



AGENDA

Tuesday, September 26, 2023: 3:00 PM

Town Council Work Session

**C. Michael Haney Community Room: Southern Pines Police Department
450 W. Pennsylvania Ave**

1. CALL TO ORDER

2. TOWN MANAGER'S COMMENTS

3. ACTION ITEMS

a. Approve Resolution #1075 Supporting the National Register of Historic Places Nomination for 1250 W New York Avenue

The Town of Southern Pines is a Certified Local Government (CLG) and is thereby required to review all new nominations of sites, structures and districts within the Town's boundaries.

b. AR-08-23 Southern Pines Golf Club Cottages

Mid Pines Development Group, LLC has applied for an Architectural Compliance Permit for seven 4-bedroom cottages and three 8-bedroom cottages totaling 52 bedrooms for the Southern Pines Golf Club off Country Club Circle. The overall project was approved by Town Council on February 14, 2023 through Special Use Permit #SU-07-22. A motion to approve at the regular meeting failed to get a majority vote of the full board. So, the item was continued to the work session for a final decision.

c. Approve Ordinance #3002 Amending the Town's Code of Ordinances and Fee Schedule

This is a series of administrative revisions to the Code of Ordinances. These amendments address enforcement actions related to unsafe buildings and fines/fees assessed by the fire department.

d. Approve Ordinance #3003 Amending the Town's Code of Ordinances and Fee Schedule

This is a series of administrative revisions to the Code of Ordinances. These amendments address fees assessed by the utility billing department.

4. PUBLIC HEARING

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

Midland Atlantic Properties has applied for a Preliminary Development Plan for Morganton Park South. The application includes a 101,840-square foot wholesale retail building, a fuel service station, and a 2,500-square foot drive-through restaurant on +/- 13.89 acres. The Town Council will continue and close its evidentiary hearing from the September 12, 2023, regular meeting prior to making a quasi-judicial decision on this matter.

5. COUNCIL UPDATES

a. Contract with Meridian Waste

Staff has been working with Meridian Waste to negotiate a contract for garbage and recycling collection to be forwarded to Council for consideration at the October 10th meeting. Staff will provide an update during the work session.

6. COUNCIL ROUNDTABLE DISCUSSION

7. ADJOURNMENT

comments or questions are not accepted via the live stream. To receive notifications when new content is published, please "subscribe" to the Town's channel at <https://bit.ly/3hXx2Qk>

Agenda Item

To: Reagan Parsons, Town Manager

From: Rachel Mann, Planning & Development Specialist

Subject: National Register of Historic Places (NRHP)
Nomination- 1250 West New York Avenue

Date: September 26, 2023

I. SUMMARY OF REQUEST

Town Staff and Mayor Carol Haney received a letter from the State Historic Preservation Office (SHPO) requesting comment on a formal National Register of Historic Places (NRHP) nomination of the former West Southern Pines Primary School, presently known as the West Southern Pines Center. The site was nominated to the NRHP by Heather Fearnbach of Fearnbach History Services, Inc. on behalf of the Southern Pines Land and Housing Trust. The address of this site is 1250 West New York Avenue. The subject parcel is identified as PIN # 857220827460 and Parcel ID # 00036869. Per the Moore County tax records, the property owner is listed as Southern Pines Land and Housing Trust. The subject property is zoned FRR (Facilities Resources Recreation).

The NRHP (“National Register”) is the nation’s official list of historic buildings, structures, objects, sites, and districts that have been deemed worthy of preservation for their significance in American history, architecture, archeology, and culture. Properties listed on the NRHP are nominated at a local, state, or national level of significance depending on the geographical range of the importance of a property or its associations. Most properties, including this one, are recommended to be listed at the local level of significance.

II. HISTORIC DISTRICT COMMISSION RECOMMENDATION

As a Certified Local Government (CLG), Southern Pines is required to review all new nominations to the NRHP for sites, structures, and districts within the Town’s boundaries. The first step of the local NRHP process is for the Historic District Commission (HDC) to provide comments and a recommendation on the nomination based on their shared expertise. The HDC is also required to allow for public comment per Southern Pines’ CLG agreement. The agreement states, “Provide for adequate public participation in the historic preservation program, including the process of recommending properties to the National Register of Historic Places (North Carolina General Statutes 160A-400.1 through 14 and Guidelines Section II.F and Section VI).”

These requirements were met at the regularly scheduled HDC meeting held on September 14, 2023. The HDC allowed for public comment, and one member of the public attended and spoke in favor of the nomination. With no further public comment, the Commissioners closed the forum and unanimously recommended approval of the nomination. The Commissioners noted they agreed with listing under Criterion A and C as specified in the nomination.

Locally, the final step in the nomination process is for Council to make a recommendation of approval (or not).

III. NRHP CRITERIA FOR EVALUATION

There are two features to consider when determining eligibility for the NRHP:

1. Historic Significance

The property must be associated with at least one of the following criteria:

- Criterion A: Important Events or Patterns of History.
- Criterion B: Important Historical Figure.
- Criterion C: Important Example of Period Architecture, Landscape, or Engineering.
- Criterion D: Information it is likely to yield (Archeology).

The NRHP nomination finds that the site is significant under Criterion A for its association with events that have made a significant contribution to the broad patterns of our history and Criterion C as an important example of period architecture. Specifically, the NRHP nomination speaks of the site's significance in the areas of "Education, Black Heritage, and Architecture"

2. Historic Integrity. The seven aspects of integrity are:

- Location: Where the historic property was constructed or the place where the historic event occurred.
- Design: Combination of elements that create the form, plan, space, structure, and style of a property.
- Setting: Physical environment of a historic property. This includes elements such as topographic features (such as the crest of a hill), vegetation, manmade features (such as paths or fences), and relationships between buildings.
- Materials: Physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.

- Workmanship: Physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.
- Feeling: Property's expression of the aesthetic or historic sense of a particular of time.
- Association: Direct link between an important historic event or person and a historic property.

To assess the integrity, consider the following:

- Does the building or site reflect the physical features that existed during its period of significance?
- Would someone from the past who traveled to the future recognize the building?
- What elements of integrity are the most important to this site? Does it reflect those?

IV. PROCESS FOR LISTING A PROPERTY ON THE NRHP

1. Nominations are submitted to the State Historic Preservation Office (SHPO) for review. Most nominations are prepared by private consultants hired either by individual property owners or by local governments or organizations. In this case, the nomination was prepared by a private consultant on behalf of the property owner, the Southern Pines Land and Housing Trust.
2. SHPO staff provide guidance and work with applicants to review and revise the NRHP applications.
3. The local government is notified of the NRHP nomination, and the local Historic District Commission is given the opportunity to provide comments and a recommendation prior to the National Register Advisory Committee (NRAC) reviewing the application.
4. The NRAC reviews the application and forwards a recommendation on the nomination to the Keeper of the National Register for final approval.

V. ATTACHMENTS

1. State Historic Preservation Office Letter to Mayor Haney
2. Historic District Commission Signed Recommendation



**North Carolina Department of Natural and Cultural Resources
State Historic Preservation Office**

Ramona M. Bartos, Administrator

Governor Roy Cooper
Secretary D. Reid Wilson

Office of Archives and History
Deputy Secretary Darin J. Waters, Ph.D.

August 7, 2023

Mayor Carol Haney
Town of Southern Pines
125 SE Broad Street
Southern Pines, NC 38387

RE: West Southern Pines School, 1250 West New York Avenue, Southern Pines, Moore County

Dear Mayor Haney:

Enclosed is a copy of the nomination for the West Southern Pines School, which is scheduled for presentation to the North Carolina National Register Advisory Committee on October 12, 2023. For more information about meeting details and updates on how to view the meeting, please visit the Secretary of State's Public Meeting Calendar at https://sosnc.gov/online_services/calendar/Search and search "National Register Advisory Committee."

As a Certified Local Government, you have sixty (60) days in which to comment on the proposed nomination. If you do not respond by October 11, 2023 on the proposed nomination, approval of it will be assumed. Please note that the Southern Pines Historic District Commission is to provide an opportunity for public comment on this nomination according to the terms specified in the certification agreement the town signed with this office. A copy of your notice to the public should be forwarded to our office along with any comments that you, the Southern Pines Town Council, or the Southern Pines Historic District Commission wish to make on the nomination to satisfy federal and state requirements.

Please use the enclosed comment forms to send us the responses. If you have any questions concerning this nomination, we will be happy to help. Please direct any inquiries to our State Historic Preservation Office's National Register Coordinator, Jeff Smith, at jeff.smith@dncr.nc.gov.

Sincerely,

Darin J. Waters
State Historic Preservation Officer

DJW/ssh

Enclosures

Mayor Carol Haney
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August 7, 2023

cc: Rachel Mann, Planning and Development Specialist, Southern Pines Historic District Commission

CERTIFIED LOCAL GOVERNMENTS AND THE NATIONAL REGISTER

The federal and state guidelines for the Certified Local Government Program require that the CLGs participate in the process of nominating properties to the National Register of Historic Places. This participation involves the review of nominations within the jurisdiction of the CLG by the CLG Commission and the chief elected local official. Opportunity for public comment must be provided during the 60-day comment period. The commission and the chief elected official are required to submit comments to the State Historic Preservation Office and the owner of the property relaying their findings as to the eligibility of the property under consideration for listing in the National Register. The attached forms are provided for you to facilitate your review of nominations and your submittal of comments to the State Historic Preservation Office. A copy of the criteria for listing in the National Register is also enclosed for your reference and use.

Although the federal regulations governing the CLG program call for the chief elected local official to provide comments on proposed National Register nominations within the CLG jurisdiction, North Carolina law stipulates that the mayor or chairman of the board of county commissioners may act only in an administrative capacity on behalf of the local governing board. If a certified local government has doubts about the legality of the chief elected official assuming sole responsibility for comments on proposed National Register nominations, it may wish to consider two alternatives: 1) having the governing board review the nominations or 2) having the governing board pass a resolution granting the chief elected local official the authority to furnish comments on behalf of the governing board.

THE CLG COMMISSION SHOULD COMPLETE **ONE** OF THE FOLLOWING PARAGRAPHS:

A. We, the **Southern Pines Historic District Commission**, have reviewed and discussed the nomination for **West Southern Pines School** and find that the property **meets** the criteria for listing in the National Register of Historic Places as stated in Section 8 of the report. We, therefore, **recommend** that the property be submitted for listing in the Register.

Molly R Goodman 9/14/23
Commission chair's signature and date

B. We, the **Southern Pines Historic District Commission**, have reviewed and discussed the nomination for **West Southern Pines School** and find that the property **does not meet** the criteria for listing in the National Register of Historic Places as stated in Section 8 of the report. We, therefore, **do not recommend** that the property be submitted for listing in the Register. The reasons for our findings concerning this nomination are stated below (use additional sheet if necessary).

Commission chair's signature and date



RESOLUTION #1075
SUPPORTING THE NOMINATION FOR THE WEST SOUTHERN
PINES CENTER INCLUSION ON THE NATIONAL REGISTER

Commented [RM1]: Supporting the National Register of Historic Places Nomination for 1250 West New York Avenue

WHEREAS, the National Register of Historic Places is the nation’s official list of historic buildings, districts, archaeological sites, and other resources worthy of preservation; and

WHEREAS, the National Register of Historic Places includes “districts, sites, buildings, structures, and objects that exhibit a quality of significance in American history, architecture, archaeology, or culture that possess integrity of location design, setting, materials, workmanship, feeling and association;” and

WHEREAS, the Town of Southern Pines is a Certified Local Government (CLG) Program through the North Carolina State Historic Preservation Office (HPO);

WHEREAS, as a CLG, the Town of Southern Pines has the opportunity to review new National Register of Historic Places nominations and provide comments and a recommendation to the HPO; and

WHEREAS, The Historic District Commission at their regularly scheduled meeting of September 14, 2023, allowed for public comment and concurred with the National Register nomination for 1250 West New York Avenue, also known as the West Southern Pines Center; and

NOW THEREFORE, BE IT RESOLVED BY THE SOUTHERN PINES TOWN COUNCIL that the Town Council, in recognizing the need to preserve properties and areas that embody important elements of the community’s architectural and cultural heritage, hereby supports the West Southern Pines Center nomination for inclusion on the National Historic Register.

This the 26th of September 2023.

Elizabeth Robertson, Town Clerk

Agenda Item

To: Reagan Parsons, Town Manager
From: Alaina Mallette, Senior Planner
Subject: AR-08-23, Southern Pines Golf Club Cottages, 290 Country Club Circle
Date: September 26, 2023

I. SUMMARY OF APPLICATION REQUEST

The applicant, Mr. Robert Koontz of Koontz Jones Design, is requesting an Architectural Compliance Permit for 10 cottages on behalf of the legal property owner, Mid Pines Development Group, LLC. The site is located in an FRR zoning district (i.e., Southern Pines Golf Club) and permitted under Special Use Permit SU-07-22. The architectural review is for ten detached golf cottage temporary dwellings housing a total of 52 guest rooms with associated parking and amenities such as a putting green and practice tee. No subdivision of property is proposed for the site, which constitutes a +/-9.48-acre portion of the +/-292.11 total acreage of the property. This parcel will have access from Country Club Circle and will be adjacent to the club's clubhouse between Spring Road and Ridge Street.

II. PROJECT INFORMATION

A. Property Owners

PIN 858100121842 (**PARID** 00048946)
Mid-Pines Development Group, LLC
P.O. Box 88
Southern Pines, NC 28388

B. Applicants and Authorized Agents

Robert Koontz
Koontz Jones Design
150 South Page Street
Southern Pines, NC 28327

III. TOWN COUNCIL REVIEW

The Town Council heard the Planning Department's and the Applicant's presentations regarding the proposed designs for the Southern Pines Golf Club cottages. Planning staff highlighted the prior development approval's (i.e., Special Use Permit SU-07-22) condition of approval #9 for variation in architecture as well as the deviation requests for the five 4-bedroom cottage designs—including Version "E" submitted to the Planning Department on September 12, 2023—and the single 8-bedroom cottage design. The applicant presented on each design, as well, and provided illustrated perspectives. Planning staff have updated Attachment 3 building elevations to include additional designs and the Applicant's presentation has been included to this report at Attachment 6, for reference. A motion was made to approve the application with deviations and conditions, which resulted in a 2-1 vote in favor. A majority vote of the whole board (i.e., 3 votes in favor) is required for approval. Therefore, the item was continued to the September work session.

Figure 1. Proposed Site Layout Plan with Conceptual Landscaping for Southern Pines Golf Club Cottages



Figure 2. Zoning and Vicinity Map for Property (Circled in Red). The subject property is located south of East Morganton Road and west of Country Club Circle. The proposed buildings (i.e., cottages) is outside of district overlays and protected areas. The subject property is zoned FRR. The broader neighborhood includes FRR (Southern Pines Golf Club), RS-1, RS-2, RS-3, and RM-1 zoning districts.

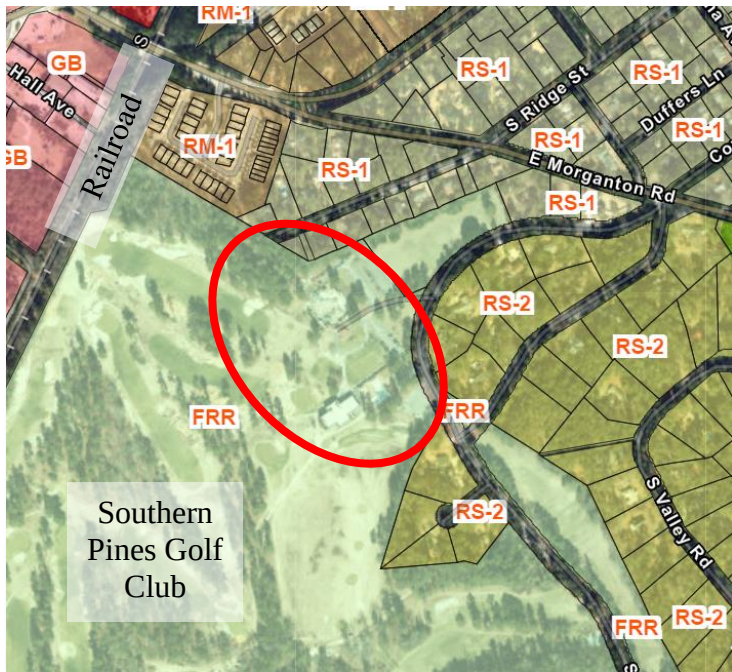
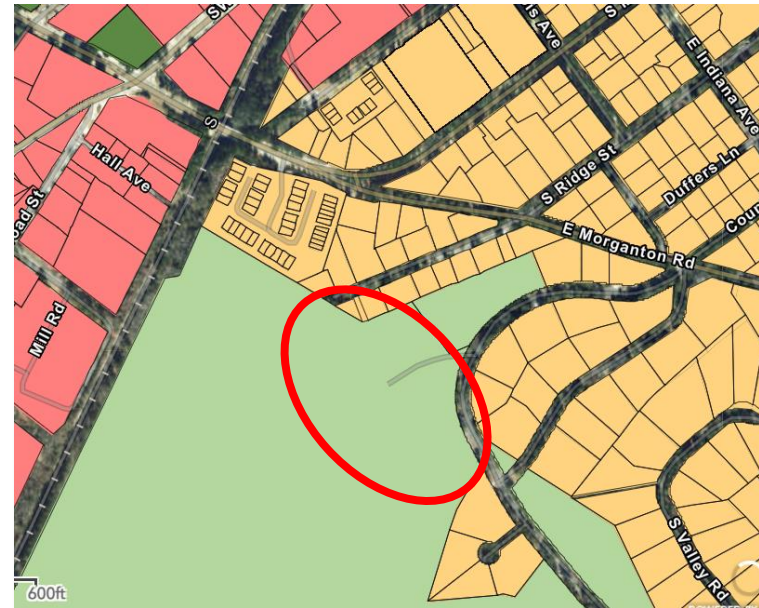


Figure 3 CLRP Future Land Use Map Designation with Subject Property Circled in Red. The zones filled with light green, including the subject property, have a Future Land Use Map designation as “Residential/Golf”. Surrounding properties have a Future Land Use designation of “Residential.”



IV. STAFF REVIEW

1. **Review Process.** Applications for Architectural Compliance Permits are reviewed pursuant to UDO §2.26.

2. **Application Review Dates**

Application Submitted: **August 7, 2023**

Application Complete: **August 17, 2023**

Town Council Agenda Meeting: **September 5, 2023**

Town Council Regular Meeting: **September 12, 2023 (2-1 vote of approval, failed to get majority vote)**

Town Council Work Session: **September 26, 2023**

3. **Criteria for Review per UDO §2.26.7 and Staff Comments**

✓ = compliant ✗ = not compliant

When reviewing an application for an Architectural Compliance Permit, the Town Council shall approve, conditionally approve, or deny the application based on the following criteria, as set forth in **UDO §2.26.7**. The proposed new development includes the construction of 10 cottages. Staff has reviewed the project for compliance with **UDO §2.26.7**. See staff comments for each requirement below.

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

✓ No inconsistency with the Comprehensive Plan has been identified.

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

- This specific use must comply with the following UDO sections. Comments about compliance are provided for each applicable section. Text in green indicate compliance with the relevant architectural standards while text in red indicate non-compliance.
 - Site design standards from Chapter 4 will be reviewed for compliance by the Technical Review Committee during Site Plan Review.
 - 4.6. Signs. Signage will be reviewed for compliance during the sign permit application process.
 - 4.10.4 Development Design Standards. Of the 10 standards, 7 apply, and **2 deviations** are being requested. **Compliance for 1 standard was unable to be determined based on insufficient information provided in the application.** See staff comments in the following section for more details.

