

# AGENDA

## March 3, 2021, 6:00 PM Town Council Virtual Agenda Meeting Agenda

- Attend using your computer or smartphone to watch and listen to the proceedings and to provide comment when prompted. Register for the meeting in advance by going to: <https://attendee.gotowebinar.com/register/7892165134600678412>
- Attend using your telephone to listen to the proceedings and to provide comment when prompted. At the meeting time, dial (562) 247-8422 then use Audio Access Code 875-186-243.
- Attend using the GoToWebinar app on your tablet or smartphone by entering Webinar ID 960- 300-411.

### Call to Order

1. **Manager's Comments**
2. **Consent Agenda**

*The following items are proposed for the consent agenda at the March 9, 2021 Council regular business meeting. Consent agenda items are considered routine and will be enacted by one motion and without discussion.*

- A. Adopt Worksession Meeting Minutes of January 25, 2021, Agenda Meeting Minutes of February 3, 2021 and Regular Business Meeting Minutes of February 9, 2021
- B. Approve Appointment to Appearance Commission

3. **Public Hearings**

**Per GS §166A-19.24(e) no action may be taken until at least 24 hours after a remote public hearing to allow for additional written comments. All reports below are prepared accordingly.**

**Therefore, decisions and adoption of all required documents (such as Findings of Fact, Written Decisions, Plan Consistency Statements, Ordinances, etc., as applicable) will occur at the March 9, 2021 Regular Business Meeting.**

- A. Refinancing the Installment Contract for the Fire Station

4. **Future Agenda Items**

- A. PD-01-21: A Four Phased Planned Development District Conceptual Development Plan to accommodate the development of mixed land uses; 175 Yadkin Road; Applicant: Rickhouse Properties, LLC; Brad and Jessica Halling  
This item has been advertised for a public hearing for the March 9, 2021 agenda and will be included on the March 22, 2021 agenda for Council consideration.

5. **Public Comments**

## ***PUBLIC COMMENT PROCEDURES***

The Southern Pines Town Council is committed to allowing members of the public an opportunity to offer comments and suggestions. In addition to public hearings, a special time is set aside for the purpose of receiving such comments and suggestions. All comments and suggestions addressed to the Council during the Public Comment Period shall be subject to the following procedures:

1. The Public Comment Period will be held at the end of the Council Meeting.
2. Each person choosing to speak is asked to keep their statements to a reasonable length in time in recognition that others may also wish to speak and that the Council requires time to conduct its normal business. The Chair retains the right to limit discussion as he/she deems necessary.
3. Speakers will be acknowledged by the Mayor/Chair. Speakers will address the Council from the lectern at the front of the room and begin their remarks by stating their name and address for the record.
4. Public comment is not intended to require the Council and/or staff to answer any impromptu questions. Speakers will address all comments to the entire Council as whole and not one individual member. Discussions between speakers and members of the audience will not be permitted.
5. Speakers will be courteous in their language and presentation. Matters or comments which are harmful, discriminatory or embarrassing to any citizens, official or employee of the Town shall not be allowed. Speaker must be respectful and courteous in their remarks and must refrain from personal attacks and the use of profanity.
6. Any applause will be held until the end of the Public Comment Period.
7. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Clerk to the Council.
8. Speakers shall not discuss any of the following: matters which concern the candidacy of any person seeking public office, including the candidacy of the person addressing the Council; matters which are closed session matters, including but not limited to matters within the attorney-client privilege, anticipated or pending litigation, personnel, property acquisition, matters which are made confidential by law; **matters which are the subject of public hearings.**
9. Action on items brought up during the Public Comment Period will be at the discretion of the Council.

# MINUTES

## Virtual Worksession Town of Southern Pines Monday January 25, 2021, 3:00 pm

### January 25<sup>th</sup>, 2020 3:00 PM Town Council Work Session:

- Attend using your computer or smartphone to watch and listen to the proceedings and to provide comment when prompted. Register for the meeting in advance by going to: <https://attendee.gotowebinar.com/register/5981881327664756749>
- Attend using your telephone to listen to the proceedings and to provide comment when prompted. At the meeting time, dial (914) 614-3221 then use Audio Access Code 258-691-511.
- Attend using the GoToWebinar app on your tablet or smartphone by entering Webinar ID 320- 484-571

### Worksession Agenda

#### Call to Order

Mayor Haney welcomed everyone to the meeting and thanked Mayor Pro Tem Murphy and Councilman Saulnier along with Police Chief Polidori and the Southern Pines Police Department for the peaceful MLK caravan with over 170 cars that participated. Mayor Haney welcomed new Assistant Town Manager Jessica Roth who will start with the Town on January 28<sup>th</sup>.

#### 1. **Miscellaneous** *(These items to be acted on by the Council during the 01-25-21 meeting)*

##### A. CU-08-20, Conditional Use Permit; 150 S Page Street

Councilman Saulnier moved to Adopt Attachment “A” of the staff report as our Findings of Fact regarding the proposed Conditional Use Permit CU-08-20. This motion was seconded by Mayor Pro Tem Murphy and carried unanimously 5-0 as follows:

Mayor Haney – Aye  
Mayor Pro Tem Murphy – Aye  
Councilman Lancaster – Aye  
Councilman Pate – Aye  
Councilman Saulnier – Aye

Councilman Saulnier moved to Approve the Conditional Use Permit CU-08-20. This motion was seconded by Mayor Pro Tem Murphy and carried unanimously 5-0 as follows:

Mayor Haney – Aye  
Mayor Pro Tem Murphy – Aye  
Councilman Lancaster – Aye  
Councilman Pate – Aye  
Councilman Saulnier – Aye

Councilman Saulnier moved to Approve the Written Decision for CU-08-20 as prepared by Town Staff. This motion was seconded by Mayor Pro Tem Murphy and carried unanimously 5-0 as follows:

Mayor Haney – Aye  
Mayor Pro Tem Murphy – Aye  
Councilman Lancaster – Aye  
Councilman Pate – Aye  
Councilman Saulnier – Aye

##### B. Award of PW Annex Construction bid contingent on LGC loan approval – Progressive Construction

Town Manager Parsons provided an overview of the item.

Discussion ensued regarding what the contract covers in totality with a 6-9-month turnaround that will be completed in phases with exterior work being done along the whole construction term.

Councilman Saulnier motioned to award the construction project to Progressive contingent upon approval of the LGC loan. This motion was seconded by Mayor Pro Tem Murphy and carried unanimously 5-0 as follows:

Mayor Haney – Aye  
Mayor Pro Tem Murphy – Aye  
Councilman Lancaster – Aye  
Councilman Pate – Aye  
Councilman Saulnier – Aye

## **2. Discussion regarding speed limit/traffic requests:**

### **A. Indiana Avenue**

Town Manager Parsons provided an overview of the item while referring to the documents in the staff memo. Town Manager Parsons discussed the additional traffic that will be on this road in the coming months and stated based upon the additional research that has been done by the Town, Police Chief and Town Attorney, our current statutes would not allow us to change any current road conditions. Town Manager Parsons discussed the possibility of reducing the speed limit back to the traditional 35 mph.

Councilmember Saulnier asked who is ultimately responsible for enforcing the speed limit in this area. Town Manager Parsons stated the NC Highway Patrol.

Discussion ensued amongst Council regarding the traffic history of this property and they unanimously agreed to acquire more information prior to the next meeting. Town Manager Parsons suggested they look at the language in the Rocky Mount documents and compare what we can incorporate here.

Discussion ensued regarding trucks traveling and stopping in the downtown area, street lights, changing traffic patterns, what sources are available to the Town that could be enforced, etc. Council unanimously agreed to get more information from NCDOT prior to moving forward to further discuss.

### **B. Talamore/Highland View Dr.**

Tony Maramarco, president of the HOA at Talamore discussed the history of this subdivision, the concerns with signage and the traffic flow with current speed limits.

Town Manager Parsons the packet does include two more recent speed studies that have been conducted in addition to information Tony has provided. Mr. Parsons stated he does appreciate the approach that has been taken toward this as more discussion continues toward a resolution or ordinance.

Councilmember Lancaster discussed the members of the board having multiple comments of antidotal ideas and similar areas that have gone under a speed limit reduction in the past.

Discussion ensued.

Councilmember Saulnier stated he would like to have more feedback about this from other residents besides just the board members.

Discussion ensued.

Mr. Maramarco stated for some odd reason, these signs must have been put there for some reason. Town Manager Parsons discussed the usual speed limit regulations within town limits.

Discussion ensued.

Council unanimously agreed to further research this and discuss more.

## **3. Discussion regarding Moore County consideration of increasing the Occupancy Tax at the request of the Convention and Visitors Bureau**

Town Manager Parsons provided an overview of the item with updates.

Town Manager Parsons reviewed the current occupancy tax rates of 3%, which is universally low and unique around the state in that in most counties some portion of monies makes its way back to the local municipalities. Moore County is set up differently as all monies goes to the CVB with essentially 1/3 toward operations and 2/3 towards marketing/advertising. Mr. Parsons further discussed how this works and explained the possibilities for an increased tax rate including the current CVB proposal that would create a Tourism Development Fund that applicants could apply through for projects.

Mayor Haney stated this project is very near and dear to her heart and discussed how the Town has so many people involved in the clean-up of the community and the expenses that are incurred after the events that we bring in. Mayor Haney stated all those people that come in here make money from the events and they should help pay for the clean up afterwards.

Councilmember Pate asked what the neighboring Towns are doing regarding these taxes.

Town Manager Parsons stated he has researched this information and distribution differs from County to County. Both Aberdeen and Pinehurst have expressed an interest in receiving money from these taxes. Aberdeen has the new Athletic Complex under construction, Pinehurst a new Recreation Center and of course we have the recent Whitehall purchase, to provide just a few examples of the types of projects that could benefit from funds and provide tourist options. The state has to allow for a percentage to go to the municipalities, so even if we were to convince the Commissioners a Local bill may have to be introduced.

#### **4. Discussion regarding DFI Phase II contract proposal**

Town Manager Parsons provided an overview of the item with a map.

