



AGENDA

Thursday, November 16, 2023: 6:00 PM

Planning Board

Douglass Community Center: 1185 W. Pennsylvania Ave

1. CALL TO ORDER

2. APPROVAL OF MINUTES

3. PUBLIC HEARING

a. Z-04-23 Request to rezone 1.28 acres on the west side of US Hwy 1 between Hyland Hills Road and Skyline Manor Road from RS-3 to GB-CD; PIN 859300804296 (PARID 20140484)

4. UNFINISHED BUSINESS

5. NEW BUSINESS

6. PUBLIC COMMENTS

7. ADJOURNMENT

Agenda Item

To: Planning Board

Via: BJ Grieve, Planning Director

From: Alaina Mallette, Senior Planner

Subject: Z-04-23: Request to rezone 1.1 acres located on the west side of US Hwy 1 between Hyland Hills Road and Skyline Manor Road from Residential Single-Family (RS-3) to General Business Conditional Zoning District (GB-CD), i.e., Expansion of Approved GB-CD under File Z-07-01

Date: November 16, 2023

I. SUMMARY OF APPLICATION REQUEST

Mr. Corey Longstreet of Windridge Gardens, LLC, and property owner has submitted a request to extend a prior General Business Conditional Zoning District (GB-CD; i.e., Z-07-01) to the remaining 1.07 acres of the existing 2.49-acre parcel, which was not included in the original approval and is zoned Residential Single-Family with 30,000 minimum lot size (i.e., RS-3). The proposed use would be for lawn and garden supplies and the applicant volunteers the protection of existing trees on the property. The application illustrates walking paths through the tree canopy to display statuary and lawn ornaments in a similar fashion to the existing GB-CD-zoned portion of the property. The subject parcel is identified as PARID 20140484 and located in the Hyland Hills neighborhood on the east side of Valley View Road between U.S. Highway 1 and Skyline Manor Road.

II. PROJECT INFORMATION

A. Physical Address

1650 Valley View Road
Southern Pines, NC 28387
Parcel ID: 20140484
(PIN 859300804296)

B. Property and

Business Owner/Applicant

Corey D. Longstreet
Windridge Gardens, LLC
Address same as physical

C. Existing Zoning

The subject property is currently zoned RS-3. The principal uses in the RS-3 zoning district include primarily low-density single-family residences. It is within the Extra-Territorial Jurisdiction, the Urban Transition Highway Corridor Overlay District, and the Watershed Protection Overlay District (specifically, the Protected Area that corresponds with the State's high-quality water areas). High-quality water protected area standards for this parcel include a maximum built-upon area of 12% unless stormwater best management practices are used, then the maximum raises to 24%.

D. 2040 Comprehensive Plan Designation for General Framework, Conservation and Development, and Character Districts

General Framework

Generally, the parcel is located in an Area to Preserve, which is meant to safeguard rural and environmentally-sensitive lands; link residents with parks, recreation facilities, and nature; and protect open space, natural areas, and rural viewsheds in the community.

Conservation and Development/Character District

The proposed development is located in the Rural Living character district and conservation and development area, which the comprehensive plan states “are characterized by large lots, low-development intensities, and a high degree of separation between buildings.” Building types anticipated to be in a Rural Living Character District include institutional land uses like churches and schools. The building placement and frontage are intended to prioritize preservation, separated uses with 1- to 2-story maximum building height.

Lots should generally be large with large front, rear, and side setbacks providing a high degree of separation between buildings on adjacent lots. Small nodes of commercial activity are considered appropriate, sporadically, if the design and character reinforce the surrounding rural landscape and are unique, but complementary to the town's culture, history, and traditions. Future development in rural living areas should be sensitive to existing natural resources including tree stands. Mass grading or tree clearing should be avoided in rural areas.

E. Prior Development Approval on Previously Rezoned Portion of the Property, Which Does Not Include The Portion of the Property in Question

Z-07-01 Corey Longstreet (Attachment 3)

In 2001, application of Z-07-01 rezoning from RS-2 to GB-CD included the following proposed standards for the district. Note that a decision including conditions has not been found by the Planning staff as of the writing of this report.

- Permitted use restricted to low-volume display/sale of garden art and statuary (i.e., current LBCS 2123 Lawn and Garden Supplies);
- Required buffers shall remain undisturbed (e.g., no tree removal nor site grading, at a minimum) and existing vegetation shall be used to comply with all buffer requirements;
- Buffer requirements may be reduced by 50% if the buffer remains undisturbed and includes “other landscape architecture elements” that screen the site from view on adjacent properties, including at a minimum opaque fencing;
- Walkways and paths shall run through buffers;
- Decorative aluminum fences will be installed as shown in detail sheet within the file (see Attachment 3);
- Driveway shall meet requirements;
- Existing clearings for driveway, parking, and building shall be used to protect the longleaf pine forest;
- Statuary will be no larger than 10’ tall;
- No manufacturing operation will occur on site; and
- Haphazard and scattered storage of inventory on pallets will not occur on site.

Figure 1: Vicinity Zoning Map (approximate boundaries of proposed map amendment are outlined in thick yellow lines).



Figure 2: Subject Property as of April 17, 2023, with Approximate Boundaries of Proposed Map Amendment.



III. STAFF REVIEW

1. Application Review Dates

Application Submitted: **October 9, 2023**

Application Complete: **October 10, 2023**

Planning Board Public Hearing Notice

Publication: Emailed to The Pilot on **October 27** for publication on **November 8 and 16, 2023**

Mail: **October 30, 2023**

Signage: **October 31, 2023**

Internet: **October 27, 2023**

Planning Board Agenda Meeting: **November 9, 2023**

Planning Board Regular Meeting: **May 16, 2023**

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

When reviewing an application for zoning, the hearing bodies (Planning Board and Town Council) shall consider and be guided by the following criteria, as set forth in UDO §2.17.9 and outlined below. Furthermore, additional standards are expected of a conditional zoning district—a reclassification of property subject to specific conditions that ensure compatibility of the use with the use and enjoyment of neighboring properties—such as the one being proposed by the applicant. Conditional zoning is voluntary

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

Consistency with the 2040 Comprehensive Plan has been reviewed by looking at the description of the proposed use of a conditioned district on Page 2 of the application, which states “the proposed use... is as follows: to expand the natural sandy walking paths for the display and sales or statuary and lawn ornaments through the existing mature longleaf pine forest canopy...”, as well as the applicant’s narrative and proposed site plan. This proposed conditional zoning district is consistent with the Plan’s General Framework Map, the Conservation and Development Map, and the Character District Map. Therefore, the proposed new commercial conditional zoning district would be consistent with the Plan.

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

Neighboring lands adjacent to and within a quarter-mile of the subject parcel are zoned RS-3; Residential Single-Family (RS-2 for minimum lot size of 20,000

square feet); Rural Residential; Facilities, Resources, and Recreation; Rural Estate, and Residential Multi-Family 1 (RM-1). The property is also within a quarter-mile of Moore County zoning, including Rural Equestrian and Residential and Agricultural districts. Considering this mix of rural land uses, the intended character of the Rural Living character district, and the proposed extension of the existing use, the proposed GB-CD conditional zoning would be substantially consistent with the surrounding area, thus having negligible adverse impacts on neighboring lands if the conditions of the original 2002 approval are also met.

Figure 3: Subject Property as Seen on October 10, 2023 Site Visit



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

RS-3 was primarily created for low-density single-family residences. The portion of the parcel in question (approximately, 46,600 square feet) only has access through Windridge Gardens. There are single-family detached residences located on parcels similarly situated adjacent to U.S. Highway 1, such as 5866 U.S. Highway 1 and 5812 U.S. Highway 1. Therefore, the property could reasonably be developed as presently zoned.

However, the proposed rezoning request is consistent with rural living character district in that it prioritizes preservation, low-development intensity, and large buffers with adjacent residential parcels. Furthermore, small nodes of commercial activity are considered appropriate, if the design and character reinforce the surrounding rural landscape and are unique, but complementary to the town's culture, history, and traditions. The conditions on this GB-CD would make the proposed change suitable to the area, as well.

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

No health, safety, or welfare concern has been identified based on the information that was provided in the application. Staff has not identified any concerns based on a site visit and routine analysis of the subject parcel and surrounding area. However, it should be noted for the record that no detailed site assessment has been conducted nor is one required in order to request a rezoning.

There are no historic or archeological sites on the subject property to the applicant's and Planning staff's knowledge.

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

See comments under "(A) Consistency." The preservation of the existing longleaf tree canopy is central to many public policies within the Town of Southern Pines.

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

The rezoning is for a portion of a 2.49-acre single lot that has a little 1.42 acres currently zoned GB-CD and 1.07 acres currently zoned RS-3. There has been a 3.4% population growth between 2020 and 2022, according to the 2040 Comprehensive Plan that cites the Triangle Business Journal (2023). The Town has also seen an increase in the number of proposed housing developments, which is a substantial change. Therefore, presumably, there is a larger demand for commercial goods, such as lawn and garden supplies.

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

In addition to this criterion, UDO §2.17.11(E) further states that in the course of evaluating the proposed use, the Planning Board and Town Council may request additional information deemed appropriate to provide a complete analysis of the proposal.

Per UDO §2.17.11(B) and (F), any use permitted under conditional zoning must also conform to the regulations for the corresponding general zoning district, and no approval can be granted until it is determined that the proposed use will meet all standards and requirements applicable to the use. Regulations applicable to the General Business zoning district, as described in UDO §3.5.9, and proposed commercial use include:

- All Urban Transition HCO standards in UDO §3.6.5 and Exhibit 3-13, including required buffers and setbacks for the portion of the subject property in question (i.e., 50' landscape buffers, 75' building setback, and 50' parking setback).
- All Watershed Protection Overlay District standards in UDO §3.6.8 and Exhibit 3-14.
- Outdoor storage, display, and operations shall comply with UDO §5.12 and §5.13.
 - UDO §5.12. Outside Storage cannot be stored in the open or exposed view from adjacent sites, streets, or sidewalks; storage areas must be fully enclosed by a brick, masonry, wooden, or solid-face fence between 6' and 8' tall; required buffers shall be located between the fence and the property line adjacent to residential zones; buffers that are required must be increased 20% (i.e., a total of 60' rather than the required 50' Urban Transition HCO buffers) between storage areas and property lines and comply with landscape screening standards. The Planning Director has granted the applicant a 50% reduction in buffer requirements considering the applicant will leave the site undisturbed and visibility is naturally limited to the site and further limited by retaining existing vegetation, therefore, the applicant must maintain a 30' undisturbed buffer.
 - UDO §5.13. Outside Operations. Outdoor displays in GB zoning districts shall be limited to the displays within areas that are enclosed by walls or fences and located behind the front building line.

