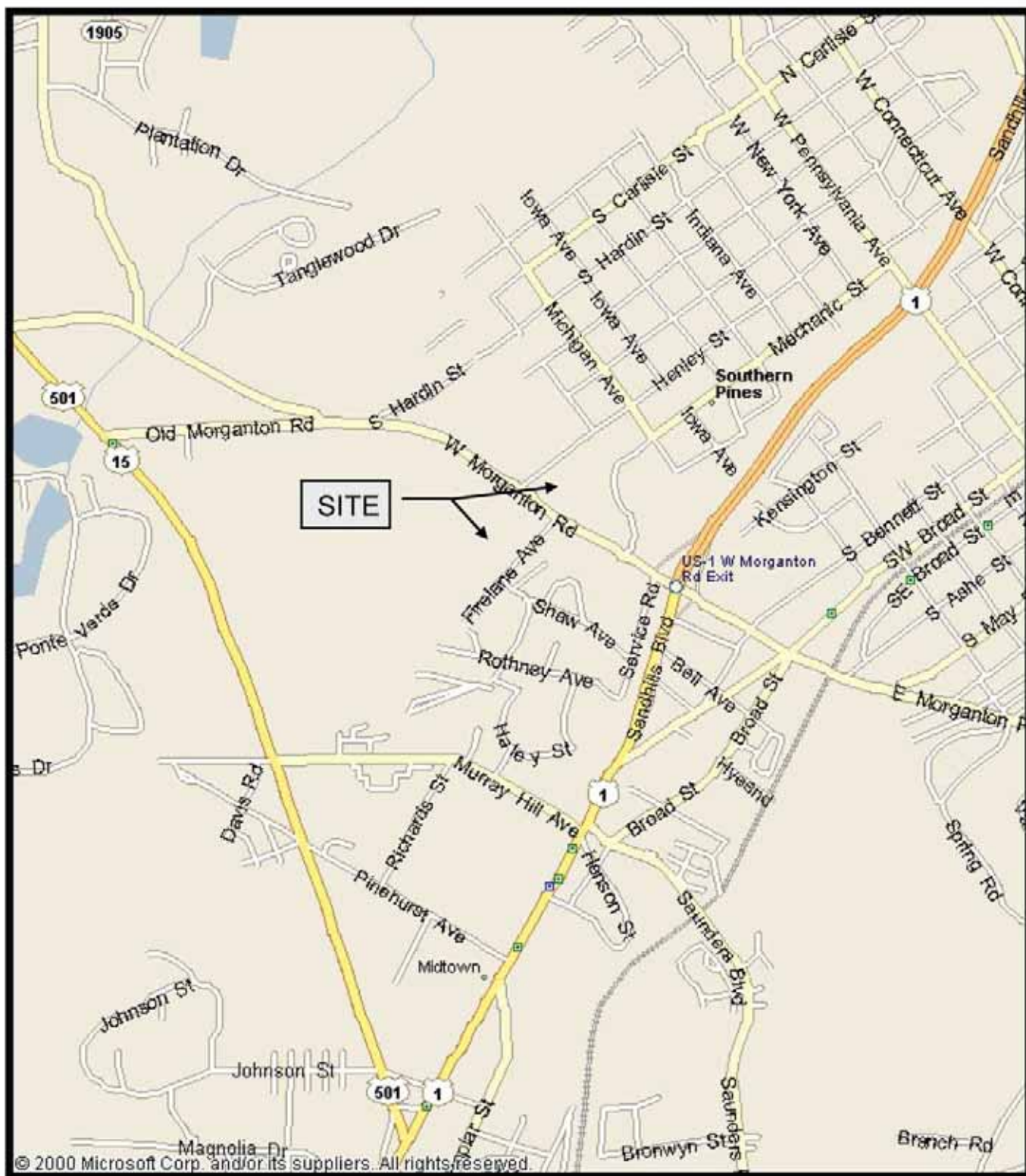


FIGURE 4

NCDENR/OLD UNLINED LANDFILL ASSESSMENTS
SOUTHERN PINES DUMP
NONCD0000762
SOUTHERN PINES, MOORE COUNTY, NORTH CAROLINA

APPROXIMATE SCALE 1" = 1,700'

SITE LOCATION MAP

Prepared by:



SOURCE:
Microsoft Streets & Trips 2001

MOORE COUNTY
SOUTHERN PINES
QUAD



NORTH CAROLINA
QUADRANGLE LOCATION

APPENDIX A
Moore County Tax Department – Property Records

MOORE COUNTY PROPERTY INQUIRY

MP0S001

PIN #..... 857111673460 Map/Blk/Lot/Suf.. 37 1 15

Acc/Tws/Prcl.. 81312800 09 1 Lrk#..... 00055865

Name..... SOUTHERN PINES TOWN OF

Acres:

Address..... PO BOX 870

Deed.. 16.120

SOUTHERN PINS

NC 28387-0000

Assd.. 16.120

Desc..... TOWN OF SOUTHERN PINES

Calc.. 16.260

Plat Bk/Pg.... N =

E =

Location..... MORGANTON ROAD

Farm Defer....

Market Value...

Deed Page Date

Stamps

Real Value..... 1746700

Year.. 0000

Bldg Value..... 162700

Value.

Senior Exempt..

Total Value.... 1746700

Class... EX F/D... City... SP

CMD 12: Cancel

MOORE COUNTY PROPERTY INQUIRY

MP0S001

PIN #..... 857107770813 Map/Blk/Lot/Suf.. 54 3 1

Acc/Tws/Prcl.. 81288750 07 1 Lrk#..... 00039140

Name..... SOUTHERN PINES

Acres:

Address.....

Deed..

.000

Assd..

2.680

Calc..

2.680

SOUTHERN PINES

NC 28387-0000

Desc..... SOUTHERN PINES

Plat Bk/Pg.... N =

E =

Location..... MORGANTON RD

Farm Defer....

Market Value...

Real Value..... 184000

Bldg Value.....

Senior Exempt..

Total Value..... 184000

Deed Page Date

Stamps

Year.. 0000

Value.

Class... EX F/D... City... SP

CMD 12: Cancel

MOORE COUNTY PROPERTY INQUIRY

MP0S001

PIN #..... 857107782687 Map/Blk/Lot/Suf.. 21 1 4

Acc/Tws/Prcl.. 81312800 07 17 Lrk#..... 00991984

Name..... SOUTHERN PINES TOWN OF

Acres:

Address..... PO BOX 870

Deed.. 39.600

SOUTHERN PINS

NC 28387-0000

Assd.. 25.600

Desc..... LITTLE RIVER LAND

Calc.. 25.600

Plat Bk/Pg.... N =

E =

Location..... MORGANTON RD

Farm Defer....

Market Value...

Deed Page Date

Stamps

Real Value..... 4987500

Year.. 0000

Bldg Value.....

Value.

Senior Exempt..

Total Value..... 4987500

Class... EX

F/D...

City... SP

CMD 12: Cancel

APPENDIX B
Records of Communication



Telephone Log

Contact Information

Name **Water Well Determination**

Landfill Name **Southern Pines Dump** Phone: (**9106922937**)

Landfill ID **NONCD0000762**

Address: **S. Henry St**

Street Address

Alternate Number

Southern Pines

NC

City

State

Zip Code

Dates Called

3/21/06

Person Recording Call

Scott Denson

Additional Information

1. Left Message 3/21/06 – 2:25 PM

APPENDIX C
Original Field Reconnaissance Sheet

MARSHALL MILLER & ASSOCIATES
NCDENR OLD UNLINED LANDFILL AUDIT CHECK LIST

Page 1

Site Information:

Site Name: SOUTHERN PINES DUMP (NORTH OF MORGANTON)
Site City/Town: SOUTHERN PINES Site County: MOORE
Audit Performed by: JH Audit Date: 02/22/2006 Site ID: NONCD0000762
Site Entrance State Plane X: 572,198.30 State Plane Y: 157,869.21
NCDENR Project Manager: BRUCE LEFLER
MM&A Project Manager: SCOTT DENSON

Contact:

Contact Name: TIM ALLEN Phone: (910) 692-3016
Date of Contact: 02/21/2006 Permission to Go On Site: X Yes No
Permission Granted by: X Phone Writing

If permission is not granted the MM&A PM must contact the DWM.

Site Owner Location:

Street Address: 140 MEMORIAL PARK CT
City: SOUTHERN PINES County: MOORE Zip Code: 28387
Mailing Address: SAME AS ABOVE
City: County: Zip Code:

Nearest Intersection: HENLY ST + WEST MORGANTON RD
Directions/Landmarks: TAKE RT 1 TO SOUTHERN PINES. EXIT ONTO
MORGANTON RD. TURN TO LEFT AT END OF RAMP. REG. FIELDS
APPROXIMATELY 0.5 MILES ON RT.
Additional Contact Info:



B. Current Site Usage (e.g. residential, church, daycare, school, business, agricultural, other)BASEBALL FIELD / RECREATIONAL**C. Water Supply Wells**Wells on Site: Yes X No Number Well No. State Plane X State Plane Y: Well No. State Plane X State Plane Y: Well No. State Plane X State Plane Y: Well No. State Plane X State Plane Y: Well No. State Plane X State Plane Y: Well No. State Plane X State Plane Y: **D. Surface Water Features**Surface Water(s) on Site: Yes X No Number: Stream: Lake: Pond: River: Wetlands: Sink Hole: **E. Disposal Area** (if not identifiable the Site boundary shall be considered the disposal area)Size: 6.0 acres Approx. Dimensions of Disposal Area: 650 ft x 416 ftGPS Calculated Area: 6.0 acresGeneral Topography: FLAT ROLLING SURROUNDINGS

E. Disposal Area ConditionsDisposal Site Conditions: ACTUAL DISPOSAL AREA HAS BEENCOVERED. CURRENTLY IN GOOD CONDITION WITH NOVISIBLE DETAILS.UST's: NONE OBSERVED (NO)AST's: NODrum Storage: NOErosion: NOSlope Failure: NOLeechate Seeps: NOVegetation: GRASSSettling: NOOdor: NOStained Soil: NO**G. Human Activity at Site**Automobile Traffic: PARKING LOT TO SOUTH Industrial Activity: NONEBurning: NONE Dumping: NONEOther (Describe): RECREATIONAL ACTIVITIES

H. Potential Landfill Gas Migration PathwaysUnderground Utilities: NONE OBSERVED Building Foundations: 1Abandoned Wells: NONE OBSERVED Other: -**I. Physical Barriers**Earthen Berms: NONE OBSERVED Fencing: FENCE AROUND FIELDOther: NOT INTENDED AS BARRIER
TO ENTRY**J. Photodocumentation***Ensure that all site conditions are photodocumented and have sufficient descriptions***K. Other Pertinent Data**

Other Environmental Concerns and their GPS Coordinates:

State Plane X: _____ State Plane Y: _____

State Plane X: _____ State Plane Y: _____

State Plane X: _____ State Plane Y: _____

Adjacent Properties (indicate distance and direction from site):

Properties:

North: RESIDENTIAL

South: MORGANTON RD

East: COMMERCIAL

West: UNDEVELOPED

Type/Use:

NEIGHBORHOOD

TRANSPORTATION

N.C. ARMY

NO USE

Other Surrounding Properties and Use:

N/A

Environmental Concerns Related to Adjacent or Surrounding Properties:

RESIDENCES ARE LESS THAN 100 YARDS TO NE BUT ARE
UP GRADIENT AND ON TOWN WATER

Summary of On-Site Environmental Concerns:

THIS SITE APPEARS TO BE IN SATISFACTORY CONDITION.
IT HAS BEEN COVERED AND IS NOW USED AS A
BASEBALL FIELD. NO SEEPS, LEAKS, OR OTHER MIGRATION
PATHWAYS WERE NOTED

Recommended Actions To Be Taken:

NO ACTIONS ARE RECOMMENDED AT THIS TIME.



North Carolina Department of Environment and Natural Resources

Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary

January 23, 2006

To Whom It May Concern:

Re: Hurricane Recovery Act of 2005
Old Unlined Landfill Assessments

The North Carolina Division of Waste Management, Superfund Section, Inactive Hazardous Sites Branch (the "Branch") has been tasked with addressing old unlined landfills that are not subject to Division of Waste Management, Solid Waste Section post-closure regulations. The Branch is in the process of compiling a statewide inventory of these sites. Once an old landfill site has been identified, the Branch researches site location, site usage, vicinity usage, and potential hazards to the public and the environment.

Marshall Miller & Associates, Inc. has been contracted by the Branch to perform location research at these old landfill sites.

If you have any questions, please contact me at (919) 508-8463.

Sincerely,

Bruce E. Lefler Jr., Hydrogeologist
Inactive Hazardous Sites Branch
Superfund Section

Marshall Miller and Associates - State Contract No. N06010S

Page No. 1[illegible]

MARSHALL MILLER & ASSOCIATES
NCDENR OLD UNLINED LANDFILL AUDIT CHECK LISTSite Information:

Site Name: SOUTHW PINES DUMP (SOUTH OF MORRANTON)
Site City/Town: SOUTHW PINES Site County: MOORE
Audit Performed by: JH Audit Date: 02/22/2006 Site ID: _____
Site Entrance State Plane X: 572,178.54 State Plane Y: 157,856.04
NCDENR Project Manager: BRUCE LEFLER
MM&A Project Manager: SCOTT DENSON

Contact:

Contact Name: TIM ALLEN Phone: (910) 692-3016
Date of Contact: 02/21/2006 Permission to Go On Site: X Yes _____ No
Permission Granted by: X Phone _____ Writing

If permission is not granted the MM&A PM must contact the DWM.

Site Owner Location:

Street Address: 140 MEMORIAL PARK CT
City: SOUTHW PINES County: MOORE Zip Code: 28387

Mailing Address: SAME AS ABOVE
City: _____ County: _____ Zip Code: _____

Nearest Intersection: FIRE LN + MORRANTON RD

Directions/Landmarks: TAKE RT 1 TO SOUTHW PINES. EXIT TO
MORRANTON RD. TURN WEST AT END OF RAMP. FIELDS ARE
APPROXIMATELY 0.5 MILES ON LEFT

Additional Contact Info: _____



3.2.1.3 Property:

(Use additional pages if more than one building on site).

A. Structures

Buildings on Site: ☐ Yes ☒ No

Number of Buildings: Type of Building:

Building Use: Type of Building:

Construction: Square Footage:

Stories: Approx. Dimensions:

Approx. Age:

Building Exterior Condition:

Building Interior Condition:

Odors:

Spillage:

House Keeping:

Potential Asbestos:

Environmental Concerns Associated with Building:

B. Current Site Usage (e.g. residential, church, daycare, school, business, agricultural, other)

SOCCER FIELDS / RECREATION

C. Water Supply Wells

Wells on Site: ☐ Yes ☒ No Number

Well No. State Plane X State Plane Y:

Well No. State Plane X State Plane Y:

Well No. State Plane X State Plane Y:

Well No. State Plane X State Plane Y:

Well No. State Plane X State Plane Y:

Well No. State Plane X State Plane Y:

D. Surface Water Features

Surface Water(s) on Site: ☐ Yes ☒ No Number:

Stream: Lake:

Pond: River:

Wetlands: Sink Hole:

E. Disposal Area (if not identifiable the Site boundary shall be considered the disposal area)

Size: 10.5 acres Approx. Dimensions of Disposal Area: 1160 ft x 401 ft

GPS Calculated Area: 10.5 ACRES

General Topography: SITE IS FLAT, SURROUNDINGS SLOPE TO WEST

E. Disposal Area ConditionsDisposal Site Conditions: Disposal Area Covered By 8-12 Feet ofCap (North-South). No Visible Debris.UST's: None Observed (NO)AST's: (NO)Drum Storage: NOErosion: NOSlope Failure: NOLeechate Seeps: NOVegetation: GrassSettling: NOOdor: NOStained Soil: NO**G. Human Activity at Site**Automobile Traffic: None Observed (NO)Industrial Activity: (NO)Burning: (NO)Dumping: (NO)Other (Describe): RECREATIONAL ACTIVITIES

H. Potential Landfill Gas Migration PathwaysUnderground Utilities: NO Building Foundations: NOAbandoned Wells: NO Other: _____**I. Physical Barriers**Earthen Berms: NO Fencing: NOOther: —**J. Photodocumentation***Ensure that all site conditions are photodocumented and have sufficient descriptions***K. Other Pertinent Data**

Other Environmental Concerns and their GPS Coordinates:

State Plane X: — State Plane Y: —

State Plane X: _____ State Plane Y: _____

State Plane X: _____ State Plane Y: _____

Adjacent Properties (indicate distance and direction from site):

Properties:

Type/Use:

North: MORGANTON RD.

TRANSPORTATION

^{EAST}
SH - South: RESIDENTIAL

NEIGHBORHOOD

^{SOUTH}
SH - East: UNDEVELOPED

NO USE

West: UNDEVELOPED

NO USE

Other Surrounding Properties and Use:

RESIDENCES TO EAST ARE ROUGHLY 100 YARDS AWAY, ON TOWN
WATER, AND UP GRADIENT

Environmental Concerns Related to Adjacent or Surrounding Properties:

NA

Summary of On-Site Environmental Concerns:

THIS SITE APPEARS TO BE IN SATISFACTORY CONDITION.
IT HAS BEEN COVERED BY 8-12 FEET OF FILL AND IS
CURRENTLY IN USE AS A SOCCER COMPLEX. NO SEEPS,
LEAKS, OR OTHER MIGRATION PATHWAYS WERE NOTED.

Recommended Actions To Be Taken:

NO ACTIONS ARE RECOMMENDED AT THIS TIME

APPENDIX D
Site Inspection Photodocumentation – South Area

Marshall Miller & Associates, Inc.
NCDENR Old Unlined Landfill Photodocumentation

Site Name : Southern Pines Dump (South)

Site City/County: Moore County

Site ID No.: NONCD0000762

Project Number: NCUL101-01

PHOTO 1

Date: 2/21/2006

Description:
Southwest drainage
North of landfill.



PHOTO 2

Date: 2/21/2006

Description: Water
fountain and
bleachers on South
perimeter.



Marshall Miller & Associates, Inc.
NCDENR Old Unlined Landfill Photodocumentation

Site Name : Southern Pines Dump (South)

Site City/County: Moore County

Site ID No.: NONCD0000762

Project Number: NCUL101-01

PHOTO 3

Date: 2/21/2006

Description: Water fountain and bleachers near Northeast perimeter.



PHOTO 4

Date: 2/21/2006

Description: View to South from center.



Marshall Miller & Associates, Inc.
NCDENR Old Unlined Landfill Photodocumentation

Site Name : Southern Pines Dump (South)	Site City/County: Moore County
Site ID No.: NONCD0000762	Project Number: NCUL101-01
	<u>PHOTO 5</u>
Date: 2/21/2006 Description: View to North from center.	
	<u>PHOTO 6</u>
Date: 2/21/2006 Description: Southwest drain on West perimeter.	

Marshall Miller & Associates, Inc.
NCDENR Old Unlined Landfill Photodocumentation

Site Name : Southern Pines Dump (South)

Site City/County: Moore County

Site ID No.: NONCD0000762

Project Number: NCUL101-01

PHOTO 7

Date: 2/21/2006

Description: Dugout



PHOTO 8

Date: 2/21/2006

Description: Dugout



APPENDIX E
Site Inspection Photodocumentation – North Area

Marshall Miller & Associates, Inc.
NCDENR Old Unlined Landfill Photodocumentation

Site Name : Southern Pines Dump (North)

Site City/County: Moore County

Site ID No.: NONCD0000762

Project Number: NCUL101-01

PHOTO 1

Date: 2/21/2006

Description: Two
monitoring wells to
North.



PHOTO 2

Date: 2/21/2006

Description:
Monitoring well to
North.



Marshall Miller & Associates, Inc.
NCDENR Old Unlined Landfill Photodocumentation

Site Name : Southern Pines Dump (North)	Site City/County: Moore County
Site ID No.: NONCD0000762	Project Number: NCUL101-01

PHOTO 3

Date: 2/21/2006

Description:
Monitoring well to
North.



PHOTO 4

Date: 2/21/2006

Description: View
South from
Northern perimeter.



Marshall Miller & Associates, Inc.
NCDENR Old Unlined Landfill Photodocumentation

Site Name : Southern Pines Dump (North)

Site City/County: Moore County

Site ID No.: NONCD0000762

Project Number: NCUL101-01

PHOTO 5

Date: 2/21/2006

Description:
Concession stand to
South.



PHOTO 6

Date: 2/21/2006

Description: Dugout
1.



Marshall Miller & Associates, Inc.
NCDENR Old Unlined Landfill Photodocumentation

Site Name : Southern Pines Dump (North)

Site City/County: Moore County

Site ID No.: NONCD0000762

Project Number: NCUL101-01

PHOTO 7

Date: 2/21/2006

**Description: Dugout
2.**



PHOTO 8

Date: 2/21/2006

**Description: View of
field to North from
South perimeter.**



Marshall Miller & Associates, Inc.
NCDENR Old Unlined Landfill Photodocumentation

Site Name : Southern Pines Dump (North)

Site City/County: Moore County

Site ID No.: NONCD0000762

Project Number: NCUL101-01

PHOTO 9

Date: 2/21/2006

**Description:
Bleachers on
concrete pad.**



PHOTO 10

Date: 2/21/2006

**Description:
Parking lot to
South.**



APPENDIX F
Well Construction Information

Underwood Well #1 - SOUTHERN PINES WELL #2 - HENLEY

Well Depth: 260 Feet

Casing Depth & Diameter: 260 Feet 8" Inner Casing

Screen Intervals:

Static 167.4 Total Depth 247.1

Dry Pipe: 0 - 167.4

Screen # 1: 145.3 - 155.3 (screen is in dry sand, no water in this sand.)

Dry Pipe: 155.3 - 165.4

Screen # 2: Screen is open; water starts at 167.4 (screen is in dry sand, no water in this sand.)

Pipe: 175.7 - 186.7

Screen # 3: 186.7 - 191.9 Water starting to get cloudy

Pipe: 191.9 - 208.2

Screen # 4: 208.2 - 213.1

Pipe: 213.1 - 218.2

Screen # 5: 218.2 - 223.6

Pipe: 223.6 - 230.5

Screen # 6: 230.5 - 250.5 Water very cloudy in screen.

Pipe: 250.5 - 260.5

Comments: Pipe has more growth than the screens do.

Pump Setting: 215 Feet

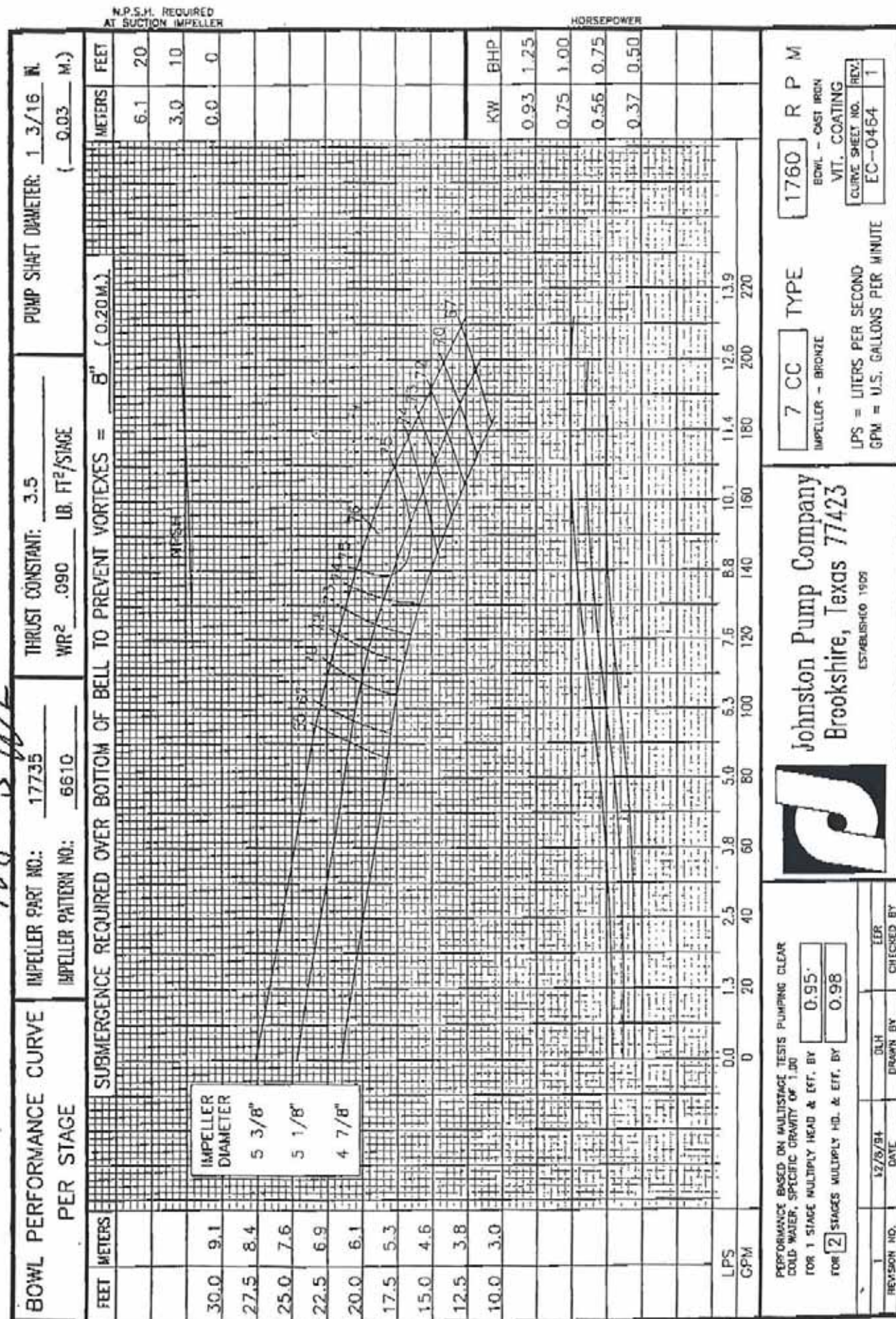
Static Water Level: 167.4 Feet

Pumping Level: 197.4 Feet (estimate at time of test)

Well Yield: 165 GPM (estimate at time of test)

2150 PJ
1650 S 1/2

Well 2 - HENLEY



Division of Water Resources

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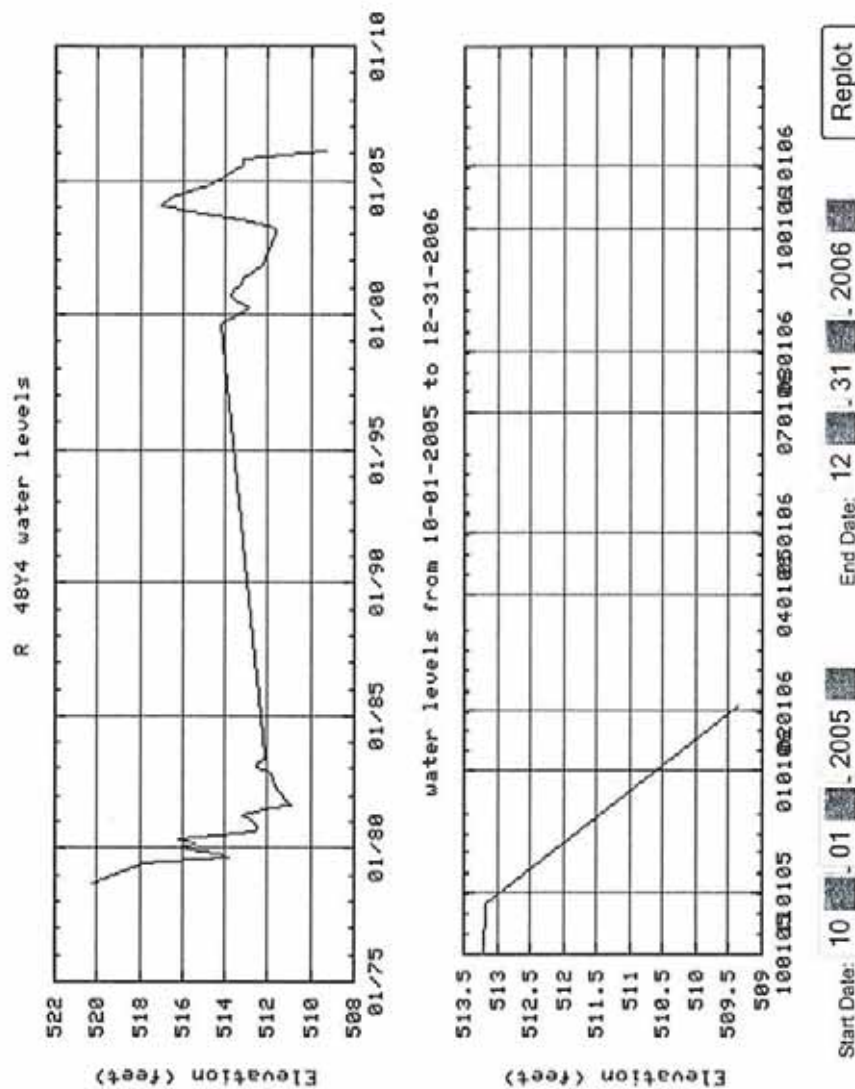
Search

Field	Data
County	Moore
Quad	R 48Y4
Name	Southern Pines 1
Latitude	35.173810
Longitude	-79.409516
Location Accuracy	GPS
Netname (link to USGS data)	
USGS ID	351025079243502
Aquifer	Surficial
Land Surface	595.00
Date Constructed	09/19/1978
Stickup, 02/03/2006	1.75
Depth	100.00
Diameter	4.00
Yield	1.00
Exists?	y
Recorder Box?	n
Top of Screen	82.00
Bottom of Screen	87.00
Number of Water Levels (date * feet below land surface • elevation)	51
09/19/1978 to 02/03/2006	

return to well table

DWR Monitoring Database Detail for R 48Y4

Show Map -- Monthly Statistics Plot



NC Division of Water Resources, DENR - 1611 Mail Service Center - Raleigh, NC 27699-1611
 Phone: (919)733-4064 - Fax: (919)733-3558

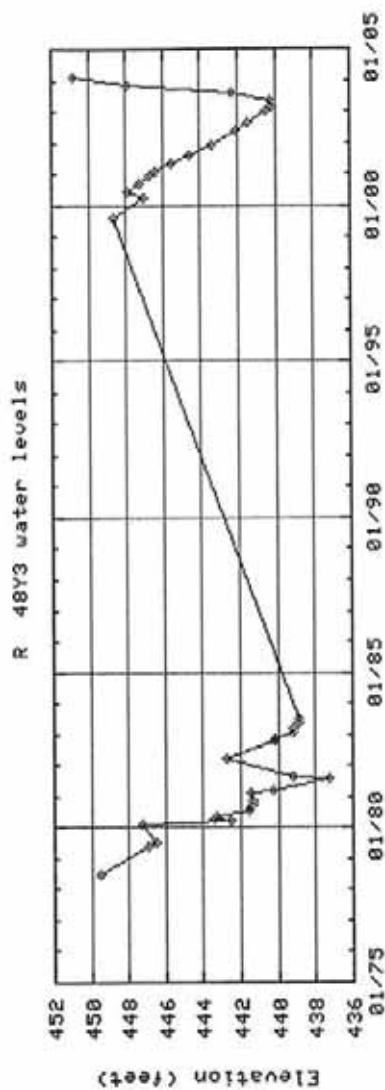
Last Modified: 03.20.2006

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DWR Monitoring Database Detail for R 48Y3

Show Map -- Monthly Statistics Plot



Field	Data
County	Moore
Quad	R 48Y3
Name	Southern Pines 1
Latitude	35.173810
Longitude	-79.409516
Location Accuracy	GPS
Netname (link to USGS data)	
USGS ID	351025079243501
Aquifer	Upper Cape Fear
Land Surface	595.00
Date Constructed	06/19/1978
Stickup, 02/03/2006	
Depth	2.89
Diameter	220.00
Yield	2.50
Exists?	4.00
Recorder Box?	y
Top of Screen	n
Bottom of Screen	210.00
Number of Water Levels (date * feet below land surface * elevation)	220.00
06/19/1978 to 02/03/2006	47

[return to well table](#)

 Start Date: 10 . 01 . 2005 End Date: 12 . 31 . 2006

 NC Division of Water Resources, DENR - 1611 Mail Service Center - Raleigh, NC 27699-1611
 Phone: (919)733-4064 - Fax: (919)733-3558

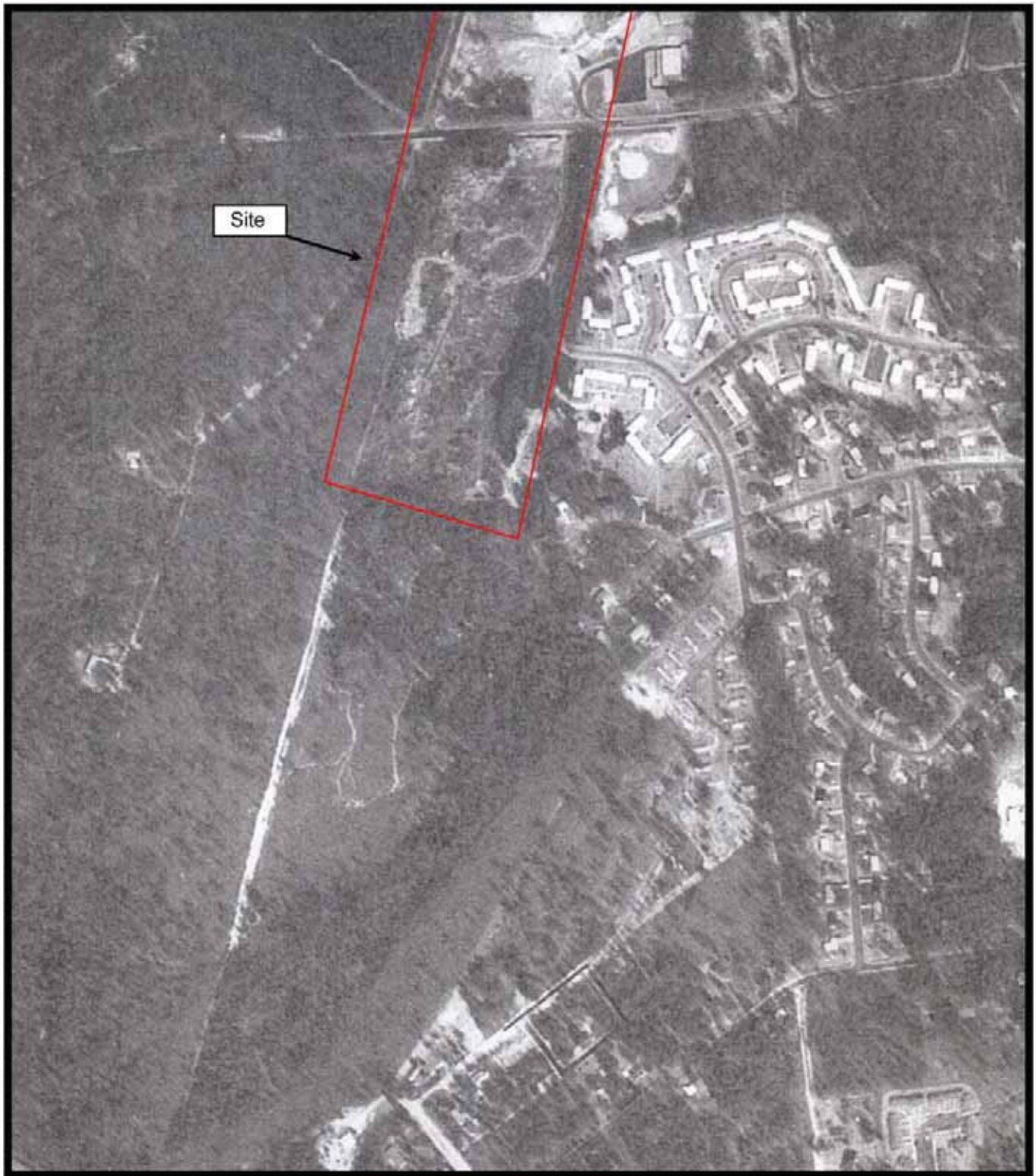
Last Modified: 03.20.2006

APPENDIX G

Aerial Photograph – NCDOT, 1981

Aerial Photograph – NCDOT, 1991

Aerial Photograph – USGS, 1999



AERIAL PHOTOGRAPH 1981

NCDENR/OLD UNLINED LANDFILL ASSESSMENTS
SOUTHERN PINES DUMP
NONCD0000762

SOUTHERN PINES, MOORE COUNTY, NORTH CAROLINA

SCALE 1" = 500'

MOORE COUNTY
SOUTHERN PINES
QUAD



NORTH CAROLINA
QUADRANGLE LOCATION

Prepared by:



NCUL101-01

02/2006

SOURCE:
NCDOT Mission 1591, Frame 19



AERIAL PHOTOGRAPH 1991

NCDENR/OLD UNLINED LANDFILL ASSESSMENTS
SOUTHERN PINES DUMP
NONCD0000762
SOUTHERN PINES, MOORE COUNTY, NORTH CAROLINA

SCALE 1" = 500'

MOORE COUNTY
SOUTHERN PINES
QUAD



NORTH CAROLINA
QUADRANGLE LOCATION

Prepared by:



SOURCE:
NCDOT Mission 2761, Frame 6



AERIAL PHOTOGRAPH 1999

MOORE COUNTY
SOUTHERN PINES
QUAD

Prepared by:



SOURCE:
USGS Southern Pines, NC Digital Ortho-
Quadrangle

NCDENR/OLD UNLINED LANDFILL ASSESSMENTS
SOUTHERN PINES DUMP
NONCD0000762

SOUTHERN PINES, MOORE COUNTY, NORTH CAROLINA

SCALE 1" = 500'



NORTH CAROLINA
QUADRANGLE LOCATION



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

MICHAEL SCOTT
Director

April 28, 2017

Town of Southern Pines – Planning & Inspections
Att: Planning Director
180 SW Broad St.
Southern Pines, NC 28387

Re: Notice of Pre-Regulatory Landfill Location
Attached: List of Pre-Regulatory Landfills in Southern Pines

To Whom It May Concern:

The North Carolina Department of Environmental Quality, Division of Waste Management (Division), Pre-Regulatory Landfill Unit is making you aware of the locations of identified Pre-Regulatory Landfills, provided on the attached document along with the latitude and longitude coordinates of site's entrance. A Pre-Regulatory Landfill (PRLF) is any landfill that accepted municipal waste prior to January 1, 1983.

Often old closed landfills are not well marked or easily identified. In that your office is involved in development, you may contact our program for additional information as pockets of waste may be unearthed by developers which may cause unknown risks to workers and the environment and result in improper re-disposal of the material. Our office addresses old uncontrolled dumps and landfills that operated before regulations were in place controlling what went in the landfill. A couple of resources available through the Division's website include online records and a map of known locations of pre-regulatory landfills.

If you would like to view the records the Division has on these PRLFs, you can visit the Division's online documents at <http://deq.nc.gov/Waste-Management-laserfiche> and click on *Superfund Customers* to access instructions and weblink. The ID# provided for each PRLF should be entered into the ID search field to the left of the webpage, no other information needs to be entered.

To view the Division's online map of PRLF known locations visit <http://deq.nc.gov/about/divisions/waste-management/waste-management-rules-data/waste-management-gis-maps> in the View Map column (1st column) of the table scroll down and select *Pre-Regulatory Landfill Sites*. The interactive map of the PRLFs allows the user to enter the address, the general area of the known waste disposal site is marked by a purple star.

If any imminent plans of development or redevelopment of the PRLFs on the attached document are proposed, please contact: Cheryl Marks, Pre-Regulatory Landfill Unit Supervisor at 919-707-8333 or by e-mail, cheryl.marks@ncdenr.gov. If you have any questions or concerns, please contact me by e-mail katie.tatum@ncdenr.gov or call 919-707-8155.

Sincerely,

Katie Tatum
Environmental Specialist
Division of Waste Management



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

MICHAEL SCOTT
Director

PRLFs in Southern Pines

- 1) Southern Pines Dump
West Morganton Rd. (35.172326, -79.410862)
Site ID# NONCD0000762

- 2) Southern Pines Landfill
Wooster Rd. (35.203823, -79.363267)
Site ID# NONCD0000447



Groundwater Level Database Detail

Field	Data
County	Moore
Quad	R 48Y4
Name	Southern Pines 1
Latitude	35.173810
Longitude	-79.409516
Location Accuracy	GPS
Netname	
(link to USGS data)	
USGS ID	351025079243502
Aquifer	Surficial
Land Surface Elevation	578.811
NED elevation = 578.72 feet	
Date Constructed	1978-09-19
Measuring Point	2.25
Depth	100
Diameter	4
Yield	1
Existing	yes
Recorder Box	no
Top of Screen Depth	82
Bottom of Screen Depth	87
Temperature	63.626
Number of Water Levels	3,997
{date * feet below land surface * elevation}	999.99 feet below land surface value indicates dry well -222.22 feet above land surface value indicates a flowing well
1978-09-19 to 2021-03-25	

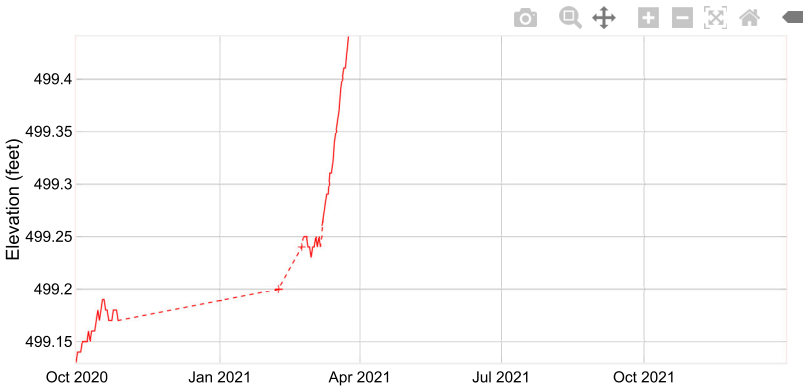
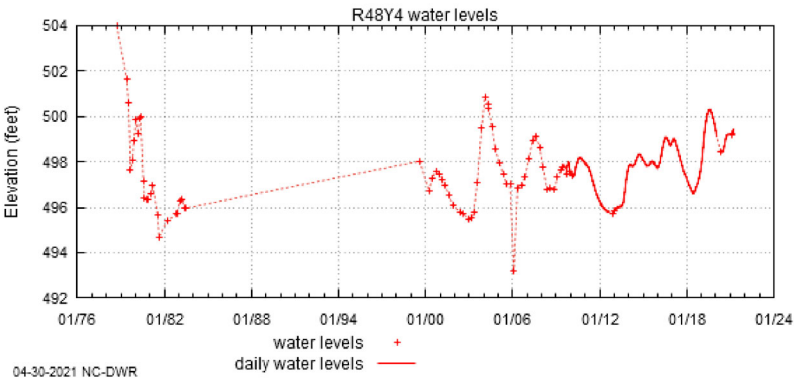
output file(s) is(are) tab-delimited text

NED = National Elevation Dataset, 1/3 arc second value
(-10 X 10 meter grid)



DWR Monitoring Database Detail for R48Y4

Show Map -- Monthly Statistics Plot -- Site Map -- Station Levels



slope: +0.37 feet/year between 2020-10-01 and 2021-03-25

Plotly tools are available above lower chart to zoom into rectangular area, pan, zoom in, zoom out, scale to extremes of data, return to initial view, and show closest data point information.

[return to well table](#)

APPENDIX III

Site Photographs



Southwest corner of Area 1 looking east along W. Morganton Rd.



Southwest corner of Area 1 looking North along S. Henley St.



3

Soccer fields southeast of Subject Site



4

National Guard structures east of Subject Site



View along east property line of Area 1



Residential duplex units northeast of Area 1



Single family residential north of Area 1



Looking south along western boundary of Area 1 from northwest corner



Looking south along S. Henley St. from west- center of Area 1



Paved Parking / Farmers market in southern portion of Area 1



Paved Parking / Farmers market in southern portion of Area 1



Baseball field in central portion of Area 1



Community garden in northeast portion of Area 1



Water tower in northern portion of Area 1



Overview of Area 1 from northwest corner



Monitoring well near northeast corner of baseball diamond



Northeast corner of Area 2, looking west along W. Lowe Ave.



Residence north of Area 2



Gated entrance near northeast corner of Area 2



Northwest corner of Area 2



21

Duke communication tower northwest of Area 2



22

Looking west along W. Morganton Rd. from southwest corner of Area 2



Looking east along W. Morganton Rd. from southwest corner of Area 2



Office / commercial development west of Area 2



Time Warner leased area in western portion of Area 2



Emergency generator and diesel tank in Time Warner lease area



Emergency generator and diesel tank in NC Highway Patrol lease area in northwest corner of Area 2



Utility easement transecting central portion of Area 2



Looking west along W. Morganton Rd. from southeast corner of Area 2



Stone pile in materials storage area located in the east-central portion of Area 2



Sand pile in materials storage area located in the east-central portion of Area 2



Topsoil pile in materials storage area located in the east-central portion of Area 2



Asphalt rubble piles in materials storage area located in the east-central portion of Area 2



Concrete rubble pile in materials storage area located in the east-central portion of Area 2



35

Tree waste pile in materials storage area located in the east-central portion of Area 2



36

Steep slope along former sand pit excavation line in northeast portion of Area 2



Overview of Area 3

APPENDIX IV

Historical Research Documentation

DFI Phase 2 ESA

West Morganton Road/South Henley Street

Southern Pines, NC 28387

Inquiry Number: 6461526.5

April 23, 2021

The EDR Aerial Photo Decade Package



6 Armstrong Road, 4th floor
Shelton, CT 06484
Toll Free: 800.352.0050
www.edrnet.com

EDR Aerial Photo Decade Package

04/23/21

Site Name:

DFI Phase 2 ESA
West Morganton Road/South I-
Southern Pines, NC 28387
EDR Inquiry # 6461526.5

Client Name:

Modulus, PLLC
2804 Bartlett Cir
Hillsborough, NC 27278
Contact: Aric V Geda



Environmental Data Resources, Inc. (EDR) Aerial Photo Decade Package is a screening tool designed to assist environmental professionals in evaluating potential liability on a target property resulting from past activities. EDR's professional researchers provide digitally reproduced historical aerial photographs, and when available, provide one photo per decade.