Sarah Odio and Marcia Perritt provided a slide show presentation and explained the proposed mixed-use plans with cost ranges, add-on services and recommendations.

General discussion ensued amongst Town Manager Parsons, Council, Ms. Odio and Ms. Perritt.

Councilmember Saulnier asked if the Town would be taking on this cost with a private developer or will the private developer have this cost for our vision. Ms. Odio stated the private sector will take on this cost with minimized public financial input.

Councilmember Saulnier asked why do we need a private architect then. Ms. Odio explained why one would be needed to represent the public on what would fit, cost and what would work.

Town Manager Parsons stated this would include a site analysis, etc.

Mayor Haney asked if they could choose who they hire or is it all or nothing at any given time and if Council has a change, how would that effect the cost.

Ms. Odio stated they prefer and have policy to make all the pieces work together to meet specifications for the final product. But we will do damage control as needed. We work to find a middle ground to make it protected and profitable for everyone involved.

Ms. Perritt further explained the process.

Councilman Saulnier elaborated more on what they could expect in services to make this a reality.

Ms. Odio stated yes, that is their job to make this a pleasing outcome for all.

Discussion ensued regarding the value of the land, intentions of use, etc.

Ms. Perritt discussed how this property would connect with the rest of Southern Pines and the flow within and how they will estimate how they will move forward.

Discussion ensued.

Planning Director Grieve provided more input regarding similar efforts he had seen in the past and how this represented more than a simple extension of the Planning office due to the marketing of the plans after their development.

Councilman Lancaster discussed the proposed cost with the additional engagement with Ms. Odio. Ms. Perritt stated that would be an additional cost because if her time is not committed in the contract, it would be additional allotted time due to us being a small team and we charge more for this type of service, etc.

Councilmember Lancaster discussed his standpoint and stated this land is very large and valuable and he is interested in

moving forward with discussions on this.

Council unanimously agreed to tentatively move forward with more discussions on this item.

Discussion ensued.

Mayor Haney thanked Ms. Odio and Ms. Perritt for their time and commitment on this project.

No public Comments were made.

There being no further business the meeting adjourned at 4:55 pm.

As so incorporated to these minutes of January 25, 2021 are exact copies as so recorded in the ordinance and resolution books of the Town of Southern Pines as fully set out in the minutes.

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**Peggy K. Smith, Town Clerk**

DRAFT

## Minutes

### Town Council Virtual Agenda Meeting Agenda February 3, 2021, 6:00 PM

- Attend using your computer or smartphone to watch and listen to the proceedings and to provide comment when prompted. Register for the meeting in advance by going to: <https://attendee.gotowebinar.com/register/7509774781065057808>
- Attend using your telephone to listen to the proceedings and to provide comment when prompted. At the meeting time, dial (562) 247-8321 then use Audio Access Code 324-643-150.
- Attend using the GoToWebinar app on your tablet or smartphone by entering Webinar ID 253- 061-867.

#### Call to Order

#### Absent: None

Mayor Haney welcomed everyone to the meeting and stated she would like to add Elizabeth Oettinger's name to next weeks agenda for nomination on the Historic District Committee. Council unanimously agreed to this nomination.

1. **Manager's Comments**
2. **Consent Agenda - (Request for Adoption)**

*All items listed below are considered routine and will be enacted by one motion and without discussion.*

- A. Adopt Agenda Meeting Minutes of January 6, 2021, Closed Session Meeting Minutes of January 6, 2021 and Regular Business Meeting Minutes of January 12, 2021.
- B. Budget Amendments

<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>CODE</u>	<u>INCREASE</u>	<u>DECREASE</u>
Buildings & Grounds	Appearance Commission	10-640-5700	\$ 10,000.00	
General Fund	Fund Balance	10-397-1000	\$10,000.00	
Police	Miscellaneous Revenue	10-335-0000	\$8,973.00	
Police	Auto Repair/Patrol	10-511-1700	\$8,973.00	

- C. Capital Project Fund Ordinance Amendment

- Sewer Impact Fees Fund
- Water Impact Fees Fund
- Water Improvement Fund
- Sewer Improvement Fund

Town Manager Parsons provided an overview of the Consent Agenda.

Upon motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 5-0, the Consent Agenda was approved as presented.

3. **Public Hearings – (All Hearings below to be held at the February 9, 2021 Regular Business Meeting)**

**Per GS §166A-19.24(e) no action may be taken until at least 24 hours after a remote public hearing to allow for additional written comments. All reports below are prepared accordingly.**

**Therefore, decisions and adoption of all required documents (such as Findings of Fact, Written Decisions, Plan Consistency Statements, Ordinances, etc., as applicable) will occur at the February 22, 2021 Worksession Meeting.**

- A. AX-01-21: Public Hearing for a Request for Voluntary Annexation of Property Contiguous to the Corporate Limits of the Town of Southern Pines; ±157.51 Acres; Petitioner: Town of Southern Pines

Town Manager Parsons was available for questions regarding this annexation and none were voiced.

#### **4. Miscellaneous**

Mayor Haney thanked all of the members that participated in the West Southern Pines Task Force which included Lynn Dowdy, Kim Wade, Mitch Lancaster, Dr. Paul Murphy, Mitch Caple, Mike Fields and Peter Mamuzic. She stated on behalf of Council they express much gratitude for this dedicated, hardworking group of Southern Pines residents that got them where they are today with great feedback and results.

- A. Further discussion regarding the proposed DFI Phase II contract

Town Manager Parsons provided a detailed overview of the budget items included with this project moving forward with prospective site planning, etc.

Council unanimously agreed to move forward with discussion regarding this project.

Councilmember Saulnier stated he likes the idea of splitting the budget items between two fiscal years and asked when we go into the next step, would we need to add the extra 25%?

Town Manager Parsons replied in the affirmative and stated they would further discuss this at the Annual Budget Retreat.

Councilmember Lancaster commented this is a good point to bring up especially with large purchases and stated he agrees with the idea of splitting it between the two fiscal year budgets.

Town Manager Parsons explained the upcoming schedule for the virtual meetings and where to find it on line.

#### **5. Public Comments**

Kim Wade on behalf of the Southern Pines Civic Club asked Council if they approved the purchase of the land trust discussed in the DFI.

Discussion ensued regarding exactly what Council agreed to in regards to supporting West Southern Pines with the economic development.

Town Manager Parsons pulled up the DFI power point and explained the Town's intentions of support which describes the language of the Council being okay for DFI to work with the land trust to see what is feasible to move forward with.

Mayor Haney stated this document states that Council is in support of the redevelopment that is consistent with the town's history and not agreeing to the purchase.

Councilmember Lancaster stated he would like to see a plan of support prior to a redevelopment plan.

Ms. Wade stated she agrees and she wants to be clear on the language.

Upon motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 5-0, the meeting was adjourned.

There being no further business the meeting adjourned at 6:24 pm.

As so incorporated to these minutes of February 3, 2021 are exact copies as so recorded in the ordinance and resolution books of the Town of Southern Pines as fully set out in the minutes.

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Peggy K. Smith  
Town Clerk

**Minutes**

**Regular Business Meeting of the Southern Pines Town Council  
February 9, 2021, 6:00 PM, Virtual Meeting**

**February 9<sup>th</sup>, 2020 6:00 PM Town Council Regular Meeting:**

- Attend using your computer or smartphone to watch and listen to the proceedings and to provide comment when prompted. Register for the meeting in advance by going to: <https://attendee.gotowebinar.com/register/9008620235960390669>
- Attend using your telephone to listen to the proceedings and to provide comment when prompted. At the meeting time, dial (562) 247-8422 then use Audio Access Code 416-309-329.
- Attend using the GoToWebinar app on your tablet or smartphone by entering Webinar ID 617- 337-491.

**Call to Order**

Mayor Haney welcomed everyone to the meeting.

**Pledge of Allegiance**

1. **Manager's Comments**
2. **Consent Agenda - (Request for Adoption)**

*All items listed below are considered routine and will be enacted by one motion and without discussion.*

**A. Budget Amendments**

<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>CODE</u>	<u>INCREASE</u>	<u>DECREASE</u>
Planning	Professional Services	10-540-4600	\$ 47,100.00	
General Fund	Fund Balance Appropriations	10-397-1000	\$47,100.00	

**B. Board Appointments**

- Historic District Commission
  - o Elizabeth Oettinger Initial Appointment 2/9/2021 – 2/9/2025

**C. Acceptance of contract With the Development Finance Initiative for a Phase II Study and Continued Support**

Town Manager Parsons provided an overview of the Consent Agenda.

Upon Motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 5-0, The Consent Agenda was approved as follows:

Mayor Haney – Aye  
Mayor Pro Tem Murphy – Aye  
Councilmember Lancaster – Aye  
Councilmember Pate – Aye  
Councilmember Saulnier - Aye

3. **Public Hearings – (All Hearings below to be held at the February 9, 2021 Regular Business Meeting)**

**Per GS §166A-19.24(e) no action may be taken until at least 24 hours after a remote public hearing to allow for additional written comments. All reports below are prepared accordingly.**

**Therefore, decisions and adoption of all required documents (such as Findings of Fact, Written Decisions, Plan Consistency Statements, Ordinances, etc., as applicable) will occur at the February 22, 2021 Worksession Meeting.**

- A. AX-01-21: Public Hearing for a Request for Voluntary Annexation of Property Contiguous to the Corporate Limits of the Town of Southern Pines; ±157.51 Acres; Petitioner: Town of Southern Pines

Upon motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 5-0, the public hearing was opened.

Planning Director Grieve provided a brief over of the item.

No public comments were offered.

Upon motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 5-0, the public hearing was closed as follows:

Mayor Haney – Aye  
Mayor Pro Tem Murphy – Aye  
Councilmember Lancaster – Aye  
Councilmember Pate – Aye  
Councilmember Saulnier - Aye

#### **4. Public Comments**

Town Manager Parsons reminded the public of the log-in information for the upcoming Council Meetings and how to find it on the Town Website.