Figure 4: Buffer Requirements for Outside Storage



- No commercial structures are proposed as part of the site plan. According to UDO §2.17.11(H), “Only those uses and structures indicated in the approved petition and Site Plan shall be allowed on the subject property.”
 - If during the Planning Board and Town Council’s reviews of the application the applicant proposes a commercial building or structure, it will have to comply with all applicable architectural standards and setback standards described below.
 - As long as the lot is adjacent to a residential zoning district, minimum interior side and rear setbacks for the lot along those property lines shall default adjacent properties’ setback minimums. For instance, if the adjacent properties remain RS-3, then the subject property will have to have a minimum interior side setback of 10’ and rear setback of 30’. Note that the HCO standards plus the outside storage standards, illustrated in Figure 4 of the staff report, require 60’ buffers along the side and rear property lines, and no primary structure can be built in a buffer. The buffers, therefore, will never be less than the required setback, even if 50% reduction is granted by the Planning Director.
- Side and rear setbacks for accessory buildings and structures (excluding fences) that are $\leq 12'$ shall have a minimum setback of 5’ and the setback is increased by 2’ for every additional 1’ in height of the structure.
- Furthermore, any commercial development is subject to UDO §4.3 Landscaping Code, §4.5 Off-Street Parking and Loading, §4.6 Sign Code, §4.7 Fences and Walls, §4.8 Lighting, §4.10 Development Design Standards, §Drainage, Erosions Control, Storm Water Management, §4.15 Utilities, and applicable standards in Chapter 5, such as accessory uses/structures and outdoor storage.

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

The rezoning request is for a conditional zoning district that is restricted to lawn and garden supplies. Therefore, the Planning Board may review and consider the applicant's representations, including the marked-up survey with a revision date of March 18, 2002, showing sandy walking paths in Attachment 2.

3. Outside Agency Comments

A request for comments was emailed to agencies on October 27, 2023. Agencies notified include Town of Southern Pines Streets, Public Works, Utilities, Fire, Recreation and Parks, and Engineering departments, the Regional Land Use Advisory Commission (RLUAC), United States Fish and Wildlife Services (US FWS), the Moore County Airport, and the North Carolina Department of Transportation (NCDOT). No comments were received at the time of writing this staff report. If any comments come in prior to the public hearing, they will be presented by Planning staff during the public hearing.

4. Staff Comments and Recommendation

Approval of a conditional zoning district approves a specific use with reasonable conditions that mitigate the negative impacts of the proposed development and ensure compatibility with the surrounding area. Only conditions approved by the Town Council and consented to by the petitioner in writing may be incorporated into the conditional zoning district. If the applicant ever wishes to change an approved condition, they must follow the same rezoning procedure required to amend the official zoning map unless considered a minor change per UDO §2.17.11(K).

Planning staff recommend that the hearing bodies approve the rezoning request for the RS-3 portion of Parcel ID 20140484 from RS-3 to General Business Conditional Zoning District with an extension and updated list of conditions on the district, if consented to by the applicant, as follows:

- **The permitted use shall be restricted to low-volume lawn and garden supplies (i.e., LBCS 2123), which may be stored and displayed outdoors and shall be within a fully enclosed brick, masonry, wooden, or solid-face fence between 6' and 8' tall¹;**

¹ The applicant is hesitant to accept this condition. However, it is a requirement under UDO §5.12(B), and all conditional zoning districts must "conform to the regulations for the corresponding general zoning district" and "meet all standards and requirements in these regulations that are applicable to the proposed use," per UDO §2.17.11

- **Required buffers, which have been administratively reduced by the Planning Director to 30' for the highway, side, and rear yards of the portion of the property currently being rezoned, shall remain undisturbed (e.g., no tree removal nor site grading, at a minimum) and existing vegetation shall be considered to comply with all buffer requirements;**
- **Existing clearings for driveway, parking, and building shall be used to protect the longleaf pine forest; and**
- **No manufacturing operation shall occur on site.**

IV. ATTACHMENTS

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

1. Draft Planning Board Resolution to Adopt a Written Recommendation for Zoning Map Amendment Application
2. Zoning Map Amendment Application, Narrative for Proposed Amendment, and Proposed Site Layout
3. Z-07-01 Prior Development Approval for GB-CD

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

V. PLANNING BOARD ACTION

The Planning Board shall consider the criteria for zoning map amendments found in UDO §2.17.9, including consistency with the 2040 Comprehensive Plan. Per North Carolina General Statute 160D-604(d), prior to consideration of the proposed map amendment by the Town Council, the Planning Board shall advise and comment on whether the proposed amendments are consistent with the Comprehensive Plan. The Planning Board shall provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendments by the Town Council.

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

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

1. **The proposed amendments are consistent with the 2040 Comprehensive Plan for the reasons set forth in Attachment 1 of staff report Z-04-23;**
2. The proposed amendments are consistent with the 2040 Comprehensive Plan for the reasons set forth in Attachment 1 of staff report Z-04-23 as revised by the Planning Board;
3. The proposed amendments are inconsistent with the 2040 Comprehensive Plan for the reasons set forth in Attachment 1 of staff report Z-04-23 as revised by the Planning Board;

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

And, therefore, I move to:

1. **Recommend approval of Z-04-23 to the Town Council with the following extension of conditions on the General Business conditional zoning district, as consented to by the applicant:**
 - 1) **The permitted use shall be restricted to low-volume lawn and garden supplies (i.e., LBCS 2123), which may be stored and displayed outdoors and shall be within a fully enclosed brick, masonry, wooden, or solid-face fence between 6' and 8' tall;**
 - 2) **Required buffers—which have been administratively reduced by the Planning Director to 30' for the highway, side, and rear yards of the portion of the property currently being rezoned—shall remain undisturbed (e.g., no tree removal nor site grading, at a minimum) and existing vegetation shall be considered to comply with all buffer requirements;**
 - 3) **Existing clearings for driveway, parking, and building shall be used to protect the longleaf pine forest; and**
 - 4) **No manufacturing operation shall occur on site.**
2. Recommend denial of Z-04-23 to the Town Council

Note that the effect of Town Council approval of a conditional zoning district and all conditions that have been attached to the approval are binding on the property as an amendment to the Zoning Map. All subsequent Development and use of the property shall be in accordance with the standards for the approved Conditional Zoning district; the approved petition and all conditions attached to the approval. Only those uses and structures indicated in the approved petition and Site Plan shall be allowed on the subject property. Any Development in the district shall comply with all provisions of and conditions to the approved petition and Site Plan. Any uses and structures on the subject property also shall comply with all standards and requirements for Development in the underlying general zoning district. Lastly, minor changes in the detail of the approved petition or Site Plan that do not involve a change in uses permitted or the density of

overall Development permitted and that will not alter the basic relationship of the proposed Development to surrounding properties or the standards.



**PLANNING BOARD
RESOLUTION TO ADOPT A WRITTEN RECOMMENDATION
FOR ZONING MAP AMENDMENT APPLICATION
FOR A CONDITIONAL ZONING DISTRICT
Z-04-23**

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

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

WHEREAS, the Planning Board has reviewed the proposed zoning map amendment—which includes the written staff report, application materials, documentation, and maps showing the proposed district boundaries—and has conducted a public hearing on November 16, 2023, to listen to public comments, ask questions of the Town’s planning staff, and consider zoning map amendment application Z-04-23.

NOW, THEREFORE BE IT RESOLVED that the Planning Board finds and recommends to the Town Council that the proposed amendment to the Town of Southern Pines Zoning Map is reasonable, in the public interest, and consistent with the current character of the Hyland Hills neighborhood and the criteria set forth in the Town of Southern Pines Unified Development Ordinance §2.17.9. The Planning Board recommends that the Town Council approve the zoning map amendment request for the subject property on the east side of Valley View Road between U.S. Highway 1 and Skyline Manor Road in the extraterritorial zoning jurisdiction of the Town of Southern Pines. The proposed zoning amendment is consistent with the Town of Southern Pines 2040 Comprehensive Plan considering that a lawn and garden supplies land use with undisturbed buffers and meandering paths directly relate to the intent of the Areas to Preserve in the General Framework Map. Furthermore, the proposed low-development intensity coupled with prioritized longleaf tree preservation through wide undisturbed buffers is consistent with the intent of the Rural Living Conservation and Development Map as well as the Character District Map. The proposed conditional zoning district is sensitive to existing natural resources, especially the longleaf pine tree stand. The proposed development will avoid mass grading and tree clearing in this rural part of the Extraterritorial Jurisdiction. The Planning Board recommends the Town Council adopt this zoning amendment for a conditional zoning district (i.e., Z-04-23) with the following conditions, if consented to by the applicant in writing prior to the Council’s approval.

- 1) The permitted use shall be restricted to low-volume lawn and garden supplies (i.e., LBCS 2123), which may be stored and displayed outdoors and shall be within a fully enclosed brick, masonry, wooden, or solid-face fence between 6' and 8' tall;
- 2) Required buffers—which have been administratively reduced by the Planning Director to 30' for the highway, side, and rear yards of the portion of the property currently being rezoned—shall remain undisturbed (e.g., no tree removal nor site grading, at a minimum) and existing vegetation shall be considered to comply with all buffer requirements;
- 3) Existing clearings for driveway, parking, and building shall be used to protect the longleaf pine forest; and
- 4) No manufacturing operation shall occur on site.

ADOPTED this the 16th day of November, 2023.

