



AGENDA

Thursday, August 24, 2023: 6:00 PM

Planning Board

Douglass Community Center: 1185 W. Pennsylvania Ave

1. CALL TO ORDER

2. APPROVAL OF MINUTES

a. July 20, 2023 Regular Meeting

3. PUBLIC FORUM

a. PD-03-23: Preliminary Development Plan (PDP) for Morganton Park South Phase 3

Mr. Robert Koontz has applied on behalf of Midland Atlantic Properties for a Planned Development Preliminary Development Plan in association with the Morganton Park South Development. The application includes a 101,840-square foot wholesale retail building, a fuel service station without convenience store, and a 2,050-square foot drive-through restaurant on +/- 13.89 acres.

4. PUBLIC HEARING

a. LRP-01-23: Adoption of Southern Pines 2040 Comprehensive Plan

A public hearing for the Planning Board to listen to public comment on the new 2040 Comprehensive Plan before forwarding a recommendation of approval, approval with modifications, or denial to the Town Council.

5. UNFINISHED BUSINESS

6. NEW BUSINESS

7. PUBLIC COMMENTS

8. ADJOURNMENT

Agenda Item

To: Planning Board

From: Alaina Mallette, Senior Planner

Subject: PD-03-23: A Planned Development District - Preliminary Development Plan for Morganton Park South Phase 3 Commercial/Retail; Applicant: Midland Atlantic Properties; Bob Koontz of KoontzJones Design PLLC, Authorized Agent; Property Owners: Morganton Road Enterprises, LLC, Robert W. Van Camp and Julie M. Van Camp, Trustees of the Robert W. and Julie M Van Camp Living Trust

Date: August 24, 2023

I. SUMMARY OF APPLICATION REQUEST

Mr. Robert Koontz has applied on behalf of Midland Atlantic Properties—who is the applicant for Morganton Road Enterprises, LLC—for a Planned Development Preliminary Development Plan without preliminary plat in association with the Morganton Park South Development Plan approved in 2021. A 101,840-square foot wholesale retail building, a fuel service station without convenience store, and a 2,050-square foot drive-through restaurant are being proposed on +/- 13.89 acres. Up to 650,000 square feet of retail is authorized in the Conceptual Development Plan (CDP).

The application is for the 3rd phase of development within the Morganton Park South Planned Development district. The preliminary development plans for the 1st phase (PD-09-21) and the 2nd phase (PD-07-22) were approved on October 12, 2021, and July 12, 2022, respectively.

II. PROJECT INFORMATION

A. Property Owners(s)

1. PIN 857100681141 (PARID 98000749)

Co-Owned by Morganton Road Enterprises, LLC, Robert W. Van Camp and Julie M. Van Camp, Trustees of the Robert W. and Julie M Van Camp Living Trust
PO BOX 1389
Pinehurst, NC 28370

B. Applicant(s)

Midland Atlantic Properties
8044 Montgomery Road, Suite 370
Cincinnati, OH 45236

C. Authorized Agent

Robert Koontz
Koontz Jones Design
150 South Page Street
Southern Pines, NC 28387

D. Property Information

1. Street Address

The subject property is currently unaddressed. Addresses will be assigned by Moore County following approval of the PDP.

2. Size of Property

Total acreage in approved CDP:	+/-98.78
Area being developed in current PDP:	+/-13.89

3. Subject Property Description

The subject project is located within the “Retail” area of the approved CDP and is described as being positioned between U.S. Highway 15-501 and West Morganton Road, adjacent to dead end of Southern Road. The deed states that the entire parcel is 52 acres, and solely +/-13.89 of that parcel will be developed. The applicant does not know whether a portion of the parcel being developed will ultimately be conveyed, hence they did not include a preliminary plat for concurrent subdivision review.

The PDP includes the extension of Southern Road, which will connect to a roundabout on Carolina Green Parkway, which cuts through the center of the Planned Development. This extension and connection will provide a link between the Southern Pines Village (i.e., Kohl’s) development along Brucewood Road and Morganton Park South.

4. Jurisdiction

The subject property is currently located entirely within Southern Pines’ corporate boundary after being annexed in February 2022 (see AX-07-21). The CDP approval was conditioned on annexation of the entirety of the CDP area prior to issuance of the first building permit for construction for any phase.

5. Property Zoning Classification

The zoning of the subject property is PD-Planned Development (See Figure 4: Vicinity & Zoning Map below). A Conceptual Development Plan (CDP) for Morganton Park South was approved by the Town of Southern Pines Town Council on September 14, 2021 as file PD-08-21. The current and all future Preliminary Development Plan (PDP) applications must be consistent with the approved CDP or must request and be granted deviations from the CDP as part of the PDP review and approval process.

Figure 1: Current Zoning Vicinity Map (Overall CDP outlined in Red, current PDP area roughly outlined in blue).

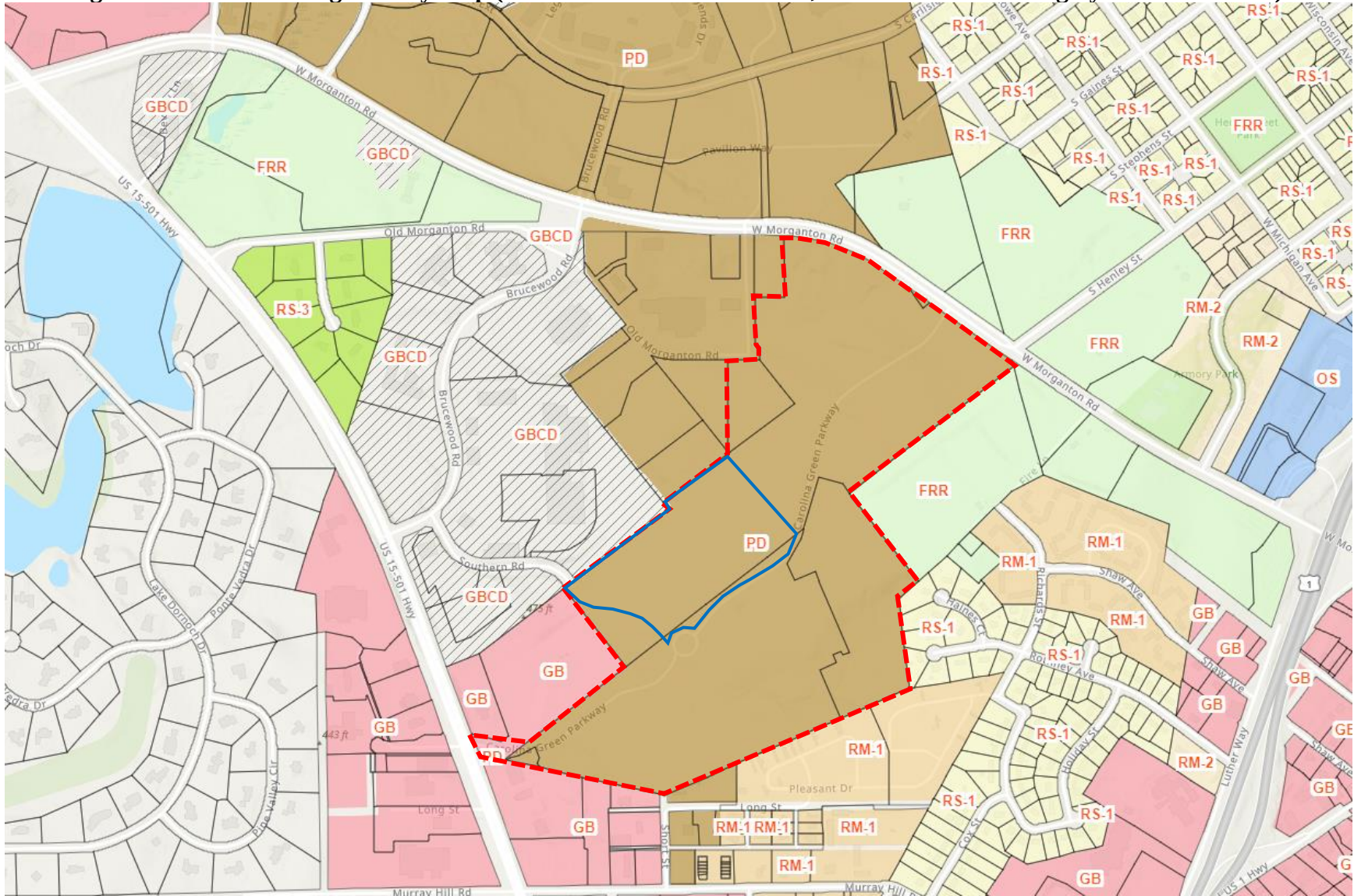


Figure 2: Drone image taken May 4, 2023, looking west towards Kohl's Retail Building



Figure 3: Drone image taken July 13, 2023, showing Carolina Green Parkway Roundabout Construction.



Figure 4: Morganton Park South CDP Conceptual Land Use Plan (2021) with Black Star on Subject Site

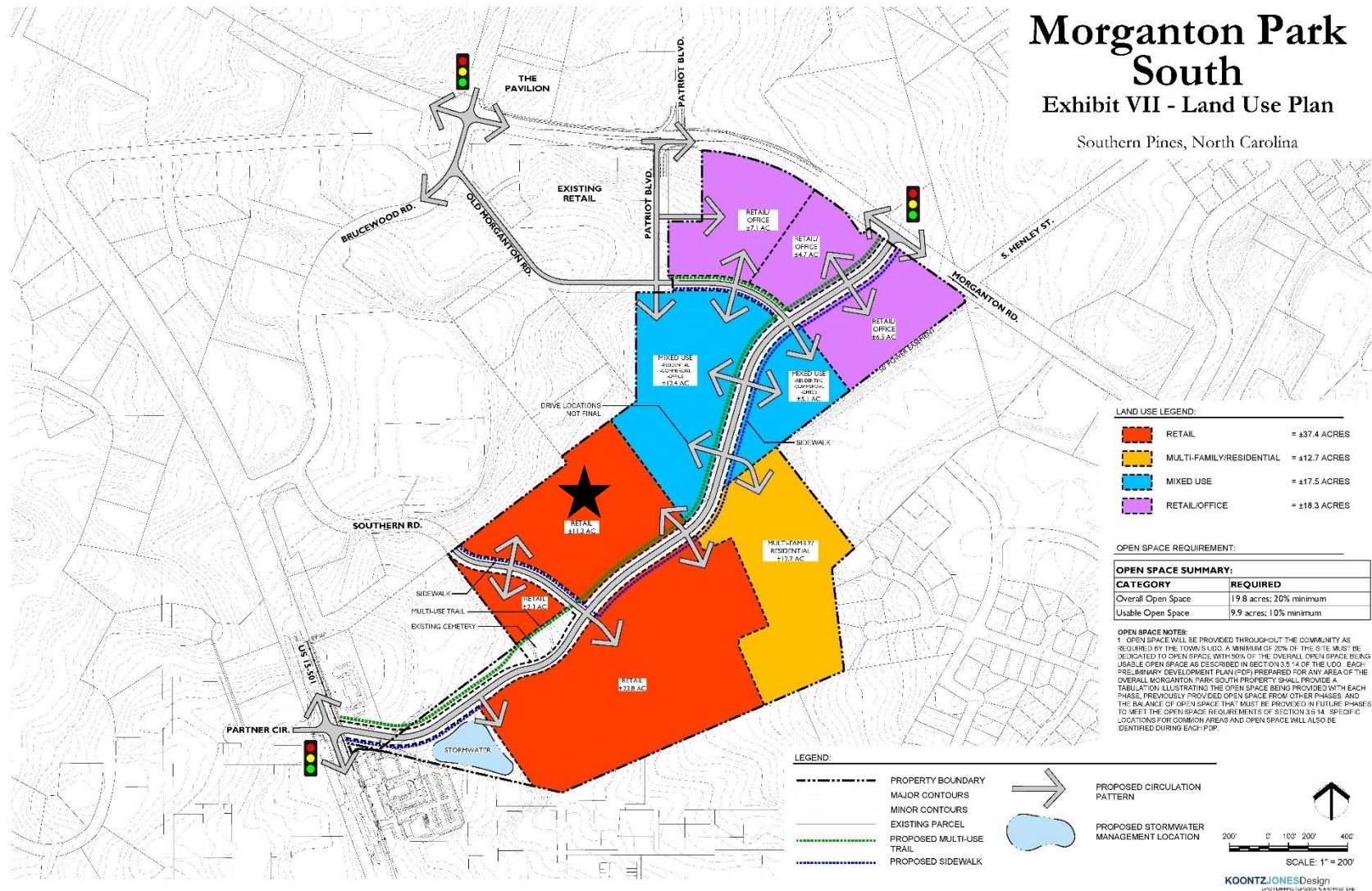
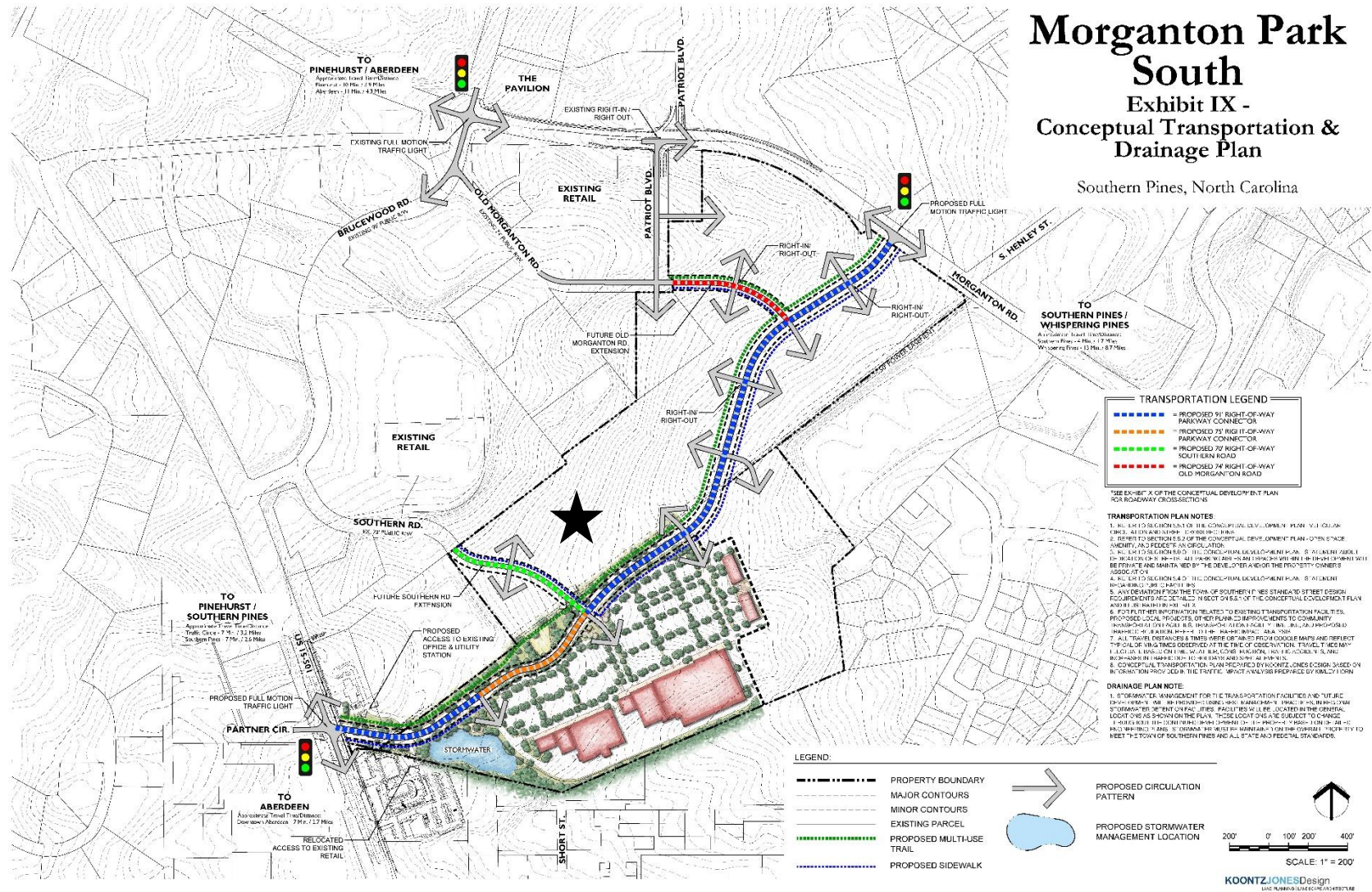


Figure 5: Morganton Park South CDP Conceptual Transportation Plan (2021) with Black Star on Subject Site



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 second step, PDP, is when a project or phase of a project are reviewed for compliance with the unique zoning standards established in the CDP. An application for approval of a Preliminary Development Plan (PDP) follows the procedure for quasi-judicial decisions by the Town Council. Prior to the Council's decision, the Planning Board may hold a Preliminary Forum to review the project.