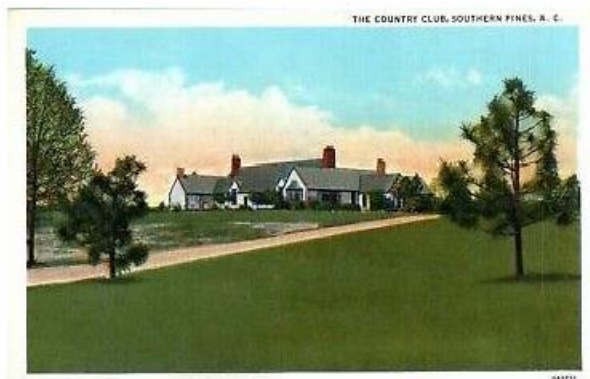
The application is consistent with applicable conditions of prior Development approvals; and

✓ **SU-07-22 Special Use Permit for the Development of 10 Guest Cottages.**
Generally compliant.

- Condition of approval #9: “The applicant will include variation in the architecture of the units to be constructed. Architectural plans will be presented to the Town Council during the Architectural Compliance Permit Process. To reflect the materials and design of the neighborhood, these units may vary from the strict commercial requirements of Section 4.10.4 of the UDO for materials and design, to permit the units to be constructed with a residential character.” See sample images below from Exhibit 3 of the evidentiary hearing.

Figures 4-6. SU-07-22 Screenshots from Exhibit 3 of the SUP Evidentiary Hearing

Original Clubhouse – Early 20th Century

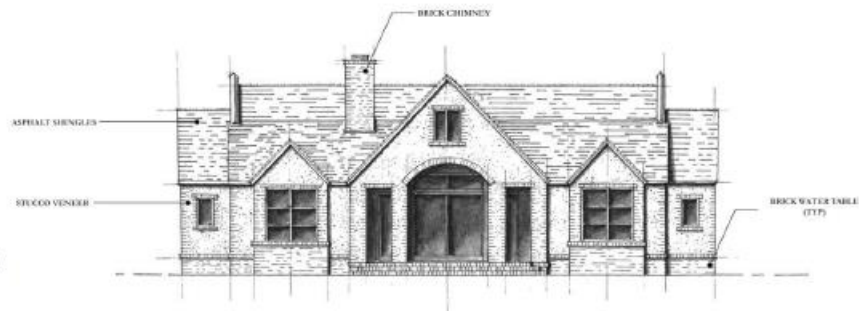


Conceptual Architecture – 4 Bedroom Cottage

Front Elevation

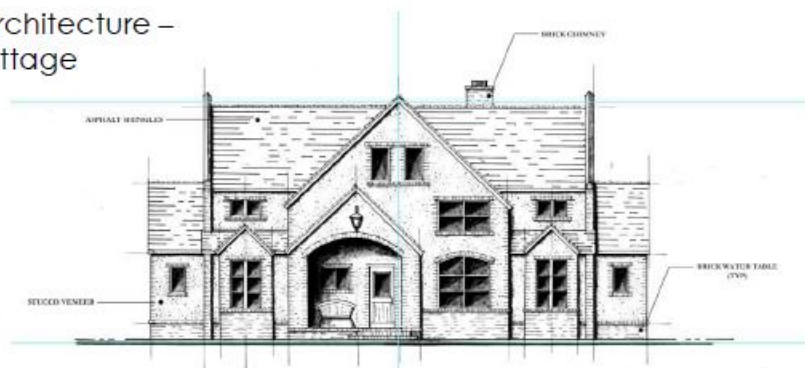


Rear Elevation

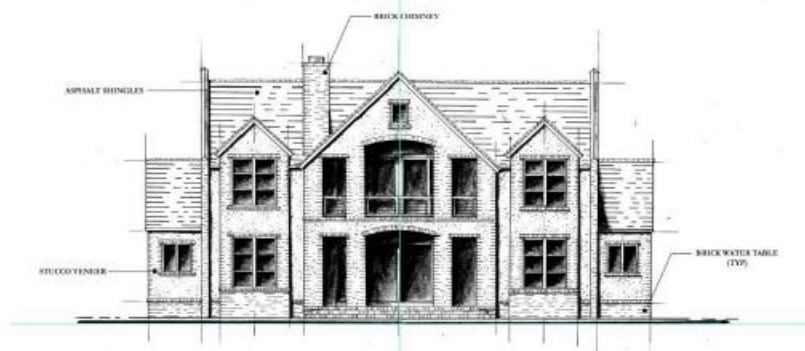


Conceptual Architecture – 8 Bedroom Cottage

Front Elevation



Rear Elevation



- Condition of approval #11: “The proposed cottages shall be limited to a maximum number of 52 bedrooms.”

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

✓ No inconsistency with the neighborhood has been identified.

4. Staff Comments based on Commercial Building Design Requirements per UDO §4.10.4

✓ = compliant ✗ = not compliant

Staff has reviewed the project for compliance with UDO §4.10.4 *Building Design Requirements*. See staff comments for each requirement below.

- **Applicant is generally compliant** for UDO §4.10.4 (A), *which states that the front of buildings shall face and have the primary customer entry facing the street.*
- **Applicant is generally compliant** for UDO §4.10.4 (B), *which states in [non-CB and non-DTO] districts, the width of buildings or building segments shall not be more than twice the building height. Building segments may be created through a combination of vertical features such as changes in material, building offsets, courtyards, changes in rooflines or architectural features that create the appearance of building segments.*
- **Applicant requires a deviation** for UDO §4.10.4 (C), *which states the exterior finish of building walls shall be primarily comprised of brick. Cementitious horizontal lap siding, textured concrete masonry, cast stone and stucco may be used for accents, provided that they cover no more than twenty (20) percent of the exterior walls, exclusive of doors and windows. Wood and metal may be used as trim around doors and windows.*
 - ✗ All elevations except the rear of the 4-bedroom cottage Version C have less than 80% brick building materials. The Town Council approved variation in building materials—during the approval of Special Use Permit SU-07-22—to accommodate a “residential character.” The applicant has proposed building material that have equal or greater durability to what is required. Staff agree that the proposed materials have equal durability to brick, and are consistent with past development approvals.
- **Applicant requires a deviation** for UDO §4.10.4 (D), *which states that windows shall be glazed in non-reflective clear glass. The following standards apply in the FRR district: windows and doors shall comprise at least twenty-five (25) percent of street-facing building façades between the elevations of two (2) and ten (10) feet above the grade of the building entry.*
 - ✗ The following versions of the cottages have less than 25% glazing between 2 and 10 feet, according to the applicant’s calculations: A, B, C, D, and E, and the 8-bedroom cottage. However, it does not appear that the applicant calculated windows and doors between 2’ and 10’ rather for the entire elevation.
- **Applicant is generally compliant** for UDO §4.10.4 (E), *which states that (1) awnings are encouraged and may encroach up to six feet into any street side setback within non-CB districts, (2) the minimum clearance between the lowest point of an awning and sidewalk shall be eight feet, and (3) awnings shall be*

canvas or material of similar appearance and flexibility, or metal. Street facing awnings shall not be taller than six feet unless specifically approved by the Town Council.

? Design versions C1, C2, D1, and D2 are the only cottages with awnings. No clearance values were provided in the application for these awnings.

- **No galleries and arcades are proposed; therefore, requirements do not apply** for UDO §4.10.4 (F), *which states galleries and arcades are encouraged and may encroach up to six (6) feet into any street side setback but may not encroach into public right-of-way. The minimum clearance for arcades and galleries shall be twelve (12) feet between the sidewalk and the ceiling of the gallery or arcade.*
- **Applicant is generally compliant** for UDO §4.10.4 (G), *which states that in the non-CB zoning districts buildings may use parapets with cornices, gable or hip roofs. Changes in parapet height or design, gables or other changes in the roofline as viewed from any public street shall be required for any building that is wider than 100 feet. For buildings that are wider than 100 feet, changes in rooflines shall be used to avoid uninterrupted planes of longer than 200 feet. The provision further states that shingles or standing seam, non-reflective metal shall be used on all roofs visible public streets. Brightly colored roofs, such as intense blues, reds or oranges are prohibited.*
- **Applicant is generally compliant** for UDO §4.10.4 (H), *which states that mechanical equipment shall be screened from view from the street and cannot be located between the building and the street.*
 - ✓ Although, documented information for the location of the mechanical equipment was not provided, the applicant stated in his presentation to the Town Council on September 12, 2023, that mechanical equipment will be screened on the ground “on the sides and the back” of the buildings.
- **No garage doors or loading bays are proposed; therefore, requirements do not apply** for UDO §4.10.4 (I), *which states garage doors and loading bays shall face an interior Lot line alley or service drive and shall not face a street or residential district unless buffered or screened in accordance with UDO §4.3.4 and 4.3.5.*
- **Compliance will be determined during sign permit review** for UDO §4.10.4 (J), *which states signage shall comply with the standards in section 4.6 and any applicable zoning district standards.*

Signage will be reviewed for compliance during the sign permit application process.

5. Staff Recommendation

Staff recommend approval of AR-06-23 with the following deviations and conditions:

- **Deviation 1.** Regarding UDO §4.10.4 (C) Building Materials, all elevations may have less than 80% brick building materials considering that the Town

Council approved variation in building materials during the approval of Special Use Permit SU-07-22 to accommodate a “residential character.” The applicant has proposed building material that have equal or greater durability to what is required.

- **Deviation 2.** Regarding UDO §4.10.4 (D) Windows, the Planning Department recommends granting the deviation for the cottages with less than 25% glazing between 2 and 10 feet (i.e., A1, A2, A, B1, B2, C1, C2, D, D1, D2, and the front and side elevations of the 8-bedroom cottage), considering that the proposed design reflects the historical residential character of the neighborhood as was considered during the (approved) Special Use Permit SU-07-22 process.
- **Condition 1.** The HVAC units shall be screened from view from the street and shall not be located between the street and the building; and
- **Condition 2.** Each of the seven 4-bedroom cottages’ architecture shall be selected from one of the 10 proposed designs (i.e., Versions A1, A2, B1, B2, C1, C2, D1, D2, E1, and E2) and no design shall be used more than once.

IV. ATTACHMENTS PROVIDED BY THE APPLICANT

1. [Completed Application, including Appointment of Agent Form](#) (linked to 9/12/23 meeting attachment)
2. [Applicant Narrative](#) (linked to 9/12/23 meeting attachment)
3. Exterior Building Renderings (Updated to include Version E)
4. Site Layout
5. [Prior Development Approval Documentation](#) (linked to 9/12/23 meeting attachment)
6. Applicant’s September 12, 2023 Presentation

V. TOWN COUNCIL ACTION

The Town Council should consider the purpose of an architectural compliance permit per UDO §2.26 and shall vote on whether the proposed application complies with the criteria per UDO §2.26, the commercial building design requirements per UDO §4.10.4 and prior development approvals.

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

I move to:

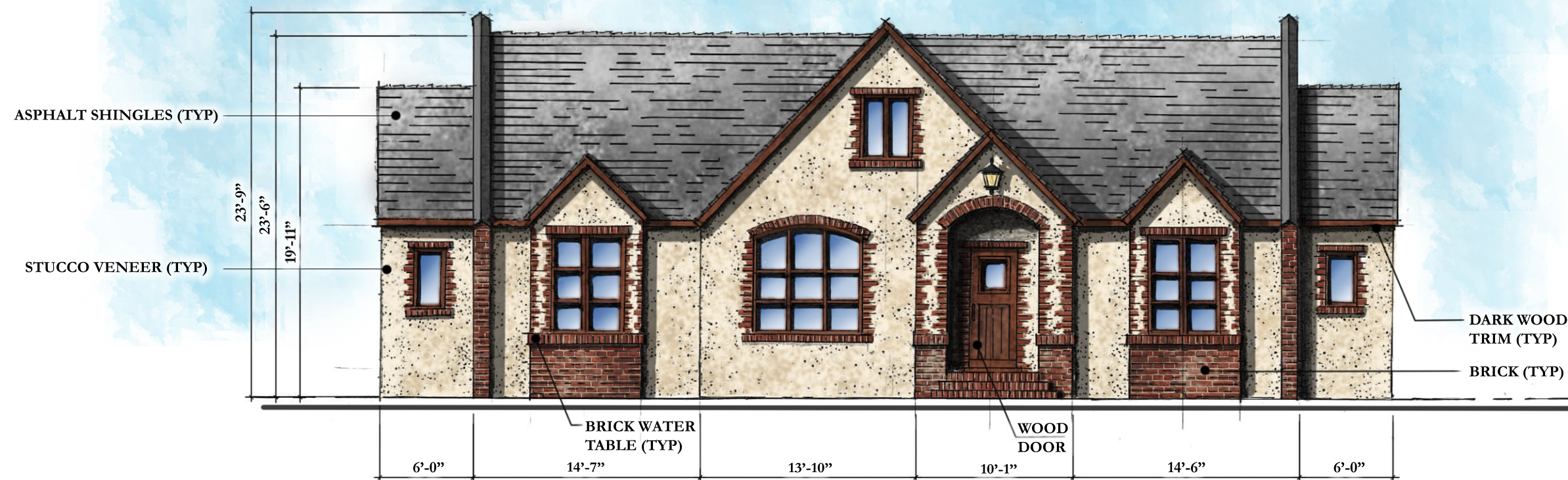
1. Approve AR-08-23;
2. Approve AR-08-23 with the following conditions and/or deviations:

3. Deny AR-08-23.

SOUTHERN PINES GOLF CLUB

SOUTHERN PINES, NC

4-BEDROOM COTTAGE
(VERSION A1)
SEPTEMBER 12, 2023



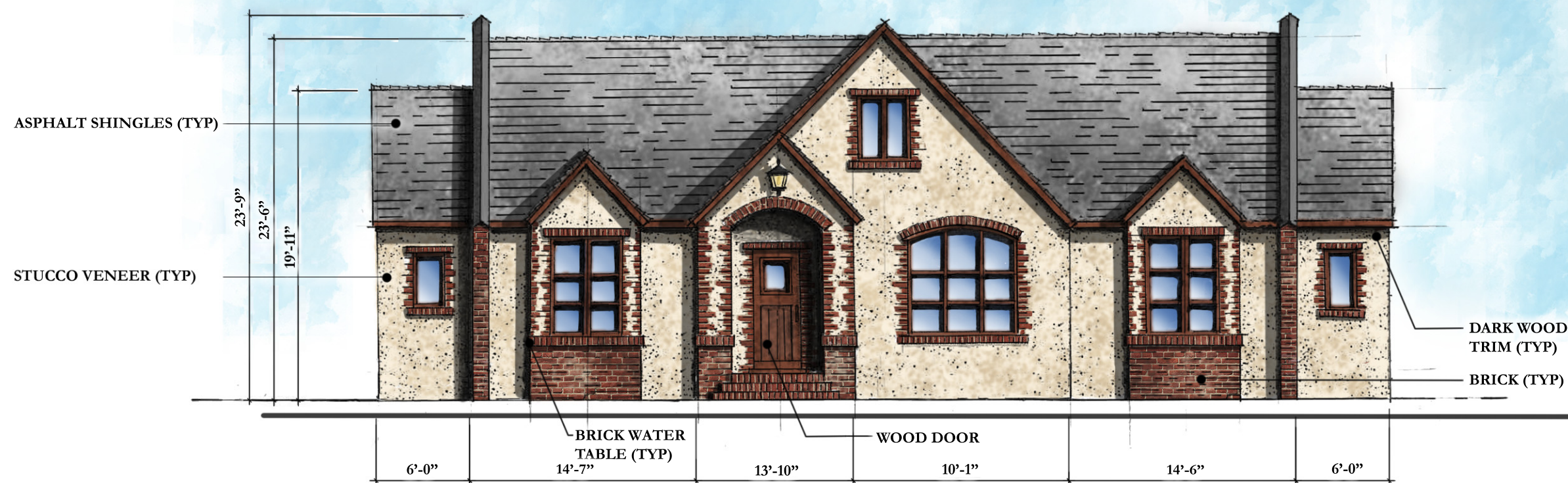
VERSION A1 - FRONT ELEVATION
SCALE: 1/8" = 1'-0"

UDO CALCULATIONS	
FACADE:	897 SF
WINDOWS / DOORS:	154 SF (17%)
FACADE MATERIALS:	743 SF
BRICK:	195 SF (26%)

SOUTHERN PINES GOLF CLUB

SOUTHERN PINES, NC

4-BEDROOM COTTAGE
(VERSION A2)
AUGUST 7, 2023



VERSION A2 - FRONT ELEVATION
SCALE: 1/8" = 1'-0"

UDO CALCULATIONS

FACADE:	897 SF
WINDOWS / DOORS:	154 SF (17%)
FACADE MATERIALS:	743 SF
BRICK:	195 SF (26%)

SOUTHERN PINES
GOLF CLUB
SOUTHERN PINES, NC

4-BEDROOM COTTAGE
(VERSION A1)
SEPTEMBER 12, 2023



VERSION A1 - REAR ELEVATION
SCALE: 1/8" = 1'-0"

UDO CALCULATIONS	
FACADE:	912 SF
WINDOWS / DOORS:	226 SF (25%)
FACADE MATERIALS:	686 SF
BRICK:	280 SF (41%)

SOUTHERN PINES
GOLF CLUB
SOUTHERN PINES, NC

4-BEDROOM COTTAGE
(VERSION A)
SEPTEMBER 12, 2023



VERSION A - SIDE ELEVATION
SCALE: 1/8" = 1'-0"

UDO CALCULATIONS

FACADE:	728 SF
WINDOWS / DOORS:	54 SF (7%)
FACADE MATERIALS:	674 SF
BRICK:	122 SF (18%)

SOUTHERN PINES GOLF CLUB

SOUTHERN PINES, NC

4-BEDROOM COTTAGE
(VERSION B1)
SEPTEMBER 12, 2023



VERSION B1 - FRONT ELEVATION
SCALE: 1/8" = 1'-0"

UDO CALCULATIONS	
FACADE:	887 SF
WINDOWS / DOORS:	141 SF (16%)
FACADE MATERIALS:	746 SF
BRICK:	280 SF (38%)

SOUTHERN PINES
GOLF CLUB
SOUTHERN PINES, NC

4-BEDROOM COTTAGE
(VERSION B2)
SEPTEMBER 12, 2023



VERSION B2 - FRONT ELEVATION
SCALE: 1/8" = 1'-0"

UDO CALCULATIONS	
FACADE:	887 SF
WINDOWS / DOORS:	141 SF (16%)
FACADE MATERIALS:	746 SF
BRICK:	280 SF (38%)