Diane T. Westbrook, Chairwoman

ATTEST:

Cindy Williams
Secretary to the Planning Board



Zoning Map Amendment Application

Fee: \$1,500.00

Date Received: _____

Case No.: Z-____-____

Project Information: WINDRIDGE GARDENS, LLC
TRACT #1 GB-CD AND UNDEVELOPED AREA RS-3
Street Address: 1650 VALLEY VIEW ROAD

PIN: 859300804296 Parcel ID: 20140484

Site Size: 1.284 Zoning: RS-3

Applicant:

Name(s): CORBY D. LONGSTREET / OWNER

Longstreet Construction @ yahoo.com
Email: _____ Phone: 910-315-9855

Mailing Address: 1630 VALLEY VIEW ROAD SOUTHERN PINES, NC 28387

Authorized Agent, if different from Applicant:

Name(s): _____

Email: _____ Phone: _____

Mailing Address: _____

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

Name(s): WINDRIDGE GARDENS, LLC

Email: WINDRIDGE GARDENS@yahoo.com Phone: 910-692-0855

Mailing Address: 1650 VALLEY VIEW ROAD SOUTHERN PINES, NC 28387

1/12/22

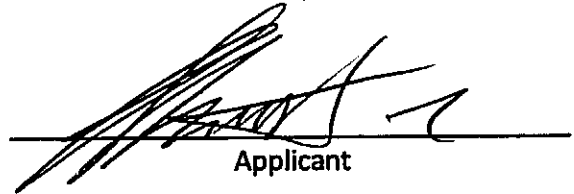
TO THE TOWN OF SOUTHERN PINES PLANNING BOARD AND TOWN COUNCIL:

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

The property which is the subject of this application is located on the NORTH side of US HWY 1 SOUTH BOUND (St./Ave.), between _____ (St./Ave.) and _____ (St./Ave.). The property has a frontage of 173.48 feet and a depth of 316.42-331.53 feet.

The zoning map amendment sought is based upon Section(s) 3.5.9 of the Town of Southern Pines Unified Development Ordinance. The proposed use of the property is as follows: TO EXPAND THE NATURAL SANDY WALKING PATHS FOR THE DISPLAY AND SALES OF STATUARY AND LAWN ORNAMENTS THROUGH THE EXISTING MATURE LONGLEAF PINE FOREST CANOPY, WHICH HAS BEEN A HUGE ASSET AND MADE OUR LOCATION A VERY SPECIAL PLACE TO VISIT FOR THE PAST 21+ YEARS.

Date: 10/9/2023


Applicant

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

1/12/22

Windridge Gardens

1650 Valley View Road
Southern Pines, NC 28387
(910) 692-0855

10/9/23

Mr. B.J. Grieve, Planning Director
Town of Southern Pines
801 SE Service Road
Southern pines, NC 28387

RE: Zoning Map Amendment Application

Mr. Grieves,

Thank you for meeting with me October 6, 2023 to discuss the rezoning of the "undeveloped area" of Tract #1, the location of our business is at the corner of US Highway 1 and Valley View Road adjacent to the Hyland Golf Club which is located within the ETJ of Southern Pines. We obtained the present GB-CD zoning on February 12, 2002 (Z-07-01) and the plat of Tract #1 was signed on 3/19/2002 and recorded on 3/21/2002 (Plat Cabinet 9, Slide 412) showing Tract #1 with two different zoning classifications GB-CD and RS-3.

The "undeveloped area" of Tract #1, zoned RS-3 is landlocked with no access allowed from US Highway 1 through the right-of-way, nor Valley View road. The "undeveloped area" is unusable and we cannot fully utilize that area of our property for our business. The Zoning Map Amendment Application attached is to incorporate the "undeveloped area" zoned RS-3 of our parcel to the GB-CD, so the entire Tract #1 will be zoned the same GB-CD.

After careful review of UDO 2.17.9 Criteria for Zoning Map Amendments, I believe that this application meets all criteria as follows;

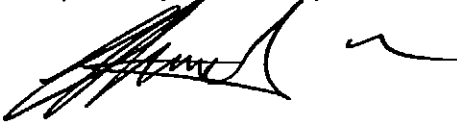
- A. The rezoning is consistent with the adopted Comprehensive Plan.
- B. There are no adverse impacts on neighboring lands
- C. The application to rezone the "undeveloped area" of tract #1 will be suitable with the GB-CD area of Tract #1. As reference above the present RS-3 zoning is not suitable as presently zoned.
- D. This application will not adversely affect the health, safety and welfare of the public.
- E. This application will be consistent with public policy by preserving environmental features which are consistent with the neighborhood, area and the GB-CD area of Tract #1.
- F. As referenced above the "undeveloped area" zoned RS-3 is unsuitable for use as zoned.
- G. As per UDO 3.6.5 "The visual quality of these sections depends on quality site planning, landscaping and preservation of natural features". We intend to utilize this

“undeveloped area” of our property for the display and sales of statuary and lawn ornaments along natural sandy paths winding through the existing longleaf pine forest canopy, as we have previously developed within the GB-CD area of Tract #1. We will not be cutting or clearing any trees in the process of raking back the pine straw to create the natural walking paths, thus leaving all trees with understory and natural buffers in place.

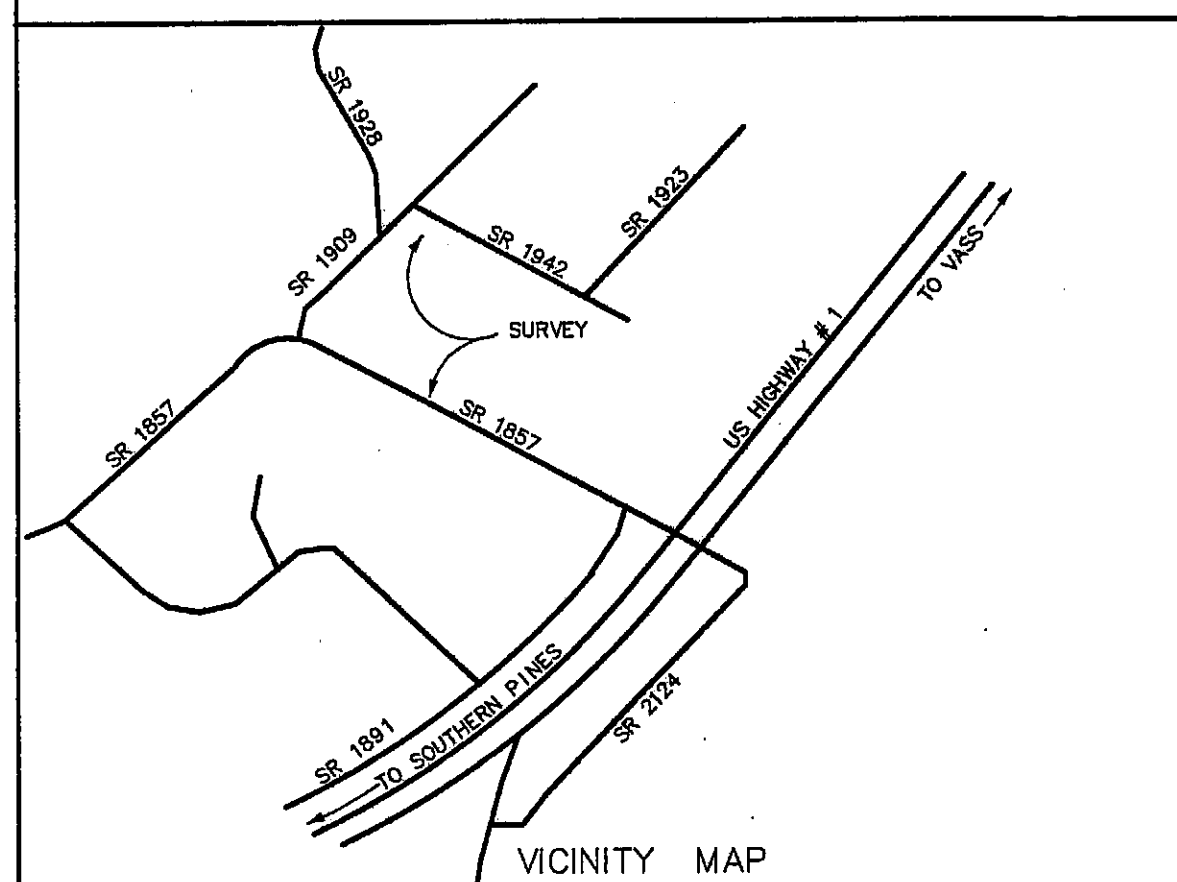
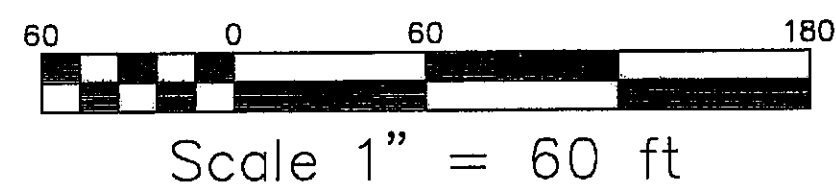
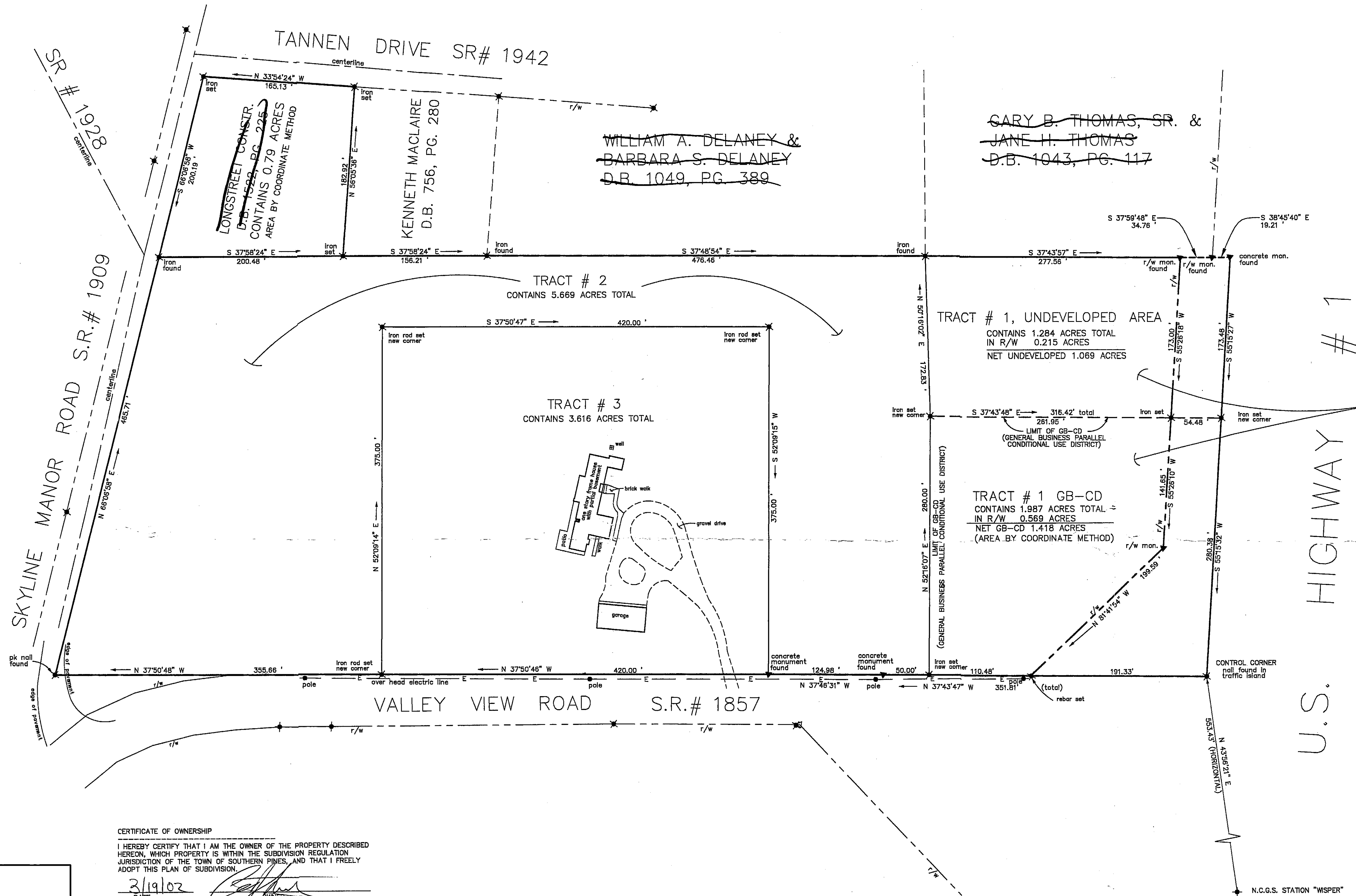
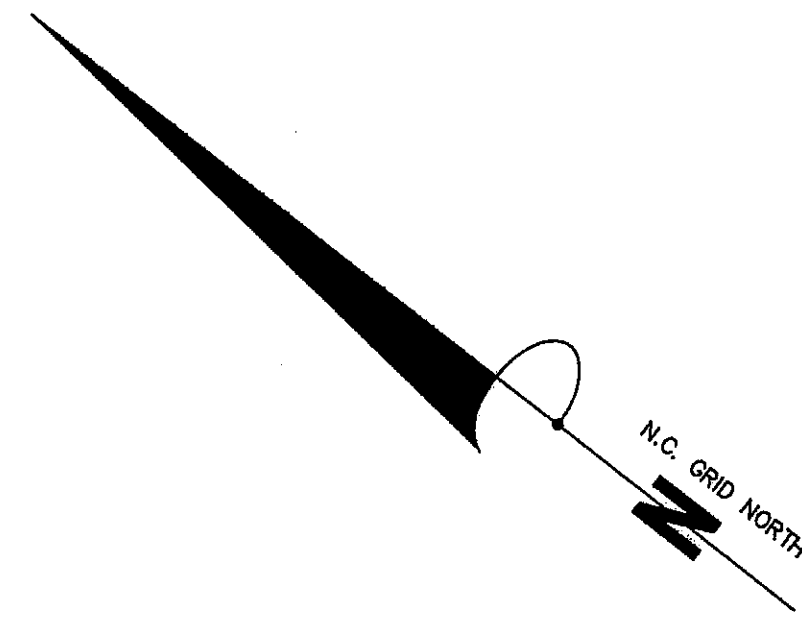
As we discussed at our meeting on the 6th, the rezoned “undeveloped area” will be utilized per the classification contained in the UDO as LBCS 2123 Lawn and Garden Supplies. A copy of the Tract #1 plat we reviewed, that was submitted for recording on 3/19/2002 is attached as a survey and a marked up copy of the plat is attached to be used as a site plan as we agreed at the meeting. During our meeting you said the Town of Southern Pines will notify the adjacent property owners within two hundred (200) feet of the outermost boundaries of the subject property. Therefore, I have not included the “List of Adjacent Property Owners” shown as “Required Application Materials”.