Search Results:

<u>Year</u>	<u>Scale</u>	<u>Details</u>	<u>Source</u>
2016	1"=500'	Flight Year: 2016	USDA/NAIP
2012	1"=500'	Flight Year: 2012	USDA/NAIP
2009	1"=500'	Flight Year: 2009	USDA/NAIP
2006	1"=500'	Flight Year: 2006	USDA/NAIP
1999	1"=750'	Flight Date: February 15, 1999	USGS
1993	1"=500'	Acquisition Date: February 24, 1993	USGS/DOQQ
1987	1"=500'	Flight Date: March 04, 1987	USGS
1983	1"=500'	Flight Date: March 02, 1983	NHAP
1976	1"=500'	Flight Date: January 15, 1976	USGS
1964	1"=500'	Flight Date: September 02, 1964	USGS
1961	1"=500'	Flight Date: July 30, 1961	USGS

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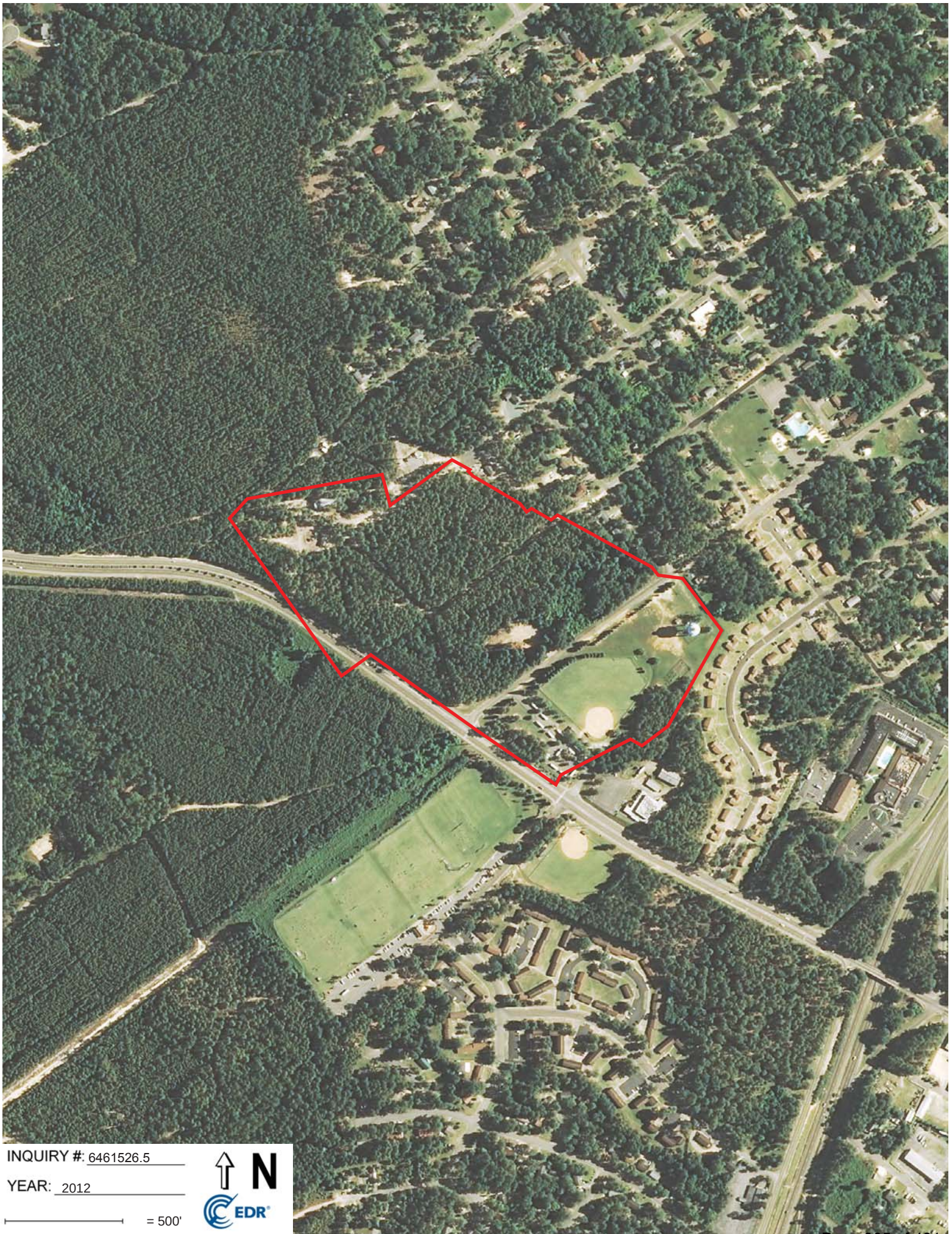


INQUIRY #: 6461526.5

YEAR: 2016

— = 500'





INQUIRY #: 6461526.5

YEAR: 2012

500'





INQUIRY #: 6461526.5

YEAR: 2009

— = 500'





INQUIRY #: 6461526.5

YEAR: 2006

— = 500'





INQUIRY #: 6461526.5

YEAR: 1999

— = 750'



Subject boundary not shown because it exceeds image extent or image is not georeferenced.



INQUIRY #: 6461526.5

YEAR: 1999

— = 500'



Subject boundary not shown because it exceeds image extent or image is not georeferenced.



INQUIRY #: 6461526.5

YEAR: 1993

— = 500'



Subject boundary not shown because it exceeds image extent or image is not georeferenced.



INQUIRY #: 6461526.5

YEAR: 1987

— = 500'



Subject boundary not shown because it exceeds image extent or image is not georeferenced.



INQUIRY #: 6461526.5

YEAR: 1983

— = 500'



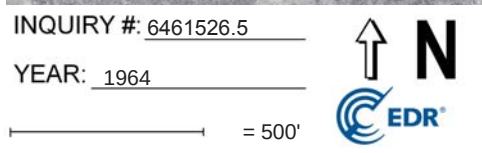


INQUIRY #: 6461526.5

YEAR: 1976

— = 500'







INQUIRY #: 6461526.5

YEAR: 1961

— = 500'



DFI Phase 2 ESA

West Morganton Road/South Henley Street

Southern Pines, NC 28387

Inquiry Number: 6461526.3

April 22, 2021

Certified Sanborn® Map Report



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Shelton, CT 06484
Toll Free: 800.352.0050
www.edrnet.com

Certified Sanborn® Map Report

04/22/21

Site Name:

DFI Phase 2 ESA
West Morganton Road/South H
Southern Pines, NC 28387
EDR Inquiry # 6461526.3

Client Name:

Modulus, PLLC
2804 Bartlett Cir
Hillsborough, NC 27278
Contact: Aric V Geda



The Sanborn Library has been searched by EDR and maps covering the target property location as provided by Modulus, PLLC were identified for the years listed below. The Sanborn Library is the largest, most complete collection of fire insurance maps. The collection includes maps from Sanborn, Bromley, Perris & Browne, Hopkins, Barlow, and others. Only Environmental Data Resources Inc. (EDR) is authorized to grant rights for commercial reproduction of maps by the Sanborn Library LLC, the copyright holder for the collection. Results can be authenticated by visiting www.edrnet.com/sanborn.

The Sanborn Library is continually enhanced with newly identified map archives. This report accesses all maps in the collection as of the day this report was generated.

Certified Sanborn Results:

Certification # 93B1-4899-AA14
PO # M1106
Project DFI Phase 2 ESA

UNMAPPED PROPERTY

This report certifies that the complete holdings of the Sanborn Library, LLC collection have been searched based on client supplied target property information, and fire insurance maps covering the target property were not found.



Sanborn® Library search results

Certification #: 93B1-4899-AA14

The Sanborn Library includes more than 1.2 million fire insurance maps from Sanborn, Bromley, Perris & Browne, Hopkins, Barlow and others which track historical property usage in approximately 12,000 American cities and towns. Collections searched:

- ☒ Library of Congress
- ☒ University Publications of America
- ☒ EDR Private Collection

The Sanborn Library LLC Since 1866™

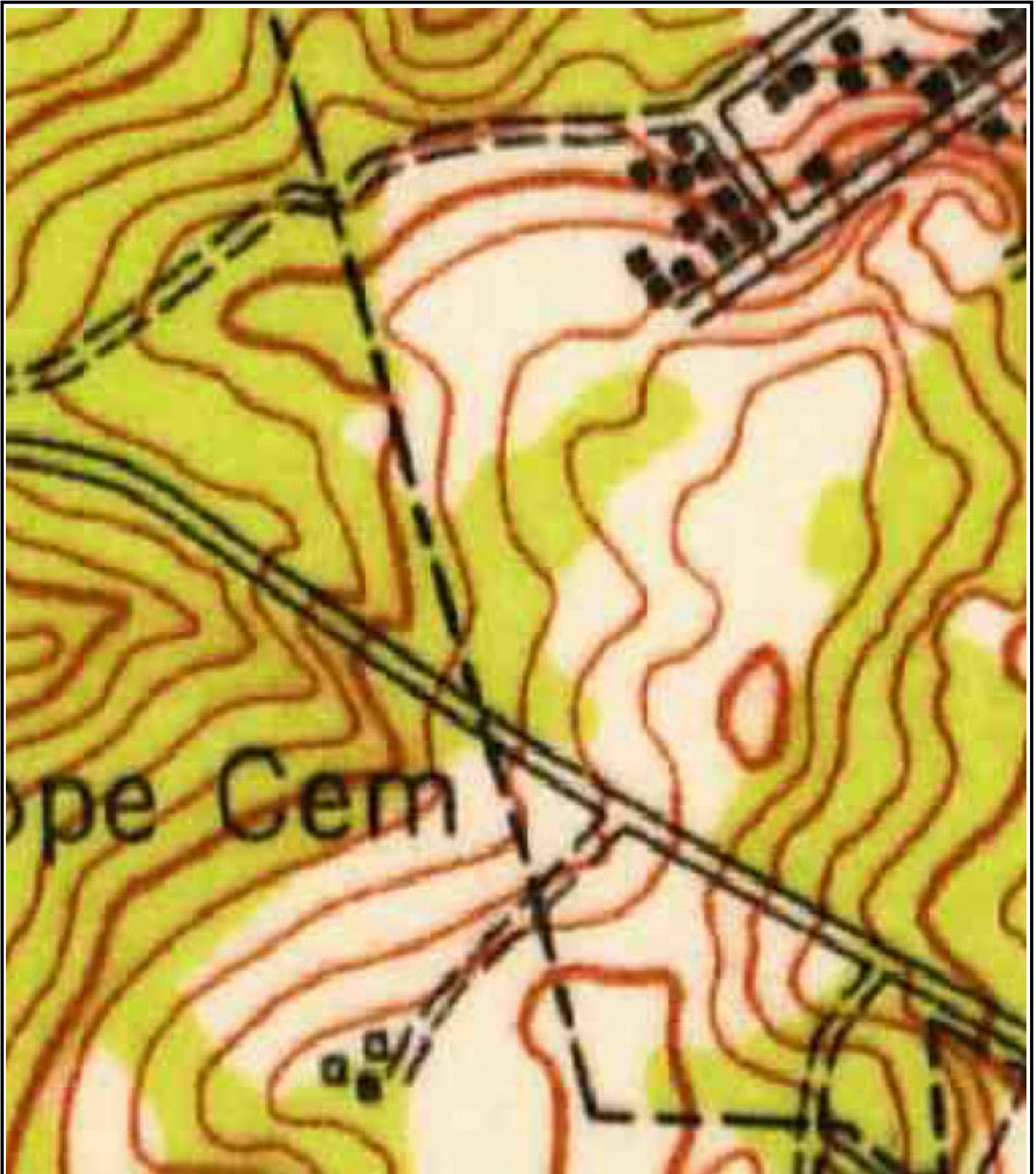
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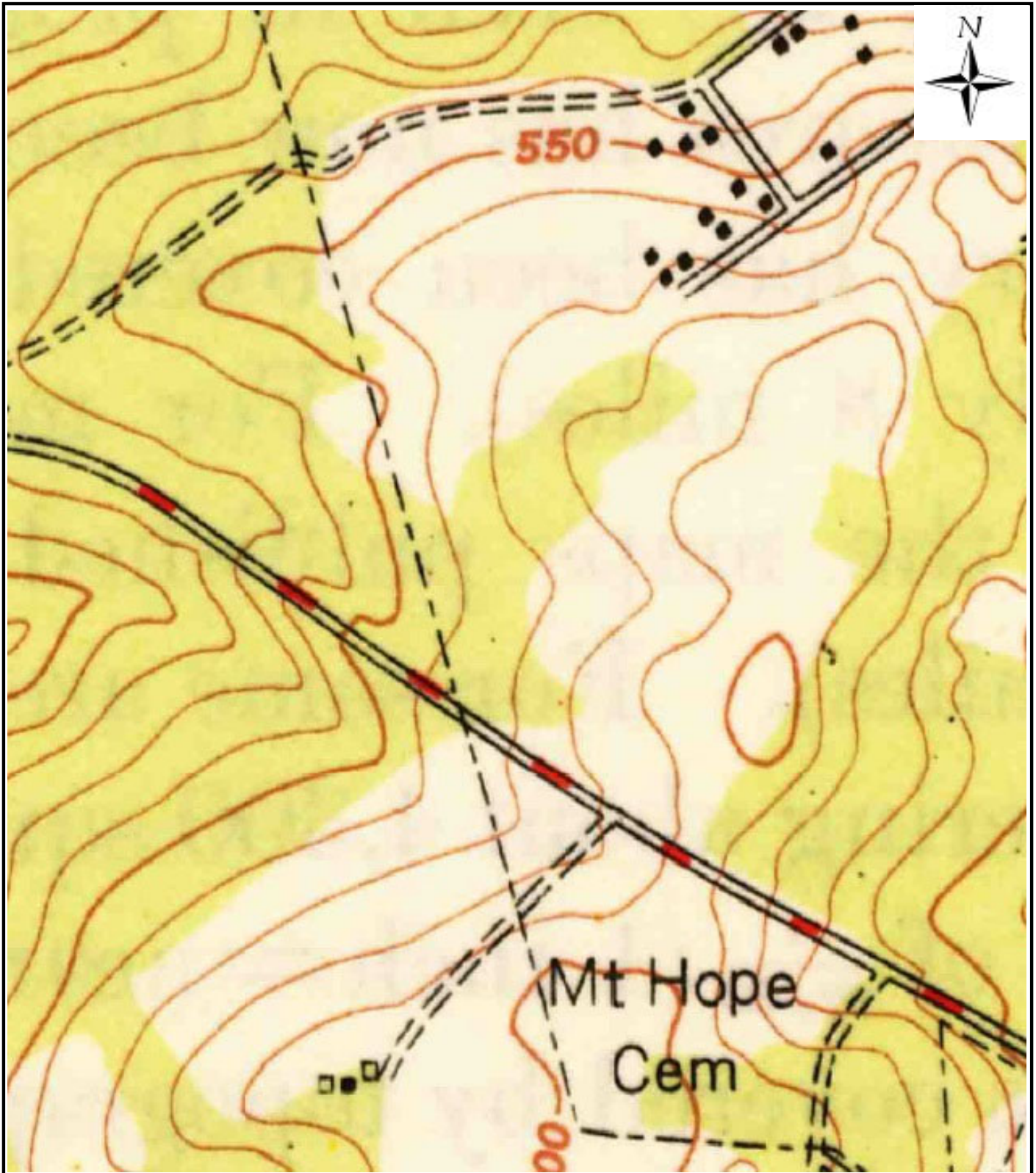
1948 TOPOGRAPHIC MAP

DFI Phase 2 Study ESA
W. Morganton Rd. at S. Henley St.
Southern Pines, Moore County, NC

Modulus, PLLC.
Engineering · Due Diligence · Design
PO Box 935
Oak Ridge, North Carolina 27310
(919) 800-9093

Project No: M1106
April 2021

Map Source: USGS
Not to scale



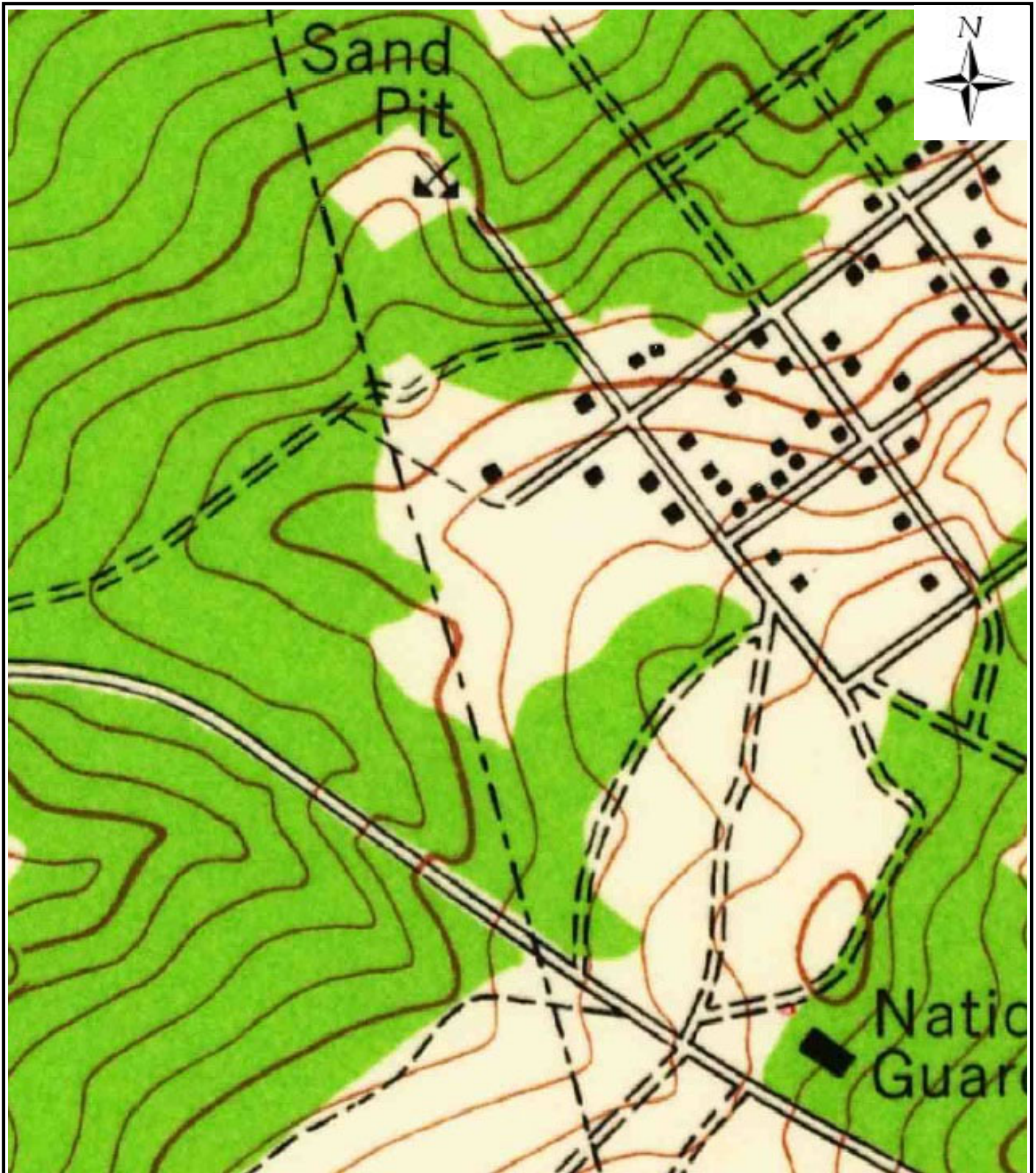
1950 TOPOGRAPHIC MAP

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Project No: M1106
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1957 TOPOGRAPHIC MAP

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Project No: M1106
April 2021

Map Source: USGS
Not to scale



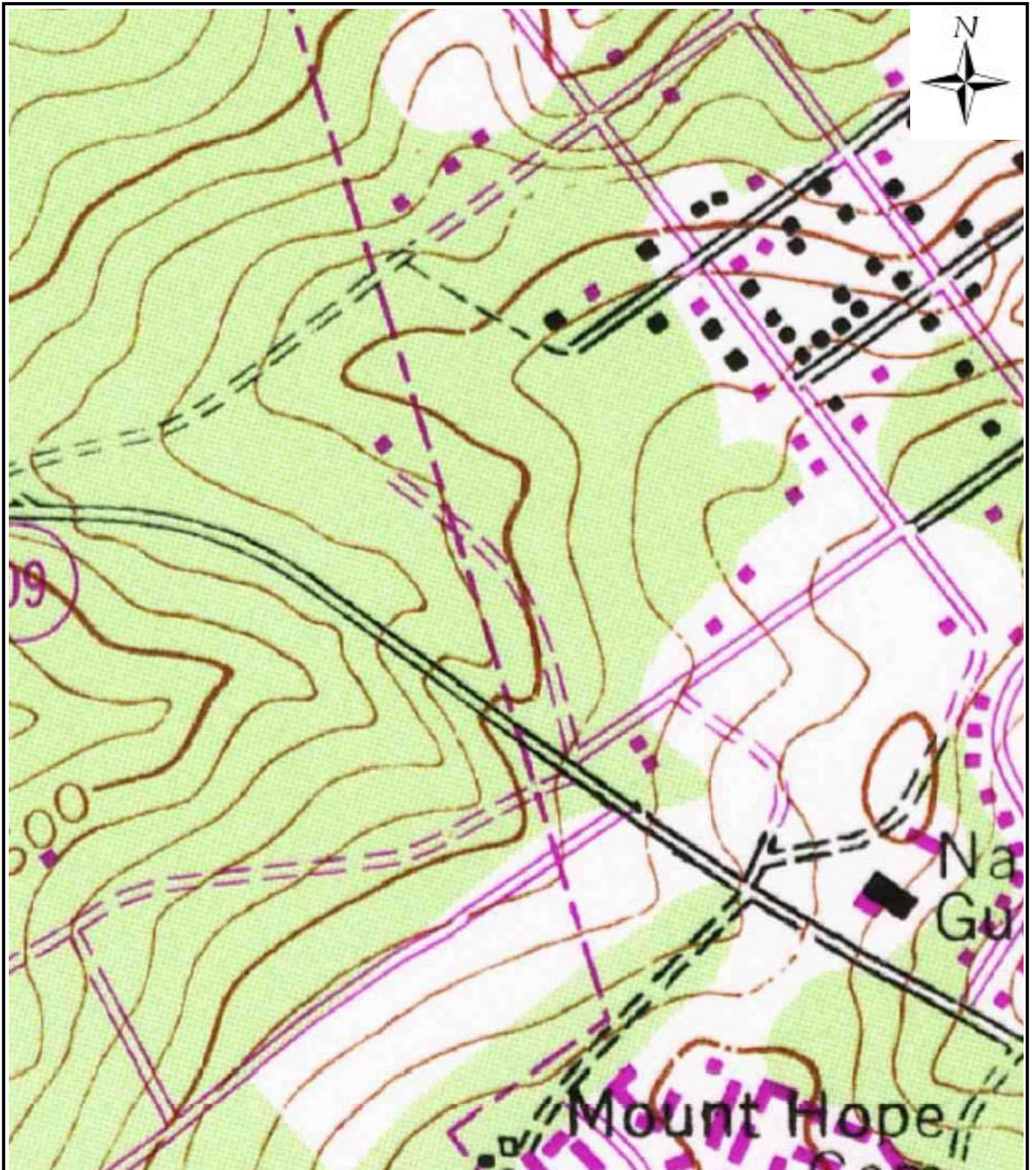
1976 TOPOGRAPHIC MAP

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1984 TOPOGRAPHIC MAP

DFI Phase 2 Study ESA

W. Morganton Rd. at S. Henley St.
Southern Pines, Moore County, NC

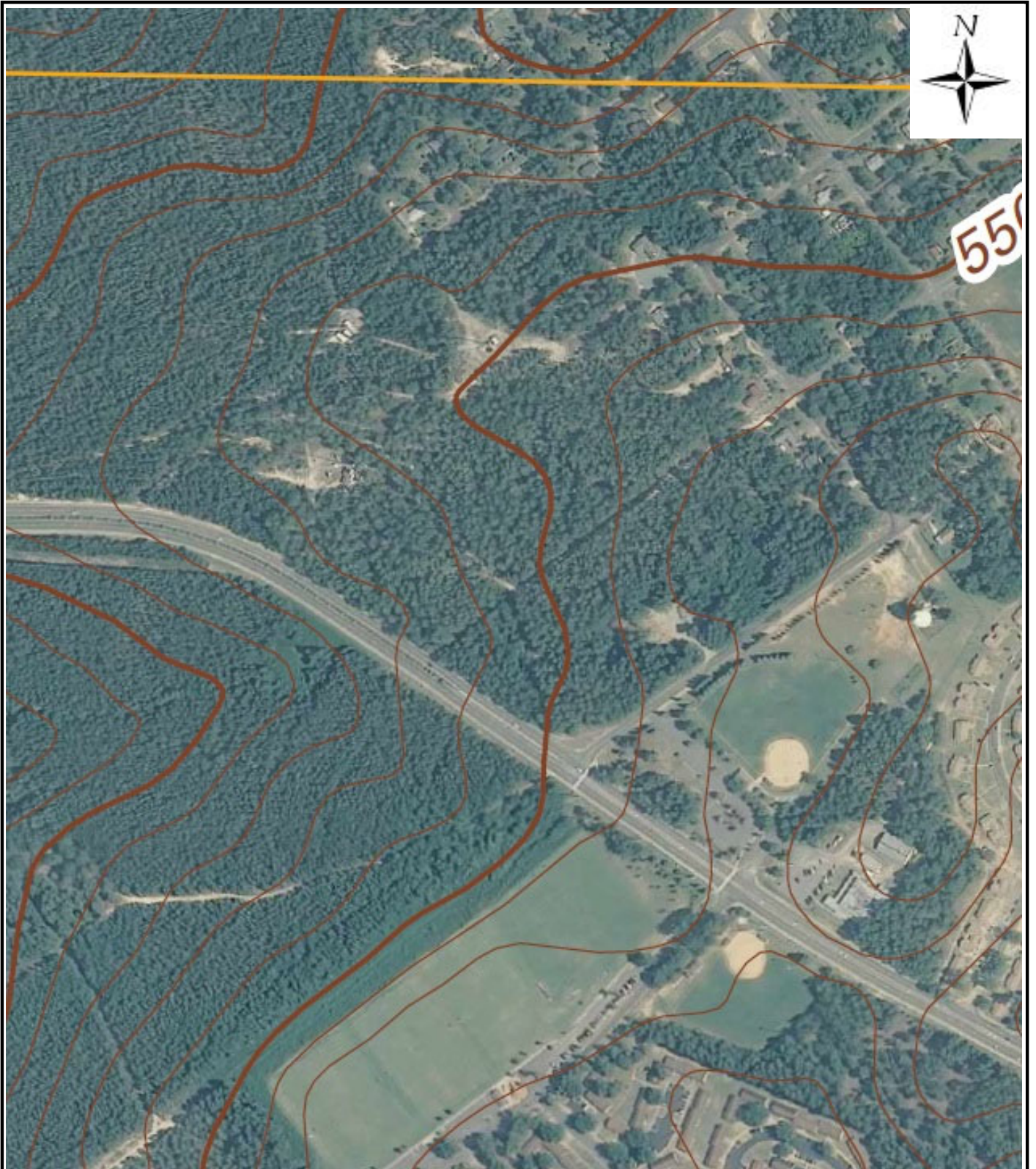
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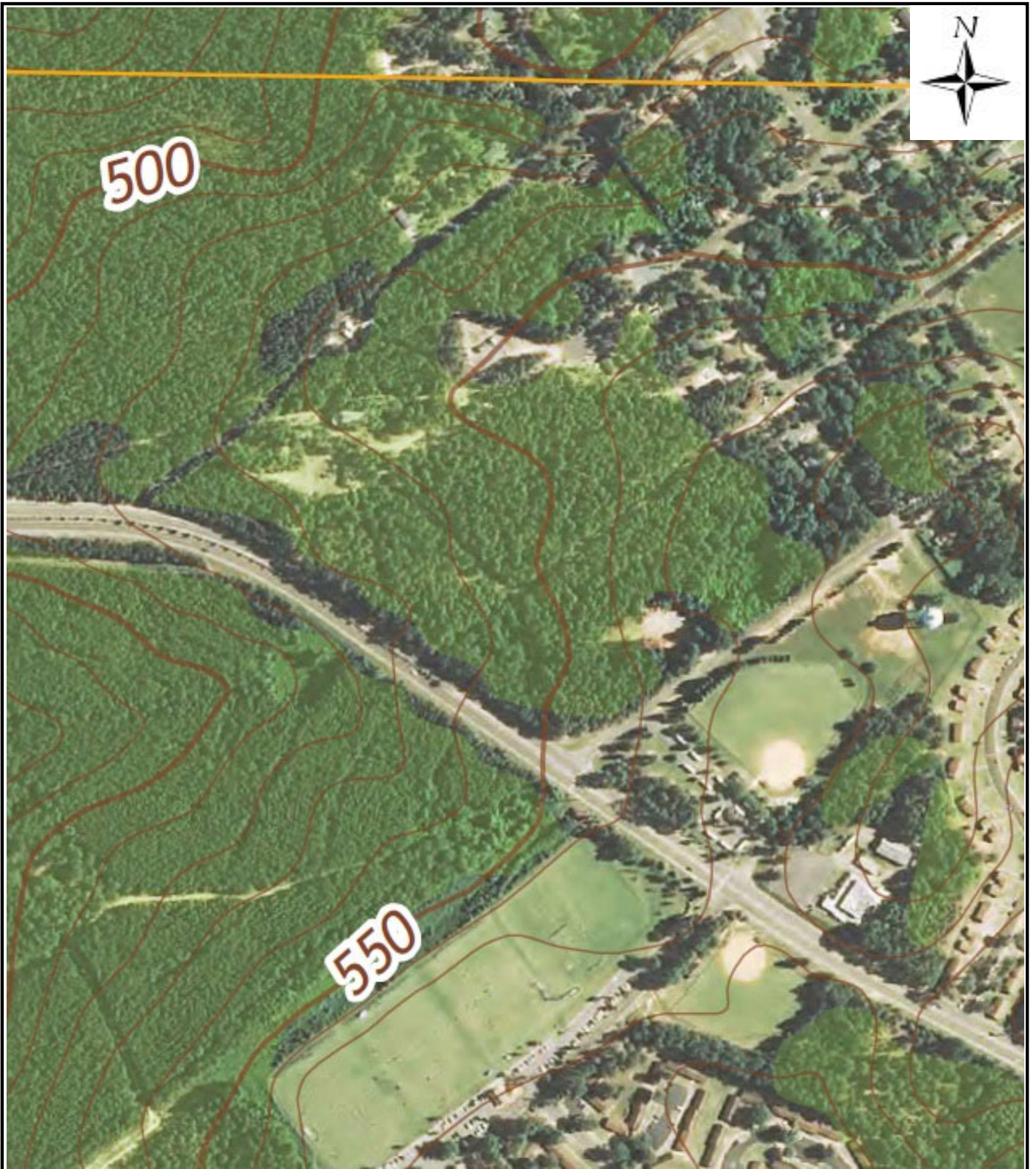
2010 TOPOGRAPHIC MAP

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April 2021

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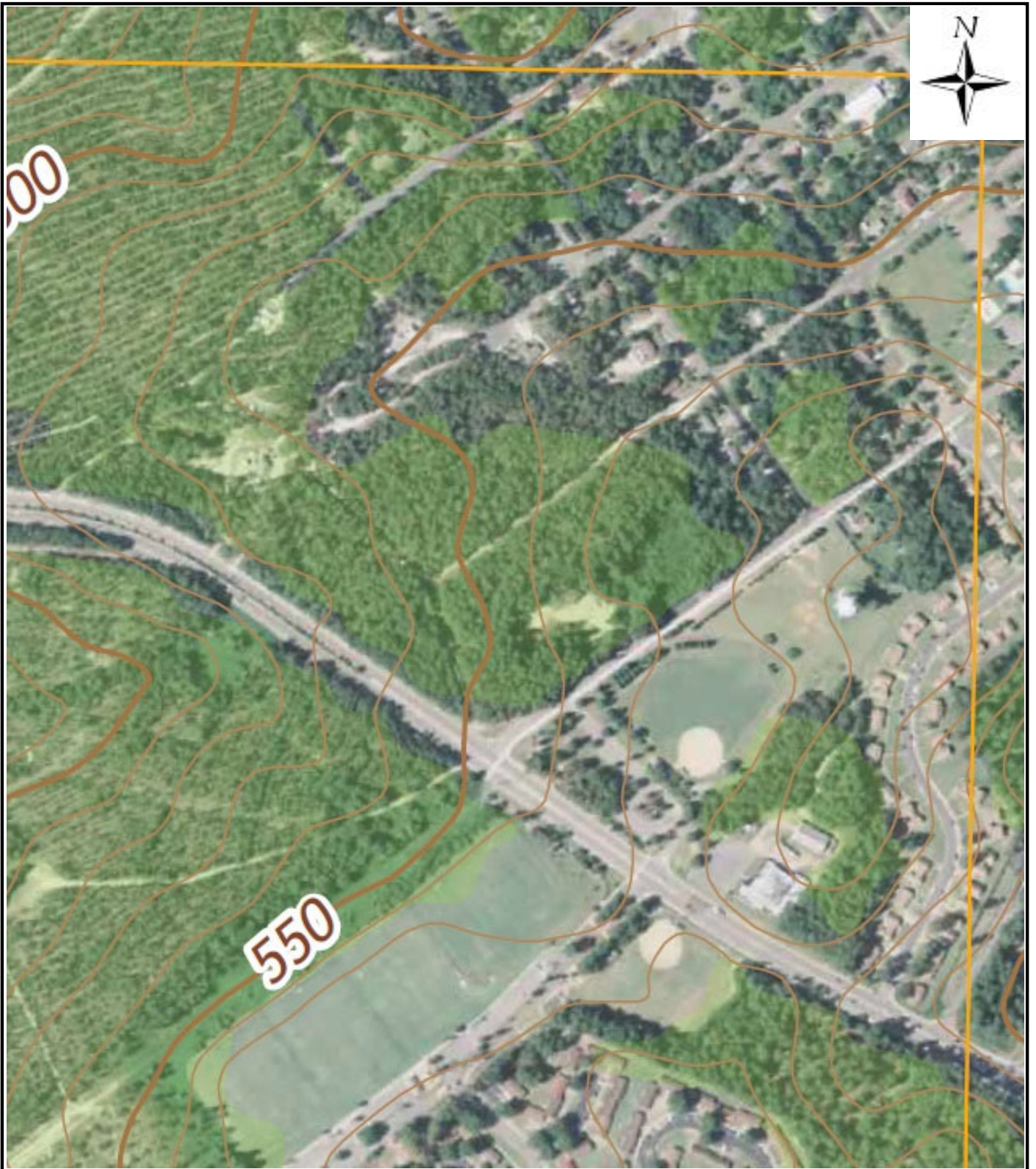
2013 TOPOGRAPHIC MAP

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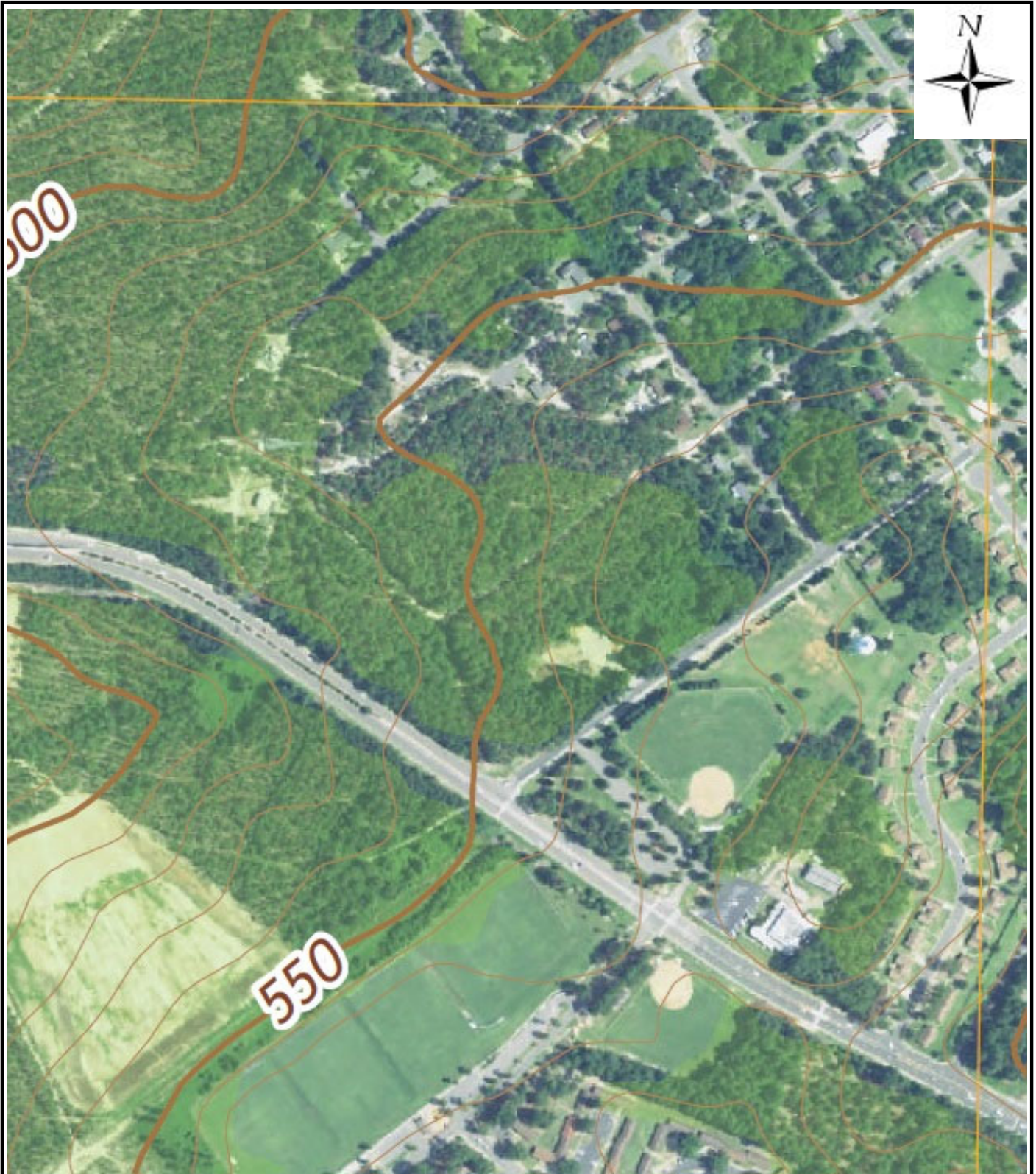
2016 TOPOGRAPHIC MAP

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2019 TOPOGRAPHIC MAP

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Project No: M1106
April 2021

Map Source: USGS
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APPENDIX V

Regulatory Database Documentation

DFI Phase 2 ESA

West Morganton Road/South Henley Street
Southern Pines, NC 28387

Inquiry Number: 6461526.2s
April 22, 2021

The EDR Radius Map™ Report with GeoCheck®



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Shelton, CT 06484
Toll Free: 800.352.0050
www.edrnet.com

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Physical Setting Source Records Searched	PSGR-1

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with any questions or comments.

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EXECUTIVE SUMMARY

A search of available environmental records was conducted by Environmental Data Resources, Inc (EDR). The report was designed to assist parties seeking to meet the search requirements of EPA's Standards and Practices for All Appropriate Inquiries (40 CFR Part 312), the ASTM Standard Practice for Environmental Site Assessments (E 1527-13), the ASTM Standard Practice for Environmental Site Assessments for Forestland or Rural Property (E 2247-16), the ASTM Standard Practice for Limited Environmental Due Diligence: Transaction Screen Process (E 1528-14) or custom requirements developed for the evaluation of environmental risk associated with a parcel of real estate.

TARGET PROPERTY INFORMATION

ADDRESS

WEST MORGANTON ROAD/SOUTH HENLEY STREET
SOUTHERN PINES, NC 28387

COORDINATES

Latitude (North):	35.1746600 - 35° 10' 28.77"
Longitude (West):	79.4115250 - 79° 24' 41.49"
Universal Transverse Mercator:	Zone 17
UTM X (Meters):	644651.9
UTM Y (Meters):	3893369.8
Elevation:	605 ft. above sea level

USGS TOPOGRAPHIC MAP ASSOCIATED WITH TARGET PROPERTY

Target Property Map:	5945667 SOUTHERN PINES, NC
Version Date:	2013

AERIAL PHOTOGRAPHY IN THIS REPORT

Portions of Photo from:	20140827
Source:	USDA

MAPPED SITES SUMMARY

Target Property Address:
WEST MORGANTON ROAD/SOUTH HENLEY STREET
SOUTHERN PINES, NC 28387

Click on Map ID to see full detail.

MAP ID	SITE NAME	ADDRESS	DATABASE ACRONYMS	RELATIVE ELEVATION	DIST (ft. & mi.) DIRECTION
1	TOWN OF SOUTHERN PIN	900 BLOCK OF S HENLE	DEBRIS	Lower	1 ft.
2	SOUTHERN PINES DUMP	WEST MORGANTON RD. 0	OLI	Lower	73, 0.014, SSE
3	NCDEHNR DIV FOREST R	1000 FIRELANE AVE.	LUST, IMD	Higher	880, 0.167, SSW
4	MAC'S FOOD STORE #7	1216A MORGANTON ROAD	LUST, LUST TRUST, IMD	Lower	1722, 0.326, West
5	TOWN OF SOUTHERN PIN	140 MEMORIAL PARK CO	LUST, LUST TRUST, UST, IMD	Lower	1961, 0.371, SE
A6	CONVENIENT FOOD MART	205 W MORGANTON STRE	IMD	Lower	2387, 0.452, SE
A7	CONVENIENT FOOD MART	205 W MORGANTON STRE	LUST	Lower	2387, 0.452, SE

EXECUTIVE SUMMARY

TARGET PROPERTY SEARCH RESULTS

The target property was not listed in any of the databases searched by EDR.

DATABASES WITH NO MAPPED SITES

No mapped sites were found in EDR's search of available ("reasonably ascertainable ") government records either on the target property or within the search radius around the target property for the following databases:

STANDARD ENVIRONMENTAL RECORDS

Federal NPL site list

NPL..... National Priority List
Proposed NPL..... Proposed National Priority List Sites
NPL LIENS..... Federal Superfund Liens

Federal Delisted NPL site list

Delisted NPL..... National Priority List Deletions

Federal CERCLIS list

FEDERAL FACILITY..... Federal Facility Site Information listing
SEMS..... Superfund Enterprise Management System

Federal CERCLIS NFRAP site list

SEMS-ARCHIVE..... Superfund Enterprise Management System Archive

Federal RCRA CORRACTS facilities list

CORRACTS..... Corrective Action Report

Federal RCRA non-CORRACTS TSD facilities list

RCRA-TSDF..... RCRA - Treatment, Storage and Disposal

Federal RCRA generators list

RCRA-LQG..... RCRA - Large Quantity Generators
RCRA-SQG..... RCRA - Small Quantity Generators
RCRA-VSQG..... RCRA - Very Small Quantity Generators (Formerly Conditionally Exempt Small Quantity Generators)

Federal institutional controls / engineering controls registries

LUCIS..... Land Use Control Information System

EXECUTIVE SUMMARY

US ENG CONTROLS..... Engineering Controls Sites List
US INST CONTROLS..... Institutional Controls Sites List

Federal ERNS list

ERNS..... Emergency Response Notification System

State- and tribal - equivalent NPL

NC HSDS..... Hazardous Substance Disposal Site

State- and tribal - equivalent CERCLIS

SHWS..... Inactive Hazardous Sites Inventory

State and tribal landfill and/or solid waste disposal site lists

SWF/LF..... List of Solid Waste Facilities
LCID..... Land-Clearing and Inert Debris (LCID) Landfill Notifications

State and tribal leaking storage tank lists

LAST..... Leaking Aboveground Storage Tanks
INDIAN LUST..... Leaking Underground Storage Tanks on Indian Land

State and tribal registered storage tank lists

FEMA UST..... Underground Storage Tank Listing
UST..... Petroleum Underground Storage Tank Database
AST..... AST Database
INDIAN UST..... Underground Storage Tanks on Indian Land

State and tribal institutional control / engineering control registries

INST CONTROL..... No Further Action Sites With Land Use Restrictions Monitoring

State and tribal voluntary cleanup sites

VCP..... Responsible Party Voluntary Action Sites
INDIAN VCP..... Voluntary Cleanup Priority Listing

State and tribal Brownfields sites

BROWNFIELDS..... Brownfields Projects Inventory

ADDITIONAL ENVIRONMENTAL RECORDS

Local Brownfield lists

US BROWNFIELDS..... A Listing of Brownfields Sites

Local Lists of Landfill / Solid Waste Disposal Sites

SWRCY..... Recycling Center Listing

EXECUTIVE SUMMARY

HIST LF.....	Solid Waste Facility Listing
INDIAN ODI.....	Report on the Status of Open Dumps on Indian Lands
ODI.....	Open Dump Inventory
DEBRIS REGION 9.....	Torres Martinez Reservation Illegal Dump Site Locations
IHS OPEN DUMPS.....	Open Dumps on Indian Land

Local Lists of Hazardous waste / Contaminated Sites

US HIST CDL.....	Delisted National Clandestine Laboratory Register
US CDL.....	National Clandestine Laboratory Register

Local Land Records

LIENS 2.....	CERCLA Lien Information
--------------	-------------------------

Records of Emergency Release Reports

HMIRS.....	Hazardous Materials Information Reporting System
SPILLS.....	Spills Incident Listing
SPILLS 90.....	SPILLS 90 data from FirstSearch
SPILLS 80.....	SPILLS 80 data from FirstSearch

Other Ascertainable Records

RCRA NonGen / NLR.....	RCRA - Non Generators / No Longer Regulated
FUDS.....	Formerly Used Defense Sites
DOD.....	Department of Defense Sites
SCRD DRYCLEANERS.....	State Coalition for Remediation of Drycleaners Listing
US FIN ASSUR.....	Financial Assurance Information
EPA WATCH LIST.....	EPA WATCH LIST
2020 COR ACTION.....	2020 Corrective Action Program List
TSCA.....	Toxic Substances Control Act
TRIS.....	Toxic Chemical Release Inventory System
SSTS.....	Section 7 Tracking Systems
ROD.....	Records Of Decision
RMP.....	Risk Management Plans
RAATS.....	RCRA Administrative Action Tracking System
PRP.....	Potentially Responsible Parties
PADS.....	PCB Activity Database System
ICIS.....	Integrated Compliance Information System
FTTS.....	FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)
MLTS.....	Material Licensing Tracking System
COAL ASH DOE.....	Steam-Electric Plant Operation Data
COAL ASH EPA.....	Coal Combustion Residues Surface Impoundments List
PCB TRANSFORMER.....	PCB Transformer Registration Database
RADINFO.....	Radiation Information Database
HIST FTTS.....	FIFRA/TSCA Tracking System Administrative Case Listing
DOT OPS.....	Incident and Accident Data
CONSENT.....	Superfund (CERCLA) Consent Decrees
INDIAN RESERV.....	Indian Reservations
FUSRAP.....	Formerly Utilized Sites Remedial Action Program
UMTRA.....	Uranium Mill Tailings Sites
LEAD SMELTERS.....	Lead Smelter Sites
US AIRS.....	Aerometric Information Retrieval System Facility Subsystem

EXECUTIVE SUMMARY

US MINES.....	Mines Master Index File
ABANDONED MINES.....	Abandoned Mines
FINDS.....	Facility Index System/Facility Registry System
UXO.....	Unexploded Ordnance Sites
ECHO.....	Enforcement & Compliance History Information
DOCKET HWC.....	Hazardous Waste Compliance Docket Listing
FUELS PROGRAM.....	EPA Fuels Program Registered Listing
AIRS.....	Air Quality Permit Listing
ASBESTOS.....	ASBESTOS
COAL ASH.....	Coal Ash Disposal Sites
DRYCLEANERS.....	Drycleaning Sites
Financial Assurance.....	Financial Assurance Information Listing
NPDES.....	NPDES Facility Location Listing
UIC.....	Underground Injection Wells Listing
AOP.....	Animal Operation Permits Listing
PCSRP.....	Petroleum-Contaminated Soil Remediation Permits
CCB.....	Coal Ash Structural Fills (CCB) Listing
SEPT HAULERS.....	Permitted Septage Haulers Listing
MINES MRDS.....	Mineral Resources Data System

EDR HIGH RISK HISTORICAL RECORDS

EDR Exclusive Records

EDR MGP.....	EDR Proprietary Manufactured Gas Plants
EDR Hist Auto.....	EDR Exclusive Historical Auto Stations
EDR Hist Cleaner.....	EDR Exclusive Historical Cleaners

EDR RECOVERED GOVERNMENT ARCHIVES

Exclusive Recovered Govt. Archives

RGA HWS.....	Recovered Government Archive State Hazardous Waste Facilities List
RGA LF.....	Recovered Government Archive Solid Waste Facilities List
RGA LUST.....	Recovered Government Archive Leaking Underground Storage Tank

SURROUNDING SITES: SEARCH RESULTS

Surrounding sites were identified in the following databases.

Elevations have been determined from the USGS Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified. Sites with an elevation equal to or higher than the target property have been differentiated below from sites with an elevation lower than the target property. Page numbers and map identification numbers refer to the EDR Radius Map report where detailed data on individual sites can be reviewed.

Sites listed in ***bold italics*** are in multiple databases.

Unmappable (orphan) sites are not considered in the foregoing analysis.