SOUTHERN PINES
GOLF CLUB
SOUTHERN PINES, NC

4-BEDROOM COTTAGE
(VERSION B)
SEPTEMBER 12, 2023

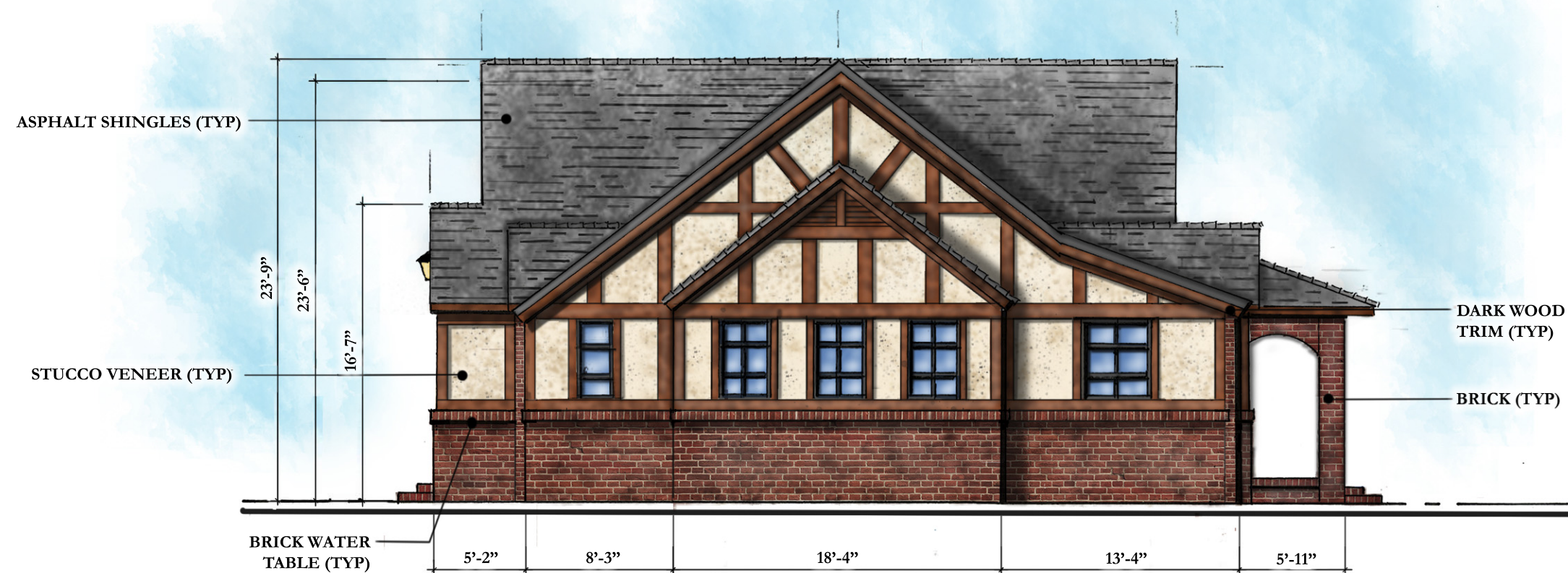


VERSION B - REAR ELEVATION
SCALE: 1/8" = 1'-0"

UDO CALCULATIONS	
FACADE:	887 SF
WINDOWS / DOORS:	200 SF (23%)
FACADE MATERIALS:	687 SF
BRICK:	452 SF (66%)

SOUTHERN PINES
GOLF CLUB
SOUTHERN PINES, NC

4-BEDROOM COTTAGE
(VERSION B)
SEPTEMBER 12, 2023



VERSION B - SIDE ELEVATION
SCALE: 1/8" = 1'-0"

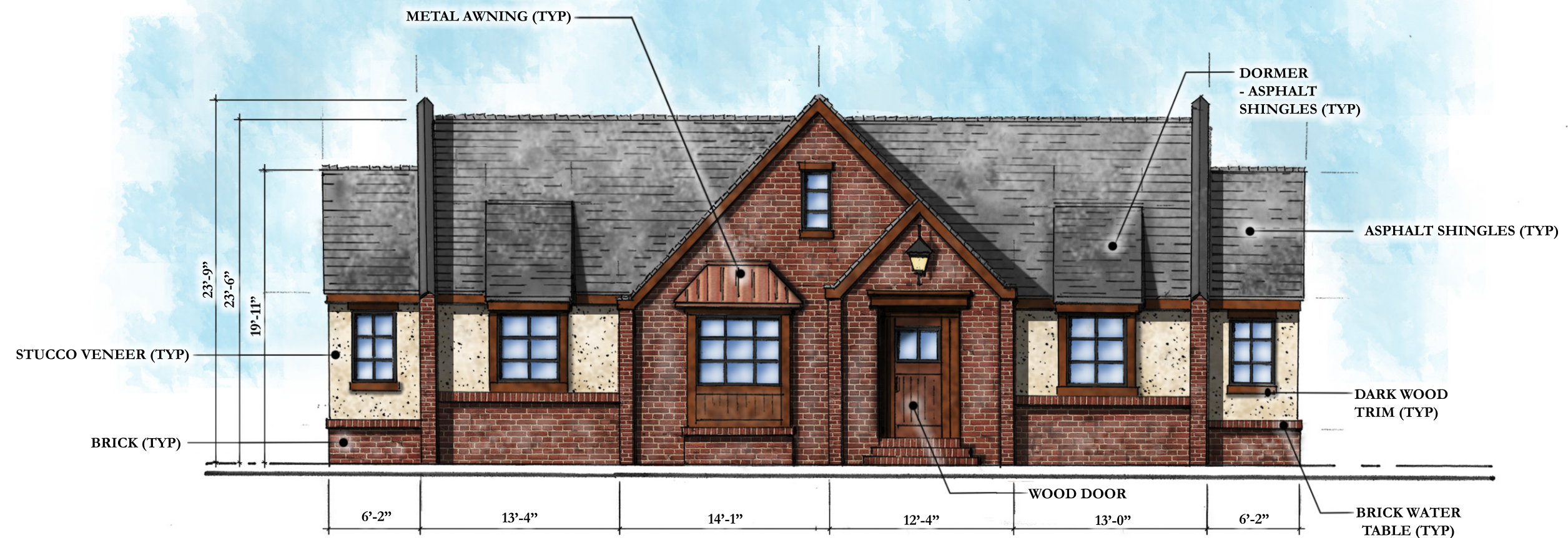
UDO CALCULATIONS

FACADE:	741 SF
WINDOWS / DOORS:	61 SF (8%)
FACADE MATERIALS:	680 SF
BRICK:	274 SF (40%)

SOUTHERN PINES GOLF CLUB

SOUTHERN PINES, NC

4-BEDROOM COTTAGE
(VERSION C1)
SEPTEMBER 12, 2023



VERSION C1 - FRONT ELEVATION
SCALE: 1/8" = 1'-0"

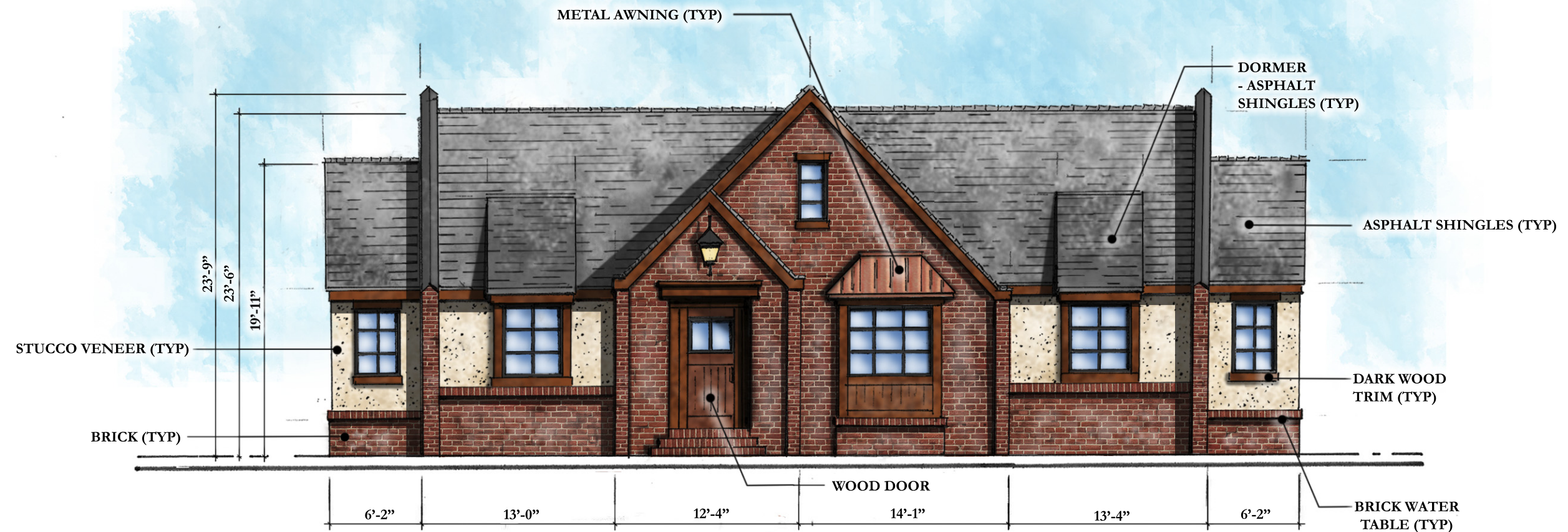
UDO CALCULATIONS

FACADE:	867 SF
WINDOWS / DOORS:	120 SF (14%)
FACADE MATERIALS:	747 SF
BRICK:	467 SF (63%)

SOUTHERN PINES GOLF CLUB

SOUTHERN PINES, NC

4-BEDROOM COTTAGE
(VERSION C2)
SEPTEMBER 12, 2023



VERSION C2- FRONT ELEVATION
SCALE: 1/8" = 1'-0"

UDO CALCULATIONS

FACADE:	867 SF
WINDOWS / DOORS:	120 SF (14%)
FACADE MATERIALS:	747 SF
BRICK:	467 SF (63%)

SOUTHERN PINES

GOLF CLUB

SOUTHERN PINES, NC

4-BEDROOM COTTAGE
 (VERSION C1)
 SEPTEMBER 12, 2023

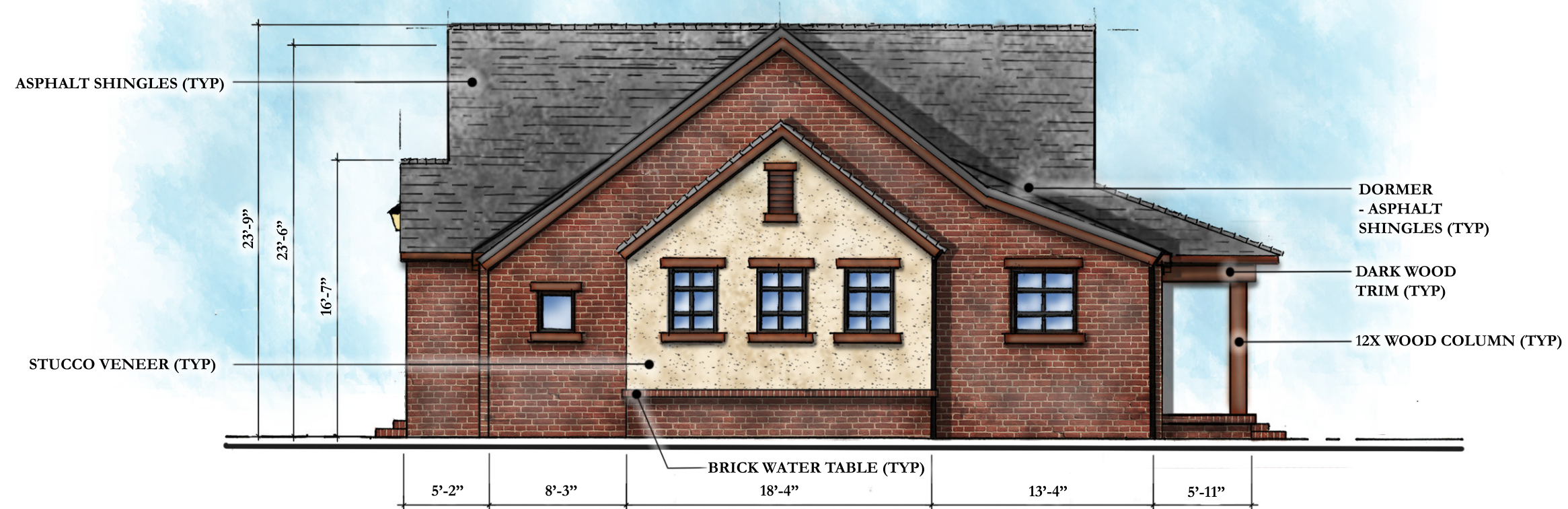


VERSION C - REAR ELEVATION
 SCALE: 1/8" = 1'-0"

UDO CALCULATIONS	
FACADE:	867 SF
WINDOWS / DOORS:	202 SF (23%)
FACADE MATERIALS:	665 SF
BRICK:	593 SF (89%)

SOUTHERN PINES
GOLF CLUB
SOUTHERN PINES, NC

4-BEDROOM COTTAGE
(VERSION C)
SEPTEMBER 12, 2023



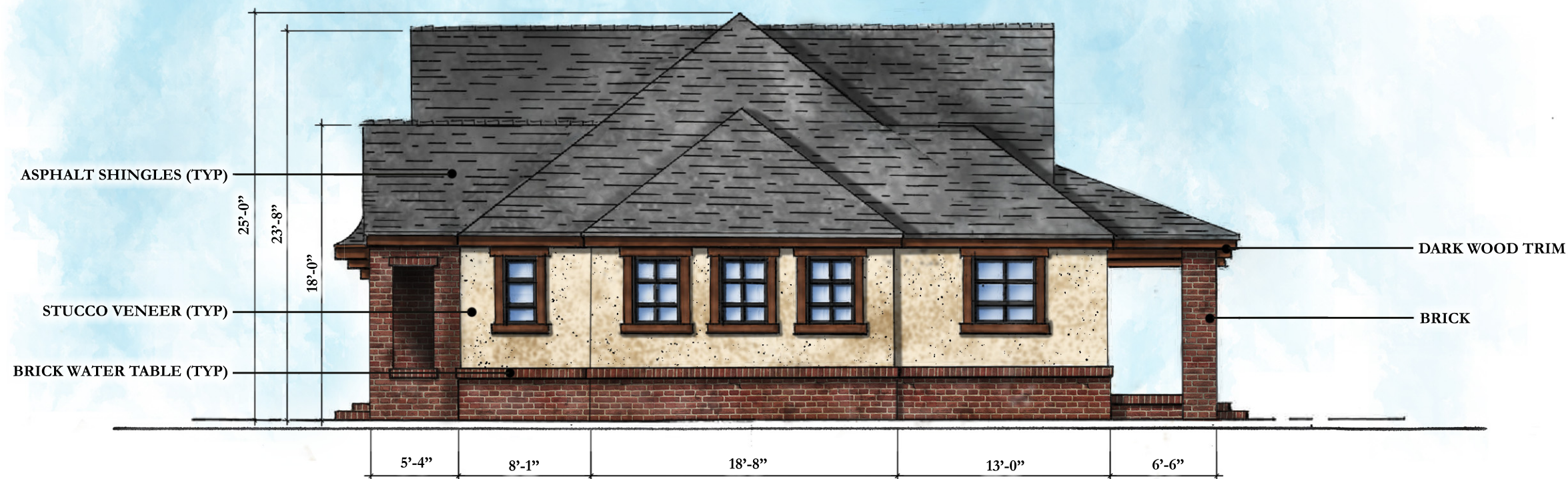
VERSION C - SIDE ELEVATION
SCALE: 1/8" = 1'-0"

UDO CALCULATIONS

FACADE:	732 SF
WINDOWS / DOORS:	54 SF (7%)
FACADE MATERIALS:	674 SF
BRICK:	482 SF (71%)

SOUTHERN PINES
GOLF CLUB
SOUTHERN PINES, NC

4-BEDROOM COTTAGE
(VERSION D)
SEPTEMBER 12, 2023

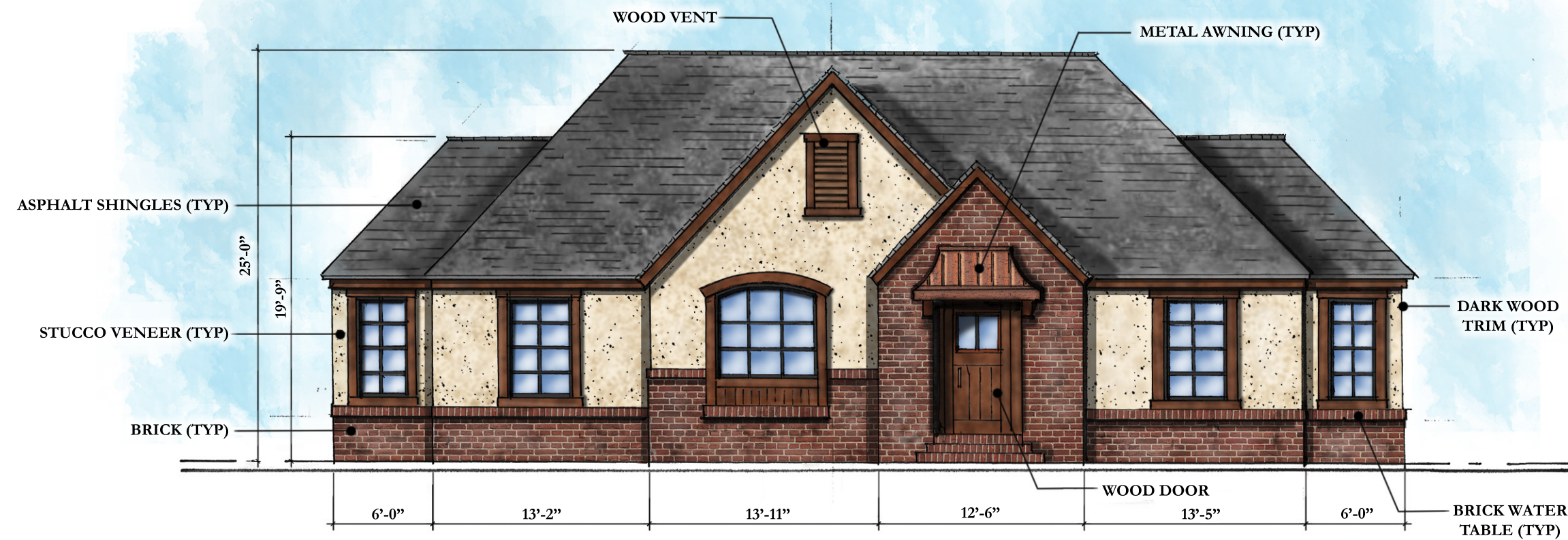


VERSION D - SIDE ELEVATION
SCALE: 1/8" = 1'-0"

UDO CALCULATIONS	
FACADE:	507 SF
WINDOWS / DOORS:	58 SF (11%)
FACADE MATERIALS:	449 SF
BRICK:	216 SF (48%)

SOUTHERN PINES
GOLF CLUB
SOUTHERN PINES, NC

4-BEDROOM COTTAGE
(VERSION D1)
SEPTEMBER 12, 2023



VERSION D1 - FRONT ELEVATION
SCALE: 1/8" = 1'-0"

UDO CALCULATIONS	
FACADE:	896 SF
WINDOWS / DOORS:	140 SF (16%)
FACADE MATERIALS:	756 SF
BRICK:	296 SF (39%)