Please let me know if you need any further information at your earliest convenience.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Corey Longstreet', followed by a small flourish.

**Corey Longstreet
Windridge Gardens, LLC**



CERTIFICATE OF OWNERSHIP
I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED HEREON, WHICH PROPERTY IS WITHIN THE SUBDIVISION REGULATION JURISDICTION OF THE TOWN OF SOUTHERN PINES, AND THAT I FREELY ADOPT THIS PLAN OF SUBDIVISION.
3/19/02 DATE
OWNER

CERTIFICATE OF APPROVAL
I HEREBY CERTIFY THAT THE MINOR SUBDIVISION SHOWN ON THIS PLAT DOES NOT INVOLVE THE CREATION OF NEW PUBLIC STREETS OR ANY CHANGE IN EXISTING PUBLIC STREETS, THAT THE SUBDIVISION SHOWN IS IN ALL RESPECTS IN COMPLIANCE WITH CHAPTER 101 OF THE SOUTHERN PINES TOWN CODE, AND THAT THEREFORE THIS PLAT HAS BEEN APPROVED BY SOUTHERN PINES PLANNING DIRECTOR, SUBJECT TO ITS BEING RECORDED IN THE MOORE COUNTY REGISTRY WITHIN SIXTY DAYS OF THE DATE BELOW.
3/19/02 DATE
PLANNING DIRECTOR

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

NORTH CAROLINA, MOORE COUNTY
PRESENTED FOR REGISTRATION ON THE DAY
OF 20 AT M.
RECORDED IN PLAT CABINET SLIDE
JUDITH M. ADAMS, REGISTER OF DEEDS

NOTES:
1- BEING A RE-SURVEY OF THE COREY D. LONGSTREET PROPERTY DESCRIBED IN DEED BOOK 886, PAGE 43 AND DEED BOOK 1522, PAGE 225, MOORE COUNTY REGISTRY.
2- I, MITCHELL W. COLE FURTHER CERTIFY THAT THIS PLAT IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND. THIS PROPERTY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA AS DESIGNATED BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

SURVEY FOR
COREY D. LONGSTREET
ADDRESS: 1630 VALLEY VIEW ROAD, SOUTHERN PINES, NORTH CAROLINA 28387
SURVEY: McNEILL TOWNSHIP, MOORE COUNTY, NORTH CAROLINA

I, MITCHELL W. COLE, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 886, PAGE 43) THAT BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES AND DRAWN FROM DEEDS AS INDICATED; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 28 DAY OF SEPTEMBER, A.D., 19 02.