EXECUTIVE SUMMARY

STANDARD ENVIRONMENTAL RECORDS

State and tribal landfill and/or solid waste disposal site lists

DEBRIS: NCDEQ Division of Waste Management Solid Waste Section Temporary Disaster Debris Staging Site (TDDSS) Locations which are available to be activated in a disaster or emergency.. Disaster Debris Sites can only be used for temporary disaster debris storage if the site's responsible party activates the site for use by notifying the NCDEQ DWM Solid Waste Section staff during an emergency

A review of the DEBRIS list, as provided by EDR, and dated 09/16/2020 has revealed that there is 1 DEBRIS site within approximately 0.5 miles of the target property.

<u>Lower Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
TOWN OF SOUTHERN PIN	900 BLOCK OF S HENLE	0 - 1/8 (0.000 mi.)	1	8

OLI: Old Landfill Inventory Database.

A review of the OLI list, as provided by EDR, and dated 09/11/2020 has revealed that there is 1 OLI site within approximately 0.5 miles of the target property.

<u>Lower Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
SOUTHERN PINES DUMP Facility Id: NONCD0000762	WEST MORGANTON RD. 0	SSE 0 - 1/8 (0.014 mi.)	2	8

State and tribal leaking storage tank lists

LUST: The Leaking Underground Storage Tank Incidents Management Database contains an inventory of reported leaking underground storage tank incidents. The data come from the Department of Environment, & Natural Resources' Incidents by Address.

A review of the LUST list, as provided by EDR, and dated 10/30/2020 has revealed that there are 4 LUST sites within approximately 0.5 miles of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
NCDEHNR DIV FOREST R Incident Phase: Closed Out Product Type: PETROLEUM Incident Number: 12048 Current Status: File Located in Archives	1000 FIRELANE AVE.	SSW 1/8 - 1/4 (0.167 mi.)	3	8
<u>Lower Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
MAC'S FOOD STORE #7 Product Type: PETROLEUM Incident Number: 42207 Current Status: File Located in House	1216A MORGANTON ROAD	W 1/4 - 1/2 (0.326 mi.)	4	11
TOWN OF SOUTHERN PIN Incident Phase: Closed Out	140 MEMORIAL PARK CO	SE 1/4 - 1/2 (0.371 mi.)	5	14

EXECUTIVE SUMMARY

Product Type: PETROLEUM
Incident Number: 9898
Current Status: File Located in Archives

CONVENIENT FOOD MART	205 W MORGANTON STRE	SE 1/4 - 1/2 (0.452 mi.)	A7	20
Incident Phase: Closed Out				
Product Type: PETROLEUM				
Incident Number: 19507				
Current Status: File Located in Archives				

LUST TRUST: This database contains information about claims against the State Trust Funds for reimbursements for expenses incurred while remediating Leaking USTs.

A review of the LUST TRUST list, as provided by EDR, and dated 01/04/2021 has revealed that there are 2 LUST TRUST sites within approximately 0.5 miles of the target property.

<u>Lower Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
MAC'S FOOD STORE #7 Facility Id: 0-0-036178 Site ID: 42207	1216A MORGANTON ROAD	W 1/4 - 1/2 (0.326 mi.)	4	11
TOWN OF SOUTHERN PIN Facility Id: 0-029738 Site ID: 9898	140 MEMORIAL PARK CO	SE 1/4 - 1/2 (0.371 mi.)	5	14

ADDITIONAL ENVIRONMENTAL RECORDS

Records of Emergency Release Reports

IMD: Incident Management Database.

A review of the IMD list, as provided by EDR, and dated 10/30/2020 has revealed that there are 4 IMD sites within approximately 0.5 miles of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
NCDEHNR DIV FOREST R Facility Id: 12048	1000 FIRELANE AVE.	SSW 1/8 - 1/4 (0.167 mi.)	3	8

<u>Lower Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
MAC'S FOOD STORE #7 Facility Id: 42207	1216A MORGANTON ROAD	W 1/4 - 1/2 (0.326 mi.)	4	11
TOWN OF SOUTHERN PIN Facility Id: 9898	140 MEMORIAL PARK CO	SE 1/4 - 1/2 (0.371 mi.)	5	14
CONVENIENT FOOD MART Facility Id: 19507	205 W MORGANTON STRE	SE 1/4 - 1/2 (0.452 mi.)	A6	19

EXECUTIVE SUMMARY

Due to poor or inadequate address information, the following sites were not mapped. Count: 1 records.

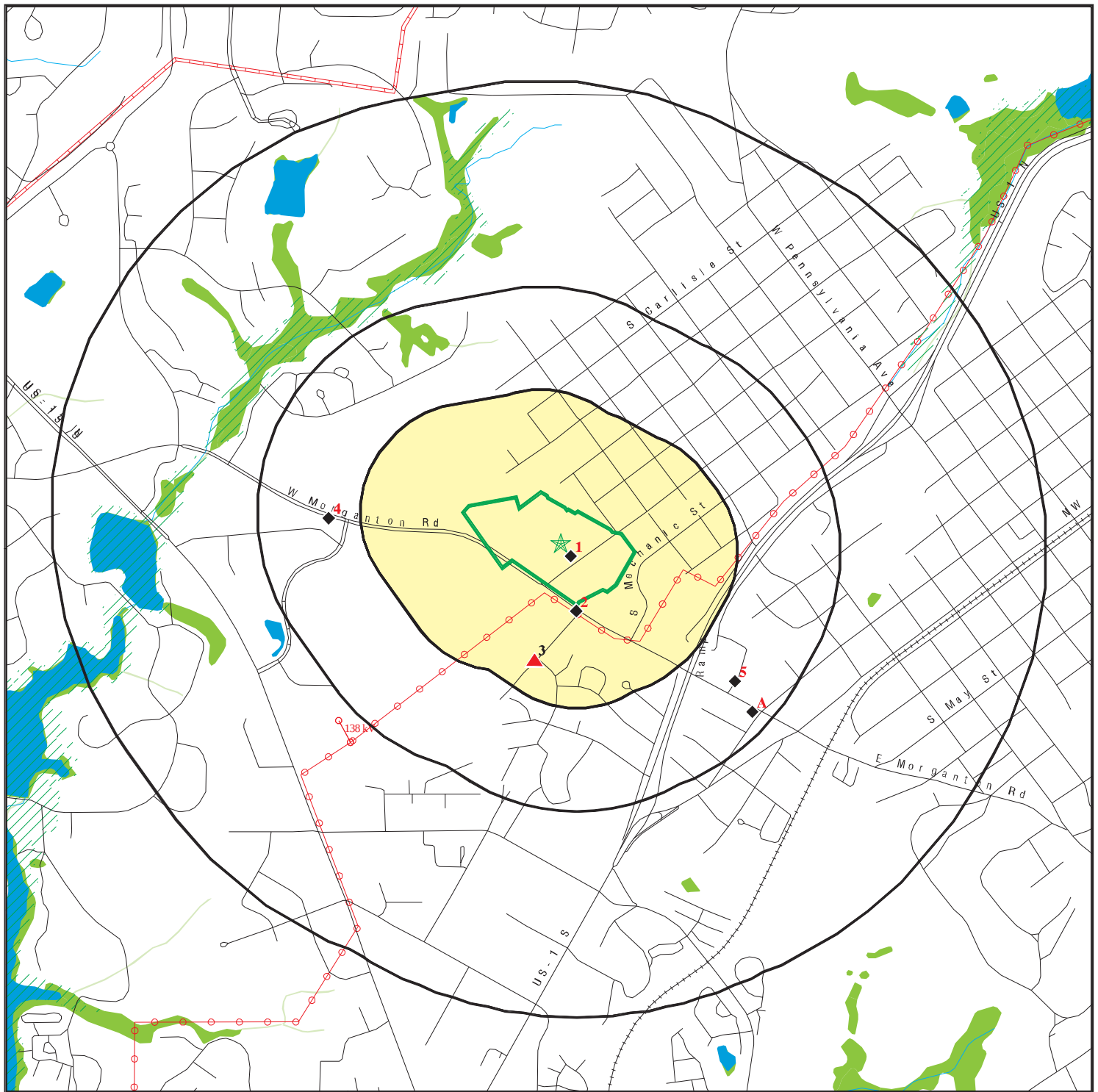
Site Name

ABERDEEN DUMP

Database(s)

OLI

OVERVIEW MAP - 6461526.2S



Target Property

Sites at elevations higher than or equal to the target property

Sites at elevations lower than the target property

Manufactured Gas Plants

National Priority List Sites

Dept. Defense Sites

Indian Reservations BIA

Power transmission lines

Pipelines

Special Flood Hazard Area (1%)

0.2% Annual Chance Flood Hazard

National Wetland Inventory

State Wetlands

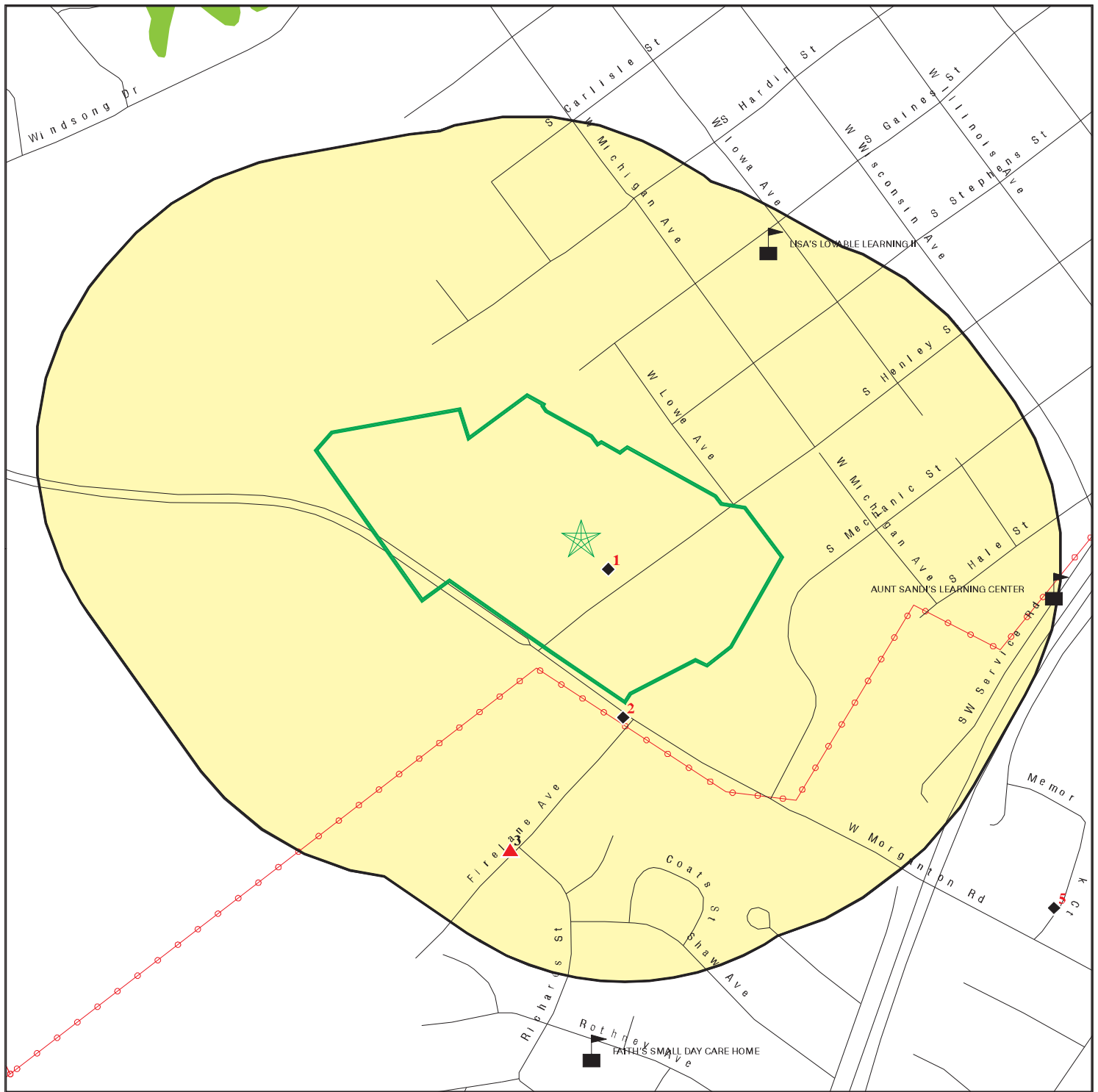
Hazardous Substance Disposal Sites

This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

SITE NAME: DFI Phase 2 ESA
ADDRESS: West Morganton Road/South Henley Street
Southern Pines NC 28387
LAT/LONG: 35.17466 / 79.411525

CLIENT: Modulus, PLLC
CONTACT: Aric V Geda
INQUIRY #: 6461526.2s
DATE: April 22, 2021 11:36 am

DETAIL MAP - 6461526.2S



-  Target Property
-  Sites at elevations higher than or equal to the target property
-  Sites at elevations lower than the target property
-  Manufactured Gas Plants
-  Sensitive Receptors
-  National Priority List Sites
-  Dept. Defense Sites

-  Indian Reservations BIA
-  Power transmission lines
-  National Wetland Inventory
-  State Wetlands

-  Hazardous Substance Disposal Sites

This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

SITE NAME: DFI Phase 2 ESA
 ADDRESS: West Morganton Road/South Henley Street
 Southern Pines NC 28387
 LAT/LONG: 35.17466 / 79.411525

CLIENT: Modulus, PLLC
 CONTACT: Aric V Geda
 INQUIRY #: 6461526.2s
 DATE: April 22, 2021 11:37 am

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
STANDARD ENVIRONMENTAL RECORDS								
<i>Federal NPL site list</i>								
NPL	1.000		0	0	0	0	NR	0
Proposed NPL	1.000		0	0	0	0	NR	0
NPL LIENS	1.000		0	0	0	0	NR	0
<i>Federal Delisted NPL site list</i>								
Delisted NPL	1.000		0	0	0	0	NR	0
<i>Federal CERCLIS list</i>								
FEDERAL FACILITY	0.500		0	0	0	NR	NR	0
SEMS	0.500		0	0	0	NR	NR	0
<i>Federal CERCLIS NFRAP site list</i>								
SEMS-ARCHIVE	0.500		0	0	0	NR	NR	0
<i>Federal RCRA CORRACTS facilities list</i>								
CORRACTS	1.000		0	0	0	0	NR	0
<i>Federal RCRA non-CORRACTS TSD facilities list</i>								
RCRA-TSDF	0.500		0	0	0	NR	NR	0
<i>Federal RCRA generators list</i>								
RCRA-LQG	0.250		0	0	NR	NR	NR	0
RCRA-SQG	0.250		0	0	NR	NR	NR	0
RCRA-VSQG	0.250		0	0	NR	NR	NR	0
<i>Federal institutional controls / engineering controls registries</i>								
LUCIS	0.500		0	0	0	NR	NR	0
US ENG CONTROLS	0.500		0	0	0	NR	NR	0
US INST CONTROLS	0.500		0	0	0	NR	NR	0
<i>Federal ERNS list</i>								
ERNS	TP		NR	NR	NR	NR	NR	0
<i>State- and tribal - equivalent NPL</i>								
NC HSDS	1.000		0	0	0	0	NR	0
<i>State- and tribal - equivalent CERCLIS</i>								
SHWS	1.000		0	0	0	0	NR	0
<i>State and tribal landfill and/or solid waste disposal site lists</i>								
SWF/LF	0.500		0	0	0	NR	NR	0
DEBRIS	0.500		1	0	0	NR	NR	1
OLI	0.500		1	0	0	NR	NR	1
LCID	0.500		0	0	0	NR	NR	0

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
State and tribal leaking storage tank lists								
LUST	0.500		0	1	3	NR	NR	4
LAST	0.500		0	0	0	NR	NR	0
INDIAN LUST	0.500		0	0	0	NR	NR	0
LUST TRUST	0.500		0	0	2	NR	NR	2
State and tribal registered storage tank lists								
FEMA UST	0.250		0	0	NR	NR	NR	0
UST	0.250		0	0	NR	NR	NR	0
AST	0.250		0	0	NR	NR	NR	0
INDIAN UST	0.250		0	0	NR	NR	NR	0
State and tribal institutional control / engineering control registries								
INST CONTROL	0.500		0	0	0	NR	NR	0
State and tribal voluntary cleanup sites								
VCP	0.500		0	0	0	NR	NR	0
INDIAN VCP	0.500		0	0	0	NR	NR	0
State and tribal Brownfields sites								
BROWNFIELDS	0.500		0	0	0	NR	NR	0
ADDITIONAL ENVIRONMENTAL RECORDS								
Local Brownfield lists								
US BROWNFIELDS	0.500		0	0	0	NR	NR	0
Local Lists of Landfill / Solid Waste Disposal Sites								
SWRCY	0.500		0	0	0	NR	NR	0
HIST LF	0.500		0	0	0	NR	NR	0
INDIAN ODI	0.500		0	0	0	NR	NR	0
ODI	0.500		0	0	0	NR	NR	0
DEBRIS REGION 9	0.500		0	0	0	NR	NR	0
IHS OPEN DUMPS	0.500		0	0	0	NR	NR	0
Local Lists of Hazardous waste / Contaminated Sites								
US HIST CDL	TP		NR	NR	NR	NR	NR	0
US CDL	TP		NR	NR	NR	NR	NR	0
Local Land Records								
LIENS 2	TP		NR	NR	NR	NR	NR	0
Records of Emergency Release Reports								
HMIRS	TP		NR	NR	NR	NR	NR	0
SPILLS	TP		NR	NR	NR	NR	NR	0
IMD	0.500		0	1	3	NR	NR	4

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
SPILLS 90	TP		NR	NR	NR	NR	NR	0
SPILLS 80	TP		NR	NR	NR	NR	NR	0
Other Ascertainable Records								
RCRA NonGen / NLR	0.250		0	0	NR	NR	NR	0
FUDS	1.000		0	0	0	0	NR	0
DOD	1.000		0	0	0	0	NR	0
SCRD DRYCLEANERS	0.500		0	0	0	NR	NR	0
US FIN ASSUR	TP		NR	NR	NR	NR	NR	0
EPA WATCH LIST	TP		NR	NR	NR	NR	NR	0
2020 COR ACTION	0.250		0	0	NR	NR	NR	0
TSCA	TP		NR	NR	NR	NR	NR	0
TRIS	TP		NR	NR	NR	NR	NR	0
SSTS	TP		NR	NR	NR	NR	NR	0
ROD	1.000		0	0	0	0	NR	0
RMP	TP		NR	NR	NR	NR	NR	0
RAATS	TP		NR	NR	NR	NR	NR	0
PRP	TP		NR	NR	NR	NR	NR	0
PADS	TP		NR	NR	NR	NR	NR	0
ICIS	TP		NR	NR	NR	NR	NR	0
FTTS	TP		NR	NR	NR	NR	NR	0
MLTS	TP		NR	NR	NR	NR	NR	0
COAL ASH DOE	TP		NR	NR	NR	NR	NR	0
COAL ASH EPA	0.500		0	0	0	NR	NR	0
PCB TRANSFORMER	TP		NR	NR	NR	NR	NR	0
RADINFO	TP		NR	NR	NR	NR	NR	0
HIST FTTS	TP		NR	NR	NR	NR	NR	0
DOT OPS	TP		NR	NR	NR	NR	NR	0
CONSENT	1.000		0	0	0	0	NR	0
INDIAN RESERV	1.000		0	0	0	0	NR	0
FUSRAP	1.000		0	0	0	0	NR	0
UMTRA	0.500		0	0	0	NR	NR	0
LEAD SMELTERS	TP		NR	NR	NR	NR	NR	0
US AIRS	TP		NR	NR	NR	NR	NR	0
US MINES	0.250		0	0	NR	NR	NR	0
ABANDONED MINES	0.250		0	0	NR	NR	NR	0
FINDS	TP		NR	NR	NR	NR	NR	0
UXO	1.000		0	0	0	0	NR	0
ECHO	TP		NR	NR	NR	NR	NR	0
DOCKET HWC	TP		NR	NR	NR	NR	NR	0
FUELS PROGRAM	0.250		0	0	NR	NR	NR	0
AIRS	TP		NR	NR	NR	NR	NR	0
ASBESTOS	TP		NR	NR	NR	NR	NR	0
COAL ASH	0.500		0	0	0	NR	NR	0
DRYCLEANERS	0.250		0	0	NR	NR	NR	0
Financial Assurance	TP		NR	NR	NR	NR	NR	0
NPDES	TP		NR	NR	NR	NR	NR	0
UIC	TP		NR	NR	NR	NR	NR	0
AOP	TP		NR	NR	NR	NR	NR	0
PCSRP	0.500		0	0	0	NR	NR	0
CCB	0.500		0	0	0	NR	NR	0

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
SEPT HAULERS	TP		NR	NR	NR	NR	NR	0
MINES MRDS	TP		NR	NR	NR	NR	NR	0
<u>EDR HIGH RISK HISTORICAL RECORDS</u>								
<i>EDR Exclusive Records</i>								
EDR MGP	1.000		0	0	0	0	NR	0
EDR Hist Auto	0.125		0	NR	NR	NR	NR	0
EDR Hist Cleaner	0.125		0	NR	NR	NR	NR	0
<u>EDR RECOVERED GOVERNMENT ARCHIVES</u>								
<i>Exclusive Recovered Govt. Archives</i>								
RGA HWS	TP		NR	NR	NR	NR	NR	0
RGA LF	TP		NR	NR	NR	NR	NR	0
RGA LUST	TP		NR	NR	NR	NR	NR	0
- Totals --		0	2	2	8	0	0	12

NOTES:

TP = Target Property

NR = Not Requested at this Search Distance

Sites may be listed in more than one database

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

1
< 1/8
1 ft.
TOWN OF SOUTHERN PINES
900 BLOCK OF S HENLEY ST
SOUTHERN PINES, NC

DEBRIS **S122874068**
N/A

Relative:
Lower
Actual:
604 ft.

DEBRIS:

DS Number: DS63-008
Name: TOWN OF SOUTHERN PINES
Address: 900 BLOCK OF S HENLEY ST
City,State,Zip: SOUTHERN PINES, NC
Size of Site: 1 Acre
Type of Debris: yard waste (generally smaller tree branches, leaves, brush, etc.)/land clearing waste (generally larger branches, tree trunks, etc.)
Contact: Chris Kennedy, Asst Town Mgr
Contact Phone: 910-692-4003
Second Contact: Cory Albers/Ron Istre/Jack Taylor
Second Contact Phone: 910-692-1983
Confirm Year: 2019
Status: Not Active
Latitude: 35.174252
Longitude: -79.411097

2
SSE
< 1/8
0.014 mi.
73 ft.
SOUTHERN PINES DUMP
WEST MORGANTON RD. 0.3 MILES WEST OF ITS INTERSECTION WITH U
SOUTHERN PINES, NC

OLI **S105485825**
N/A

Relative:
Lower
Actual:
600 ft.

NC OLI:

Name: SOUTHERN PINES DUMP
Address: WEST MORGANTON RD. 0.3 MILES WEST OF ITS INTERSECTION WITH US 1
Address 2: Not reported
City,State,Zip: SOUTHERN PINES, NC
Facility ID: NONCD0000762
State Plane X: 572178
State Plane Y: 157856
Other Agency Lead: Not reported
Unable to Locate: Not reported

3
SSW
1/8-1/4
0.167 mi.
880 ft.
NCDEHNR DIV FOREST RES.-MOORE
1000 FIRELANE AVE.
SOUTHERN PINES, NC 28387

LUST **S101573543**
IMD **N/A**

Relative:
Higher
Actual:
629 ft.

LUST:

Name: NCDEHNR DIV FOREST RES.-MOORE
Address: 1000 FIRELANE AVE.
City,State,Zip: SOUTHERN PINES, NC 28387
Facility ID: Not reported
UST Number: FA-678
Incident Number: 12048
Contamination Type: Soil
Source Type: Leak-underground
Product Type: PETROLEUM
Date Reported: 12/15/1993
Date Occur: 12/15/1993
Cleanup: 12/15/1993

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

NCDEHNR DIV FOREST RES.-MOORE (Continued)

S101573543

Closure Request: 1997-01-16 00:00:00
Close Out: 01/16/1997
Level Of Soil Cleanup Achieved: Not reported
Tank Regulated Status: NON REGULATED
Of Supply Wells: 0
Commercial/NonCommercial UST Site: NON COMMERCIAL
Risk Classification: L
Risk Class Based On Review: L
Corrective Action Plan Type: Not reported
NOV Issue Date: Not reported
NORR Issue Date: Not reported
Site Priority: Not reported
Phase Of LSA Req: Not reported
Site Risk Reason: Not reported
Land Use: Residential
MTBE: Not reported
MTBE1: Unknown
Flag: No
Flag1: No
LUR Filed: Not reported
Release Detection: 0
Current Status: File Located in Archives
RBCA GW: Not reported
PETOPT: 3
RPL: False
CD Num: 175
Reel Num: 0
RPOW: False
RPOP: False
Error Flag: 0
Error Code: N
Valid: False
Lat/Long Decimal: 35.1706 -79.4125
Testlat: Not reported
Regional Officer Project Mgr: JWB
Region: FAY
Company: NCDEHNR DFR
Contact Person: Not reported
Telephone: Not reported
RP Address: P.O. BOX 27687
RP City,St,Zip: RALEIGH, NC 27611
RP County: WAKE
Comments: Archived - 1/21/2004
5 Min Quad: Not reported
Last Modified: 1/21/1997
Incident Phase: Closed Out
NOV Issued: Not reported
NORR Issued: Not reported
45 Day Report: Not reported
Public Meeting Held: Not reported
Corrective Action Planned: Not reported
SOC Signed: Not reported
Reclassification Report: Not reported
RS Designation: Not reported
Closure Request Date: Not reported
Close-out Report: 1/16/1997

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

NCDEHNR DIV FOREST RES.-MOORE (Continued)

S101573543

[Click here to access the North Carolina DEQ records for this facility:](#)

IMD:

Name: NCDEHNR DIV FOREST RES.-MOORE
Address: 1000 FIRELANE AVE.
City: SOUTHERN PINES
Region: FAY
Facility ID: 12048
Date Occurred: 12/15/1993
Submit Date: 4/21/1994
GW Contam: No Groundwater Contamination detected
Soil Contam: Yes
Incident Desc: DURING UST EXCAVATION MINOR SOIL CONTAM. WAS FOUND.
Operator: Not reported
Contact Phone: Not reported
Owner Company: NCDEHNR DFR
Operator Address: P.O. BOX 27687
Operator City: RALEIGH
Oper City, St, Zip: RALEIGH, NC 27611
Ownership: State
Operation: Public Service
Material: GASOLINE
Qty Lost 1: Not reported
Qty Recovered 1: Not reported
Source: Leak-underground
Type: Gasoline/diesel
Location: Facility
Setting: Rural
Risk Site: L
Site Priority: 10E
Priority Code: E
Priority Update: Not reported
Dem Contact: GNJ
Wells Affected: Not reported
Num Affected: 0
Wells Contam: Not reported
Sampled By: Not reported
Samples Include: Not reported
7.5 Min Quad: Not reported
5 Min Quad: Not reported
Latitude: Not reported
Longitude: Not reported
Latitude Number: Not reported
Longitude Number: Not reported
Latitude Decimal: Not reported
Longitude Decimal: Not reported
GPS: NOD
Agency: Not reported
Facility ID: 12048
Last Modified: 1997-01-21 00:00:00
Incident Phase: Closed Out
NOV Issued: Not reported
NORR Issued: Not reported
45 Day Report: Not reported
Public Meeting Held: Not reported
Corrective Action Planned: Not reported
SOC Signed: Not reported

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

NCDEHNR DIV FOREST RES.-MOORE (Continued)

S101573543

Reclassification Report: Not reported
RS Designation: Not reported
Closure Request Date: Not reported
Close-out Report: 1997-01-16 00:00:00

4
West
1/4-1/2
0.326 mi.
1722 ft.

MAC'S FOOD STORE #7
1216A MORGANTON ROAD
SOUTHERN PINES, NC 28387

LUST
LUST TRUST
IMD

S123800914
N/A

Relative:
Lower

LUST:

Actual:
471 ft.

Name: MAC'S FOOD STORE #7
Address: 1216A MORGANTON ROAD
City,State,Zip: SOUTHERN PINES, NC 28387
Facility ID: 0-0-0361
UST Number: FA-7969
Incident Number: 42207
Contamination Type: Soil
Source Type: Leak-underground
Product Type: PETROLEUM
Date Reported: 03/11/2019
Date Occur: 03/08/2019
Cleanup: 03/08/2018
Closure Request: Not reported
Close Out: Not reported
Level Of Soil Cleanup Achieved: Not reported
Tank Regulated Status: REGULATED
Of Supply Wells: 0
Commercial/NonCommercial UST Site: COMMERCIAL
Risk Classification: H
Risk Class Based On Review: H
Corrective Action Plan Type: Not reported
NOV Issue Date: Not reported
NORR Issue Date: Not reported
Site Priority: Not reported
Phase Of LSA Req: Not reported
Site Risk Reason: Not reported
Land Use: Not reported
MTBE: No
MTBE1: Unknown
Flag: Yes
Flag1: Not reported
LUR Filed: Not reported
Release Detection: Not reported
Current Status: File Located in House
RBCA GW: Not reported
PETOPT: 3
RPL: False
CD Num: Not reported
Reel Num: Not reported
RPOW: False
RPOP: False
Error Flag: Not reported
Error Code: N
Valid: False
Lat/Long Decimal: 35.1786 -79.4275

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

MAC'S FOOD STORE #7 (Continued)

S123800914

Testlat:	Not reported
Regional Officer Project Mgr:	SBB
Region:	FAY
Company:	Not reported
Contact Person:	Not reported
Telephone:	Not reported
RP Address:	Not reported
RP City,St,Zip:	Not reported
RP County:	Not reported
Comments:	20190918 - Waiting on well abandonment Property owner reluctant to abandon well. Annual monitoring recommended 20190828 - MRP Benzene >2L 20200818 - MRP No results >2L
5 Min Quad:	Not reported
PIRF:	
Facility Id:	42207
Date Occurred:	Not reported
Date Reported:	Not reported
Description Of Incident:	Not reported
Owner/Operator:	Not reported
Ownership:	4
Operation Type:	6
Type:	3
Location:	1
Site Priority:	Not reported
Priority Update:	Not reported
Wells Affected Y/N:	N
Samples Include:	Not reported
7#5 Minute Quad:	Y
5 Minute Quad:	Not reported
Pirf/Min Soil:	Not reported
Release Code:	Not reported
Source Code:	Not reported
Err Type:	1
Cause:	7
Source:	3
Ust Number:	P
Last Modified:	Not reported
Incident Phase:	Not reported
NOV Issued:	Not reported
NORR Issued:	Not reported
45 Day Report:	Not reported
Public Meeting Held:	Not reported
Corrective Action Planned:	Not reported
SOC Signed:	Not reported
Reclassification Report:	Not reported
RS Designation:	Not reported
Closure Request Date:	Not reported
Close-out Report:	Not reported

[Click here to access the North Carolina DEQ records for this facility:](#)

LUST TRUST:

Name:	MAC'S FOOD STORE #7
Address:	1216A MORGANTON ROAD
City,State,Zip:	SOUTHERN PINES, NC

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

MAC'S FOOD STORE #7 (Continued)

S123800914

Facility ID: 0-0-036178
Site ID: 42207
Site Note: Commercial; \$20,000 deductible. 100% eligible for cost that exceed the \$20K deductible per eligibility letter dated 7/6/2020. HT
Site Eligible?: True
Commercial Find: 100% Commercial
Priority Rank: Not reported
Deductable Amount: 20000
3rd Party Deductable Amt: 0
Sum 3rd Party Amt Applied: 0

IMD:

Name: MAC'S FOOD STORE #7
Address: 1216A MORGANTON ROAD
City: SOUTHERN PINES
Region: Not reported
Facility ID: 42207
Date Occurred: Not reported
Submit Date: Not reported
GW Contam: Not reported
Soil Contam: Not reported
Incident Desc: Not reported
Operator: Not reported
Contact Phone: Not reported
Owner Company: Not reported
Operator Address: Not reported
Operator City: Not reported
Oper City,St,Zip: Not reported
Ownership: Private
Operation: Commercial
Material: Not reported
Qty Lost 1: Not reported
Qty Recovered 1: Not reported
Source: Not reported
Type: Gasoline/diesel
Location: Facility
Setting: Not reported
Risk Site: Not reported
Site Priority: Not reported
Priority Code: Not reported
Priority Update: Not reported
Dem Contact: Not reported
Wells Affected: No
Num Affected: Not reported
Wells Contam: Not reported
Sampled By: Y
Samples Include: Not reported
7.5 Min Quad: Not reported
5 Min Quad: Not reported
Latitude: 35.178651000000002
Longitude: -79.427531000000002
Latitude Number: Not reported
Longitude Number: Not reported
Latitude Decimal: Not reported
Longitude Decimal: Not reported
GPS: Not reported
Agency: Not reported

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

MAC'S FOOD STORE #7 (Continued)

S123800914

Facility ID: Not reported
Last Modified: Not reported
Incident Phase: Not reported
NOV Issued: Not reported
NORR Issued: Not reported
45 Day Report: Not reported
Public Meeting Held: Not reported
Corrective Action Planned: Not reported
SOC Signed: Not reported
Reclassification Report: Not reported
RS Designation: Not reported
Closure Request Date: Not reported
Close-out Report: Not reported

5
SE
1/4-1/2
0.371 mi.
1961 ft.

TOWN OF SOUTHERN PINES
140 MEMORIAL PARK COURT
SOUTHERN PINES, NC 23837

LUST
LUST TRUST
UST
IMD
U001204931
N/A

Relative:
Lower

LUST:

Actual:
521 ft.

Name: TOWN OF SOUTHERN PINES
Address: 140 MEMORIAL PARK CT.
City,State,Zip: SOUTHERN PINES, NC 23837
Facility ID: 00-0-000
UST Number: FA-524
Incident Number: 9898
Contamination Type: Groundwater/Both
Source Type: Leak-underground
Product Type: PETROLEUM
Date Reported: 02/24/1993
Date Occur: 02/24/1993
Cleanup: 02/24/1993
Closure Request: 2002-01-09 00:00:00
Close Out: 01/16/2002
Level Of Soil Cleanup Achieved: Not reported
Tank Regulated Status: REGULATED
Of Supply Wells: Not reported
Commercial/NonCommercial UST Site: COMMERCIAL
Risk Classification: L
Risk Class Based On Review: L
Corrective Action Plan Type: Not reported
NOV Issue Date: Not reported
NORR Issue Date: Not reported
Site Priority: 050E
Phase Of LSA Req: Not reported
Site Risk Reason: Not reported
Land Use: Residential
MTBE: Not reported
MTBE1: Unknown
Flag: No
Flag1: No
LUR Filed: Not reported
Release Detection: 0
Current Status: File Located in Archives
RBCA GW: Not reported
PETOPT: 3

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

TOWN OF SOUTHERN PINES (Continued)

U001204931

RPL: False
CD Num: 242
Reel Num: 0
RPOW: False
RPOP: False
Error Flag: 0
Error Code: N
Valid: False
Lat/Long Decimal: 35.1698 -79.4039
Testlat: Not reported
Regional Officer Project Mgr: JWB
Region: FAY
Company: TOWN OF SOUTHERN PINES
Contact Person: TOWN MANAGER/MAYOR
Telephone: Not reported
RP Address: 140 MEMORIAL PARK CT.
RP City,St,Zip: SOUTHERN PINES, NC 28387
RP County: Not reported
Comments: unrestricted NFA
5 Min Quad: Not reported
Last Modified: 6/7/2002
Incident Phase: Closed Out
NOV Issued: Not reported
NORR Issued: Not reported
45 Day Report: Not reported
Public Meeting Held: Not reported
Corrective Action Planned: Not reported
SOC Signed: Not reported
Reclassification Report: Not reported
RS Designation: Not reported
Closure Request Date: Not reported
Close-out Report: 1/16/2002

[Click here to access the North Carolina DEQ records for this facility:](#)

LUST TRUST:

Name: TOWN OF SOUTHERN PINES
Address: 140 MEMORIAL COURT
City,State,Zip: SOUTHERN PINES, NC
Facility ID: 0-029738
Site ID: 9898
Site Note: Not reported
Site Eligible?: True
Commercial Find: 100% Commercial
Priority Rank: Low
Deductable Amount: 20000
3rd Party Deductable Amt: 0
Sum 3rd Party Amt Applied: 0

UST:

Name: TOWN OF SOUTHERN PINES
Address: 140 MEMORIAL PARK COURT
City,State,Zip: SOUTHERN PINES, NC 28387
Facility Id: 00-0-0000029738
Contact: TOWN OF SOUTHERN PINES
Contact Address1: 140 MEMORIAL PARK CT

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

TOWN OF SOUTHERN PINES (Continued)

U001204931

Contact Address2: ATTN: W STANLEY
Contact City/State/Zip: SOUTHERN PINES, NC 28387-6147
FIPS County Desc: Moore
Latitude: 35.17167
Longitude: -79.40424

Tank Id: 1
Tank Status: Removed
Installed Date: 01/01/1964
Perm Close Date: 08/21/1992
Product Name: Unknown
Tank Capacity: 2000
Root Tank Id: Not reported
Main Tank: No
Compartment Tank: No
Manifold Tank: Not reported
Commercial: Yes
Regulated: Yes
Other CP Tank: Not reported
Overfill Protection Name: Unknown
Spill Protection Name: Unknown
Leak Detection Name: Unknown
Decode for TCONS_KEY: Unknown
Decode for PCONS_KEY: Unknown
Decode for PSYS_KEY: Unknown

[Click here to access the North Carolina DEQ records for this facility:](#)

Tank Id: 2
Tank Status: Removed
Installed Date: 01/01/1964
Perm Close Date: 08/21/1992
Product Name: Unknown
Tank Capacity: 1000
Root Tank Id: Not reported
Main Tank: No
Compartment Tank: No
Manifold Tank: Not reported
Commercial: Yes
Regulated: Yes
Other CP Tank: Not reported
Overfill Protection Name: Unknown
Spill Protection Name: Unknown
Leak Detection Name: Unknown
Decode for TCONS_KEY: Unknown
Decode for PCONS_KEY: Unknown
Decode for PSYS_KEY: Unknown

[Click here to access the North Carolina DEQ records for this facility:](#)

Tank Id: 3
Tank Status: Removed
Installed Date: 01/01/1964
Perm Close Date: 11/30/1992
Product Name: Unknown

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

TOWN OF SOUTHERN PINES (Continued)

U001204931

Tank Capacity: 1000
Root Tank Id: Not reported
Main Tank: No
Compartment Tank: No
Manifold Tank: Not reported
Commercial: Yes
Regulated: Yes
Other CP Tank: Not reported
Overfill Protection Name: Unknown
Spill Protection Name: Unknown
Leak Detection Name: Unknown
Decode for TCONS_KEY: Unknown
Decode for PCONS_KEY: Unknown
Decode for PSYS_KEY: Unknown

[Click here to access the North Carolina DEQ records for this facility:](#)

Tank Id: 4
Tank Status: Removed
Installed Date: 01/01/1964
Perm Close Date: 11/30/1992
Product Name: Unknown
Tank Capacity: 1000
Root Tank Id: Not reported
Main Tank: No
Compartment Tank: No
Manifold Tank: Not reported
Commercial: Yes
Regulated: Yes
Other CP Tank: Not reported
Overfill Protection Name: Unknown
Spill Protection Name: Unknown
Leak Detection Name: Unknown
Decode for TCONS_KEY: Unknown
Decode for PCONS_KEY: Unknown
Decode for PSYS_KEY: Unknown

[Click here to access the North Carolina DEQ records for this facility:](#)

Tank Id: 5
Tank Status: Current
Installed Date: 01/01/1987
Perm Close Date: Not reported
Product Name: Gasoline, Gas Mix
Tank Capacity: 10000
Root Tank Id: Not reported
Main Tank: No
Compartment Tank: No
Manifold Tank: 0
Commercial: Yes
Regulated: Yes
Other CP Tank: Not reported
Overfill Protection Name: Auto Shutoff Device
Spill Protection Name: Catchment Basin
Leak Detection Name: Not reported

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

TOWN OF SOUTHERN PINES (Continued)

U001204931

Decode for TCONS_KEY: Single Wall Steel
Decode for PCONS_KEY: Single Wall FRP
Decode for PSYS_KEY: Unknown

[Click here to access the North Carolina DEQ records for this facility:](#)

Tank Id: 6
Tank Status: Current
Installed Date: 12/15/1992
Perm Close Date: Not reported
Product Name: Diesel
Tank Capacity: 6000
Root Tank Id: Not reported
Main Tank: No
Compartment Tank: No
Manifold Tank: 0
Commercial: Yes
Regulated: Yes
Other CP Tank: Not reported
Overfill Protection Name: Auto Shutoff Device
Spill Protection Name: Catchment Basin
Leak Detection Name: Not reported
Decode for TCONS_KEY: Single Wall Steel/FRP
Decode for PCONS_KEY: Single Wall FRP
Decode for PSYS_KEY: Unknown

[Click here to access the North Carolina DEQ records for this facility:](#)

IMD:

Name: TOWN OF SOUTHERN PINES
Address: 140 MEMORIAL PARK CT.
City: SOUTHERN PINES
Region: FAY
Facility ID: 9898
Date Occurred: 2/24/1993
Submit Date: 3/9/1993
GW Contam: Yes, Groundwater Contamination has been detected
Soil Contam: No
Incident Desc: A LEAK WAS DETECTED WHEN TANK WAS REMOVED.
Operator: TOWN MANAGER/MAYOR
Contact Phone: Not reported
Owner Company: TOWN OF SOUTHERN PINES
Operator Address: 140 MEMORIAL PARK CT.
Operator City: SOUTHERN PINES
Oper City,St,Zip: SOUTHERN PINES, NC 28387
Ownership: Not reported
Operation: Not reported
Material: Not reported
Qty Lost 1: Not reported
Qty Recovered 1: Not reported
Source: Leak-underground
Type: Gasoline/diesel
Location: 8
Setting: Not reported
Risk Site: L
Site Priority: 050E

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

TOWN OF SOUTHERN PINES (Continued)

U001204931

Priority Code: L
Priority Update: 4/15/1998
Dem Contact: JWB
Wells Affected: Not reported
Num Affected: 0
Wells Contam: Not reported
Sampled By: Not reported
Samples Include: Not reported
7.5 Min Quad: Not reported
5 Min Quad: Not reported
Latitude: 35.1695
Longitude: -79.4039
Latitude Number: Not reported
Longitude Number: Not reported
Latitude Decimal: Not reported
Longitude Decimal: Not reported
GPS: CALC
Agency: Not reported
Facility ID: 9898
Last Modified: 2002-06-07 00:00:00
Incident Phase: Closed Out
NOV Issued: Not reported
NORR Issued: Not reported
45 Day Report: Not reported
Public Meeting Held: Not reported
Corrective Action Planned: Not reported
SOC Signed: Not reported
Reclassification Report: Not reported
RS Designation: Not reported
Closure Request Date: Not reported
Close-out Report: 2002-01-16 00:00:00

**A6
SE
1/4-1/2
0.452 mi.
2387 ft.**

**CONVENIENT FOOD MART 5433
205 W MORGANTON STREET
SOUTHERN PINES, NC**

**IMD S125838190
N/A**

Site 1 of 2 in cluster A

**Relative:
Lower**

IMD:

**Actual:
530 ft.**

Name: CONVENIENT FOOD MART 5433
Address: 205 W MORGANTON STREET
City: SOUTHERN PINES
Region: FAY
Facility ID: 19507
Date Occurred: 9/23/1998
Submit Date: 2/1/1999
GW Contam: Yes, Groundwater Contamination has been detected
Soil Contam: No
Incident Desc: RELEASE DISCOVERED UNDERNEATH DISPENSER DURING UST REMOVAL
Operator: BOB TEEPEN
Contact Phone: Not reported
Owner Company: DAIRY MART CONVENIENCE
Operator Address: 300 EXECUTIVE PKWY WEST
Operator City: HUDSON
Oper City, St, Zip: HUDSON, OH 44236
Ownership: Private
Operation: Commercial

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

CONVENIENT FOOD MART 5433 (Continued)

S125838190

Material: UNKNOWN
Qty Lost 1: Not reported
Qty Recovered 1: Not reported
Source: Leak-underground
Type: Gasoline/diesel
Location: Facility
Setting: Urban
Risk Site: L
Site Priority: L
Priority Code: L
Priority Update: 2/12/1999
Dem Contact: JWB
Wells Affected: Not reported
Num Affected: Not reported
Wells Contam: Not reported
Sampled By: Not reported
Samples Include: Not reported
7.5 Min Quad: Not reported
5 Min Quad: Not reported
Latitude: Not reported
Longitude: Not reported
Latitude Number: Not reported
Longitude Number: Not reported
Latitude Decimal: Not reported
Longitude Decimal: Not reported
GPS: NOD
Agency: Not reported
Facility ID: 19507
Last Modified: 2000-02-29 00:00:00
Incident Phase: Closed Out
NOV Issued: Not reported
NORR Issued: Not reported
45 Day Report: Not reported
Public Meeting Held: Not reported
Corrective Action Planned: Not reported
SOC Sighned: Not reported
Reclassification Report: Not reported
RS Designation: Not reported
Closure Request Date: Not reported
Close-out Report: 1999-12-06 00:00:00

A7
SE
1/4-1/2
0.452 mi.
2387 ft.

CONVENIENT FOOD MART 5433
205 W MORGANTON STREET
SOUTHERN PINES, NC 28387

Site 2 of 2 in cluster A

LUST S118755717
N/A

Relative:
Lower

LUST:

Actual:
530 ft.

Name: CONVENIENT FOOD MART 5433
Address: 205 W MORGANTON STREET
City,State,Zip: SOUTHERN PINES, NC 28387
Facility ID: 00-0-000
UST Number: FA-1028
Incident Number: 19507
Contamination Type: Groundwater/Both
Source Type: Leak-underground
Product Type: PETROLEUM

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

CONVENIENT FOOD MART 5433 (Continued)

S118755717

Date Reported: 09/23/1998
Date Occur: 09/23/1998
Cleanup: 09/23/1998
Closure Request: 1999-12-06 00:00:00
Close Out: 12/06/1999
Level Of Soil Cleanup Achieved: Not reported
Tank Regulated Status: REGULATED
Of Supply Wells: Not reported
Commercial/NonCommercial UST Site: COMMERCIAL
Risk Classification: L
Risk Class Based On Review: L
Corrective Action Plan Type: Not reported
NOV Issue Date: Not reported
NORR Issue Date: Not reported
Site Priority: Not reported
Phase Of LSA Req: Not reported
Site Risk Reason: Not reported
Land Use: Residential
MTBE: Not reported
MTBE1: Unknown
Flag: No
Flag1: No
LUR Filed: Not reported
Release Detection: 0
Current Status: File Located in Archives
RBCA GW: Not reported
PETOPT: 3
RPL: False
CD Num: 175
Reel Num: 0
RPOW: False
RPOP: False
Error Flag: 0
Error Code: N
Valid: False
Lat/Long Decimal: 35.1687 -79.4031
Testlat: Not reported
Regional Officer Project Mgr: JWB
Region: FAY
Company: DAIRY MART CONVENIENCE
Contact Person: BOB TEEPEN
Telephone: Not reported
RP Address: 300 EXECUTIVE PKWY WEST
RP City,St,Zip: HUDSON, OH 44236
RP County: Not reported
Comments: Archived - 1/21/2004
5 Min Quad: Not reported
Last Modified: 2/29/2000
Incident Phase: Closed Out
NOV Issued: Not reported
NORR Issued: Not reported
45 Day Report: Not reported
Public Meeting Held: Not reported
Corrective Action Planned: Not reported
SOC Signed: Not reported
Reclassification Report: Not reported
RS Designation: Not reported

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

CONVENIENT FOOD MART 5433 (Continued)

S118755717

Closure Request Date: Not reported
Close-out Report: 12/6/1999

[Click here to access the North Carolina DEQ records for this facility:](#)

Count: 1 records.

ORPHAN SUMMARY

City	EDR ID	Site Name	Site Address	Zip	Database(s)
ABERDEEN	S110630339	ABERDEEN DUMP	SOUTHWEST OF SELF-STORAGE BUIL		OLI

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

To maintain currency of the following federal and state databases, EDR contacts the appropriate governmental agency on a monthly or quarterly basis, as required.