**SOUTHERN PINES
GOLF CLUB**
SOUTHERN PINES, NC

4-BEDROOM COTTAGE
(VERSION D)
SEPTEMBER 12, 2023

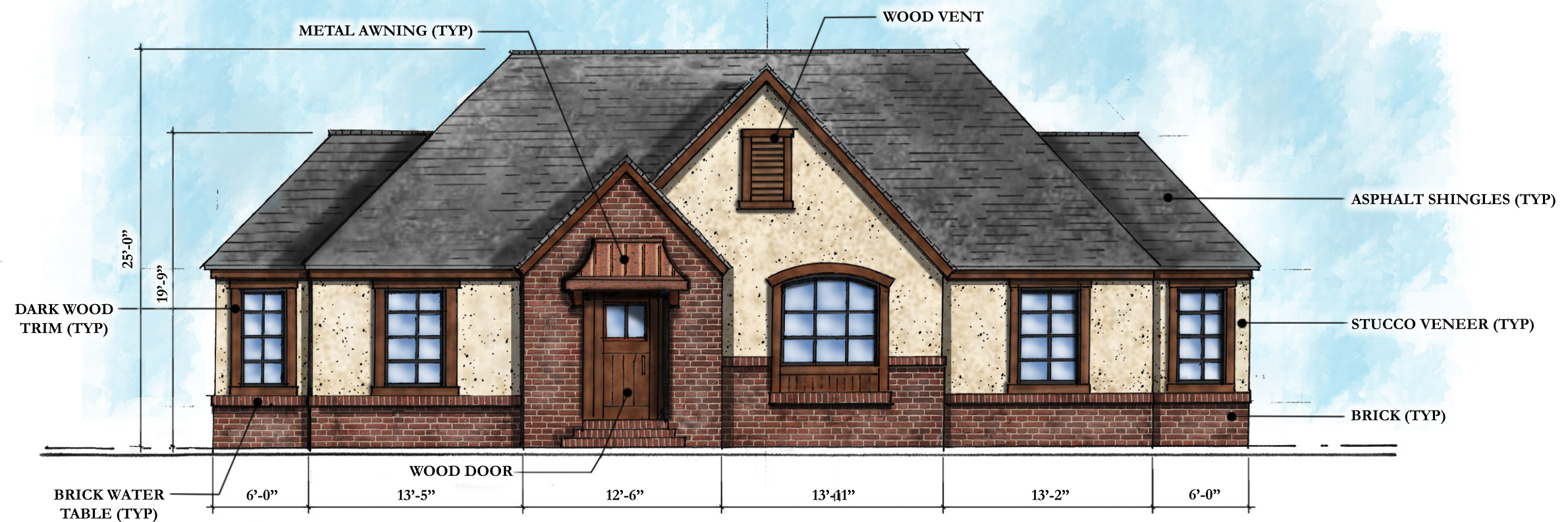


VERSION D - REAR ELEVATION
SCALE: 1/8" = 1'-0"

UDO CALCULATIONS	
FACADE:	877 SF
WINDOWS / DOORS:	234 SF (27%)
FACADE MATERIALS:	643 SF
BRICK:	398 SF (62%)

**SOUTHERN PINES
GOLF CLUB**
SOUTHERN PINES, NC

4-BEDROOM COTTAGE
(VERSION D2)
SEPTEMBER 12, 2023



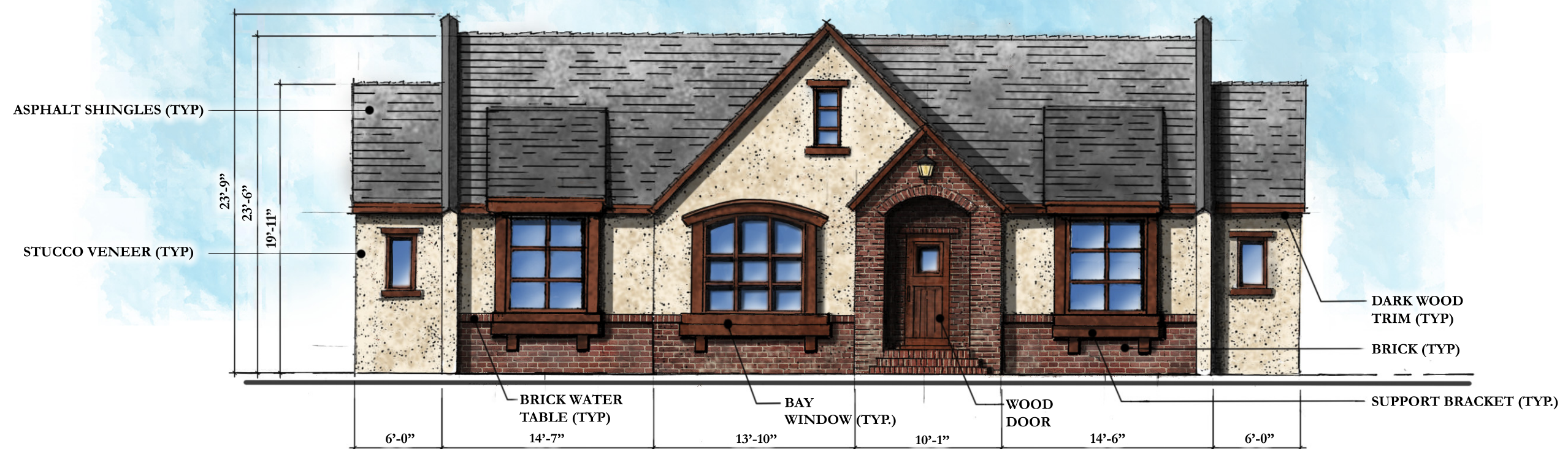
VERSION D2 - FRONT ELEVATION
SCALE: 1/8" = 1'-0"

UDO CALCULATIONS	
FACADE:	896 SF
WINDOWS / DOORS:	140 SF (16%)
FACADE MATERIALS:	756 SF
BRICK:	296 SF (39%)

SOUTHERN PINES GOLF CLUB

SOUTHERN PINES, NC

4-BEDROOM COTTAGE
(VERSION E1)
SEPTEMBER 12, 2023



VERSION E1 - FRONT ELEVATION
SCALE: 1/8" = 1'-0"

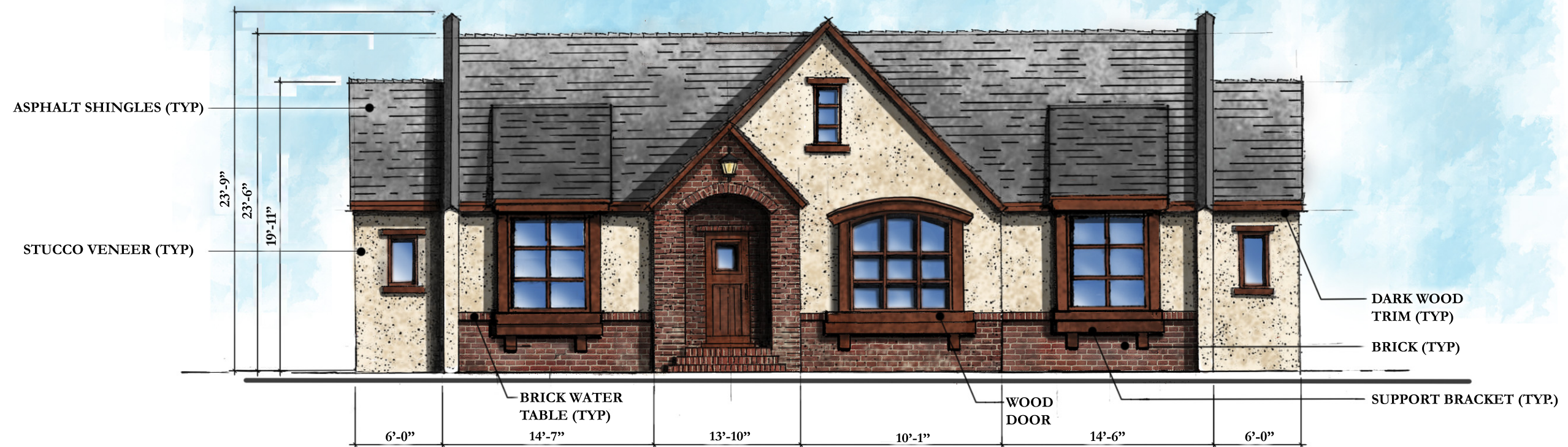
UDO CALCULATIONS	
FACADE:	867 SF
WINDOWS / DOORS:	144 SF (17%)
FACADE MATERIALS:	723 SF
BRICK:	263 SF (36%)

SOUTHERN PINES

GOLF CLUB

SOUTHERN PINES, NC

4-BEDROOM COTTAGE
(VERSION E2)
SEPTEMBER 12, 2023



VERSION E2 - FRONT ELEVATION
SCALE: 1/8" = 1'-0"

UDO CALCULATIONS	
FACADE:	867 SF
WINDOWS / DOORS:	144 SF (17%)
FACADE MATERIALS:	723 SF
BRICK:	263 SF (36%)

SOUTHERN PINES
GOLF CLUB
SOUTHERN PINES, NC

4-BEDROOM COTTAGE
(VERSION E)
SEPTEMBER 12, 2023



VERSION E - REAR ELEVATION
SCALE: 1/8" = 1'-0"

UDO CALCULATIONS	
FACADE:	867 SF
WINDOWS / DOORS:	222 SF (26%)
FACADE MATERIALS:	645 SF
BRICK:	347 SF (54%)

SOUTHERN PINES
GOLF CLUB
SOUTHERN PINES, NC

4-BEDROOM COTTAGE
(VERSION E)
SEPTEMBER 12, 2023



VERSION E - SIDE ELEVATION
SCALE: 1/8" = 1'-0"

UDO CALCULATIONS

FACADE:	757 SF
WINDOWS / DOORS:	70 SF (9%)
FACADE MATERIALS:	687 SF
BRICK:	82 SF (12%)

SOUTHERN PINES
GOLF CLUB
SOUTHERN PINES, NC

8-BEDROOM COTTAGE
AUGUST 7, 2023



COTTAGE - FRONT ELEVATION

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

UDO CALCULATIONS

FACADE:	1,227 SF
WINDOWS / DOORS:	214 SF (17%)
FACADE MATERIALS:	1,013 SF
BRICK:	201 SF (20%)

SOUTHERN PINES
GOLF CLUB
SOUTHERN PINES, NC

8-BEDROOM COTTAGE
AUGUST 7, 2023



COTTAGE - SIDE ELEVATION
SCALE: 1/8" = 1'-0"

UDO CALCULATIONS	
FACADE:	950 SF
WINDOWS / DOORS:	80 SF (8%)
FACADE MATERIALS:	870 SF
BRICK:	155 SF (19%)

SOUTHERN PINES
GOLF CLUB
SOUTHERN PINES, NC

8-BEDROOM COTTAGE
AUGUST 7, 2023



COTTAGE - REAR ELEVATION

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

UDO CALCULATIONS

FACADE:	1,356 SF
WINDOWS / DOORS:	381 SF (28%)
FACADE MATERIALS:	956 SF
BRICK:	245 SF (26%)

PRELIMINARY
CONCEPTUAL PLAN

FOR



SOUTHERN PINES
GOLF CLUB
— 1906 —

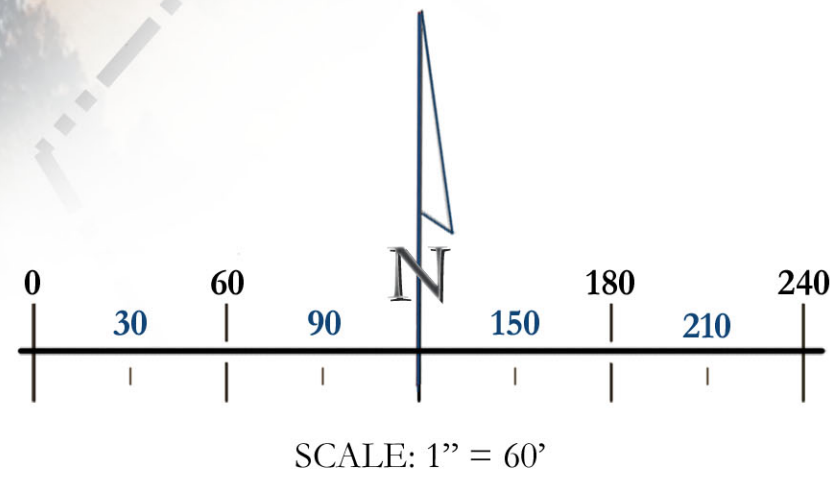
SOUTHERN PINES, NC
AUGUST 25, 2023

DEVELOPMENT SUMMARY:

(7) 4-BEDROOM COTTAGE:	28 BEDROOMS
(3) 8-BEDROOM COTTAGE:	24 BEDROOMS
TOTAL:	52 BEDROOMS

EXISTING PARKING:	±115 SPACES
NEW PARKING:	±155 SPACES

PREPARED BY:



Southern Pines Golf Club

COTTAGE ARCHITECTURAL COMPLIANCE PERMIT

SOUTHERN PINES, NORTH CAROLINA

TOWN COUNCIL MEETING – SEPTEMBER 12, 2023



SOUTHERN PINES
GOLF CLUB
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Site Context

FOR



DEVELOPMENT SUMMARY:

(7) 4-BEDROOM COTTAGE:	28 BEDROOMS
(3) 8-BEDROOM COTTAGE:	24 BEDROOMS
TOTAL:	52 BEDROOMS
EXISTING PARKING:	±115 SPACES
NEW PARKING:	±155 SPACES

Original Clubhouse



SOUTHERN PINES COUNTRY CLUB, SOUTHERN PINES, N. C.
AYMAR EMBURY, II, ARCHITECT



Detail of Entrance Front



Terrace Front, Overlooking the Golf Course

Conceptual Clubhouse Renovation



Cottage A

UDO CALCULATIONS

FACADE:	897 SF
WINDOWS / DOORS:	154 SF (17%)
FACADE MATERIALS:	743 SF
BRICK:	195 SF (26%)



Cottage A - Side and Rear

UDO CALCULATIONS

FACADE:	728 SF
WINDOWS / DOORS:	54 SF (7%)
FACADE MATERIALS:	674 SF
BRICK:	122 SF (18%)



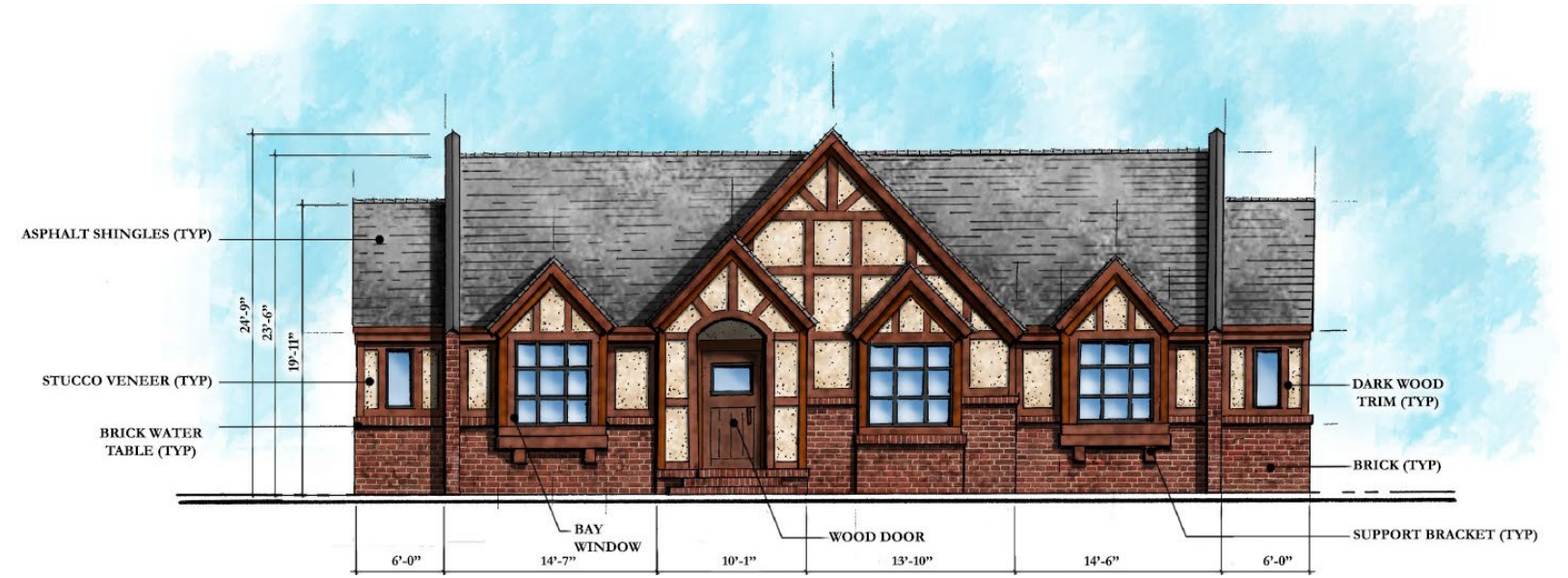
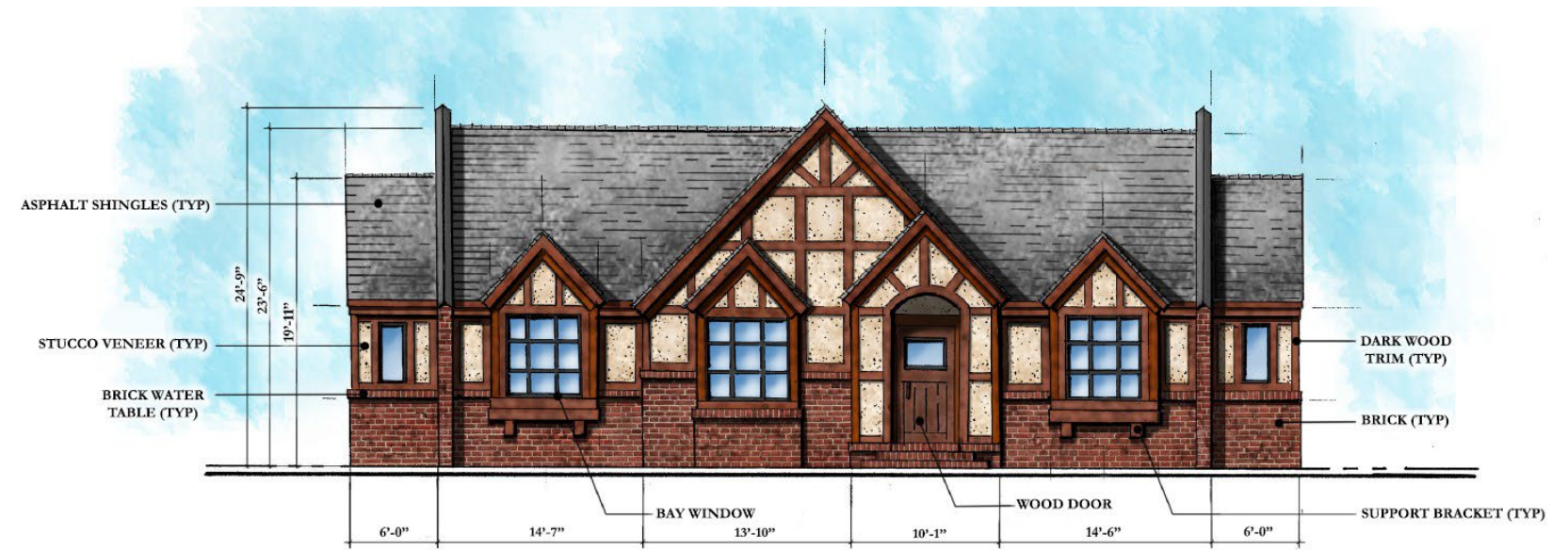
UDO CALCULATIONS

FACADE:	913 SF
WINDOWS / DOORS:	231 SF (25%)
FACADE MATERIALS:	682 SF
BRICK:	168 SF (25%)



Cottage B

UDO CALCULATIONS	
FACADE:	887 SF
WINDOWS / DOORS:	134 SF (15%)
FACADE MATERIALS:	753 SF
BRICK:	280 SF (37%)



Cottage B – Side and Rear

UDO CALCULATIONS

FACADE:	741 SF
WINDOWS / DOORS:	61 SF (8%)
FACADE MATERIALS:	680 SF
BRICK:	274 SF (40%)