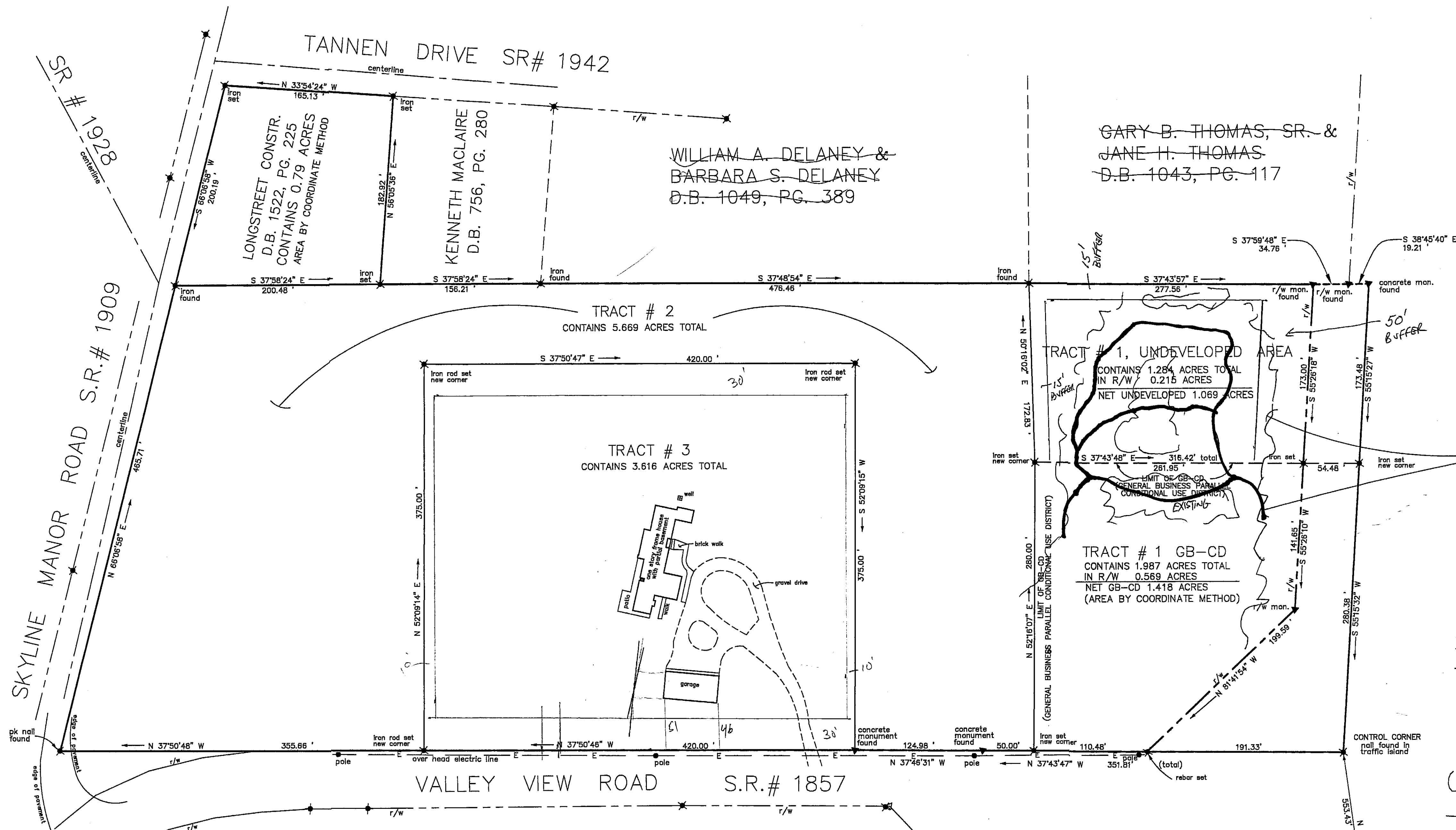
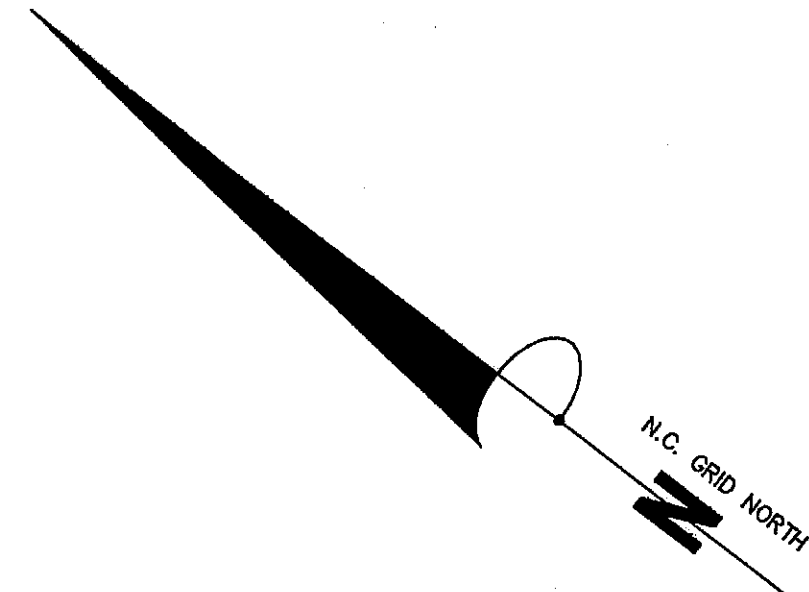
SEAL
L-2856
PROFESSIONAL LAND SURVEYOR
MITCHELL W. COLE

SEAL OR STAMP

COLE LAND SURVEYS, P.A.
483 WILMER ROAD
SANDFORD, NORTH CAROLINA 27332
PHONE (919) 258-9340

REVISION NO. 2
DRAWN BY: MWC
DATE: Plot date: 09/27/99 at 16:54
DWS. NO.:
APPROVED BY:
PROJ. NO.:
DWS.

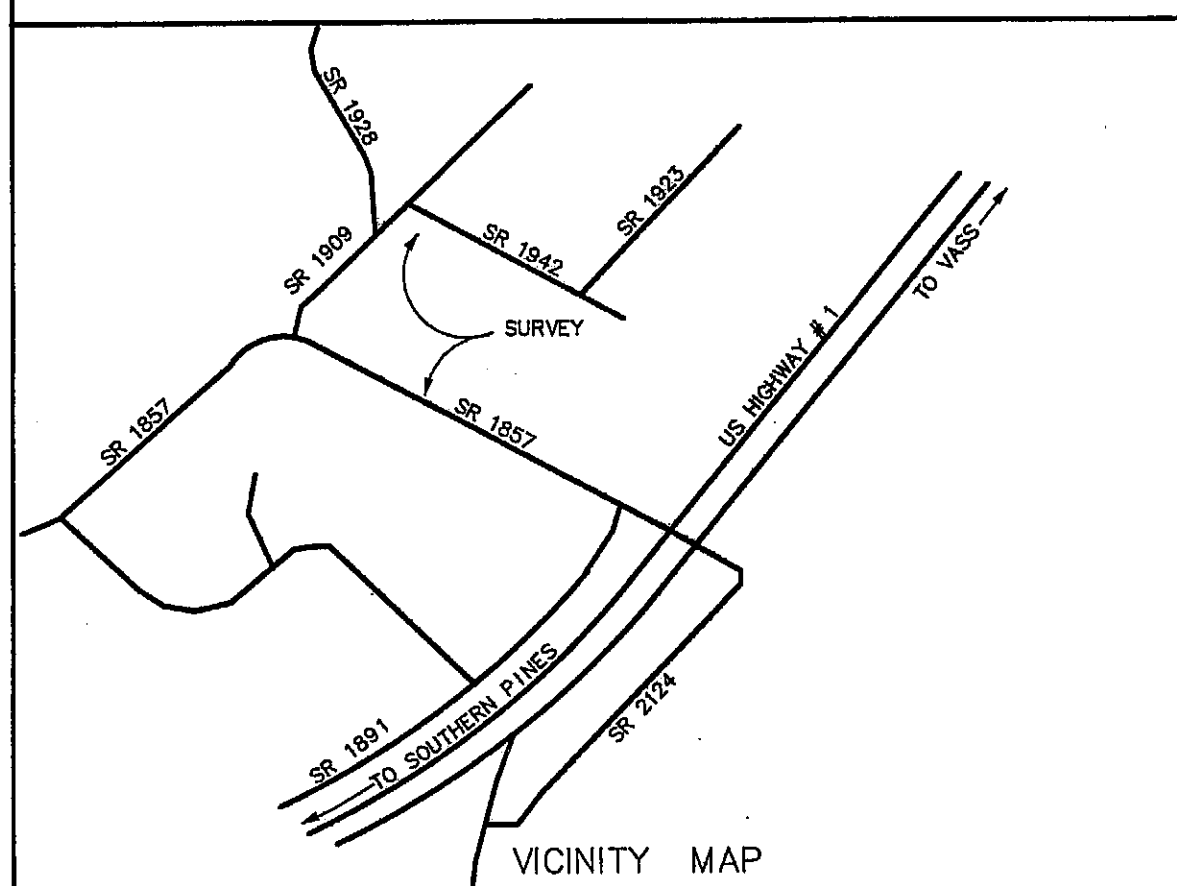
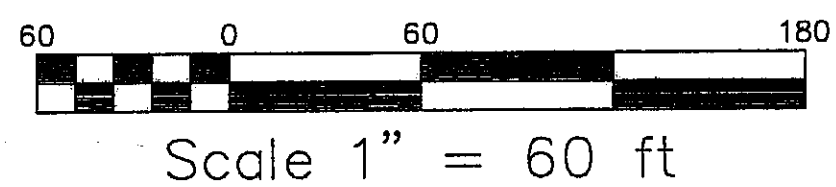
REVISIONS
1 SUBDIVIDE PROPERTY DECEMBER 11, 2001
2 REVISE TRACTS # 1 AND 2 MARCH 18, 2002



SUMMARY TRACT # 1
GB-CD CONTAINS 1.987 ACRES
UNDEVELOPED AREA 1.284 ACRES
IN R/W 0.784 ACRES
NET 2.487 ACRES

WALKING PATHS
NATURAL SANDS

PROPOSED SITE
PLAN FOR TRACT #1
"UNDEVELOPED" AREA
1" = 60'



CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED HEREON, WHICH PROPERTY IS WITHIN THE SUBDIVISION REGULATION JURISDICTION OF THE TOWN OF SOUTHERN PINES, AND THAT I FREELY ADOPT THIS PLAN OF SUBDIVISION.

3/19/02
DATE
OWNER

CERTIFICATE OF APPROVAL

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3/19/02
DATE
PLANNING DIRECTOR

STATE OF NORTH CAROLINA, COUNTY OF MOORE

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

DATE REVIEW OFFICER

NORTH CAROLINA, MOORE COUNTY
PRESENTED FOR REGISTRATION ON THE DAY
OF 20 AT M.
RECORDED IN PLAT CABINET SLIDE

JUDITH M. ADAMS, REGISTER OF DEEDS

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SURVEY FOR

COREY D. LONGSTREET

ADDRESS: 1630 VALLEY VIEW ROAD, SOUTHERN PINES, NORTH CAROLINA 28387
SURVEY: McNEILL TOWNSHIP, MOORE COUNTY, NORTH CAROLINA

I, MITCHELL W. COLE, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 886, PAGE 43) THAT BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES AND DRAWN FROM DEEDS AS INDICATED; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED, WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 28 DAY OF SEPTEMBER, A.D., 19 99.



SEAL OR STAMP

COLE LAND SURVEYS, P.A.

483 WILMER ROAD
SAVANNAH, NORTH CAROLINA 27332
PHONE (910) 258-9340

SOUTHERN PINES REZONING APPLICATIONCASE: Z - 07-01

DATE: _____

To the Planning Board and Town Council of Southern Pines, North Carolina:

I, the undersigned, do hereby make application to change the zoning map of the Town of Southern Pines as herein requested.

- The property is located on the NORTH side of SR 1857 (VALLEY VIEW ROAD) (St., Ave., Dr., Ct.) between US #1 (St., Ave., Dr., Ct.) and SR 1909 (SKYLARK MANOR ROAD) (St., Ave., Dr., Ct.). The address is 1630 VALLEY VIEW ROAD and is known as Lot Number(s) 1, Block Number(s) 1, of Moore County Tax Map Number 64 - 7 MCNEILL Township. It has a frontage of 301.81 feet and an average depth of 280.00 feet, containing 1.987 acres.
- It is desired and requested that the foregoing property be rezoned from RS-2 District to GB/PCU* District for the following purpose: LOW VOLUME DISPLAY/SALE OF GARDEN ART AND STATUARY.
- *GENERAL BUSINESS / PARALLEL CONDITIONAL USE
A metes and bounds description must be attached to this application.
- The following are all individuals, firms or corporations owning property adjacent to both sides and rear, and the property across the street from the property sought to be rezoned. (Use reverse side if needed).