Number of Days to Update: Provides confirmation that EDR is reporting records that have been updated within 90 days from the date the government agency made the information available to the public.

STANDARD ENVIRONMENTAL RECORDS

Federal NPL site list

NPL: National Priority List

National Priorities List (Superfund). The NPL is a subset of CERCLIS and identifies over 1,200 sites for priority cleanup under the Superfund Program. NPL sites may encompass relatively large areas. As such, EDR provides polygon coverage for over 1,000 NPL site boundaries produced by EPA's Environmental Photographic Interpretation Center (EPIC) and regional EPA offices.

Date of Government Version: 12/30/2020	Source: EPA
Date Data Arrived at EDR: 01/14/2021	Telephone: N/A
Date Made Active in Reports: 02/09/2021	Last EDR Contact: 04/01/2021
Number of Days to Update: 26	Next Scheduled EDR Contact: 07/12/2021
	Data Release Frequency: Quarterly

NPL Site Boundaries

Sources:

EPA's Environmental Photographic Interpretation Center (EPIC)
Telephone: 202-564-7333

EPA Region 1
Telephone 617-918-1143

EPA Region 6
Telephone: 214-655-6659

EPA Region 3
Telephone 215-814-5418

EPA Region 7
Telephone: 913-551-7247

EPA Region 4
Telephone 404-562-8033

EPA Region 8
Telephone: 303-312-6774

EPA Region 5
Telephone 312-886-6686

EPA Region 9
Telephone: 415-947-4246

EPA Region 10
Telephone 206-553-8665

Proposed NPL: Proposed National Priority List Sites

A site that has been proposed for listing on the National Priorities List through the issuance of a proposed rule in the Federal Register. EPA then accepts public comments on the site, responds to the comments, and places on the NPL those sites that continue to meet the requirements for listing.

Date of Government Version: 12/30/2020	Source: EPA
Date Data Arrived at EDR: 01/14/2021	Telephone: N/A
Date Made Active in Reports: 02/09/2021	Last EDR Contact: 04/01/2021
Number of Days to Update: 26	Next Scheduled EDR Contact: 07/12/2021
	Data Release Frequency: Quarterly

NPL LIENS: Federal Superfund Liens

Federal Superfund Liens. Under the authority granted the USEPA by CERCLA of 1980, the USEPA has the authority to file liens against real property in order to recover remedial action expenditures or when the property owner received notification of potential liability. USEPA compiles a listing of filed notices of Superfund Liens.

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 10/15/1991
Date Data Arrived at EDR: 02/02/1994
Date Made Active in Reports: 03/30/1994
Number of Days to Update: 56

Source: EPA
Telephone: 202-564-4267
Last EDR Contact: 08/15/2011
Next Scheduled EDR Contact: 11/28/2011
Data Release Frequency: No Update Planned

Federal Delisted NPL site list

Delisted NPL: National Priority List Deletions

The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) establishes the criteria that the EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425(e), sites may be deleted from the NPL where no further response is appropriate.

Date of Government Version: 12/30/2020
Date Data Arrived at EDR: 01/14/2021
Date Made Active in Reports: 02/09/2021
Number of Days to Update: 26

Source: EPA
Telephone: N/A
Last EDR Contact: 04/01/2021
Next Scheduled EDR Contact: 07/12/2021
Data Release Frequency: Quarterly

Federal CERCLIS list

FEDERAL FACILITY: Federal Facility Site Information listing

A listing of National Priority List (NPL) and Base Realignment and Closure (BRAC) sites found in the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) Database where EPA Federal Facilities Restoration and Reuse Office is involved in cleanup activities.

Date of Government Version: 04/03/2019
Date Data Arrived at EDR: 04/05/2019
Date Made Active in Reports: 05/14/2019
Number of Days to Update: 39

Source: Environmental Protection Agency
Telephone: 703-603-8704
Last EDR Contact: 03/30/2021
Next Scheduled EDR Contact: 07/12/2021
Data Release Frequency: Varies

SEMS: Superfund Enterprise Management System

SEMS (Superfund Enterprise Management System) tracks hazardous waste sites, potentially hazardous waste sites, and remedial activities performed in support of EPA's Superfund Program across the United States. The list was formerly known as CERCLIS, renamed to SEMS by the EPA in 2015. The list contains data on potentially hazardous waste sites that have been reported to the USEPA by states, municipalities, private companies and private persons, pursuant to Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). This dataset also contains sites which are either proposed to or on the National Priorities List (NPL) and the sites which are in the screening and assessment phase for possible inclusion on the NPL.

Date of Government Version: 12/30/2020
Date Data Arrived at EDR: 01/14/2021
Date Made Active in Reports: 02/18/2021
Number of Days to Update: 35

Source: EPA
Telephone: 800-424-9346
Last EDR Contact: 04/01/2021
Next Scheduled EDR Contact: 07/26/2021
Data Release Frequency: Quarterly

Federal CERCLIS NFRAP site list

SEMS-ARCHIVE: Superfund Enterprise Management System Archive

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

SEMS-ARCHIVE (Superfund Enterprise Management System Archive) tracks sites that have no further interest under the Federal Superfund Program based on available information. The list was formerly known as the CERCLIS-NFRAP, renamed to SEMS ARCHIVE by the EPA in 2015. EPA may perform a minimal level of assessment work at a site while it is archived if site conditions change and/or new information becomes available. Archived sites have been removed and archived from the inventory of SEMS sites. Archived status indicates that, to the best of EPA's knowledge, assessment at a site has been completed and that EPA has determined no further steps will be taken to list the site on the National Priorities List (NPL), unless information indicates this decision was not appropriate or other considerations require a recommendation for listing at a later time. The decision does not necessarily mean that there is no hazard associated with a given site; it only means that, based upon available information, the location is not judged to be potential NPL site.

Date of Government Version: 12/30/2020	Source: EPA
Date Data Arrived at EDR: 01/14/2021	Telephone: 800-424-9346
Date Made Active in Reports: 02/18/2021	Last EDR Contact: 04/01/2021
Number of Days to Update: 35	Next Scheduled EDR Contact: 07/26/2021
	Data Release Frequency: Quarterly

Federal RCRA CORRACTS facilities list

CORRACTS: Corrective Action Report

CORRACTS identifies hazardous waste handlers with RCRA corrective action activity.

Date of Government Version: 12/14/2020	Source: EPA
Date Data Arrived at EDR: 12/17/2020	Telephone: 800-424-9346
Date Made Active in Reports: 12/22/2020	Last EDR Contact: 03/23/2021
Number of Days to Update: 5	Next Scheduled EDR Contact: 07/05/2021
	Data Release Frequency: Quarterly

Federal RCRA non-CORRACTS TSD facilities list

RCRA-TSDF: RCRA - Treatment, Storage and Disposal

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Transporters are individuals or entities that move hazardous waste from the generator offsite to a facility that can recycle, treat, store, or dispose of the waste. TSDFs treat, store, or dispose of the waste.

Date of Government Version: 12/14/2020	Source: Environmental Protection Agency
Date Data Arrived at EDR: 12/17/2020	Telephone: (404) 562-8651
Date Made Active in Reports: 12/22/2020	Last EDR Contact: 03/23/2021
Number of Days to Update: 5	Next Scheduled EDR Contact: 07/05/2021
	Data Release Frequency: Quarterly

Federal RCRA generators list

RCRA-LQG: RCRA - Large Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Large quantity generators (LQGs) generate over 1,000 kilograms (kg) of hazardous waste, or over 1 kg of acutely hazardous waste per month.

Date of Government Version: 12/14/2020	Source: Environmental Protection Agency
Date Data Arrived at EDR: 12/17/2020	Telephone: (404) 562-8651
Date Made Active in Reports: 12/22/2020	Last EDR Contact: 03/23/2021
Number of Days to Update: 5	Next Scheduled EDR Contact: 07/05/2021
	Data Release Frequency: Quarterly

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

RCRA-SQG: RCRA - Small Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Small quantity generators (SQGs) generate between 100 kg and 1,000 kg of hazardous waste per month.

Date of Government Version: 12/14/2020	Source: Environmental Protection Agency
Date Data Arrived at EDR: 12/17/2020	Telephone: (404) 562-8651
Date Made Active in Reports: 12/22/2020	Last EDR Contact: 03/23/2021
Number of Days to Update: 5	Next Scheduled EDR Contact: 07/05/2021
	Data Release Frequency: Quarterly

RCRA-VSQG: RCRA - Very Small Quantity Generators (Formerly Conditionally Exempt Small Quantity Generators)

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Very small quantity generators (VSQGs) generate less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month.

Date of Government Version: 12/14/2020	Source: Environmental Protection Agency
Date Data Arrived at EDR: 12/17/2020	Telephone: (404) 562-8651
Date Made Active in Reports: 12/22/2020	Last EDR Contact: 03/23/2021
Number of Days to Update: 5	Next Scheduled EDR Contact: 07/05/2021
	Data Release Frequency: Quarterly

Federal institutional controls / engineering controls registries

LUCIS: Land Use Control Information System

LUCIS contains records of land use control information pertaining to the former Navy Base Realignment and Closure properties.

Date of Government Version: 02/09/2021	Source: Department of the Navy
Date Data Arrived at EDR: 02/11/2021	Telephone: 843-820-7326
Date Made Active in Reports: 03/22/2021	Last EDR Contact: 02/08/2021
Number of Days to Update: 39	Next Scheduled EDR Contact: 05/24/2021
	Data Release Frequency: Varies

US ENG CONTROLS: Engineering Controls Sites List

A listing of sites with engineering controls in place. Engineering controls include various forms of caps, building foundations, liners, and treatment methods to create pathway elimination for regulated substances to enter environmental media or effect human health.

Date of Government Version: 10/28/2020	Source: Environmental Protection Agency
Date Data Arrived at EDR: 11/05/2020	Telephone: 703-603-0695
Date Made Active in Reports: 11/18/2020	Last EDR Contact: 02/23/2021
Number of Days to Update: 13	Next Scheduled EDR Contact: 06/06/2021
	Data Release Frequency: Varies

US INST CONTROLS: Institutional Controls Sites List

A listing of sites with institutional controls in place. Institutional controls include administrative measures, such as groundwater use restrictions, construction restrictions, property use restrictions, and post remediation care requirements intended to prevent exposure to contaminants remaining on site. Deed restrictions are generally required as part of the institutional controls.

Date of Government Version: 10/28/2020	Source: Environmental Protection Agency
Date Data Arrived at EDR: 11/05/2020	Telephone: 703-603-0695
Date Made Active in Reports: 11/18/2020	Last EDR Contact: 02/23/2021
Number of Days to Update: 13	Next Scheduled EDR Contact: 06/06/2021
	Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Federal ERNS list

ERNS: Emergency Response Notification System

Emergency Response Notification System. ERNS records and stores information on reported releases of oil and hazardous substances.

Date of Government Version: 12/14/2020
Date Data Arrived at EDR: 12/15/2020
Date Made Active in Reports: 12/22/2020
Number of Days to Update: 7

Source: National Response Center, United States Coast Guard
Telephone: 202-267-2180
Last EDR Contact: 12/15/2020
Next Scheduled EDR Contact: 07/05/2021
Data Release Frequency: Quarterly

State- and tribal - equivalent NPL

HSDS: Hazardous Substance Disposal Site

Locations of uncontrolled and unregulated hazardous waste sites. The file includes sites on the National Priority List as well as those on the state priority list.

Date of Government Version: 08/09/2011
Date Data Arrived at EDR: 11/08/2011
Date Made Active in Reports: 12/05/2011
Number of Days to Update: 27

Source: North Carolina Center for Geographic Information and Analysis
Telephone: 919-754-6580
Last EDR Contact: 04/16/2021
Next Scheduled EDR Contact: 08/02/2021
Data Release Frequency: No Update Planned

State- and tribal - equivalent CERCLIS

SHWS: Inactive Hazardous Sites Inventory

State Hazardous Waste Sites. State hazardous waste site records are the states' equivalent to CERCLIS. These sites may or may not already be listed on the federal CERCLIS list. Priority sites planned for cleanup using state funds (state equivalent of Superfund) are identified along with sites where cleanup will be paid for by potentially responsible parties. Available information varies by state.

Date of Government Version: 11/02/2020
Date Data Arrived at EDR: 12/08/2020
Date Made Active in Reports: 02/23/2021
Number of Days to Update: 77

Source: Department of Environment, Health and Natural Resources
Telephone: 919-508-8400
Last EDR Contact: 03/10/2021
Next Scheduled EDR Contact: 06/21/2021
Data Release Frequency: Quarterly

State and tribal landfill and/or solid waste disposal site lists

SWF/LF: List of Solid Waste Facilities

Solid Waste Facilities/Landfill Sites. SWF/LF type records typically contain an inventory of solid waste disposal facilities or landfills in a particular state. Depending on the state, these may be active or inactive facilities or open dumps that failed to meet RCRA Subtitle D Section 4004 criteria for solid waste landfills or disposal sites.

Date of Government Version: 09/10/2020
Date Data Arrived at EDR: 09/23/2020
Date Made Active in Reports: 12/14/2020
Number of Days to Update: 82

Source: Department of Environment and Natural Resources
Telephone: 919-733-0692
Last EDR Contact: 03/26/2021
Next Scheduled EDR Contact: 07/05/2021
Data Release Frequency: Varies

DEBRIS: Solid Waste Active Disaster Debris Sites Listing

NCDEQ Division of Waste Management Solid Waste Section Temporary Disaster Debris Staging Site (TDDSS) Locations which are available to be activated in a disaster or emergency.. Disaster Debris Sites can only be used for temporary disaster debris storage if the site's responsible party activates the site for use by notifying the NCDEQ DWM Solid Waste Section staff during an emergency

Date of Government Version: 09/16/2020
Date Data Arrived at EDR: 12/14/2020
Date Made Active in Reports: 03/04/2021
Number of Days to Update: 80

Source: Department of Environmental Quality
Telephone: 919-707-8247
Last EDR Contact: 03/16/2021
Next Scheduled EDR Contact: 06/28/2021
Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

OLI: Old Landfill Inventory

Old landfill inventory location information. (Does not include no further action sites and other agency lead sites).

Date of Government Version: 09/11/2020
Date Data Arrived at EDR: 10/09/2020
Date Made Active in Reports: 12/30/2020
Number of Days to Update: 82

Source: Department of Environment & Natural Resources
Telephone: 919-733-4996
Last EDR Contact: 04/09/2021
Next Scheduled EDR Contact: 07/19/2021
Data Release Frequency: Varies

LCID: Land-Clearing and Inert Debris (LCID) Landfill Notifications

A list all of the Land-Clearing and Inert Debris (LCID) Landfill Notification facilities (under 2 acres in size) in North Carolina.

Date of Government Version: 04/30/2020
Date Data Arrived at EDR: 07/09/2020
Date Made Active in Reports: 09/23/2020
Number of Days to Update: 76

Source: Department of Environmental Quality
Telephone: 919-707-8248
Last EDR Contact: 04/09/2021
Next Scheduled EDR Contact: 07/19/2021
Data Release Frequency: Varies

State and tribal leaking storage tank lists

LAST: Leaking Aboveground Storage Tanks

A listing of leaking aboveground storage tank site locations.

Date of Government Version: 10/30/2020
Date Data Arrived at EDR: 11/03/2020
Date Made Active in Reports: 01/22/2021
Number of Days to Update: 80

Source: Department of Environment & Natural Resources
Telephone: 877-623-6748
Last EDR Contact: 02/03/2021
Next Scheduled EDR Contact: 05/17/2021
Data Release Frequency: Quarterly

LUST: Regional UST Database

This database contains information obtained from the Regional Offices. It provides a more detailed explanation of current and historic activity for individual sites, as well as what was previously found in the Incident Management Database. Sites in this database with Incident Numbers are considered LUSTs.

Date of Government Version: 10/30/2020
Date Data Arrived at EDR: 11/03/2020
Date Made Active in Reports: 11/18/2020
Number of Days to Update: 15

Source: Department of Environment and Natural Resources
Telephone: 919-707-8200
Last EDR Contact: 02/03/2021
Next Scheduled EDR Contact: 05/17/2021
Data Release Frequency: Quarterly

INDIAN LUST R10: Leaking Underground Storage Tanks on Indian Land

LUSTs on Indian land in Alaska, Idaho, Oregon and Washington.

Date of Government Version: 11/12/2020
Date Data Arrived at EDR: 12/16/2020
Date Made Active in Reports: 03/12/2021
Number of Days to Update: 86

Source: EPA Region 10
Telephone: 206-553-2857
Last EDR Contact: 12/16/2020
Next Scheduled EDR Contact: 05/03/2021
Data Release Frequency: Varies

INDIAN LUST R5: Leaking Underground Storage Tanks on Indian Land

Leaking underground storage tanks located on Indian Land in Michigan, Minnesota and Wisconsin.

Date of Government Version: 10/07/2020
Date Data Arrived at EDR: 12/16/2020
Date Made Active in Reports: 03/12/2021
Number of Days to Update: 86

Source: EPA, Region 5
Telephone: 312-886-7439
Last EDR Contact: 12/16/2020
Next Scheduled EDR Contact: 05/03/2021
Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

INDIAN LUST R9: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Arizona, California, New Mexico and Nevada

Date of Government Version: 10/01/2020	Source: Environmental Protection Agency
Date Data Arrived at EDR: 12/16/2020	Telephone: 415-972-3372
Date Made Active in Reports: 03/12/2021	Last EDR Contact: 12/16/2020
Number of Days to Update: 86	Next Scheduled EDR Contact: 05/03/2021
	Data Release Frequency: Varies

INDIAN LUST R8: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming.

Date of Government Version: 10/09/2020	Source: EPA Region 8
Date Data Arrived at EDR: 12/16/2020	Telephone: 303-312-6271
Date Made Active in Reports: 03/12/2021	Last EDR Contact: 12/16/2020
Number of Days to Update: 86	Next Scheduled EDR Contact: 05/03/2021
	Data Release Frequency: Varies

INDIAN LUST R7: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Iowa, Kansas, and Nebraska

Date of Government Version: 09/30/2020	Source: EPA Region 7
Date Data Arrived at EDR: 12/22/2020	Telephone: 913-551-7003
Date Made Active in Reports: 03/12/2021	Last EDR Contact: 12/16/2020
Number of Days to Update: 80	Next Scheduled EDR Contact: 05/03/2021
	Data Release Frequency: Varies

INDIAN LUST R4: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Florida, Mississippi and North Carolina.

Date of Government Version: 10/02/2020	Source: EPA Region 4
Date Data Arrived at EDR: 12/18/2020	Telephone: 404-562-8677
Date Made Active in Reports: 03/12/2021	Last EDR Contact: 12/16/2020
Number of Days to Update: 84	Next Scheduled EDR Contact: 05/03/2021
	Data Release Frequency: Varies

INDIAN LUST R1: Leaking Underground Storage Tanks on Indian Land
A listing of leaking underground storage tank locations on Indian Land.

Date of Government Version: 10/01/2020	Source: EPA Region 1
Date Data Arrived at EDR: 12/16/2020	Telephone: 617-918-1313
Date Made Active in Reports: 03/12/2021	Last EDR Contact: 12/16/2020
Number of Days to Update: 86	Next Scheduled EDR Contact: 05/03/2021
	Data Release Frequency: Varies

INDIAN LUST R6: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in New Mexico and Oklahoma.

Date of Government Version: 04/08/2020	Source: EPA Region 6
Date Data Arrived at EDR: 05/20/2020	Telephone: 214-665-6597
Date Made Active in Reports: 08/12/2020	Last EDR Contact: 12/16/2020
Number of Days to Update: 84	Next Scheduled EDR Contact: 05/03/2021
	Data Release Frequency: Varies

LUST TRUST: State Trust Fund Database

This database contains information about claims against the State Trust Funds for reimbursements for expenses incurred while remediating Leaking USTs.

Date of Government Version: 01/04/2021	Source: Department of Environment and Natural Resources
Date Data Arrived at EDR: 01/06/2021	Telephone: 919-733-1315
Date Made Active in Reports: 03/25/2021	Last EDR Contact: 04/06/2021
Number of Days to Update: 78	Next Scheduled EDR Contact: 07/19/2021
	Data Release Frequency: Quarterly

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

State and tribal registered storage tank lists

FEMA UST: Underground Storage Tank Listing

A listing of all FEMA owned underground storage tanks.

Date of Government Version: 01/29/2021	Source: FEMA
Date Data Arrived at EDR: 02/17/2021	Telephone: 202-646-5797
Date Made Active in Reports: 03/22/2021	Last EDR Contact: 04/05/2021
Number of Days to Update: 33	Next Scheduled EDR Contact: 07/19/2021
	Data Release Frequency: Varies

UST: Petroleum Underground Storage Tank Database

Registered Underground Storage Tanks. UST's are regulated under Subtitle I of the Resource Conservation and Recovery Act (RCRA) and must be registered with the state department responsible for administering the UST program. Available information varies by state program.

Date of Government Version: 10/30/2020	Source: Department of Environment and Natural Resources
Date Data Arrived at EDR: 11/04/2020	Telephone: 919-733-1308
Date Made Active in Reports: 12/31/2020	Last EDR Contact: 02/03/2021
Number of Days to Update: 57	Next Scheduled EDR Contact: 05/17/2021
	Data Release Frequency: Quarterly

AST: AST Database

Facilities with aboveground storage tanks that have a capacity greater than 21,000 gallons.

Date of Government Version: 10/29/2020	Source: Department of Environment and Natural Resources
Date Data Arrived at EDR: 12/10/2020	Telephone: 919-715-6183
Date Made Active in Reports: 02/26/2021	Last EDR Contact: 03/15/2021
Number of Days to Update: 78	Next Scheduled EDR Contact: 06/28/2021
	Data Release Frequency: Semi-Annually

INDIAN UST R9: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 9 (Arizona, California, Hawaii, Nevada, the Pacific Islands, and Tribal Nations).

Date of Government Version: 10/01/2020	Source: EPA Region 9
Date Data Arrived at EDR: 12/16/2020	Telephone: 415-972-3368
Date Made Active in Reports: 03/12/2021	Last EDR Contact: 12/16/2020
Number of Days to Update: 86	Next Scheduled EDR Contact: 05/03/2021
	Data Release Frequency: Varies

INDIAN UST R8: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 8 (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming and 27 Tribal Nations).

Date of Government Version: 10/09/2020	Source: EPA Region 8
Date Data Arrived at EDR: 12/16/2020	Telephone: 303-312-6137
Date Made Active in Reports: 03/12/2021	Last EDR Contact: 12/16/2020
Number of Days to Update: 86	Next Scheduled EDR Contact: 05/03/2021
	Data Release Frequency: Varies

INDIAN UST R6: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 6 (Louisiana, Arkansas, Oklahoma, New Mexico, Texas and 65 Tribes).

Date of Government Version: 04/08/2020	Source: EPA Region 6
Date Data Arrived at EDR: 05/20/2020	Telephone: 214-665-7591
Date Made Active in Reports: 08/12/2020	Last EDR Contact: 12/16/2020
Number of Days to Update: 84	Next Scheduled EDR Contact: 05/03/2021
	Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

INDIAN UST R5: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 5 (Michigan, Minnesota and Wisconsin and Tribal Nations).

Date of Government Version: 10/07/2020	Source: EPA Region 5
Date Data Arrived at EDR: 12/16/2020	Telephone: 312-886-6136
Date Made Active in Reports: 03/12/2021	Last EDR Contact: 12/16/2020
Number of Days to Update: 86	Next Scheduled EDR Contact: 05/03/2021
	Data Release Frequency: Varies

INDIAN UST R4: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 4 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee and Tribal Nations)

Date of Government Version: 10/02/2020	Source: EPA Region 4
Date Data Arrived at EDR: 12/18/2020	Telephone: 404-562-9424
Date Made Active in Reports: 03/12/2021	Last EDR Contact: 12/16/2020
Number of Days to Update: 84	Next Scheduled EDR Contact: 05/03/2021
	Data Release Frequency: Varies

INDIAN UST R7: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 7 (Iowa, Kansas, Missouri, Nebraska, and 9 Tribal Nations).

Date of Government Version: 09/30/2020	Source: EPA Region 7
Date Data Arrived at EDR: 12/22/2020	Telephone: 913-551-7003
Date Made Active in Reports: 03/12/2021	Last EDR Contact: 12/16/2020
Number of Days to Update: 80	Next Scheduled EDR Contact: 05/03/2021
	Data Release Frequency: Varies

INDIAN UST R10: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 10 (Alaska, Idaho, Oregon, Washington, and Tribal Nations).

Date of Government Version: 11/12/2020	Source: EPA Region 10
Date Data Arrived at EDR: 12/16/2020	Telephone: 206-553-2857
Date Made Active in Reports: 03/12/2021	Last EDR Contact: 12/15/2020
Number of Days to Update: 86	Next Scheduled EDR Contact: 05/03/2021
	Data Release Frequency: Varies

INDIAN UST R1: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 1 (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont and ten Tribal Nations).

Date of Government Version: 10/01/2020	Source: EPA, Region 1
Date Data Arrived at EDR: 12/16/2020	Telephone: 617-918-1313
Date Made Active in Reports: 03/12/2021	Last EDR Contact: 12/16/2020
Number of Days to Update: 86	Next Scheduled EDR Contact: 05/03/2021
	Data Release Frequency: Varies

State and tribal institutional control / engineering control registries

INST CONTROL: No Further Action Sites With Land Use Restrictions Monitoring

A land use restricted site is a property where there are limits or requirements on future use of the property due to varying levels of cleanup possible, practical, or necessary at the site.

Date of Government Version: 09/04/2020	Source: Department of Environmental Quality
Date Data Arrived at EDR: 09/09/2020	Telephone: 919-508-8400
Date Made Active in Reports: 12/03/2020	Last EDR Contact: 03/12/2021
Number of Days to Update: 85	Next Scheduled EDR Contact: 06/21/2021
	Data Release Frequency: Quarterly

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

State and tribal voluntary cleanup sites

VCP: Responsible Party Voluntary Action Sites
Responsible Party Voluntary Action site locations.

Date of Government Version: 11/02/2020	Source: Department of Environment and Natural Resources
Date Data Arrived at EDR: 12/08/2020	Telephone: 919-508-8400
Date Made Active in Reports: 02/23/2021	Last EDR Contact: 03/10/2021
Number of Days to Update: 77	Next Scheduled EDR Contact: 06/21/2021
	Data Release Frequency: Quarterly

INDIAN VCP R7: Voluntary Cleanup Priority Listing
A listing of voluntary cleanup priority sites located on Indian Land located in Region 7.

Date of Government Version: 03/20/2008	Source: EPA, Region 7
Date Data Arrived at EDR: 04/22/2008	Telephone: 913-551-7365
Date Made Active in Reports: 05/19/2008	Last EDR Contact: 04/20/2009
Number of Days to Update: 27	Next Scheduled EDR Contact: 07/20/2009
	Data Release Frequency: Varies

INDIAN VCP R1: Voluntary Cleanup Priority Listing
A listing of voluntary cleanup priority sites located on Indian Land located in Region 1.

Date of Government Version: 07/27/2015	Source: EPA, Region 1
Date Data Arrived at EDR: 09/29/2015	Telephone: 617-918-1102
Date Made Active in Reports: 02/18/2016	Last EDR Contact: 03/22/2021
Number of Days to Update: 142	Next Scheduled EDR Contact: 07/05/2021
	Data Release Frequency: Varies

State and tribal Brownfields sites

BROWNFIELDS: Brownfields Projects Inventory
A brownfield site is an abandoned, idled, or underused property where the threat of environmental contamination has hindered its redevelopment. All of the sites in the inventory are working toward a brownfield agreement for cleanup and liability control.

Date of Government Version: 12/01/2020	Source: Department of Environment and Natural Resources
Date Data Arrived at EDR: 12/08/2020	Telephone: 919-733-4996
Date Made Active in Reports: 12/09/2020	Last EDR Contact: 03/30/2021
Number of Days to Update: 1	Next Scheduled EDR Contact: 07/12/2021
	Data Release Frequency: Quarterly

ADDITIONAL ENVIRONMENTAL RECORDS

Local Brownfield lists

US BROWNFIELDS: A Listing of Brownfields Sites
Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Cleaning up and reinvesting in these properties takes development pressures off of undeveloped, open land, and both improves and protects the environment. Assessment, Cleanup and Redevelopment Exchange System (ACRES) stores information reported by EPA Brownfields grant recipients on brownfields properties assessed or cleaned up with grant funding as well as information on Targeted Brownfields Assessments performed by EPA Regions. A listing of ACRES Brownfield sites is obtained from Cleanups in My Community. Cleanups in My Community provides information on Brownfields properties for which information is reported back to EPA, as well as areas served by Brownfields grant programs.

Date of Government Version: 12/11/2020	Source: Environmental Protection Agency
Date Data Arrived at EDR: 12/11/2020	Telephone: 202-566-2777
Date Made Active in Reports: 03/02/2021	Last EDR Contact: 03/16/2021
Number of Days to Update: 81	Next Scheduled EDR Contact: 06/28/2021
	Data Release Frequency: Semi-Annually

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Local Lists of Landfill / Solid Waste Disposal Sites

SWRCY: Recycling Center Listing

A listing of recycling center locations.

Date of Government Version: 09/16/2020
Date Data Arrived at EDR: 09/17/2020
Date Made Active in Reports: 12/09/2020
Number of Days to Update: 83

Source: Department of Environment & Natural Resources
Telephone: 919-707-8137
Last EDR Contact: 01/25/2021
Next Scheduled EDR Contact: 05/10/2021
Data Release Frequency: Varies

HIST LF: Solid Waste Facility Listing

A listing of solid waste facilities.

Date of Government Version: 11/06/2006
Date Data Arrived at EDR: 02/13/2007
Date Made Active in Reports: 03/02/2007
Number of Days to Update: 17

Source: Department of Environment & Natural Resources
Telephone: 919-733-0692
Last EDR Contact: 01/19/2009
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

INDIAN ODI: Report on the Status of Open Dumps on Indian Lands

Location of open dumps on Indian land.

Date of Government Version: 12/31/1998
Date Data Arrived at EDR: 12/03/2007
Date Made Active in Reports: 01/24/2008
Number of Days to Update: 52

Source: Environmental Protection Agency
Telephone: 703-308-8245
Last EDR Contact: 01/25/2021
Next Scheduled EDR Contact: 05/10/2021
Data Release Frequency: Varies

ODI: Open Dump Inventory

An open dump is defined as a disposal facility that does not comply with one or more of the Part 257 or Part 258 Subtitle D Criteria.

Date of Government Version: 06/30/1985
Date Data Arrived at EDR: 08/09/2004
Date Made Active in Reports: 09/17/2004
Number of Days to Update: 39

Source: Environmental Protection Agency
Telephone: 800-424-9346
Last EDR Contact: 06/09/2004
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

DEBRIS REGION 9: Torres Martinez Reservation Illegal Dump Site Locations

A listing of illegal dump sites location on the Torres Martinez Indian Reservation located in eastern Riverside County and northern Imperial County, California.

Date of Government Version: 01/12/2009
Date Data Arrived at EDR: 05/07/2009
Date Made Active in Reports: 09/21/2009
Number of Days to Update: 137

Source: EPA, Region 9
Telephone: 415-947-4219
Last EDR Contact: 04/14/2021
Next Scheduled EDR Contact: 08/02/2021
Data Release Frequency: No Update Planned

IHS OPEN DUMPS: Open Dumps on Indian Land

A listing of all open dumps located on Indian Land in the United States.

Date of Government Version: 04/01/2014
Date Data Arrived at EDR: 08/06/2014
Date Made Active in Reports: 01/29/2015
Number of Days to Update: 176

Source: Department of Health & Human Services, Indian Health Service
Telephone: 301-443-1452
Last EDR Contact: 01/29/2021
Next Scheduled EDR Contact: 05/10/2021
Data Release Frequency: Varies

Local Lists of Hazardous waste / Contaminated Sites

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

US HIST CDL: National Clandestine Laboratory Register

A listing of clandestine drug lab locations that have been removed from the DEAs National Clandestine Laboratory Register.

Date of Government Version: 12/07/2020
Date Data Arrived at EDR: 12/09/2020
Date Made Active in Reports: 03/02/2021
Number of Days to Update: 83

Source: Drug Enforcement Administration
Telephone: 202-307-1000
Last EDR Contact: 02/22/2021
Next Scheduled EDR Contact: 06/06/2021
Data Release Frequency: No Update Planned

US CDL: Clandestine Drug Labs

A listing of clandestine drug lab locations. The U.S. Department of Justice ("the Department") provides this web site as a public service. It contains addresses of some locations where law enforcement agencies reported they found chemicals or other items that indicated the presence of either clandestine drug laboratories or dumpsites. In most cases, the source of the entries is not the Department, and the Department has not verified the entry and does not guarantee its accuracy. Members of the public must verify the accuracy of all entries by, for example, contacting local law enforcement and local health departments.

Date of Government Version: 12/07/2020
Date Data Arrived at EDR: 12/09/2020
Date Made Active in Reports: 03/02/2021
Number of Days to Update: 83

Source: Drug Enforcement Administration
Telephone: 202-307-1000
Last EDR Contact: 02/22/2021
Next Scheduled EDR Contact: 06/06/2021
Data Release Frequency: Quarterly

Local Land Records

LIENS 2: CERCLA Lien Information

A Federal CERCLA ("Superfund") lien can exist by operation of law at any site or property at which EPA has spent Superfund monies. These monies are spent to investigate and address releases and threatened releases of contamination. CERCLIS provides information as to the identity of these sites and properties.

Date of Government Version: 12/30/2020
Date Data Arrived at EDR: 01/14/2021
Date Made Active in Reports: 02/18/2021
Number of Days to Update: 35

Source: Environmental Protection Agency
Telephone: 202-564-6023
Last EDR Contact: 04/01/2021
Next Scheduled EDR Contact: 07/12/2021
Data Release Frequency: Semi-Annually

Records of Emergency Release Reports

HMIRS: Hazardous Materials Information Reporting System

Hazardous Materials Incident Report System. HMIRS contains hazardous material spill incidents reported to DOT.

Date of Government Version: 12/16/2020
Date Data Arrived at EDR: 12/17/2020
Date Made Active in Reports: 03/12/2021
Number of Days to Update: 85

Source: U.S. Department of Transportation
Telephone: 202-366-4555
Last EDR Contact: 03/24/2021
Next Scheduled EDR Contact: 07/05/2021
Data Release Frequency: Quarterly

SPILLS: Spills Incident Listing

A listing spills, hazardous material releases, sanitary sewer overflows, wastewater treatment plant bypasses and upsets, citizen complaints, and any other environmental emergency calls reported to the agency.

Date of Government Version: 10/09/2020
Date Data Arrived at EDR: 10/22/2020
Date Made Active in Reports: 01/14/2021
Number of Days to Update: 84

Source: Department of Environment & Natural Resources
Telephone: 919-807-6308
Last EDR Contact: 01/11/2021
Next Scheduled EDR Contact: 06/21/2021
Data Release Frequency: Quarterly

IMD: Incident Management Database

Groundwater and/or soil contamination incidents

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 10/30/2020
Date Data Arrived at EDR: 11/03/2020
Date Made Active in Reports: 01/21/2021
Number of Days to Update: 79

Source: Department of Environment and Natural Resources
Telephone: 877-623-6748
Last EDR Contact: 02/03/2021
Next Scheduled EDR Contact: 05/17/2021
Data Release Frequency: No Update Planned

SPILLS 90: SPILLS90 data from FirstSearch

Spills 90 includes those spill and release records available exclusively from FirstSearch databases. Typically, they may include chemical, oil and/or hazardous substance spills recorded after 1990. Duplicate records that are already included in EDR incident and release records are not included in Spills 90.

Date of Government Version: 09/27/2012
Date Data Arrived at EDR: 01/03/2013
Date Made Active in Reports: 03/06/2013
Number of Days to Update: 62

Source: FirstSearch
Telephone: N/A
Last EDR Contact: 01/03/2013
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

SPILLS 80: SPILLS80 data from FirstSearch

Spills 80 includes those spill and release records available from FirstSearch databases prior to 1990. Typically, they may include chemical, oil and/or hazardous substance spills recorded before 1990. Duplicate records that are already included in EDR incident and release records are not included in Spills 80.

Date of Government Version: 06/14/2001
Date Data Arrived at EDR: 01/03/2013
Date Made Active in Reports: 03/06/2013
Number of Days to Update: 62

Source: FirstSearch
Telephone: N/A
Last EDR Contact: 01/03/2013
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

Other Ascertainable Records

RCRA NonGen / NLR: RCRA - Non Generators / No Longer Regulated

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Non-Generators do not presently generate hazardous waste.

Date of Government Version: 12/14/2020
Date Data Arrived at EDR: 12/17/2020
Date Made Active in Reports: 12/22/2020
Number of Days to Update: 5

Source: Environmental Protection Agency
Telephone: (404) 562-8651
Last EDR Contact: 03/23/2021
Next Scheduled EDR Contact: 07/05/2021
Data Release Frequency: Quarterly

FUDS: Formerly Used Defense Sites

The listing includes locations of Formerly Used Defense Sites properties where the US Army Corps of Engineers is actively working or will take necessary cleanup actions.

Date of Government Version: 02/11/2021
Date Data Arrived at EDR: 02/17/2021
Date Made Active in Reports: 04/05/2021
Number of Days to Update: 47

Source: U.S. Army Corps of Engineers
Telephone: 202-528-4285
Last EDR Contact: 02/17/2021
Next Scheduled EDR Contact: 05/31/2021
Data Release Frequency: Varies

DOD: Department of Defense Sites

This data set consists of federally owned or administered lands, administered by the Department of Defense, that have any area equal to or greater than 640 acres of the United States, Puerto Rico, and the U.S. Virgin Islands.

Date of Government Version: 12/31/2005
Date Data Arrived at EDR: 11/10/2006
Date Made Active in Reports: 01/11/2007
Number of Days to Update: 62

Source: USGS
Telephone: 888-275-8747
Last EDR Contact: 04/16/2021
Next Scheduled EDR Contact: 07/26/2021
Data Release Frequency: Semi-Annually

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

FEDLAND: Federal and Indian Lands

Federally and Indian administrated lands of the United States. Lands included are administrated by: Army Corps of Engineers, Bureau of Reclamation, National Wild and Scenic River, National Wildlife Refuge, Public Domain Land, Wilderness, Wilderness Study Area, Wildlife Management Area, Bureau of Indian Affairs, Bureau of Land Management, Department of Justice, Forest Service, Fish and Wildlife Service, National Park Service.

Date of Government Version: 04/02/2018	Source: U.S. Geological Survey
Date Data Arrived at EDR: 04/11/2018	Telephone: 888-275-8747
Date Made Active in Reports: 11/06/2019	Last EDR Contact: 04/05/2021
Number of Days to Update: 574	Next Scheduled EDR Contact: 07/19/2021
	Data Release Frequency: N/A

SCRD DRYCLEANERS: State Coalition for Remediation of Drycleaners Listing

The State Coalition for Remediation of Drycleaners was established in 1998, with support from the U.S. EPA Office of Superfund Remediation and Technology Innovation. It is comprised of representatives of states with established drycleaner remediation programs. Currently the member states are Alabama, Connecticut, Florida, Illinois, Kansas, Minnesota, Missouri, North Carolina, Oregon, South Carolina, Tennessee, Texas, and Wisconsin.

Date of Government Version: 01/01/2017	Source: Environmental Protection Agency
Date Data Arrived at EDR: 02/03/2017	Telephone: 615-532-8599
Date Made Active in Reports: 04/07/2017	Last EDR Contact: 02/09/2021
Number of Days to Update: 63	Next Scheduled EDR Contact: 05/24/2021
	Data Release Frequency: Varies

US FIN ASSUR: Financial Assurance Information

All owners and operators of facilities that treat, store, or dispose of hazardous waste are required to provide proof that they will have sufficient funds to pay for the clean up, closure, and post-closure care of their facilities.

Date of Government Version: 12/14/2020	Source: Environmental Protection Agency
Date Data Arrived at EDR: 12/17/2020	Telephone: 202-566-1917
Date Made Active in Reports: 03/12/2021	Last EDR Contact: 03/23/2021
Number of Days to Update: 85	Next Scheduled EDR Contact: 07/05/2021
	Data Release Frequency: Quarterly

EPA WATCH LIST: EPA WATCH LIST

EPA maintains a "Watch List" to facilitate dialogue between EPA, state and local environmental agencies on enforcement matters relating to facilities with alleged violations identified as either significant or high priority. Being on the Watch List does not mean that the facility has actually violated the law only that an investigation by EPA or a state or local environmental agency has led those organizations to allege that an unproven violation has in fact occurred. Being on the Watch List does not represent a higher level of concern regarding the alleged violations that were detected, but instead indicates cases requiring additional dialogue between EPA, state and local agencies - primarily because of the length of time the alleged violation has gone unaddressed or unresolved.

Date of Government Version: 08/30/2013	Source: Environmental Protection Agency
Date Data Arrived at EDR: 03/21/2014	Telephone: 617-520-3000
Date Made Active in Reports: 06/17/2014	Last EDR Contact: 02/02/2021
Number of Days to Update: 88	Next Scheduled EDR Contact: 05/17/2021
	Data Release Frequency: Quarterly

2020 COR ACTION: 2020 Corrective Action Program List

The EPA has set ambitious goals for the RCRA Corrective Action program by creating the 2020 Corrective Action Universe. This RCRA cleanup baseline includes facilities expected to need corrective action. The 2020 universe contains a wide variety of sites. Some properties are heavily contaminated while others were contaminated but have since been cleaned up. Still others have not been fully investigated yet, and may require little or no remediation. Inclusion in the 2020 Universe does not necessarily imply failure on the part of a facility to meet its RCRA obligations.

Date of Government Version: 09/30/2017	Source: Environmental Protection Agency
Date Data Arrived at EDR: 05/08/2018	Telephone: 703-308-4044
Date Made Active in Reports: 07/20/2018	Last EDR Contact: 02/05/2021
Number of Days to Update: 73	Next Scheduled EDR Contact: 05/17/2021
	Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

TSCA: Toxic Substances Control Act

Toxic Substances Control Act. TSCA identifies manufacturers and importers of chemical substances included on the TSCA Chemical Substance Inventory list. It includes data on the production volume of these substances by plant site.

Date of Government Version: 12/31/2016
Date Data Arrived at EDR: 06/17/2020
Date Made Active in Reports: 09/10/2020
Number of Days to Update: 85

Source: EPA
Telephone: 202-260-5521
Last EDR Contact: 03/19/2021
Next Scheduled EDR Contact: 06/28/2021
Data Release Frequency: Every 4 Years

TRIS: Toxic Chemical Release Inventory System

Toxic Release Inventory System. TRIS identifies facilities which release toxic chemicals to the air, water and land in reportable quantities under SARA Title III Section 313.

Date of Government Version: 12/31/2018
Date Data Arrived at EDR: 08/14/2020
Date Made Active in Reports: 11/04/2020
Number of Days to Update: 82

Source: EPA
Telephone: 202-566-0250
Last EDR Contact: 02/02/2021
Next Scheduled EDR Contact: 05/31/2021
Data Release Frequency: Annually

SSTS: Section 7 Tracking Systems

Section 7 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended (92 Stat. 829) requires all registered pesticide-producing establishments to submit a report to the Environmental Protection Agency by March 1st each year. Each establishment must report the types and amounts of pesticides, active ingredients and devices being produced, and those having been produced and sold or distributed in the past year.

Date of Government Version: 01/20/2021
Date Data Arrived at EDR: 01/21/2021
Date Made Active in Reports: 03/22/2021
Number of Days to Update: 60

Source: EPA
Telephone: 202-564-4203
Last EDR Contact: 04/20/2021
Next Scheduled EDR Contact: 08/02/2021
Data Release Frequency: Annually

ROD: Records Of Decision

Record of Decision. ROD documents mandate a permanent remedy at an NPL (Superfund) site containing technical and health information to aid in the cleanup.

Date of Government Version: 12/30/2020
Date Data Arrived at EDR: 01/14/2021
Date Made Active in Reports: 02/18/2021
Number of Days to Update: 35

Source: EPA
Telephone: 703-416-0223
Last EDR Contact: 04/01/2021
Next Scheduled EDR Contact: 06/14/2021
Data Release Frequency: Annually

RMP: Risk Management Plans

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

When Congress passed the Clean Air Act Amendments of 1990, it required EPA to publish regulations and guidance for chemical accident prevention at facilities using extremely hazardous substances. The Risk Management Program Rule (RMP Rule) was written to implement Section 112(r) of these amendments. The rule, which built upon existing industry codes and standards, requires companies of all sizes that use certain flammable and toxic substances to develop a Risk Management Program, which includes a(n): Hazard assessment that details the potential effects of an accidental release, an accident history of the last five years, and an evaluation of worst-case and alternative accidental releases; Prevention program that includes safety precautions and maintenance, monitoring, and employee training measures; and Emergency response program that spells out emergency health care, employee training measures and procedures for informing the public and response agencies (e.g the fire department) should an accident occur.

Date of Government Version: 11/02/2020	Source: Environmental Protection Agency
Date Data Arrived at EDR: 11/12/2020	Telephone: 202-564-8600
Date Made Active in Reports: 01/25/2021	Last EDR Contact: 04/19/2021
Number of Days to Update: 74	Next Scheduled EDR Contact: 08/02/2021
	Data Release Frequency: Varies

RAATS: RCRA Administrative Action Tracking System

RCRA Administration Action Tracking System. RAATS contains records based on enforcement actions issued under RCRA pertaining to major violators and includes administrative and civil actions brought by the EPA. For administration actions after September 30, 1995, data entry in the RAATS database was discontinued. EPA will retain a copy of the database for historical records. It was necessary to terminate RAATS because a decrease in agency resources made it impossible to continue to update the information contained in the database.

Date of Government Version: 04/17/1995	Source: EPA
Date Data Arrived at EDR: 07/03/1995	Telephone: 202-564-4104
Date Made Active in Reports: 08/07/1995	Last EDR Contact: 06/02/2008
Number of Days to Update: 35	Next Scheduled EDR Contact: 09/01/2008
	Data Release Frequency: No Update Planned

PRP: Potentially Responsible Parties

A listing of verified Potentially Responsible Parties

Date of Government Version: 12/30/2020	Source: EPA
Date Data Arrived at EDR: 01/14/2021	Telephone: 202-564-6023
Date Made Active in Reports: 03/05/2021	Last EDR Contact: 03/11/2021
Number of Days to Update: 50	Next Scheduled EDR Contact: 05/17/2021
	Data Release Frequency: Quarterly

PADS: PCB Activity Database System

PCB Activity Database. PADS Identifies generators, transporters, commercial storers and/or brokers and disposers of PCB's who are required to notify the EPA of such activities.

Date of Government Version: 11/19/2020	Source: EPA
Date Data Arrived at EDR: 01/08/2021	Telephone: 202-566-0500
Date Made Active in Reports: 03/22/2021	Last EDR Contact: 04/09/2021
Number of Days to Update: 73	Next Scheduled EDR Contact: 07/19/2021
	Data Release Frequency: Annually

ICIS: Integrated Compliance Information System

The Integrated Compliance Information System (ICIS) supports the information needs of the national enforcement and compliance program as well as the unique needs of the National Pollutant Discharge Elimination System (NPDES) program.

Date of Government Version: 11/18/2016	Source: Environmental Protection Agency
Date Data Arrived at EDR: 11/23/2016	Telephone: 202-564-2501
Date Made Active in Reports: 02/10/2017	Last EDR Contact: 03/31/2021
Number of Days to Update: 79	Next Scheduled EDR Contact: 07/19/2021
	Data Release Frequency: Quarterly

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

FTTS: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)

FTTS tracks administrative cases and pesticide enforcement actions and compliance activities related to FIFRA, TSCA and EPCRA (Emergency Planning and Community Right-to-Know Act). To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 04/09/2009
Date Data Arrived at EDR: 04/16/2009
Date Made Active in Reports: 05/11/2009
Number of Days to Update: 25

Source: EPA/Office of Prevention, Pesticides and Toxic Substances
Telephone: 202-566-1667
Last EDR Contact: 08/18/2017
Next Scheduled EDR Contact: 12/04/2017
Data Release Frequency: No Update Planned

FTTS INSP: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)

A listing of FIFRA/TSCA Tracking System (FTTS) inspections and enforcements.