Lynn Thompson of Southern Pines inquired about the specific language referring to the scope of services included in Phase II of the DFI Study discussion at the Agenda Meeting last week. Ms. Thompson asked if the Task Force Committee has completed their job now and asked what the neighborhood advisory board would look like moving forward.

Mayor Haney commented that Council thanked the Task Force Committee last week for their work. She stated a small group of volunteers that have voiced their interest would be meeting tomorrow with her to discuss organizing a neighborhood committee to continue the Task Force Committee goals and they would be solely responsible for keeping their own minutes, agendas, interests, etc.

Town Manager Parsons stated as a part of the DFI support services of this group, they would be helping the Mayor and Council to organize and best assist in carrying out goals and effectively communicating with the community.

Ms. Thompson asked about how many people will be at this meeting tomorrow and will it be a public meeting.

Mayor Haney stated about five people will be meeting tomorrow to simply brainstorm some initial ideas with baby steps for a start.

No further comments were made.

Councilmember Lancaster discussed the good news of the reported lower COVID cases today in Moore County for the first time since November. He stated hospitalizations and ICU patients are finally coming down from a peak.

Mayor Haney stated more people are now able to obtain the vaccines, which could be a result of the lowering numbers.

Upon motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 5-0 the meeting was adjourned as follows:

Mayor Haney – Aye  
Mayor Pro Tem Murphy – Aye  
Councilman Lancaster – Aye  
Councilman Pate – Aye  
Councilman Saulnier – Aye

As so incorporated to these minutes of February 9, 2021 are exact copies as so recorded in the ordinance and resolution books of the Town of Southern Pines as fully set out in the minutes.

There being no further business the meeting adjourned at 6:14 p.m.

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Peggy K. Smith  
Town Clerk

DRAFT

# MEMORANDUM

**To:** Reagan Parsons, Town Manager  
**From:** Jessica Roth, Assistant Town Manager  
**Re:** Appearance Commission Appointment: Cynthia Dowdy  
**Date:** March 1, 2021

## Recommendation

**The Southern Pines Appearance Commission requests that Cynthia Dowdy be considered for appointment at the Council's business meeting on March 9, 2021, with a term to expire on March 8, 2024.**

## Background

Ms. Dowdy has applied for appointment to the Appearance Commission. She joined the Commission's most recent work session as a guest and the Commission has unanimously recommended her appointment. Ms. Dowdy's application is attached for review, along with a current roster for the Commission.

## Legal Review

In accordance with § 33.02 of the Town Code of Ordinances, the Appearance Commission consists of 13 members; 10 are residents of the Town and the remaining 3 are Moore County residents within the extraterritorial planning and zoning jurisdiction (ETJ) at the time of appointment.

- *The Commission currently has seven active members with unexpired terms. Ms. Dowdy resides at 245 North Leak Street and is eligible to fill one of the vacant seats to be held by a Town resident. Should Ms. Dowdy be appointed, five seats will remain. Three of the open seats are designated for Town residents and the remaining two for ETJ residents. The Commission is actively recruiting potential members for the remaining open seats.*

In accordance with § 33.04 of the Code of Ordinances, Appearance Commission members are appointed for staggered terms of three years and may hold no more than two successive full terms.

- *Ms. Dowdy's initial term would begin on March 9, 2021 and expire on March 8, 2024.*





## APPEARANCE COMMISSION ROSTER

In accordance with § 33.02 of the Southern Pines Code of Ordinances, the Appearance Commission consists of 13 members; 10 are residents of the Town and the remaining 3 are Moore County residents within the extraterritorial planning and zoning jurisdiction (ETJ) at the time of appointment.

In accordance with § 33.04, members are appointed for staggered terms of three years and may hold no more than two successive full terms.

<b>TOWN MEMBERS</b>					
	<b>Member</b>	<b>Initial Appointment</b>	<b>1<sup>st</sup> Full Term Appointment</b>	<b>2<sup>nd</sup> Full Term Appointment</b>	<b>Current Term Expiration</b>
1	Katherine Schirmer	11/14/18	11/14/18	--	11/14/21
2	Teresa Lenahan	3/2/14	10/31/16	11/1/19	10/31/22
3	Melissa Hall	10/9/19	10/9/19	--	10/9/22
4	Kate Shinkwin	12/10/19	12/10/19	--	12/9/22
5	Susan Suggs	12/10/19	12/10/19	--	12/9/22
6	Gigi Walter	8/5/20	8/5/20	--	8/4/23
7	Vacancy – proposed Cynthia Dowdy	3/9/21	3/9/21	--	3/8/24
8	Vacancy – <i>available seat</i>				
9	Birtha Shaw* – <i>available seat</i>	1/10/12	10/31/14	11/15/17	11/15/20
10	Vacated by Barry Stabile** – <i>available seat</i>	2/11/20	2/11/20		2/10/23
<b>ETJ MEMBERS</b>					
11	Paula Parke	10/9/19	10/9/19	--	10/9/22
12	Vacancy – <i>available seat</i>				
13	Vacancy – <i>available seat</i>				

\*In accordance with § 33.04 of the Town’s Code of Ordinances, a member may continue to serve beyond his or her expired term until a successor is appointed.

\*\*This seat was vacated prior to the term expiration. An appointment may be made to fill the unexpired term through 2/10/23.



DATA SHEET FOR APPOINTMENT TO COMMITTEES, COMMISSIONS AND BOARDS

COMMITTEE, COMMISSION, OR BOARD IN WHICH INTERESTED: \_\_\_\_\_

Appearance Commission

NAME: Cynthia Joudy TELEPHONE: 703 585 8244

ADDRESS: 245 North Peak St EMAIL: ccloudy@verizon.net

EDUCATIONAL BACKGROUND Southern Pines, NC

Greenwich High School, Greenwich, Ct

Berkley Business School / Berkley College - Rye, NY

EMPLOYMENT

JOB TITLE: Exec Asst, Sales + Marketing Exec - V&P - 34 years

EMPLOYER: The Freedom Forum - Washington, DC - Receptionist / Concierge -

9 years

CIVIC AND PROFESSIONAL ACTIVITIES: ① HOA - 300 Townhouse development; Newsletter

Editor + Architectural Committee Member ② HOA - 365 Single-family

homes; Architectural Committee Member, Chair of New Sign Committee.

PAST MEMBERSHIP IN ORGANIZATIONS AND OFFICES HELD: Mentor - Fairfax Mentoring Program,

Northern Virginia. Moorehead Scholarship Program - Pre-college

assessor for HS Seniors applying for scholarships.

ANY ADDITIONAL INFORMATION AND COMMENTS: Entrepreneur: 'Simply Simple Etiquette'

Taught etiquette skills to elementary school age children.

~~at~~ for schools, churches, community centers +

social groups with children.

DATE: 1.5.2021 SIGNATURE: Cynthia Joudy

PLEASE RETURN TO: Administration 125 SE Broad Street Southern Pines, NC 28387

admin@southernpines.net

\*Your application will remain on file 12 months from the date of completion\*

# Legal Notice

## NOTICE OF PUBLIC HEARING

The public will take note that a public hearing will be held on an application for a refinancing agreement authorized by North Carolina General Statute 160A. The Town of Southern Pines desires to modify the current financing agreement for the Fire Station by use of a refinance of an installment contract authorized under North Carolina General Statute 160A, Article 3, and Section 20 of the General Statutes.

All interested citizens are invited to attend and be heard at the virtual public hearing, 6pm March 3<sup>rd</sup>, via the following means:

<https://attendee.gotowebinar.com/register/7892165134600678412> • Attend using your telephone to listen to the proceedings and to provide comment when prompted. At the meeting time, dial (562) 247-8422 then use Audio Access Code 875-186-243. • Attend using the GoToWebinar app on your tablet or smartphone by entering Webinar ID 960-300-411.

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Peggy K. Smith  
Town Clerk of the Town of Southern Pines



Governmental Finance

5130 Parkway Plaza Boulevard  
Charlotte, North Carolina 28217  
Phone (704) 954-1700  
Fax (704) 954-1799

February 18, 2021

Ms. Tess Brubaker-Speis  
Town of Southern Pines, NC  
PO Box 870  
Southern Pines, NC 28388

Dear Ms. Brubaker-Speis:

Truist Bank (“Lender”) is pleased to offer this proposal for the financing requested by the Town of Southern Pines, NC (“Borrower”).

**PROJECT:** Fire Sub-Station Refunding

**AMOUNT:** \$4,356,791.65

**MATURITY DATE:** April 19, 2033

**INTEREST RATE:** 2.06%

**TAX STATUS:** Tax Exempt – Bank Qualified

**PAYMENTS:** Interest: Semi-Annual  
Principal: Semi-Annual

**INTEREST RATE CALCULATION:** 30/360

**SECURITY:** First lien security interest on the real property purchased, financed, constructed, or renovated with financing proceeds

**PREPAYMENT TERMS:** Prepayable in whole at any time with one half percent prepayment penalty. Should the Borrower accepts this proposal, Lender agrees to lower the existing prepayment penalty to one half percent on existing principal balance.

**RATE EXPIRATION:** April 5, 2021

**DOCUMENTATION/ LEGAL REVIEW FEE:** \$5,900

**FUNDING:** Proceeds will be deposited into an account held at Lender at closing pending disbursement for project costs.

**DOCUMENTATION:** Lender and its counsel shall prepare the deed of trust and all documentation for the Borrower. We shall provide a sample of all required documentation to you and your counsel if Lender is the successful proposer. Lender will not require a survey or title insurance. Evidence of LGC approval is required when applicable. At a minimum, Lender shall require flood insurance, if applicable.

The financing documents shall include provisions that will outline appropriate changes to be implemented in the event that this transaction is determined to be taxable or non-bank qualified in accordance with state statutes or the Internal Revenue Service Code. All documentation must be deemed appropriate by Lender before closing.

**REPORTING**

**REQUIREMENTS:** Lender will require financial statements to be delivered within 270 days after the conclusion of each fiscal year-end throughout the term of the financing.

Should we become the successful proposer, we have attached the form of a resolution that your governing board can use to award the financing to Lender. If your board adopts this resolution, then Lender shall not require any further board action prior to closing the transaction.