Township <u>MCNEILL</u>	Tax Map Number	Block	Lot	Name	Address
	<u>76</u>	<u>1</u>	<u>19</u>	<u>NC VETERINARY RESEARCH FOUNDATION</u>	<u>6045 US 1 NORTH S. PINES, NC 28387</u>
	<u>78</u>	<u>97</u>	<u>423</u>	<u>NC STATE UNIVERSITY AT RALEIGH</u>	<u>PO BOX 5067</u> <u>RALEIGH, NC 27650-0000</u>
	<u>74B</u>	<u>1</u>	<u>2</u>	<u>A2 GOLF CLUB OF NC, LLC.</u>	<u>4101 US HWY 1 NORTH</u> <u>SOUTHERN PINES, NC 28387</u>

I certify that all information furnished in this application is accurate to the best of my knowledge.

Petitioner's Name: COREY D. LONGSTREETPetitioner's Signature: [Signature]Mailing Address: 1630 VALLEY VIEW ROAD SO. PINES, NC 28387Phone Number: 910-692-0006

- Property Owner: COREY D. LONGSTREET
- Signature: [Signature]
- Mailing Address: 1630 VALLEY VIEW ROAD SO. PINES, NC 28387
- Phone Number: 910-692-0006

Property Owner's Signature Is Required Before Application is Accepted.

Note: If the request is made by a corporation, the names and addresses of all officers in the corporation must be provided. A request for a "Parallel Conditional Use District" must also be accompanied by a letter from the owner or an authorized officer of the corporation indicating their agreement to abide by the conditions of approval imposed by the Town Council.

The applicant or his representative is expected to attend all meetings to answer questions concerning the request. The absence of the applicant is sufficient grounds to warrant a deferral of action by the Planning Board and/or the Town Council.

Corey D. Longstreet
1630 Valley View Road
Southern Pines, NC 28387
(910) 692-0006 Tel.
(910) 692-0963 Fax.

November 28, 2001

Southern Pines Town Council
145 SE Broad Street
Southern Pines, NC 28387

RE: Z-07-01 General Business- parallel Conditional Use

Thank you for your perseverance in hearing my request after such a long evening at the last Council meeting. Since that meeting I have met with Mr. Bart Nuckols. Following his excellent advise, I am writing to clarify the intentions of my zoning request.

The purpose of the Southern Pines Unified Development Ordinance, pertaining to buffers, agrees with my philosophy and plans for the request/ project. The natural existing vegetation in buffer areas exceeds the requirements of the UDO and I would like to keep these areas undisturbed. Trees will not be cut nor will any grading work be performed inside buffer areas. Walks and paths shall run through buffers as allowed by the UDO. Driveway shall meet requirements. Existing vegetation shall be used to comply with all requirements and provide the same level of obscurity as a planted buffer. I intend to use plant materials and / or other landscape architectural elements to further augment and obscure view from other properties. As allowed by the UDO, I request the 50% reduction in buffers because of the existing healthy vegetation that is more than sufficient to meet the requirements of the Ordinance in part or in whole. The use of existing and proposed opaque fencing (as depicted on attached plan) and existing topographical features will further achieve the intent of the Ordinance and will compliment and enhance adjacent properties. Decorative aluminum fence will also be installed as shown on the attached plan and detail sheet.

I am working with Mr. Tommy Howe of Aurora Hills to develop a landscape plan for the building and retail display areas located outside of the buffers. No tree cutting or grading operations are planned for these areas. Landscape screening shall also be used in the retail areas as backdrops for the display of architectural and garden elements.

I will utilize existing clearings for the driveway, parking and building to maintain the existing longleaf pine forest. The proposed building shall meet the architectural requirements of the Town of Southern Pines. Trees will be removed only as necessary in strict accordance with UDO requirements and forest management guidelines. My intent is to preserve the natural beauty that is unique to Southern Pines.

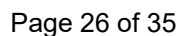
A copy of the plan with proposed buffer areas shown is attached for your use. I will have a revised plan prepared for the December meeting. I invite any / all of the Council members to visit the site prior to the meeting. Please call me at 692-0855 to schedule this visit.

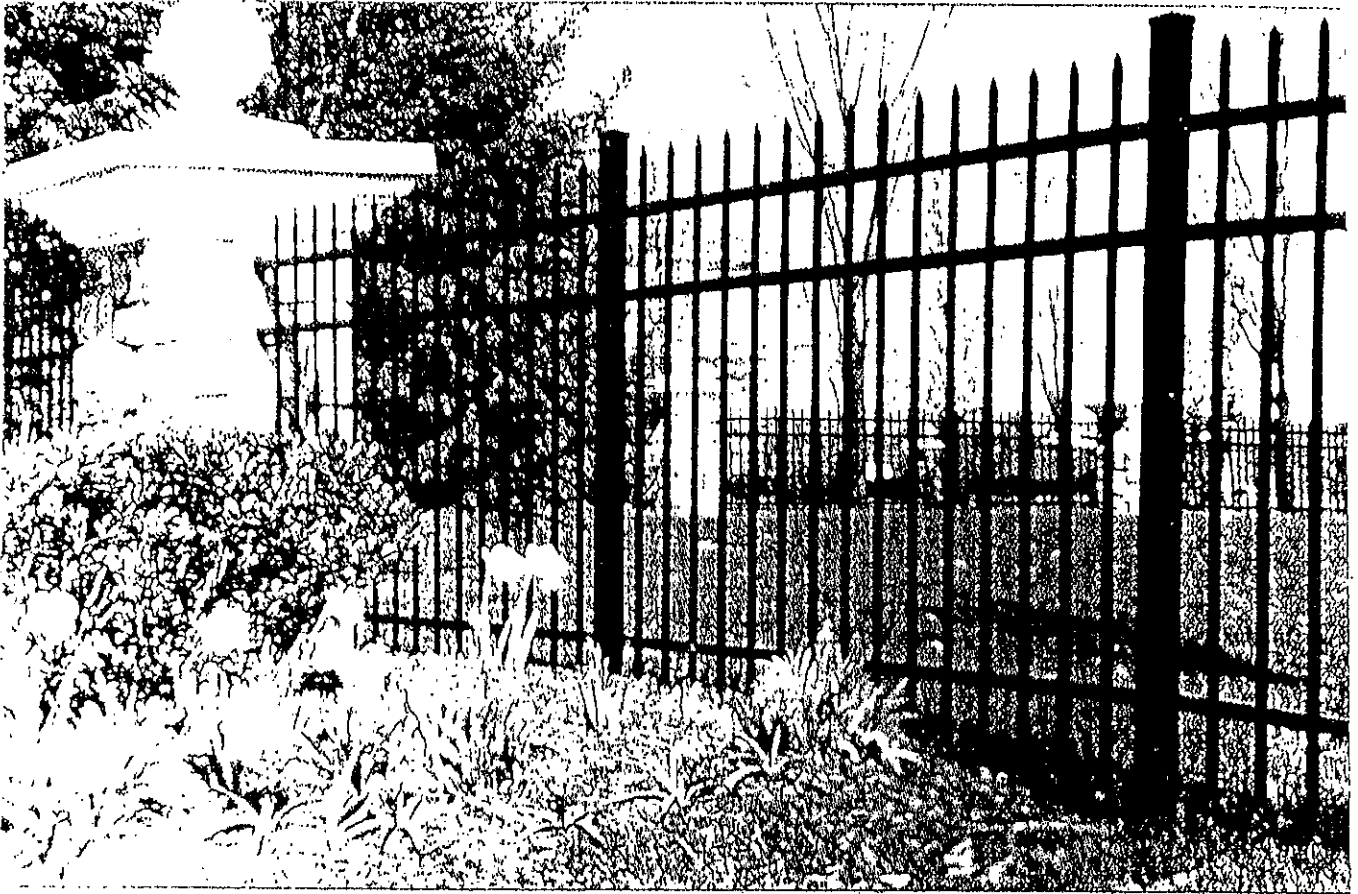
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Corey D. Longstreet', written in a cursive style.

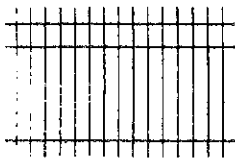
Corey D. Longstreet

- = 6'-0" SOLID WOOD FENCE (EXISTING)
- = 6'-0" SOLID WOOD FENCE (PROPOSED)
- = 6'-0" DECORATIVE ALUMINUM FENCE (PROPOSED)





1 MADRID



Avalon
Avalon
Madrid



February 5, 2002

RE: 1.98 Acres at the corner of U.S. 1 and Valley View Rd., Southern Pines, NC 28387

To Whom It May Concern:

I have inspected the above referenced property at the Request of Corey Longstreet.

It is my opinion the this property's highest and best use would be as commercial property due to its location and proximity to U.S. 1 and its proximity to existing commercial properties.

The property would not be very marketable as a residential property due to its close proximity to U.S. 1 highway.

Sincerely,

A handwritten signature in cursive script that reads 'Allen Davidson'.

Allen Davidson
Vice President

Corey D. Longstreet
1630 Valley View Road
Southern Pines, NC 28387
(910) 692-0006 Tel.
(910) 692-0963 Fax.

February 6, 2002

Southern Pines Town Council
145 SE Broad Street
Southern Pines, NC 28387

RE: Z-07-01 General Business- parallel Conditional Use

Dear Members of the Town Council,

I am writing this short letter in preparation of the February 12, 2002 meeting. Prior to exploring the use of my property as a venue for my proposed business, I undertook an exhaustive search of southern Moore County for a location that has the existing natural beauty to augment with gardens, paths, etc.. No such location can be found. After meeting with Bart Nuckols last September to discuss the possible use of my property, we agreed that the expensive parallel conditional use application was the appropriate way to protect and ensure the natural beauty of the area.