(B) Summary of Procedural Requirements

- PDP Application Submitted: July 10, 2023
- PDP Application Complete: July 21, 2023
- Notice of August 24, 2023 Planning Board Preliminary Forum
 - Posted On-site: August 2, 2023
 - Mailed: August 4, 2023
 - Internet: August 2, 2023
 - Newspaper: August 9, 2023 and August 16, 2023
- Planning Board Preliminary Forum: August 24, 2023

(C) Applicable Criteria for Review

The criteria for review and approval of a PDP are found in Chapter 2, §2.18.5(H), of the Town of Southern Pines Unified Development Ordinance. Staff analysis of how the application addresses these criteria begins on the following page of this document.

(D) Town Staff Review and Comments

1. Consultation with Technical Review Committee (TRC)

The proposed development received a pre-application review on June 13, 2023. Staff notes from that meeting can be found in **Attachment 8**. Staff consulted the TRC on July 25, 2023, and the Town Engineer on August 4, 2023, after the PDP application was deemed complete, per UDO §2.18.5(E). TRC members stated that fire hydrants and sewer easements were not shown on the PDP site layout, but will need to be included during site plan review. There was also some confusion on what sewer lines would be public and which would be privately owned and maintained.

The Town Engineer, James Michel, had found three issues. First, there should be a pedestrian connection between the smaller drive-through restaurant (i.e., Starbucks) and the sidewalk. The applicant corrected this omission in their August 10, 2023, updated Sheet L-1.1 (i.e., **Attachment 3**) submittal. Second, Mr. Michel has concerns about the connectivity of utilities between this phase and future, adjacent phases. He would like the applicant to address looping of current water lines into future phases as well as clarification on whether or not the sewer line will be stubbed out in order to connect CDP Phase 7 development, which will be necessary due to technical grading issues along the Carolina Green Parkway. The applicant added water and sewer line stub outs in their August 10, 2023, updated

Sheet L-1.1 (i.e., **Attachment 3**) submittal. Lastly, the geometry of the connection between Southern Road and the Carolina Green Parkway at the roundabout is problematic and will need to be approved by the Town Engineer during site plan review. The applicant responded to this concern on August 10, 2023, stating “The design team will work with engineering staff to provide a suitable roundabout design during the site plan design/approval phase of the project.” This is acceptable to the Town Engineer.

Mr. Michel found that Southern Road cross-section appears to be CDP compliant. He also found that there does not seem to be any issues with the trip generation analysis modifying the July 2021 traffic impact analysis counts. In fact, it was at his request that they do it this way. A formal site plan review for this phase will occur following approval of the PDP by Town Council.

2. Consistency with Criteria for a Preliminary Development Plan

The criteria against which a PDP shall be reviewed are found in UDO §2.18.5(H). The applicants have provided a Narrative addressing the criteria for a PDP as required by the UDO, which is enclosed with this report. Staff analysis of the application’s ability to meet the criteria is as follows.

1. The application demonstrates that it will achieve the purposes of the Planned Development District (PDD) and this section of the UDO.

The purpose, intent, and general requirements for the Planned Development (PD) District are found in UDO Chapter 3, §3.5.14, and are included in the paragraphs that follow. The stated purpose for the District is “*to accommodate mixed land uses, such as office, residential, service, commercial, public or private recreational Development...*” A restaurant, fuel station, wholesale retail building, open space, and multi-modal greenway trails represent a mix of commercial and recreational land uses. The stated intent for the District is “*to allow mixed-use Developments in areas where sufficient public water and sewer service is available (or can readily be extended) and where the street system is adequate (or can be readily improved) to handle the projected traffic volumes generated by the Development.*” See “Consultation with Technical Review Committee” section and Criteria 2(d), 3, and 4 below for staff comments on public water and sewer service and Criteria 2(c) regarding street system and traffic impact analysis.

The UDO’s stated intent of the regulations for the District is included as a list on the following page.

- a. Encourage planned, large-tract Development, including service, office, commercial, residential, public or private recreational Development or light industrial uses;*
- b. Exclude heavy commercial and heavy industrial land uses;*
- c. Encourage Development in areas located on major thoroughfares and collector streets;*
- d. Encourage vehicular access from service drive and other local streets;*
- e. Provide performance standards to help ensure compatible land uses;*

- f. *Encourage common or shared parking;*
- g. *Promote creativity and innovation in the design that leads to more appropriate relationships between land uses and features;*
- h. *Facilitate clustering of Development thereby increasing the amount of saved land;*
- i. *Foster Development of a network of open space to serve a variety of recreational and environmental purposes designed and located with respect to existing unique natural features and environmentally sensitive areas;*
- j. *Improve connectivity within and between Developments to promote mobility and enhance walkability;*
- k. *Integrate public spaces and amenities to promote community gatherings and activities;*
- l. *Establish coordinated land plan and consistent treatment of common design elements;*
- m. *Provide the flexibility to respond to market conditions over longer projected Development periods due to the scale of such Developments; and*
- n. *If residential land uses are proposed, provide a variety of Lot sizes and Dwelling types to expand the spectrum of housing choices for households of various type, size, income and age.*

No performance standards demonstrating compatibility of proposed land uses (i.e., letter “e” above) was provided by the applicant. Furthermore, there are 24 more parking spaces for the small retail building than is permitted by the CDP and UDO, which is inconsistent with letter “f” above regarding shared and common parking. There is no integration between the linear park public space and the frontage zone of each building that would promote community gatherings and activities (i.e., letter “k” above) aside from sidewalks connecting them. Otherwise, the applicant is consistent with all other intents of the PD district.

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

The UDO sets the expectation for uniqueness in the design and development of Planned Developments in §3.5.14, allowing for a significant degree of deviation from the UDO. In §3.5.14(F)(3), the UDO specifically allows for alternative standards as long as the proposal:

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

The CDP for the Morganton Park South was originally approved in 2021, with the PDP for the first phase for retail development approved that same year (i.e., PD-09-21) and the second phase for a multifamily development approved in 2022 (i.e., PD-07-22). The current proposal constitutes the third phase of development. The CDP’s “Retail” development program (i.e., CDP Table 1.1) for the area that includes this phase, allows for up to 650,000 square feet of commercial and retail space, but no more than 700,000 square feet of development can be a combination of commercial, retail, and office. The full development program also includes 483 dwelling units as multi-family dwellings, townhomes, and single-family detached dwellings, per CDP and the first condition of approval on PD-07-22 (i.e., Phase 2 multifamily PDP). From an acreage perspective, the CDP Table 1.0 designated approximately 37 acres as retail; 13 acres as residential; 18 acres as mixed retail and office; and 18 acres as mixed use.

In comparing the PDP proposal with the approved CDP, staff analyzed the following CDP provisions that are relevant to this phase, as indicated below.

a. CDP §2.2 Vision

The vision of the PD is to integrate into the surrounding area and be compatible with surrounding development. Architectural themes, signage, landscaping, and design elements are intended to be consistent with Southern Pines’ UDO and additional or deviated standards established in the CDP. Architecture will be reviewed during the Architecture Compliant Permit process, landscaping and other site design elements will be addressed during site plan review, and permit applications will be reviewed, as needed. Furthermore, Southern Road was intended to connect to the Carolina Green Parkway during this phase so that future users have access to adjacent developments, as has been proposed by the applicant.

b. Open Space¹

The CDP requires 19.8 acres of open space, of which 9.9 acres have to be usable open space. The UDO defines *usable* open space as:

“... areas comprised of, but not limited to, any combination of the following: natural areas, wetlands, trails, boardwalks, parks, ball fields for structured recreation, equestrian fields or tracks, golf courses (not including clubhouse or other vertical structures), buffers (outside of a platted Lot), any water bodies including ponds and lakes, and/or innovative

¹ Per CDP §5.2 Development Standards; CDP §5.4 Statement Regarding Public Facilities; CDP §5.5.2 Open Space, Amenity, and Pedestrian Circulation; UDO §3.6.6(C)(4) General Morganton Road Overlay District Standards; UDO §3.5.14(G) Planned Development Open Space Standards; and UDO §4.9 Open Space.

and accessible water quality ponds (that are designed as an amenity).”

The CDP considers “trails, open areas, amenity areas, linear park areas, multi-use paths, and other recreational areas” to be used as *usable* open space. This PDP proposes adding 3.4 acres of open space, of which 1.59 acres will be *usable*. When added to Phase 1 and Phase 2, the total approved and proposed open space provided would be 11.92 acres, leaving 7.88 acres remaining. The proposed *usable* open space added to the approved open space amounts to 9.48 acres, leaving 0.42 acres remaining.

The 40 to 60 feet of linear park along Carolina Green Parkway is required to have a minimum of 80 feet total on both sides of the parkway and cannot be less than 20 feet on either side of the parkway. In the 20- to 60-foot minimum linear park setback, trails and outdoor recreation opportunities—including patio areas, sitting areas, park features, trellises, and other outdoor facilities—are expected. A table on Page 13 of the CDP includes a list of linear park amenities and standards for those amenities; Page 14 includes pedestrian path and landscaping requirements for the linear park. Note landscaping standards will be reviewed and enforced during site plan review.

The PDP includes the linear park that is adjacent to the parcel along the parkway. Development properties are required to make connections to the multi-modal linear park path where sidewalks are installed. The applicant has provided a connection through the Linear Park to the multi-modal path for the large retail building and a connection to the Southern Road sidewalk from the restaurant.

Morganton Road Overlay: The site's natural features and surroundings, unique features of the subject and surrounding property shall be considered by the Town when evaluating the configuration and uses of planned Open Space. Where practical, Open Space shall be configured to provide connectivity with other Open Space, both on- and off-site, and allow for connectivity to and the extension of the existing Greenway Trail System. The required 20' buffer, open space adjacent to Southern Pines Village, and the Linear Park will create connectivity between through and around the site. The CDP states that the multi-modal Linear Park trail is anticipated to be dedicated to the Town of Southern Pines, thus, expanding the Town's Greenway Trail System.

c. *Phasing², Streets³, Traffic Impact Analysis, and Sidewalks,*

This 3rd phase of development includes Southern Road, which is required to be constructed with this site and dedicated to the Town prior to issuance of a certificate of occupancy for any building within the development. Southern Road—functionally a commercial collector, but a local/sub-collector commercial road per UDO classification—is planned to be connected to the existing stub out during this phase of development and to mirror the existing street cross-section, as seen on the site plan layout (**Attachment 3**). Upon completion, the street is to be dedicated to the Town of Southern Pines prior to its final certificate of occupancy as described in the CDP and acknowledged by the applicant.

A traffic impact analysis is required at the time of PDP. The applicant attached a Trip Generation Analysis, as recommended by Town Engineer, James Michel. No issues were found with the analysis. All site access drives for this phase of development will be off Southern Road. A full motion intersection (i.e., a roundabout with right-in and right-out traffic pattern) will connect Southern Road to the Carolina Green Parkway. The Town Engineer noted an issue with the geometry of the connection of Southern Road to the Carolina Green Parkway roundabout, which should be addressed during site plan review.

Southern Road is required to have sidewalks on one side of the road continuing on the north side from where they currently end in Southern Pines Village. All sidewalks have to conform to UDO standards, and will be reviewed during site plan review.

c. *Public Street Lighting⁴*

The UDO requires streetlights be placed at each intersection and at such block spacing as may be required by the Public Service Director. No streetlights are shown on the PDP. If the power supplier retains ownership and not the town, then the type of street lighting facilities to be installed shall be acceptable to both the Town of Southern Pines and the supplier of electrical power. The town is responsible for street light maintenance unless assumed by another entity. Street lights will not be accepted by the Town until the road has also been accepted. All poles must be approved by the Town Engineer and standards must follow

² Per CDP §10 Phasing and UDO §2.9 Phased Development

³ Per CDP §5.5.1 Vehicular Circulation, Street Cross Sections, and Parking;

⁴ Per CDP §5.5.6 Street Lighting and UDO §4.8 Lighting Code

Exhibit 4-13: Standard Street Lighting which is dependent on street classification.

d. Utilities⁵

The Phasing section of the CDP states that a conceptual utility design plan is required for the PDP process. The Technical Review Committee wanted to see water and sewer line stub outs for CDP Phase 7, which were added by the applicant to Sheet L-1.1 (i.e., **Attachment 3**) and received by staff on August 10, 2023.

According to the CDP and UDO, utilities including water, sewer, gas, cable and electric (including distribution lines) shall be located underground. All proposed utilities appear to be underground with the exception of existing electric power lines owned by Duke Energy, which run through the Linear Park and will remain above ground. Staff is unaware if gas line or cable line extensions are anticipated. Utilities shall be designed to accommodate future subdivision of the space into retail spaces no larger than 20,000 square feet with independent exterior entrances. Utilities installed in public rights-of-way or along private roads shall conform to the requirements set forth in section 4.15, which will be reviewed during site plan review.

e. Large-Scale Retail Development⁶

The 101,840-square foot retail building is considered large-scale retail, per UDO definition. Therefore, it will have to comply with utility and architectural standards of the UDO. For instance, the Southern Road-facing and Carolina Green Parkway-facing façades, which measure over 100 feet in length, will be required to have building articulation, which is not shown on the PDP.

f. Parking⁷

The large-scale 101,840-square foot retail building requires between one parking space per 250 square feet of retail space (or 407 spaces) and 200 square feet (or 509 spaces). 436 parking spaces are being provided for this building, which would be within the required range. However, the small 2,050-square foot retail development requires between one space per 400 building square footage (or five spaces) and 250 square feet (or eight spaces), and the applicant is

⁵ Per CDP §5.5.5 Utilities, UDO §3.5.14(O)(4); UDO §3.6.6(I) Morganton Road Overlay District Utilities, UDO §4.10.6(C)(1) Utility Design for Large-Scale Retail Development, UDO §4.11.20 Utilities within Public ROW, and UDO §4.15 Utilities

⁶ Per UDO §4.10.6

⁷ Per CDP §5.5.1 Vehicular Circulation, Street Cross Sections, and Parking

proposing 32 parking spaces (i.e., 24 spaces over the maximum allowed in the Morganton Road Overlay district) The applicant calculated parking for the entire site as one space per 222 square feet of gross floor area, and did not differentiate by small- and large-scale development as is required in the CDP. The applicant's narrative did not make a comment regarding shared parking. Other off-street parking standards will be reviewed during site plan review.

g. Accessory Uses (Fuel Canopy/Gasoline Service Station)⁸

Fuel pumps may be located between the large retail building and a public street—but not within the 20-foot buffer with the adjacent parcel nor the 25-foot building setback—if a landscape screen is applied per UDO Landscaping Code. It is not located within the buffer or the building setback, but no comment was made in the narrative regarding landscape screening. Fuel station compliance with site-related standards will be checked during site plan review, including certification, signed and sealed, by an engineer ensuring that fuel will not runoff into the municipal storm drainage system.

Furthermore, architectural compatibility with the wholesale retail building is required and will be evaluated during architectural compliance permit review. Signs will be reviewed when a sign application is submitted..

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

The PDP is proposed for an area with access to a commercial local road (i.e., Southern Road), which is to be constructed by the applicant and dedicated to the Town thereafter. The newly constructed Southern Road will provide access to Carolina Green Parkway that bisects the Morganton Park South Planned Development and connects Morganton Road to U.S. Highway 15-501, which are two commercial and residential highway corridors within the town. The proposed parcel(s) is/are⁹ adjacent to shopping centers (e.g., Southern Pines Village/Kohl's retail plaza and Phase 1 retail, including Target) and multi-family housing (e.g., Phase 2 development and Murray Hill Road multifamily build-to-rent project).

⁸ Per CDP §5.5.8 Accessory Uses and UDO §5.3 Accessory Uses and Accessory Structures and §5.4 Automobile Service Stations/Gas Sales Operations

⁹ The applicant has not been clear about whether or not the drive-through restaurant will be conveyed separately. Planning Staff have seen both options—one in the PDP and the other in the proposed leasing plan—with the parcel unsubdivided and subdivided, respectively. Planning Staff have informed the applicant that they will be able to submit for an expedited review, per UDO §2.19.3 Subdivision Classification, but that they will have to submit their expedited review application prior to site plan submittal.

Water and sewer lines are available to the development. The applicant submitted a letter dated July 7, 2023, from environmental consultants, Dr. J.H. Carter III & Associates, Inc., regarding adjacent red-cockaded woodpecker foraging activity. No new cavity trees were found and the closest known cavity tree is 2,350 feet away. Three federally-endangered plant species in Moore County were also not discovered on the project site; though, the biologist hypothesized that fire suppression and habitat conversion both contribute to the absence of these endangered plant species since the habitat is suitable for at least one of the species. Therefore, the wildlife biologist concluded that the project would have no impact on the red-cockaded woodpecker rough-leaved loosestrife, Michaux's sumac, or American chaffseed.