Lender shall have the right to cancel this offer by notifying the Borrower of its election to do so (whether this offer has previously been accepted by the Borrower) if at any time prior to the closing there is a material adverse change in the Borrower's financial condition, if we discover adverse circumstances of which we are currently unaware, if we are unable to agree on acceptable documentation with the Borrower or if there is a change in law (or proposed change in law) that changes the economic effect of this financing to Lender.

Costs of counsel for the Borrower and any other costs will be the responsibility of the Borrower.

The stated interest rate assumes that the Borrower expects to borrow no more than \$10,000,000 in the current calendar year and that the financing will qualify as qualified tax-exempt financing under the Internal Revenue Code. Lender reserves the right to terminate this bid or to negotiate a mutually acceptable interest rate if the financing is not qualified tax-exempt financing.

We appreciate the opportunity to offer this financing proposal. Please call me at (803) 413-4991 with your questions and comments. We look forward to hearing from you.

Sincerely,

**Truist Bank**



Andrew G. Smith  
Senior Vice President

**Resolution Approving Financing Terms**

**WHEREAS**, the Town of Southern Pines, NC (“Borrower”) has previously determined to refinance the Fire Sub-Station Note 00005 (the “Project”), and the Finance Director has now presented a proposal for the financing of such Project.

**BE IT THEREFORE RESOLVED, as follows:**

1. The Borrower hereby determines to finance the Project through Truist Bank (“Lender”) in accordance with the proposal dated February 18, 2021, or as such proposal may be supplemented or amended by Lender and the Borrower verbally or in writing. The amount financed shall not exceed \$4,356,791.65, the annual interest rate (in the absence of default or change in tax status) shall not exceed 2.06%, and the financing term shall not exceed twelve (12) years from the date of closing.

2. All financing contracts and all related documents for the closing of the financing (the “Financing Documents”) shall be consistent with the foregoing terms. All officers and employees of the Borrower are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and Deed of Trust and such other documents as Lender may request. Pursuant to the Financing Agreement and Deed of Trust, (a) Lender will advance moneys to the Borrower to pay the costs of the Project and the financing costs related thereto, and the Borrower will repay such advance in installments, and (b) the Borrower will grant a lien on the site of the Project, or portions thereof, together with all fixtures and improvements located thereon, to Lender as security for such advance.

3. The Finance Director is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to the Finance Director’s satisfaction. The Finance Director is authorized to approve changes to any Financing Documents previously signed by Borrower officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Director shall approve, with the Finance Director’s release of any Financing Document for delivery constituting conclusive evidence of such officer’s final approval of the Document’s final form.

4. The Borrower shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Borrower hereby designates its obligations to make principal and interest payments under the Financing Documents as “qualified tax-exempt obligations” for the purpose of Internal Revenue Code Section 265(b)(3).

5. The Borrower intends that the adoption of this resolution will be a declaration of the Borrower’s official intent to reimburse expenditures for the Project that are to be financed from the proceeds of the Lender financing described above. The Borrower intends that funds that have been advanced, or that may be advanced, from the Borrower’s general fund or any other Borrower fund related to the Project, for costs of the Project may be reimbursed from the financing proceeds.

6. All prior actions of Borrower officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this \_\_\_ day of \_\_\_\_\_, 2021

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

SEAL

## **Agenda Item**

**To:** Reagan Parsons, Town Manager

**Via:** BJ Grieve, Planning Director

**From:** Suzy Russell, Planner II

**Subject:** PD-01-21: A Four Phased Planned Development District Conceptual Development Plan to accommodate the development of mixed land uses; 175 Yadkin Road; Applicant: Rickhouse Properties, LLC; Brad and Jessica Halling

**Date:** March 9, 2021

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### **I. SUMMARY OF APPLICATION REQUEST:**

Mr. Neal Smith of Neal Smith Engineering, Inc., on behalf of the applicants, Mr. Brad Halling and Mrs. Jessica Halling of Rickhouse Properties, LLC, has submitted an application for a Planned Development – Conceptual Development Plan pursuant to Section 2.18.4 of the Town of Southern Pines Unified Development Ordinance (UDO). The applicant is proposing to develop 4 acres of the existing 15.04 acres that make up the subject property, developed in four (4) phases. The applicant proposes to construct a distilled spirits plant in the first phase. This would include production, blending, bottling, storage, delivery and pickup, and a cocktail bar, kitchen, restaurant, retail, office, private tasting and dining, bathrooms, and terraces. Rickhouse “A” would be constructed in Phase 2 which would consist of a building for barrel, equipment and supply storage. Rickhouse “B” and Rickhouse “C” would be constructed in Phase 3 along with the North side expansion of the distilled spirits plant for additional capacity space and in phase 4, the construction of the South side expansion of the distilled spirits plant for additional private tasting and dining space along with caterer’s kitchen space, the headquarters office suite building and Rickhouse “D”. The development is located with US Highway 1 to the northwest, Yadkin Road on the southwest and Trimble Plant Road running southeast to northeast. The subject property would be accessed off of both Yadkin Road and Trimble Plant Road. The applicant is requesting to rezone the parcel, currently zoned I (Industrial), to PD (Planned Development). Pursuant to the Moore County tax records, the parcel is identified as PIN: 858200642631 (PARID: 00036849); owned by Rickhouse Properties, LLC

### **II. PLANNING BOARD ACTION:**

At the February 18, 2021 Regular Meeting of the Planning Board -held via remote meeting due to statewide social distancing requirements- the Planning Board held a legislative public hearing and heard from those in attendance regarding application PD-01-21.

Planning staff presented a review of the Planned Development (PD) Conceptual Development Plan (CDP) application.

Following staff's comments, the applicant's agent, Mr. Neal Smith of Neal Smith Engineering LLC presented materials and explained that the rezoning request for the property was needed to allow for events as well as the restaurant land use. Mr. Smith explained that they would be requesting a reduction in parking when they bring in the Preliminary Development Plan application. They have quantified that the parking required is not justified by the mix of uses and will provide justification at time of PDP submittal. Mr. Smith then explained that they were also asking for a condition to allow for a 50' distilling tower which is the maximum height allowed in the Industrial Zoning District.

Mr. Gary Carroll stated that if this particular development did not build the Planning Board should consider that they are still considering reclassifying this parcel to a PD zoning district. The applicant, Mrs. Jessica Hallings then presented and spoke about the internal layout of the development. Mrs. Hallings thoroughly explained the position of the Brownfield's Program and that they are entered into the accelerated program and that all testing will be done by NCDEQ. She explained that they have thoroughly vetted the situation and testing and monitoring will be reported in April. Mr. Cooper Carter asked her to explain why they needed a 50' tower for this land use. Mr. Hallings explained that the column is for a continuous whiskey still with several vertical layers. The height is required so the alcohol can separate properly and the still can be maintained with that 10' clearance at the top.

Mr. Lem Dowdy asked for clarification of the wetlands and Mr. Bryan Welborn of Neal Smith Engineering explained that they meet open space requirements for PD zoning. Mr. Lem Dowdy asked if the applicant would abide by the RCW request for a survey if it is needed. Mr. Neal Smith stated they will contact USF&W and provide a survey, but he did not feel like they would need one. Mr. Andy Bleggi asked if they had a neighborhood meeting and if anyone was concerned and Mrs. Hallings stated that three (3) people did come to the neighborhood meeting and they asked about traffic. She stated that NCDOT would be doing an analysis and that the three (3) citizens give their stamp of approval. (Staff note: As part of the PDP application the applicants will be required to submit a TDA or TIA as applicable per UDO §3.5.14 and §4.12.) Mr. Bleggi asked how many people would be employed in 10 years and Mrs. Hallings stated that seven (7) would be employed at the beginning but in 10 years she speculated that they would employ 30-35 people. Mr. Bleggi asked how many seats would be in the restaurant and Mrs. Hallings stated 60.

The Planning Board did not have any more questions for staff or the applicant and asked for public comments or questions. The public wrote in and asked "*how will this development affect residents in the area particularly on Yadkin Road*" and Mrs. Hallings stated that small groups will mainly visit and that will not pose congestion and the stage is tucked in and away. Mr. Hallings stated that the residents are happy it is not an industrial plant and Mrs. Hallings said property values should increase. Another public comment stated *thank you, we are excited* and Ms. Ryner stated she was concerned because she lives

across from the driveway entrance. Mrs. Hallings stated they will meet the NCDOT traffic requirements. She also stated that the cocktail bar and restaurant will bring traffic.

After closing the public hearing, Mr. Lem Dowdy moved to adopt the Resolution included as Attachment A in the staff report for PD-01-21 and the motion was seconded by Ms. Diane Westbrook. The motion passed 6-0 (Ms. Kim Wade absent). Next Mr. Lem Dowdy made a motion that the CDP was found to comply with the criteria for a planned development Conceptual Development Plan as submitted and recommended approval of PD-01-21 with the following conditions:

- Allow a 50' building height for the distillation still roof column
- This approval does not include parking space requirement details that will be provided at PDP submission.

Ms. Diane Westbrook seconded the motion and the motion passed 6-0.

Please find the signed Planning Board Resolution to Adopt a Statement of Plan Consistency for Conceptual Development Plan application PD-01-21 in the attachments section of this report.

### III. PROJECT INFORMATION:

#### A. Property Details:

**i. Property Owner and Applicant:**

Rickhouse Properties, LLC.  
Mr. Brad Halling and Mrs. Jessica Halling  
304 Edgewood Road  
Cameron, NC 28326

**ii. Authorized Agent:**

Neal Smith Engineering, INC  
Mr. Neal Smith  
139 Pinehurst Avenue, Suite C  
Southern Pines, NC 28387

**iii. Subject Property Street Address:**

175 Yadkin Road  
Southern Pines, NC 28387

**iv. Size of Property:**

Total acreage:	15.04
Total acreage being developed out of the 15.04 acres:	4.00

**v. Current Property Zoning Classification:**

The zoning district of the subject property is I - Industrial (See Figure 1: Vicinity & Zoning Map below).

**vi. Current Comprehensive Long Range Plan and Future Land Use Map Designation:**

The designation for the subject property is Industrial.