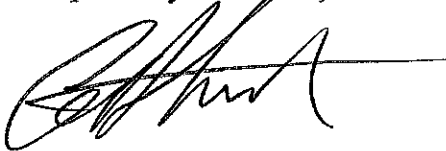
The application and presentation to the Planning Board at the October 2001 public meeting had no public opposition and was unanimously approved. The following month, November 2001 this application/ presentation was brought to the Town Council. I patiently waited for my chance to address the Council. Due to the lengthy hearing on the Humane Society and the change in the agenda of scheduled hearings, my application was heard last at about 12:40 AM., again with no opposition. Understandably my application was to be continued at the next meeting. Prior to the December meeting a letter of my intent with a plot plan was supplied for the Council's use. At the December 2001 meeting (again with no opposition), I was told if I were to push for an immediate decision that I would not like the outcome. Mr. McInerney instructed me that if I would wait until the next meeting and be patient, that I would be pleased with the outcome.

My intention remains to tastefully decorate and display statuary (no larger than ten feet tall), working fountains and architectural elements, along natural paths and gardens created to enhance the natural beauty of the Longleaf Pine forest. The proposed use will be attractive to visitors to and the residents of Southern Pines. I will comply with all regulations and am confident that the Planning and Inspections Department will scrutinize and approve my plans as set forth. I share the Council's concerns and disapproval of the statuary manufacturing/ retail entities located in Rockingham N.C. that have been in operation for the last 20- 30 years. I will not have any manufacturing operations nor will there be vast inventories stacked on pallets haphazardly scattered around the site encircled by chain link fencing.

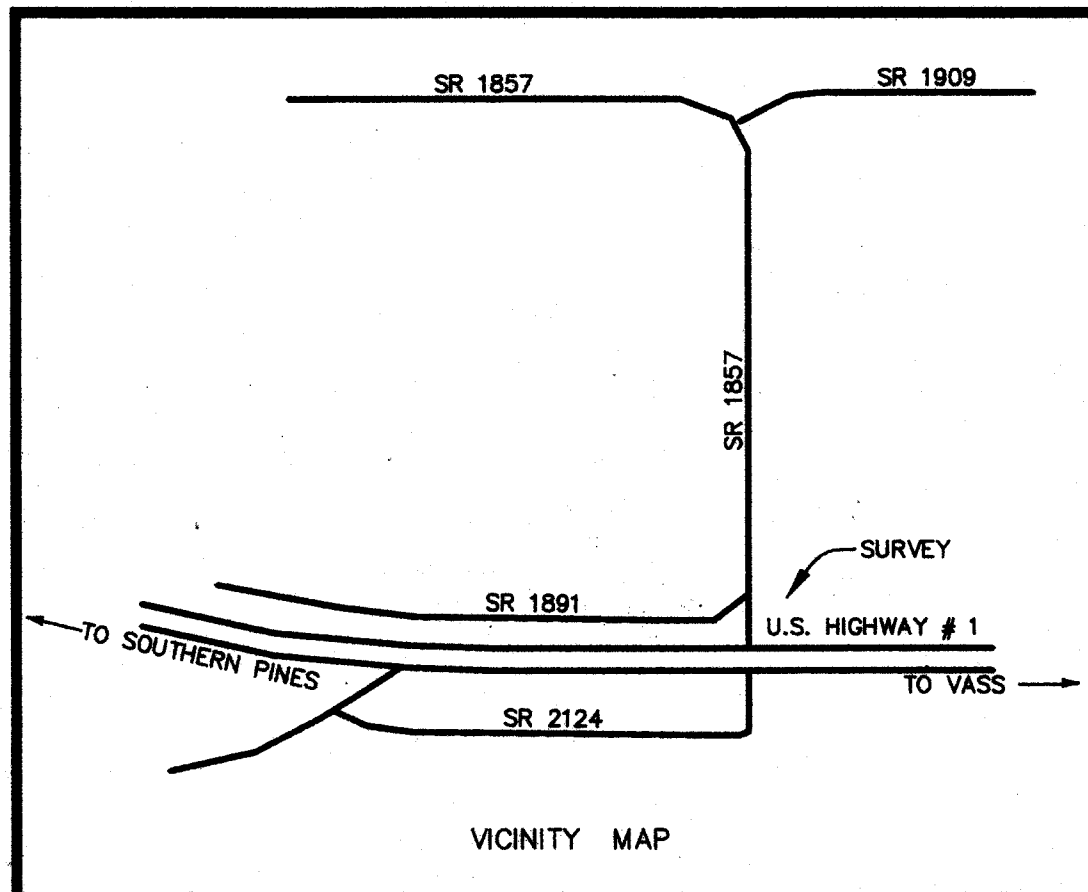
The present zoning allows for uses such as: neighborhood utility facility, 50' tall tower/ antennas, satellite dishes, bed and breakfast establishment and a church/ synagogue. These uses would be far more detrimental to the natural beauty and forest than my proposed use. In addition, I am constantly contacted by the timber companies to harvest the stand of trees which is another negative possible option. Please read the attached letter from my bank, in response to my inquiry of funding a residential project on the site as presently zoned.

The invitation to tour the proposed site remains open. I respectfully request that the Town Council give this proposal it's due consideration based on information submitted in the public hearings (no public opposition) and information submitted directly to the Council, and reward my patience with a positive outcome.

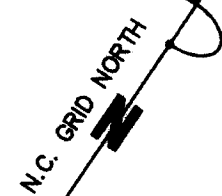
Respectfully submitted,

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

Corey D. Longstreet



VALLEY VIEW ROAD S.R.# 1857



COREY D. LONGSTREET
DEED BOOK 886, PAGE 43
(REMAINING PORTION EXCEEDS TEN ACRES)

WILLIAM A. DELANEY &
BARBARA S. DELANEY
DEED BOOK 1049,
PAGE 389

CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED HEREON, WHICH PROPERTY IS WITHIN THE SUBDIVISION REGULATION JURISDICTION OF THE TOWN OF SOUTHERN PINES, AND THAT I FREELY ADOPT THIS PLAN OF SUBDIVISION.

9/21/01
DATE

[Signature]
OWNER

CERTIFICATE OF APPROVAL

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DATE

PLANNING DIRECTOR

STATE OF NORTH CAROLINA, COUNTY OF MOORE

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

DATE

REVIEW OFFICER

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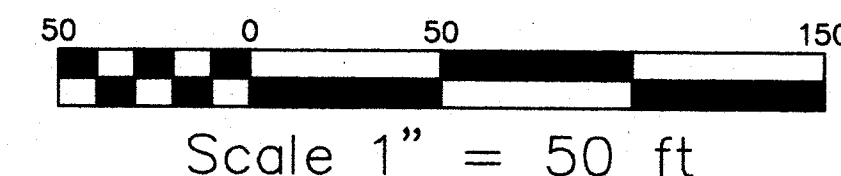
SEAL OR STAMP

N.C.G.S. STATION
"WSPER"

POINT OF BEGINNING
CONTROL CORNER
nail found in traffic
island

U.S.

HIGHWAY # 1
(RIGHT OF WAY VARIES)



NOTE :
1- BEING A PORTION OF THE COREY D. LONGSTREET PROPERTY DESCRIBED IN DEED BOOK 886, PAGE 43, MOORE COUNTY REGISTRY.

DATE :
SEPTEMBER 17, 2001

REVISIONS :

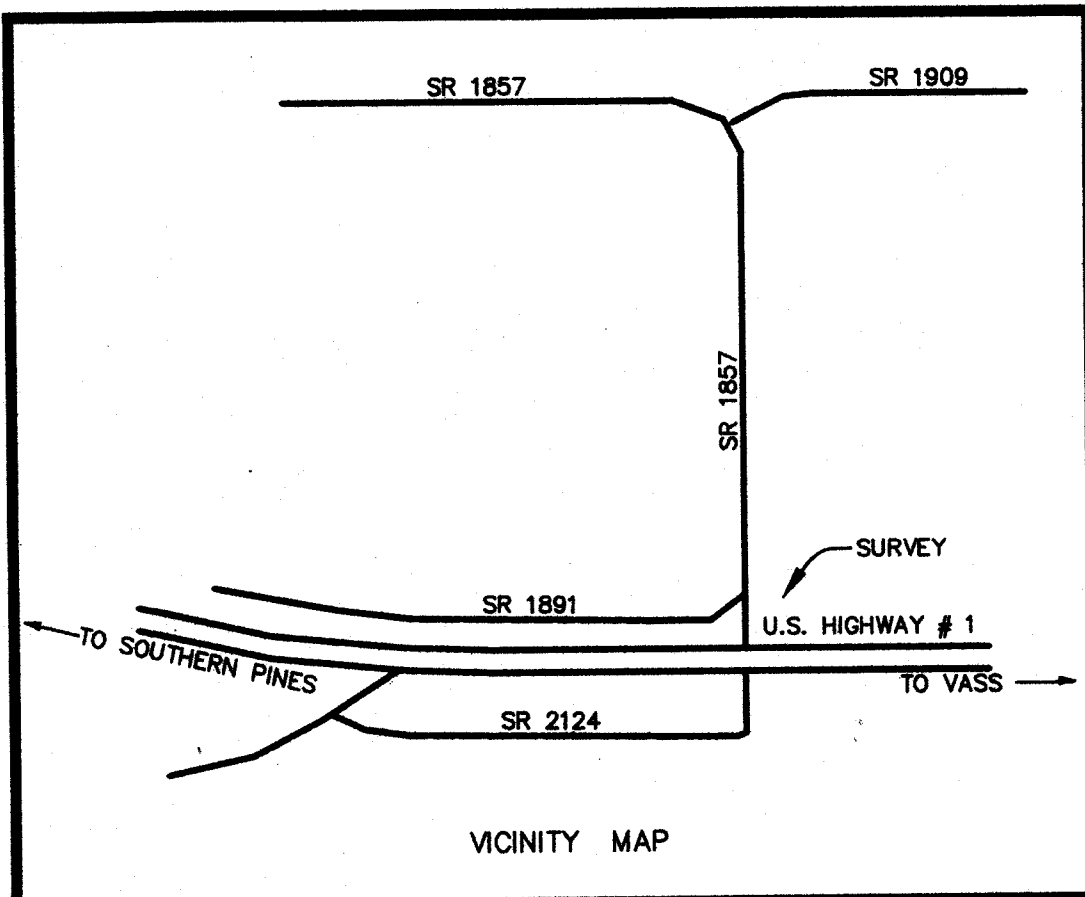
SURVEY FOR

COREY D. LONGSTREET

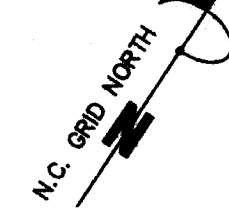
ADDRESS : 1630 VALLEY VIEW ROAD, SOUTHERN PINES, NORTH CAROLINA 28387
SURVEY : McNEILL TOWNSHIP, MOORE COUNTY, NORTH CAROLINA

COLE LAND SURVEYS, P.A.