Lastly, the subject project as well as the remainder of the CDP area are designated as Traditional Mixed Use in the 2016 Comprehensive Long-Range Plan. The Traditional Mixed Use category applies to parcels suitable for mixed-use development (i.e., residential and non-residential development) "in a manner similar to that found in downtown Southern Pines." It also indicates that development must be multi-modal—thus, accessible by pedestrians and bicyclists—and include new street networks. Although the building form of a large 100,000+ square foot wholesale store and drive-through restaurant are inconsistent with downtown Southern Pines, those uses were permitted in the retail subdistrict of the CDP. Therefore, Planning believes that the development is in an appropriate area of the town.

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

Water and sewer lines are located on Southern Road and U.S. Highway 15-501 and extensions have already been anticipated and incorporated in the Morganton Park South PDP. These extensions will be at the cost of the developer. The extension of these services to this site constitutes an efficient expansion of coverage.

CDP Section 5.4 Public Facilities states that community greenway trails, multimodal trails, and the trails within the linear park will be dedicated to the Town of Southern Pines upon completion. Nothing in the narrative speaks to this process.

3. **Noteworthy Project Elements for Planning Board and Town Council Consideration**

- Approval of the Morganton Park South Phase 3 Retail PDP will allow a 101,840-square foot wholesale retail building, a fuel service station without convenience store, a 2,050-square foot drive-through restaurant, associated parking, and open space, all arranged in the manner depicted in Preliminary Development Plan Sheet L-1.1. Following approval, the proposal may proceed to engineering plan (site plan) review with town staff and architectural review with the Town Council.

- No request for deviations from the approved CDP (PD-07-22) and/or the UDO have been received by the Planning staff.

IV. Cooperating Agency Review and Comments

A request for comments from agencies was emailed to representatives of the Town of Southern Pines Engineering, Public Works, Streets, Utilities, Fire, and Parks & Recreation Departments as well as representatives of the North Carolina Department of Transportation, Moore County Airport Authority, U.S. Fish and Wildlife Service, and the Regional Land Use Advisory Commission on August 2, 2023.

- RLUAC responded on August 4, 2023 stating that they did not have any comments.

(E) ATTACHMENTS:

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

1. Morganton Park South Phase 3 Retail PDP Application
2. Applicant's PDP Narrative and Justification Document
3. Applicant's Existing Conditions Plan and Overall Site Plan for Phase 3 (CDP Phase 5)
4. Reference: Morganton Park South Conceptual Development Plan's Phasing Plan
5. Morganton Park South Phases 1 & 2 TIA
6. Morganton Park South Traffic Generation Analysis (addendum to 2021 TIA) by Kimly-Horn
7. 2023 JH Carter RCW Report
8. Planning Staff Technical Review Committee Comments

(F) PLANNING BOARD ACTION:

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

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

I move to adopt the following for transmission to the Town Council as a result of the August 24, 2023, Preliminary Forum on application PD-03-23, Morganton Park South Phase 3 Retail PDP:

The information presented at the forum indicated that the following issues be considered in applying the criteria for a PDP to application PD-03-23:

- 1.

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

- 1.



Planned Development District Preliminary Development Plan Application

Fee: \$ _____

Date Received: _____

Case No.: PD- _____ - _____

Project Information:

Project Name: Morganton Park South Phase 3

Physical Address: Southern Road

PIN: 857100681141

Parcel ID: 98000749

Site Size: 13.89 acres

Zoning: PDP approval based on Approved CDP

Applicant:

Name(s): Midland Atlantic Properties

Email: jsilverman@midlandatlantic.com

Phone: 513-792-5000

Mailing Address: 8044 Montgomery Road, Suite 370, Cincinnati, OH 45236

Authorized Agent, if different from Applicant:

Name(s): Robert Koontz

Email: bkoontz@koontzjones.com

Phone: 910-684-8487

Mailing Address: bkoontz@koontzjones.com

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

Name(s): MORGANTON ROAD ENTERPRISES, LLC

Email: thomasv@vancamplaw.com

Phone: 910-295-2525

Mailing Address: PO BOX 1389, Pinehurst, NC 28370

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 – Preliminary 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 NE side of Southern Road (St./Ave.), between Brucewood Road (St./Ave.) and Carolina Green Pkwy (St./Ave.). The property has a frontage of +/- 680 feet and a depth of +/- 1,162 feet.

The request is based upon **Section 2.18.5** of the **Town of Southern Pines Unified Development Ordinance**. The proposed use of the property is as follows:

Develop the 3rd Phase of the Morganton Park South CDP area with an additional retail shopping center

Date: 7/10/23



Applicant

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

1/12/22

APPOINTMENT OF AGENT

The undersigned owner(s), MORGANTON ROAD ENTERPRISES, LLC, hereby appoint(s) Robert Koontz 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 – Preliminary 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 Town Council for the approval of a Planned Development District – Preliminary 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 -Preliminary 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 10TH day of JULY, 2023.

Property Owner

Property Owner

Robert Koontz

Agent

APPOINTMENT OF AGENT

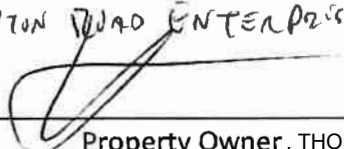
THOMAS VAN CAMP TRUSTEE & OTHERS

The undersigned owner(s), MORGANTON ROAD ENTERPRISES, LLC, hereby appoint(s) Robert Koontz 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 – Preliminary 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 Town Council for the approval of a Planned Development District – Preliminary 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 -Preliminary 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 10th day of July, 2023.

MORGANTON ROAD ENTERPRISES, LLC
By: 
Property Owner, THOMAS VAN CAMP

Property Owner

Agent

MORGANTON PARK SOUTH – PHASE 3 PRELIMINARY DEVELOPMENT PLAN NARRATIVE

The purpose of this PD – Preliminary Development Plan (PDP) application is to fully describe the next phase of development for the approved Morganton Park South Conceptual Development Plan (CDP). As stated in the Town of Southern Pines Unified Development Ordinance (UDO) in Section 2.18.5(A), the PDP is intended to show, with greater detail, the proposed portion of the development and illustrate how the “proposed land use mix and intensity are consistent with the Comprehensive Plan, the purposes of the PDD and the approved Conceptual Development Plan.” The following narrative will provide information related to the submitted plans and details of Phase 3 of the proposed development of the Morganton Park South CDP. This narrative will describe how the PDP meets the criteria set forth in Section 2.18.5(A). Phase 3 is consistent with the PD zoning district, the approved CDP, and the Town’s Comprehensive Long-Range Plan (CLRP).

The subject property is currently zoned Planned Development (PD) with an approved Conceptual Development Plan (CDP). The property is also indicated as Traditional Mixed-Use in the Town’s CLRP. The proposed development in this PDP follows the standards of the approved CDP.

This is the 3rd Phase of development under the approved Morganton Park South CDP and is thus referred to as Phase 3 in the materials included with this PDP application. Any references to Phase 5 in the application materials reference the conceptual phasing plan (exhibit VIII of the approved CDP) and are intended to reflect the current phase of the development.

Phase 3, as described in this PDP application, will include a retail shopping center development on +/- 14.79 acres. Access to the retail shopping center will be provided from Southern Road. The Southern Road extension will connect to the existing portion of Southern Road, which intersects with Brucewood Road and the roundabout at Carolina Green Parkway. The retail development will comprise approximately +/- 103,890 SF of retail space and a fuel station. Following is a description of the individual phase and overall design elements of the PDP.

Retail Development

Phase 3 of the Morganton Park South CDP will include a retail development consisting of ± 103,890 SF of retail space and a fuel station. All uses are permitted in Exhibit VII – Land Use Plan of the approved CDP. The following are specifics of the proposed development included in the PDP drawings.

Open Space

Phase 3 will connect to the linear park along Carolina Green Parkway through a series of sidewalks. The linear park required by the approved CDP connects all sections of the development to a network of pedestrian sidewalks and multi-use trails that have been established as part of the overall development. Required elements of the linear park will be provided within the development per Section 5.5.2 of the CDP document.



+/- 3.40 acres (+/- 22%) of open space is included in this development phase. Open space includes areas of the linear park and other site areas as calculated by the UDO standards.

The required open space in the entirety of the CDP area is 19.8 acres (20%), of which 9.9 acres (10%) must be usable. As a result of this PDP, the remaining open space to be provided for the CDP area is 8.24 acres of overall open space and 0.42 acres of usable open space. A tabulation of the overall open space and open space remaining to be developed is included on sheet L.1.1 of the PDP documents.

Architectural Character

Elements and materials common to Southern Pines will be utilized in the development. The Town of Southern Pines Council will review and approve all building plans for compliance with the Town's architectural standards in Section 4.10.4 of the UDO. All buildings will require an Architectural Compliance Permit.

Stormwater Management

Stormwater management for all sites on the property will be provided per Section 5.5.10 of the CDP booklet. Appropriate local stormwater and erosion control permits will be required by the Town before any land disturbance activity on the site. A general location for the site's stormwater management area is depicted on the PDP plan. The stormwater area indicated in the plan is intended to be dry ponds. The site is not located in HQW or Water Supply Watersheds.

Lighting

Lighting levels along streets will be provided to meet the UDO standards for safety. Parking lot lighting levels will be permitted up to 4.00 lumens per square foot (4 footcandles) and include luminaires with cutoffs less than 90 degrees to prevent the spilling of light onto adjacent properties. Lighting up to 7 lumens per square foot (7 footcandles) will be permitted for the fuel station for safety. All lights within the fuel station will be in the canopy above the fuel pumps, with luminaires hidden within the structure to limit the visibility of the light source. Lights will be directed downward and have cutoffs less than 90 degrees. Documents showing the lighting levels consistent with the standards above will be submitted with the engineering and site plan submissions.

Endangered Species

A report prepared by Dr. JH Carter and Associates has been provided with this application. After a survey of the property in July of 2023 by a wildlife biologist, no new cavity trees were found, and the nearest tree is approximately 2,350 from the property boundary. As a result, the development of this property should have no negative impact on RCW habitat.

All development and building permits within the site are subject to all local, state, and federal permitting guidelines, rules, and regulations. Additional studies will be conducted as required for permitting.

Utilities

This PDP follows the criteria described in Section 5.5.5 of the CDP booklet. Water and sewer utilities are readily available for the project. A Conceptual Plan provided in the documents illustrates the general location of water and sewer utility connections. Water will loop the new site with connections from the Parkway water main and connecting to an existing water main on Southern Road, a water main will also be extended along the new section of Southern Road. Gravity Sewer will parallel the northern property line and connect to an existing gravity main on Southern Road.

Roadways

Section 5.5.1 Vehicular Circulation, Street Cross Sections, and Parking - Ingress/Egress of the CDP allows for ingress/egress for the Phase 3 property and requires the extension of Southern Road to connect to Carolina Green Parkway. The CDP states that access points throughout the development can be reviewed at the time of PDP. Based on the information provided by Kimley Horn and included in this package, all intersections along Southern Road into the development be permitted as full-motion intersections, with both left and right turns.

The CDP provided the proposed cross-section for Southern Road and stated that the road extension would follow the existing design standards of Southern Road. Roadway plans included in the PDP follow the existing Southern Road cross-section. Upon completion, Southern Road will be dedicated to the Town of Southern Pines

Signage

Signage on the property will follow Section 5.5.7 of the approved CDP document. Freestanding landmark/monument signs and retail entry and wayfinding signs will follow the standards of the CDP and will be located at the locations depicted in Exhibit XI – Signage Plan. A Unified Sign Plan will be prepared for the shopping center as the UDO requires.

In summary, the proposed PD – PDP is consistent with the Town's Comprehensive Long-Range Plan (CLRP) and promotes its objectives. The CLRP designates the property as Traditional Mixed-Use. This PDP meets the standards of the approved CDP. The proposed PDP is the third development phase for the Morganton Park South area in the Town of Southern Pines. Phase 3 will meet the community vision described in Section 2.2 of the CDP and create a vibrant new retail development in Southern Pines.

EXHIBIT A

Morganton Park South Preliminary Development Plan Justification

Below are listed the four (4) criteria required to approve a Preliminary Development Plan (PDP) application as described in Section 2.18.5(H) of the Town of Southern Pines Unified Development Ordinance (UDO). Following the individual criteria is an explanation, indicated in red, describing how the project demonstrates compliance with each of these criteria.

A Preliminary Development Plan is permitted if the Applicant demonstrates that:

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

The PDP conforms to all standards set forth in the Conceptual Development Plan (CDP) and the standards set forth in the UDO. The documents included with the approved CDP demonstrate the overall compliance with the UDO, and this PDP follows the standards of the CDP.

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

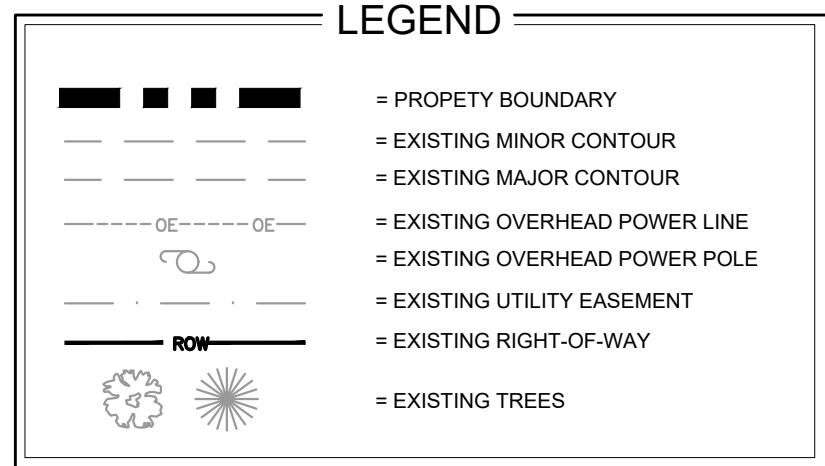
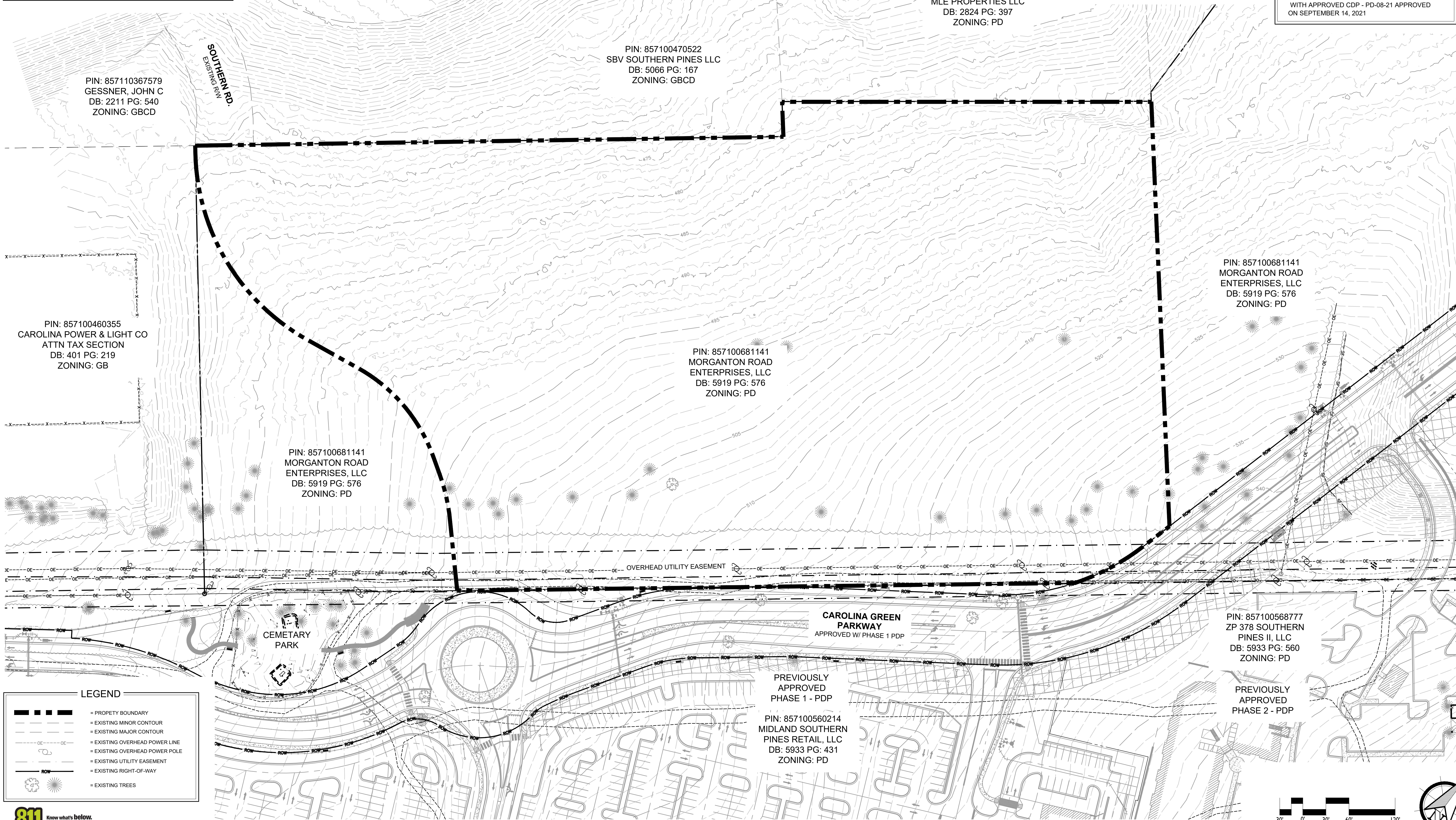
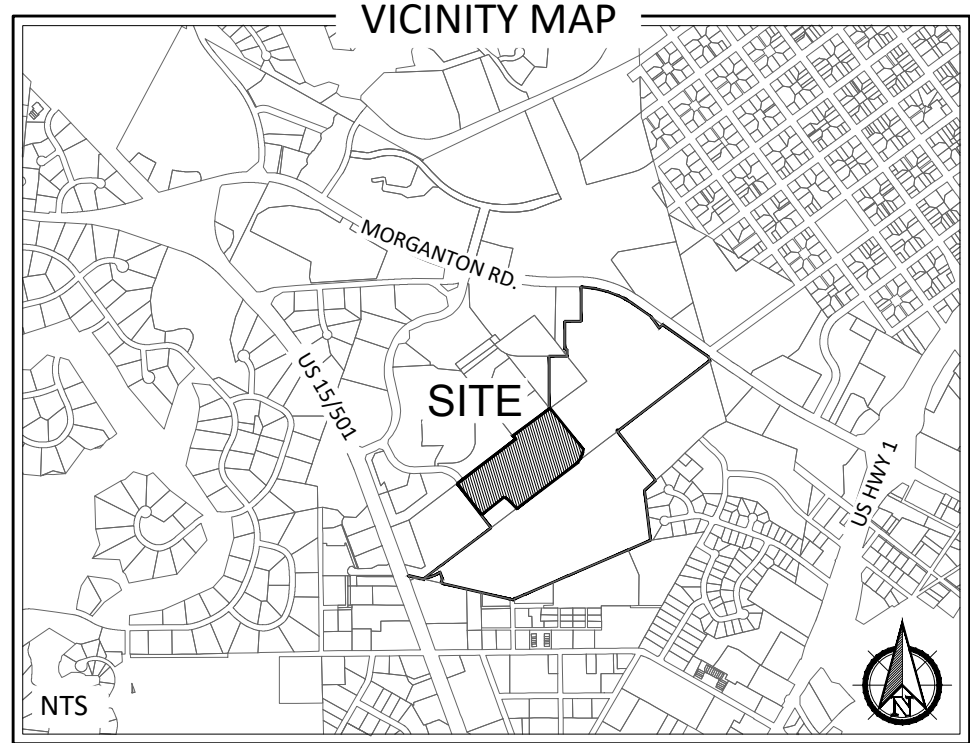
The PDP is consistent with and meets all standards and requirements provided in the CDP documents and plans and conforms to the standards of the UDO. All uses are consistent with the proposed development program and allowable uses in the CDP. The retail development is consistent with Section 2.2 & Section 5.0 of the CDP's Project Narrative and Design Standards. The retail development will follow all standards of the CDP.