UDO CALCULATIONS

FACADE:	887 SF
WINDOWS / DOORS:	200 SF (23%)
FACADE MATERIALS:	687 SF
BRICK:	452 SF (66%)



Cottage C

UDO CALCULATIONS

FACADE:	867 SF
WINDOWS / DOORS:	120 SF (14%)
FACADE MATERIALS:	747 SF
BRICK:	467 SF (63%)



Cottage C – Side and Rear

UDO CALCULATIONS

FACADE:	732 SF
WINDOWS / DOORS:	54 SF (7%)
FACADE MATERIALS:	674 SF
BRICK:	482 SF (71%)



UDO CALCULATIONS

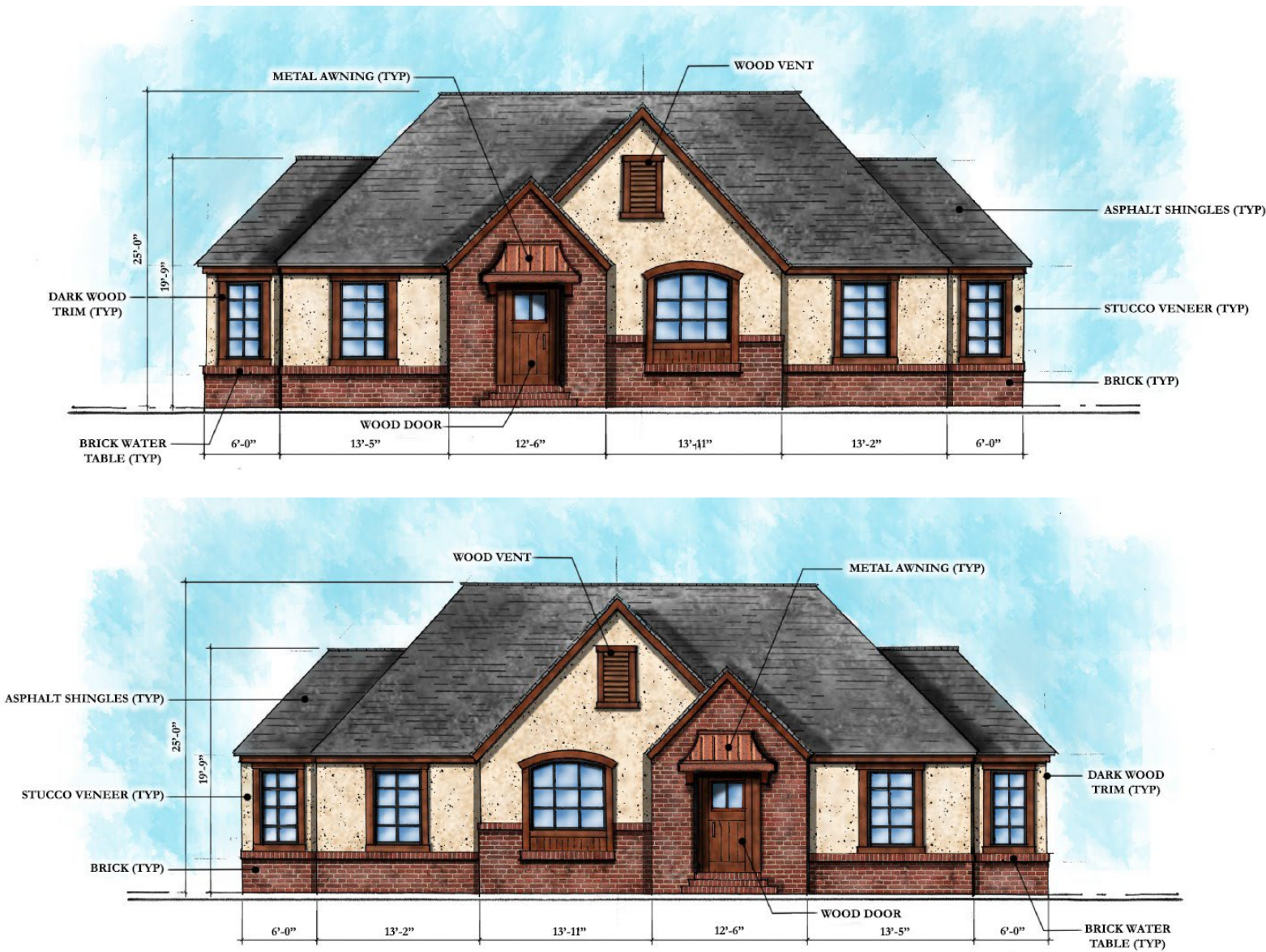
FACADE:	867 SF
WINDOWS / DOORS:	202 SF (23%)
FACADE MATERIALS:	665 SF
BRICK:	593 SF (89%)



Cottage D

UDO CALCULATIONS

FACADE:	896 SF
WINDOWS / DOORS:	140 SF (16%)
FACADE MATERIALS:	756 SF
BRICK:	296 SF (39%)



Cottage D – Side and Rear

UDO CALCULATIONS

FACADE:	507 SF
WINDOWS / DOORS:	58 SF (11%)
FACADE MATERIALS:	449 SF
BRICK:	216 SF (48%)



UDO CALCULATIONS

FACADE:	877 SF
WINDOWS / DOORS:	234 SF (27%)
FACADE MATERIALS:	643 SF
BRICK:	398 SF (62%)



Cottage Alternate

UDO CALCULATIONS	
FACADE:	868 SF
WINDOWS / DOORS:	148 SF (17%)
FACADE MATERIALS:	720 SF
BRICK:	351 SF (49%)



Cottage Alternate – Side and Rear

UDO CALCULATIONS	
FACADE:	757 SF
WINDOWS / DOORS:	70 SF (9%)
FACADE MATERIALS:	687 SF
BRICK:	82 SF (12%)



UDO CALCULATIONS	
FACADE:	867 SF
WINDOWS / DOORS:	222 SF (26%)
FACADE MATERIALS:	645 SF
BRICK:	347 SF (54%)



Cottage E (2-Story) - Front

UDO CALCULATIONS

FACADE:	1,227 SF
WINDOWS / DOORS:	214 SF (17%)
FACADE MATERIALS:	1,013 SF
BRICK:	201 SF (20%)



Cottage E (2 Story) - Rear

UDO CALCULATIONS

FACADE:	1,356 SF
WINDOWS / DOORS:	381 SF (28%)
FACADE MATERIALS:	956 SF
BRICK:	245 SF (26%)



Cottage E (2-Story) - Side

UDO CALCULATIONS

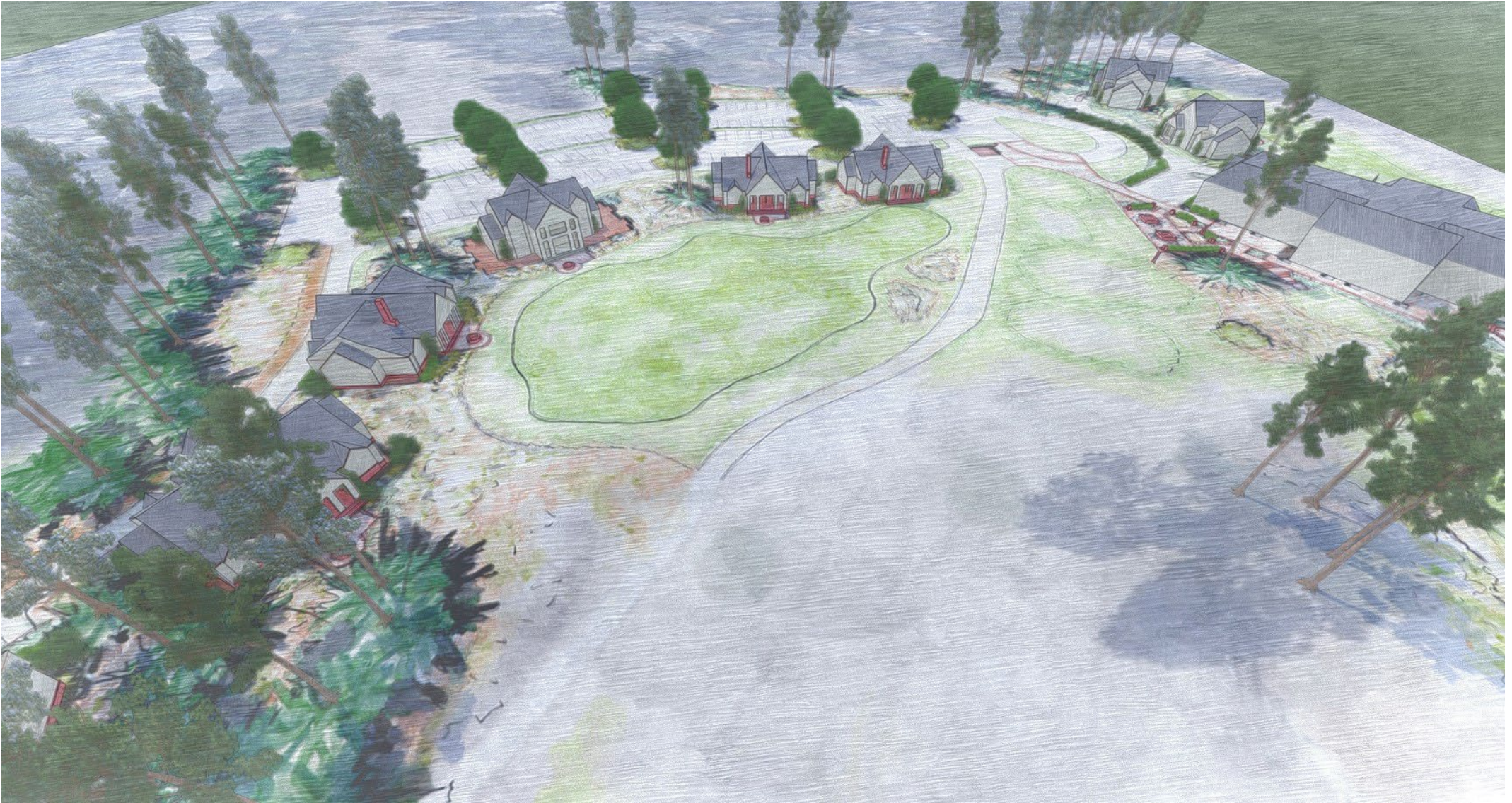
FACADE:	950 SF
WINDOWS / DOORS:	80 SF (8%)
FACADE MATERIALS:	870 SF
BRICK:	155 SF (19%)



Perspectives



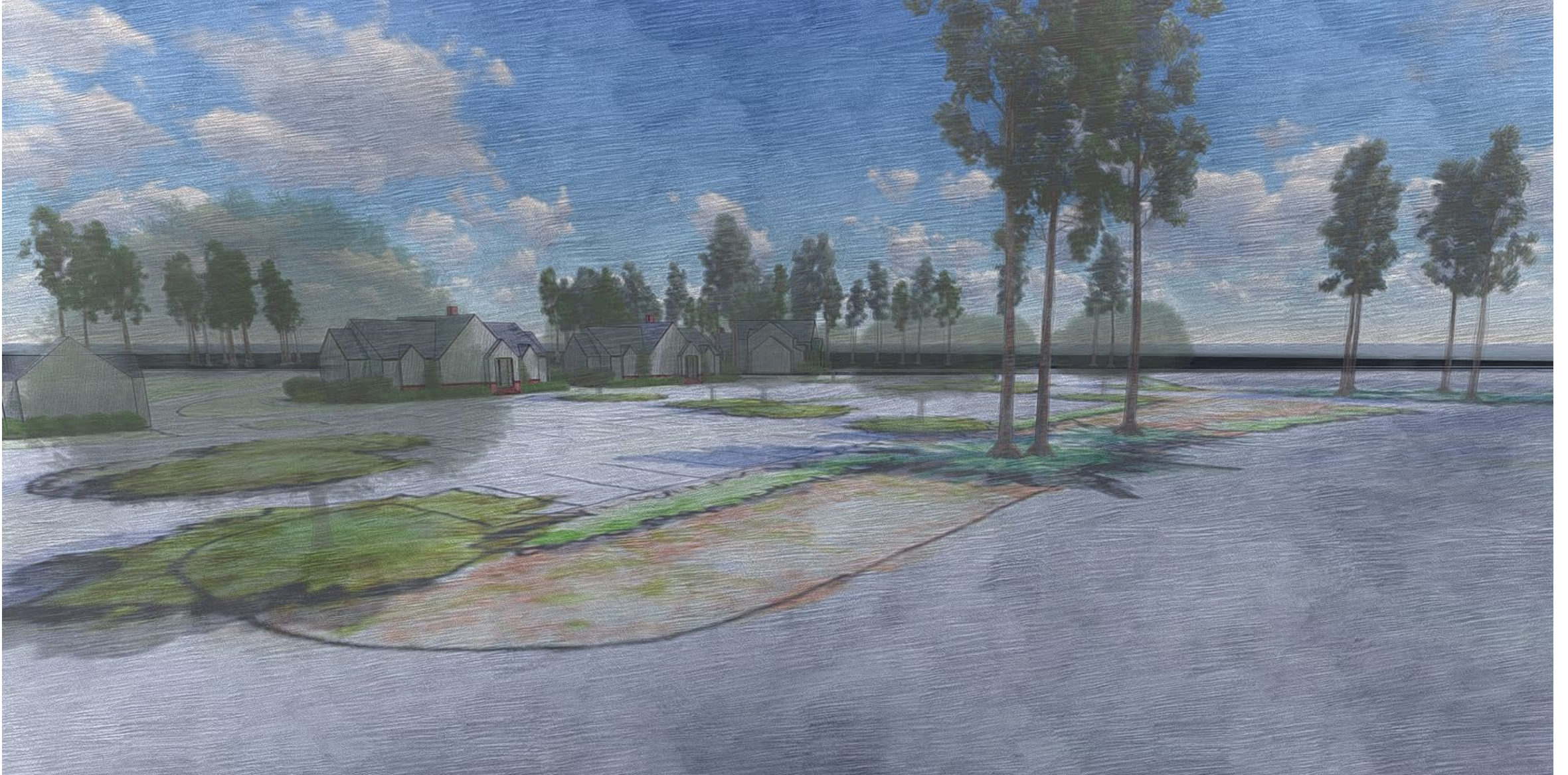
Perspectives



Perspectives



Perspectives



Perspectives



Southern Pines Golf Club

COTTAGE ARCHITECTURAL COMPLIANCE PERMIT

SOUTHERN PINES, NORTH CAROLINA

TOWN COUNCIL MEETING – SEPTEMBER 12, 2023



SOUTHERN PINES
GOLF CLUB
— 1906 —



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ORDINANCE #3002
AMENDING THE TOWN'S CODE OF ORDINANCES & ADOPTING A
REVISED FEE SCHEDULE

BE IT ORDAINED by the Town Council of the Town of Southern Pines, North Carolina that the Town's Code of Ordinances and Fee Schedule are amended as follows:

1. Delete the existing text of § 95.038 in its entirety and replace with "Attachment A."
2. Amend Chapter 153 Unsafe Buildings in accordance with "Attachment B."
3. Adopt "Attachment A" in its entirety.
4. This ordinance amendment and fee schedule are both effective September 26, 2023.
5. The fee schedule shall be administered by the Town Manager or his/her designee.
6. The fee schedule shall be maintained by the Town Clerk.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of September 26, 2023, as shown in the minutes of the Town Council for that date.

Elizabeth Robertson, Town Clerk



**ORDINANCE #3002
“ATTACHMENT A”**

§ 95.038 INSPECTIONS FOR FIRE/LIFE SAFETY PURPOSES.

- (A) Upon the first visit of the Fire Marshal or his/her authorized representative, a notice of violation will be issued to any person for violations of the North Carolina State Fire Code. Upon the second and all subsequent visits, the person responsible for the code violations may be charged a reinspection fee, as designated on the Town’s fee schedule.

(B) VIOLATIONS

- a. Any person shall be subject to all penalties allowed by law if the person:
- i. Violates or fails to comply with the provisions of the North Carolina Fire Code;
 - ii. Violates or fails to comply with any order made under the North Carolina Fire Code;
 - iii. Builds in violation of any detailed statement of specifications or plans submitted and approved under the fire prevention code or any certificate or permit issued thereunder; or
 - iv. Shall fail to comply with such an order as affirmed or modified by the Fire Marshal and/or his/her authorized representative, or by a court of a competent jurisdiction, within the time affixed.
- b. In addition to any civil penalties that may apply, violators are subject to criminal penalties pursuant to N.C.G.S. 160A-175 and any other criminal laws that may be applicable.

(C) PENALTIES

- a. The fine for a violation of this article shall be a civil penalty as designated on the Town’s fee schedule. Each violation, as well as each day a violation exists, shall constitute a separate and distinct offense.
- b. If a person has not been cited within the previous 12 months and the violations are corrected within 72 hours, the fines may be waived, with the exception of Type 4 violations. The citation and penalties shall be in writing, signed by the Fire Marshal or his/her authorized representative, and shall be delivered in person or by certified mail with return receipt requested to the offender at the place where the violation occurred.
- c. The failure of the offender to make payment of all civil penalties within 15 days from the date of the citation will result in a delinquency charge of (\$50.00) and/or further legal action and fines.
- d. The types of violations are as follows:
- i. *Type 1 violations.* These violations generally increase the likelihood of a fire or injury. They include, but are not limited to, failure to:

1. Obtain proper permits for required uses as listed under the permit fees.
 2. Maintain properly operating exit or emergency lights.
 3. Maintain a clear, unobstructed access to fire protection equipment.
 4. Properly cover or close electrical junction boxes.
 5. Properly use electrical extension cords.
- ii. *Type 2 violations.* These violations represent a general threat to property. They include, but are not limited to, failure to:
1. Safely maintain proper storage of combustibles outside of a business.
 2. Maintain a clear, unobstructed access to electric panels.
 3. Properly maintain automatic closing fire and smoke doors.
 4. Properly maintain and inspect portable fire extinguishers.
 5. Properly maintain unobstructed accesses to hydrants, risers and fire department connections.
- iii. *Type 3 violations.* These violations directly affect the life safety of persons within an occupancy or the probability of heavy property loss if a fire occurs, therefore fines shall be issued upon discovering violations of this type that are not immediately rectified. They include, but are not limited to, failure to:
1. Maintain a clear, unobstructed access to and from exit doors, both inside and outside.
 2. Install, test or properly maintain smoke and fire alarm systems.
 3. Install or properly maintain or test automatic sprinkler systems and extinguishing systems.
 4. Properly store or use flammable, combustible, or hazardous materials.
 5. Limit the number of persons in a place of assembly to the maximum posted number allowed.
 6. Failure to evacuate upon activation of a manual or automatic fire alarm system.
- iv. *Type 4 violations.* These violations are where, despite prior violations, corrections have not been made and/or previous fines have not been paid.
1. Any person who has committed a Type 3 violation in the previous five (5) months and has either not made corrections or commits a second Type 3 violation will receive a Type 4 violation and be subject to the civil penalty of a Type 4 violation.

(d) The application of fines or penalties in this chapter shall not prevent the enforcement of or removal of the prohibited conditions.