**vii. Existing Property Description:**

The subject property is wooded and there are wetlands and a stream on the northern end of the property. The site is known to have hazardous waste contamination from the adjacent property and the applicant has stated the site has been accepted into a Brownfields Program. The applicant has provided both a letter of eligibility from the office of NC Department of Environmental Quality as well as Phase 1 Biological Assessment (see in attachments). The subject property is located within the HQW WSIII area.

**viii. Existing Infrastructure:**

The subject property would be accessed from Yadkin Road, which is an NCDOT road and Trimble Plant Road, which is a paved Town street. The property is bisected by an 8" sewer line and is adjacent to existing water lines, a 12" line on Yadkin Road and an 8" on Trimble Plant Road. The subject property has access to electrical, gas, telephone and cable services and will not require any utility extensions. (See Figure 2: Existing Public Utilities Map)

Figure 1: Vicinity & Current Zoning Map (Subject Property outlined in Red):

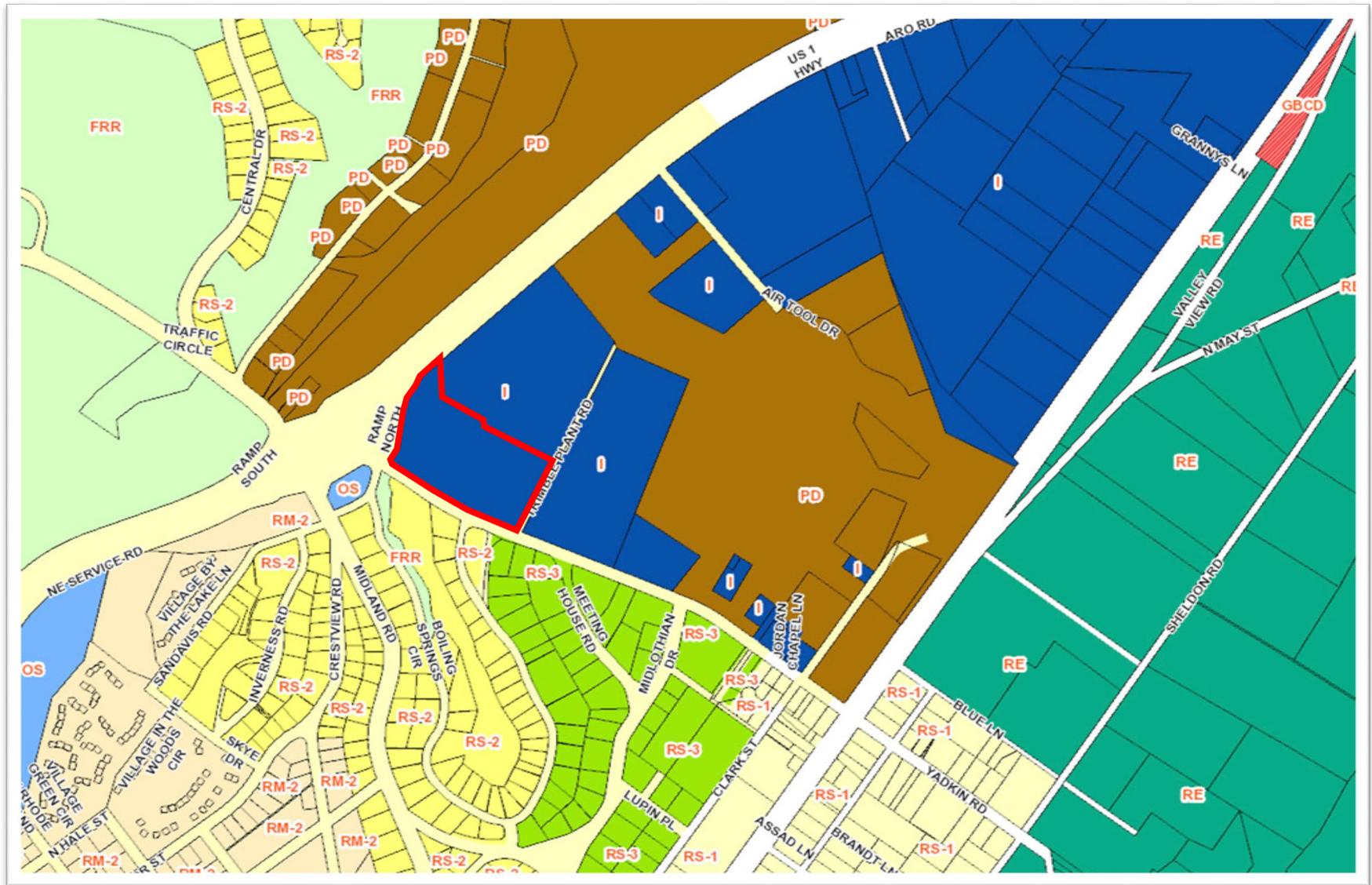
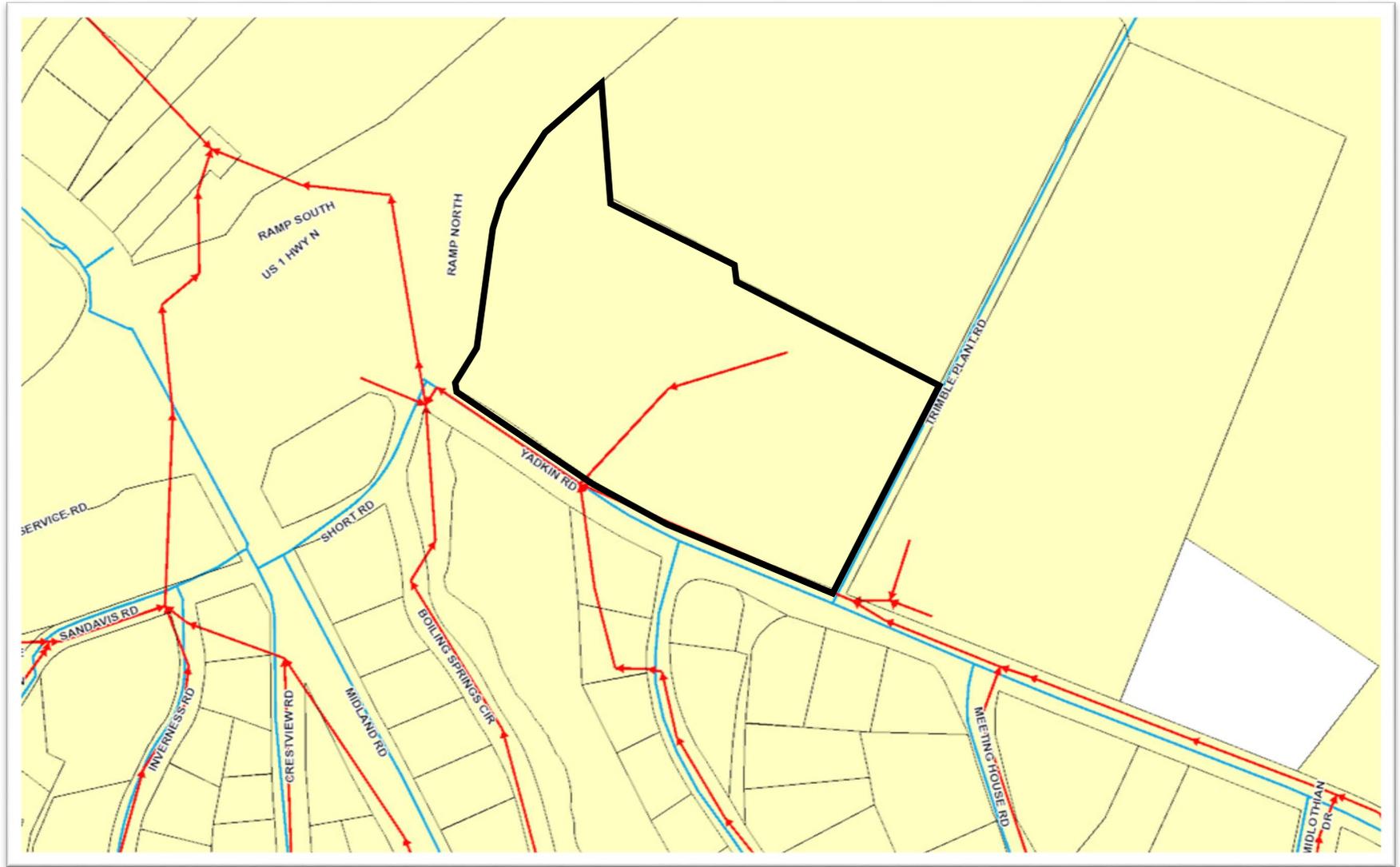


Figure 2: Existing Public Utilities Map (Blue Line = Water / Red Line = Sewer)



**B. Project Details:**

**i. Description of Project:**

The proposed Planned Development District (PD) Conceptual Development Plan (CDP) is a mixed land use development with the following proposed land uses:

2510: Restaurant
2540: Bar
3110: Manufacturing with Onsite Sales - Distillery
2421: Office
2150: Retail
3620: Warehouse

**ii. Proposed Rezoning:**

The applicant is requesting a zoning map amendment for the subject property to rezone from Industrial (I) to Planned Development (PD). The proposed development is generally consistent with UDO §2.18 Planned Development District and §3.5.14 PD-Planned Development District (A) – (P).

**IV. STAFF REVIEW:**

**A. Review Process:**

Applications for a Planned Development District (PD) are reviewed in accordance with UDO §2.18. Creating a Planned Development District is a three-step process including Conceptual Development Plan, Preliminary Development Plan and Final Development Plan. This application is for a Conceptual Development Plan, or Step 1 in the Planned Development District process.