- (3) The proposed Development is located in an area of the Town that is appropriate; and

The Comprehensive Long-Range Plan (CLRP) designates this property as Traditional Mixed Use with a PD (Planned Development) zoning classification, allowing for various land uses. The surrounding properties consist of retail, commercial, and residential uses. The CDP application, plans, and exhibits encourage a variety of land uses and building types, including residential, commercial, and office uses. The CDP results in a master-planned development, discouraging disjointed, piecemeal development. As defined in the CDP, proposed standards and allowable uses are compatible with the surrounding developed properties and adjacent zoning classifications. The proposed PDP follows the standards established in the CDP and is consistent and appropriate for the area of the Town in which it is located.

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

As described in Section 4.2.3 of the CDP, water, sewer, and all other necessary utilities are readily available for the project. New utilities to serve the community described in the CDP documents will follow the existing pattern of utility extensions within the area. Adequate sewer and water capacity to serve the development is available.



FLOODPLAIN DATA

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

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

CAUTION

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

PROPERTY INFORMATION

PROPERTY OWNER(S):
MORGANTON ROAD ENTERPRISES, LLC
THOMAS VAN CAMP, TRUSTEE, & OTHERS
PO BOX 1389
PINEHURST, NC 28370

APPLICANT:
MIDLAND ATLANTIC PROPERTIES - JOHN SILVERMAN
8044 MONTGOMERY ROAD, SUITE 370
CINCINNATI, OH 45236

TOTAL ACREAGE (PHASE 5): ±14.79 AC

ZONING INFORMATION

EXISTING ZONING CLASSIFICATION:
PD: PLANNED DEVELOPMENT
WITH APPROVED CDP - PD-08-21 APPROVED
ON SEPTEMBER 14, 2021

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

REVISIONS:

KOONTZJONESDesign
LAND PLANNING | LANDSCAPE ARCHITECTURE

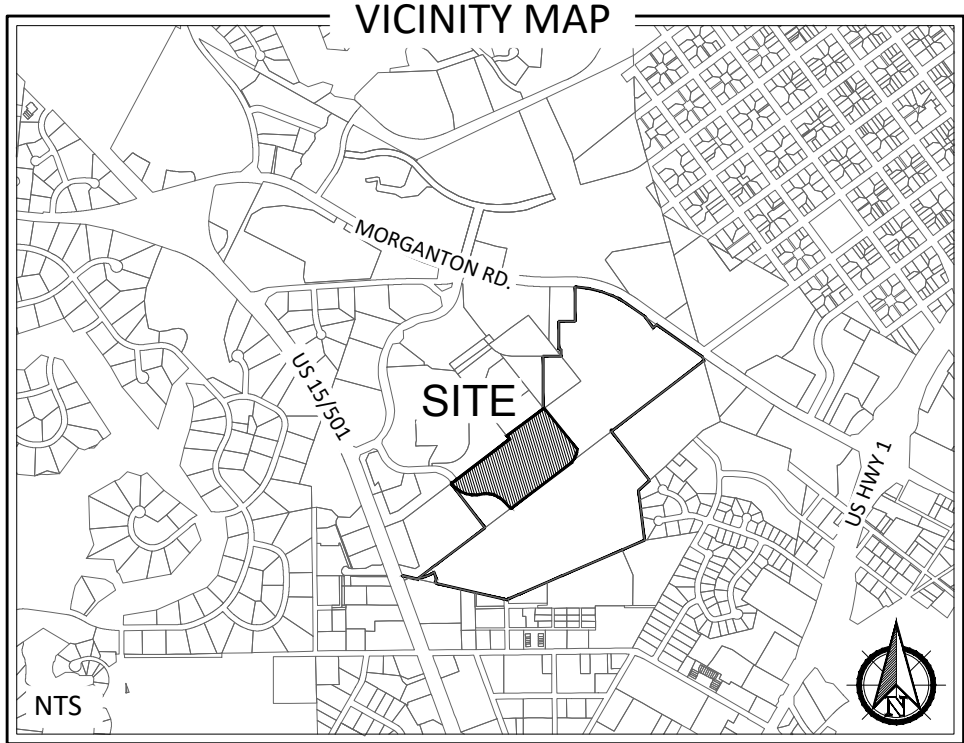
150 S PAGE STREET
SOUTHERN PINES, NC 28387
P: (910) 684-9467
W: www.koontzjonesdesign.com

MORGANTON PARK SOUTH - PHASE 3

PRELIMINARY DEVELOPMENT PLAN
SOUTHERN PINES, NORTH CAROLINA

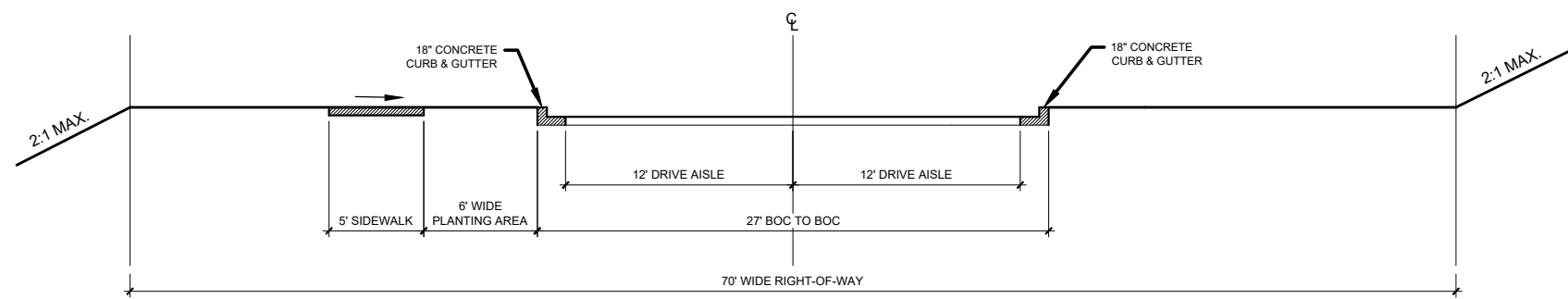
EXISTING CONDITIONS

DATE: 07-10-2023
DESIGNED BY: REK
DRAWN BY: PJS
CHECKED BY: REK
SCALE: 1" = 60'-0"
PROJECT #: KID23040
SHEET NUMBER: #
L-1.0



- GENERAL NOTES:**
1. STREET LIGHTING WILL BE PROVIDED IN ACCORDANCE WITH SECTION 5.5.6 OF THE CDP AND SECTION 4.8 OF TOWN'S UDO
 2. PROJECT SIGNS WILL MEET ALL REQUIREMENTS AS ESTABLISHED IN SECTION 5.5.7 OF THE CDP
- DRAINAGE NOTES:**
1. STORMWATER MANAGEMENT DEVICES WILL FOLLOW THE TOWN OF SOUTHERN PINES STANDARDS AND BE APPROVED BY THE TOWN ENGINEER.
 2. DRAINAGE WILL BE RETAINED BY EXISTING REGIONAL STORMWATER MANAGEMENT POND WITHIN THE MORGANTON PARK SOUTH DEVELOPMENT. DETAILED STORMWATER MANAGEMENT PLANS AND CALCULATIONS WILL BE PROVIDED DURING PERMITTING OF THE DEVELOPMENT

ROADWAY CROSS SECTIONS



70' RIGHT-OF-WAY (SOUTHERN ROAD)
SECTION (NOT TO SCALE)
*OR TO MATCH EXISTING SOUTHERN ROAD CROSS SECTION

OPEN SPACE SUMMARY

(PER SECTION 5.0 OF THE CONCEPTUAL DEVELOPMENT PLAN)

PHASE	OVERALL OPEN SPACE (PROVIDED)	USEABLE OPEN SPACE (PROVIDED)
1	5.92 acres	5.92 acres
2	2.60 acres	1.97 acres
3	3.40 acres	1.59 acres
TOTAL PROVIDED	11.92 acres	9.48 acres
REQUIRED OPEN SPACE (20%/10%)	19.8 acres	9.90 acres
TOTAL REMAINING TO PROVIDE	7.88 acres	0.42 acres

FLOODPLAIN DATA

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

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

CAUTION

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

PROPERTY INFORMATION

PROPERTY OWNER(S):
MORGANTON ROAD ENTERPRISES, LLC
THOMAS VAN CAMP, TRUSTEE, & OTHERS
PO BOX 1389
PINEHURST, NC 28370

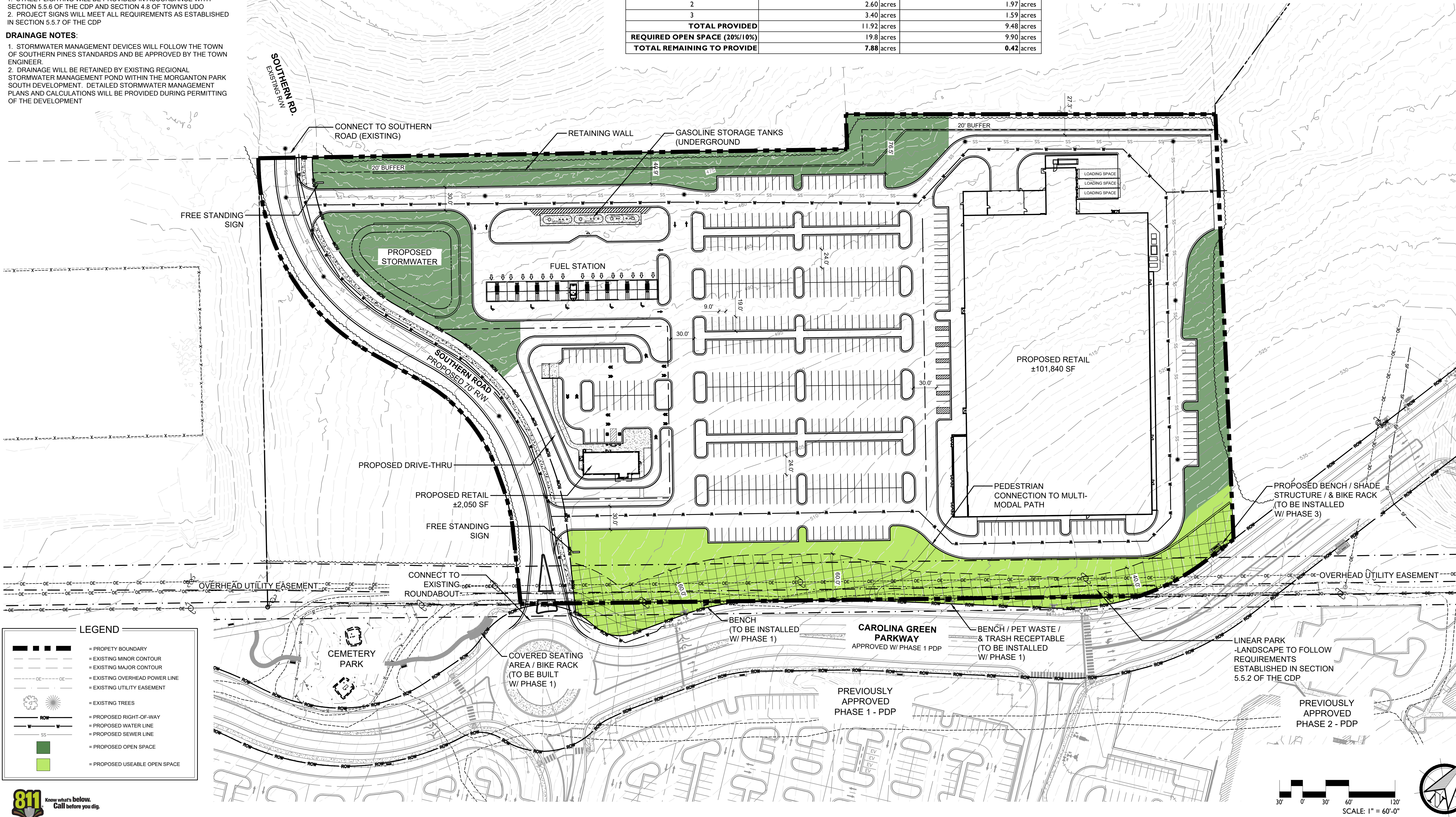
APPLICANT:
MIDLAND ATLANTIC PROPERTIES - JOHN SILVERMAN
8044 MONTGOMERY ROAD, SUITE 370
CINCINNATI, OH 45236

TOTAL ACREAGE (PHASE 3): ±14.79 AC

TOTAL OPEN SPACE: ±3.40 AC
TOTAL USEABLE OPEN SPACE: ±1.59 AC

TOTAL RETAIL: ±103,890 SF + FUEL STATION

PROVIDED PARKING: 468 SPACES (1 SPACE / 222 SF)



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

REVISIONS:

MORGANTON PARK SOUTH - PHASE 3
PRELIMINARY DEVELOPMENT PLAN
SOUTHERN PINES, NORTH CAROLINA
PRELIMINARY DEVELOPMENT PLAN - PHASE 3