Date of Government Version: 04/09/2009
Date Data Arrived at EDR: 04/16/2009
Date Made Active in Reports: 05/11/2009
Number of Days to Update: 25

Source: EPA
Telephone: 202-566-1667
Last EDR Contact: 08/18/2017
Next Scheduled EDR Contact: 12/04/2017
Data Release Frequency: No Update Planned

MLTS: Material Licensing Tracking System

MLTS is maintained by the Nuclear Regulatory Commission and contains a list of approximately 8,100 sites which possess or use radioactive materials and which are subject to NRC licensing requirements. To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 08/05/2020
Date Data Arrived at EDR: 08/10/2020
Date Made Active in Reports: 10/08/2020
Number of Days to Update: 59

Source: Nuclear Regulatory Commission
Telephone: 301-415-7169
Last EDR Contact: 04/16/2021
Next Scheduled EDR Contact: 08/02/2021
Data Release Frequency: Quarterly

COAL ASH DOE: Steam-Electric Plant Operation Data

A listing of power plants that store ash in surface ponds.

Date of Government Version: 12/31/2019
Date Data Arrived at EDR: 12/01/2020
Date Made Active in Reports: 02/09/2021
Number of Days to Update: 70

Source: Department of Energy
Telephone: 202-586-8719
Last EDR Contact: 03/05/2021
Next Scheduled EDR Contact: 06/14/2021
Data Release Frequency: Varies

COAL ASH EPA: Coal Combustion Residues Surface Impoundments List

A listing of coal combustion residues surface impoundments with high hazard potential ratings.

Date of Government Version: 01/12/2017
Date Data Arrived at EDR: 03/05/2019
Date Made Active in Reports: 11/11/2019
Number of Days to Update: 251

Source: Environmental Protection Agency
Telephone: N/A
Last EDR Contact: 03/02/2021
Next Scheduled EDR Contact: 06/14/2021
Data Release Frequency: Varies

PCB TRANSFORMER: PCB Transformer Registration Database

The database of PCB transformer registrations that includes all PCB registration submittals.

Date of Government Version: 09/13/2019
Date Data Arrived at EDR: 11/06/2019
Date Made Active in Reports: 02/10/2020
Number of Days to Update: 96

Source: Environmental Protection Agency
Telephone: 202-566-0517
Last EDR Contact: 02/05/2021
Next Scheduled EDR Contact: 05/17/2021
Data Release Frequency: Varies

RADINFO: Radiation Information Database

The Radiation Information Database (RADINFO) contains information about facilities that are regulated by U.S. Environmental Protection Agency (EPA) regulations for radiation and radioactivity.

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 07/01/2019
Date Data Arrived at EDR: 07/01/2019
Date Made Active in Reports: 09/23/2019
Number of Days to Update: 84

Source: Environmental Protection Agency
Telephone: 202-343-9775
Last EDR Contact: 03/25/2021
Next Scheduled EDR Contact: 07/12/2021
Data Release Frequency: Quarterly

HIST FTTS: FIFRA/TSCA Tracking System Administrative Case Listing

A complete administrative case listing from the FIFRA/TSCA Tracking System (FTTS) for all ten EPA regions. The information was obtained from the National Compliance Database (NCDB). NCDB supports the implementation of FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) and TSCA (Toxic Substances Control Act). Some EPA regions are now closing out records. Because of that, and the fact that some EPA regions are not providing EPA Headquarters with updated records, it was decided to create a HIST FTTS database. It included records that may not be included in the newer FTTS database updates. This database is no longer updated.

Date of Government Version: 10/19/2006
Date Data Arrived at EDR: 03/01/2007
Date Made Active in Reports: 04/10/2007
Number of Days to Update: 40

Source: Environmental Protection Agency
Telephone: 202-564-2501
Last EDR Contact: 12/17/2007
Next Scheduled EDR Contact: 03/17/2008
Data Release Frequency: No Update Planned

HIST FTTS INSP: FIFRA/TSCA Tracking System Inspection & Enforcement Case Listing

A complete inspection and enforcement case listing from the FIFRA/TSCA Tracking System (FTTS) for all ten EPA regions. The information was obtained from the National Compliance Database (NCDB). NCDB supports the implementation of FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) and TSCA (Toxic Substances Control Act). Some EPA regions are now closing out records. Because of that, and the fact that some EPA regions are not providing EPA Headquarters with updated records, it was decided to create a HIST FTTS database. It included records that may not be included in the newer FTTS database updates. This database is no longer updated.

Date of Government Version: 10/19/2006
Date Data Arrived at EDR: 03/01/2007
Date Made Active in Reports: 04/10/2007
Number of Days to Update: 40

Source: Environmental Protection Agency
Telephone: 202-564-2501
Last EDR Contact: 12/17/2008
Next Scheduled EDR Contact: 03/17/2008
Data Release Frequency: No Update Planned

DOT OPS: Incident and Accident Data

Department of Transportation, Office of Pipeline Safety Incident and Accident data.

Date of Government Version: 01/02/2020
Date Data Arrived at EDR: 01/28/2020
Date Made Active in Reports: 04/17/2020
Number of Days to Update: 80

Source: Department of Transportation, Office of Pipeline Safety
Telephone: 202-366-4595
Last EDR Contact: 01/27/2021
Next Scheduled EDR Contact: 05/10/2021
Data Release Frequency: Quarterly

CONSENT: Superfund (CERCLA) Consent Decrees

Major legal settlements that establish responsibility and standards for cleanup at NPL (Superfund) sites. Released periodically by United States District Courts after settlement by parties to litigation matters.

Date of Government Version: 12/31/2020
Date Data Arrived at EDR: 01/13/2021
Date Made Active in Reports: 03/22/2021
Number of Days to Update: 68

Source: Department of Justice, Consent Decree Library
Telephone: Varies
Last EDR Contact: 04/05/2021
Next Scheduled EDR Contact: 07/19/2021
Data Release Frequency: Varies

BRS: Biennial Reporting System

The Biennial Reporting System is a national system administered by the EPA that collects data on the generation and management of hazardous waste. BRS captures detailed data from two groups: Large Quantity Generators (LQG) and Treatment, Storage, and Disposal Facilities.

Date of Government Version: 12/31/2017
Date Data Arrived at EDR: 06/22/2020
Date Made Active in Reports: 11/20/2020
Number of Days to Update: 151

Source: EPA/NTIS
Telephone: 800-424-9346
Last EDR Contact: 03/23/2021
Next Scheduled EDR Contact: 07/05/2021
Data Release Frequency: Biennially

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

INDIAN RESERV: Indian Reservations

This map layer portrays Indian administered lands of the United States that have any area equal to or greater than 640 acres.

Date of Government Version: 12/31/2014
Date Data Arrived at EDR: 07/14/2015
Date Made Active in Reports: 01/10/2017
Number of Days to Update: 546

Source: USGS
Telephone: 202-208-3710
Last EDR Contact: 04/06/2021
Next Scheduled EDR Contact: 07/19/2021
Data Release Frequency: Semi-Annually

FUSRAP: Formerly Utilized Sites Remedial Action Program

DOE established the Formerly Utilized Sites Remedial Action Program (FUSRAP) in 1974 to remediate sites where radioactive contamination remained from Manhattan Project and early U.S. Atomic Energy Commission (AEC) operations.

Date of Government Version: 08/08/2017
Date Data Arrived at EDR: 09/11/2018
Date Made Active in Reports: 09/14/2018
Number of Days to Update: 3

Source: Department of Energy
Telephone: 202-586-3559
Last EDR Contact: 02/02/2021
Next Scheduled EDR Contact: 05/17/2021
Data Release Frequency: Varies

UMTRA: Uranium Mill Tailings Sites

Uranium ore was mined by private companies for federal government use in national defense programs. When the mills shut down, large piles of the sand-like material (mill tailings) remain after uranium has been extracted from the ore. Levels of human exposure to radioactive materials from the piles are low; however, in some cases tailings were used as construction materials before the potential health hazards of the tailings were recognized.

Date of Government Version: 08/30/2019
Date Data Arrived at EDR: 11/15/2019
Date Made Active in Reports: 01/28/2020
Number of Days to Update: 74

Source: Department of Energy
Telephone: 505-845-0011
Last EDR Contact: 02/18/2021
Next Scheduled EDR Contact: 05/31/2021
Data Release Frequency: Varies

LEAD SMELTER 1: Lead Smelter Sites

A listing of former lead smelter site locations.

Date of Government Version: 12/30/2020
Date Data Arrived at EDR: 01/14/2021
Date Made Active in Reports: 02/09/2021
Number of Days to Update: 26

Source: Environmental Protection Agency
Telephone: 703-603-8787
Last EDR Contact: 04/01/2021
Next Scheduled EDR Contact: 07/12/2021
Data Release Frequency: Varies

LEAD SMELTER 2: Lead Smelter Sites

A list of several hundred sites in the U.S. where secondary lead smelting was done from 1931 and 1964. These sites may pose a threat to public health through ingestion or inhalation of contaminated soil or dust

Date of Government Version: 04/05/2001
Date Data Arrived at EDR: 10/27/2010
Date Made Active in Reports: 12/02/2010
Number of Days to Update: 36

Source: American Journal of Public Health
Telephone: 703-305-6451
Last EDR Contact: 12/02/2009
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

US AIRS (AFS): Aerometric Information Retrieval System Facility Subsystem (AFS)

The database is a sub-system of Aerometric Information Retrieval System (AIRS). AFS contains compliance data on air pollution point sources regulated by the U.S. EPA and/or state and local air regulatory agencies. This information comes from source reports by various stationary sources of air pollution, such as electric power plants, steel mills, factories, and universities, and provides information about the air pollutants they produce. Action, air program, air program pollutant, and general level plant data. It is used to track emissions and compliance data from industrial plants.

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 10/12/2016
Date Data Arrived at EDR: 10/26/2016
Date Made Active in Reports: 02/03/2017
Number of Days to Update: 100

Source: EPA
Telephone: 202-564-2496
Last EDR Contact: 09/26/2017
Next Scheduled EDR Contact: 01/08/2018
Data Release Frequency: Annually

US AIRS MINOR: Air Facility System Data

A listing of minor source facilities.

Date of Government Version: 10/12/2016
Date Data Arrived at EDR: 10/26/2016
Date Made Active in Reports: 02/03/2017
Number of Days to Update: 100

Source: EPA
Telephone: 202-564-2496
Last EDR Contact: 09/26/2017
Next Scheduled EDR Contact: 01/08/2018
Data Release Frequency: Annually

US MINES: Mines Master Index File

Contains all mine identification numbers issued for mines active or opened since 1971. The data also includes violation information.

Date of Government Version: 11/03/2020
Date Data Arrived at EDR: 11/23/2020
Date Made Active in Reports: 01/25/2021
Number of Days to Update: 63

Source: Department of Labor, Mine Safety and Health Administration
Telephone: 303-231-5959
Last EDR Contact: 02/24/2021
Next Scheduled EDR Contact: 06/06/2021
Data Release Frequency: Semi-Annually

MINES VIOLATIONS: MSHA Violation Assessment Data

Mines violation and assessment information. Department of Labor, Mine Safety & Health Administration.

Date of Government Version: 11/24/2020
Date Data Arrived at EDR: 11/30/2020
Date Made Active in Reports: 01/25/2021
Number of Days to Update: 56

Source: DOL, Mine Safety & Health Admini
Telephone: 202-693-9424
Last EDR Contact: 03/01/2021
Next Scheduled EDR Contact: 06/14/2021
Data Release Frequency: Quarterly

US MINES 2: Ferrous and Nonferrous Metal Mines Database Listing

This map layer includes ferrous (ferrous metal mines are facilities that extract ferrous metals, such as iron ore or molybdenum) and nonferrous (Nonferrous metal mines are facilities that extract nonferrous metals, such as gold, silver, copper, zinc, and lead) metal mines in the United States.

Date of Government Version: 05/06/2020
Date Data Arrived at EDR: 05/27/2020
Date Made Active in Reports: 08/13/2020
Number of Days to Update: 78

Source: USGS
Telephone: 703-648-7709
Last EDR Contact: 02/26/2021
Next Scheduled EDR Contact: 06/06/2021
Data Release Frequency: Varies

US MINES 3: Active Mines & Mineral Plants Database Listing

Active Mines and Mineral Processing Plant operations for commodities monitored by the Minerals Information Team of the USGS.

Date of Government Version: 04/14/2011
Date Data Arrived at EDR: 06/08/2011
Date Made Active in Reports: 09/13/2011
Number of Days to Update: 97

Source: USGS
Telephone: 703-648-7709
Last EDR Contact: 02/26/2021
Next Scheduled EDR Contact: 06/06/2021
Data Release Frequency: Varies

ABANDONED MINES: Abandoned Mines

An inventory of land and water impacted by past mining (primarily coal mining) is maintained by OSMRE to provide information needed to implement the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The inventory contains information on the location, type, and extent of AML impacts, as well as, information on the cost associated with the reclamation of those problems. The inventory is based upon field surveys by State, Tribal, and OSMRE program officials. It is dynamic to the extent that it is modified as new problems are identified and existing problems are reclaimed.

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 12/11/2020
Date Data Arrived at EDR: 12/11/2020
Date Made Active in Reports: 03/02/2021
Number of Days to Update: 81

Source: Department of Interior
Telephone: 202-208-2609
Last EDR Contact: 03/10/2021
Next Scheduled EDR Contact: 06/21/2021
Data Release Frequency: Quarterly

FINDS: Facility Index System/Facility Registry System

Facility Index System. FINDS contains both facility information and 'pointers' to other sources that contain more detail. EDR includes the following FINDS databases in this report: PCS (Permit Compliance System), AIRS (Aerometric Information Retrieval System), DOCKET (Enforcement Docket used to manage and track information on civil judicial enforcement cases for all environmental statutes), FURS (Federal Underground Injection Control), C-DOCKET (Criminal Docket System used to track criminal enforcement actions for all environmental statutes), FFIS (Federal Facilities Information System), STATE (State Environmental Laws and Statutes), and PADS (PCB Activity Data System).

Date of Government Version: 02/03/2021
Date Data Arrived at EDR: 03/03/2021
Date Made Active in Reports: 04/05/2021
Number of Days to Update: 33

Source: EPA
Telephone: (404) 562-9900
Last EDR Contact: 03/03/2021
Next Scheduled EDR Contact: 06/14/2021
Data Release Frequency: Quarterly

DOCKET HWC: Hazardous Waste Compliance Docket Listing

A complete list of the Federal Agency Hazardous Waste Compliance Docket Facilities.

Date of Government Version: 11/03/2020
Date Data Arrived at EDR: 11/17/2020
Date Made Active in Reports: 02/09/2021
Number of Days to Update: 84

Source: Environmental Protection Agency
Telephone: 202-564-0527
Last EDR Contact: 02/26/2021
Next Scheduled EDR Contact: 06/06/2021
Data Release Frequency: Varies

ECHO: Enforcement & Compliance History Information

ECHO provides integrated compliance and enforcement information for about 800,000 regulated facilities nationwide.

Date of Government Version: 01/02/2021
Date Data Arrived at EDR: 01/08/2021
Date Made Active in Reports: 03/22/2021
Number of Days to Update: 73

Source: Environmental Protection Agency
Telephone: 202-564-2280
Last EDR Contact: 04/06/2021
Next Scheduled EDR Contact: 07/19/2021
Data Release Frequency: Quarterly

UXO: Unexploded Ordnance Sites

A listing of unexploded ordnance site locations

Date of Government Version: 12/31/2018
Date Data Arrived at EDR: 07/02/2020
Date Made Active in Reports: 09/17/2020
Number of Days to Update: 77

Source: Department of Defense
Telephone: 703-704-1564
Last EDR Contact: 04/13/2021
Next Scheduled EDR Contact: 07/26/2021
Data Release Frequency: Varies

FUELS PROGRAM: EPA Fuels Program Registered Listing

This listing includes facilities that are registered under the Part 80 (Code of Federal Regulations) EPA Fuels Programs. All companies now are required to submit new and updated registrations.

Date of Government Version: 02/17/2021
Date Data Arrived at EDR: 02/17/2021
Date Made Active in Reports: 03/22/2021
Number of Days to Update: 33

Source: EPA
Telephone: 800-385-6164
Last EDR Contact: 02/17/2021
Next Scheduled EDR Contact: 05/31/2021
Data Release Frequency: Quarterly

AIRS: Air Quality Permit Listing

A listing of facilities with air quality permits.

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 12/07/2020
Date Data Arrived at EDR: 12/08/2020
Date Made Active in Reports: 02/23/2021
Number of Days to Update: 77

Source: Department of Environmental Quality
Telephone: 919-707-8726
Last EDR Contact: 03/10/2021
Next Scheduled EDR Contact: 06/21/2021
Data Release Frequency: Varies

ASBESTOS: ASBESTOS

Asbestos notification sites

Date of Government Version: 10/30/2020
Date Data Arrived at EDR: 11/23/2020
Date Made Active in Reports: 02/08/2021
Number of Days to Update: 77

Source: Department of Health & Human Services
Telephone: 919-707-5973
Last EDR Contact: 04/16/2021
Next Scheduled EDR Contact: 08/02/2021
Data Release Frequency: Varies

COAL ASH: Coal Ash Disposal Sites

A listing of coal combustion products distribution permits issued by the Division for the treatment, storage, transportation, use and disposal of coal combustion products.

Date of Government Version: 09/10/2020
Date Data Arrived at EDR: 09/23/2020
Date Made Active in Reports: 12/14/2020
Number of Days to Update: 82

Source: Department of Environment & Natural Resources
Telephone: 919-807-6359
Last EDR Contact: 03/26/2021
Next Scheduled EDR Contact: 07/05/2021
Data Release Frequency: Varies

DRYCLEANERS: Drycleaning Sites

Potential and known drycleaning sites, active and abandoned, that the Drycleaning Solvent Cleanup Program has knowledge of and entered into this database.

Date of Government Version: 09/08/2020
Date Data Arrived at EDR: 09/16/2020
Date Made Active in Reports: 12/08/2020
Number of Days to Update: 83

Source: Department of Environment & Natural Resources
Telephone: 919-508-8400
Last EDR Contact: 03/16/2021
Next Scheduled EDR Contact: 06/28/2021
Data Release Frequency: Varies

Financial Assurance 1: Financial Assurance Information Listing

A listing of financial assurance information for underground storage tank facilities. Financial assurance is intended to ensure that resources are available to pay for the cost of closure, post-closure care, and corrective measures if the owner or operator of a regulated facility is unable or unwilling to pay.

Date of Government Version: 10/30/2020
Date Data Arrived at EDR: 11/04/2020
Date Made Active in Reports: 12/31/2020
Number of Days to Update: 57

Source: Department of Environment & Natural Resources
Telephone: 919-733-1322
Last EDR Contact: 02/03/2021
Next Scheduled EDR Contact: 05/17/2021
Data Release Frequency: Quarterly

Financial Assurance 2: Financial Assurance Information Listing

Information for solid waste facilities. Financial assurance is intended to ensure that resources are available to pay for the cost of closure, post-closure care, and corrective measures if the owner or operator of a regulated facility is unable or unwilling to pay.

Date of Government Version: 10/02/2012
Date Data Arrived at EDR: 10/03/2012
Date Made Active in Reports: 10/26/2012
Number of Days to Update: 23

Source: Department of Environmental & Natural Resources
Telephone: 919-508-8496
Last EDR Contact: 04/05/2021
Next Scheduled EDR Contact: 07/05/2021
Data Release Frequency: Varies

Financial Assurance 3: Financial Assurance Information

Hazardous waste financial assurance information.

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 12/02/2020
Date Data Arrived at EDR: 12/03/2020
Date Made Active in Reports: 02/18/2021
Number of Days to Update: 77

Source: Department of Environment & Natural Resources
Telephone: 919-707-8222
Last EDR Contact: 03/08/2021
Next Scheduled EDR Contact: 06/21/2021
Data Release Frequency: Varies

NPDES: NPDES Facility Location Listing

General information regarding NPDES(National Pollutant Discharge Elimination System) permits.

Date of Government Version: 01/01/2021
Date Data Arrived at EDR: 01/27/2021
Date Made Active in Reports: 04/19/2021
Number of Days to Update: 82

Source: Department of Environment & Natural Resources
Telephone: 919-733-7015
Last EDR Contact: 01/27/2021
Next Scheduled EDR Contact: 05/10/2021
Data Release Frequency: Varies

UIC: Underground Injection Wells Listing

A listing of uncerground injection wells locations.

Date of Government Version: 10/26/2020
Date Data Arrived at EDR: 11/30/2020
Date Made Active in Reports: 12/07/2020
Number of Days to Update: 7

Source: Department of Environment & Natural Resources
Telephone: 919-807-6412
Last EDR Contact: 03/05/2021
Next Scheduled EDR Contact: 06/14/2021
Data Release Frequency: Quarterly

AOP: Animal Operation Permits Listing

This listing includes animal operations that are required to be permitted by the state.

Date of Government Version: 04/01/2020
Date Data Arrived at EDR: 05/26/2020
Date Made Active in Reports: 05/27/2020
Number of Days to Update: 1

Source: Department of Environmental Quality
Telephone: 919-707-9129
Last EDR Contact: 03/12/2021
Next Scheduled EDR Contact: 06/21/2021
Data Release Frequency: Varies

PCS ENF: Enforcement data

No description is available for this data

Date of Government Version: 12/31/2014
Date Data Arrived at EDR: 02/05/2015
Date Made Active in Reports: 03/06/2015
Number of Days to Update: 29

Source: EPA
Telephone: 202-564-2497
Last EDR Contact: 03/31/2021
Next Scheduled EDR Contact: 07/19/2021
Data Release Frequency: Varies

PCS INACTIVE: Listing of Inactive PCS Permits

An inactive permit is a facility that has shut down or is no longer discharging.

Date of Government Version: 11/05/2014
Date Data Arrived at EDR: 01/06/2015
Date Made Active in Reports: 05/06/2015
Number of Days to Update: 120

Source: EPA
Telephone: 202-564-2496
Last EDR Contact: 03/31/2021
Next Scheduled EDR Contact: 07/19/2021
Data Release Frequency: Semi-Annually

PCS: Permit Compliance System

PCS is a computerized management information system that contains data on National Pollutant Discharge Elimination System (NPDES) permit holding facilities. PCS tracks the permit, compliance, and enforcement status of NPDES facilities.

Date of Government Version: 07/14/2011
Date Data Arrived at EDR: 08/05/2011
Date Made Active in Reports: 09/29/2011
Number of Days to Update: 55

Source: EPA, Office of Water
Telephone: 202-564-2496
Last EDR Contact: 03/31/2021
Next Scheduled EDR Contact: 07/19/2021
Data Release Frequency: Semi-Annually

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

SEPT HAULERS: Permitted Septage Haulers Listing

This list of all active and permitted Septage Land Application Site (SLAS) and Septage Detention and Treatment Facility (SDTF) sites in North Carolina. The purpose of this map is to provide the public and government entities a visual overview of the businesses that manage septage and septage facilities throughout the state.

Date of Government Version: 05/13/2020
Date Data Arrived at EDR: 07/07/2020
Date Made Active in Reports: 09/23/2020
Number of Days to Update: 78

Source: Department of Environmental Quality
Telephone: 919-707-8248
Last EDR Contact: 04/06/2021
Next Scheduled EDR Contact: 07/19/2021
Data Release Frequency: Varies

PCSRP: Petroleum-Contaminated Soil Remediation Permits

To treat petroleum-contaminated soil in order to protect North Carolina's environment and the health of the citizens of North Carolina.

Date of Government Version: 12/30/2020
Date Data Arrived at EDR: 12/30/2020
Date Made Active in Reports: 03/17/2021
Number of Days to Update: 77

Source: Department of Environmental Quality
Telephone: 919-707-8248
Last EDR Contact: 04/06/2021
Next Scheduled EDR Contact: 07/19/2021
Data Release Frequency: Varies

CCB: Coal Ash Structural Fills (CCB) Listing

These are not permitted Coal Ash landfills A list all of the now closed Coal Ash Structural Fills (CCB) in North Carolina, in point data form. The purpose is to provide the public and other government entities a visual overview of coal ash structural fills throughout the state and increase public awareness of their current locations.

Date of Government Version: 02/27/2020
Date Data Arrived at EDR: 07/07/2020
Date Made Active in Reports: 09/23/2020
Number of Days to Update: 78

Source: Department of Environmental Quality
Telephone: 919-707-8248
Last EDR Contact: 04/09/2021
Next Scheduled EDR Contact: 07/19/2021
Data Release Frequency: Varies

MINES MRDS: Mineral Resources Data System Mineral Resources Data System

Date of Government Version: 04/06/2018
Date Data Arrived at EDR: 10/21/2019
Date Made Active in Reports: 10/24/2019
Number of Days to Update: 3

Source: USGS
Telephone: 703-648-6533
Last EDR Contact: 02/26/2021
Next Scheduled EDR Contact: 09/10/2018
Data Release Frequency: Varies

EDR HIGH RISK HISTORICAL RECORDS

EDR Exclusive Records

EDR MGP: EDR Proprietary Manufactured Gas Plants

The EDR Proprietary Manufactured Gas Plant Database includes records of coal gas plants (manufactured gas plants) compiled by EDR's researchers. Manufactured gas sites were used in the United States from the 1800's to 1950's to produce a gas that could be distributed and used as fuel. These plants used whale oil, rosin, coal, or a mixture of coal, oil, and water that also produced a significant amount of waste. Many of the byproducts of the gas production, such as coal tar (oily waste containing volatile and non-volatile chemicals), sludges, oils and other compounds are potentially hazardous to human health and the environment. The byproduct from this process was frequently disposed of directly at the plant site and can remain or spread slowly, serving as a continuous source of soil and groundwater contamination.

Date of Government Version: N/A
Date Data Arrived at EDR: N/A
Date Made Active in Reports: N/A
Number of Days to Update: N/A

Source: EDR, Inc.
Telephone: N/A
Last EDR Contact: N/A
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

EDR Hist Auto: EDR Exclusive Historical Auto Stations

EDR has searched selected national collections of business directories and has collected listings of potential gas station/filling station/service station sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include gas station/filling station/service station establishments. The categories reviewed included, but were not limited to gas, gas station, gasoline station, filling station, auto, automobile repair, auto service station, service station, etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns, but may not show up in current government records searches.

Date of Government Version: N/A	Source: EDR, Inc.
Date Data Arrived at EDR: N/A	Telephone: N/A
Date Made Active in Reports: N/A	Last EDR Contact: N/A
Number of Days to Update: N/A	Next Scheduled EDR Contact: N/A
	Data Release Frequency: Varies

EDR Hist Cleaner: EDR Exclusive Historical Cleaners

EDR has searched selected national collections of business directories and has collected listings of potential dry cleaner sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include dry cleaning establishments. The categories reviewed included, but were not limited to dry cleaners, cleaners, laundry, laundromat, cleaning/laundry, wash & dry etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns, but may not show up in current government records searches.

Date of Government Version: N/A	Source: EDR, Inc.
Date Data Arrived at EDR: N/A	Telephone: N/A
Date Made Active in Reports: N/A	Last EDR Contact: N/A
Number of Days to Update: N/A	Next Scheduled EDR Contact: N/A
	Data Release Frequency: Varies

EDR RECOVERED GOVERNMENT ARCHIVES

Exclusive Recovered Govt. Archives

RGH HWS: Recovered Government Archive State Hazardous Waste Facilities List

The EDR Recovered Government Archive State Hazardous Waste database provides a list of SHWS incidents derived from historical databases and includes many records that no longer appear in current government lists. Compiled from Records formerly available from the Department of Environment, Health and Natural Resources in North Carolina.

Date of Government Version: N/A	Source: Department of Environment, Health and Natural Resources
Date Data Arrived at EDR: 07/01/2013	Telephone: N/A
Date Made Active in Reports: 12/24/2013	Last EDR Contact: 06/01/2012
Number of Days to Update: 176	Next Scheduled EDR Contact: N/A
	Data Release Frequency: Varies

RGH LF: Recovered Government Archive Solid Waste Facilities List

The EDR Recovered Government Archive Landfill database provides a list of landfills derived from historical databases and includes many records that no longer appear in current government lists. Compiled from Records formerly available from the Department of Environment, Health and Natural Resources in North Carolina.

Date of Government Version: N/A	Source: Department of Environment, Health and Natural Resources
Date Data Arrived at EDR: 07/01/2013	Telephone: N/A
Date Made Active in Reports: 01/13/2014	Last EDR Contact: 06/01/2012
Number of Days to Update: 196	Next Scheduled EDR Contact: N/A
	Data Release Frequency: Varies

RGH LUST: Recovered Government Archive Leaking Underground Storage Tank

The EDR Recovered Government Archive Leaking Underground Storage Tank database provides a list of LUST incidents derived from historical databases and includes many records that no longer appear in current government lists. Compiled from Records formerly available from the Department of Environment, Health and Natural Resources in North Carolina.

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: N/A
Date Data Arrived at EDR: 07/01/2013
Date Made Active in Reports: 12/20/2013
Number of Days to Update: 172

Source: Department of Environment, Health and Natural Resources
Telephone: N/A
Last EDR Contact: 06/01/2012
Next Scheduled EDR Contact: N/A
Data Release Frequency: Varies

OTHER DATABASE(S)

Depending on the geographic area covered by this report, the data provided in these specialty databases may or may not be complete. For example, the existence of wetlands information data in a specific report does not mean that all wetlands in the area covered by the report are included. Moreover, the absence of any reported wetlands information does not necessarily mean that wetlands do not exist in the area covered by the report.

CT MANIFEST: Hazardous Waste Manifest Data

Facility and manifest data. Manifest is a document that lists and tracks hazardous waste from the generator through transporters to a tsd facility.

Date of Government Version: 08/10/2020
Date Data Arrived at EDR: 10/20/2020
Date Made Active in Reports: 11/02/2020
Number of Days to Update: 13

Source: Department of Energy & Environmental Protection
Telephone: 860-424-3375
Last EDR Contact: 02/12/2021
Next Scheduled EDR Contact: 05/24/2021
Data Release Frequency: No Update Planned

NJ MANIFEST: Manifest Information

Hazardous waste manifest information.

Date of Government Version: 12/31/2018
Date Data Arrived at EDR: 04/10/2019
Date Made Active in Reports: 05/16/2019
Number of Days to Update: 36

Source: Department of Environmental Protection
Telephone: N/A
Last EDR Contact: 04/09/2021
Next Scheduled EDR Contact: 07/19/2021
Data Release Frequency: Annually

NY MANIFEST: Facility and Manifest Data

Manifest is a document that lists and tracks hazardous waste from the generator through transporters to a TSD facility.

Date of Government Version: 01/01/2019
Date Data Arrived at EDR: 04/29/2020
Date Made Active in Reports: 07/10/2020
Number of Days to Update: 72

Source: Department of Environmental Conservation
Telephone: 518-402-8651
Last EDR Contact: 01/29/2021
Next Scheduled EDR Contact: 05/10/2021
Data Release Frequency: Quarterly

PA MANIFEST: Manifest Information

Hazardous waste manifest information.

Date of Government Version: 06/30/2018
Date Data Arrived at EDR: 07/19/2019
Date Made Active in Reports: 09/10/2019
Number of Days to Update: 53

Source: Department of Environmental Protection
Telephone: 717-783-8990
Last EDR Contact: 04/09/2021
Next Scheduled EDR Contact: 07/26/2021
Data Release Frequency: Annually

RI MANIFEST: Manifest information

Hazardous waste manifest information

Date of Government Version: 12/31/2019
Date Data Arrived at EDR: 02/11/2021
Date Made Active in Reports: 02/24/2021
Number of Days to Update: 13

Source: Department of Environmental Management
Telephone: 401-222-2797
Last EDR Contact: 02/09/2021
Next Scheduled EDR Contact: 05/31/2021
Data Release Frequency: Annually

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

WI MANIFEST: Manifest Information

Hazardous waste manifest information.

Date of Government Version: 05/31/2018

Date Data Arrived at EDR: 06/19/2019

Date Made Active in Reports: 09/03/2019

Number of Days to Update: 76

Source: Department of Natural Resources

Telephone: N/A

Last EDR Contact: 03/08/2021

Next Scheduled EDR Contact: 06/21/2021

Data Release Frequency: Annually

Oil/Gas Pipelines

Source: Endeavor Business Media

Petroleum Bundle (Crude Oil, Refined Products, Petrochemicals, Gas Liquids (LPG/NGL), and Specialty Gases (Miscellaneous)) N = Natural Gas Bundle (Natural Gas, Gas Liquids (LPG/NGL), and Specialty Gases (Miscellaneous)). This map includes information copyrighted by Endeavor Business Media. This information is provided on a best effort basis and Endeavor Business Media does not guarantee its accuracy nor warrant its fitness for any particular purpose. Such information has been reprinted with the permission of Endeavor Business Media.

Electric Power Transmission Line Data

Source: Endeavor Business Media

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Sensitive Receptors: There are individuals deemed sensitive receptors due to their fragile immune systems and special sensitivity to environmental discharges. These sensitive receptors typically include the elderly, the sick, and children. While the location of all sensitive receptors cannot be determined, EDR indicates those buildings and facilities - schools, daycares, hospitals, medical centers, and nursing homes - where individuals who are sensitive receptors are likely to be located.

AHA Hospitals:

Source: American Hospital Association, Inc.

Telephone: 312-280-5991

The database includes a listing of hospitals based on the American Hospital Association's annual survey of hospitals.

Medical Centers: Provider of Services Listing

Source: Centers for Medicare & Medicaid Services

Telephone: 410-786-3000

A listing of hospitals with Medicare provider number, produced by Centers of Medicare & Medicaid Services, a federal agency within the U.S. Department of Health and Human Services.

Nursing Homes

Source: National Institutes of Health

Telephone: 301-594-6248

Information on Medicare and Medicaid certified nursing homes in the United States.

Public Schools

Source: National Center for Education Statistics

Telephone: 202-502-7300

The National Center for Education Statistics' primary database on elementary and secondary public education in the United States. It is a comprehensive, annual, national statistical database of all public elementary and secondary schools and school districts, which contains data that are comparable across all states.

Private Schools

Source: National Center for Education Statistics

Telephone: 202-502-7300

The National Center for Education Statistics' primary database on private school locations in the United States.

Daycare Centers: Child Care Facility List

Source: Department of Health & Human Services

Telephone: 919-662-4499

Flood Zone Data: This data was obtained from the Federal Emergency Management Agency (FEMA). It depicts 100-year and 500-year flood zones as defined by FEMA. It includes the National Flood Hazard Layer (NFHL) which incorporates Flood Insurance Rate Map (FIRM) data and Q3 data from FEMA in areas not covered by NFHL.

Source: FEMA

Telephone: 877-336-2627

Date of Government Version: 2003, 2015

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002, 2005 and 2010 from the U.S. Fish and Wildlife Service.

State Wetlands Data: Wetland Inventory
Source: US Fish & Wildlife Service
Telephone: 703-358-2171

Current USGS 7.5 Minute Topographic Map
Source: U.S. Geological Survey

STREET AND ADDRESS INFORMATION

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GEOCHECK[®] - PHYSICAL SETTING SOURCE ADDENDUM

TARGET PROPERTY ADDRESS

DFI PHASE 2 ESA
WEST MORGANTON ROAD/SOUTH HENLEY STREET
SOUTHERN PINES, NC 28387

TARGET PROPERTY COORDINATES

Latitude (North):	35.17466 - 35° 10' 28.78"
Longitude (West):	79.411525 - 79° 24' 41.49"
Universal Transverse Mercator:	Zone 17
UTM X (Meters):	644651.9
UTM Y (Meters):	3893369.8
Elevation:	605 ft. above sea level

USGS TOPOGRAPHIC MAP

Target Property Map:	5945667 SOUTHERN PINES, NC
Version Date:	2013

EDR's GeoCheck Physical Setting Source Addendum is provided to assist the environmental professional in forming an opinion about the impact of potential contaminant migration.

Assessment of the impact of contaminant migration generally has two principle investigative components:

1. Groundwater flow direction, and
2. Groundwater flow velocity.

Groundwater flow direction may be impacted by surface topography, hydrology, hydrogeology, characteristics of the soil, and nearby wells. Groundwater flow velocity is generally impacted by the nature of the geologic strata.

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

GROUNDWATER FLOW DIRECTION INFORMATION

Groundwater flow direction for a particular site is best determined by a qualified environmental professional using site-specific well data. If such data is not reasonably ascertainable, it may be necessary to rely on other sources of information, such as surface topographic information, hydrologic information, hydrogeologic data collected on nearby properties, and regional groundwater flow information (from deep aquifers).

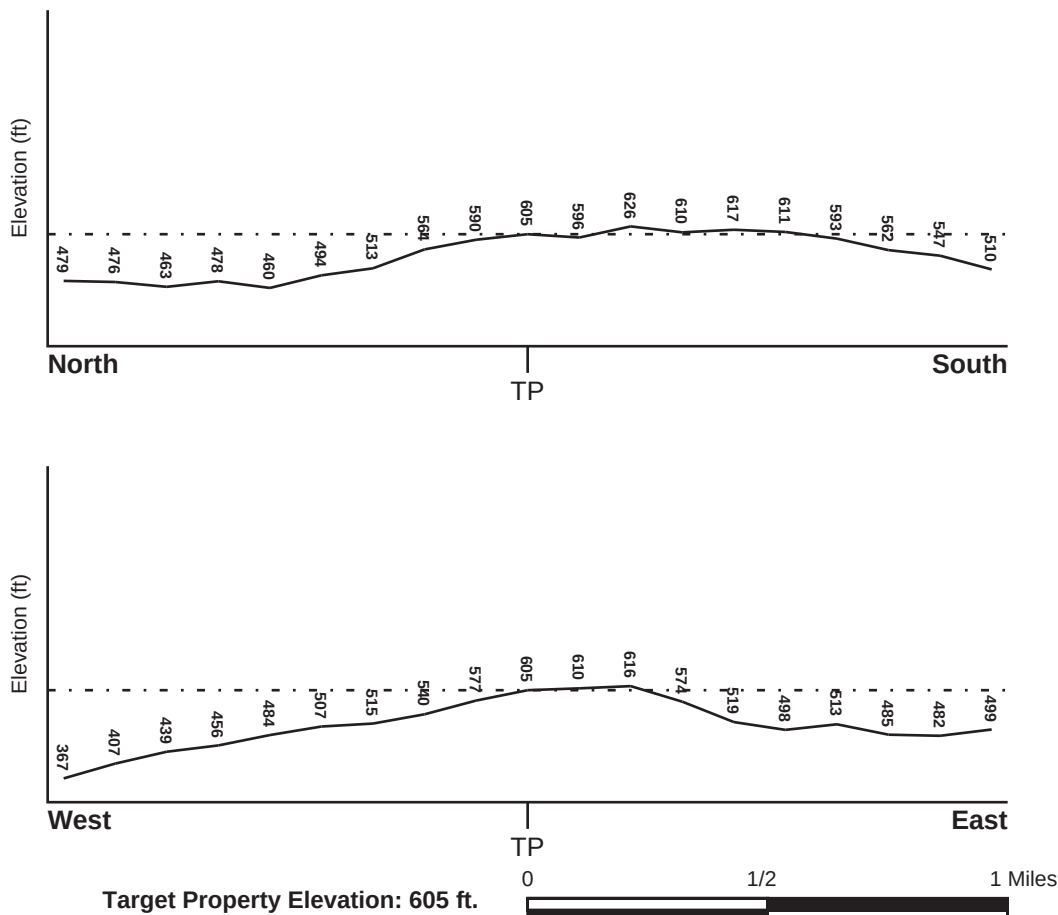
TOPOGRAPHIC INFORMATION

Surface topography may be indicative of the direction of surficial groundwater flow. This information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

TARGET PROPERTY TOPOGRAPHY

General Topographic Gradient: General NW

SURROUNDING TOPOGRAPHY: ELEVATION PROFILES



Source: Topography has been determined from the USGS 7.5' Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified.

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

HYDROLOGIC INFORMATION

Surface water can act as a hydrologic barrier to groundwater flow. Such hydrologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

Refer to the Physical Setting Source Map following this summary for hydrologic information (major waterways and bodies of water).

FEMA FLOOD ZONE

<u>Flood Plain Panel at Target Property</u>	<u>FEMA Source Type</u>
3710857100J	FEMA FIRM Flood data
<u>Additional Panels in search area:</u>	<u>FEMA Source Type</u>
3710858200J	FEMA FIRM Flood data
3710857200J	FEMA FIRM Flood data
3710858000J	FEMA FIRM Flood data

NATIONAL WETLAND INVENTORY

<u>NWI Quad at Target Property</u>	<u>NWI Electronic Data Coverage</u>
SOUTHERN PINES	YES - refer to the Overview Map and Detail Map

HYDROGEOLOGIC INFORMATION

Hydrogeologic information obtained by installation of wells on a specific site can often be an indicator of groundwater flow direction in the immediate area. Such hydrogeologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

AQUIFLOW®

Search Radius: 1.000 Mile.

EDR has developed the AQUIFLOW Information System to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted by environmental professionals to regulatory authorities at select sites and has extracted the date of the report, groundwater flow direction as determined hydrogeologically, and the depth to water table.

<u>MAP ID</u>	<u>LOCATION FROM TP</u>	<u>GENERAL DIRECTION GROUNDWATER FLOW</u>
Not Reported		

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

GROUNDWATER FLOW VELOCITY INFORMATION

Groundwater flow velocity information for a particular site is best determined by a qualified environmental professional using site specific geologic and soil strata data. If such data are not reasonably ascertainable, it may be necessary to rely on other sources of information, including geologic age identification, rock stratigraphic unit and soil characteristics data collected on nearby properties and regional soil information. In general, contaminant plumes move more quickly through sandy-gravelly types of soils than silty-clayey types of soils.

GEOLOGIC INFORMATION IN GENERAL AREA OF TARGET PROPERTY

Geologic information can be used by the environmental professional in forming an opinion about the relative speed at which contaminant migration may be occurring.

ROCK STRATIGRAPHIC UNIT

Era: Mesozoic
System: Cretaceous
Series: Woodbine and Tuscaloosa Groups
Code: uK1 *(decoded above as Era, System & Series)*

GEOLOGIC AGE IDENTIFICATION

Category: Stratified Sequence

Geologic Age and Rock Stratigraphic Unit Source: P.G. Schruben, R.E. Arndt and W.J. Bawiec, Geology of the Conterminous U.S. at 1:2,500,000 Scale - a digital representation of the 1974 P.B. King and H.M. Beikman Map, USGS Digital Data Series DDS - 11 (1994).

DOMINANT SOIL COMPOSITION IN GENERAL AREA OF TARGET PROPERTY

The U.S. Department of Agriculture's (USDA) Soil Conservation Service (SCS) leads the National Cooperative Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. Soil maps for STATSGO are compiled by generalizing more detailed (SSURGO) soil survey maps. The following information is based on Soil Conservation Service STATSGO data.

Soil Component Name: CANDOR

Soil Surface Texture: sand

Hydrologic Group: Class A - High infiltration rates. Soils are deep, well drained to excessively drained sands and gravels.

Soil Drainage Class: Somewhat excessive. Soils have high hydraulic conductivity and low water holding capacity. Depth to water table is more than 6 feet.

Hydric Status: Soil does not meet the requirements for a hydric soil.

Corrosion Potential - Uncoated Steel: LOW

Depth to Bedrock Min: > 60 inches

Depth to Bedrock Max: > 60 inches

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Permeability Rate (in/hr)	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
1	0 inches	21 inches	sand	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Silty Sand.	Max: 20.00 Min: 6.00	Max: 6.00 Min: 3.60
2	21 inches	34 inches	loamy sand	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Silty Sand.	Max: 20.00 Min: 6.00	Max: 5.50 Min: 3.60
3	34 inches	56 inches	sand	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Silty Sand.	Max: 20.00 Min: 6.00	Max: 5.50 Min: 3.60
4	56 inches	72 inches	sandy loam	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Clayey sand.	Max: 2.00 Min: 0.60	Max: 5.50 Min: 3.60
5	72 inches	80 inches	variable	Not reported	Not reported	Max: 0.00 Min: 0.00	Max: 0.00 Min: 0.00

OTHER SOIL TYPES IN AREA

Based on Soil Conservation Service STATSGO data, the following additional subordinant soil types may appear within the general area of target property.

Soil Surface Textures: loamy sand
loam
sandy loam

Surficial Soil Types: loamy sand
loam
sandy loam

Shallow Soil Types: sand
sandy loam
sandy clay
sandy clay loam

Deeper Soil Types: sand
stratified
sandy clay loam

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

LOCAL / REGIONAL WATER AGENCY RECORDS

EDR Local/Regional Water Agency records provide water well information to assist the environmental professional in assessing sources that may impact ground water flow direction, and in forming an opinion about the impact of contaminant migration on nearby drinking water wells.

WELL SEARCH DISTANCE INFORMATION

<u>DATABASE</u>	<u>SEARCH DISTANCE (miles)</u>
Federal USGS	1.000
Federal FRDS PWS	Nearest PWS within 1 mile
State Database	1.000

FEDERAL USGS WELL INFORMATION

<u>MAP ID</u>	<u>WELL ID</u>	<u>LOCATION FROM TP</u>
A1	USGS40000885194	1/8 - 1/4 Mile ESE
A2	USGS40000885195	1/8 - 1/4 Mile ESE
A3	USGS40000885196	1/8 - 1/4 Mile ESE
A4	USGS40000885193	1/8 - 1/4 Mile ESE
5	USGS40000885119	1/2 - 1 Mile SW
6	USGS40000885120	1/2 - 1 Mile SW

FEDERAL FRDS PUBLIC WATER SUPPLY SYSTEM INFORMATION

<u>MAP ID</u>	<u>WELL ID</u>	<u>LOCATION FROM TP</u>
No PWS System Found		

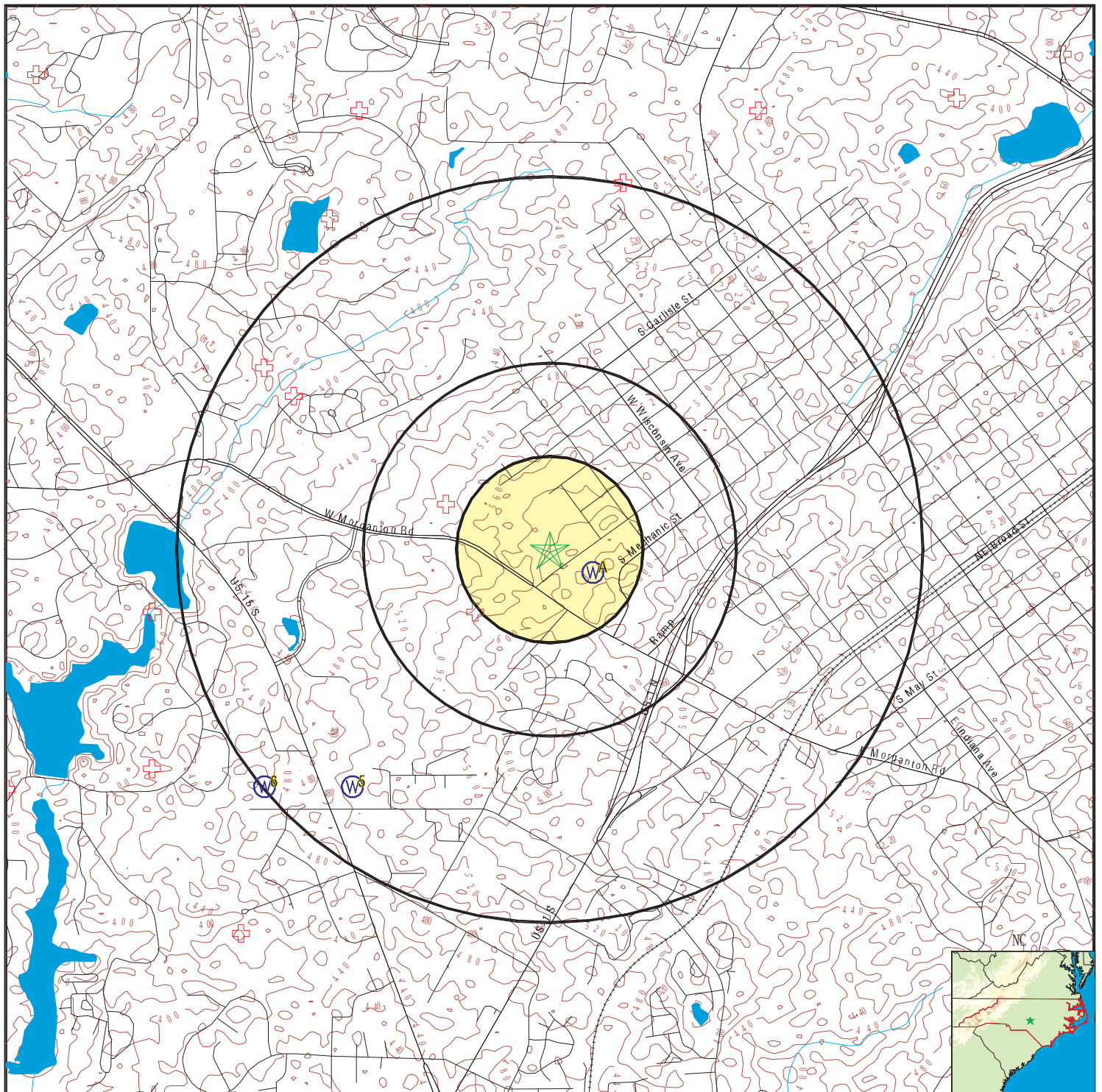
Note: PWS System location is not always the same as well location.