**B. Application Review Dates & Associated Postings:**

- CDP Application Submitted: January 11, 2021
- Application NOT Complete: January 19, 2021
- Application Complete: January 22, 2021
- Notice of February 18, 2021 Planning Board Public Hearing:
  - Posted On-site: January 25, 2021
  - Mailed: February 01, 2021
  - Publication Dates: February 3, 2021 and February 10, 2021
- Neighborhood Meeting (held by applicant): December 22, 2020
- Planning Board Agenda Meeting: February 11, 2021
- Planning Board Regular Meeting: February 18, 2021
- Town Council Agenda Meeting: March 3, 2021
- Town Council Regular Meeting: March 9, 2021

**C. Criteria for Review:**

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

***Conceptual Development Plan***

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

**D. Staff Comments:**

**i. Compliance with a zoning map amendment:**

The applicant is requesting a zoning map amendment from the current Industrial (I) zoning district to Planned Development (PD) zoning district. The applicant has submitted a Narrative and Justification that addresses compliance UDO §2.17.9 Criteria for Zoning Map Amendments and is attached to this memo.

**ii. Compliance with the Comprehensive Long Range Plan (CLRP):**

The applicant is requesting to rezone the property to Planned Development (PD), promoting the mixed use land use category. This use allows for compatible, mutually supportive uses. The whiskey distillery along with the associated office, retail sales and supplies, restaurant, cocktail bar and outdoor event stage with Rickhouse buildings for barrel and equipment storage establishes a compatible transition between the Industrial land uses that surround the subject property. The PD zoning district is found to be consistent with the adopted Comprehensive Long Range Plan which designates the subject property as Industrial (I). With a distilled spirits plant already an allowed land use in the Industrial zoning district the mutually supportive uses will behave as a transition to the surrounding Industrial (I) zoned properties. The applicant has submitted a Conceptual Development Plan Narrative and Justification that addresses compliance with the CLRP. The applicant's Conceptual Development Plan Narrative and Justification are attached to this memo.

**iii. Compliance with the Unified Development Ordinance (UDO):**

The purpose of the PD is to allow a mix of uses and promote creativity and innovation in design. Therefore an applicant for a PD may propose unique land use and development design standards to achieve the vision of the project while still meeting the needs of the community with regard to access, parking, etc. The standards that must be met by any Planned Development District (PD) are found in UDO §3.5.14.

- Phasing of the development has been addressed by the applicant and the phasing plan and colored phasing schematic can be found in the Attachments section of this report. The project is to be developed in four (4) phases, with each phase meeting GS§160D-1006 (b) stating the development schedule of the four (4) phases are not greater than five (5)

year intervals. The phases will be triggered upon the issuance of the first building permit and the construction of Phase 1- Phase 4 are as follows:

Phase 1	24 months or 2 years
Phase 2	60 months or 5 years
Phase 3	96 months or 8 years
Phase 4	120 months or 10 years

- Not less than twenty (20) percent of the gross land area of the PD shall be devoted to Open Space with not less than fifty (50) percent of the required Open Space, ten (10) percent, of the gross land area shall be usable open space. The subject property is 15.04 acres and 20% of that acreage is three (3) acres. Of that three (3) acres, one and a half (1.5) must be usable open space. The applicant has designated the 1.5 acres of usable open space on the site plan found in the attachment section of this report.
- There are 4.98 acres of freshwater forested shrub wetlands and 10.06 acres of uplands on the subject property. One and one half (1.5) acres of wetland will be utilized for 50% of the open space requirement. No development is proposed in the areas designated as wetlands or uplands.
- The applicant shall conform to UDO §4.3 Landscaping with the following site specific data:
  - Buffer requirements apply only to the perimeter of the PD and is based on the most intensive use that is adjacent to the property boundary. The most intensive use for the subject property is a restaurant/bar which is allowed in the General Business (GB), Neighborhood Business (NB) and Office Service (OS) zoning districts and the subject property is adjacent to an Industrial (I) zoned property therefore the subject property shall be required to have a 20' buffer width. The buffer shall be planted in accordance with UDO §4.3.4.
  - Street trees shall be required along US 1 Highway, Yadkin Road and Trimble Plant Road and in accordance with the landscaping code found in the UDO §4.3.3.
- The applicant shall conform to UDO §4.5 Off-street Parking and Loading along with the site specific following data:

<b>LBCS CODE</b>	<b>GFA</b>	<b>Parking Requirement</b>	<b>Parking Spaces Required</b>
2510: Restaurant 2540: Bar	8,125 2,300 outdoor	1/100 1/100	<b>104</b>
3110: Manufacturing with Onsite Sales - Distillery	10,240	1/200 for sales and administrative area/600 sq. ft. of production area + 1space	<b>51</b>
2421: Office	4,580	1/400	<b>12</b>
2150: Retail	3,125	1/200	<b>16</b>
3620: Warehouse	25,200	1 space for every 2 employees on the max	<b>5</b>

		shift but not less than 1 space per 5000 square feet of area devoted to storage	
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- The applicant has informed staff they will be requesting a reduction in parking requirements as per UDO §4.5.4. The applicant is currently showing 132 parking spaces which is a reduction of 56 parking spaces from the 188 that are required as shown in the table above. This will require the applicant to provide a parking study for evaluation before the applicant brings forth a Preliminary Development Plan.
- For Phase 1 the applicant is proposing to construct the distilled spirits plant, cocktail bar, kitchen, restaurant, retail, office and private tasting/dining space, bathrooms, terraces, the entry/exit driveway on Trimble Plant Road, the entry/exit driveway on Yadkin Road, the minimum parking required, fire access drives, installation of utilities, signage, sidewalks, landscaping and storm water. Please see applicant’s phasing plan in the attachment section of this report.
- The applicant has provided approximately 4000 square feet of area to hold an event. The applicant shall conform to UDO §5.18 Special Events.
- The applicant shall conform to UDO §4.6 Signage and as an alternate to individual sign permits, may submit a unified sign plan.
- The applicant has located a stormwater management area on the northwestern portion of the site.
- The applicant is requesting to build the distillation still roof column at a height of 50’ which is an allowed request from UDO §3.5.14 (O) (2) that states building heights in all PD districts shall adhere to the limitations set forth in Chapter 4 for the RM-1 district, and further states, the applicant may propose an alternative height so long as the increased height does not negatively affect surrounding properties and is approved by Town Council.
- All new utilities associated with this PD shall be located underground.
- US 1 Highway and Yadkin Road are state system roadways and Trimble Plant Road is a paved Town street. The applicant has not provided a sidewalk along Trimble Plant Road on the Conceptual Design Plan. There are no existing Town sidewalks in this area and there are none proposed by the Town. This deviation is allowed under UDO §4.11.15 (D) *sidewalks shall not be required where pedestrians have access to a road that serves not more than nine (9) DU’s.*
- The applicant has provided one (1) point of ingress and egress on Yadkin Road and one (1) on Trimble Plant Road.

**E. Outside Agency Comments:**

- A request for comments from agencies was emailed to representatives of the Town of Southern Pines Engineering, Streets, Utilities, Fire and Recreation & Parks Departments as well as representatives of the North Carolina Department of Transportation, U.S. Fish and Wildlife Service and the Regional Land Use Advisory Commission on January 26, 2021.

- On February 1, 2021 NCDOT responded: *For this one we will need a driveway permit submittal for the connection to SR 2029 (Yadkin Rd.). Because there are multiple land used I am still working on the trip gen. to see if turn lanes are triggered. Once I have that I will pass it along.*
- On February 10, 2021 NCDOT sent the Town this response: *We will let the applicant know once they submit the driveway permit, but no turn lanes are triggered by this development.*
- On February 3, 2021 the Town Assistant Chief/ Fire Marshal commented: *I have no comments at this point.*
- On February 3, 2021 the Town of Southern Pines Engineer commented:
  1. *The distillery is an industrial facility and will be subject to the Town of Southern Pines and Moore County's Sewer Use Ordinance to include any pre-treatment requirements for the proposed facilities sewer discharge.*
  2. *The proposed facilities site will be reviewed for compliance with the Town's Engineering and Construction Standards during the site plan review process.*
- Comments were received from RLUAC February 8, 2021:
 

*Following an examination of the materials provided for the courtesy review by the RLUAC staff and Board of Directors, and recognizing that our findings are non-binding on the City of Fayetteville, the RLUAC Board of Directors finds that: The parcel is identified as IMPORANT to conserve on the Joint Land Use Study maps due to the following circumstances:*

  - *It has a high Endangered/Threatened Species- Biodiversity and Wildlife Habitat Rating, and*
  - *The parcel falls within an area identified as high quality and outstanding resource waters (HQORW).*
  - *It contains no identified military impacts.*

*Due to the proximity of known red-cockaded woodpecker clusters, RLUAC encourages the petitioner to have this property surveyed by personnel experienced in management and monitoring of the species prior to the removal of any mature pine trees. The protocol can be obtained at: [https://www.fws.gov/ncsandhills/pine\\_tree\\_removal.html](https://www.fws.gov/ncsandhills/pine_tree_removal.html) The results of this survey can be sent to the US Fish and Wildlife Service office located in Raleigh, NC, ATTN: John Hammond, for review.*

*RLUAC encourages Southern Pines to consider this information during the permit review process.*
- Comments were received from U.S. Fish and Wildlife Service February 17, 2021:
 

*A small portion of the project area falls in an active rcw foraging partition. If they plan to remove any pine trees, a survey would be needed before the trees are removed. Also, it would be recommended that the wetland be delineated if it has been over 5 years since the last one, die to potential changes over time.*

**V. ATTACHMENTS:**

The following materials are provided as attachments to this staff memorandum. Additional application materials (such as property deeds, list of utility providers, etc. are available for inspection in the application file located at the Planning & Inspections Office):

1. Signed Planning Board Consistency Statement
2. Planned Development Application
3. Conceptual Development Plan Narrative and Justification UDO §2.18.4
4. Zoning Map Amendment Narrative and Justification UDO §2.17.9
5. Neighborhood Meeting Documentation
6. Conceptual Development Plan
7. UPDATED Conceptual Development Plan
8. Applicant's Phasing Plan
9. Brownfields Letter and Assessment

**VI. TOWN COUNCIL ACTION:**

Per G.S. §166A-19.24(e) action on this agenda item may not be taken until allowing a minimum of 24 hours following the remote public hearing for submittal of written comments. After closing the remote public hearing, the Town Council may still wish to discuss the application in light of the criteria for a Planned District Development Conceptual Design Development that are provided in this report.