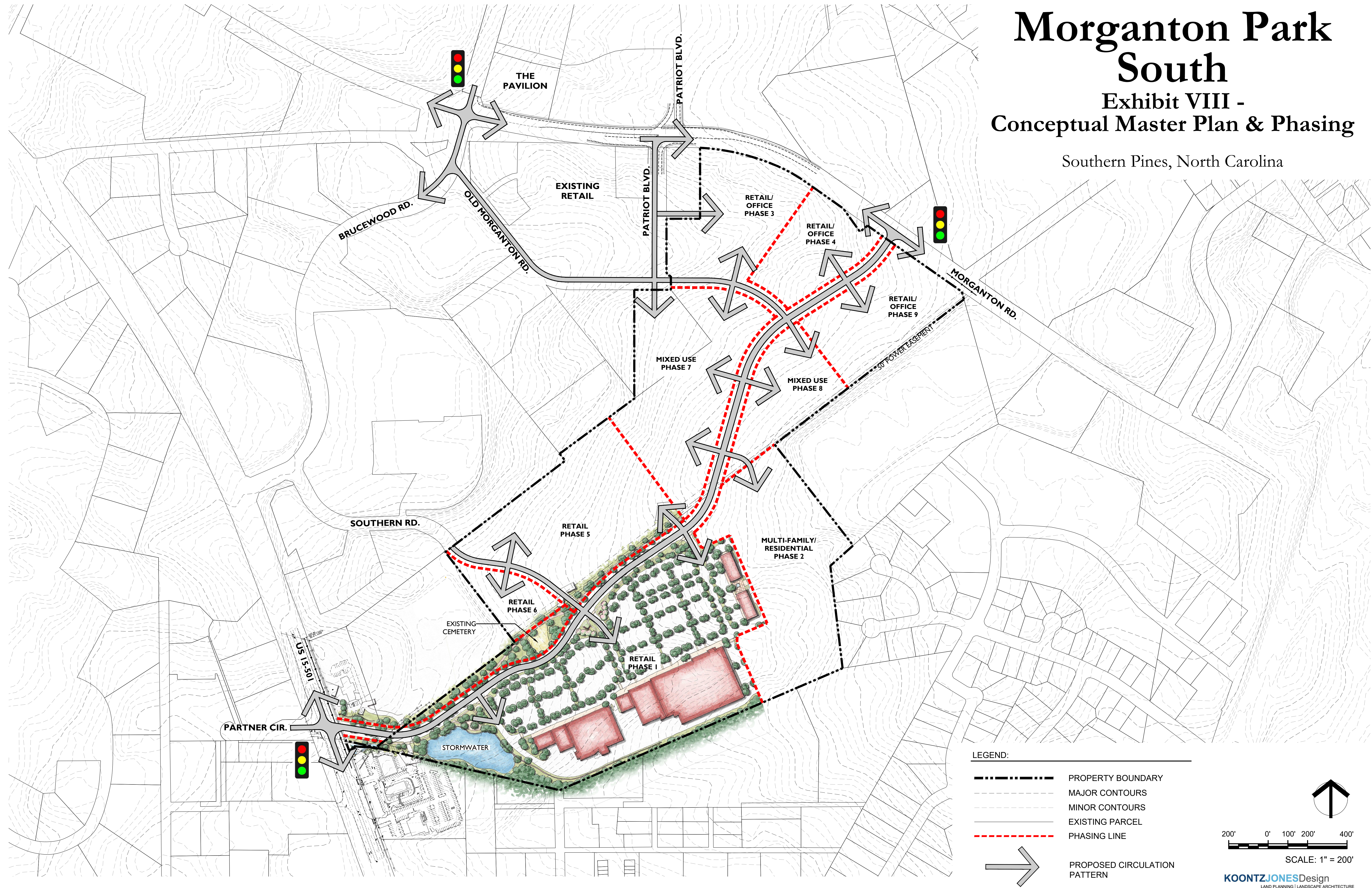
DATE: 07-10-2023
DESIGNED BY: REK
DRAWN BY: PJS
CHECKED BY: REK
SCALE: 1" = 60'-0"
PROJECT #: KID23040
SHEET NUMBER:
L-1.1



Morganton Park South

Exhibit VIII - Conceptual Master Plan & Phasing

Southern Pines, North Carolina



MEMORANDUM

To: James Michel, PE, Town of Southern Pines
From: Travis Fluitt, PE, Kimley-Horn
Date: March 24, 2022
Subject: **Morganton Park South Apartments, Southern Pines, NC – Trip Generation Memo**



The *Pine Ridge Commercial TIA* (Kimley-Horn, July 2021) analyzed the projected traffic impacts of a mixed-use development consisting of 260 mid-rise multifamily units, 20,000 square feet (SF) of general office space, and 220,000 SF of retail space located between US 15/501 and Morganton Road east of the Southern Pines Village shopping center in Southern Pines, North Carolina.

An updated site plan for the development's residential portion includes 269 mid-rise multifamily units, which is 9 more units than included in the July 2021 TIA. Consistent with the TIA, the trip generation potential of the proposed development was calculated using the data published in *Trip Generation* (Institute of Transportation Engineers, Tenth Edition, 2017). As shown in Table 1 below, the updated development plan has the potential to generate approximately 34 additional daily external trips, 3 additional AM peak hour external trips, and no additional PM peak hour external trips compared to the development studied in the *Pine Ridge Commercial TIA*.

Table 1 Traffic Generation (Vehicles)							
LUC	Land Use	Intensity	Daily	AM Peak Hour		PM Peak Hour	
				In	Out	In	Out
220	Multifamily (Low-Rise)	269 d.u.	1,970	23	67	70	45
710	General Office	20,000 s.f.	224	39	6	4	21
820	Shopping Center	220,000 s.f.	10,278	162	100	468	506
Subtotal			11,966	224	173	542	572
Internal Capture			1,054	6	6	58	58
Total External Trips			11,418	218	167	484	514
Total External Trips from July 2021 TIA			11,384	218	164	484	514
Net Increase			34	0	3	0	0

Given the minor increase in trip generation potential and that the *Pine Ridge Commercial TIA* also analyzed the future build-out of the entire Pine Ridge Master Plan, the improvements recommended in the *Pine Ridge Commercial TIA* should adequately address the projected site traffic demands of the updated Morganton Park South Apartments site plan.

Should you have any questions or comments, please do not hesitate to contact me at (919) 653-2948 or travis.fluitt@kimley-horn.com.

Attachments: Trip Generation

Pine Ridge Commercial										
Table 1 - Trip Generation										
Land Use	Intensity	Daily			AM Peak Hour			PM Peak Hour		
		Total	In	Out	Total	In	Out	Total	In	Out
221 Multifamily Housing (Mid-Rise)	260 d.u.	1,904	952	952	87	23	64	111	68	43
710 General Office Building	20,000 s.f.	224	112	112	45	39	6	25	4	21
820 Shopping Center	220,000 s.f.	10,278	5,139	5,139	262	162	100	974	468	506
Subtotal		12,406	6,203	6,203	394	224	170	1,110	540	570
Internal Capture										
221 Multifamily Housing (Mid-Rise)		464	230	234	2	0	2	51	31	20
710 General Office Building		78	49	29	5	3	2	7	3	4
820 Shopping Center		480	232	248	5	3	2	54	22	32
Internal Capture Total										
		1,022	511	511	12	6	6	112	56	56
Total External Trips										
		11,384	5,692	5,692	382	218	164	998	484	514

Morganton Park South Apartments												
Table 2 - Trip Generation vs. TIA												
Land Use	Intensity	Daily			AM Peak Hour			PM Peak Hour			In	Out
		Total	In	Out	Total	In	Out	Total	In	Out		
221 Multifamily Housing (Mid-Rise)	269 d.u.	1,970	985	985	90	23	67	115	70	45		
710 General Office Building	20,000 s.f.	224	112	112	45	39	6	25	4	21		
820 Shopping Center	220,000 s.f.	10,278	5,139	5,139	262	162	100	974	468	506		
Subtotal		12,472	6,236	6,236	397	224	173	1,114	542	572		
<u>Internal Capture</u>												
221 Multifamily Housing (Mid-Rise)		480	238	242	2	0	2	53	32	21		
710 General Office Building		79	50	29	5	3	2	7	3	4		
820 Shopping Center		495	239	256	5	3	2	56	23	33		
<i>Internal Capture Total</i>		<i>1,054</i>	<i>527</i>	<i>527</i>	<i>12</i>	<i>6</i>	<i>6</i>	<i>116</i>	<i>58</i>	<i>58</i>		
Total External Trips		11,418	5,709	5,709	385	218	167	998	484	514		
<i>Total External Trips from TIA</i>		<i>11,384</i>	<i>5,692</i>	<i>5,692</i>	<i>382</i>	<i>218</i>	<i>164</i>	<i>998</i>	<i>484</i>	<i>514</i>		
Difference		34	17	17	3	0	3	0	0	0		

Internal Capture Reduction Calculations

Methodology for A.M. Peak Hour and P.M. Peak Hour
based on the *Trip Generation Handbook*, 3rd Edition, published by the Institute of Transportation Engineers

Methodology for Daily
based on the average of the Unconstrained Rates for the A.M. Peak Hour and P.M. Peak Hour

SUMMARY

GROSS TRIP GENERATION

INPUT	Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
		Enter	Exit	Enter	Exit	Enter	Exit
	Office	112	112	39	6	4	21
	Retail	5,139	5,139	162	100	468	506
	Restaurant	0	0	0	0	0	0
	Cinema/Entertainment	0	0	0	0	0	0
	Residential	985	985	23	67	70	45
	Hotel	0	0	0	0	0	0
		6,236	6,236	224	173	542	572

INTERNAL TRIPS

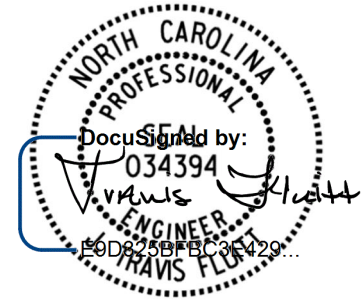
OUTPUT	Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
		Enter	Exit	Enter	Exit	Enter	Exit
	Office	50	29	3	2	3	4
	Retail	239	256	3	2	23	33
	Restaurant	0	0	0	0	0	0
	Cinema/Entertainment	0	0	0	0	0	0
	Residential	238	242	0	2	32	21
	Hotel	0	0	0	0	0	0
		527	527	6	6	58	58
	% Reduction		8.5%		3.0%		10.4%

EXTERNAL TRIPS

OUTPUT	Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
		Enter	Exit	Enter	Exit	Enter	Exit
	Office	62	83	36	4	1	17
	Retail	4,900	4,883	159	98	445	473
	Restaurant	0	0	0	0	0	0
	Cinema/Entertainment	0	0	0	0	0	0
	Residential	747	743	23	65	38	24
	Hotel	0	0	0	0	0	0
		5,709	5,709	218	167	484	514

July 10, 2023

James Michel, P.E.
Town of Southern Pines
801 SE Service Road
Southern Pines NC 28387



RE: Morganton Park South Parcel 10 – Trip Generation Analysis

7/10/2023

Dear Mr. Michel,

Kimley-Horn has performed an analysis of the proposed development of Parcel 10 of the Morganton Park South shopping center located on the north side of the Southern Road extension at the future parkway in Southern Pines, North Carolina. Access to the site is proposed via two driveways on the Southern Road extension.

The Parcel 10 development is currently proposed to include an approximately 100,000 square-foot (SF) discount club with fueling facility and an approximately 2,500 SF coffee shop with drive-through window. In the *Pine Ridge Commercial TIA* (July 23, 2021), the 10-year horizon analysis included full build-out of the Morganton Park South development. In that TIA, Parcel 10 was called Phase 5 and was assumed to consist of 114,000 SF of retail space.

Trip generation calculations for Phase 5 from the July 2021 are summarized in Table 1 below. Detailed trip generation calculations from the original TIA are attached for reference.

Table 1 ITE Trip Generation (Vehicles) – Phase 5 from July 2021 TIA						
Land Use	Size	Daily	AM Peak Hour		PM Peak Hour	
		Total	In	Out	In	Out
Shopping Center (LUC 820)	114,000 SF	6,572	130	79	288	311
<i>Internal Capture</i>		217	1	1	14	19
<i>Pass-by Capture</i>		2,107	0	0	93	99
Total Net New External Trips: Phase 5		4,248	129	78	181	193

As shown in Table 1, Phase 5 of the Morganton Park South development was projected to generate approximately 4,248 total net new trips on a typical weekday, 207 net new trips during the AM peak hour, and 374 net new trips during the PM peak hour.

Traffic for the currently proposed development was generated using data from the 11th Edition of the *ITE Trip Generation Manual*. It should be noted that the description for discount club (ITE land use code 857) notes that sites may include “on-site fueling pumps”. Trip generation calculations for the proposed land uses are shown below on Table 2 below, and detailed trip generation calculations are attached.

Table 2 ITE Trip Generation (Vehicles) – Parcel 10 Proposed Land Uses						
Land Use	Size	Daily	AM Peak Hour		PM Peak Hour	
		Total	In	Out	In	Out
Discount Club (LUC 857)	100,000 SF	4,246	49	31	210	209
Coffee/Donut Shop w/ Drive-Through Window (LUC 937)	2,500 SF	1,334	110	105	49	48
Subtotal		5,580	159	136	259	257
Internal Capture		892	8	8	34	34
Pass-by Capture		1,481	95	91	99	93
Total Net New External Trips: Parcel 10		3,207	56	37	126	130
Total Net New External Trips: Phase 5		4,248	129	78	181	193
Difference: Proposed vs. TIA		-1,041	-73	-41	-55	-63

As shown in Table 2, the proposed Parcel 10 development is projected to generate approximately 3,207 total net new trips on a typical weekday, 93 net new trips during the AM peak hour, and 256 net new trips during the PM peak hour. This represents 1,041 fewer net new daily trips, 114 fewer net new AM peak hour trips, and 118 fewer net new PM peak hour trips.

As the improvements being performed for the Morganton Park South development were designed to accommodate the projected site traffic from the July 2021 TIA and as the proposed land uses for this site are projected to generate fewer daily, AM peak hour, and PM peak hour trips than the land uses assumed in the TIA, no additional roadway improvements should be required for the development of Parcel 10.

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

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.



Travis Fluitt, P.E.
Senior Project Manager



Pine Ridge Commercial												
Master Plan Trip Generation: Pod 2												
Land Use		Intensity		Daily			AM Peak Hour			PM Peak Hour		
				Total	In	Out	Total	In	Out	Total	In	Out
221	Multifamily Housing (Mid-Rise) - Phase 7	250	d.u.	1,362	681	681	84	22	62	107	65	42
710	General Office Building - Phase 7	31,000	s.f.	342	171	171	56	48	8	37	6	31
820	Shopping Center - Phase 7	31,000	s.f.	2,712	1,356	1,356	167	104	63	228	109	119
820	Shopping Center - Phase 5	114,000	s.f.	6,572	3,286	3,286	209	130	79	599	288	311
820	Shopping Center - Phase 6	23,000	s.f.	2,214	1,107	1,107	163	101	62	183	88	95
Subtotal				13,202	6,601	6,601	679	405	274	1,154	556	598
Internal Capture												
221	Multifamily Housing (Mid-Rise) - Phase 7			332	166	166	2	0	2	51	31	20
710	General Office Building - Phase 7			94	50	44	5	3	2	11	4	7
820	Shopping Center - Phase 7			90	44	46	2	1	1	13	6	7
820	Shopping Center - Phase 5			217	107	110	2	1	1	33	14	19
820	Shopping Center - Phase 6			73	36	37	1	1	0	10	4	6
Internal Capture Total				806	403	403	12	6	6	118	59	59
Total External Trips				12,396	6,198	6,198	667	399	268	1,036	497	539
Pass-By Capture												
		AM	PM									
820	Shopping Center - Phase 7	0%	34%	868	434	434	0	0	0	73	35	38
820	Shopping Center - Phase 5	0%	34%	2,107	1053	1,054	0	0	0	192	93	99
820	Shopping Center - Phase 6	0%	34%	714	357	357	0	0	0	59	29	30
Pass-By Capture Total				3,689	1,844	1,845	0	0	0	324	157	167
Total Net New External Trips: Pod 2 Total				8,707	4,354	4,353	667	399	268	712	340	372
Total Net New External Trips: Phase 5				4,248	2,126	2,122	207	129	78	374	181	193

MPS Master Plan - Pod 2

Internal Capture Reduction Calculations

Methodology for A.M. Peak Hour and P.M. Peak Hour
based on the *Trip Generation Handbook*, 3rd Edition, published by the Institute of Transportation Engineers

Methodology for Daily
based on the average of the Unconstrained Rates for the A.M. Peak Hour and P.M. Peak Hour