STATE DATABASE WELL INFORMATION

<u>MAP ID</u>	<u>WELL ID</u>	<u>LOCATION FROM TP</u>
No Wells Found		

OTHER STATE DATABASE INFORMATION

PHYSICAL SETTING SOURCE MAP - 6461526.2s



- | | | |
|--|--|---------------------------|
| County Boundary | Groundwater Flow Direction | Wildlife Areas |
| Major Roads | Indeterminate Groundwater Flow at Location | Natural Areas |
| Contour Lines | Groundwater Flow Varies at Location | Rare & Endangered Species |
| Earthquake epicenter, Richter 5 or greater | | |
| Water Wells | | |
| Public Water Supply Wells | | |
| Cluster of Multiple Icons | | |

SITE NAME: DFI Phase 2 ESA
 ADDRESS: West Morganton Road/South Henley Street
 Southern Pines NC 28387
 LAT/LONG: 35.17466 / 79.411525

CLIENT: Modulus, PLLC
 CONTACT: Aric V Geda
 INQUIRY #: 6461526.2s
 DATE: April 22, 2021 11:38 am

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

Database EDR ID Number

A1
ESE
1/8 - 1/4 Mile
Higher

FED USGS USGS40000885194

Organization ID:	USGS-NC		
Organization Name:	USGS North Carolina Water Science Center		
Monitor Location:	MO-140 SO PINES ARM RSY4	Type:	Well
Description:	Not Reported	HUC:	03040203
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Units:	Not Reported
Aquifer:	Surficial aquifer system		
Formation Type:	Post Miocene (Quaternary + Pliocene) Rocks		
Aquifer Type:	Not Reported	Construction Date:	19780919
Well Depth:	88.45	Well Depth Units:	ft
Well Hole Depth:	Not Reported	Well Hole Depth Units:	Not Reported

Ground water levels, Number of Measurements:	28	Level reading date:	2004-10-25
Feet below surface:	80.32	Feet to sea level:	Not Reported
Note:	Not Reported		

Level reading date:	1990-09-06	Feet below surface:	82.72
Feet to sea level:	Not Reported		
Note:	Other conditions existed that would affect the measured water level.		

Level reading date:	1983-06-23	Feet below surface:	82.85
Feet to sea level:	Not Reported	Note:	Not Reported

Level reading date:	1983-05-06	Feet below surface:	82.82
Feet to sea level:	Not Reported	Note:	Not Reported

Level reading date:	1983-03-17	Feet below surface:	82.47
Feet to sea level:	Not Reported	Note:	Not Reported

Level reading date:	1983-01-18	Feet below surface:	82.53
Feet to sea level:	Not Reported	Note:	Not Reported

Level reading date:	1982-11-18	Feet below surface:	83.08
Feet to sea level:	Not Reported	Note:	Not Reported

Level reading date:	1982-10-27	Feet below surface:	83.12
Feet to sea level:	Not Reported	Note:	Not Reported

Level reading date:	1982-03-11	Feet below surface:	83.42
Feet to sea level:	Not Reported	Note:	Not Reported

Level reading date:	1981-08-18	Feet below surface:	84.12
Feet to sea level:	Not Reported	Note:	Not Reported

Level reading date:	1981-07-28	Feet below surface:	82.62
Feet to sea level:	Not Reported	Note:	Not Reported

Level reading date:	1981-07-15	Feet below surface:	83.15
Feet to sea level:	Not Reported	Note:	Not Reported

Level reading date:	1981-03-18	Feet below surface:	81.87
Feet to sea level:	Not Reported	Note:	Not Reported

Level reading date:	1981-02-06	Feet below surface:	82.23
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GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1980-11-13	Feet below surface:	82.50
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1980-09-25	Feet below surface:	82.48
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1980-08-21	Feet below surface:	82.43
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1980-07-24	Feet below surface:	81.65
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1980-05-14	Feet below surface:	78.84
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1980-04-23	Feet below surface:	78.89
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1980-03-12	Feet below surface:	79.57
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1980-01-21	Feet below surface:	78.96
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1979-11-20	Feet below surface:	79.90
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1979-10-26	Feet below surface:	80.75
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1979-08-28	Feet below surface:	81.15
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1979-07-12	Feet below surface:	78.22
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1979-05-30	Feet below surface:	77.18
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1978-09-19	Feet below surface:	74.83
Feet to sea level:	Not Reported	Note:	Not Reported

A2
ESE
1/8 - 1/4 Mile
Higher

FED USGS USGS40000885195

Organization ID:	USGS-NC		
Organization Name:	USGS North Carolina Water Science Center		
Monitor Location:	MO-233 SO PINES AR RSY3X		
Type:	Well: Test hole not completed as a well		
Description:	TEST HOLE NO. 1	HUC:	03040203
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Units:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19780616
Well Depth:	Not Reported	Well Depth Units:	Not Reported
Well Hole Depth:	225	Well Hole Depth Units:	ft

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

Database EDR ID Number

A3
ESE
1/8 - 1/4 Mile
Higher

FED USGS USGS40000885196

Organization ID:	USGS-NC		
Organization Name:	USGS North Carolina Water Science Center		
Monitor Location:	MO-232 SO PINES ARM RSYI		
Type:	Well: Test hole not completed as a well		
Description:	TEST HOLE NO. 2	HUC:	03040203
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Units:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19771004
Well Depth:	Not Reported	Well Depth Units:	Not Reported
Well Hole Depth:	303	Well Hole Depth Units:	ft

A4
ESE
1/8 - 1/4 Mile
Higher

FED USGS USGS40000885193

Organization ID:	USGS-NC		
Organization Name:	USGS North Carolina Water Science Center		
Monitor Location:	MO-139 SO PINES ARM RSY3	Type:	Well
Description:	Not Reported	HUC:	03040203
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Units:	Not Reported
Aquifer:	Northern Atlantic Coastal Plain aquifer system		
Formation Type:	Black Creek Aquifer, Lower		
Aquifer Type:	Not Reported	Construction Date:	19780619
Well Depth:	222.6	Well Depth Units:	ft
Well Hole Depth:	Not Reported	Well Hole Depth Units:	Not Reported

Ground water levels,Number of Measurements:	24	Level reading date:	1990-09-06
Feet below surface:	147.04	Feet to sea level:	Not Reported
Note:	Not Reported		
Level reading date:	1983-06-23	Feet below surface:	156.42
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1983-05-06	Feet below surface:	156.39
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1983-03-17	Feet below surface:	156.08
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1983-01-18	Feet below surface:	156.09
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1982-11-18	Feet below surface:	155.16
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1982-10-27	Feet below surface:	155.09
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1982-03-11	Feet below surface:	153.55

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1981-08-18	Feet below surface:	156.12
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1981-07-28	Feet below surface:	158.32
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1981-07-15	Feet below surface:	158.08
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1981-03-18	Feet below surface:	154.59
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1981-02-06	Feet below surface:	153.82
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1980-11-13	Feet below surface:	153.95
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1980-09-25	Feet below surface:	153.93
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1980-08-21	Feet below surface:	153.87
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1980-07-24	Feet below surface:	153.73
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1980-05-14	Feet below surface:	151.99
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1980-04-23	Feet below surface:	151.94
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1980-03-12	Feet below surface:	152.76
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1980-01-21	Feet below surface:	148.09
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1979-07-12	Feet below surface:	148.82
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1979-05-30	Feet below surface:	148.38
Feet to sea level:	Not Reported	Note:	Not Reported
Level reading date:	1978-06-19	Feet below surface:	145.42
Feet to sea level:	Not Reported	Note:	Not Reported

5
SW
1/2 - 1 Mile
Lower

FED USGS USGS40000885119

Organization ID:	USGS-NC		
Organization Name:	USGS North Carolina Water Science Center		
Monitor Location:	MO-189 TEXACO ON SR-1204	Type:	Well
Description:	Not Reported	HUC:	03040203
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Aquifer:	Northern Atlantic Coastal Plain aquifer system		
Formation Type:	Black Creek Aquifer, Upper		
Aquifer Type:	Not Reported	Construction Date:	Not Reported
Well Depth:	80	Well Depth Units:	ft
Well Hole Depth:	Not Reported	Well Hole Depth Units:	Not Reported

Ground water levels,Number of Measurements:	1	Level reading date:	1990-09-14
Feet below surface:	68.6	Feet to sea level:	Not Reported
Note:	Not Reported		

6
SW
1/2 - 1 Mile
Lower

FED USGS USGS40000885120

Organization ID:	USGS-NC		
Organization Name:	USGS North Carolina Water Science Center		
Monitor Location:	MO-194 SR-1204 WELL	Type:	Well
Description:	Not Reported	HUC:	03040203
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Northern Atlantic Coastal Plain aquifer system		
Formation Type:	Black Creek Aquifer, Upper		
Aquifer Type:	Not Reported	Construction Date:	Not Reported
Well Depth:	44.15	Well Depth Units:	ft
Well Hole Depth:	Not Reported	Well Hole Depth Units:	Not Reported

Ground water levels,Number of Measurements:	1	Level reading date:	1990-09-12
Feet below surface:	36.2	Feet to sea level:	Not Reported
Note:	A nearby site that taps the same aquifer was being pumped.		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance

Database EDR ID Number

Elclass:	A	Precision1:	NC_NHEO	NC50000020
Eostat:	H	Gisid:	M	
Edr id:	NC50000020		3441617	

Elclass:	A	Precision1:	NC_NHEO	NC50001142
Eostat:	E	Gisid:	M	
Edr id:	NC50001142		3711617	

Elclass:	A	Precision1:	NC_NHEO	NC50004940
Eostat:	H	Gisid:	S	
Edr id:	NC50004940		6151617	

Elclass:	A	Precision1:	NC_NHEO	NC50008099
Eostat:	E	Gisid:	S	
Edr id:	NC50008099		1361617	

Elclass:	A	Precision1:	NC_NHEO	NC50008627
Eostat:	E	Gisid:	S	
Edr id:	NC50008627		4481617	

Elclass:	A	Precision1:	NC_NHEO	NC50008856
Eostat:	H	Gisid:	G	
Edr id:	NC50008856		111811	

Elclass:	A	Precision1:	NC_NHEO	NC50010403
Eostat:	H	Gisid:	M	
Edr id:	NC50010403		3781617	

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance

Database EDR ID Number

Elclass:	P	Precision1:	NC_NHEO	NC50011044
Eostat:	E	Gisid:	S	
Edr id:	NC50011044		232637	

Elclass:	A	Precision1:	NC_NHEO	NC50011646
Eostat:	E	Gisid:	M	
Edr id:	NC50011646		3471617	

Elclass:	A	Precision1:	NC_NHEO	NC50012504
Eostat:	E	Gisid:	S	
Edr id:	NC50012504		1351617	

Elclass:	A	Precision1:	NC_NHEO	NC50013256
Eostat:	E	Gisid:	M	
Edr id:	NC50013256		3741617	

Elclass:	P	Precision1:	NC_NHEO	NC50013885
Eostat:	E	Gisid:	M	
Edr id:	NC50013885		272121	

Elclass:	P	Precision1:	NC_NHEO	NC50016550
Eostat:	X	Gisid:	S	
Edr id:	NC50016550		391613	

Elclass:	A	Precision1:	NC_NHEO	NC50016601
Eostat:	X	Gisid:	M	
Edr id:	NC50016601		3451617	

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance

Database

EDR ID Number

Elclass:
Eostat:
Edr id:

A
E
NC50017626

Precision1:
Gisid:

NC_NHEO
S
6081617

NC50017626

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS RADON

AREA RADON INFORMATION

State Database: NC Radon

Radon Test Results

Num Results	Avg pCi/L	Min pCi/L	Max pCi/L
2	0.85	0.6	1.1

Federal EPA Radon Zone for MOORE County: 3

Note: Zone 1 indoor average level > 4 pCi/L.
: Zone 2 indoor average level >= 2 pCi/L and <= 4 pCi/L.
: Zone 3 indoor average level < 2 pCi/L.

Federal Area Radon Information for MOORE COUNTY, NC

Number of sites tested: 7

Area	Average Activity	% <4 pCi/L	% 4-20 pCi/L	% >20 pCi/L
Living Area - 1st Floor	0.329 pCi/L	100%	0%	0%
Living Area - 2nd Floor	Not Reported	Not Reported	Not Reported	Not Reported
Basement	Not Reported	Not Reported	Not Reported	Not Reported

PHYSICAL SETTING SOURCE RECORDS SEARCHED

TOPOGRAPHIC INFORMATION

USGS 7.5' Digital Elevation Model (DEM)

Source: United States Geologic Survey

EDR acquired the USGS 7.5' Digital Elevation Model in 2002 and updated it in 2006. The 7.5 minute DEM corresponds to the USGS 1:24,000- and 1:25,000-scale topographic quadrangle maps. The DEM provides elevation data with consistent elevation units and projection.

Current USGS 7.5 Minute Topographic Map

Source: U.S. Geological Survey

HYDROLOGIC INFORMATION

Flood Zone Data: This data was obtained from the Federal Emergency Management Agency (FEMA). It depicts 100-year and 500-year flood zones as defined by FEMA. It includes the National Flood Hazard Layer (NFHL) which incorporates Flood Insurance Rate Map (FIRM) data and Q3 data from FEMA in areas not covered by NFHL.

Source: FEMA

Telephone: 877-336-2627

Date of Government Version: 2003, 2015

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002, 2005 and 2010 from the U.S. Fish and Wildlife Service.

State Wetlands Data: Wetland Inventory

Source: US Fish & Wildlife Service

Telephone: 703-358-2171

HYDROGEOLOGIC INFORMATION

AQUIFLOW^R Information System

Source: EDR proprietary database of groundwater flow information

EDR has developed the AQUIFLOW Information System (AIS) to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted to regulatory authorities at select sites and has extracted the date of the report, hydrogeologically determined groundwater flow direction and depth to water table information.

GEOLOGIC INFORMATION

Geologic Age and Rock Stratigraphic Unit

Source: P.G. Schruben, R.E. Arndt and W.J. Bawiec, Geology of the Conterminous U.S. at 1:2,500,000 Scale - A digital representation of the 1974 P.B. King and H.M. Beikman Map, USGS Digital Data Series DDS - 11 (1994).

STATSGO: State Soil Geographic Database

Source: Department of Agriculture, Natural Resources Conservation Service (NRCS)

The U.S. Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS) leads the national Conservation Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. Soil maps for STATSGO are compiled by generalizing more detailed (SSURGO) soil survey maps.

SSURGO: Soil Survey Geographic Database

Source: Department of Agriculture, Natural Resources Conservation Service (NRCS)

Telephone: 800-672-5559

SSURGO is the most detailed level of mapping done by the Natural Resources Conservation Service, mapping scales generally range from 1:12,000 to 1:63,360. Field mapping methods using national standards are used to construct the soil maps in the Soil Survey Geographic (SSURGO) database. SSURGO digitizing duplicates the original soil survey maps. This level of mapping is designed for use by landowners, townships and county natural resource planning and management.

PHYSICAL SETTING SOURCE RECORDS SEARCHED

LOCAL / REGIONAL WATER AGENCY RECORDS

FEDERAL WATER WELLS

PWS: Public Water Systems

Source: EPA/Office of Drinking Water

Telephone: 202-564-3750

Public Water System data from the Federal Reporting Data System. A PWS is any water system which provides water to at least 25 people for at least 60 days annually. PWSs provide water from wells, rivers and other sources.

PWS ENF: Public Water Systems Violation and Enforcement Data

Source: EPA/Office of Drinking Water

Telephone: 202-564-3750

Violation and Enforcement data for Public Water Systems from the Safe Drinking Water Information System (SDWIS) after August 1995. Prior to August 1995, the data came from the Federal Reporting Data System (FRDS).

USGS Water Wells: USGS National Water Inventory System (NWIS)

This database contains descriptive information on sites where the USGS collects or has collected data on surface water and/or groundwater. The groundwater data includes information on wells, springs, and other sources of groundwater.

STATE RECORDS

North Carolina Public Water Supply Wells

Source: Department of Environmental Health

Telephone: 919-715-3243

OTHER STATE DATABASE INFORMATION

North Carolina Wildlife Resources/Game Lands

Source: Center for Geographic Information and Analysis

Telephone: 919-733-2090

All publicly owned game lands managed by the North Carolina Wildlife Resources Commission and as listed in Hunting and Fishing Maps.

NC Natural Heritage Sites: Natural Heritage Element Occurrence Sites

Source: Natural Heritage Occurrence Sites Center for Geographic Information and Analysis

Telephone: 919-733-2090

A point coverage identifying locations of rare and endangered species, occurrences of exemplary or unique natural ecosystems (terrestrial or aquatic), and special animal habitats (e.g., colonial waterbird nesting sites).

NC Natural Areas: Significant Natural Heritage Areas

Source: Center for Geographic Information and Analysis

Telephone: 919-733-2090

A polygon coverage identifying sites (terrestrial or aquatic) that have particular biodiversity significance.

A site's significance may be due to the presence of rare species, rare or high quality natural communities, or other important ecological features.

RADON

State Database: NC Radon

Source: Department of Environment & Natural Resources

Telephone: 919-733-4984

Radon Statistical and Non Statistical Data

Area Radon Information

Source: USGS

Telephone: 703-356-4020

The National Radon Database has been developed by the U.S. Environmental Protection Agency (USEPA) and is a compilation of the EPA/State Residential Radon Survey and the National Residential Radon Survey. The study covers the years 1986 - 1992. Where necessary data has been supplemented by information collected at private sources such as universities and research institutions.

PHYSICAL SETTING SOURCE RECORDS SEARCHED

EPA Radon Zones

Source: EPA

Telephone: 703-356-4020

Sections 307 & 309 of IRAA directed EPA to list and identify areas of U.S. with the potential for elevated indoor radon levels.

OTHER

Airport Landing Facilities: Private and public use landing facilities

Source: Federal Aviation Administration, 800-457-6656

Epicenters: World earthquake epicenters, Richter 5 or greater

Source: Department of Commerce, National Oceanic and Atmospheric Administration

Earthquake Fault Lines: The fault lines displayed on EDR's Topographic map are digitized quaternary faultlines, prepared in 1975 by the United State Geological Survey

STREET AND ADDRESS INFORMATION

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APPENDIX VI

Statement of Qualifications



Aric V. Geda, PE
Principal Engineer

EDUCATION

B.S., Geological Engineering,
Michigan Technological University,
1987

PROFESSIONAL REGISTRATION

Professional Engineer – North
Carolina
Professional Engineer – Michigan
Licensed Builder- Michigan (expired)

PROFESSIONAL AFFILIATIONS

- International Facility Management Association (IFMA)
- NC Department of Commerce (NCDOC)
- North Carolina Economic Development Association (NCEDA)
- Durham Chamber of Commerce

CERTIFICATIONS AND TRAINING

- ASTM Technical and Professional Training Course on Risk-Based Corrective Action
- Behavior Based Safety (BBS) Certified
- 40-Hour OSHA Hazwopper
- 8-Hour OSHA Refresher
- Confined Space Entry-OSHA 29 CFR
- Master Property Condition Assessor
- Certified Mold Inspector
- AHERA Asbestos Inspector
- Niton XRF Trained for Lead Based Paint
- Ameron/Dualoy, Owens/Corning, and Fluid Containment Certified Tank/Piping Installer

Mr. Geda is a professional engineer with 27 years of broad based experience in the consulting engineering fields, including Construction Management, Property Condition Assessments, Building Envelope Assessments, Environmental Studies, Geotechnical Engineering, and Materials Testing & Special Inspections. Managed hundreds of construction projects while also administering department, branch, and regional divisions of large consulting firms. Mr. Geda was appointed as an advisor to the North Carolina Department of Commerce as a technical advisor on “Certified” (shovel ready) Sites. Current project management includes owner’s representation on construction of multi-story apartments, institutional buildings, government buildings, and sports stadiums for universities, local municipalities, and private developers.

Environmental specific experience includes National Pollution Discharge Elimination Systems (NPDES) permitting, preparing Spill Prevention, Control, and Countermeasure (SPCC) plans, Storm Water Pollution Prevention (SWP3) Plans, Environmental Compliance Audits, Asbestos, Mold, and Lead Based Paint (LBP) Inspections, Phase I and II Environmental Site Assessments (ESAs), NEPA studies, wetland evaluations, along with vapor intrusion, groundwater, and soil contamination assessments. Extensive experience with design and construction of most types of remediation systems and technologies, being personally involved with the design, permitting, installation, construction, operational evaluation, troubleshooting, modification, and operations and maintenance of hundreds of soil and groundwater remediation systems.

Select Environmental Engineering Project Experience

- Project Manager for Due Diligence Evaluations on 4 Glaxo Smith Kline buildings in Research Triangle Park, NC. Services included roofing, structural, mechanical/electrical/plumbing (MEP), pavement, site drainage, and life safety evaluations, asbestos evaluations, Phase I & II Environmental Site Assessments, and fume hood assessments
- Project Manager for Due Diligence Evaluations for Kmart Corp. in Michigan, Ohio, Iowa, Indiana, Illinois, and Kentucky. Services included due diligence evaluations of 120 facilities throughout the Midwest consisting of environmental site assessments, roofing, structural, pavement, site drainage, interior finish, and life safety evaluations, along with roofing and pavement evaluations. Project was completed within a 6-week time period.
- Principal Engineer and Project Manager for the Certification of 12 Sites in Johnston, Surry, Pitt, Columbus, Warren, and Vance Counties, NC. Services provided included environmental site assessments, NEPA assessments, wetland delineations, and geotechnical investigations as required for Certification.

Modulus, PLLC Invoice

Engineering · Due Diligence · Design

Modulus, PLLC
P.O. Box 935
Oak Ridge, North Carolina 27310
(919) 800-9093
aric@moduluspllc.com

Invoice No.	i1256
Invoice Date:	May 3, 2021
Modulus Project #	M1106
Bill To:	Town of Southern Pines
Address:	125 SE Broad Street Southern Pines, NC 28387
Contact:	Ms. Jessica Roth Assistant Town Manager
Phone:	910.692.7021
E-mail:	jroth@southernpines.net

PROJECT: DFI Phase 2 Study ESA, W. Morganton Road at S. Henley Street, Southern Pines, NC

[illegible]

Make all checks payable to Modulus, PLLC. Please remit to the address at the top of the page.
Total due upon receipt. Overdue accounts subject to a service charge of 1.5% per month.

Thank you for your business!



**PLANNING BOARD
RESOLUTION TO ADOPT A WRITTEN RECOMMENDATION
FOR CONCEPTUAL DEVELOPMENT PLAN APPLICATION
PD-01-23**

WHEREAS, Section 160D-604(d) of the North Carolina General Statutes specifies that the Planning Board shall provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the planning board, but that a comment by the Planning Board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board.

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

WHEREAS, the Planning Board conducted a public hearing on March 23, 2023 for consideration of a Planned Development Conceptual Development Plan (CDP) for the West Southern Pines Morganton-Henley plan;

NOW, THEREFORE BE IT RESOLVED that the Planning Board finds that the CDP is inconsistent with the Future Land Use Map, but consistent with all other goals and objectives of the Town of Southern Pines Comprehensive Long-Range Plan (CLRP). Therefore, the Planning Board recommends that the Town of Southern Pines Town Council—per State Statute Chapter 160D §605 (a)—approve a brief statement, including clear indication in the minutes, describing both consistency and inconsistency between the CDP and the CLRP, in effect amending the Future Land Use Map in the CLRP. The proposed CDP is across Morganton Road from the new Morganton Park South planned development district and adjacent to Pinehurst Surgical and Medical planned development, single-family residences, multi-family residential development, and Armory Park (within the Facilities, Resources, and Recreation district). The subject properties can be served by existing water and sewer facilities, and the CDP contains design requirements that will mitigate impacts of commercial development.

AND, THEREFORE, BE IT FURTHER RESOLVED that the following additional matters were considered by the Planning Board as a basis for a recommendation of approval to the Town Council regarding PD-01-23:

- 1.
- 2.

ADOPTED this the 23rd day of March, 2023.

Gary Carroll, Chairman

ATTEST:

Cindy Williams
Secretary to the Planning Board

From: [Cindy Williams](#)
To: [Archie Daniel](#); [Cindi King](#); [Cory Albers](#); [David Byrd](#); [Director](#); [James Michel](#); [Ken Skipper](#); [NCDOT](#); [ncsandhillsrcw@fws.gov](#); [Ron Istre](#); [Ron Maness](#)
Cc: [Alaina Mallette](#)
Subject: PD-01-23 WSP Conceptual Development Plan
Date: Thursday, March 2, 2023 2:32:44 PM
Attachments: [PD-01-23 PB PHN - Agency Comments.pdf](#)

Good afternoon,

Please see the attached information regarding a public hearing to be held before the Planning Board on March 23rd and respond with any comments or concerns as soon as possible.

Thank you.

Cindy Williams

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

From: [RLUAC Executive Director](#)
To: [Cindy Williams](#)
Subject: RE: PD-01-23 WSP Conceptual Development Plan
Date: Thursday, March 9, 2023 5:52:59 PM

Cindy,

RLUAC does not have any comments on this case.

Thanks,

Vagn

Vagn K. Hansen II, AICP, Executive Director
Regional Land Use Advisory Commission
6205 Raeford Road
Fayetteville, NC 28304
(910) 398-3743
director@rluac.com
www.rluac.com

From: Cindy Williams <CWilliams@southernpines.net>
Sent: Thursday, March 2, 2023 2:33 PM
To: Archie Daniel <adaniel@southernpines.net>; Cindi King <CKing@southernpines.net>; Cory Albers <calbers@southernpines.net>; David Byrd <DByrd@southernpines.net>; Director <director@rluac.com>; James Michel <JMichel@southernpines.net>; Ken Skipper <KSkipper@southernpines.net>; NCDOT <djuarezpozos@ncdot.gov>; ncsandhillsrcw@fws.gov; Ron Istre <Ristre@southernpines.net>; Ron Maness <rmaness@moorecountyairport.com>
Cc: Alaina Mallette <amallette@southernpines.net>
Subject: PD-01-23 WSP Conceptual Development Plan

Good afternoon,

Please see the attached information regarding a public hearing to be held before the Planning Board on March 23rd and respond with any comments or concerns as soon as possible.

Thank you.

Cindy Williams

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

Agenda Item

To: Planning Board

From: Pamela Graham, Principal Planner

Through: BJ Grieve, Planning Director

Subject: PD-02-23: Planned Development District - Conceptual Development Plan for +/- .786 acres on the west side of S. Bennett Street between New York Avenue and Pennsylvania Avenue

Date: March 23, 2023

I. SUMMARY OF APPLICATION REQUEST:

Mr. Colin Webster, on behalf of Grovsner Land, LLC, has submitted a Planned Development District – Conceptual Development Plan application pursuant to §2.18.4 of the Town of Southern Pines Unified Development Ordinance (UDO) to allow a mixed-use development containing residential uses in the form of condominiums, single-family townhouses, office, retail, and restaurant. The proposal's project area consists of two adjoining parcels totaling +/- .786 acres located in the Central Business (CB) Zoning and Downtown Transition Overlay Districts, identified as PIN: 858105282734 (PARID: 00032263) and PIN: 858105281747 (PARID: 00031983). The owner of record for both parcels is The Cottages at Legacy Lakes, LLC.

[illegible]

Figure 2: Vicinity Zoning Map

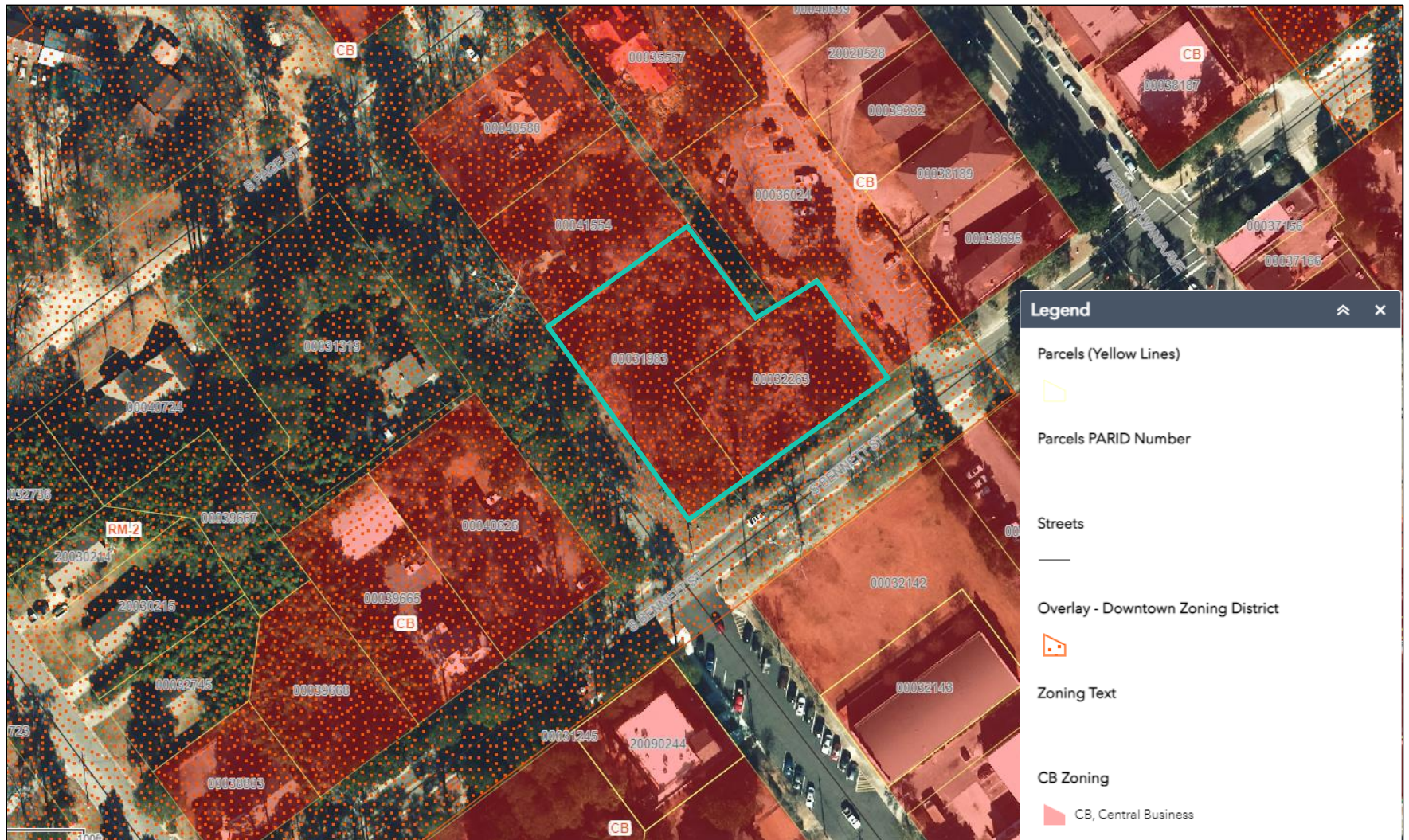


Figure 3: Oblique Aerial Image of Present Condition of Subject Property (February 3, 2023):



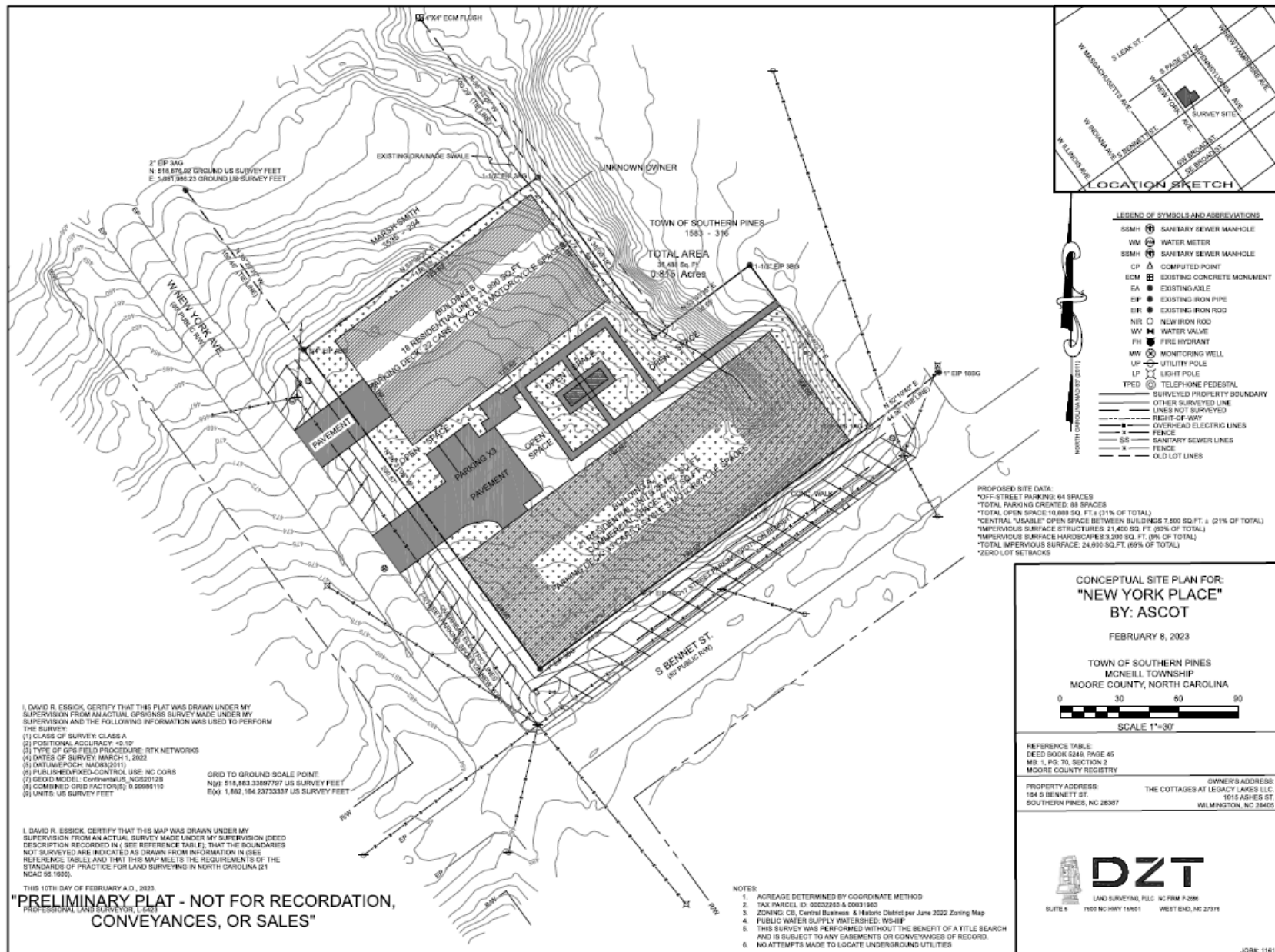
Figure 4: Oblique Aerial Image of Subject Property with Approximate Boundaries (February 3, 2023):



Figure 5: Future Land Use Map (PD-02-23):



Figure 6: Proposed Conceptual Development Plan Layout (PD-02-23):



PD-02-23 New York Place



II. STAFF REVIEW:

A. Review Process:

Applications for a Planned Development District (PD) are reviewed in accordance with UDO §2.18. Creating a Planned Development District is a three-step process including Conceptual Development Plan (CDP), Preliminary Development Plan (PDP) and Final Development Plan (FDP). The first step, CDP, is when the unique zoning standards to which the entire project will be subject in the future are established via a rezoning process. This application is for a CDP.

B. Application Review Dates:

- CDP Application Submitted: January 3, 2023 (subsequent submittals on February 15, 2023 and February 21, 2023)
- The developers held a Neighborhood Meeting on January 26, 2023 in compliance with UDO §2.18.3(D). A sign-in sheet and written comments from the meeting are attached to this staff report.
- Application Deemed Complete: February 17, 2023
- Notice of March 23, 2023 Planning Board Public Hearing:
 - Posted On-site: March 2, 2023
 - Mailed: March 2, 2023
 - Publication Dates: March 8, 2023 and March 15, 2023
 - Request for Agency Comments: February 24, 2023
- Planning Board Regular Meeting: March 23, 2023

C. Criteria for Review:

The criteria for review and approval of a Conceptual Development Plan (CDP) are found in UDO §2.18.4(H) and are listed in this section. Additionally, because an approved CDP proposal results in a new zoning designation for the subject property(ies), an application for approval of a Conceptual Development Plan (CDP) follows the *procedures* outlined in the UDO for a zoning map amendment and must address UDO *criteria* for a zoning map amendment as well as those of a CDP. The applicant has addressed the proposal's consistency with the zoning map amendment criteria in Section 2.4 of the submitted CDP document, which is offered below for ease of review. UDO language is provided at each numbered point, with the applicant's responses to the criteria following in italicized type.

1. Criteria for Zoning Map Amendments (UDO §2.17.9, A-H)

- a. **Consistency.** Rezoning shall be consistent with the adopted Comprehensive Plan.

“The proposed use is consistent with the CB zoning (page 146) which calls for “a wide variety of commercial activities (particularly those that are pedestrian-oriented) in an intensive development pattern in the town’s central business district. Also allows for mixed use with residences” ... the UDO further describes the CLRP’s intent as follows:

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

Furthermore, page 150 talks about the need for additional residential development in close proximity to the business corridor to help the vitality of Downtown businesses. However, parking for the additional residents should be configured so that it doesn't compete with existing demands for existing on-street parking spaces. It goes on to talk about the opportunity for tall buildings and the need for more on street parking near retail space. This project meets all the above standards."

Staff note: Staff has identified the following CLRP Goals and Policies that are relevant to the proposal:

G-3. Downtown – Enhance the commercial and civic vitality of Downtown while protecting its historic and aesthetic character, as well as its role as the focal point of the Town.

G-4. Neighborhoods – Protect and enhance the civic vitality, function, stability and character of Southern Pines commercial and residential neighborhoods.

G-10. Economy – Achieve a sustainable, resilient, balanced economy, providing community prosperity and fiscal health.

G-13. Growth – Ensure that services, facilities and land resources accommodate anticipated growth while enhancing the quality of life for Southern Pines' residents.

P-1. Downtown –

- Ensure that new growth and renovation in the Downtown are compatible with Downtown's overall scale, architectural, transportation and public-space characteristics.
- Manage growth, land use and infrastructure decisions within Town and ETJ in ways that preserve Downtown as Southern Pines' essential and defining commercial center.

P-2. Neighborhoods – Ensure that new development and redevelopment are compatible with the overall scale, architectural, transportation and public-space characteristics of the neighborhood in which it occurs.

P-3. Activity Centers – Encourage the development of compatible neighborhood mixed-use and civic activity centers that are accessible to neighborhoods and located so that traffic, parking and land use impacts are compatible with surrounding uses.

P-4 – Future Land Use – Use the future land use map in Chapter 4 of this Plan as a guide for zoning decisions. Recognizing that the map accommodates projected growth through the year 2040, decisions to approve zoning map amendments, proposed development and infrastructure extensions need to consider both the proposed future land use and whether the timing of the action is consistent with the

Town's other goals and policies. For instance, when considering action on a development proposal that matches the use shown on the future land use map, the Town should consider whether the development is premature and would encourage sprawl while reducing the incentive for infill development that would capitalize on existing infrastructure and support Downtown vitality. Staff note: The subject parcels are categorized as Commercial by the CLRP's Future Land Use Map.

P-11. Economy – Foster a healthy, sustainable and resilient economy by:

- Encouraging business diversity;
- Supporting a healthy mix of Downtown uses that capitalize on local and regional business.

P-15. Growth Coordination – To maintain the Town's fiscal integrity and ability to provide public facilities and services in a cost-effective manner:

- Favor infill development in areas with access to public facilities over development on the perimeter that requires extension of public facilities.

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

“The project shares common boundaries with public streets on two sides (New York Ave. and South Bennet St.). A third boundary is shared with a municipal parking lot and the fourth, with the office of Mr. Marsh Smith. This last would be the only one impacted in our view given that the height of the building exceeds his own. Air and sun are not affected given the east-west orientation of the property (sunlight travels east to west and prevailing winds are typically from the west). Nevertheless landscaping would be installed to help offset the visual impact of a structure next to Mr. Marsh's office. Public lighting would comply with the Town standards and wouldn't result in light projecting onto Mr. Marsh's property.

Stormwater would follow its current path and not result in increased runoff in accordance with State Pre-Post 10-year stormwater rules. Stormwater that comes off S. Bennet St. would be piped to the drainage easement at the upper end of the property to where it currently runs. Stormwater that originates onsite would be collected and treated in an underground cistern under the central park area and released at Pre 10-year rates. The result is that there would be no increase in the rate of stormwater from the site. A sketch of the stormwater concept is included in Appendix D.”

- c. **Suitability as Presently Zoned.** The Hearing Body shall consider the suitability or unsuitability of the tract for its use as presently zoned. This factor, like the others, should be weighed in relation to the other standards, and instances can exist in which the land may be rezoned to meet public need, to reflect substantially changed conditions in the neighborhood, or to effectuate important goals, objectives and policies of the Comprehensive Plan or UDO.

“The site is currently zoned CB. This zoning presently allows for all the proposed uses (residential, retail, restaurant, office). This zoning emanated from the CLRP that identified the above uses as consistent with downtown development. The request for PD zoning comes from the Town’s UDO that requires any residential project with more than 10 units obtain PD zoning.”

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

“The CLRP describes health as physical and fiscal. This project would enhance the fiscal well-being of the town by converting a non-performing asset into a performing asset with minimum cost impact on the Town’s finances. No additional roads or utility infrastructure is required. Utility locations are included on the included site plan, and a GIS map of existing water, sewer and electrical supply is attached as Appendix G. The project is within a few blocks of security and emergency services that are already equipped and trained to attend to the needs of this project. Physical health is provided by being within walking distance of downtown as well as providing ample active open space as shown on the site plan. Safety is provided by its location and environment.

Public welfare requires equitable access, encouragement of social interaction, and protection of the environment. This project would provide more affordable access than currently available in the area by nature of vertical construction efficiency, its location and design promote social interaction, and would contribute to replace vehicular traffic with pedestrian traffic as well as to slow down suburban sprawl.”

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

“The Town’s CLRP talks about the desire to support a vibrant downtown community and offers a policy on housing on page 60. It talks about the desirability of housing in proximity to the core as well as affordable housing options and promoting mixed use development.

Page 29 discusses sustenance of Downtown Vitality. Southern Pines' Downtown is the Town's key asset as is evident by the vision, goals, policies, and development of the Downtown Neighborhood Development Plan. Retaining an appropriate mix of uses, the historic character, the desirability of surrounding neighborhoods are key challenges facing the Town. An equally important challenge is to facilitate compatible infill (including residential, mixed-use and non-residential development) that would help support commercial uses and attract the private investment needed maintain Downtown's vibrancy.

The success of Southern Pines' downtown will likely depend on how successfully the community maintains the quantity, value and accessibility of housing in proximity to the core. Based on strong participant support, the Plan supports increasing the number of residences in the Downtown core.

The CLRP identified the desirable uses in the CB district to be a wide variety of commercial activities (particularly those that are pedestrian-oriented) in an intensive development pattern in the town's central business district, and mixed use with residences.

This project delivers on the stated objectives of this policy by providing mixed usage (residential, retail, restaurant, office space) within walking distance of the core's stores, entertainment, and jobs. It would offer more affordable housing options and minimize transportation and would help sustain property values and the Town's tax base."

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

"The size of the tract is in harmony with the vicinity and suitable for the intended use. The tract of approximately 0.8 acres is not substantially larger or smaller than other nearby tracts of land. For reference it is approximately the same size as the townhouse project under construction on the corner of Wisconsin and S Bennet St. It has public streets on two sides and a municipal parking lot on a third side. Utilities are present and traffic impact, while existent, would be minimal and could in fact have a positive long-term impact on in/out Town traffic by converting vehicular traffic into pedestrian traffic.

The plan projects a 69% impervious surface requiring a 5/70 allocation. Request for the allocation is included in the Appendices via Watershed Protection Permit Allocation request. An alternate method called Density Averaging was explored but no suitable sites found."

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

“This meets the definition of a commercial building and as such offers the Town the opportunity to ensure its architectural features are compatible and in harmony with the architectural character of the Town.”

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

Staff note: While this provision allows for conditional zonings to be bound by a specific range of land uses, Planned Development Zoning also provides for a range of specific land uses that will be allowed should the zoning be approved, and limits the project to those specific uses. This is clarified in UDO §2.18.4(I)(2) which states: “Approval of a Conceptual Development Plan shall constitute acceptance of the general land-use mix, range of Development types and intensities, street patterns, parks and open space, and pedestrian and bicycle trails”.

2. Criteria for Conceptual Development Plans (UDO §2.18.4, H, 1-4)

- a. The proposed PDD satisfies the criteria for a zoning map amendment established in this chapter.** A detailed response to this criterion is provided in Section C.1., a-h, above.
- b. The Conceptual Development Plan represents an overall Development Pattern that is consistent with the goals and policies of the Comprehensive Plan, Official Zoning Map, Capital Improvements Program, and any other applicable planning documents adopted by the Town.** The applicant has addressed the proposal’s consistency with the Town’s Comprehensive Long-Range Plan in the narrative submitted with the application, in *Section 2.4 – Criteria for Zoning Map Amendment*. This information is also provided in this report in Section C. 1., Criteria for Zoning Map Amendments, Subsection a. – Consistency.
- c. The proposed Development is appropriate for the area of the Town in which it is located.** The applicant’s response to this criterion can be found in *Section 2.4 – Compliance* of the CDP document (there are two sections numbered 2.4). While this section describes the proposal’s alignment with the purpose and regulations of the CB District rather than the PD District, it is important to note that the

proposal may indeed be consistent with both districts. The reason for the rezoning to PD is strictly due to the UDO requirement (§3.7.1(F)) that multi-family development proposals consisting of ten or more units be presented as Planned Developments.

In this section of the applicant's document, they describe how the proposal complies with the purposes of the Conceptual Development Plan (UDO §2.18.4), provide further justification for the development being an improvement over the current conditions of the property, and state that the project will not require an extension or upgrade of public utilities or services.

- d. **The proposed Development will not generate the need for inefficient extensions and expansions of public facilities, utilities and services.** The project site has direct access to existing water and sewer mains along S. Bennett Street and W. New York Avenue. Being contained within the Town's corporate boundary, the property is currently afforded police and fire protection. A Conceptual Stormwater Plan has been provided that proposes underground stormwater collection that will be conveyed to an existing natural drainage swale on land that appears to be a narrow unimproved Town right-of-way that runs north to S. Page Street. This conceptual plan was brought to the TRC's attention during their March 14, 2023 meeting, with no immediate issues noted.