**ORDINANCE #3002
“ATTACHMENT B”**

Revision: Delete existing §153.01 in its entirety and replace with the following:

§ 153.01 UNSAFE BUILDINGS CONDEMNED

- (A) *Unsafe residential or nonresidential buildings (condemned).* All buildings, residential or non-residential, that are especially dangerous to life because of liability to fire or because of bad condition of walls, overloaded floors, defective construction, decay, unsafe wiring or heating systems, inadequate means of egress, or other causes shall be held to be unsafe and condemned. The inspector shall affix a notice of the dangerous character of the structure to a conspicuous place on the exterior wall of the unsafe, condemned building.
- (B) The Town Fire Marshal or his/her designee is designated as the public official who is authorized to exercise the powers prescribed in this chapter and the General Statutes.
- (C) This chapter shall be enforced by the Town of Southern Pines within its corporate limits and within its extraterritorial jurisdiction.
- (D) G.S. Chapter 160D, Article 11, Building Code Enforcement, including all subsequent amendments, as adopted by the North Carolina General Assembly, is hereby adopted by reference as fully as though set forth here and shall be enforced as part of this chapter.

Revision: Delete existing §153.02 in its entirety and replace with the following:

§ 153.02 ACTION IN EVENT OF FAILURE TO TAKE CORRECTIVE ACTION

- (A) *Failure to take corrective action.* If the owner of a building or structure that has been condemned as unsafe pursuant to G.S. 160D-1119 fails to take prompt corrective action, the public official shall give the owner written notice in accordance with G.S. 160D-1121. The written notice shall inform the owner:
 - (1) That the building or structure appears to be in one or more of the following conditions:
 - i. Constitutes a fire or safety hazard;
 - ii. Is dangerous to life, health, or other property;
 - iii. Is likely to cause or contribute to blight, disease, vagrancy, or danger to children;
 - iv. Has a tendency to attract persons intent on criminal activities or other activities

that would cause a public nuisance.

- (2) That an administrative hearing will be held before the inspector at a designated place and time, no less than ten (10) days and not more than thirty (30) days after the date of the notice, at which time the owner will be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter.
- (3) Following the hearing, the public official may issue such order to repair, close, vacate or demolish the building or structure as appears appropriate.
- (4) If the name or whereabouts of the owner cannot be discovered after due diligence, the public official shall properly and adequately serve the notice of the hearing in accordance with G.S. 160D-1121.

(B) *Order to take corrective action.* The public official shall hold an administrative hearing in accordance with G.S. 160D-1121. If the public official finds that the building or structure is in a condition that constitutes a fire or safety hazard or renders it dangerous to life, health, or other property, he/she shall issue an order in writing to the owner of such building or structure. The written order shall:

- (1) Confirm the findings of fact.
- (2) State the actions required to remedy the violation.
- (3) Confirm the deadline to complete the action.
 - i. The public official shall determine a reasonable time to take that action, provided at least 60 days from the date of the order.
 - ii. Where there is imminent danger to life or other property, the public official may set a deadline of less than 60 days.

(C) *Appeal; finality of order if not appealed.* Any owner who has received an order of corrective action may appeal from the order as follows:

- (1) The appeal shall be filed in writing within 10 days following issuance of the order.
- (2) The appeal shall be to the public official and to the Town Clerk.
- (3) The Planning and Zoning Board shall hear an appeal in accordance with G.S. 160D-406. All appeals shall adhere to quasi-judicial procedures and shall consider only the public official's interpretation of the Town Code related to the order. The Board may affirm, modify and affirm, or revoke the order.
- (4) In the absence of an appeal, the order of the public official shall be final.

Addition: Add new section §153.03 as follows:

§ 153.03 FAILURE TO COMPLY WITH ORDER OF CORRECTIVE ACTION

(A) *Civil enforcement.* Whenever any violation is denominated a misdemeanor under the provisions of this section, the Town, either in addition to, or in lieu of other remedies, may initiate any appropriate action or proceedings to prevent, restrain, correct or abate the violation or to prevent the occupancy of the building or structure involved.

(B) *Receivership.* In accordance with G.S. 160D-1130, the Town may petition Superior Court for the

appointment of a receiver for said property in order to rehabilitate, demolish, or sell a vacant building, structure, or dwelling.

(C) *Equitable enforcement.* In the case of a nonresidential building or structure declared unsafe and condemned under G.S. 160D-1119, the Town of Southern Pines may, in lieu of taking civil enforcement action, cause the building or structure to be removed or demolished pursuant to G.S.160D-1125.

(1) The Town may file a lien against the real property for the amount incurred for removal or demolition as provided in G.S.160A, Article 10 and G.S. 160D-1125.

(2) The Town may file an additional lien against any other real property of the owner except the owner's primary residence as provided in G.S.160A, Article 10 and G.S. 160D-1125.

(D) *Bond for repair or demolition.* The public official may require a surety in the form of performance bond or letter of credit to ensure completion of the required repairs or to cover the cost of securing and demolition of a structure.

(1) The surety shall be issued to the Town and drawn from an institution licensed to do business in North Carolina.

(2) The amount of the surety will be a minimum of (1.5) one and one-half times the estimated cost of the required repairs or demolition as determined by the public official.

(3) The surety shall be accompanied by a signed agreement between all parties that documents the necessary work and a deadline for the owner to complete such work, as determined by the public official.

(4) The bond or letter of credit must be valid for the time period provided by the public official. If work has not been completed by the deadline, then the public official is authorized to use necessary funds from the surety to ensure that the work is completed and the requirements of this chapter are met. Said work may include hiring contract labor for necessary repairs and/or demolition and removal of the structure(s).

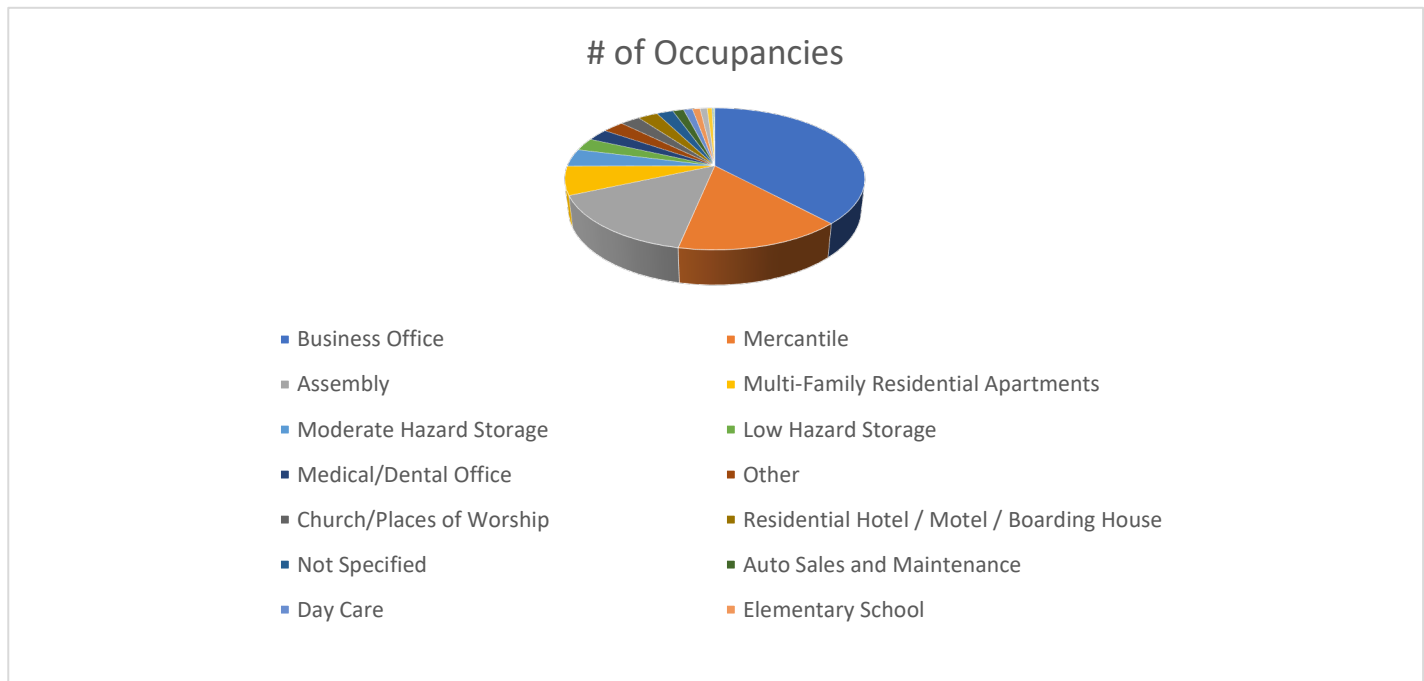
(E) *Non-limiting power of declaration.* Nothing in this section shall be construed to impair or limit the power of the Town of Southern Pines to define and declare nuisances and to cause their removal or abatement by summary proceedings, or otherwise.

Ordinance #2003, Attachment C

TOWN OF SOUTHERN PINES FEE SCHEDULE	
<i>Fee Description</i>	<i>Fee Amount</i>
FIRE & RESCUE	
Fire/Life Safety Type 1 Violation	\$ 100
Fire/Life Safety Type 2 Violation	\$ 200
Fire/Life Safety Type 3 Violation	\$ 300
Fire/Life Safety Type 4 Violation	\$ 500
Fire/Life Safety: 2nd reinspection and all subsequent visits	\$ 100
Delinquency charge on unpaid penalties	\$ 50
Hourly fee for fire/rescue Services billed to responsible party or owner, in addition to materials used	\$ 500

Town of Southern Pines Occupancy Types

OccupancyType	# of Occupancies
Business Office	538
Mercantile	215
Assembly	214
Multi-Family Residential Apartments	92
Moderate Hazard Storage	57
Low Hazard Storage	41
Medical/Dental Office	39
Other	39
Church/Places of Worship	36
Residential Hotel / Motel / Boarding House	36
Not Specified	30
Auto Sales and Maintenance	20
Day Care	16
Elementary School	14
Medical, Surgical, Psychiatric	13
High School	9
Aircraft Hangar	2
Hazardous	2
Middle School	1
Total Occupancies:	1414



SOUTHERN PINES FIRE DEPARTMENT FIRE INSPECTIONS AUGUST 2022 TO AUGUST 2023

Inspection Type	Inspections	Violations
ABC Inspection	17	47
Alarm System Test	25	25
Annual	961	1,341
Assembly Inspection	1	1
Citation	8	8
Complaint	35	57
Construction Final	54	69
Construction Inspection	27	26
Daycare / School	6	9
Fire Flow Test	20	20
Fire Sprinkler Test	34	37
Fire Suppression System Test	4	4
Gate Inspection	3	3
Hood Suppression and Duct Inspection	63	135
KnoxBox Key Update	13	13
Plan Review	333	339
Posting	82	83
Pre-Plan	1	1
Reinspection	624	1,575
SPECIAL INSPECTION	31	53
Tent Inspection	20	25
Total	2,362	3,871

Inspection Results	Total
Citation Issued	5
Complaint cleared By Contact	7
Notice of Violation	547
Passed	1432
Pending	253
Second Correction Notice	97
Third Correction Notice	21
Total Inspections Completed	2362

All inspections occurred on or after 8/15/2022 and before 8/16/2023

Violations By Occupancy Type

Occupancy Type	#Violations
Assembly	1245
Auto Sales and Maintenance	126
Business Office	839
Church/Places of Worship	115
Day Care	52
Elementary School	66
Hazardous	14
High School	9
Low Hazard Storage	50
Medical, Surgical, Psychiatric	30
Medical/Dental Office	74
Mercantile	677
Middle School	1
Moderate Hazard Storage	127
Multi-Family Residential Apartments	156
Other	143
Residential Hotel / Motel / Boarding House	147
Total of Violations:	3871

Top 10 Fire Code Violation Types	
Abatement of Electrical Hazards	124
Exits Obstructed Blocked or Locked	45
Emergency Lights	228
Extension Cords	148
Extinguishing System Service	116
Fire Alarm and Sprinkler Service	117
Fire Extinguishers	263
Kitchen Hood Cleaning	130
Maintain Records	161
Address Identification	30

MEMO

To: Reagan Parsons, Town Manager

From: Tess Brubaker-Speis, Finance Director

Date: September 22, 2023

Re: Recommendations to increase in utility fee deposits

STATUS QUO: The Town currently collects the following deposits from customers who establish new accounts:

- Water service, up to 1" meter: \$35 (in town) and \$70 (out-of-town)
- Water & sewer service, up to 1" meter: \$60 (in town) and \$120 (out-of-town)
- All meters larger than 1": \$300 (all customers)

STAFF RECOMMENDATION: Staff recommends the following changes to these deposit amounts:

- Water service, up to 1" meter: \$100 (all customers)
- Water & sewer service, up to 1" meter: \$150 (all customers)
- No change to the \$300 deposit for meters larger than 1"

These revisions are recommended for the following reasons:

- **The current deposit is not adequate to cover an average monthly bill.** The bill for a two-person household is \$103.63 for water, sewer, and solid waste services. If an account is past due, a \$6 late fee is assessed plus disconnect fees. The current deposit doesn't sufficiently cover one month, before any penalties are even applied.
- **Outstanding balances are significant and grow each year.** Town staff is currently working to collect over \$90,000 from customers with past due balances that are 90+ days in arrears.
 - When staff is not able to achieve payment compliance, the accounts are submitted to the Debt Setoff Unit of the NC Department of Revenue. Debt Setoff is currently managing 1,202 Southern Pines accounts with total balances of \$134,780.41.
 - The Town has historically submitted \$35,000-\$40,000 each year to Debt Setoff, but only receives an annual average of \$6,571.91. This means that about 80% of the outstanding balances are never collected. Increasing (and applying) larger deposits to outstanding balances would help to reduce this.
- **Deposits for Southern Pines accounts are lower than the surrounding market:**
 - Moore County: \$200 (renters) and \$100 (property owners)
 - Aberdeen: \$150
 - Asheboro: \$140 inside town limits, \$160 outside
 - Sanford: \$75

The Town recognizes customers who demonstrate on-time payment history and customers have the opportunity to have their deposit returned. After an account has two years of on-time payments, the deposit is released and posted to the account.



ORDINANCE #3003
AMENDING THE TOWN'S CODE OF ORDINANCES & ADOPTING A
REVISED FEE SCHEDULE

BE IT ORDAINED by the Town Council of the Town of Southern Pines, North Carolina that the Town's Code of Ordinances and Fee Schedule are amended as follows:

1. Amend the Code of Ordinances by:
 - a) Deleting the Miscellaneous charges and charges for Verification of Meter Accuracy in subsection (D) of Chapter 50, Water and Sewer Use, Appendix A: Rates, Fees and Charges.
 - b) Deleting the text, in its entirety, of subsection (F) of Chapter 50, Water and Sewer Use, Appendix A: Rates, Fees and Charges.
2. Adopt "Attachment A" in its entirety.
3. This ordinance amendment and fee schedule are both effective September 26, 2023.
4. The fee schedule shall be administered by the Town Manager or his/her designee.
5. The fee schedule shall be maintained by the Town Clerk.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of September 26, 2023 as shown in the minutes of the Town Council for that date.

Elizabeth Robertson, Town Clerk

Ordinance #2003: Attachment A

TOWN OF SOUTHERN PINES FEE SCHEDULE	
<i>Fee Description</i>	<i>Fee Amount</i>
UTILITY BILLING	
Deposit for water service: ¾" and 1" meter	\$ 100
Deposit for water and sewer service: ¾" and 1" meter	\$ 150
Deposit for service: meters larger than 1"	\$ 300
Verification of meter accuracy: ¾" and 1" meter	\$ 30
Verification of meter accuracy: meters larger than 1"	Cost of test
Special meter reading at customer's request	\$ 15
Violation of grease trap violation (per billing period)	\$ 100
Connection fee for new customer	\$ 15
Reconnection after service is shut off for non-payment	\$ 20
Late fee	\$ 6
Handling fee for bad check/bank draft	\$ 25

Memo

To: Mayor & Council

From: Mac McCarley, Town Attorney

cc: Reagan Parsons, Town Manager
BJ Grieve, Planning Director

Date: September 22, 2023

Re: Mayor's Participation in Reconvened Evidentiary (Quasi-Judicial) Hearing

At your meeting on Tuesday, September 26 the quasi-judicial hearing on the Preliminary Development Plan (PDP) for Morganton Park South Phase 3 will be reconvened. As you know, the Mayor was absent from the September 12 meeting at which this hearing began. It is my understanding that she will be present for the September 26 meeting, and the attorney for the applicant has asked whether it is my opinion that the Mayor may participate and vote in that reconvened hearing. The short answer is "yes".

The law in North Carolina is that a new council member who has been furnished a copy of the full record prior to the vote is eligible to vote, as are members who did not attend an initial hearing on the matter but did attend the second hearing and had full access to the minutes and exhibits from the initial hearing. See Cox v. Hancock, 160 N.C. 473 (2003).

I have spoken with the Mayor and she assures me that she will review the video of the initial hearing and read the materials in the record before the meeting on Tuesday. Having done that, she is qualified under North Carolina law to participate in the hearing and to vote on the matter.

I apologize that I won't be at the meeting to answer additional questions; I'll be attending the annual Conference of the International Municipal Lawyers Association (odd name for the US and Canadian national city attorneys association). If you have any questions about this or any other legal matter before Tuesday please don't hesitate to contact me by phone or email.

Agenda Item

To: Reagan Parsons, Town Manager

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: September 26, 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 that was 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. PLANNING BOARD REVIEW

On August 24, 2023, the Planning Board held a Preliminary Forum regarding PD-03-23 to accept public comments and compose a list of issues to forward to the Town Council for their consideration. Following a presentation by Town staff, Mr. John Silverman, Midland Atlantic Properties, discusses the current status of the whole project and addressed some of staff's concerns. Mr. Bob Koontz with KoontzJones Design presented an overview of the site plan, open space, and transportation plan—including a statement about the trip generation letter attached to the application that concludes that the proposed uses will generate less traffic than was anticipated in the 2021 traffic impact analysis. Members of the Planning Board asked Mr. Bob Koontz and Planning staff a series of questions. Two members of the public brought a question regarding impact to small businesses and a concern regarding traffic to the podium.

On a unanimous vote of 7-0, the Planning Board moved to transmit the following issue to the Town Council for that body to consider in applying the criteria for a PDP to application PD-03-23:

1. The impact of traffic on the surrounding neighborhoods and whether or not the 2021 traffic impact analysis and submitted traffic generation letter comprehensively consider the impact of Morganton Park South traffic on adjacent communities. Town Council may want to consider NC Department of Transportation (NC DOT) STIP Project U-5814 study regarding future NC DOT plans: tinyurl.com/NCDOTU5814.

Pursuant to NCGS §160D-301(b)(6), the Town Council is reminded that although the Planning Board forwarded a list of issues for Council consideration, no part of the Preliminary Forum held by the Planning Board may be used as a basis for the Council's decision on PD-03-23.

III. TOWN COUNCIL REVIEW

Following the Planning Board meeting on August 24, 2023, the Town Council advertised and opened the public hearing at the September 12, 2023, regular meeting. The Planning Department presented the applicant's first version of the site layout (i.e., site layout that was submitted with the original application, hereafter called "Version 1") as well as the second version (i.e., site layout submitted to the Planning Department on August 10, 2023, hereafter called "Version 2") and the third version of the drive-through restaurant (i.e., the portion of the full site layout submitted to the Planning Department on September 7, 2023, hereby called "Version 3"). Inconsistencies found in Version 3 were presented to Town Council as that evaluation was not included in the regular meeting staff report (i.e., Exhibit A), which was completed on August 31, 2023. Staff's presentation was entered into the record as Exhibit B.

Primary modifications to the project in Version 2 and Version 3—made following the Planning Board meeting—are listed below.