SUMMARY

GROSS TRIP GENERATION

INPUT	Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
		Enter	Exit	Enter	Exit	Enter	Exit
	Office	171	171	48	8	6	31
	Retail	5,749	5,749	335	204	485	525
	Restaurant	0	0	0	0	0	0
	Cinema/Entertainment	0	0	0	0	0	0
	Residential	681	681	22	62	65	42
	Hotel	0	0	0	0	0	0
		6,601	6,601	405	274	556	598

INTERNAL TRIPS

OUTPUT	Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
		Enter	Exit	Enter	Exit	Enter	Exit
	Office	50	44	3	2	4	7
	Retail	187	193	3	2	24	32
	Restaurant	0	0	0	0	0	0
	Cinema/Entertainment	0	0	0	0	0	0
	Residential	166	166	0	2	31	20
	Hotel	0	0	0	0	0	0
		403	403	6	6	59	59
	% Reduction		6.1%		1.8%		10.2%

EXTERNAL TRIPS

OUTPUT	Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
		Enter	Exit	Enter	Exit	Enter	Exit
	Office	121	127	45	6	2	24
	Retail	5,562	5,556	332	202	461	493
	Restaurant	0	0	0	0	0	0
	Cinema/Entertainment	0	0	0	0	0	0
	Residential	515	515	22	60	34	22
	Hotel	0	0	0	0	0	0
		6,198	6,198	399	268	497	539

Morganton Park South Parcel 10

Trip Generation

Land Use	Intensity	Daily			AM Peak Hour			PM Peak Hour		
		Total	In	Out	Total	In	Out	Total	In	Out
857 Discount Club	100,000 s.f.	4,246	2,123	2,123	80	49	31	419	210	209
937 Coffee/Donut Shop with Drive-Through Window	2,500 s.f.	1,334	667	667	215	110	105	97	49	48
Subtotal		5,580	2,790	2,790	295	159	136	516	259	257
<u>Internal Capture</u>										
857 Discount Club		446	183	263	8	4	4	34	20	14
937 Coffee/Donut Shop with Drive-Through Window		446	263	183	8	4	4	34	14	20
<i>Internal Capture Total</i>		892	446	446	16	8	8	68	34	34
Total External Trips		4,688	2,344	2,344	279	151	128	448	225	223
<u>Pass-By Capture</u>										
	<u>AM</u> <u>PM</u>									
853 Discount Club	0% 34%	646	323	323	0	0	0	131	65	66
937 Coffee/Donut Shop with Drive-Through Window	90% 98%	835	418	417	186	95	91	61	34	27
<i>Pass-By Capture Total</i>		1,481	741	740	186	95	91	192	99	93
Total Net New External Trips: Proposed		3,207	1,603	1,604	93	56	37	256	126	130
Total Net New External Trips: TIA Phase 5		4,248	2,126	2,122	207	129	78	374	181	193
Difference: Proposed vs. TIA		-1,041	-523	-518	-114	-73	-41	-118	-55	-63

Internal Capture Reduction Calculations

Methodology for A.M. Peak Hour and P.M. Peak Hour
based on the *Trip Generation Handbook* , 3rd Edition, published by the Institute of Transportation Engineers

Methodology for Daily
based on the average of the Unconstrained Rates for the A.M. Peak Hour and P.M. Peak Hour

SUMMARY

GROSS TRIP GENERATION

INPUT	Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
		Enter	Exit	Enter	Exit	Enter	Exit
	Office	0	0	0	0	0	0
	Retail	2,123	2,123	49	31	210	209
	Restaurant	667	667	110	105	49	48
	Cinema/Entertainment	0	0	0	0	0	0
	Residential	0	0	0	0	0	0
	Hotel	0	0	0	0	0	0
		2,790	2,790	159	136	259	257

INTERNAL TRIPS

OUTPUT	Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
		Enter	Exit	Enter	Exit	Enter	Exit
	Office	0	0	0	0	0	0
	Retail	183	263	4	4	20	14
	Restaurant	263	183	4	4	14	20
	Cinema/Entertainment	0	0	0	0	0	0
	Residential	0	0	0	0	0	0
	Hotel	0	0	0	0	0	0
		446	446	8	8	34	34
	% Reduction		16.0%		5.4%		13.2%

EXTERNAL TRIPS

OUTPUT	Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
		Enter	Exit	Enter	Exit	Enter	Exit
	Office	0	0	0	0	0	0
	Retail	1,940	1,860	45	27	190	195
	Restaurant	404	484	106	101	35	28
	Cinema/Entertainment	0	0	0	0	0	0
	Residential	0	0	0	0	0	0
	Hotel	0	0	0	0	0	0
		2,344	2,344	151	128	225	223

Dr. J.H. CARTER III & ASSOCIATES, Inc.

Environmental Consultants
515-F Midland Road
Southern Pines, N.C. 28388
910-695-1043 / 910-695-3317 (fax)

7 July 2023

TO: Koontz Jones Design
Attn: Robert E. Koontz
150 South Page Street
Southern Pines, NC 28387

FROM: William Mullin, Wildlife/Wetland Biologist
Dr. J.H. Carter III & Associates, Inc. (JCA)

SUBJECT: Summary of red-cockaded woodpecker survey for the proposed Morganton Park South project in Southern Pines, Moore County, North Carolina.

CC: Raleigh USFWS Field Office
U.S. Fish and Wildlife Service
P.O. Box 33726
Raleigh, NC 27636-3726

Midland Atlantic Development Co., LLC, plans to construct a commercial development within the northeastern portion of the Morganton Park South retail complex, on portions of 2 adjacent lots (LRK #s 52502 and 98000749), approximately 54.20 acres (ac.) in Southern Pines, Moore County, North Carolina (NC) (Figure 1). This memorandum evaluates the impacts of this project on the Federally-endangered red-cockaded woodpecker (*Picoides borealis* = *Dryobates borealis*) (RCW) and 3 Federally Endangered plant species, pursuant to Section 9 of the Endangered Species Act (ESA), as amended. The Morganton Park South retail complex is composed of 3 parcels totaling 99.64 ac., the southern most of the 3 parcels is already cleared and construction is underway. This memorandum serves as an update to the July 2021 evaluation for the entire development, it only concerns the 2 northern parcels.

The project site is located between US Highway (Hwy.) 15-501 and State Route (SR) 1309 (Morganton Road (Rd.)), north of the Morganton Road Sports Complex and south of the Southern Pines Village retail complex in Southern Pines, NC (Figure 1).

The smallest of the 2 northern lots, lot (LRK #52502) is 3.04 ac. and occurs south of Patriot Boulevard (Blvd.) along the northern edge of the project site (Figure 1). Two-thirds of the lot is pine-forested with dense, second-growth loblolly pine (*Pinus taeda*), a dense 7-ft. tall midstory of bluejack oak (*Quercus incana*) and common wax-myrtle (*Morella cerifera*), and a dense ground cover of muscadine grape (*Muscadinia rotundifolia*), poison ivy (*Toxicodendron radicans*) and Virginia-creeper (*Parthenocissus quinquefolia*). The eastern third of the lot was clear-cut between 2013 and 2014. The clear-cut covers portions of both lots surveyed for this update. The clear-cut has begun to revegetate and contains a moderately dense shrub layer of loblolly pine saplings, winged sumac (*Rhus copallinum*) and sweetgum (*Liquidambar styraciflua*), and dense herbaceous layer of dogfennel (*Eupatorium capillifolium*), blackberries (*Rubus* spp.), ragweed (*Ambrosia artemisiifolia*) and broomsedge (*Andropogon virginicus*).

The larger of the 2 updated lots, lot (LRK #98000749) is 51.16 ac., of which approximately 34.22 ac. consists of 38-year old longleaf pine (*Pinus palustris*) plantation and loblolly pine regeneration, a dense 7-15 ft. tall midstory of sassafras (*Sassafras albidum*), blackjack oak, American persimmon (*Diospyros virginiana*) and red maple (*Acer rubrum*), and a moderately dense ground cover of Carolina wiregrass (*Aristida stricta*), eastern bracken fern (*Pteridium latiusculum*) and Carolina jessamine (*Gelsemium sempervirens*). Dense mats of kudzu (*Pueraria montana*) blanket the pines along Morganton Road. The previously mentioned clear-cut is slightly north of the larger parcel's center and adjoins the smaller parcel.

A wildlife biologist with Dr. J. H. Carter III & Associates, Inc. (JCA) surveyed the project site and vicinity on 5 July 2023 for RCW cavity trees. No new cavity trees were found. The nearest RCW cavity tree (#1204) contains a relic enlarged cavity and is located 2,350 feet west of the project site in SOPI Cluster 60 (Figure 1). This project will have no effect on the RCW.

The United State Fish & Wildlife Service (USFWS) lists 3 Federally Endangered plant species that occur in Moore County: rough-leaved loosestrife (*Lysimachia asperulaefolia*), Michaux's sumac (*Rhus michauxii*) and American chaffseed (*Schwalbea americana*) (USFWS 2023). A biologist evaluated the project site for listed plant species on 6 July 2023. No habitat occurred within the project site for rough-leaved loosestrife or American chaffseed. Potentially suitable habitat occurred within the project site for Michaux's sumac in the regenerating clearcut area on both parcels, however, none was observed.

A JCA biologist transected the 54.20 ac. area at 10-foot intervals and noted vegetative characteristics, soil conditions and ecology. The exclusion of fire and habitat conversion were potential contributing factors to the absence of the listed plant species. The closest known record of Michaux's sumac occurs 3.0 miles southeast of the project area (NCNHP 2023). This project will not impact Michaux sumac.

NC Natural Heritage Program. 2023. NC Natural Heritage Program online database at <http://ncnhp.org/Pages/heritagedata.html> (accessed 5 July 2023).



801 SE Service Road
Southern Pines, NC 28387

Phone (910) 692-4003
Fax (910) 692-9495

Pre-Application Comments

Morganton Park South CDP Phase 5/Actual Phase 3 (PA-17-23)

TRC Meeting June 13, 2023

Applicants in attendance: Robert Koontz, Tim Carpenter, Bill (?), and John (?)



The following comments noted in this pre-application review are not intended to be all-inclusive. Additional comments may arise following submittal of site plan review packet.

Parcel Research

PARID	Deed Acres	Owner	Tax Land Use	Deed Books and pages
98000749	51.07	MORGANTON ROAD ENTERPRISES, LLC, VAN CAMP, THOMAS M TRUSTEE & OTHERS	Commercial Vacant Land	DB 5919 PG 576

- **General**

- A 99,804 SF commercial building for a BJ's Wholesale Club, a gasoline service facility (i.e., fuel canopy without convenience store or food mart), and "STB-A Building" (no SF provided, but may be a Starbucks with drive-through service) are being proposed. The three on-site land uses will include 441 retail parking spaces. BJ's Wholesale Club includes grocery, household retail, pet supplies, electronic retail, as well as tires, optical, and other in-store services.
- Per CDP text, "architectural themes, landscaping and design elements common to Southern Pines will be utilized as described in the Town of Southern Pines UDO or in this CDP document." CDP Section 5.5.3 describes Architectural Standards and UDO 4.10.4 standards apply. An Architectural Compliance Permit will be required for each building including the fuel service facility.
- Regarding existing tree canopy and vegetation (see CDP 4.1.1 and 5.5.4), will any vegetation be retained on site?

- **Zoning**

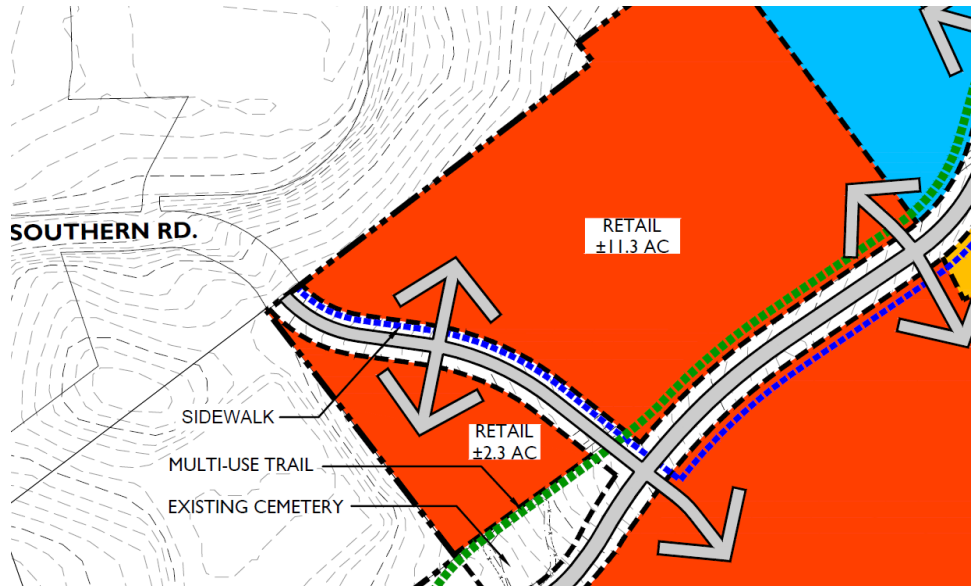
- Must comply with CDP file PD-08-21. Per UDO §2.18.5, a PDP will be required, as was required for PD-09-21 MPS Phase 1 (and subsequent site plan ZP-21-21) and PD-07-22 MPS Phase 2 (and subsequent site plan ZP-14-22 Overlook at Pine Ridge Apartments).
- Conceptual utility design plans are required during the Preliminary Development Plan process and must be submitted with any application for a Preliminary Development Plan, per PD-08-21 Narrative.
- Per Exhibit VII from PD-08-21, gasoline service, drive-through restaurants, pet supplies, grocery, optical care, electronic goods, furniture and home furnishings, tire shop, warehouse club, and food services are permitted in the retail sub-district.
- Total commercial/retail and office land uses cannot exceed 700,000 SF per CDP Table 1.1 Development Program. Phase 1 includes ±221,235 SF of retail space, leaving 478,765 SF. Show how much has been approved in Phase 1 and show how much is being deducted in CDP Phase 5 (i.e., this current phase that we'll refer to as Actual Phase 3).
- UDO waivers approved for several sections of 3.6.6 Morganton Road Overlay District, as described in CDP Exhibit XIII.

- **Phasing/Streets**

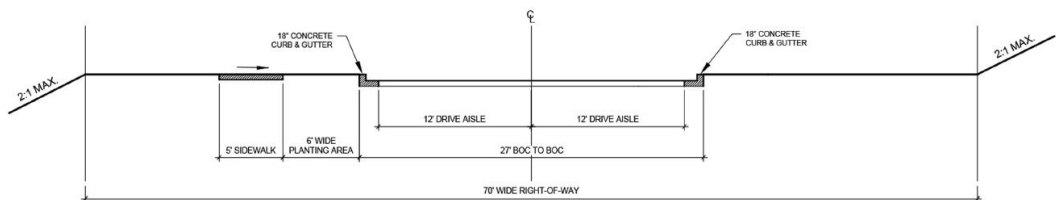
- "Southern Road – will be planned and constructed with any development of Phase 5 and/or Phase 6. This road will be accepted by the Town prior to the issuance of a certificate of occupancy for any development within the phases 5 and/or 6. At the time of construction of the roadways described above, public water and sewer utilities will be installed within the right-of-way, per the Town of Southern Pines engineering standards, to serve all properties along the road extension. Details related to the construction and timing of these improvement will be described in a development agreement between the Town of Southern Pines and the developer of these improvements, prior to the commencement of construction of the project."



- Is there a timeline for when Southern Rd and Parkway will be dedicated to the town?
- Sidewalk required along northern side of Southern Road and multi-use trail required on west portion of the parkway/southeastern edge of the proposed development.