D. Staff Comments:

1. The applicants have provided a narrative addressing the purpose of a Planned Development per UDO §2.18.4(A), and a narrative addressing the criteria for a CDP per UDO §2.18.4(H). Copies of the applicant's narrative documents containing their descriptions of the project's alignment with applicable criteria are attached to this staff report.
2. **Deviations from Unified Development Ordinance (UDO):**

The applicant has provided a CDP containing the design standards within the New York Place Planned Development. Any development design requirements not specifically modified within the CDP will default to the requirements set forth in the UDO. The following deviations from UDO standards have been identified by staff.

 1. **CDP Section 1.0 – Purpose/Summary** includes a request that the project be approved for four stories with an upper floor ceiling height of forty-four (44) feet. UDO §4.2.1(F) limits buildings in the Central Business and Planned Development Districts to three stories, with the ceiling of the top story not exceeding thirty-eight (38) feet in height. The applicant provides the following justification for the request: *“A three story alternative was considered and found unviable since it would come at the expense of the green interior open space, connectivity, mobility walkability and gatherings. It was also found to be economically infeasible. The overall building height of 50 feet vs the 45 foot maximum height allowed in the UDO is consistent with other buildings close by on Pennsylvania and Bennett St. For perspective, the heights of the buildings on*

the corner of New York and S. Bennet as well at 271-287 W. Pennsylvania are both of similar height (see below).”



The applicant has also provided a cross-section drawing that compares the height of the Southern Pines Growler building almost directly across Bennett Street from the project site with the proposed height of the front of the building that is intended to front Bennett Street in the CDP submittal. This drawing is included with this report as Attachment 8.

2. CDP Section 2.0 – Project Overview addresses the applicant’s parking proposal as follows: *“Underground garage space is provided for both buildings. Additional street parking provided on S. Bennett and W. New York St. is proposed for general public usage and traffic calming. 64 parking spaces would be provided onsite of which 61 would be underground and not visible, plus bicycle parking at ground level. An additional 23 street parking spaces would be created on W. New York and S. Bennet St.*

The applicant addresses parking further in **Section 4.3 – Parking** as follows: *“The UDO’s onsite parking requirements for this project would be 92. This plan proposes the creation of 64 spaces onsite. It proposes the creation of an additional 23 spaces on the public right of way. While the UDO does not allow these additional spaces be counted towards the required total, it would provide needed spaces in the area, and act as a traffic calming device on S. Bennet. There is also public parking next to the project for reference.”*

Staff note: This request constitutes a deviation from the parking standard. However, there are additional relevant factors that may be considered. Those include the following:

- i. UDO §3.5.14 (A)(6) states that common or shared parking is encouraged in Planned Development Districts. The proposed on-street parking spaces may be considered common parking, as are the +/- 32 spaces in the Town-owned parking lot immediately adjacent to the site.
- ii. Should the Planning Board and Town Council wish to consider flexibility on the parking requirements for this project, some justification may be derived from the UDO §4.5.3(A) exemption for off-street parking

requirements for the area of downtown that includes properties directly across Bennett Street from the project area, though the subject properties lie just outside of this area.

3. **CDP Section 4.2 – Design Elements, Table 4.2.2** addresses the CDP’s dimensional standards as compared to those of the UDO. Staff has noted deviations from UDO standards by revising the table to red text where those deviations exist.

Design Element	Principal Structure Standards	Discussion
Maximum Roof Height	50'	vs 45 feet in UDO
Maximum Ceiling Height	44'	vs 38 feet in UDO
Number of Floor	4 Floors	vs 3 floor in UDO
Maximum Front setback	10'	vs 5 feet in UDO
Minimum Side setback	No Minimum	Consistent with UDO
Minimum Rear setback	No Minimum	Consistent with UDO
Maximum Lot Width	No Maximum	50' Exhibit 3.8 Ref 4.2.1 *
Minimum Lot Size	No Minimum	None Exhibit 3.8 Ref 4.2.1 *

* As pre-established lots, these standards are not applicable

It should be noted that the CLRP addresses building heights on pages 154/162 and 155/162 in the Downtown Neighborhood Development Plan, as follows:

“Continue measuring height in the CB district based on the frontage along Broad Street and Pennsylvania Avenue. Evaluate allowing for greater heights on the backs of lots ... Building height standards should be clarified to address development that extends the full depth of lots. While the current standards are clear and function well on most sites, the difference in grade between Broad and Bennett Streets from Massachusetts to Indiana Streets is significant enough to allow for significant building heights along Bennett if heights are based on the Broad Street frontage.” GIS contours available for the subject property suggest a +/- 10' fall in elevation from the Bennett Street right-of-way to the rear of the property.

3. Consultation with Technical Review Committee:

The proposed development was presented to the Town of Southern Pines Technical Review Committee (TRC) on March 14, 2023. The discussion was primarily focused on the Conceptual Drainage Plan, with no major issues noted, and the fact that the off-street parking shown on the plans will need to fall into one of the standard angled dimensions found in UDO Exhibit 4-7.

At this time, the TRC is unable to provide further specific feedback because the CDP process focuses primarily on zoning standards rather than specific design components to review. Should the CDP be approved, the TRC will meet again to review more specific plans submitted with future applications for Preliminary Development Plans.

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

- The application has included a Watershed Protection Permit application with the CDP submittal. The application indicates that 69% of the site's +/- .80 acres will be built upon at the conclusion of construction. Pursuant to UDO Exhibit 3-14, development proposals located in the Central Business District shall qualify for 5/70 Exemption Allocation on a first come, first serve basis. The current balance of exemption allocation in the Little River Intake No. 2 Water Supply Watershed is 449.82 acres. Approval of the CDP will result in a reduction in this acreage of .786 acres.
- The proposed Planned Development is located within the Downtown Transition Overlay (DTO). This overlay intends to allow greater land use flexibility than the CB District and promotes compatible design transitions in blocks facing the Historic District Overlay district. It also creates a set of use and development standards for the area. While it is common for Planned Developments to create their own use and development standards, the following standards from the DTO are relevant to this proposal, and will apply due to there being no deviation requests contained within the CDP:
 - Non-residential and mixed use buildings shall comply with the design standards of section 4.10.
 - Sign standards for any parcel facing the Historic District Overlay district shall comply with adopted Historic District Standards as interpreted by the Planning Director.
- Although the CDP document states that the estimated number of trips are below the minimums that require a traffic study, a Traffic Design Analysis (TDA) will be required for the project based on the CDP's estimate of 557 average daily trips generated by the development. Town Engineer James Michel is in discussion with the applicant's project engineer to establish the specific study area and information that will be required to be included in the TDA.

III. Cooperating Agency Review and Comments:

A request for comments from agencies was emailed to representatives of the Town's Technical Review Committee (TRC), the North Carolina Department of Transportation (NCDOT), U.S. Fish and Wildlife Service, and Regional Land Use Advisory Commission (RLUAC) on February 24, 2023.

- Vagn Hansen with RLUAC responded that the agency did not have any comment on this case.

IV. ATTACHMENTS:

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

1. DRAFT Planning Board Resolution to Adopt a Written Recommendation
2. CDP Application

3. Applicant's CDP
4. Survey of Subject Property
5. Neighborhood Meeting Submittal
6. Site Plan
7. Landscaping Concept
8. Conceptual Drainage Plan
9. Cross Section of Building and Adjacent Building
10. Water and Sewer GIS Map
11. Deloitte Case Study
12. Wetland Survey
13. DH Carter Letter
14. RLUAC Response
15. Watershed Protection Permit Application

V. PLANNING BOARD ACTION:

A request for approval of a Conceptual Development Plan is a request for a rezoning. Per North Carolina General Statute 160D-604(d), prior to consideration by the Town Council of the proposed Planned Development District - Conceptual Development Plan (CDP), the Planning Board shall advise and comment on whether the proposed CDP is consistent with the Comprehensive Long Range Plan. The Planning Board shall provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendments by the Town Council.

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

I move that after reviewing the proposed Conceptual Development Plan and considering the criteria for approval of a Planned Development District found in UDO §2.18.4(H):

1. The requested Conceptual Development Plan is *consistent* with the Comprehensive Long Range Plan for the reasons set forth in Attachment "A" of staff report for PD-02-23;

-OR-

2. The requested Conceptual Development Plan is *inconsistent* with the Comprehensive Long Range Plan for the reasons set forth in Attachment "A" of staff report for PD-02-23;

-AND-

3. The requested Conceptual Development Plan satisfies additional UDO criteria for zoning map amendments as set forth in Attachment “A” of staff report for PD-02-23;

-OR-

4. The requested Conceptual Development Plan does not satisfy additional UDO criteria for zoning map amendments as set forth in Attachment “A” of staff report for PD-02-23.

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

And, therefore, I move to:

1. Recommend approval of PD-02-23 to the Town Council;
2. Recommend denial of PD-02-23.



ATTACHMENT A

PLANNING BOARD

DRAFT RESOLUTION TO ADOPT A WRITTEN RECOMMENDATION FOR CONCEPTUAL DEVELOPMENT PLAN APPLICATION PD-02-23

WHEREAS, Section 160D-604(d) of the North Carolina General Statutes specifies that the Planning Board shall provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but that a comment by the Planning Board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board.

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

WHEREAS, the Planning Board conducted a public hearing on March 23, 2023 for consideration of a Planned Development - Conceptual Development Plan for the New York Complex Planned Development;

NOW, THEREFORE BE IT RESOLVED that the Planning Board finds and recommends to the Town Council that the Conceptual Development Plan application PD-02-23 (Information relevant to these criteria may be found in the applicant's CDP document Section 2.4 and Section C.1 of the staff report. It is not necessary for the Planning Board to determine that all of the following criteria are satisfied in order to recommend approval of the rezoning, nor must they find that none of the criteria are satisfied in order to recommend denial of the rezoning. However, a recommendation for approval or denial should be supported by some number of the criteria and identified in the Planning Board's resolution):

1. *Is/is not* consistent with the Town of Southern Pines Comprehensive Long Range Plan (CLRP) because _____
(Information relevant to this item may be found in the applicant's CDP document Section 2.4, 1) and Section C.1.a. of the staff report);
2. Based on information presented by staff, the applicant, and other interested parties, PD-02-23 *does/does not* satisfy the following UDO criteria for zoning map amendments:
 - a. Has an acceptable level of impact on neighboring lands;
 - b. Is suitable as presently zoned (the Planning Board may find the land to be suitable as presently zoned and yet still favor the proposed rezoning to a Planned Development District, because the rezoning request is required for all multi-family residential proposals of ten or more units);

- c. Is not in conflict with the public health, safety, and welfare;
- d. Is not in conflict with known public policies such as those reflecting the need for affordable housing, economic development, mixed-use development, and sustainability of environmental concerns;
- e. The size of the tract in its context is not inconsistent with those in the immediate area;
- f. Any other relevant factors.

AND, THEREFORE, BE IT FURTHER RESOLVED that the following additional matters were considered by the Planning Board as a basis for a recommendation of *approval/denial* to the Town Council regarding PD-02-23:

1.

ADOPTED this the 23rd day of March, 2023.

Gary Carroll, Chairman

ATTEST:

Cindy Williams
Secretary to the Planning Board

Planned Development District Conceptual Development Plan

REQUIRED APPLICATION MATERIALS:

- ☒ **Application fee** in the amount of **\$1,800.00**.
- ☒ **Completed Application** for a Planned Development District - Conceptual Development Plan signed by the applicant.
- ☒ **Appointment of Agent**, if applicable, signed by the property owner(s) and the agent.
- ☒ **List of Adjacent Property Owners**: Please list all properties that are that are within two hundred (200) feet of the outermost boundaries of the subject property (**not counting streets, railroads or other transportation corridors**). Attach additional pages if needed. No fewer than ten (10) property owners shall be notified by mail.
- ☒ **Deed** copy to provide proof of ownership and property boundaries.
- ☒ **Written narrative**: It is the responsibility of the applicant to demonstrate compliance with all applicable criteria. Please address **UDO §2.18.4(H) Criteria (1) through (4)**. The list of criteria is attached.
- ☐ **Additional documentation**: Additional text and/or maps to demonstrate consistency with the approval criteria listed in **UDO §2.18.4(H) Criteria (1) through (4)**.
- ☒ **Neighborhood meeting materials**: Submit copies of graphics presented at the meeting; a copy of the sign-in sheet showing attendees; representations made by the Applicant regarding the proposed development; and a summary of public comments and responses.
- ☒ **PDD Conceptual Development Plan**: One (1) full-size copy of a scaled drawing (1" to 100') of the entire tract to be subdivided. Please refer to the **UDO Appendices** to obtain plan requirements.
- ☒ **Nature of service**: Planned utility services and providers.
- ☐ **Drainage concept plan** if applicable.
- ☐ **Conceptual Transportation Plan** if applicable.
- ☒ **Electronic copy (PDF) of all application materials** submitted to plan@southernpines.net.

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

REVIEW AND APPROVAL:

1. **Staff review**: Planning staff will review the application and notify the applicant if additional information or materials are needed.
2. **Public hearings**: The applicant is expected to attend a public hearing on the application before the Planning Board and before the Town Council the following month. (Please refer to the **Application Processing Timeline** to determine the hearing dates.) The Planning Board will recommend approval, conditional approval or denial to the Town Council. The Town Council will consider that recommendation, as well as evidence and testimony presented, and approve, conditionally approve or deny the request.
3. **Approval**: Please see **UDO §2.18.4(I) Effect of Approval**.



Planned Development District Conceptual Development Plan Application

Fee: \$1,800.00

Date Received: _____

Case No.: PD-____-____

Project Information:

Project Name: New York Place

Physical address: 164 S. Bennet St

PIN: 00032263/00031983

Parcel ID: 858105282734/858105281747

Site Size: .786

Zoning: CB

Applicant:

Name(s): The Ascot Corporation, LLC

Email: Colin Webster

Phone: 910-688-7361

Mailing Address: P.O. Box 1872, Southern Pines NC 28388

Authorized Agent, if different from Applicant:

Name(s): _____

Email: _____

Phone: _____

Mailing Address: _____

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

Name(s): The Cottages at Legacy Lakes, LLC

Email: _____

Phone: 910-688-7361

Mailing Address: 237 Legacy Lakes Way, Aberdeen NC 28315

1/12/22

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

I, the undersigned, do hereby make application to and petition the Planning Board and Town Council for approval of a Planned Development District – Conceptual Development Plan as required by the Town of Southern Pines Zoning Ordinance. The following information is submitted in support of this application:

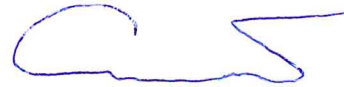
The property which is the subject of this application is located on the West side of Bennet St (St./Ave.), between New York (St./Ave.) and Pennsylvania (St./Ave.). The property has a frontage of 201 feet and a depth of 200 feet.

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

The proposed use of the property is as follows:

Residential, Office Space and General Business/ Services

Date: 1 Feb 2023



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

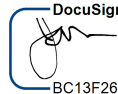
APPOINTMENT OF AGENT

The undersigned owner(s), Jon T Vincent, hereby appoint(s) Colin Webster, as manager as the exclusive agent for the purpose of making an application to the Town of Southern Pines for the approval of the Planned Development District – Conceptual Development Plan described in the attached application. The owner(s) hereby agree(s) that this agent has the authority to act for and on behalf of the owner(s) as follows:

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

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

Signed this 2/1/2023 day of _____, _____.

DocuSigned by:

 BC13F2610133421...

 Property Owner

 Property Owner

 Agent

1/12/22

UDO §2.18 Planned Development

§2.18.4(H) Conceptual Development Plan Criteria

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

PD - CONCEPTUAL DEVELOPMENT PLAN

PLANNED DEVELOPMENT PLAN

NEW YORK PLACE – MIXED USE DEVELOPMENT

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2.0 Project Overview
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4.1 Allowable Uses
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4.3 Parking
4.4 Landscaping
4.5 Utilities
4.6 Traffic
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6.0 Exhibit 2 – Preliminary Plat/Site Plan
7.0 Exhibit 3 – List of Adjoining Property Owners – Summary & Comments
8.0 Exhibit 4 – Deloitte Case study
Appendix A – Survey
Appendix B – Stormwater Management Concept
Appendix C – Landscape Concept
Appendix D – Wetland Survey
Appendix E – Biological Survey
Appendix F – Watershed Protection Permit Allocation Application

Appendix G – Utilities Map

1.0 Purpose/Summary

Purpose:

The purpose of this Conceptual Development Plan (CDP) application is to:

- Comply with the application and approval process outlined in the UDO.
- Obtain approval to the submitted Conceptual Development Plan (CDP) and Planned Development Plan (PDP).
- Establish the permitted uses, density, height, setbacks, parking requirements and other standards and conditions under which the subject property shall be developed.

The Town's CDP application form is included as Exhibit 1 and the required documentation, per Section 2.18.4 Conceptual Development Plan of the Town's Unified Development Ordinance (UDO) are included as a part of this application.

The proposed CDP for New York Place is consistent with the Town's Comprehensive Long-Range Plan (CLRP) and promotes its objectives. The property is in the Central Business area of the Town's zoning Map. The CLRP has designated this zoning as suitable for mixed Residential and Commercial use.

Summary:

The proposed New York Place is a mixed-use development with 39,728 Square Feet (Sq Ft) (39 units) of residential condominiums, and approximately 9,000 Sq Ft of mixed office/retail space facing S. Bennett St. It provides a large green-space interior court and underground parking.

Conceptually, it provides needed space to live, work and play (LWP – see attached Exhibit 4 - 2015 case study by Deloitte) in the downtown area. LWP reflects a trend toward how residents are choosing to live. Close to work, schools, restaurants, shopping, entertainment and friends while minimizing the time and cost of commuting. It provides the town with a better investment return on infrastructure (consistent with the new CLRP Infrastructure Assessment objectives) and supports local businesses.

The project is consistent with the Town's current CLRP, zoning map and is in harmony with the findings recently published by the Town's CLRP review team. It is also consistent with the objectives of the PD (Planned Development District). Its purpose among others is to:

- Encourage planned development, including service, office, commercial, residential, public, or private recreation.
- Promote creativity and innovation in a design that leads to more appropriate relationships between land uses and features.
- Facilitate clustering of development thereby increasing the amount of saved land.
- Promote mobility and enhance walkability.
- Integrate public spaces and amenities to promote community gatherings and activities.

To accomplish these objectives, we are requesting approval of four (4) stories in our CDP as opposed to the three (3) stories currently allowed in the UDO and an upper floor ceiling height of 44 feet as opposed to the existing maximum of 38 feet. A three story alternative was considered and found unviable since it would come at the expense of the green interior open space, connectivity, mobility walkability and

gatherings. It was also found to be economically infeasible. The overall building height of 50 feet vs the 45 foot maximum height allowed in the UDO is consistent with other buildings close by on Pennsylvania and Bennett St.

For perspective, The heights of the buildings on the corner of New York and S. Bennet as well at 271-287 W. Pennsylvania are both of similar height (see below).



This document provides details on the site plan. It also establishes the permitted uses, density, standards, and conditions under which the subject property would be developed.

The Town's CDP application form is included as Exhibit 1 and the required items, per Section 2.18.4 Conceptual Development Plan of the Town's Unified Development Ordinance (UDO as amended Nov 15, 2022) are included as a part of this proposal. The CDP for this property shall include all standards and conditions included in this document.

The proposed CDP and land use for the New York Place are consistent with its current CB zoning as well as the Town's Comprehensive Long-Range Plan (CLRP) and promote its objectives (see section 2.4 below).

2.0 Project Overview



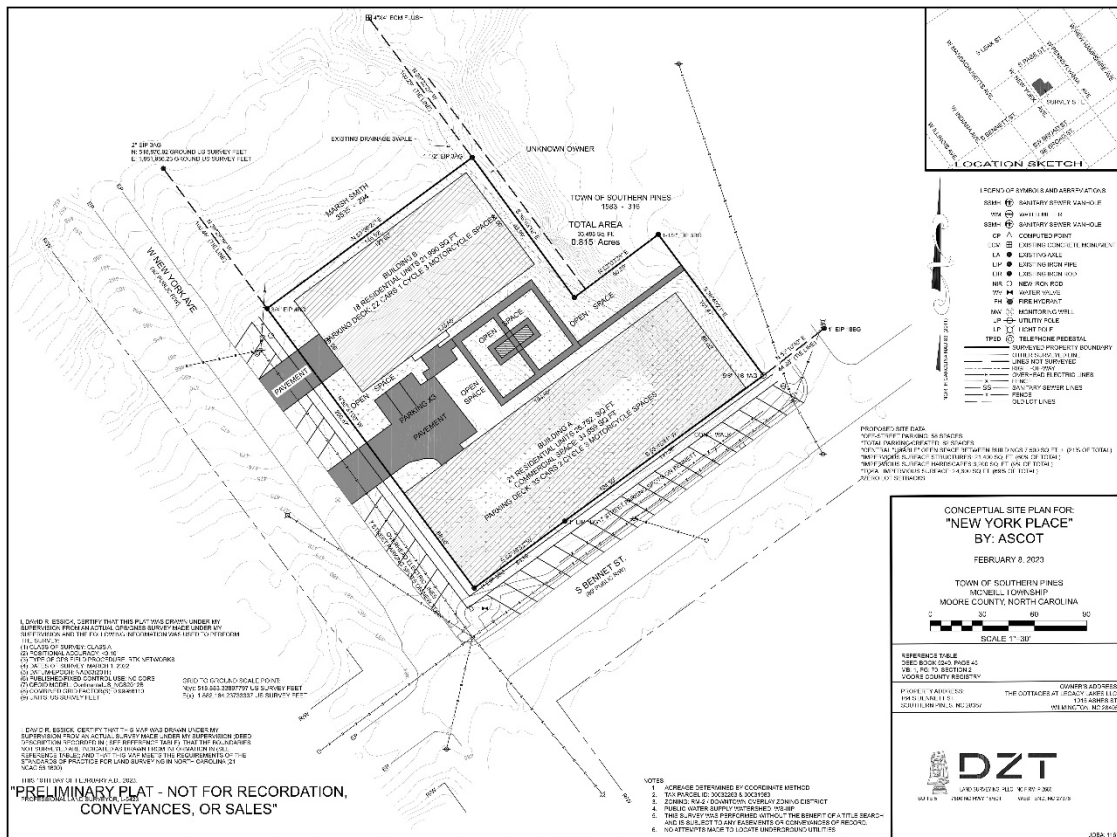
NEW YORK PLACE MIXED USE DEVELOPMENT OVERVIEW

The project consists of two buildings (A & B). Building A at this time (construction drawings have not been finalized pending Town approval to the CDP) contains 21 Residential Units and approximately 9,000 Sq Ft of Retail space on ground level facing S. Bennett St. Building B is expected to contain 18 Residential Units for a combined total of 39 Residential Units.

Between the two buildings there would be a landscaped, active open green space of approximately 7,500 Sqft (or approximately 21% of the project) enhancing the aesthetics of the site, provide an attractive connection to the public parking space next to Pennsylvania Ave, reduce the amount of impervious surface and provide for good separation between the buildings. Overall open space amounts to 31%.

Underground garage space is provided for both buildings. Additional street parking provided on S. Bennett and W. New York St. is proposed for general public usage and traffic calming. 64 parking spaces would be provided onsite of which 61 would be underground and not visible, plus bicycle parking at ground level. An additional 23 street parking spaces would be created on W. New York and S. Bennett St. Further discussion of parking spaces is provided below comparing this CDP proposal with Town ordinance requirements (also see table 4.3.1 below).

Accessibility to both buildings would be served by elevators connecting garages to retail/residential floors



2.1 Location

The New York Street Mixed Use Project would be located at the intersection of W. New York St. and South Bennett St. on the southwest side of the intersection.



2.2 Vision

New York Place will be an asset to the Town of Southern Pines' architectural harmony, an example for others to follow. It will provide a mixture of high-quality residential units and a combination of retail, office, or restaurants and open space. A place to live, work and play.

Residents and visitors will appreciate the architecture and the amenities, businesses will welcome the revenue and the Town will get an above average return on its investment in infrastructure and services while protecting the Town's architectural character.

2.3 Applicant and Project Team

The Applicant is Grosvenor Properties, LLC.

Conceptual design by: The Ascot Corporation, LLC

Engineering by: Crawford Engineering, PLLC

Environmental Consulting by: Wetland Solutions

Surveying by: Matthews Land Surveying

Legal Assistance: Van Camp, Meacham & Newman – Pinehurst and Bradshaw Robinson Slawter – Chapel Hill.

2.4 Criteria for zoning Map Amendment

Section 2.17.9 of the UDO establishes the criteria that must be met for a Zoning Map amendment:

The Zoning Map amendment is being requested to comply with UDO 4.10.8 and 3.7.1(F) that require all multi-family developments in excess of 10 units be developed as part of a Planned Development (PD).

For perspective, a 20-unit Townhouse project such as shown below would not require a PD permit.



- 1) Consistency with the Comprehensive Land Use Plan (CLRP). The proposed use is consistent with the CB zoning (page 146) which calls for “a wide variety of commercial activities (particularly those that are pedestrian-oriented) in an intensive development pattern in the town's central business district. Also allows mixed use with residences”.

The CLRP's wording is: The CB district is intended to accommodate a wide variety of commercial activities (particularly those that are pedestrian oriented) in an intensive Development Pattern in the Town's central business district. The UDO further describes the CLRP's intent as follows:

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

Furthermore, page 150 talks about the need for additional residential development in close proximity to the business corridor to help the vitality of Downtown businesses. However, parking for the additional residents should be configured so that it doesn't compete with existing demands for existing on-street parking spaces. It goes on to talk about the opportunity for taller buildings and the need for more on street parking near retail space.

This project meets all the above standards.

- 2) Adverse Impact on neighboring land. The project shares common boundaries with public streets on two sides (New York Ave. and South Bennet St.). A third boundary is shared with a municipal parking lot and the fourth, with the office of Mr. Marsh Smith. This last would be the only one impacted in our view given that the height of the building exceeds his own. Air and sun are not affected given the east-west orientation of the property (sunlight travels east to west and prevailing winds are typically from the west). Nevertheless landscaping would be installed to help offset the visual impact of a structure next to Mr. Marsh's office. Public lighting would comply with the Town standards and wouldn't result in light projecting onto Mr. Marsh's property.

Stormwater would follow its current path and not result in increased runoff in accordance with State Pre-Post 10-year stormwater rules. Stormwater that comes off S. Bennet St. would be piped

to the drainage easement at the upper end of the property to where it currently runs. Stormwater that originates onsite would be collected and treated in an underground cistern under the central park area and released at Pre 10-year rates. The result is that there would be no increase in the rate of stormwater from the site. A sketch of the stormwater concept is included in Appendix D.

- 3) Suitability as presently zoned: The site is currently zoned CB. This zoning presently allows for all the proposed uses (residential, retail, restaurant, office). This zoning emanated from the CLRP that identified the above uses as consistent with downtown development. The request for PD zoning comes from the Town's UDO that requires any residential project with more than 10 units obtain PD zoning.
- 4) Health, Safety and Welfare: The CLRP describes health as physical and fiscal. This project would enhance the fiscal well-being of the town by converting a non-performing asset into a performing asset with minimum cost impact on the Town's finances. No additional roads or utility infrastructure is required. Utility locations are included on the included site plan, and a GIS map of existing water, sewer and electrical supply is attached as Appendix G. The project is within a few blocks of security and emergency services that are already equipped and trained to attend to the needs of this project. Physical health is provided by being within walking distance of downtown as well as providing ample active open space as shown on the site plan. Safety is provided by its location and environment.
Public welfare requires equitable access, encouragement of social interaction, and protection of the environment. This project would provide more affordable access than currently available in the area by nature of vertical construction efficiency, its location and design promote social interaction, and would contribute to replace vehicular traffic with pedestrian traffic as well as to slow down suburban sprawl.
- 5) Public Policy: The Town's CLRP talks about the desire to support a vibrant downtown community and offers a policy on housing on page 60. It talks about the desirability of housing in proximity to the core as well as affordable housing options and promoting mixed use development.
Page 29 discusses sustenance of Downtown Vitality. Southern Pines' Downtown is the Town's key asset as is evident by the vision, goals, policies, and development of the Downtown Neighborhood Development Plan. Retaining an appropriate mix of uses, the historic character, the desirability of surrounding neighborhoods are key challenges facing the Town. An equally important challenge is to facilitate compatible infill (including residential, mixed-use and non-residential development) that would help support commercial uses and attract the private investment needed maintain Downtown's vibrancy.
The success of Southern Pines' downtown will likely depend on how successfully the community maintains the quantity, value and accessibility of housing in proximity to the core. Based on strong participant support, the Plan supports increasing the number of residences in the Downtown core. The CLRP identified the desirable uses in the CB district to be a wide variety of commercial activities (particularly those that are pedestrian-oriented) in an intensive development pattern in the town's central business district, and mixed use with residences.
This project delivers on the stated objectives of this policy by providing mixed usage (residential, retail, restaurant, office space) within walking distance of the core's stores, entertainment, and jobs. It would offer more affordable housing options and minimize transportation and would help sustain property values and the Town's tax base.
- 6) Size of Tract: The size of the tract is in harmony with the vicinity and suitable for the intended use.

The tract of approximately 0.8 acres is not substantially larger or smaller than other nearby tracts of land. For reference it is approximately the same size as the townhouse project under construction on the corner of Wisconsin and S Bennet St. It has public streets on two sides and a municipal parking lot on a third side. Utilities are present and traffic impact, while existent, would be minimal and could in fact have a positive long-term impact on in/out Town traffic by converting vehicular traffic into pedestrian traffic.

The plan projects a 69% impervious surface requiring a 5/70 allocation. Request for the allocation is included in the Appendices via Watershed Protection Permit Allocation request. An alternate method called Density Averaging was explored but no suitable sites found.

- 7) Other Factors: This meets the definition of a commercial building and as such offers the Town the opportunity to ensure its architectural features are compatible and in harmony with the architectural character of the Town.

2.4 Compliance

The UDO as amended defines the allowable uses in the CB Central District under section 3.5.8 as:

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

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

The proposed project complies with the UDO's section 3.5.8.

Under Chapter 2. Development Process the applicant is required to demonstrate:

(1) The mix and intensity of land uses are consistent with the Comprehensive Long-Range Plan (CLRP); The proposed project is consistent with the permitted uses identified for the CB Zoning. As a mostly residential project it is consistent with the Comprehensive Long Range Plan dated March 8, 2016, and in harmony with the findings and conclusions as presented to date for the CLRP review currently underway. It specifically provides for:

- a. The growth and prosperity of the Town.
- b. It has a negligible effect on transportation. It encourages residents to live and shop downtown. It encourages the pedestrian aspect of the town.
- c. It supports the vision outlined in the CLRP's on pages 2 and 3.

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

- a. No new roads would be built. Most of the parking requirements would be provided for onsite via underground parking facilities.

(3) The phasing plan enables each phase to be developed in a way that it would create a sustainable neighborhood that will be enhanced as each successive phase is developed:

- a. Project anticipates a single site development phase.

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

- a. Most of the surrounding structures support office or retail space. This project would rebalance the mix with more residential offerings.

Furthermore:

- a. The project makes use of a plot of land commonly referred to as the “kudzu hole”. Its development would result in an overall visible upgrade of the area.
- b. The project would not require the extension or upgrade of public utilities or services.

3.0 Existing Conditions

Existing conditions on the two lots are as follows:

- Currently, the 2 lots are in their natural state. The lots are very lightly wooded and heavily overgrown with invasive weed species. The lot is also characterized by severe topography. The right of the lot drops eighteen (18) feet below S Bennett St.
- The land has streets on two sides (W. New York and S. Bennett), and a Town Parking lot on a third. The remaining boundary on the NW side abuts an office space and a stormwater drain.
- The land rests within the Little River Intake 2 area as does most of the downtown area. A 5/70 impervious surface allocation would be required to comply with the Town’s and States’ impervious surface limitations. Application for this allocation is made via the attached Watershed Protection Permit Application.
- There are no wetlands present. Letter included in Appendix D.
- A protective species review of the site was conducted, and no protected species (Federal or State) were detected. There are no known active red cockaded woodpecker (RCW) clusters on site. Letter included in Appendix E.
- There are no unique land formations, waterfalls, rock outcroppings or other features. There are no trails present on the site connecting to any of Southern Pines greenway trail systems.
- Streets, Roads, Parking or Other Structures: There are no existing streets, roads, sidewalks, walkways, or associated drainage structures on the site, except for a sidewalk and split rail fence along S. Bennett St. recently installed by the Town.
- Storm Water Facilities and Structures: Other than a culvert pipe that drains from under S. Bennett St. onto the property there are no other stormwater facilities or structures present. A detail of how stormwater would be managed was outlined in 2.4.2 above and included in Appendix B. There would be no increase in the average 10-year stormwater runoff as designed.
- Utilities: Public water, sewer, electricity, and telephone/internet service are presently available. No extensions or upgrades to infrastructure are anticipated. Water, sewer, and electrical services are located on the site plan. A GIS map of the water and sewer lines is attached in Appendix G.
- Buildings, Structures, Signs and Historical Structures: There are no historical structures or other historical features of record on the site.

3.1 Existing Legal Features

Zoning Information: The subject property is currently zoned Central Business (CB) district as shown on the Town of Southern Pines Zoning Map and subject as well to the Downtown Zoning Overlay.

Property Lines – see Exhibit 2 for surveyed boundaries.

Rights of Way – None on site. Adjacent rights of way on Bennet St (80ft) and New York Place (60ft) as well as municipal parking on the north side.

Ownership Information – The property is comprised of two lots identified by PID 00031983 and 00032263 acquired by Cottages at Legacy Lakes, LLC and under contract with Grosvenor Land, LLC.

4.0 Development Standards

This project would adhere to approved standards stated in this document. As allowed under UDO Section 3.5.14, unique standards, differing from baseline UDO standards, can be established to facilitate a Planned Development District to allow for flexibility in design. The standards in this document that vary from the UDO shall supersede the UDO. Design would otherwise comply with the standards in the Town UDO.

Prior to the issuance of a building permit and start of any construction, a Preliminary Development Plan for each phase must be submitted and approved per Section 2.18.5 of the UDO. Architectural review, rules and regulations and must be approved by the Town of Southern Pines. To the extent this document does not otherwise establish a development standard, the UDO standard in effect at the time of an application would apply. The development and building permits are subject to all Local, State and Federal regulations and laws. This project would have a single development phase.

The proposed uses, dimensional standards and open space are presented in section 4.1 and 4.2, and in tables 4.2.1 and 4.2.2, below. The proposed parking standard is presented in 4.3 and Table 4.3.1 below.

4.1 Allowable Uses

Residential/Condominiums/Single-Family Townhouses. Office Space/Retail/Restaurant defined by UDO.

4.2 Design Elements

Table 4.2.1

Design Element	Principal Structure Standards	Description
Recreation Areas & Amenities	+/- 0.20 acres (30%)	20% shall be active.
Residential	43 Maximum	39 on submitted plans.
Office	Up to 16,000 sqft	Flexibility to substitute residential space.
Retail/Restaurant	Up to 10,000 sqft	Limited to S. Bennet ground floor.

Note: Architectural drawings are still preliminary and could change. Overall square footage would not change, but interior layouts and unit totals may change.

Table 4.2.2

Design Element	Principal Structure Standards	Discussion
Maximum Roof Height	50'	Vs 45 feet in UDO
Maximum Ceiling Height	44'	Vs 38 feet in UDO
Number of Floor	4 Floors	Vs 3 floor in UDO
Maximum Front setback	10'	Vs 5 feet in UDO
Minimum Side setback	No Minimum	Consistent with UDO
Minimum Rear setback	No Minimum	Consistent with UDO
Maximum Lot Width	No Maximum	50' Exhibit 3.8 Ref 4.2.1
Minimum Lot Size	No Minimum	None Exhibit 3.8 Ref 4.2.1

***Note 1:** Scenic Lofts on the roof do not count as finished floors under UDO 4.2.1 I or under the Commercial Building Code that defines a finished floor as having more than 50% of the heated square footage of the floor below.

Note 2: Fire and Rescue Department was consulted on design height. Equipment and training and can provide adequate fire and medical rescue for this building.

4.3 Parking

Parking Space requirements are shown in Table 4.3.1 below. The UDO's onsite parking requirements for this project would be 92. This plan proposes the creation of 64 spaces onsite. It proposes the creation of an additional 23 spaces on the public right of way. While the UDO does not allow these additional spaces be counted towards the required total, it would provide needed spaces in the area, and act as a traffic calming device on S. Bennet. There is also public parking next to the project for reference.

Table 4.3.1

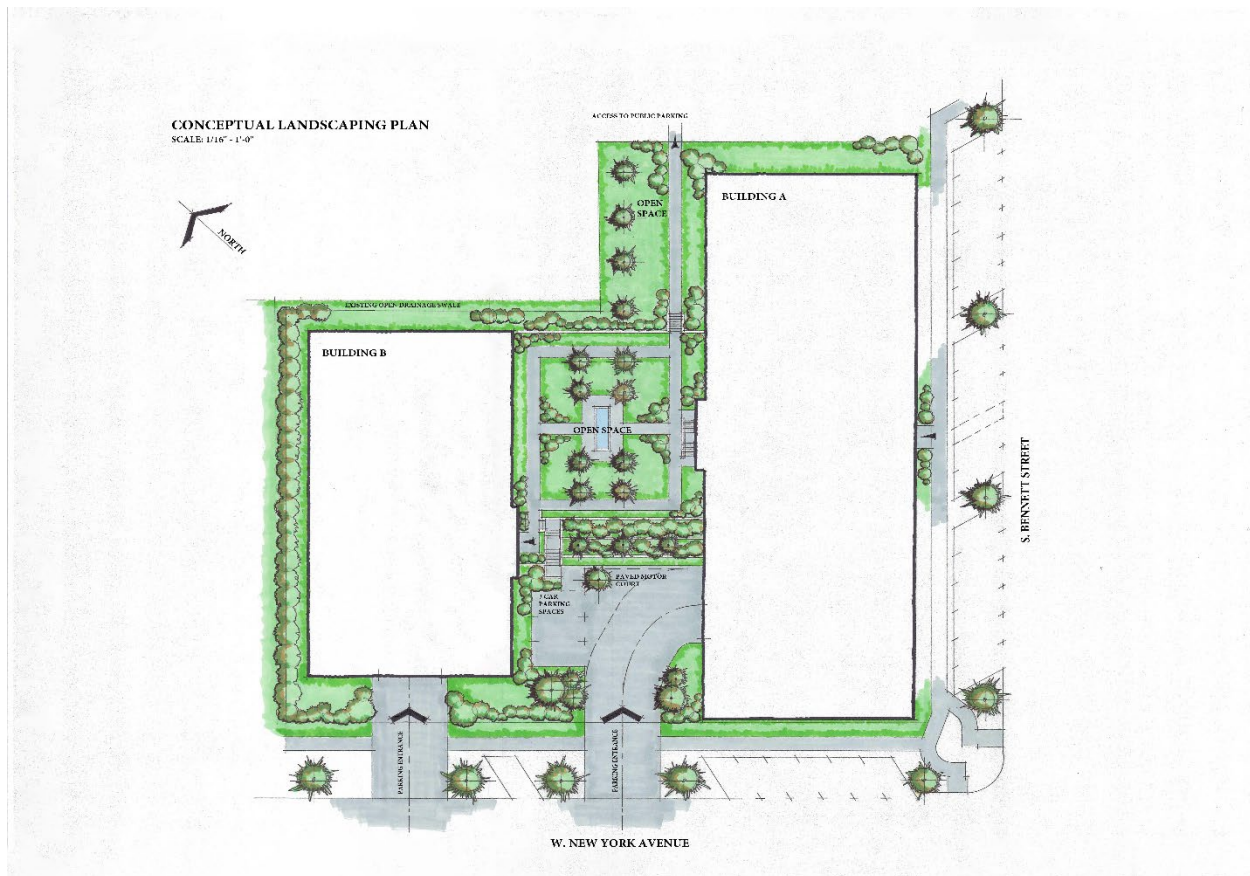
Land Use	Parking Standard	Discussion
Residential on-site	64	92 required by UDO
Office/ Commercial/Restaurant off-site	23	

Note 1: Angled parking would be allowed on public roads.

4.4 Landscaping

Landscaping would be allowed to depart from UDO standards to be in substantial compliance with the colored conceptual site plan below. Key features are the green center courtyard, trees facing public streets and parking, and landscape buffer with Mr. Marsh's property.

Landscaping shall be allowed to depart from UDO's section 4 buffer requirements if unable to comply due to street parking design on S. Bennett St. and New York Place as shown in the concept drawing below. The project would not be required to plant evergreens (table 4-4) and from 4.3.6 and table 4.5 entirely due to the underground nature of the parking on-site and the destructive nature of its root system. Flowering trees will be preferred in the center court.



4.5 Utilities

Utilities: The property is well-served by utilities, with existing utility locations.

- Water & Sewer: The Town provides both water and sewer to the Project.
- Electric: Duke Energy electric power is available at the site.
- Gas: Piedmont supplies natural gas and service is currently available to the site.
- Telephone/Cable: Both Spectrum and Brightspeed services are currently served by telephone and cable service.

Projected Water & Sewer Demand at Full Build-out

Description	Design Flow	Total Flow at Buildout - Gallons
Building A - Residential - 21 Units	120 gal/day/bed	5,160
Building A - Commercial - 9,007 Sqft	120 gal/day/1000 SqFt	720
Building B - Residential - 18 Units	120 gal/day/bed	3,600
Subtotal Flow at buildout		9,480
Annual Flow in Gallons		341,280

- **Note:** These numbers are for maximum possible in all areas. Actual flows would likely be much less.

4.6 Traffic

Trip Generation and traffic: The number of trips estimated (in accordance with the 11th Edition Traffic Generation Manual) are below the minimums that require a traffic study. Nevertheless, an engineered review has been requested and will be provided as soon as available. The existing public street network would not be modified other than to add parking space. Ingress and egress from the property would be off New York St. No additional driveway connections to public roads or new public roads are proposed.

Table 4.6.1

Traffic: Projected Traffic Count	Standard	Total
Description	Peak Hour Trips Coef.	Total Peak Hour Trips
43 Condominium Units	0.68 Trips/Unit	23
9,007 Sqft Retail/Office	2.2/1,000 Sqft	20
	Sub-Total	43

Traffic: Projected Traffic Count	Standard	Total
Description	Daily Trips Coef.	Total Daily Trips
43 Condominium Units	6.8	230
9,007 Sqft Retail/Office	2.2/1,000 Sqft	220
	Sub-Total	550

Notes: 1. Calculated using peak hour rates of 0.68/trips/unit at peak hour for residential and 2.20 for retail based on ITE Trip Generation Report, 11th Edition.

2. Trips likely to be less than calculated because of Live-Work-Play location.

Property Maintenance: Maintenance of the buildings, private parking, and landscaping, would be for the account of the building owners organized and managed through a Condominium Association.

5.0 Exhibit 1

Conceptual Development Plan – Application - Attached

6.0 Exhibit 2 Survey and Preliminary Plat

Attached

7.0 Exhibit 3 Adjoining Property Owners

Owner	LRK/PIN	Address
FHM Properties LLC	00032142/858000283640	376 Thompson Street Pittsboro NC 27312
Town of Southern Pines	00036024/858105282901	PO Box 870 Southern Pines NC 28388
SMH Real Estate Grp	0040626/858105189693	PO Box 1956 Southern Pines 28388
Marsh Smith	0041554/858105280877	PO Box 1075 Southern Pines 28388
4GS Family LLC	00038695/858105284805	370 James H Rd Cameron NC 28326
4GS Family LLC	00038189/858105283971	370 James H Rd Cameron NC 28326
Steaks unlimited LTD	00039332/85815283936	575 Fairway Dr Southern Pines NC 28387
Jammin Management LLC	20020528/858105293001	250 W Pennsylvania Ave Southern Pines NC 28327

Donald & Anne Jorgensen	00040439/858105292074	Po Box 515 Southern Pines NC 28388
Mark & Cheryl Smith	00038063/858105292121	500 S Valley Rd Southern Pines NC 28387
Cynthia Ward/Courtney Huntley	00035557/858105291031	145 S Page St Southern Pines NC 28387
Ronald Russell	00040580/85810528925	188 Mills Rd Kennebunkport ME 04046
Shannyn & Jared Little	00031319/858100188767	250 W New York Ave Southern Pines 28387
Heath Trigg	00039665/858105189517	230 S. Bennett St NC 28387
McPeake Retail Group, LLC	00031172/858106285723	PO Box 1497 Southern Pines NC 28388
Nancy Rapatas	00038045/858105284668	PO Box 603 Southern Pines NC 28388
United States Postal Service	00039825/858105284651	251 N Main Street Winston Salem NC 27155
New York Ave, LLC	00032143/858100283459	155 W New York Ave Ste 200 Southern Pines NC 28327
Krausen Holdings LLC	20090244/858100281434	25 McDonald Rd East Pinehurst NC 28374

Adjacent Property Owners Meeting Summary and Comments

1. Have fewer apartments and one less story on buildings A & B to reduce congestion and crowding.
2. Eliminate Bennett Street pull-in parking b/c of impediment to traffic flow.
3. Conform project to Watershed & HQW density requirements without using 5/70 allocation; instead of 5/70, obtain conservation easements from other landowners in McDeeds Creek watershed and use density averaging for non-contiguous parcels to achieve density requirements.
4. Use wood from the two long leaf pines on the corner lot in the lobby of Building A.
5. Conduct a wildlife inventory and relocate species, such as Eastern Box Turtles, before conducting land-disturbing activities.
6. Restore the watercourse extending west from Bennett Street through the middle of the block.
7. Shift part of the open space from between Building A and Building B to the western boundary w/ 255 West New York Avenue property and plant natural screening.