Planning staff will bring this item back to the Town Council Work Session on the 22<sup>nd</sup> of March for consideration of adoption of a Plan Consistency Statement and a decision to approve, conditionally approve, or deny.

## Attachment “A”



**PLANNING BOARD  
RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY  
FOR CONCEPTUAL DEVELOPMENT PLAN APPLICATION  
PD-01-21**

**WHEREAS**, Section 160A-383 of the North Carolina General Statutes specifies that the governing board shall, with any ordinance amendment or zoning map amendment decision, approve a statement describing whether the action of the governing board is consistent with the adopted comprehensive plan.

**WHEREAS**, Section 160A-383 of the North Carolina General Statutes specifies that zoning regulations shall be made in accordance with a comprehensive plan and prior to adopting or rejecting any zoning amendment, the governing board shall adopt one of the following statements, which shall not be subject to judicial review:

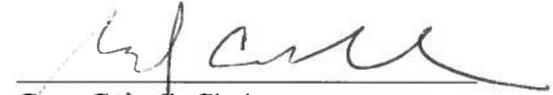
- (1) A statement approving the zoning amendment and describing its consistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest.
- (2) A statement rejecting the zoning amendment and describing its inconsistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest.
- (3) A statement approving the zoning amendment and containing at least all of the following:
  - a. A declaration that the approval is also deemed an amendment to the comprehensive plan. The governing board shall not require any additional request or application for amendment to the comprehensive plan.
  - b. An explanation of the change in conditions the governing board took into account in amending the zoning ordinance to meet the development needs of the community.
  - c. Why the action was reasonable and in the public interest.

**WHEREAS**, zoning regulations shall be designed to promote the public health, safety, and general welfare. The regulations shall be made with reasonable consideration, among other things, as to the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the Town.

**WHEREAS**, the Planning Board conducted a public hearing on February 18, 2021 for consideration of Conceptual Development Plan application PD-01-21;

**NOW, THEREFORE BE IT RESOLVED** that the Planning Board finds and recommends to the Town Council that the Conceptual Development Plan application PD-01-21 is reasonable, in the public interest and consistent with the Town of Southern Pines Comprehensive Long Range Plan (CLRP) because the proposed mixed use development establishes a compatible transition into the surrounding Industrial zoned land. The development utilizes the light industrial intensity with compatible and mutually supportive mix of uses. This will create a corner parcel that transitions into the surrounding Industrial zoned land that developed more in character with the vitality of Southern Pines enhancing the Future Land Use Designation of "Industrial".

**ADOPTED** this the 18<sup>th</sup> day of February, 2021.

  
\_\_\_\_\_  
Gary Carroll, Chairman

**ATTEST:**

  
\_\_\_\_\_  
Cindy Williams  
Secretary to the Planning Board



# Planned Development District Conceptual Development Plan Application

Date Received: \_\_\_\_\_ Fee Paid: \_\_\_\_\_ Case No.: PD-\_\_\_\_-\_\_\_\_

**Project Information:**

Project Name: BRAD HALLING AMERICAN WHISKEY CO.

Physical address: 175 YADKIN ROAD

PIN: 858200642631

Parcel ID: 36849

Site Size: 15.04

Zoning: I

**Applicant:**

Name(s): BRAD HALLING, JESSICA HALLING dba. RICKHOUSE PROPERTIES, LLC

Email: jahalling@yahoo.com

Phone: 910-986-6885

Mailing Address: 304 EDGEWOOD ROAD, CAMERON, NC 28326

**Authorized Agent, if different from Applicant:**

Name(s): NEAL SMITH ENGINEERING, INC.

Email: nsmith@nsengineering.com

Phone: 910-695-8825

Mailing Address: 139 PINEHURST AVE SUITE C, SOUTHERN PINES, NC 28387

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

Name(s): RICKHOUSE PROPERTIES, LLC

Email: jahalling@yahoo.com

Phone: 910-986-6885

Mailing Address: 304 EDGEWOOD ROAD, CAMERON, NC 28326

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

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

The property which is the subject of this application is located on the NORTH side of YADKIN RD. (St./Ave.), between TRIMBLE PLANT RD. (St./Ave.) and US HWY #1 (St./Ave.). The property has a frontage of 976.45 feet and a depth of 563.09' feet.

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

The proposed use of the property is as follows:

DISTILLED SPIRITS MANUFACTURING FACILITY AND ASSOCIATED OFFICES, RETAIL SALES, AND SUPPLIES WITH RESTAURANT, COCKTAIL BAR AND AN OUTDOOR STAGE FOR FOR VARIOUS EVENTS.

**ADJACENT PROPERTY OWNERS:**

Please list all properties that are that are within two hundred (200) feet of the outermost boundaries of the subject property. Attach additional pages if needed. No fewer than ten (10) property owners shall be notified by mail. SEE ATTACHED.

- 1. Adjacent property: \_\_\_\_\_ Parcel ID #: \_\_\_\_\_  
Property owner(s): \_\_\_\_\_  
Mailing address: \_\_\_\_\_
  
- 2. Adjacent property: \_\_\_\_\_ Parcel ID #: \_\_\_\_\_  
Property owner(s): \_\_\_\_\_  
Mailing address: \_\_\_\_\_
  
- 3. Adjacent property: \_\_\_\_\_ Parcel ID #: \_\_\_\_\_  
Property owner(s): \_\_\_\_\_  
Mailing address: \_\_\_\_\_
  
- 4. Adjacent property: \_\_\_\_\_ Parcel ID #: \_\_\_\_\_  
Property owner(s): \_\_\_\_\_  
Mailing address: \_\_\_\_\_
  
- 5. Adjacent property: \_\_\_\_\_ Parcel ID #: \_\_\_\_\_  
Property owner(s): \_\_\_\_\_  
Mailing address: \_\_\_\_\_
  
- 6. Adjacent property: \_\_\_\_\_ Parcel ID #: \_\_\_\_\_  
Property owner(s): \_\_\_\_\_  
Mailing address: \_\_\_\_\_

7. Adjacent property: \_\_\_\_\_ Parcel ID #: \_\_\_\_\_  
Property owner(s): \_\_\_\_\_  
Mailing address: \_\_\_\_\_

8. Adjacent property: \_\_\_\_\_ Parcel ID #: \_\_\_\_\_  
Property owner(s): \_\_\_\_\_  
Mailing address: \_\_\_\_\_

9. Adjacent property: \_\_\_\_\_ Parcel ID #: \_\_\_\_\_  
Property owner(s): \_\_\_\_\_  
Mailing address: \_\_\_\_\_

10. Adjacent property: \_\_\_\_\_ Parcel ID #: \_\_\_\_\_  
Property owner(s): \_\_\_\_\_  
Mailing address: \_\_\_\_\_

Date: 1-8-2021

  
\_\_\_\_\_  
Applicant

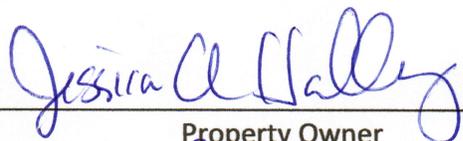
**APPOINTMENT OF AGENT**

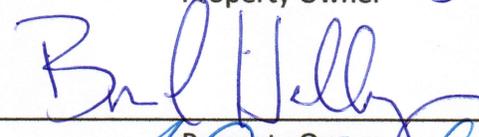
The undersigned owner(s), RICKHOUSE PROPERTIES, LLC, hereby appoint(s) NEAL SMITH ENGINEERING, INC. as the exclusive agent for the purpose of making an application to the Town of Southern Pines for the approval of the Planned Development District – Conceptual Development Plan described in the attached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

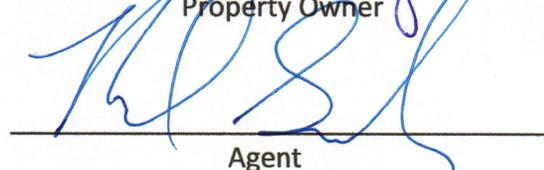
1. to submit an application and required supplemental materials;
2. to appear at public meetings and give representation and comments on behalf of the owner(s);
3. to accept conditions or recommendations made by the Town of Southern Pines Planning Board and Town Council for the approval of a Planned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

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

Signed this 8<sup>th</sup> day of January, 2021.

  
\_\_\_\_\_  
Property Owner

  
\_\_\_\_\_  
Property Owner

  
\_\_\_\_\_  
Agent



## Neal Smith Engineering, Inc.

139 Pinehurst Avenue - Suite C  
Southern Pines, NC 28387  
Phone: (910) 695-8825  
Fax: (910) 695-8832  
www.nseengineering.com  
License No. C-1425



January 11, 2021

Subject: **Narrative-Conceptual Development Plan  
Brad Halling American Whiskey, Co.  
175 Yadkin Road  
Southern Pines, North Carolina 28387  
NSE Project #2000534**

### **Purpose**

The purpose of this narrative is to provide a conceptual plan and documents that detail the site layout and proposed uses for the subject property.

### **Vision and Proposed Uses (as provided by the Owners Brad and Jessica Halling)**

See the attached letter that was mailed with the Neighborhood Meeting Notice. It adequately explains the owners' vision and proposed uses of the project.

### **Existing Conditions**

The property is located along the northern right of way of Yadkin Road between the intersection of Trimble Plant Road and US HWY #1. The parcel currently does not have any structures on it but was used as transfer truck parking for the adjacent industry. There are wetlands and a stream on the property. The site slopes from east to west and is located within a WS-III-BW(HQW) water supply watershed.

There is evidence of ongoing environmental concerns with the property. The adjacent Proctor Silex facility(Hamilton Beach currently) is a hazardous waste contamination site and some of the contamination was determined to have entered this site. A Phase I environmental assessment was performed by Hal Owen and Associates and the site has been accepted into Brownsfield Program.

The site currently has access to existing sewer, water, electrical, gas, telephone, and cable services. The proposed site will not require any utility extensions.