1. Two labels were added for the required 20-foot buffer between the site and the adjacent Southern Pines Village development.
2. Sewer and water stub outs were added to the rear of the loading bay area behind the large-scale whole retail building in an effort to plan for connection with future phases.
3. Three loading spaces were illustrated in the loading bay area to confirm compliance with UDO Exhibit 4-8: Required Loading Spaces.
4. A sidewalk connection was made between the drive-through restaurant frontage zone and the sidewalk along Southern Road. Version 2 and Version 3 propose the sidewalk in different places, but both cross the drive-through lane.
5. Additional parking was added to the drive-through restaurant site, for a total of 37 parking spaces that are angled rather than 90°.

6. The drive-through for the restaurant was moved from around the parking lot with access near the site ingress/egress (i.e., a horseshoe around the parking and the building) to an access point at the end of a parking lot drive aisle, effectively reducing the stacking spaces from what was proposed in Version 1.
7. An additional drive-through lane for the restaurant was created after the 9th stacking space from the parking lot, which leads to two order boxes and then merges at the end of the drive through to exit the lanes. It is unclear where the second lane would pick-up their orders, as the lane does not appear to abut an order window after the order boxes.
8. The dumpster enclosure for the drive-through restaurant was moved closer to the building.

The Town Council heard an update from the applicant, Mr. John Silverman, as well as their intention to address Planning Staff's concerns during site plan review and architectural compliance review. Authorized agent for the applicant, Mr. Robert Koontz, presented the project to the Town Council and said presentation was entered into the record as Exhibit C. Exhibit C included Version 2 of what was submitted to the Planning Department and also highlighted that traffic impacts were projected to be less with the current proposed uses than what was considered in the 2021 Traffic Impact Analysis for Morganton Park South. The Town Council asked if the traffic analysis included a queuing analysis, and the traffic expert for the applicant states that a queuing analysis was not included.

The Town Council and the applicant discussed efforts to share parking and queuing around the fuel canopy. Members of the public brought up the safety of crosswalks near the roundabout on Carolina Green Parkway as well as population studies regarding the need for a wholesale retailer in the area. The applicant responded by saying that safety at the roundabout was discussed during Phase 1 site plan review and that the interested wholesale retailer conducted a market analysis internally, but that information is privileged. While the hearing was still open a motion was made for continuance.

Before a second was made on the motion, there was additional board discussion. The board asked Planning staff what the major issues were after hearing the applicant's and authorized agent's testimony. The Planning Director, BJ Grieve, stated that it was unclear what plan (i.e., Version 2 or Version 2 with 3) was being proposed and that the drive-through restaurant remains overparked above the maximum permitted by the Morganton Road Overlay district. Then, the motion was seconded and carried unanimously to continue the item to the September 26, 2023, Town Council work session.

Planning staff were instructed to work with the applicant to address the Council's concerns in a final updated site plan layout and have it ready for a decision at the September work session. Planning staff discussed the issues with the applicant on September 15, 2023, and the applicant provided the fourth version of the site layout (hereafter "Version 4") to Planning staff on September 20, 2023, which can be found in the updated Attachment 4. Planning staff forwarded Version 4 on to the Town Engineer James Michel for his comments on the turning arrows for the drive aisles. Planning staff have not analyzed Version 4 for consistency with the Preliminary Development Plan criteria in UDO

§2.18.5(H), but will provide additional information to the Town Council at the work session meeting. The remainder of this staff report offers staff analysis for Version 2 of the PDP.

IV. PROJECT INFORMATION

A. Property Owners(s)

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).

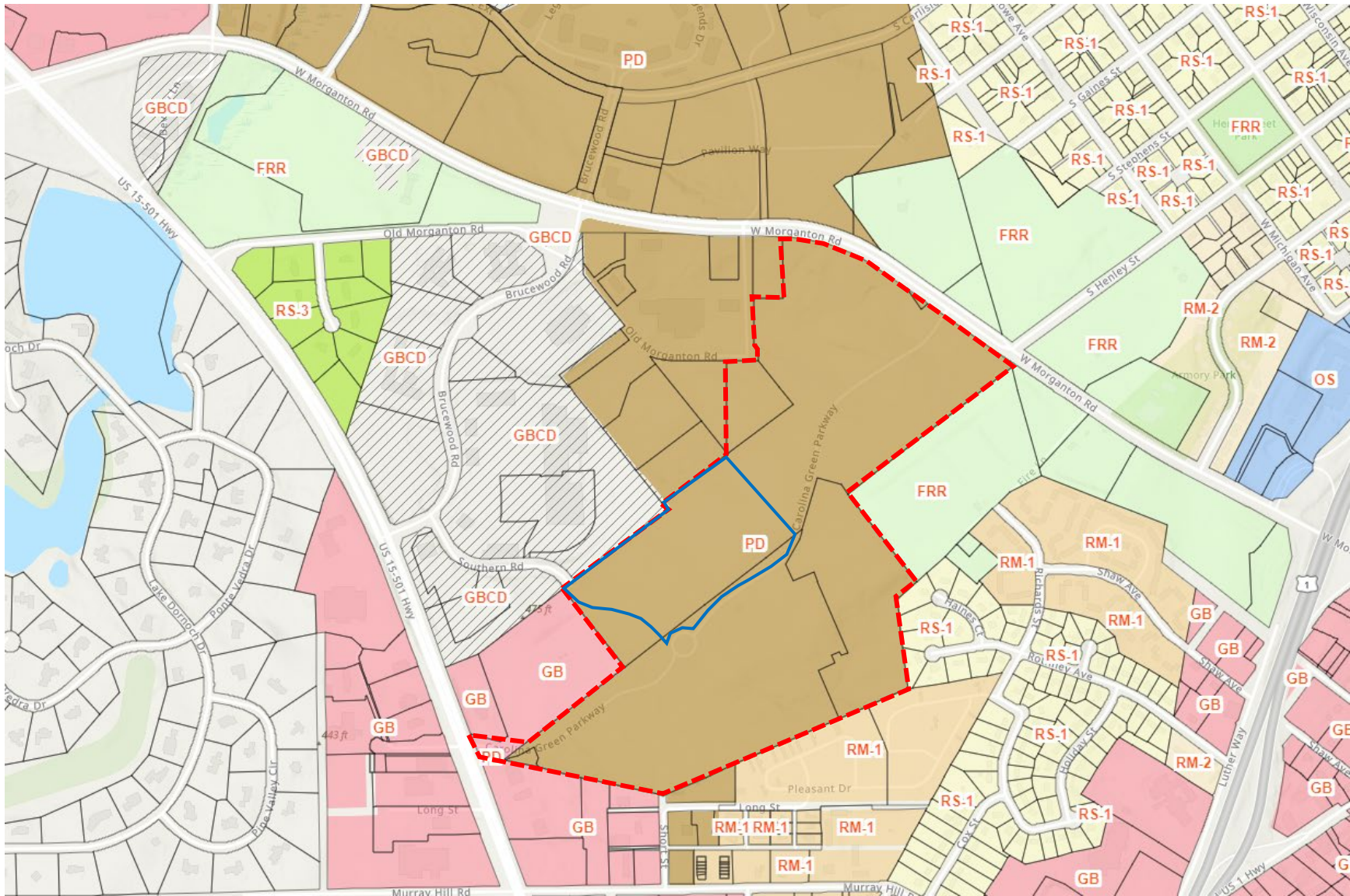


Figure 2: Drone image taken May 4, 2023, looking west towards Kohl's Retail Building



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

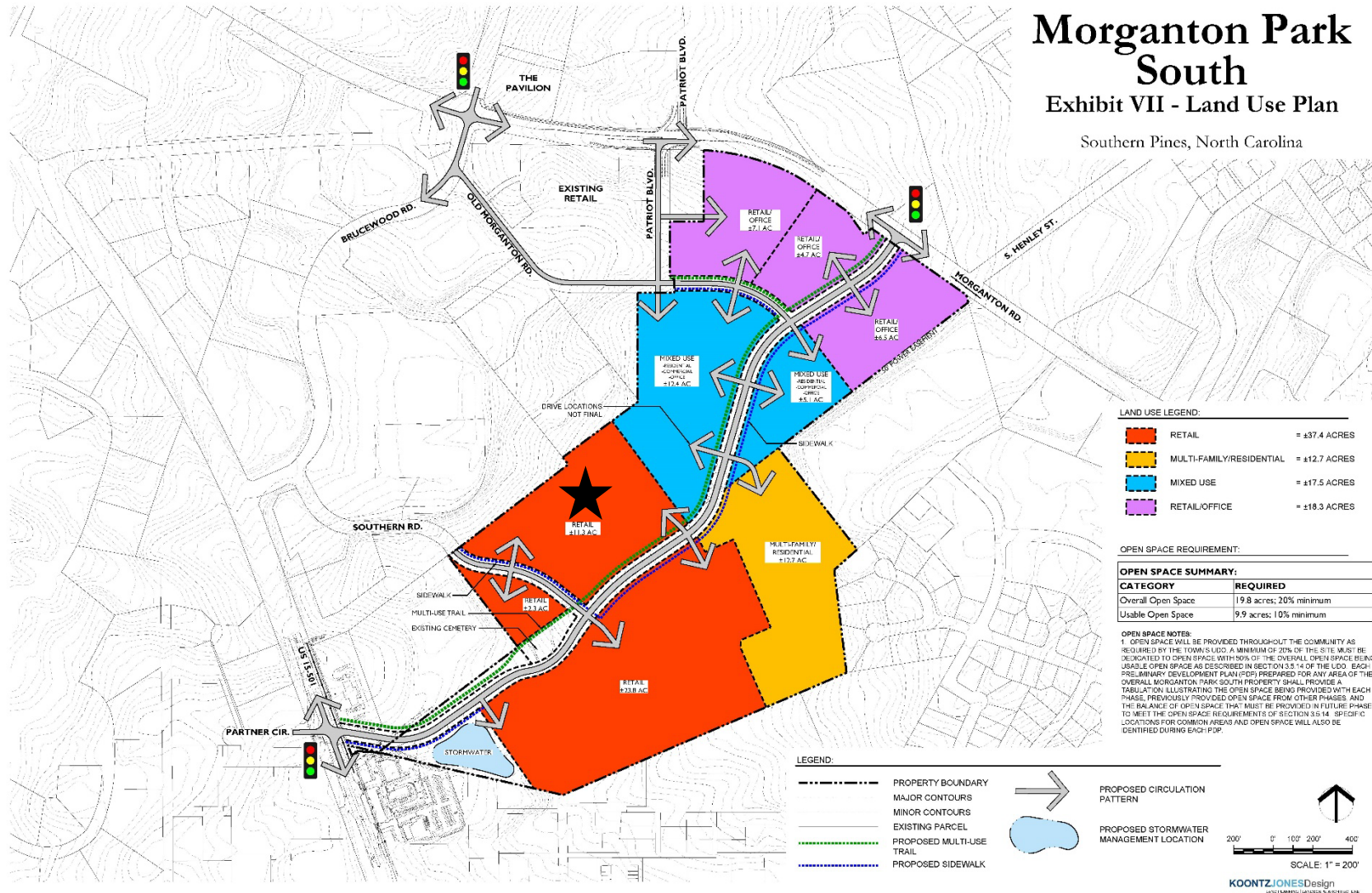
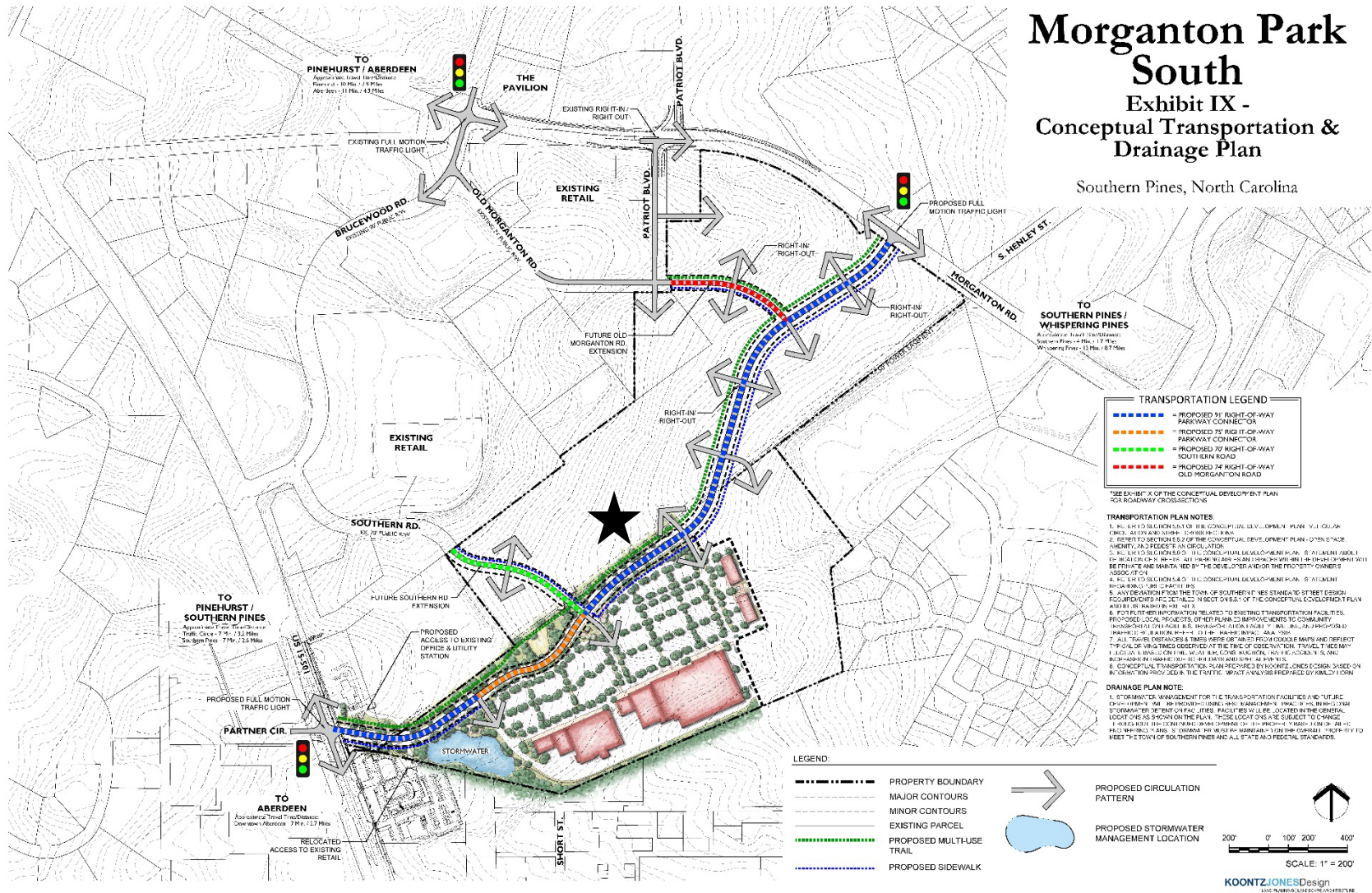


Figure 5: Morganton Park South CDP Conceptual Transportation Plan (2021) with Black Star on Subject Site



V. STAFF REVIEW

I. 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 is 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, which occurred on August 24, 2023.

II. 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
- Notice of September 12, 2023 Town Council Public Hearing:
 - Posted On-site: August 24, 2023
 - Mailed: August 28, 2023
 - Internet: August 25, 2023
 - Newspaper: Sent August 25, 2023, for August 30 and September 6, 2023 publications
- Town Council Agenda Session: September 5, 2023
- Town Council Regular Meeting: September 12, 2023 (continued)
 - Evidentiary hearing opened (and is still open)
- Town Council Work Session: September 26, 2023

III. 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.

IV. Town Staff Review and Comments

○ Consultation with Technical Review Committee

The proposed development received a pre-application review on June 13, 2023. 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 4) 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 4) 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.

- o **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-model 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 below.

- 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 minimal integration between the linear park public space and amenities that would promote community gatherings and activities (i.e., letter "k" above) aside from a multi-modal trail, benches, and shade structures. 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 Space*¹

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 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. Section 5.5.2 of the CDP states that the 20- to 60-foot minimum linear park “will include patio areas, sitting areas, park features, trellises, and other outdoor features.” A table on Page 13 of the CDP includes a list of linear park amenities that must be provided within a specified distance along the linear park and provides standards for those amenities; the table also includes pedestrian path and landscaping requirements for the linear park. Sheet L-1.1 shows no less than three benches, one pet waste and trash receptacle, one shade structure and one bike rack being included with this PDP. Note landscaping and hardscaping 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

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.

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 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 4**). 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.

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

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

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 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 4**) 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.

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

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

e. *Large-Scale Retail Development*⁶

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. *Parking*⁷

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 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.

⁶ Per UDO §4.10.6

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

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

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).

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-leafed 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.*

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 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 multimodal trails will be dedicated to the Town of Southern Pines upon completion. However, linear park amenities that are required in the CDP are the responsibility of the adjoining landowners to maintain. Nothing in the narrative speaks to this process.

○ **Noteworthy Project Elements for Town Council Consideration, including Staff Recommendation**

1. 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. The large-scale wholesale retailer would proceed to architectural review with the Town Council. The drive-through restaurant would have the option to have administrative review by the Planning Department if the design is fully compliant with standards within UDO Chapter 3, §4.10, and any other relevant architectural standards. Otherwise, it would be reviewed by Town Council for a final decision.
2. No request for deviations from the approved CDP (PD-08-21) and/or the UDO have been received by the Planning staff. However, the applicant has not modified parking design to comply with the Morganton Road Overlay parking maximum (1 space per 250 square feet of gross floor area, or 8 total parking spaces for a 2,050-square foot small retail building), thus is proposing 24 parking spaces over the permitted maximum.
3. Planning staff are unable to make a recommendation as of the writing of this report, as we have not had sufficient time to review Version 4 of the PDP. However, Planning staff will address Version 4 consistency with the criteria in the work session meeting.

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.

V. ATTACHMENTS:

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

1. Draft Town Council Findings of Fact
2. [Morganton Park South Phase 3 Retail PDP Application](#) (linked to 9/12/23 meeting attachment)
3. [Applicant's PDP Narrative and Justification Document](#) (linked to 9/12/23 meeting attachment)
4. Applicant's Existing Conditions Plan and Overall Site Plan for Phase 3 (Version 4)
5. [Reference: Morganton Park South Conceptual Development Plan's Phasing Plan](#) (linked to 9/12/23 meeting attachment)
6. [Morganton Park South Phase 3 Retail Traffic Generation Analysis \(addendum to 2021 TIA\) by Kimly-Horn](#) (linked to 9/12/23 meeting attachment)
7. [2023 JH Carter RCW Report](#) (linked to 9/12/23 meeting attachment)

VI. TOWN COUNCIL ACTION:

To either approve or deny a Preliminary Development Plan application, the Town Council must make findings of fact and conclusions to the applicable standards.

- The Town Council shall first vote on whether the application is complete and whether the facts presented are relevant to the case.
- The Town Council shall then vote on whether the application complies with the criteria as set forth in Section 2.18.5(H) Criteria for a Preliminary Development Plan, Criteria 1-4. Staff has drafted a findings of fact for consideration in **Attachment 1**. The Town Council may make modifications or provide an alternative to the draft findings of fact and related motions at their discretion.

I move to:

1. Adopt **Attachment 1** of the staff report, as drafted, as Findings of Fact regarding the proposed Preliminary Development Plan PD-03-23.