483 WILMER ROAD
SNFORD, NORTH CAROLINA 27332
PHONE (919) 258-9340



VALLEY VIEW ROAD
S.R.# 1857



COREY D. LONGSTREET
DEED BOOK 886, PAGE 43
(REMAINING PORTION EXCEEDS TEN ACRES)

WILLIAM A. DELANEY &
BARBARA S. DELANEY
DEED BOOK 1049,
PAGE 389

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DATE _____ OWNER _____

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DATE _____ PLANNING DIRECTOR _____

STATE OF NORTH CAROLINA, COUNTY OF MOORE

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DATE _____ REVIEW OFFICER _____

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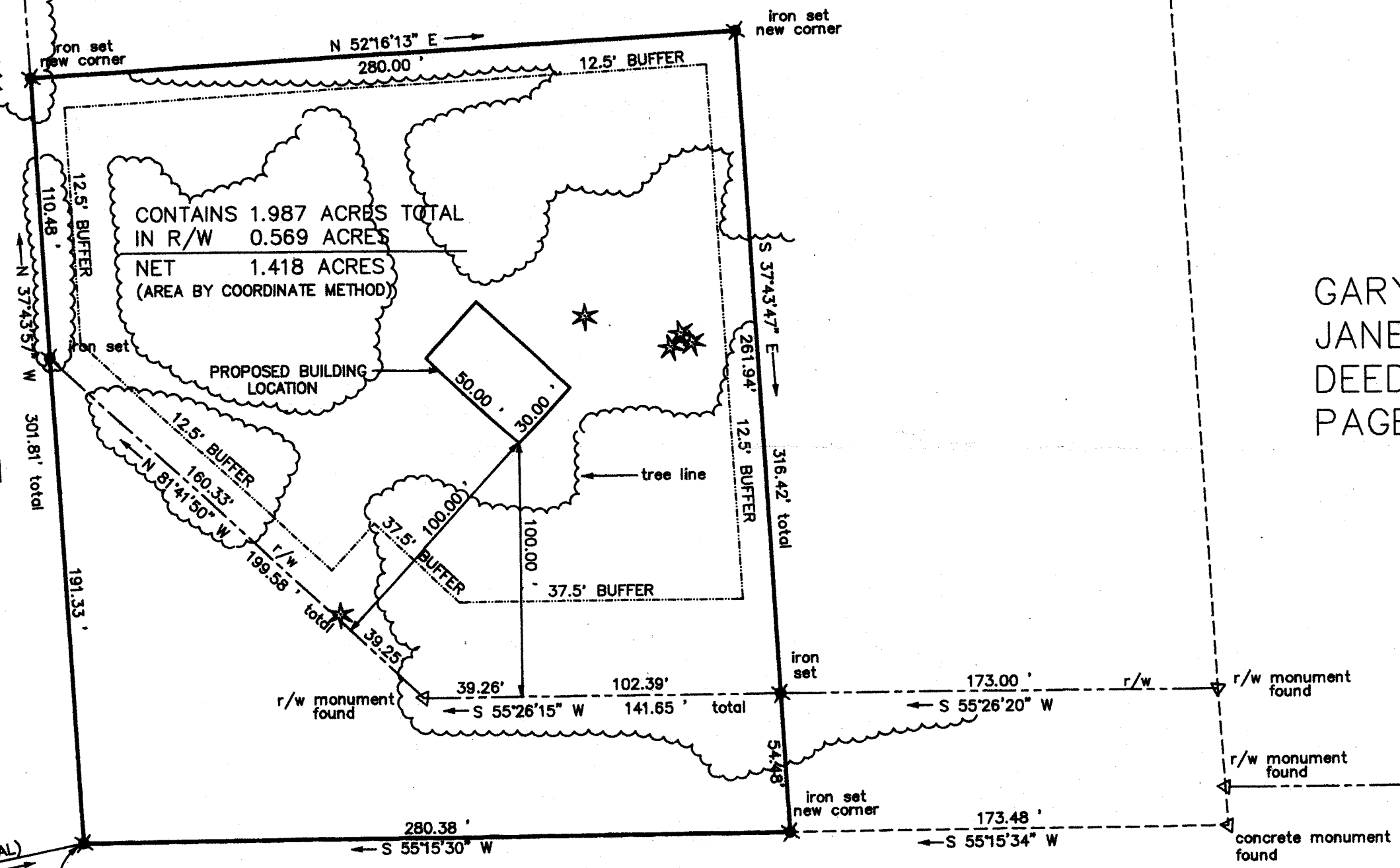


Mitchell W. Cole
SURVEYOR
REGISTRATION NUMBER L-2856

553.43' (HORIZONTAL)
N 43°56'21" E

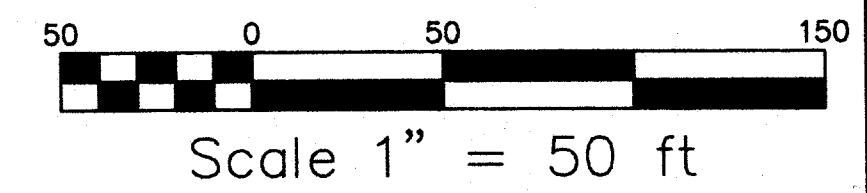
N.C.G.S. STATION
"WISPER"

POINT OF BEGINNING
CONTROL CORNER
nail found in traffic
island



GARY B. THOMAS, SR. &
JANE H. THOMAS
DEED BOOK 1043,
PAGE 117

U.S. HIGHWAY # 1
(RIGHT OF WAY VARIES)



NOTE:
1- BEING A PORTION OF THE COREY D. LONGSTREET PROPERTY DESCRIBED IN DEED BOOK 886, PAGE 43, MOORE COUNTY REGISTRY.

DATE:
SEPTEMBER 17, 2001

REVISIONS:
DECEMBER 2, 2001

SURVEY FOR

COREY D. LONGSTREET

ADDRESS: 1630 VALLEY VIEW ROAD, SOUTHERN PINES, NORTH CAROLINA 28387
SURVEY: McNEILL TOWNSHIP, MOORE COUNTY, NORTH CAROLINA

COLE LAND SURVEYS, P.A.

483 WILMER ROAD
SNFORD, NORTH CAROLINA 27332
PHONE (919) 258-9340

MINUTES

Regular Meeting of the Town of Southern Pines Town Council February 12, 2002, 7:00 PM, Council Chambers

Present were: Mayor Frank Quis, Mayor Pro-Tem Michael Haney,
Councilmember John McInerney, Councilmember Marquita Daniels

Absent: Councilmember Elizabeth Rounds

Councilmember Daniels made a motion to add as Item 5 to the agenda, Moore County Transportation Plan Committee Appointments. Motion was seconded by Councilmember McInerney and carried unanimously.

1. Consent Agenda

- A. Adopt minutes of regular meeting of December 11, 2001, and Special Meeting of December 17, 2001, as written.
- B. Annexation – AX-01-02, McNeil, L.P.
 - Resolution Directing Clerk
 - Resolution calling Public Hearing
- C. Resolution Confirming Non-Inclusion of Street
 - Elm Circle
- D. Board Appointments
 - Appearance Commission – Martha Graham
 - Fireman's Relief Fund Board – Johnny Burns
- E. Longleaf Minor Modification
- F. G.S. 143-64.32 Resolution
- G. Certification of Firefighter Roster

Upon motion by Councilmember McInerney, seconded by Mayor Pro Tem Haney and carried unanimously, the Consent Agenda was adopted.

2. Referrals

A. Z-05-01 Pete Mace

Request to rezone 156.5 acres from RS-2 and RS-3 (Residential Single Family) to RE (Rural Estate). The property is located on the North side of Camp Easter Road/Aiken Road and East of NC Hwy.22.

Clyde Holt, Attorney for the petitioner faxed a request to defer the vote on this issue to a later date. Council decided to continue with the vote.

Mayor Pro Tem Haney made a motion to deny Z-05-01. Motion was seconded by Councilmember McInerney.

Councilmember Daniels stated she has been to the site – it's beautiful. The use is more properly RE – Councilmember Daniels doesn't want to see 150 houses in this area. She stated she would rather see 12-14 houses – this would keep the ambiance. She does not see this as urban area.

The vote was called as follows:

Daniels – No
McInerney – Aye
Haney – Aye
Quis – Aye

Motion carries.

B. Z-07-01 Corey Longstreet

Request to rezone 1.987 acres from RS-2 (Residential Single Family) to GB-CD (General Business-Parallel Conditional Use). The property is located at S.R. 1857 Valley View Road and Us Hwy #1.

Councilmember Daniels made a motion to adopt Z-07-01 based on the CU as stated. Motion was seconded by Councilmember McInerney.

Councilmember Daniels said she'd gone to the site. It's noisy with traffic and not a place for a house. This is probably a much better use than other things.

The Mayor inquired what the zoning is limited to. Mr. Nuckols replied statutory sales.

Mayor Pro Tem Haney asked if the property was sold, what will the use be? Mr. Nuckols responded the same.

The Mayor stated he wants to make sure the entry way to Southern Pines is protected.

Councilmember McInerney stated this is "worth a shot".

The motion was called as follows:

Daniels – Aye
McInerney – Aye
Haney – Aye
Quis – No

Motion carries.