- Streets and Parking [(4.5), UDO Exhibit 3-13, and CDP CTP and Exhibit X]



70' Right-of-Way (Southern Road) NOT TO SCALE
*OR TO MATCH EXISTING SOUTHERN ROAD CROSS SECTION

Morganton Park South

Exhibit X- Street and Sidewalk Standards | Sections
Southern Pines, North Carolina

- **CDP Section 5.5.1 Vehicular Circulation, Street Cross Sections, and Parking and Exhibit X**
 - **Generally**
 1. **Linear Park Bike Racks.** Comply with town standards and in the location of any seating area in the linear park, which is at least one every 300'.
 2. **Multi-modal paths.** Conform to town standards and be within the Linear Park. BJ's Wholesale Club and Starbucks (or other drive-through) must make connections to the multi-modal path from their on-site sidewalks for accessibility.
 3. **Sidewalks.** Conform to town standards. Sidewalks may be substituted with multi-use paths as appropriate throughout the development to encourage pedestrian and bicycle use, according to CDP Exhibit XIII.
 4. **Shared parking** for mixed-use development may follow the standards set forth in Section 6.4.4(B) of the UDO.
- **UDO General Standards.** Make sure parking complies with standards in 4.5 Off-Street Parking and Loading.
- **BJ's Wholesale Club**
 - Per CDP Exhibit XIII Master Plan Development Waivers, parking for large scale retail development may be located in the front of the buildings. Parking for large scale retail development and/or shopping centers must maintain a parking level between 1 parking space per 250 SF and 1 parking space per 200 SF of retail/restaurant building. 441 retail parking spaces provided.
 1. 99,804 SF total - 4,333 SF office and breezeway = 95,471 SF / 250 SF = 382 minimum required parking spaces.
 2. 95,471 SF / 200 SF = 447 maximum parking spaces.
- **Starbucks/Drive-Through Restaurant**
 - Per CDP Exhibit XIII Master Plan Development Waivers, non-large-scale retail developments will follow the standards of Section 3.6.6(F)(2) with parking space per 200 square feet of retail/restaurant building square footage.
 1. **No SF provided.** 16 parking spaces shown.
 - **Stacking (UDO §5.8)**
 1. 3 stacking spaces required from order box to pick-up window and 6 stacking spaces from order box to beginning of lane, per UDO Exhibit 5-1. Need at least 2 additional stacking spaces on drive-through lane closest to the building, and 1 additional stacking space on drive-through lane furthest from building.
- **Dimensional Standards:**
 - **Show setbacks and buffers compliant with CDP standards:**
 - Minimum building setbacks: 25'
 - Minimum parking area setback (excluding internal drives): 25'

- Minimum perimeter buffer with adjacent, non-PD properties: 20'
- Fuel Canopy Standards [§3.5.14(P), §4.8.5(I), §5.2, §5.3, §5.4, and §5.8] shall apply.
- Landscaping (4.3), PD-08-21 CDP, and all applicable provisions of UDO Sec. 4.3 shall apply, including but not limited to:
 - CDP requirements superseding the UDO include: Parks and trails along linear park network (along the Parkway Connector; requirements shown in CDP Section 5.5.2) to include trails, bicycle paths, parks, and open space; and standards described in CDP Section 5.5.4.
 - Applicable UDO Requirements and Superseding Standards
 - UDO §3.5.14(H) PD Landscaping, Screening, Buffers, and Trees applies to site.
 - UDO §4.3.3. Street trees required along Parkway Connector and Southern Road. 1 street tree required per 30' of roadway on both sides of the street, but spacing can be random (rather than on center) at no more than 80' on center "to reflect the natural appearance of the local areas." Longleaf pines may be smaller than required planting size and may be installed in containers.
 - UDO §4.3.4, including Exhibits 4-2, 4-3, and 4-4. Landscape buffering provided along Parkway Connector following linear park landscaping requirements in CDP Section 5.5.2. Landscape buffer must be at least 20' wide and may be modified to locate facilities. Buffers between PD properties within the CDP are not required. 20' PD perimeter landscape buffer required between site and adjacent properties (i.e., Kohl's retail strip in Southern Pines Village).
 1. The Town and landowner are and have been aware since the CDP process that there is a Duke Energy easement along the linear park. The applicant must show appropriate plantings with compatible species in the spirit of the approved zoning (i.e., CDP). Some useful resources include:
 - a. [Rights of Way Frequently Asked Questions - Duke Energy \(duke-energy.com\)](http://duke-energy.com)
 - b. [Right Tree Right Place - Duke Energy \(duke-energy.com\)](http://duke-energy.com)
 - c. [Right Tree in the Right Place \(arborday.org\)](http://arborday.org)
 - d. [Home | North Carolina Extension Gardener Plant Toolbox \(ncsu.edu\)](http://ncsu.edu)
 - e. [North Central Florida Tree List - Trees and Power Lines - Edward F. Gilman - UF/IFAS \(ufl.edu\)](http://ufl.edu)
 2. We encourage retaining existing plant materials by keeping an undisturbed buffer with tree protection fencing.
 - UDO §4.3.5 Landscaping Screens. Show all service areas, outside storage or operation areas, dumpsters, HVAC units, and other mechanical equipment.
 - UDO §4.3.6 Landscaping for VUA.
 - UDO §4.3.7 Cleared areas.

- **UDO §4.3.13.** Existing vegetation credits – clearly indicate on the plan any existing vegetation that will be retained for credit and provide calculations.

- **Open Space/Greenspace**

OPEN SPACE SUMMARY

(PER SECTION 5.0 OF THE CONCEPTUAL DEVELOPMENT PLAN)

PHASE	OVERALL OPEN SPACE (PROVIDED)	USEABLE OPEN SPACE (PROVIDED)
1	5.92 acres	5.92 acres
2	2.60 acres	1.97 acres
TOTAL PROVIDED	8.52 acres	7.89 acres
REQUIRED OPEN SPACE (20%/10%)	19.8 acres	9.90 acres
TOTAL REMAINING TO PROVIDE	11.28 acres	2.01 acres

- **CDP Section 5.2 Development Standards, 5.4, 5.5.2, 5.5.4, and Table 2.0 – Open Space** requires 19.8 acres of open space and 9.9 acres of usable open space (i.e., UDO Section 3.5.14) for all of Morganton Park South and must be calculated following UDO provisions. **A running tabulation will be provided during the PDP process for each individual phase.** Open Space may include trails, open areas, amenity areas, linear park areas, multi-use paths, and other recreation areas. Any community greenway trails, or multi-modal trails will be added to the Town of Southern Pines greenway system upon completion and dedication. The greenway trails within the linear park are anticipated to be dedicated to the Town of Southern Pines.
 - **Minimum width of the linear park** must be 80', so make sure to show park widths on both sides of the Parkway Connector. It counts towards usable open space. Widths do not need to be uniform on both sides, but they cannot be less than 20' wide on either side. **Benches or seat walls are required at least ever 300'.** **Trash receptacles required at least one every 600'.** **Pet waste stations required at least one every 1,000'.**
- Shall comply with **UDO §4.9** Open Space Standards.
- **Frontage (UDO §4.10.5)**
 - BJ's Wholesale Club and Starbucks shall have frontage zone per UDO 4.10.5.
 - Front yard design standards and other site design requirements also apply to commercial sites, per UDO §4.10.3.
- **Lighting (UDO §4.8)** – shall apply if exterior lighting is proposed.
- **Signs [UDO §4.6 and §3.5.14 (I) and (J) AND CDP Section 5.5.7]** – Signage shall be approved under separate application, unless a Unified Sign Plan has already been approved for this parcel. The proposed signage within the CDP area will meet the standards of the MRO district and Section 4.6 of the UDO except as described in CDP Exhibit XI and CDP Exhibit XIII.

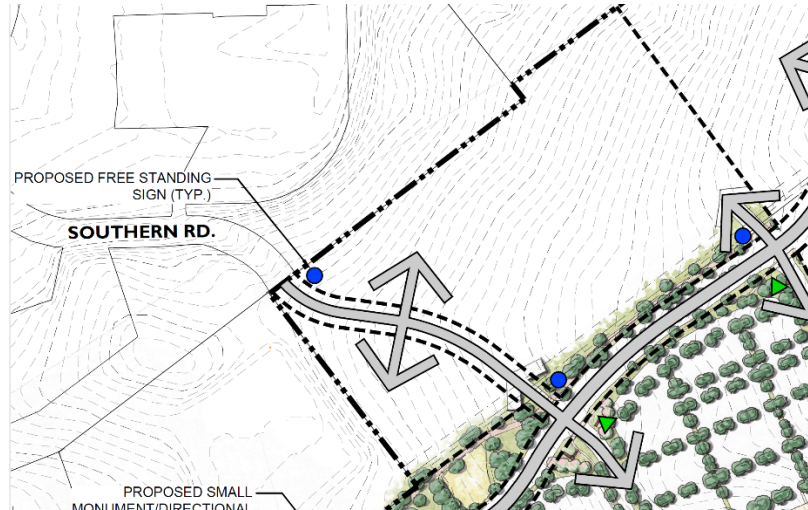


Exhibit XI



- Refer to Site Plan Checklist in UDO Appendices for submittal requirements (A-43, B31-B41)

The following comments noted in this pre-application review are not intended to be all-inclusive. Additional comments may arise following submittal of site plan review packet.

Agenda Item

To: Planning Board

From: Rachel Mann, Planning & Development Specialist

Subject: LRP-01-23; 2040 Comprehensive Plan Update

Date: August 24, 2023

I. SUMMARY OF APPLICATION REQUEST

North Carolina law states that all communities that adopt and apply zoning regulations must also adopt a comprehensive plan. A comprehensive plan establishes community policy regarding future growth and development for areas within municipal limits as well as any extra-territorial planning jurisdiction. The current Southern Pines plan was adopted in 2016 and the pace and nature of development since that time has changed. In August 2022, Southern Pines planning staff and a planning consulting firm started the process of writing a new plan by visiting properties throughout the planning jurisdiction, holding meetings throughout the community, attending community events, conducting surveys and asking anyone and everyone who was willing to participate to talk about future growth and development. A Community Advisory Committee was also created by the Town Council to act as a sounding board for the planning process.

From this extensive outreach effort, a new comprehensive plan consisting of six chapters was created. A Public Review Draft of the new comprehensive plan was posted online on June 30, 2023 and the public was encouraged to read the document and submit comments. Meetings with the Community Advisory Committee and the public were held in July of 2023 and planning staff made themselves available to the public at office hours events to answer questions and collect comments. A revised version of the Public Review Draft entitled “Public Hearing Draft” was posted online on August 4, 2023.

II. ACKNOWLEDGEMENTS

In addition to the Town Council, the Planning Board, Town Administration, and the Town Planning Department, the Community Advisory Committee and the Consultant Team deserve special acknowledgement for their roles in the creation of the Draft Comprehensive Plan. Members of each are listed below.

**Community Advisory
Committee:**

Lynn Anderson
Nora Bowman
David Carter
Suzanne Coleman

Consultant Team:

City Explained, Inc.
BAE Urban Economics Inc.
Arnett Muldrow & Associates, LLC
Nealon Planning, PLLC
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III. STAFF REVIEW

A. Review Process

Comprehensive Plans are adopted and amended following the process mandated for zoning text amendments, per NCGS §160S-501(c). Comprehensive plan adoption requires Planning Board review and recommendation followed by Town Council review and decision. This report serves to help facilitate Planning Board review and recommendation.

B. Review Dates

- Comprehensive Plan Update Project Began: August 2022
- Public Review Draft Published: June 30, 2023
- Public Hearing Draft Published: August 4, 2023
- Notice of August 24, 2023 Planning Board Public Hearing:
 - Publication Dates: August 9 and August 16, 2023
 - Internet: August 4, 2023
- Planning Board Regular Meeting: August 17, 2023

C. Supporting Engagement Activities¹

The list below includes highlights of community engagement events from the past year. Please note this is not a comprehensive list of all community engagement related to the comprehensive plan update project.

- **Project Kickoff**
 - Bring Your Own Questions Event
 - Community Conversations (57 meetings; 824 comments)
 - Community Ideas Exchange Workshop
 - On the Table Meetings (11)
 - Launch the public-facing Comprehensive Plan website²

¹ See Engagement Corner page with consultant-created documents and presentations for more details, <https://www.southernpinesclrp.net/engagement-corner>

² <https://www.southernpinesclrp.net/>

- **Growth Choices**
 - Growth Choices Main Event (150+ attendees)
 - Growth Choices Office Hours Library Events (Five Sessions)
 - Growth Choices West Southern Pines Event
 - Growth Choices Community Survey
 1. 268 respondents
 2. 1,176 open-ended comments
 3. 301 sticky note comments
- **Draft Plan Recommendations**
 - Draft Plan Recommendations Workshop (55+ attendees)
 - Two 9:00 a.m. to 5:00 p.m. Office Hours Sessions
 - 30+ Emails Received with Comments/Feedback on the Draft Plan
 - Policy-Maker Briefings and Adoption Hearings
 - Responded to 907 comments on different versions of the Draft Plan (759 comments from Town staff and 148 comments from the public) as well as green (in favor) and red (opposed) dots in reaction to different sections of the first Public Draft Comprehensive Plan
- **Other Engagement**
 - Community Advisory Committee (Five Meetings)
 - Online Engagement
 1. 5+ Email Newsletters to 450 People on Email List
 2. 4,503 Website Visits as of July 25, 2023
 - Special Events (800+ Flyers Given Out)
 1. West Southern Pines Cultural Arts Fair
 2. West Southern Pines Civic Club Meetings
 3. Downtown SP Trick or Treat
 4. First Friday
 5. Christmas Tree Lighting Ceremony
 6. Downtown SP New Year's Eve Event
 7. Southern Pines Business Association Presentation
 8. Southern Pines Civic Club
 9. Planning Board/Town Council Summit

D. Staff Comments

The planning process for putting together the Draft Comprehensive Plan included efforts by the consultant and the Planning Department to collect public input and create a document that reflected the vision and desires of the Town of Southern Pines community. This community input was joined with data and community-level analysis plus best planning practices to identify opportunities for the Town that align with community values and are supported by data. For instance, the Growth Choices initiative presented six scenarios on a scale from no community growth to significant community growth, and options in between. The public input from those outreach efforts informed the content of the Draft Comprehensive Plan.

The consultant team also put together six “book reports” assessing existing conditions and emerging trends using data, adopted town documents, and field observation,

which serve as a baseline for the comprehensive plan. The topics include land use and community character, environment, market and economics, supporting infrastructure, transportation, and local policies and ordinances. These six book reports are supporting documents that are considered part of the comprehensive plan for reference. Concepts from each report have been woven into the text of the Draft Comprehensive Plan.

The challenge of comprehensive planning in the Town of Southern Pines is the speed with which our community is developing. There are as many opinions on growth as there are people in the Town of Southern Pines. The comprehensive plan, therefore, is intended to manage the expected projected growth and land disturbance between now and 2040. The shared vision—spurring off of the town’s branding process—emphasizes the town’s current priority to protect the town character, the community brand, and community culture. Chapter 4 (Town-Wide Concepts) also expands on the community vision.

Although the Draft Comprehensive Plan is a completely new document, it does not intend to dramatically change the town’s operations, rather enhance how things are currently structured. The most significant change, however, is in the creation of character districts. Character districts were a concept that come up during public engagement, so the consultant team identified districts within town that have a unique character and created illustrated examples of how to implement the character of each district. The intent of these character district is to create predictability in expected land uses, building design, and site design.

Chapter 2 (Growth and Conversation Framework) is comparable to the existing “future land use map,” with which the governing boards interact constantly during various development applications. Of the 12 maps included in the Draft Comprehensive Plan, three directly relate to identifying appropriate development and character for any parcel or area within town. The General Framework Map (p. 39) is our 30,000-foot perspective and shows areas to preserve, strengthen, enhance, and transform. The Conservation and Development Map (p. 46) is the 20,000-foot view and shows future land uses (e.g., open space, rural living, neighborhood, retail center, employment center, and mixed-use area as well as activity centers and priority areas. Lastly, the Character Districts Map (p. 65) is the 10,000-foot view and includes the 10 character districts. Seven matrices complement these maps and the text of the comprehensive plan.

Chapter 3 (Supporting Infrastructure) and Chapter 5 (Town Policies and Recommendations) represent the 10,000-foot and closer-to-ground (and even underground) views of the community. Chapter 3 highlights infrastructure and begins to address the concept of expanding public facilities, utilities, and services. The maps in Chapter 3 are meant to be further refined over time after conducting feasibility analyses for future master plans. Comprehensive, continuous, and connected infrastructure throughout the community is considered critical in the plan to realizing

community vision. Chapter 5 will influence decisions made on future planning and development applications, proposals, and initiatives.

Lastly, Chapter 6 discusses plan implementation to make the comprehensive plan vision come to fruition. This chapter includes recommended town UDO design and land use considerations and administrative procedures. The comprehensive plan sees coordination and collaboration as key to implementation, including starting targeted initiatives, capital projects, and partner projects. This chapter was expanded after additional public input on the first public Draft Comprehensive Plan was received in July 2023.

Overview of the 2040 Comprehensive Plan by Chapter

Chapter One: Explanation of emphasis on community character and overview of how to use the document.

Chapter Two: Houses three key maps from Comprehensive Plan, including: General Framework Map, which organizes and illustrates growth and conservation decisions; Conservation and Development Map, which depicts preferred development types, locations, patterns, styles, and intensities for the planning jurisdiction assuming full build-out of the community; and Character District Map, which provides opportunity to plan for a desired brand or character by specific region of the community.

Chapter Three: This chapter is about supporting infrastructure, including maps for Parks and Open Space, Greenway and Trails Networks, Fire and Police Protection, Water and Sewer Service Area, and Transit and Road Network Maps.