8.0 Deloitte Case Study

Attached

Appendices

Appendix A – Survey

Appendix B – Stormwater Management Concept

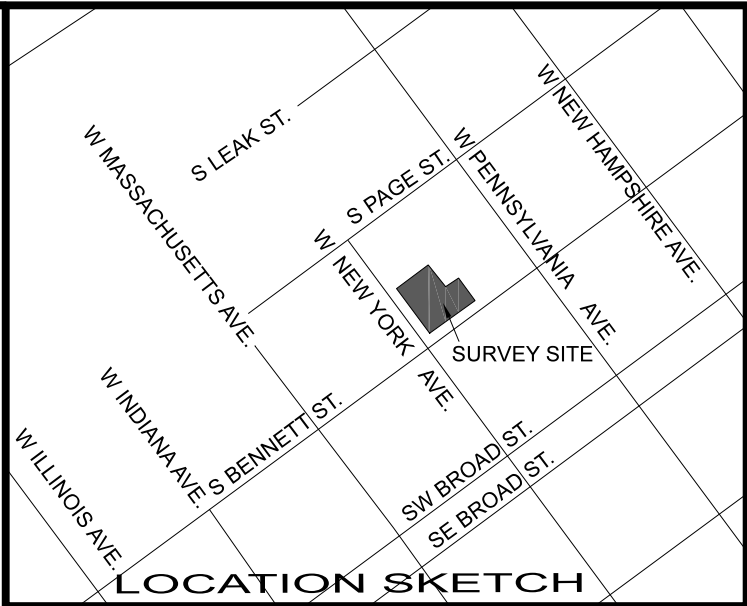
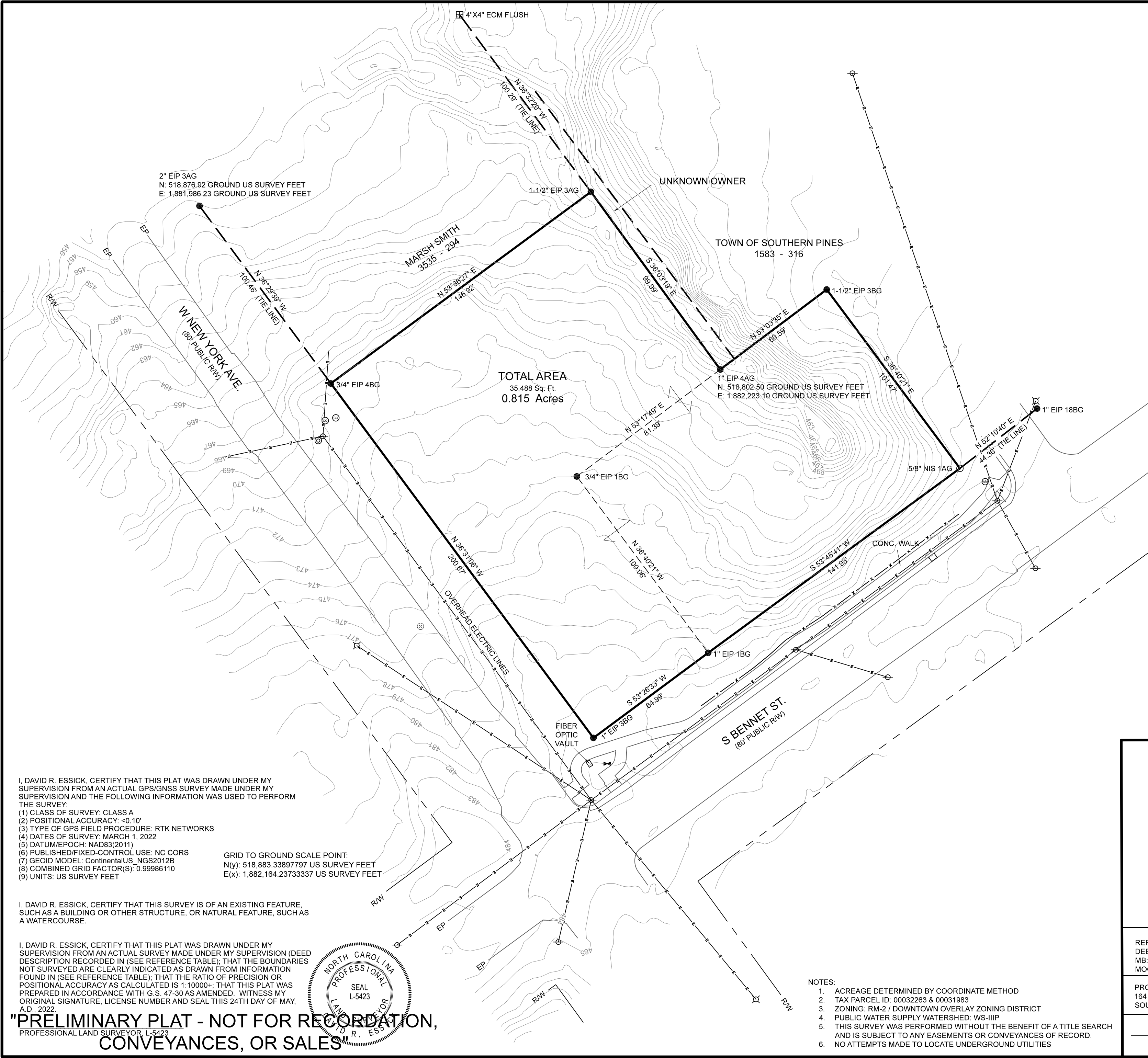
Appendix C – Landscape Concept

Appendix D – Wetland Survey

Appendix E – Biological Survey

Appendix F - Watershed Protection Permit Allocation Application

Appendix G – Utilities Map



LEGEND OF SYMBOLS AND ABBREVIATIONS	
SSMH	SANITARY SEWER MANHOLE
WM	WATER METER
SSMH	SANITARY SEWER MANHOLE
CP	COMPUTED POINT
ECM	EXISTING CONCRETE MONUMENT
EA	EXISTING AXLE
EIP	EXISTING IRON PIPE
EIR	EXISTING IRON ROD
NIR	NEW IRON ROD
WV	WATER VALVE
FH	FIRE HYDRANT
MW	MONITORING WELL
UP	UTILITY POLE
LP	LIGHT POLE
TPED	TELEPHONE PEDESTAL
	SURVEYED PROPERTY BOUNDARY
	OTHER SURVEYED LINE
	LINE NOT SURVEYED
	RIGHT-OF-WAY
	OVERHEAD ELECTRIC LINES
	FENCE
	SANITARY SEWER LINES
	FENCE
	OLD LOT LINES

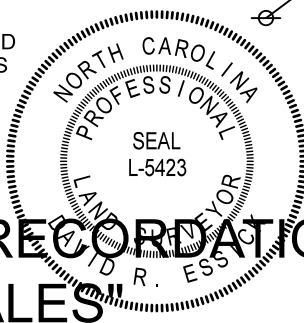
I, DAVID R. ESSICK, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GPS/GNSS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

- (1) CLASS OF SURVEY: CLASS A
- (2) POSITIONAL ACCURACY: <0.10'
- (3) TYPE OF GPS FIELD PROCEDURE: RTK NETWORKS
- (4) DATES OF SURVEY: MARCH 1, 2022
- (5) DATUM/EPOCH: NAD83(2011)
- (6) PUBLISHED/FIXED-CONTROL USE: NC CORS
- (7) GEOID MODEL: ContinentalUS_NGS2012B
- (8) COMBINED GRID FACTOR(S): 0.99986110
- (9) UNITS: US SURVEY FEET

GRID TO GROUND SCALE POINT:
N(y): 518,883.33897797 US SURVEY FEET
E(x): 1,882,164.23733337 US SURVEY FEET

I, DAVID R. ESSICK, CERTIFY THAT THIS SURVEY IS OF AN EXISTING FEATURE, SUCH AS A BUILDING OR OTHER STRUCTURE, OR NATURAL FEATURE, SUCH AS A WATERCOURSE.

I, DAVID R. ESSICK, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN (SEE REFERENCE TABLE); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN (SEE REFERENCE TABLE); THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY AS CALCULATED IS 1:10000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 24TH DAY OF MAY, A.D., 2022.



"PRELIMINARY PLAT - NOT FOR RECORDATION, CONVEYANCES, OR SALES"

- NOTES:
1. ACREAGE DETERMINED BY COORDINATE METHOD
 2. TAX PARCEL ID: 00032263 & 00031983
 3. ZONING: RM-2 / DOWNTOWN OVERLAY ZONING DISTRICT
 4. PUBLIC WATER SUPPLY WATERSHED: WS-IIIP
 5. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE SEARCH AND IS SUBJECT TO ANY EASEMENTS OR CONVEYANCES OF RECORD.
 6. NO ATTEMPTS MADE TO LOCATE UNDERGROUND UTILITIES

RECOMBINATION SURVEY FOR:

COLIN WEBSTER

MAY 24, 2022

TOWN OF SOUTHERN PINES
MCNEILL TOWNSHIP
MOORE COUNTY, NORTH CAROLINA



REFERENCE TABLE:
DEED BOOK 5249, PAGE 45
MB: 1, PG: 70, SECTION 2
MOORE COUNTY REGISTRY

PROPERTY ADDRESS:
164 S BENNETT ST.
SOUTHERN PINES, NC 28387

OWNER'S ADDRESS:
THE COTTAGES AT LEGACY LAKES LLC.
1015 ASHES ST.
WILMINGTON, NC 28405

MATTHEWS
LAND SURVEYING & MAPPING
FIRM LICENSE: P-1343

10 COURTHOUSE SQUARE
CARTHAGE, NC 28327
910-947-2671

JOB#: 11171

Sign-in Sheet -New York Place 26 Jan 2022

Address	Phone Number	Name	Age
1234567890	9876543210	John Doe	35
0987654321	1098765432	Jane Smith	28
5678901234	4321098765	Michael Johnson	42
2345678901	8765432109	Sarah Brown	31
7890123456	6543210987	David Wilson	25
3456789012	5432109876	Emily Davis	38
8901234567	3210987654	Christopher Lee	22
4567890123	2109876543	Amanda Taylor	33
9012345678	1098765432	Matthew White	27
5678901234	9876543210	Olivia Green	30
1234567890	8765432109	Benjamin Black	24
0987654321	7654321098	Sophia Gray	36
5678901234	6543210987	Lucas King	29
2345678901	5432109876	Mia Hall	26
7890123456	4321098765	Noah Young	32
3456789012	3210987654	Aria Lopez	23
8901234567	2109876543	Ethan Scott	34
4567890123	1098765432	Isabella Adams	21
9012345678	9876543210	Leo Baker	37
5678901234	8765432109	Charlotte Clark	28
1234567890	7654321098	James Evans	35
0987654321	6543210987	Amelia Harris	25
5678901234	5432109876	William King	31
2345678901	4321098765	Harper Lee	27
7890123456	3210987654	Benjamin Miller	33
3456789012	2109876543	Evelyn Wilson	22
8901234567	1098765432	Samuel Young	38
4567890123	9876543210	Avery Lopez	24
9012345678	8765432109	Isaac Scott	36
5678901234	7654321098	Madison Adams	29
1234567890	6543210987	Julian Baker	26
0987654321	5432109876	Chloe Clark	32
5678901234	4321098765	Robert Evans	23
2345678901	3210987654	Victoria Harris	34
7890123456	2109876543	Christopher King	21
3456789012	1098765432	Grace Lee	37
8901234567	9876543210	Henry Miller	28
4567890123	8765432109	Abigail Wilson	31
9012345678	7654321098	Sebastian Young	25
5678901234	6543210987	Madeline Lopez	33
1234567890	5432109876	Joseph Scott	22
0987654321	4321098765	Emily Adams	35
5678901234	3210987654	Matthew Baker	27
2345678901	2109876543	Olivia Clark	30
7890123456	1098765432	David Evans	24
3456789012	9876543210	Sophia Harris	36
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5678901234	5432109876	Aria Wilson	23
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5678901234	2109876543	Benjamin Scott	34
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3456789012	8765432109	Harper Clark	27
8901234567	7654321098	Benjamin Evans	33
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5678901234	4321098765	Avery Lee	24
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5678901234	1098765432	Julian Young	26
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Law Office of Marsh Smith, P.A.

P.O. Box 1075

Southern Pines, NC 28388-1075

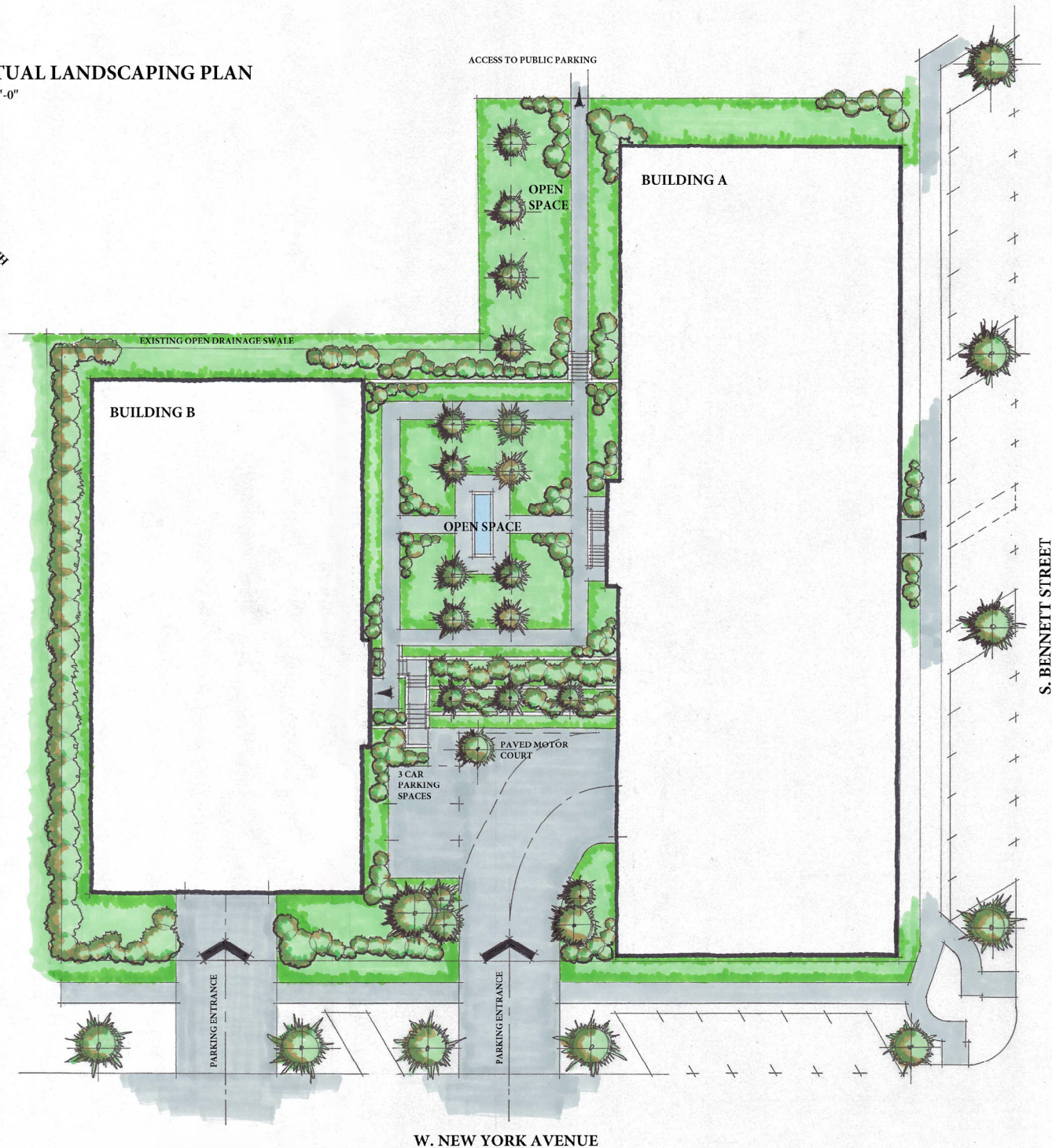
910-695-0800 office

910-695-0903 fax

910-215-6629 cell

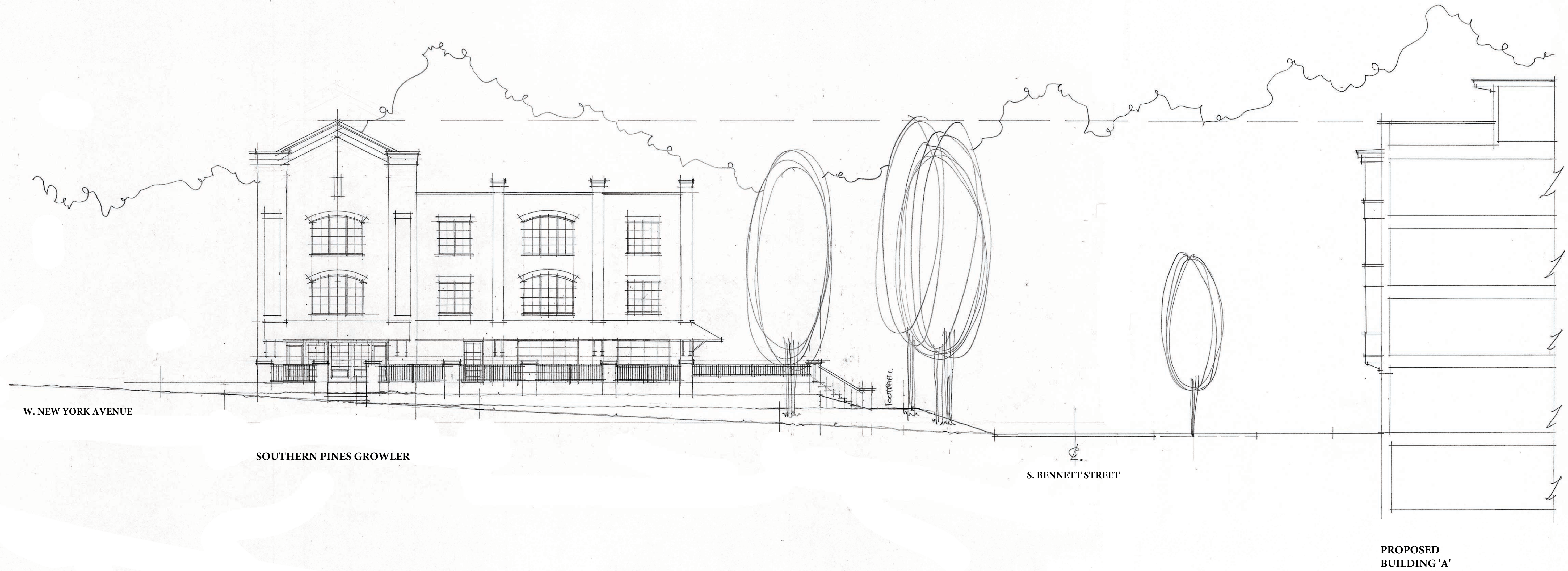
CONCEPTUAL LANDSCAPING PLAN

SCALE: 1/16" = 1'-0"



W. NEW YORK AVENUE

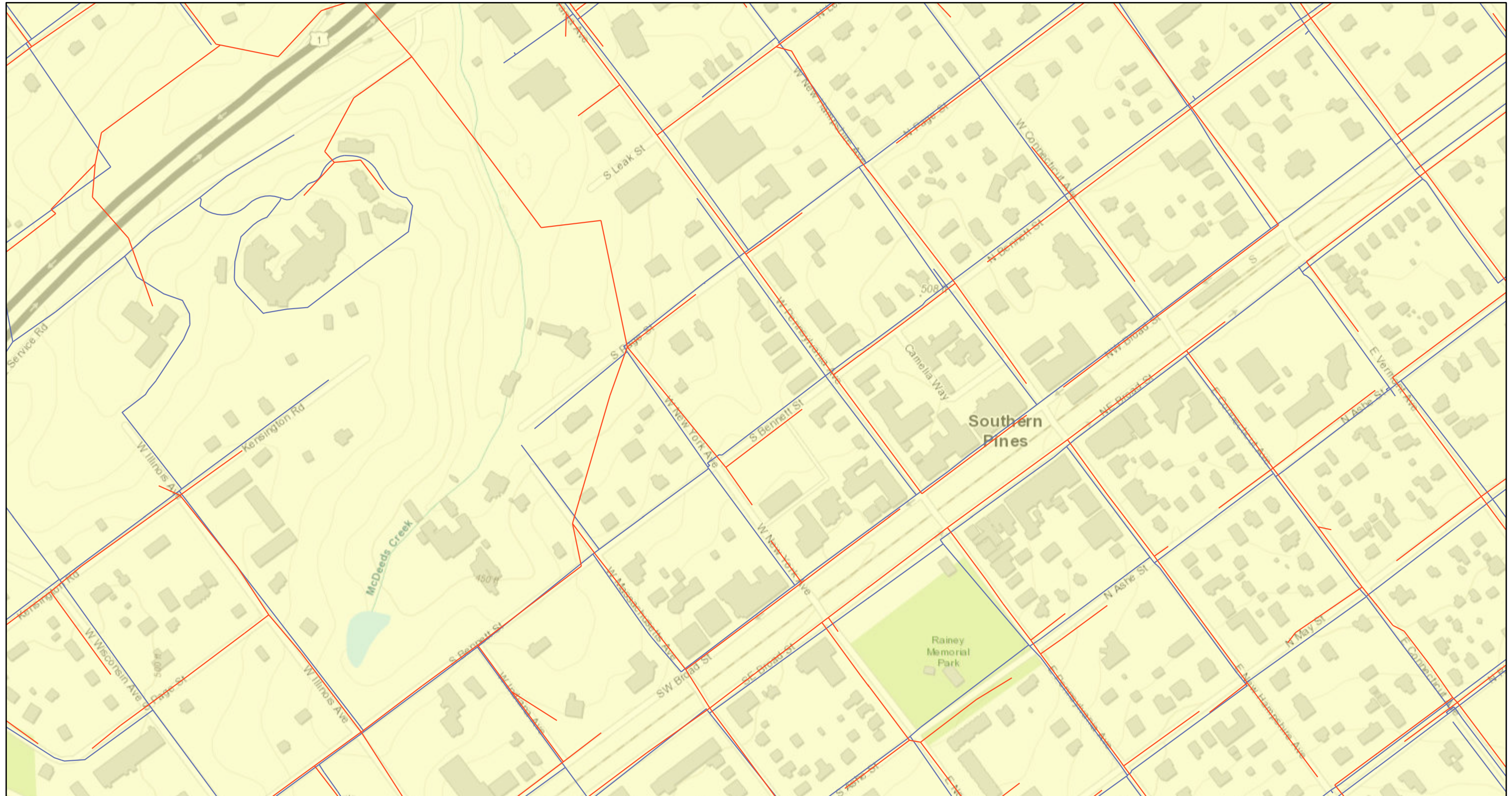
S. BENNETT STREET



NEW YORK PLACE

W. NEW YORK AVENUE ~ SITE CROSS SECTIONAL ELEVATION
SCALE: 1/8" = 1'-0"

Town of Southern Pines



2/12/2023, 5:02:21 PM

— Sewer Mains

Water Mains

City Limits 50% Transparent

1:4,514

State of North Carolina DOT, Esri, HERE, Garmin,
INCREMENT P, USGS, EPA, USDA

Source: TOSP Public Mapping Site.

The Town of Southern Pines, its agents and employees make NO warranty as to the correctness or accuracy of the information set forth on this media whether express or implied.

Play. Live. Work.

A case study in the next generation of Live, Work, Play



Throughout my childhood and young adult years I heard this expression many times – “fight or flight,” and I took this to mean you have only one of two choices. You can fight for what you believe in, or you can simply throw your hands up, put your head down, and flee. Well, just recently I stumbled upon the saying in its entirety – and it was new to me. It is officially, “fight, flight, or freeze.” And I thought – yes that is true. Freezing and hoping that you go unnoticed and not seen is a real strategy in the animal kingdom. But it isn’t a successful one in the business world. Freeze in today’s ever-changing economy, and you’ll surely go the way of the Dodo bird.

Times are changing, and at a much faster pace than ever before. Since the invention of air conditioning in 1902 in Buffalo, NY, by Cornell graduate Willis Carrier (allowing us to live almost anywhere) to the invention of the smartphone in 1994 (allowing us to work almost everywhere), where we work and when we work have been in flux. And I believe that over the next decade we will see significant changes in how we define an employee and how we represent a work-week. For those companies that aren’t nimble enough to follow the pack or brave enough to be out in front – these changes will have a significant and profound impact. This shift is truly a global “game changer” and it is approaching us not at the speed of a comet, but at the speed of light and with all the sights and sounds of the ever-redefining digital world.

2015 has already been an historic year. **In March, for the first time in history – US citizens spent more money at restaurants and bars than at grocery stores.**¹ Although this doesn’t include the purchases at big box retailers, this Commerce Department statistic still speaks volumes as to the direction in which America is going. We have become a service-oriented society, where more frequently we have others, for a fee, doing things for us, which in turn is allowing us more free time for other things that we think are important.

This phenomenon represents a major shift in our economy and how we “live, work, and play.”

The days of the traditional large offices with window views have changed to cramming our workforce into rows and rows of cubicles, and then to never ending benches. We are now shifting to “just in time” spaces with a vibrant urban community feel that blends the shades of work and play. Enjoying what you do, and how, when, and with whom you do it are driving higher retention rates and attracting some of the best and brightest to work for Company A over Company X. Today’s workforce and its desire to be engaged and challenged are driving businesses into areas previously unknown or not considered viable.

We in the commercial real estate world have, in some respects, encountered half-truths for years. We’ve been told real estate is all about “location, location, location,” and I will say that is still true for retail industry and residential property. We may want to live in one neighborhood over another, or have our children go to one school over another. And traditional brick-and-mortar retailers may choose one corner over another, but those three “L”s mean less and less for traditional site selection when it comes to office and industrial real estate. **I tell my clients it is not the three “L”s that drive corporate relocations and expansions – it’s the four “T”s: Talent, Technology, Transportation, and Taxes.** Companies can make almost any parcel of land work (excluding environmental inadequacies) if these four critical pillars are fully understood and adequately addressed.

I. Talent.—For years, availability of labor has been driving not only the site selection process but the success of companies worldwide. Today we are starting to see company-specific curriculum being added to associate and bachelor degree programs, including co-ops and internships, to provide for a steady flow of highly trained job candidates for corporate America. Collaborative approaches between government, colleges and universities, career technology centers, and companies have made major strides and are still evolving.

II. Technology.—Technology, and the resources upon which it depends, drive businesses forward. From traditional utilities such as electric, water, and sewer, to high-speed broadband access, all provide a base upon which the “cooler” technologies (known today, and under development for tomorrow) can flourish.

III. Transportation.—Airports, roadway, and rail infrastructure, and access to each other, keep businesses and people connected.

IV. Taxes.—I use this final category to cover the overall cost of doing business and the business friendliness of the community, the county, and the state. A location with high taxes, inferior transportation, outdated technology, and little available talent stands no chance in making a site selector's short list—even if **it's the prettiest place on earth.**

There is also an underlying belief that "quality of life" is more and more of a driver than it was just a couple of years ago. This quality of life quotient will continue to rise on the critical list of business drivers for all levels of corporate professionals (from the most experienced CEO to the entry-level intern). Also the availability of services that make life easier and save us valuable time and energy will be motivating factors for where people live and work.

Change is upon US, ready or NOT

America is undergoing a truly spectacular evolution in how and when we work. For example, today's welder needs to be part computer technician, part electrical engineer, and part politician. And our millennials (ages 18–34), who make up more and more of our workforce, are bringing fresh ideas to the workplace and are driving changes more than any generation before them. Millennials, also known as Generation Y, or as I say Gen WHY, are questioning the very fabric of "live, work, play." Also of interest in 2015, according to the US Census Bureau, millennials outpaced the baby boomers (age 51–69) as the largest living generation in the United States.²

Some of the millennials' most notable traits include approaching a career as a series of individual challenges and life as a series of shared experiences. Their neighborhood and circle of friends don't necessarily include the neighbors down the hall, but do include people from all across the world who share similar interests and similar goals frequently connected through social media. Technology allows all this to happen, and when technology is leveraged appropriately, it often results in efficiencies, freeing up time for a bit more "play."

Also, as a society we are more transient than we've been in a while. This is not just transient in a geographical sense, but in a lifestyle sense. More and more, we choose to lease a car versus buying, and to rent an apartment versus owning a house. Gone, in some respects, is the aspiration for the house with the white picket fence. Instead, for many millennials, the norm is moving quickly, frequently, and efficiently as the globalized and tech-savvy country becomes a playground at large.

Millennials are choosing to invest in themselves, taking a greater interest in playing the stock market, and traveling more while commuting less. They, unlike previous generations, are rarely hoping that every mortgage payment on the house in the suburbs is making them slightly richer by adding a bit more equity to their largest single asset. Often, in larger cities, millennials will trade in their cars and the associated expenses of monthly payments, repairs, insurance, and gas, for public transportation and a bit more cash in their pockets. It is this "Millennial Driven Evolution" that got us looking directly at how smaller communities could compete with the pull of big cities for top local and national talent.

Technology drives convenience, and community allows for sharing of ideas and experiences. Thinking “outside the box,” how can rural America out compete big cities for top talent: “be cool and be unique.”

So using the Four “T”s Approach, a working group has been assembled and a case study developed. Below is a summary of the case study prepared in conjunction with Dave Stewart, Lifetime Trustee and Chief Administrative Officer of MidAmerica Industrial Park (the Park), with resources provided by the Grand River Dam Authority (GRDA), and a group of community leaders, local high school and university educators, and existing companies. The Park, centrally located in the United States, consists of 9,000 acres 40 miles east of Tulsa, Oklahoma. The challenge was simple—how does one make an industrial park cool and how do you compete for jobs from coast to coast (San Francisco to New York City). The following highlights this collaborative approach.

Urban living in rural America

The answer seems to be leveraging what makes a location cool, unique, and appealing to the workforce by adding in all the services, technology, and conveniences anyone could wish for. Who knew that hiking and the great outdoors

would have an ever-increasing allure and thus ascend to an even higher level of “cool,” or that we would all be texting and not talking on the phone? In the case of Pryor, Oklahoma, “cool” is the proximity to Tulsa, with its excellent dining and shopping districts; and to Grand Lake, home of world-class bass fishing and outdoor experiences, coupled with several Fortune 500 giants already calling the Park home.

Setting aside space within the Park makes sense if and only if it meets the challenges of “Live, Work, Play.” The prototype discussed below culminates a series of focus groups that included the Park’s own “MidAmerica Delivers” as well as students from five high schools, Oklahoma State University Institute of Technology, Rogers State University, Northeast Technology Center, community leaders, select local corporations, and senior executives with GRDA and the Park. Current financial modeling is ongoing to gauge the economic viability of such a planned rural/urban development. It is important that, unlike the days of the old company town with its company store, this new development is independently, economically viable and should not be subsidized nor reliant on a single employer. Also, it is directed at bringing together a truly collaborative and unique living experience, with the basis being that life is a journey to be shared with others.

Conveniences of big city living and a focus on a sharing community

The planned urban development within a rural community setting would include new construction as opposed to renovating and updating older structures, thus avoiding environmental issues and cost over-runs often associated with building re-use (asbestos abatement, lead paint contamination, structural inadequacies). In addition, somewhat like a combination of a gated community and a college campus, public safety would be closely monitored and enforced. The thought is to have the best of both worlds (an urban edge, yet a country feel), and still be a place that your grandmother would feel safe. Finally, it contemplates a place close to nature and very pet-friendly, where one can enjoy the outdoors and all that it includes (walking, running, biking, and playing a friendly game of Frisbee football or fetch with Fido). The project, as currently defined, would include the following:



- **Housing**—The project would offer technology-rich, loft-style rental units—ranging from one-bedroom studios to three-bedroom, two-and-half-bath suites—with high ceilings and large windows flooded with natural sunlight. High-end finishes such as engineered hardwoods, natural stone counters with accents, and energy-efficient appliances, would give the space a very modern and upscale/urban feel. Units could be made available fully furnished, making moves in and out of the complex quick, efficient, and hassle free. Swapping out a doorman for concierge services gives a more hotel/spa/services feel, and adding in green construction practices provides for an environmentally friendly footprint. Smartphone apps would be used for conveniences such as lighting, utilities, security, campus amenities, dining, and the like.
- **Public space**—Community-only space would include outdoor grilling, exercise equipment, dedicated work-play enclaves, and ample gaming/entertainment opportunities. Millennials’ willingness to share spaces and experiences are kept in mind when designing the community spaces. Also, equally important would be an adjacent parking garage that allows for covered parking (necessary to avoid weather extremes), convenient access to living quarters, and the feeling of an urban environment. Setting aside several units for short/long-term corporate housing for traveling executives gives those individuals a first-hand and unique glimpse into the new look of Live, Work, Play.



- **Services**—The ground floor of the residential units would be dedicated to retail. In the Park’s proposal, the suggested optimum mix was as follows:
 - Craft beer brewery and bistro with on-site manufacturing operations, utilizing water from Grand Lake/GRDA (retail establishments would provide the “services experience,” and be a branding machine and local advertisement and attraction for the brewery);
 - Gourmet burger eatery
 - Local coffee shop (wine bar in the evenings)
 - NYC-style full buffet, offering ready-to-eat options (healthy choices and locally sourced items) and catering services
 - Spaces in the Park for a fleet of entrepreneurial chefs, running food trucks throughout the park and surrounding communities
 - Full-service dry cleaning/wash and fold
 - Business services (shipping, printing, professional support, and marketing)

Also important would be the presence of an independently operated attraction that would make the complex unique. Two top contenders are a world-class outdoor climbing wall (healthy living/lower impact option) and an indoor (start) and outdoor (finish) electric go-cart raceway (more excitement/potentially larger draw). I personally like the rock climbing option as I believe Oklahoma has the reputation for being mostly flat terrain. One can picture the attraction

of an artistically constructed climbing wall integral to the exterior walls of the new complex (crossing over from parking garage to the main complex and prominently placed such that it is highly visible from outside of the Park). I see this complex as becoming somewhat of a showpiece and a local landmark solidifying the message of a healthy lifestyle and outdoor living. Although Pryor, Oklahoma isn't known as a destination for extreme rock climbing/training (yet), Oklahoma is gaining popularity for another challenging sport—rock crawling, an extreme form of off-road driving, with organized competitions occurring regularly along the banks of the Pensacola Dam. Cool and unique to say the least and—Challenge accepted.

Finally, worthy of a note in this article, coming out of the Park's collaborative approach in evaluating the above was a community need and business opportunity for indoor, climate-controlled hydroponics for growing fresh vegetables year-round for not just the complex but the surrounding communities. An urban version of "farm to fork" directly came out of the working group's discussions around healthy lifestyles and food options for the NYC-style buffet. Lettuce, kale, and other greens grow exceptionally well hydroponically, and it was even suggested adding tilapia (fish farming) component at the bottom basin of the growing bins as well.

- **Conveniences**—Connecting play and work, the complex would make owning an automobile non-essential by offering shuttle service throughout the Park, as well as offering a car-sharing service (i.e., real-time car rentals by the hour or day without the real hassle of pre-booking) for trips off campus. There is a direct correlation between removing automobile debt and increasing net wealth. So by making car ownership and a daily commute unnecessary, one can afford to dedicate a higher percentage of gross income towards monthly housing expense. Rounding out the available conveniences would be the addition of communal bicycles and electric golf carts for on-campus travel and dedicated trails and pathways to encourage outdoor activities and exercise.





- **Spectacular views**—With 3,500 acres of the park still undeveloped, dedicated greenspace would be set aside for outdoor exercise and community gatherings such as summertime concerts and vendor fairs or farmers markets from spring through fall. Also, the roof of the complex could be developed in such a way that it would be usable space for tenant recreation and small work gatherings, such as team meetings and professional events. Working until sundown seems less onerous if you could be sitting outside surrounded by breathtaking views, a craft beer in your right hand, and a gourmet meal on the table to the left of the laptop. That is, of course, assuming that changes in technology aren't such that the use of a laptop or tablet won't be obsolete in the not-so-distant future.

It is envisioned that not unlike the synergies one gets from a business incubator, this residential/retail complex's communal space will be the impetus for fluid communication and real-time results, streamlining a successful path forward for both employer and employee. Both local support and national interest are gaining momentum as the prototype above continues to evolve. This could truly be a global "game changer" for the "cool and the unique" and a bold move forward.

We have all heard the expression, "If you build it, they will come." For years we have seen young, talented individuals leave rural and suburban communities for larger cities. Part of that quest is for new and challenging experiences and the excitement big city living has to offer. But just as important is the search for employment and the ability to connect premier positions with top-level talent. The real question is, "If you build it, will they stay?" It is my opinion that jobs (availability and talent pool) and the existence and attraction of employers are very important, if not essential. And, if talent is given an opportunity to stay near home and is provided the state-of-the-art amenities and services that

urban living has to offer, many will choose to combine a career with the comforts of home. With the ever-changing technology of today, all we know is that tomorrow will be vastly different.

Now that we have a handle on what the millennials want, we can begin to forecast what the forward-looking C-suite executive needs. Breaking that code has and continues to be one of the central factors to both short- and long-term corporate success. And in 2015, with millennials outnumbering baby boomers in the workforce, the time for a bold move is now. Be bold, be unique, be cool. Find what makes your community different and embrace technology and change. Think yes before you say no. Get local business, community, and faith-based leaders together and let them know you need to catch the attention of the C-suite executive: the ultimate decision maker as to where the jobs, offices, and facilities are to be located. The C-suite executive is also looking for something cool and unique—both for themselves (today and into retirement) and for their children and their children's children. And never forget, today's millennial will be tomorrow's chief executive officer, if not already.

Tomorrow we all will have increased choices combined with increased demands on our time. We will likely be a more service-driven society than we have ever been in history. Job opportunities for those who are nimble and technology-facing should be available. And the companies and communities that figure out the future of our next generation of employees and catch the attention of the C-suite executives will lead us all forward. Trying to find the right mix of Play, Live, and Work in this jumbled world will be integral to the success of employers and employees alike. We all live in interesting times and the next decade will define a generation of talent and open doors that we didn't even imagine existed.

“Putting aside utilities and infrastructure for the moment, I see quality of life and availability of talent as being the two biggest drivers for success, and the first rural communities to the finish line with a solution that meets both will be the leaders of tomorrow and will re-write history and how we all live, work, and play.”

— Tom Gray, GRDA

“The Big City Lights have a draw for sure but my heart and my family are all lake-side with the beautiful vistas of Grand Lake. With the assistance of technology, I fully embrace the opportunities to be surrounded by those I love, where I love, and doing what I love.” Lainey Townsend grew up in Grove, Oklahoma, and currently resides in Manhattan.

— Lainey Townsend, MediaVest USA

MidAmerica Industrial Park

At MidAmerica, we are always looking at ways to help our companies succeed. By embracing the idea that what worked yesterday won't necessarily work today, we created “MidAmerica Delivers,” a branded workforce development program that is designed to attract and educate our millennial workforce in ways that are outside the framework of our traditional educational system. The program will market careers using video, social media, billboards, and other non-traditional mediums.

MidAmerica Delivers is designed to locate, evaluate, educate, and deliver skilled workers to businesses at MidAmerica. By aligning existing programs and resources in community-based organizations in a way that is more efficient, we eliminate the need for the infusion of additional capital. An advisory team made up of stakeholders coordinates delivery of those resources. A new \$10 million career center funded by MidAmerica will house the program that will include technical and soft-skills training by on-site colleges and state-funded technical education. CEOs of local business will help design the curriculum as well as desired outcomes. The program identifies and delivers resources in a way that is more in tune with the thinking of our upcoming workforce. We learned early on that our new workforce has more respect for equality, diversity, individual talent, and freedom of movement than ever before. This requires a paradigm shift in the way we build infrastructure, housing, and other daily life amenities. On the horizon, we see investment in projects that would have never made the drawing board five years ago. Will it be easy? No, but in order to compete over the long-term we must start today. Let's think outside the box and get creative.

Grand River Dam Authority

The Grand River Dam Authority (GRDA) is Oklahoma's state-owned electric utility that is fully funded by revenues from electric and water sales instead of taxes. Established in 1935, GRDA was charged with building dams along the Grand River for the purposes of hydroelectric production and flood control. More than 75 years later, it still meets that mission with a focus on electric generation, ecosystems management, and economic development. Today, GRDA produces electricity with a diverse mixture of coal, natural gas, hydroelectric, and wind generation assets. Since 1940, when it built Oklahoma's first hydroelectric facility—Pensacola Dam—the utility has strived to maintain its reputation as a supplier of low-cost, reliable, and abundant power. To continue that reputation into the future, the GRDA has developed a long-term plan for generation assets. At the heart of that plan is the construction of a \$400 million, 495 megawatt power plant that is expected to go on-line by spring 2017 and will have the potential to be the most efficient in the United States. At no cost to Oklahoma taxpayers, GRDA also manages 70,000 surface acres of lake, including Grand Lake, Lake Hudson, and the W.R. Holway Reservoir. Together, these lakes serve as the foundation for a thriving recreation and tourism industry in the region, which supports a broad tax-base, benefiting all of Oklahoma. Each day, a GRDA workforce of more than 500 meets its mission while helping facilitate more than \$450 million in economic activity in Oklahoma annually.

About the author



Charles L. Ruby, Director, Deloitte Tax LLP

Charles L. Ruby started his career in real estate more than 25 years ago, focusing his efforts on evaluating industrial and special use properties for Ad Valorem Tax Appeal purposes. Charlie leveraged his extensive real-life experiences with state and local government officials to become a founding member of a site selection practice for a Big Eight professional services firm in the 1990s. Charlie has worked his entire career headquartered in or around Manhattan, while representing clients from across the country in various industries. Today, Charlie is a leading national site selector with a focus on:

- Identifying sites for long-term growth;
- Enhancing packages that are tailored directly to client and community needs; and
- Customizing effective relationships by building a solid community-based foundation and laying out the groundwork for continued growth and economic prosperity for state and local governments, university students, the workforce, and his corporate clients.

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P.O. Box 244 Bunnlevel, NC 28323 (910) 890-2779

Colin Webster
The Ascot Corporation, LLC
910-688-7361
colin@ascotgrp.com

February 10, 2023

Subject: Wetland/Stream Assessment on 235 W New York Avenue, Southern Pines NC 28387
PINs: 858105281747 & 858105282734

Dear Mr Webster,

A site investigation based upon section 404/401 of the Clean Water Act has been conducted for the above referenced property, located on 235 W New York Avenue, Southern Pines, Moore County, North Carolina ("site"). The purpose of this investigation was to determine the existence and extent of areas that exhibit the characteristics of jurisdictional wetlands under Section 404 of the Clean Water Act and/or jurisdictional streams. All wetland investigations were completed in accordance with the 1987 US Army Corps of Engineers Wetland Delineation Manual and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region (Version 2.0).

This report represents my professional opinion that areas that clearly meet the required criteria for jurisdictional wetlands were NOT observed at the site. These criteria include hydric soils, hydrophytic vegetation and wetland hydrology. Similarly, no areas were found to meet the criteria of jurisdictional streams either. The crenulation located on the tract was purely stormwater sourced, showed no ground water tie or OHWM or vegetation. This crenulation can be piped to the existing culverts that abut the system. If you prefer, Wetland Solutions can pursue concurrence by the US Army Corps of Engineers or the NC Department of Environmental Quality; Division of Water Resources.

I appreciate the opportunity to provide this service and trust that you will feel free to call on me again in the future. If you have any questions or need additional information, please contact me at your convenience.

Sincerely,

Adam Carter
Senior Environmental Scientist

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

Environmental Consultants
P.O. Box 891 • Southern Pines, N.C. 28388
(910) 695-1043 • Fax (910) 695-3317

7 February 2023

Ms. Shawna Muhly
150 SW Broad Street
Southern Pines, NC 28388

Dear Ms. Muhly:

On 2 February 2023, a biologist from Dr. J. H. Carter III & Associates, Inc. (JCA) conducted a red-cockaded woodpecker (*Dryobates borealis*=*Picoides borealis*) (RCW) survey of two adjacent undeveloped lots; a 0.33-acre lot (ID#0003226) and a 0.45-acre lot (#00031983) on New York Avenue and South Bennett Street, Southern Pines, Moore County, North Carolina (NC). The biologist did note the perennial stream channel on the eastern lot as noted by Mr. Marsh Smith in his comments that you forwarded to our office. This channel is an unnamed tributary that drains to McDeeds Creek and is part of a High Quality Water (HQW) drainage. The HQW will need to be delineated, as any proposed project impacts to this channel and associated wetlands will require permits from the US Army Corps of Engineers and the North Carolina Department of Environmental Quality.

The parcels had a sparse to moderately dense overstory of loblolly (*Pinus taeda*) and longleaf (*P. palustris*) pines, tulip poplar (*Liriodendron tulipifera*) and American sycamore (*Platanus occidentalis*), a sparse midstory of flowering dogwood (*Bethamidia florida*) and loblolly pine, a dense shrub layer of Chinese privet (*Ligustrum sinense*) and mimosa (*Albizia julibrissin*) with a dense cover of kudzu (*Pueraria montana*), common green brier (*Smilax rotundifolia*) and muscadine grape (*Muscadina rotundifolia*).

No RCW cavity trees were observed on the parcel. The parcel is not within an RCW foraging habitat partition. The nearest known RCW cavity tree (#01314) contains a relic cavity and is located approximately 0.75 mile northeast of the parcel in abandoned SOPI 21.

The RCW Recovery Plan (USFWS 2003) defines a cluster as the aggregation of cavity trees used and defended by a group of RCWs plus a 200-ft. buffer of contiguous forest. The Recovery Plan also outlines the minimum acreage, distribution and stocking levels of foraging

habitat required to conserve a family group of RCWs. Foraging habitat is defined as stands of pine or pine-hardwood more than 30 years old, located within one-half mile of, and contiguous to, an active or managed RCW cluster. Landowners within RCW habitat have a responsibility to minimize the removal of RCW foraging habitat (pine trees ≥ 10 inches in diameter at breast height (dbh)) and must notify the USFWS prior to such removals.

Property development within a cluster and associated foraging habitat, if not carefully conducted, is potentially harmful to RCWs and may violate the Endangered Species Act if not specifically authorized by the USFWS. Removing pine trees within the cluster contributes to habitat fragmentation, making RCWs more vulnerable to predation and more susceptible to having other species take over their cavities.

The RCW survey results are valid for a period of one year from the date of this letter. A copy of this letter along with a letter from the USFWS will be required when you request a building permit from your local Planning and Zoning office. If a RCW constructs a cavity in a pine tree on the aforementioned lot within the one-year time frame, this letter **does not** allow disturbance (within 50 ft.) or removal of the cavity tree. You must get additional approval from the USFWS for removal or disturbance of a RCW cavity tree.

Please feel free to call if you have any questions or comments.

Sincerely,

William Multin
Wetland & Wildlife Biologist

From: [RLUAC Executive Director](#)
To: [Cindy Williams](#)
Subject: RE: PD-02-23 Planned Development Conceptual Development Plan
Date: Thursday, March 9, 2023 5:53:08 PM

Cindy,

RLUAC does not have any comments on this case.

Thanks,

Vagn

Vagn K. Hansen II, AICP, Executive Director
Regional Land Use Advisory Commission
6205 Raeford Road
Fayetteville, NC 28304
(910) 398-3743
director@rluac.com
www.rluac.com

From: Cindy Williams <CWilliams@southernpines.net>
Sent: Friday, February 24, 2023 2:37 PM
To: Archie Daniel <adaniel@southernpines.net>; Cindi King <CKing@southernpines.net>; Cory Albers <calbers@southernpines.net>; David Byrd <DByrd@southernpines.net>; Director <director@rluac.com>; James Michel <JMichel@southernpines.net>; Ken Skipper <KSkipper@southernpines.net>; NCDOT <djuarezpozos@ncdot.gov>; ncsandhillsrcw@fws.gov; Ron Istre <Ristre@southernpines.net>; Ron Maness <rmaness@moorecountyairport.com>
Cc: Pam Graham <PGraham@southernpines.net>; Cindy Williams <CWilliams@southernpines.net>
Subject: PD-02-23 Planned Development Conceptual Development Plan

Good afternoon,

Please review the attached information regarding a proposed Conceptual Development Plan and respond with any comments or concerns at your earliest convenience. Thank you.

Sincerely,

Cindy Williams

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



Watershed Protection Permit

REQUIRED APPLICATION MATERIALS:

- ✓ **Completed Application** for a Watershed Protection Permit 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
- ✓ **Site Plan**
- ✓ **Vicinity Map**
- **Narrative** (if the property is outside of the **CB** zoning district) addressing each of the criteria listed in Exhibit 3-14, Table Note 3, of the UDO
- ✓ **Electronic copy (PDF) of all application materials** submitted to plan@southernpines.net

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

REVIEW AND APPROVAL:

1. **Staff review**: Planning staff will review the application and notify the applicant if additional materials are needed.
2. **Approval**: The Town Council, at its regular meeting, will review and approve, approve with conditions, or deny the application.

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



Watershed Protection Permit Application

Date Received: _____

Case No.: WP-____-____

I, the undersigned, do hereby make application to the Town of Southern Pines Town Council for a Watershed Protection Permit for the property described below.

Project Information:

Project Name: New York Place Zoning District: CB Total Property Acreage: .80

PIN: 00032263/00031983 Parcel ID: 858105282734/858105281747 Watershed: WS IIIP

Type of Development: Mixed Use Total Built-Upon Area*: .59

% of Total Property Acreage Proposed to be Built-Upon Area*: 69

Applicant:

Name(s): The Ascot Corporation, LLC Email: Colin@ascotgrp.com

Mailing Address: P.O. Box 1872, Southern Pines NC 28388 Phone: 910-688-7361

Authorized Agent, if different from Applicant:

Name(s): _____

Email: _____ Phone: _____

Mailing Address: _____

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

Name(s): The Cottages at Legacy Lakes, LLC

Email: _____ Phone: _____

Mailing Address: 237 Legacy Lakes Way, Aberdeen NC 28315

Signature of Applicant

*Definition of Built-Upon Area May be Found in Chapter 9 of the Unified Development Ordinance.

Please review **UDO §3.6.8 Watershed Protection Overlay District** in its entirety.