- OR -

2. Adopt **Attachment 1** of the staff report as Findings of Fact regarding the proposed Preliminary Development Plan PD-03-23, with the following changes:

Next, the Town Council shall vote on whether to approve, deny, or approve with conditions the proposed Preliminary Development Plan. The Town Council may choose one of the following motions, or any alternative they wish. If the Town Council chooses to conditionally approve the PDP as presented, **staff recommended conditions include:**

1. Southern Road shall be constructed with this Phase 3 and dedicated to the Town prior to issuance of a certificate of occupancy for any building within the development.
2. The geometry of the connection of Southern Road to the Carolina Green Parkway roundabout shall be approved by the Town Engineer prior to construction.
3. Public street lighting shall be placed at each intersection and at such block spacing as may be required by the Public Service Director. Public street lights shall not be accepted by the Town until the road has also been accepted.
4. Parking spaces for the small retail building shall be reduced from 32 parking spaces to 8 spaces and parking shall be shared with the large-scale retail development parcel.
5. Fuel pump canopies shall have a landscape screen between the canopy and Southern Road as well as the adjacent proposed small retail development, per the Town of Southern Pines Landscaping Code standards.
6. Outdoor recreation opportunities and amenities (e.g. multi-modal trails, benches, shade structures, bike racks, pet waste and trash receptacles) shall be included in the design of the linear park and other usable open space areas within the development in accordance with the CDP.
7. The multi-modal trail shall be dedicated to the Town as part of its Greenway Trail System per Section 5.4 of the CDP. Amenities within the linear park such as benches and shade structures shall be maintained by the owner of each property having frontage along the linear park, per Section 5.5.2 of the CDP.
8. The Southern Road-facing and Carolina Green Parkway Road-facing facades shall have articulation along each elevation to satisfy large-scale retail development standards.

I move to:

1. Approve the Preliminary Development Plan for PD-03-23;
2. Deny the Preliminary Development Plan for PD-03-23;
3. Approve the Preliminary Development Plan for PD-03-23 with the following additional conditions:

ATTACHMENT 1
Draft Town Council Findings of Fact
Preliminary Development Plan Application PD-03-23

Finding of Fact #1:

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

Finding of Fact #2:

The Town Council finds that the application complies with UDO §2.18.5(H) Criteria for a Preliminary Development Plan, Criteria 1-4, in that:

1. The application demonstrates that it will achieve the purposes of the PD district and the UDO.

The Town Council finds that the Preliminary Development Plan (PDP) for the Morganton Park South Phase 3 Retail development implements the purposes of the Planned Development District because the proposed wholesale retail building, restaurant, fuel station, open space, and multi-model greenway trails adjoining passive and active recreation amenities represent a mix of commercial and recreational land uses—components of a full Planned Development district—are a broad mix of land uses supporting the stated purpose of the district as being “to accommodate mixed land uses, such as office, residential, service, commercial, public or private recreational Development...” Furthermore, the design of the PDP is consistent with at least eleven of the fourteen stated intentions of the Planned Development district regulations as set forth in Chapter 3 of the UDO.

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

The Town Council finds that the PDP is generally consistent with the Morganton Park South Conceptual Development Plan (CDP; PD-08-21) and that the proposed PDP meets the general intent of the UDO standards for the base district. The applicant has not requested a deviation from compliance nor modified parking design to comply with the Morganton Road Overlay parking maximum (1 space per 250 square feet of gross floor area, or 8 total parking spaces for a 2,050-square foot small retail building), thus is

proposing 24 parking spaces over the permitted maximum. Furthermore, no public street lighting, large-scale retail building articulation, nor landscape screening for fuel canopies were provided on the PDP.

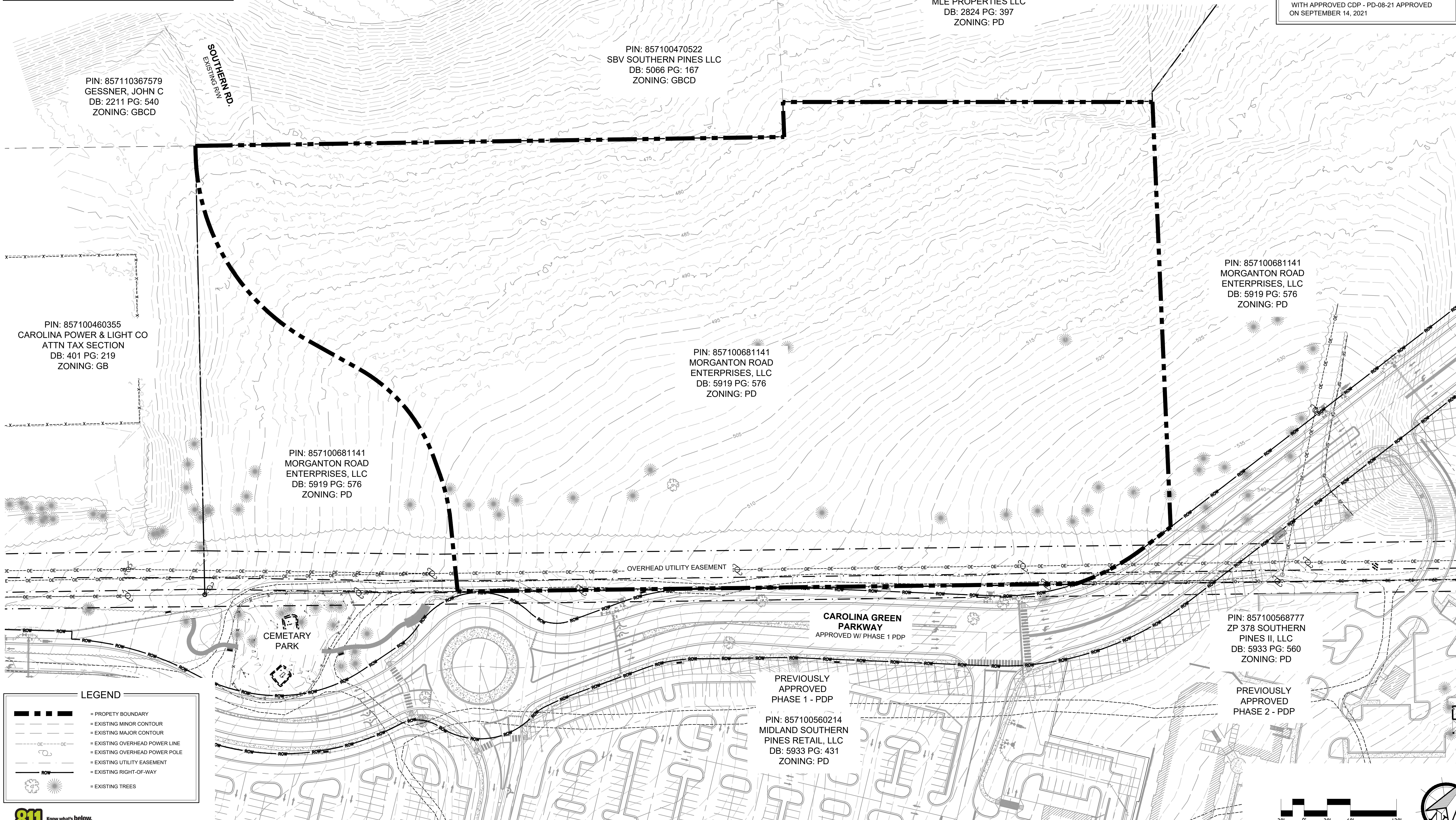
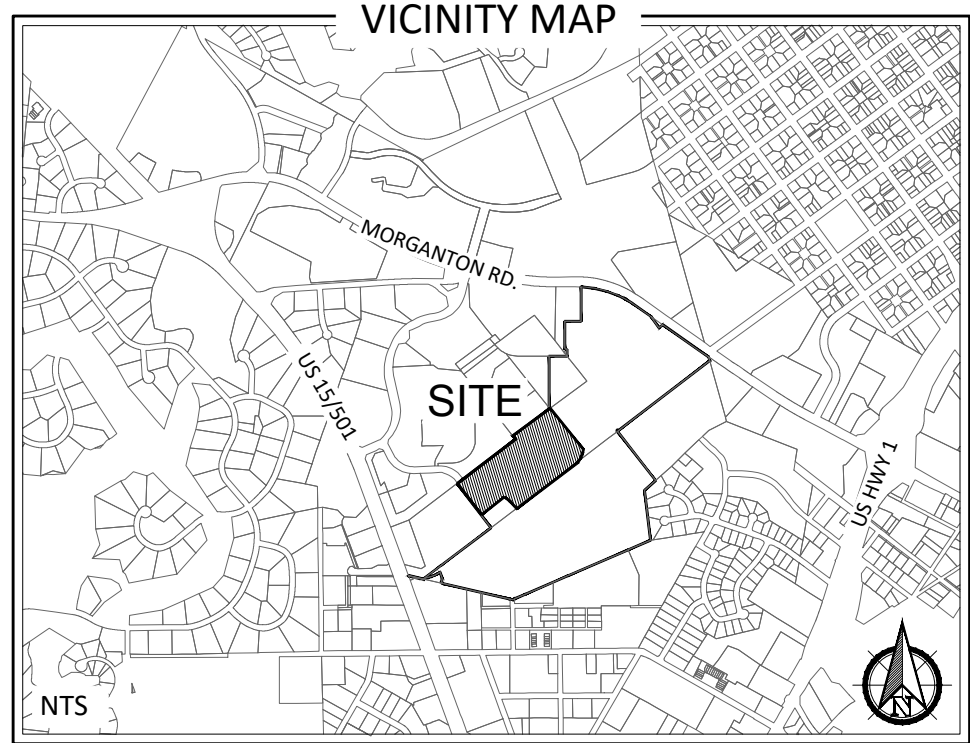
The PDP is appropriate given the specific mix of uses and character of the development and achieves a more efficient, safe, or economical land use without detracting from the quality of the development or the community as a whole.

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

Town Council finds that the proposed PDP is located in an appropriate area of town because the proposed multi-phased, mixed-use development is proposed for an area that is designated as Traditional Mixed Use by the Comprehensive Long-Range Plan (2016)'s Future Land Use Map. Furthermore, the development may be served by existing public utilities or by utilities that will be improved by the developer and at the expense of the developer, and is located in an area of town with existing access to necessary infrastructure and where the street system is adequate, or will be improved to be adequate, to accommodate the projected traffic volumes. Additionally, the risk of negative impacts to the environmentally sensitive lands within and adjacent to the project site are being adequately mitigated through the development design.

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

Town Council finds that the proposed PDP includes efficient extensions of public facilities, utilities and services because sewer and water facilities exist near the proposed development and any necessary extensions or improvements will be made by the developer. Furthermore, a portion of the property in which the development is proposed has been annexed by the Town and currently benefits from the public safety services available to properties within the Town's corporate boundary.



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)

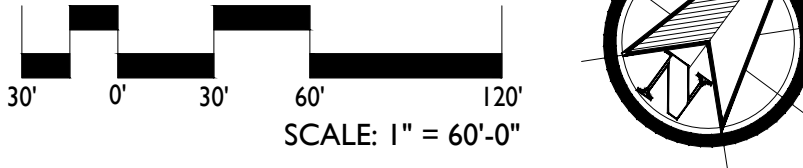
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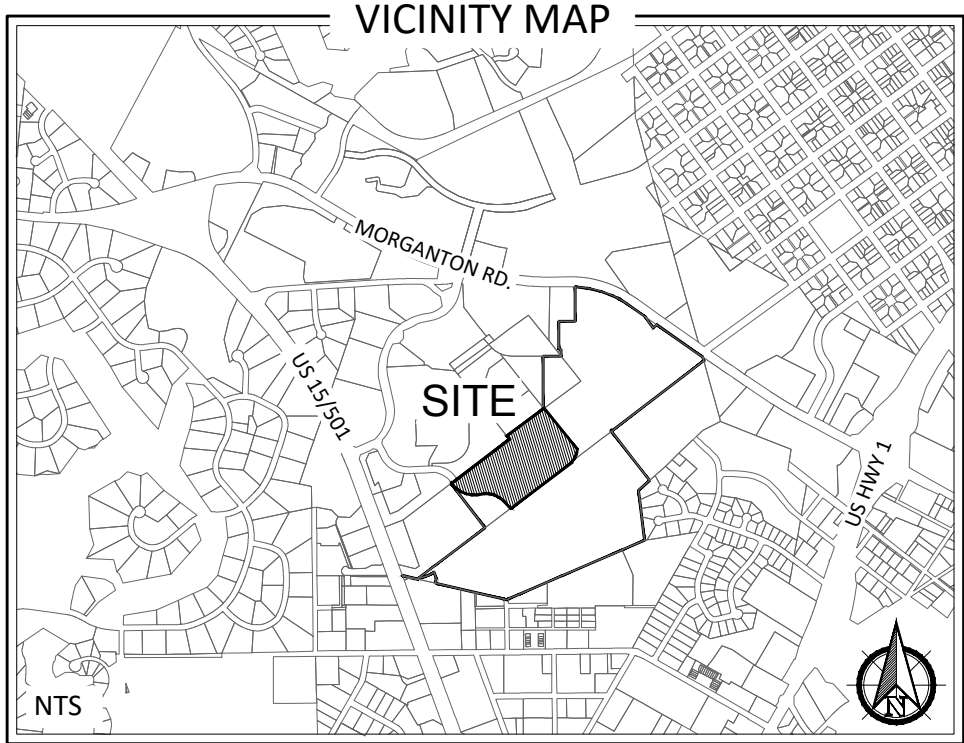
KOONTZJONESDesign
LAND PLANNING | LANDSCAPE ARCHITECTURE

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

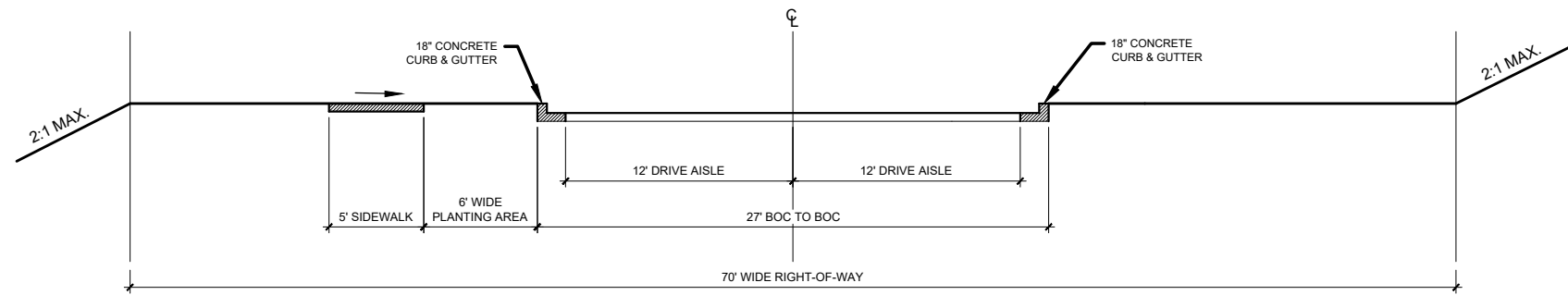
DATE: 07-10-2023
DESIGNED BY: REK
DRAWN BY: PJS
CHECKED BY: REK
SCALE: 1" = 60'-0"
PROJECT #: KID23040
SHEET NUMBER: #
L-1.0





- 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

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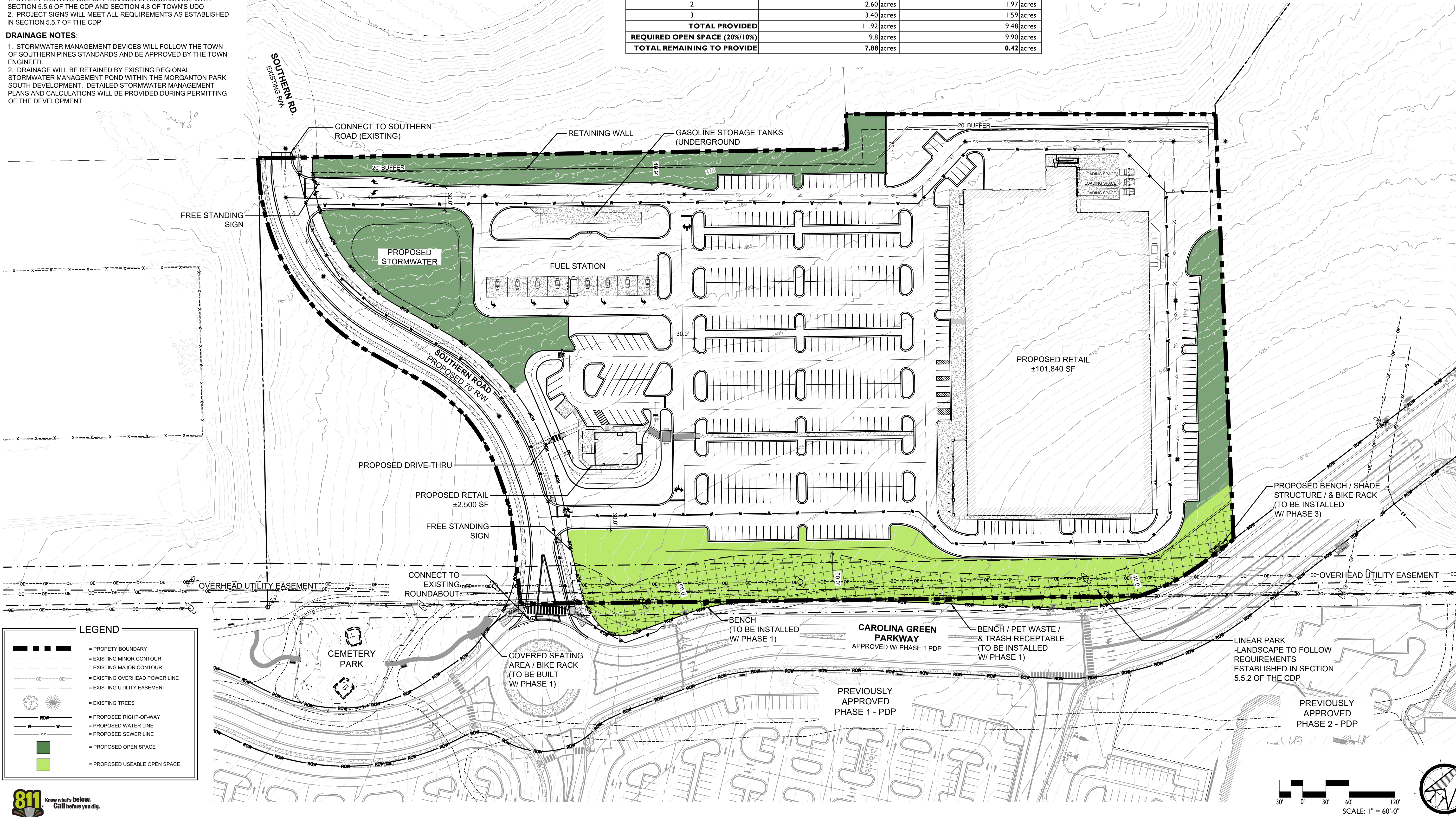
APPLICANT:
MIDLAND ATLANTIC PROPERTIES - JOHN SILVERMAN
8044 MONTGOMERY ROAD, SUITE 370
CINCINNATI, OH 45236

TOTAL ACREAGE (PHASE 3): ±14.79 AC

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

TOTAL RETAIL: ±104,340 SF + FUEL STATION

PROVIDED PARKING: 490 SPACES (1 SPACE / 213 SF)



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

LKC

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ABERDEEN, NC 28315
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KOONTZ JONES DESIGN
150 S PAGE STREET
SOUTHERN PINES, NC 28387
P: (910) 666-4667
W: www.koontzjonesdesign.com

REVISIONS:

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

PRELIMINARY DEVELOPMENT PLAN - PHASE 3

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L-1.1