Chapter Four: Big ideas, general concepts, or best practices that address topics important for safeguarding community character, building a complete and connected town, and promoting Southern Pines as a community focused on high-quality design, unique experiences, and special places.

Chapter Five: Policies and recommendations to guide staff, Planning Board, Town Council and others when decision-making.

Chapter Six: Action plan and strategies for implementation of the 2040 Comprehensive Plan.

Top 10 Initiatives Summarized from the Comprehensive Plan (Pg. 8 and 9)

1. Evaluate the merits of replacing the quasi-judicial decision-making process used by Town Council for evaluating development applications with a legislative (policy) decision-making process that includes ample opportunities for public comment during an update to the Town of Southern Pines Unified Development Ordinance.

2. Develop and implement character-based zoning standards in the Town of Southern Pines Unified Development Ordinance to ensure zoning and subdivision regulations implement the character-based vision, guiding principles, policies, and recommendations presented in the 2040 Comprehensive Plan.
3. Implement new rules and processes that provide higher-scrutiny for a development application that proposes infill development or redevelopment in specific character districts (presented in the plan). New rules and processes should be used to ensure new development in an existing neighborhood or center maintains a certain character that is consistent and complementary to the surrounding environment.
4. Think about new or expanded community facilities needed to serve future residents when reviewing development applications, and require that development applicants consider some of these needs in their site concept plans.
5. Coordinate investments in the public realm (streets, parks, plazas, greenways, etc.) as the primary means to influence the form and function of Southern Pines' planning area. Initiatives for creating a stronger public realm should help unify the natural and built environments. They should also emphasize a comprehensive and connected brand for the town that will create a unique sense of place and community pride for living and working in Southern Pines.
6. Implement standards and protocols for protecting open space throughout the community, including the protection of specific tree canopy areas under a local historic preservation ordinance. Individual decisions about open space in Southern Pines should consider the context and needs of a larger open space framework, which is aimed at maximizing a comprehensive, connected, and continuous open space network that is easily recognizable and accessible to town residents.
7. Create spaces in the community that are comfortable and present themselves well as a framework for bringing people together in a safe, clean, energized, and accessible environment. Ensure enough capacity is available to accommodate formal or informal events in different locations.
8. Town officials should consider vulnerabilities to neighborhood gentrification and displacement during the review of development applications. Further, town officials should advocate for equitable distribution of the benefits associated with a development application for the neighborhood where the project is located.
9. Provide a safe and reliable transportation system that balances all modes of travel; including walking, biking, public transit, rail, and cars. Specific to greenways and trails, implement a system with the help of others that will connect important destinations in Southern Pines, Pinehurst, Aberdeen and beyond.

10. Provide for greater housing diversity in the community, including different types, sizes, and price points of homes intermingled in close proximity, with a range of living experiences from rural to suburban to urban so that there is something for everyone.

IV. AGENCY COMMENTS

A. Pursuant to NCGS §160D-601(b), a request for comment was sent to Vagn Hansen, On August 10, 2023, Planning staff sent an email to the Technical Review Committee requesting comment on the public hearing draft of the Comprehensive Plan. They identified that the Planning Department staff list needs to be updated, and that two maps in Chapter 3 need to be modified. The first map is on Page 121, “Greenway and Trails Network Map”, and should continue the trail along McDeed’s Creek up to Page Street and could include a boardwalk, as shown in Attachment 4. The second modification is on Page 133, “Road Network Map”, and should change the classification of five streets as shown in Attachment 4. As of the writing of this staff report we have not received any other comments from the Technical Review Committee regarding the Draft Comprehensive Plan.

V. ATTACHMENTS

Rather than attaching over 400 pages of comprehensive plan and supporting materials to this report and including it all in the Planning Board’s August packets, staff is providing links to the following referenced documents:

1. Public Hearing Draft 2040 Comprehensive Plan.
Link to document: <https://www.southernpinesclrp.net/draft-plan-for-review>
2. 2040 Comprehensive Plan Book Reports:
Link to documents: <https://www.southernpinesclrp.net/existing-conditions>
3. Attached to this report:
 1. Regional Land Use Advisory Commission (RLUAC) comments.
 2. Town Engineer Suggested Modifications

VI. PLANNING BOARD ACTION

The Planning Board is holding a public hearing prior to making a recommendation to the Town Council on the new 2040 Comprehensive Plan.³ Upon receiving a recommendation from the Planning Board, the Town Council will hold a legislative public hearing per NCGS §160D-601. If approved, it will be adopted by ordinance⁴.

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

³ Per North Carolina General Statute §160D-301.

⁴ Per North Carolina General Statute §160D-601(c).

I move that after reviewing the draft 2040 Comprehensive Plan and supplemental documents and after hearing from the public at an advertised public hearing and after holding Planning Board discussion regarding the plan, the Planning Board recommends:

1. Approval of the 2040 Comprehensive Plan to the Town Council;

OR

2. Approval of the 2040 Comprehensive Plan with the following modifications:

OR

3. Denial of the 2040 Comprehensive Plan.



SOUTHERN PINES COURTESY REVIEW

August 15, 2023

The Regional Land Use Advisory Commission (RLUAC) has reviewed the first draft of the Town of Southern Pines Comprehensive Plan that is now under consideration for adoption by the Planning Board and Town Council, and offer the following comments and recommendations for inclusion in the final draft of the plan:

1. The future land use plan, as expressed through the general land use framework, conservation and development, and character area maps, appears to be generally compatible with Fort Liberty's military training, operational, and environmental missions.
2. We did not identify anything in the plan regarding the state surface water classification of McDeeds Creek and Mill Creek as DEQ designated High Quality Waters. The compatible use rating system identifies these resources as "important" to protect, and maintaining their status as high quality waters is a key component of supporting the health of the long leaf pine ecosystem and maintaining habitat for threatened and endangered species in the region.
3. The sewer service area map on Page 129 shows a target area for expansion on the east side of town north of US 1. This area is within the McDeeds Creek HWQ watershed area, and corresponds to the proposed "Mixed Use Activity Center" shown on the Conservation and Development Map. If sewer is expanded to facilitate large scale development in this area, additional consideration should be given to the design of stormwater mitigation infrastructure to limit impacts to the watershed.
4. While the sewer service map does not indicate any planned expansion into the eastern ETJ close to Fort Liberty, there does not appear to be any explicit policy that would prohibit or discourage utility extension into this area. The existing land use pattern in this area is generally compatible (primarily related to environmental concerns), but the expansion of growth inducing infrastructure, such as sewer, could lead to a decrease in compatibility. In addition to potential impacts to the long leaf pine ecosystem / RCW habitat, there are some general compatibility issues that

accompany higher density development along or in close proximity to the installation boundary.

5. The green infrastructure policies and recommendations would be enhanced if there were some discussion about the Town maintaining partnerships with TNC , Three Rivers Land Trust, NCWRC, USFWS, etc. to pursue property owner education about ecosystem preservation, maintenance, and enhancement – particularly through the use of conservation easements. We suggest amending policy 3.9 with language addressing this recommendation.
6. It is important to tie the “why” of the Town’s policy of protecting long leaf pine / RCW habitat back to its origin – namely Fort Liberty and the significant impact to training capacity that previously occurred due to habitat loss and the need to continue building on the successes that have been achieved through partnerships between the installation, local governments, and partner entities to preserve and restore this critical habitat. The inherent military readiness and national security implications of habitat loss provide a strong supplemental basis for maintaining these policies in addition to the underlying environmental basis.
7. There is not a significant amount of purely “military” compatible use impact on the Town from Fort Liberty. This is a positive circumstance to be in given the proximity of the Town to the installation. The more significant issues are related to maintaining environmental compatibility; primarily through stewardship of the long leaf pine ecosystem and RCW habitat.
8. There is one small area of high noise impact associated with small arms ranges that affects the southeastern portion of Town in the vicinity of Edinboro Drive and Stornoway Drive. From a training perspective, this is the only area of minor incompatibility that is currently identified, and the land use pattern there is essentially set. If the Town would like to identify this in the plan, RLUAC can provide a map of the affected area.
9. We recommend including an additional policy / implementation strategy regarding the Town’s membership and participation in RLUAC. Southern Pines has a long history of participation in the organization and there are, significant, ongoing, benefits associated with partnering with other local governments and Fort Liberty to promote compatible growth and habitat conservation.
10. There is an inaccurately used term in this sentence on page 168: “New residents in Southern Pines include military families assigned to Fort Liberty in Fayetteville, and their **base housing allowances** have also increased home prices in existing neighborhoods.” The correct terminology is “Basic Allowance for Housing” or “BAH.”

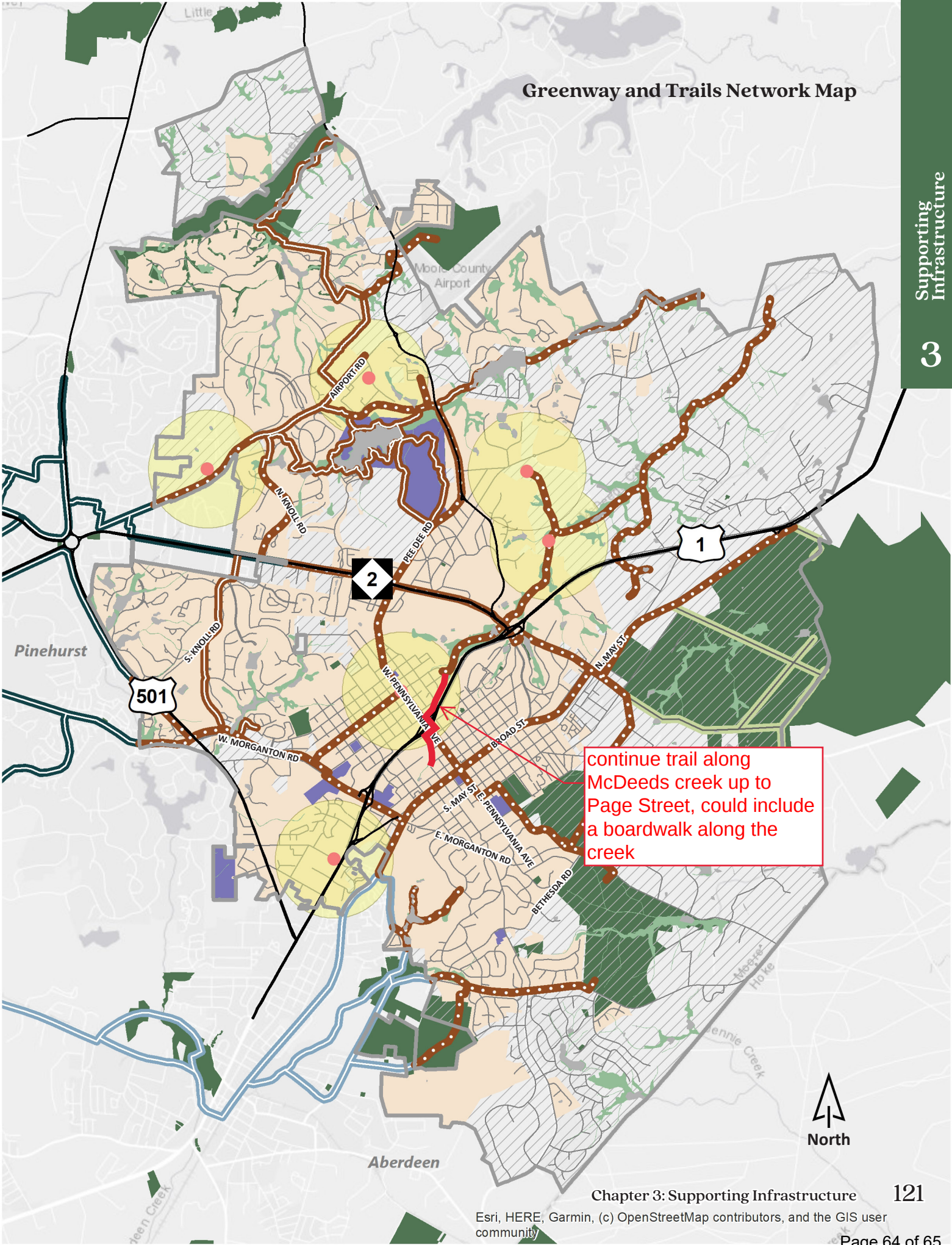
While RLUAC's findings and recommendations are non-binding on the Town of Southern Pines, their consideration and incorporation into your review of the Comprehensive Plan will help to improve compatibility outcomes for our region as a whole by protecting Fort Liberty's military training, operational, and environmental missions. If we can be of any assistance in making edits to the plan to address our comments and recommendations, please feel free to reach out.

Thank you for allowing RLUAC to review and comment on the plan.

Jeff Sanborn, Chairman

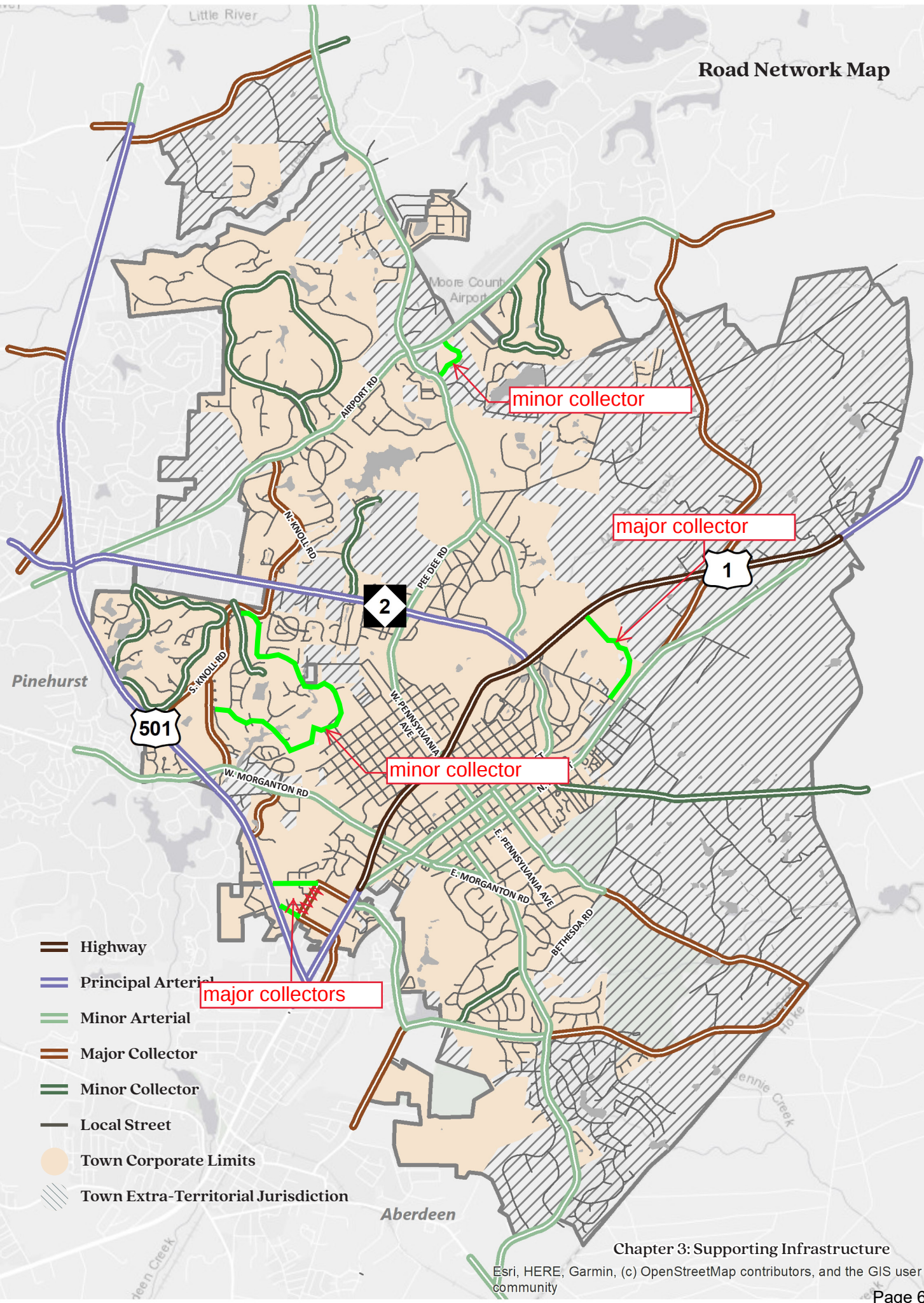
Vagn K. Hansen II, AICP, Executive Director

Greenway and Trails Network Map



continue trail along
McDeeds creek up to
Page Street, could include
a boardwalk along the
creek

Road Network Map



- Highway
- Principal Arterial
- Minor Arterial
- Major Collector
- Minor Collector
- Local Street
- Town Corporate Limits
- Town Extra-Territorial Jurisdiction