## **Development**

The project entails the development of approximately 4 acres of a 15.04-acre site. Phase I will include parking, the main distillery building, restaurant, cocktail bar, and retail space. The future phasing of the project will be dependent upon the needs and growth of the facility. The conceptual site plan represents the complete buildout of the site.

The location of the development will be in the existing open area. Most of the existing perimeter vegetation will be retained and/or supplemented. The site will meet all the Town of Southern Pines UDO requirements for perimeter and internal landscaping as well as parking lot shading requirements.

The wetlands located on the property will not be disturbed. The site will comply with all stormwater and/or water quality requirements. Currently the site is below the 24% impervious area that would require stormwater water quality treatment but will be required to maintain the pre-construction stormwater flows for the 10yr 24hr storm event.

Site lighting will meet the requirements of the Town of Southern Pines UDO.

The proposed building will be reviewed for Architectural Compliance

## **Conceptual Development Plan UDO Requirement**

*UDO Section 2.18.4(H) Conceptual Development Plan Criteria*

- (1) *The Conceptual Development Plan conforms to all applicable provisions of this UDO;*

The conceptual plan conforms to all applicable provisions of the UDO. The narrative and materials provided demonstrate the requirements for a Conceptual Development Plan in accordance with the UDO.

- (2) *The Conceptual Development Plan represents an overall Development Pattern that is consistent with the goals and policies of the Comprehensive Plan, Official Zoning Map, Capital Improvements Program, and any other applicable planning documents adopted by the Town.*

The Conceptual Development Plan is consistent with the goals and policies of the UDO. The property is zoned Industrial and the requested Planned Development zoning is consistent with and promotes the objective of the Town's Comprehensive Long-Range Plan.

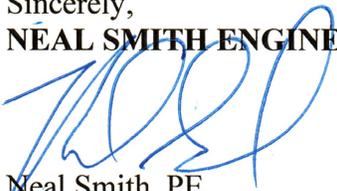
- (3) *The proposed Development is appropriate for the area of the Town in which it is located; and*

The surrounding developments include single family residential, industrial operations, storage facility, and general office. The industrial portion of the development along with the incidental operations are geared for and industrially zoned property. As stated earlier in this form, the vision and proposed uses of the property will benefit the surrounding by “offering a positive, purpose driven environment for our local multigenerational and tourist community.”

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

The site has access to public water and sewer as well as other utilities. Extensions or expansions will not be required for this development.

Sincerely,  
**NEAL SMITH ENGINEERING, INC.**



Neal Smith, PE  
President

Subject: Petition to Rezone 175 Yadkin Road from Industrial to a Planned Development by Bradley and Jessica Halling, acting as Rickhouse Properties, LLC

**Dear Southern Pines Neighbors,**

We, Army Sergeant Major (Retired) Brad Halling and Colonel (Retired) Jessica Halling, intend to expand our commitment to Southern Pines by manufacturing and offering a proud array of super-premium spirits from our company, Brad Halling American Whiskey Co., an expertly designed regional distilled spirits plant, restaurant and cocktail bar (NC Gen Statute §18b-1105(a) 4(a)) and G.S. 18B-1005(6)), which includes space to host event functions given parcel size and facility capacity.

In addition to conducting manufacturing activities and storing aging products, we will offer our guests a tour of the plant for an informed discussion about spirits production, and an enjoyable spirits tasting. (NC G.S. 18B-1114.7).

Both our spirits portfolio and distillery experience will honor selfless service of extraordinary Americans by expressing Gratitude™. Our authenticity and lifetimes of service will offer legitimacy to place our portfolio as a premium craft lifestyle brand, with distillery design and production infrastructure to stay on trend.

To ensure a classy experience, the campus like design will be by luxury resort architect, co-founder Smooth Ambler Spirits and Great West Virginia Barrel Company, Mr. Tag Galyean.

One example of an experience is for tours to begin in the Gratitude™ Room, a living museum room showcasing the extraordinary person featured on the current Gratitude™ Series whiskey offering, resulting in a new and varied tours. Once through the Gratitude™ Room, guests will tour the plant and enjoy a tasting.

Guests will then be welcomed to stay and enjoy cocktails and enjoy food from restaurant and cocktail bar, and to purchase bottles and merchandise from a dedicated retail space.

Cocktail bar and restaurant and finished spaces will offer an atmosphere friendly and attractive to our multigenerational military, golf, equestrian, and local community as well as visitors.

Varying small group experiences will be offered as well Single Barrel offerings, VIP Club, Private Barrel Lounge Experience, and events. An outside stage will complement the facility for music, guest speakers, weddings and other events and the like.

**Zoning Request.** In accordance with Para. 2.15 of the Southern Pines Unified Development Ordinance, we are providing notice and opportunity to learn and comment on the proposed zoning change of this 15.04-acre parcel (Pin # 858200642631 and Parcel ID # 00036849), from *Industrial* to *Planned Development*. We conducted a pre-application meeting (Paragraph 2.15.2 UDO) with the Southern Pines Planning Board, and invite surrounding neighbors to meet to learn about and discuss our plan.

**Proposed Uses Under Current Industrial Zoning.**

**Distillery and Accessory Uses.** A Distilled Spirits Plant is *already* permitted is permitted Industrial uses in the UDO, which includes primarily manufacturing, distribution, storage oriented, and large facility uses. Consistent with current zoning, we will construct and operate a Distilled Spirits Plant with associated offices, and barrel and supplies warehouse storage buildings, and will operate the plant consistent with all of the uses found in the North Carolina ABC and Distillery Modernization Act of 2019 found in NC General Statute § 18B-1105.

North Carolina General Statute §18 permits, among other things, direct bottle sales, tours and tastings, and cocktail bar sales to include mixed beverages in North Carolina distilled spirits plants. We will also operate a retail shop as an accessory / incidental use in the Distilled Spirits Plant, consistent with Industrial zoning. The retail shop will offer direct bottle sales consistent with General Statute §18B-1105(a) as well as merchandise such as clothing, glassware, and gifts related to spirits.

Additional Proposed Uses Under Planned Development.

**Food / Restaurant.** The plant will also contain kitchen facilities. While manufacture of food and beverage is currently permitted as an Industrial use, restaurant and table service are not. This request includes the supportive accessory use of restaurant. This will allow for table service, catering preparation and chefs preparation of food for private events.

**Mixed Beverages / Bar.** The cocktail bar will serve both spirits produced at the facility, but also offer spirits, malt beverages and wine produced outside of the facility, upon receipt of a mixed beverages permit consistent with NC General Statute § 18B-1105 (a).

**Stage / Special Activities.** A permanent, well situated outdoor stage will be constructed behind the plant to provide a forum for special activities like weddings, guest speakers, live music and the like. Periodically, tents may be used temporarily to protect guests from weather during these activities.

The undevelopable portions and wooded street setbacks are valuable; the site allows for a an attractive campus-like plan that neighbors and residents can be proud of in the Town of Southern Pines.

Nested within Moore County's 2020 Strategic Action Plan

In addition to offering a positive, purpose driven environment for our local multigenerational and tourist community, our plan is *squarely nested* in the Moore County 2020 Strategic Action Plan for Economic Development given that it proposes to:

1. Promote the Moore County Brand by "Inspiring and Exciting (internally & externally)";
2. Create a "platform and environment that promotes military entrepreneurial and business growth," and gain key relationships w/ Ft. Bragg;
3. Building a business consistent with golf of sports recreation businesses in order to "capitalize on the Home of American Golf brand;"
4. It will further "position Moore County as the thought leadership center on the future of golf; attract additionally golf companies to make Moore County their base; advance development of sports and sports facilities; enhance Moore as an equestrian destination," given that golfers, equestrian enthusiasts and tourists alike enjoy super-premiums spirits;
5. Bring manufacturing to Moore County by "attracting and growing artisanal, niche, and small to mid-size manufacturing," and
6. Export super-premium local products, consistent will all of the tenets listed above.

**Nested within Southern Pines Unified Development Ordinance.**

Consistent with the Purpose and Intent of the Southern Pines UDO, our proposed uses also:

1. Lend themselves to protecting and enhance the commercial and civic vitality of Downtown;
2. Protect and enhance the civic vitality and function and aesthetic characteristics of Southern Pines' neighborhoods;
3. Protect and enhance the aesthetic and functional characteristics of Horse Country throughout the extra-territorial jurisdiction of Southern Pines;
4. Contribute to a sustainable, balanced economy, providing community prosperity and fiscal health, improving the Town's economic resilience and self-reliance;
5. Maintain the Town's fiscal and physical health and quality of life as defined in the Comprehensive Plan through proactive, long-range planning and implementation;
6. Maintain fiscal solvency;
7. Retain golf as an essential part of Southern Pines' economy, physical character and culture.

Adding Restaurant at the Distilled Spirits Plant furthers the Health, Safety, and Welfare purpose of the Unified Development Ordinance as it mitigates potential negative impacts of on-site consumption of distilled spirits and is therefore in furtherance of sound public policy.

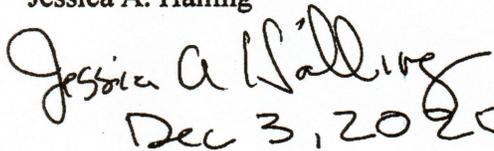
We look forward to discussing our purpose driven project with you, and look forward to becoming a family owned Southern Pines business.

Sincerely,

Bradley J. Halling

 3 DEC 2020

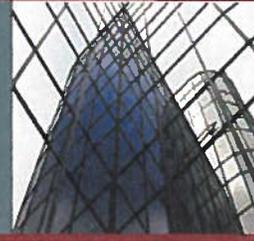
Jessica A. Halling

  
Dec 3, 2020



Neal Smith Engineering, Inc.

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Phone: (910) 695-8825  
Fax: (910) 695-8832  
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License No. C-1425



January 22, 2021

Subject: **Narrative-2.17.9 Criteria for Zoning Map Amendments  
Brad Halling American Whiskey, Co.  
175 Yadkin Road  
Southern Pines, North Carolina 28387  
NSE Project #2000534**

**Narrative**

*UDO Section 2.17.9 Criteria for Zoning Map Amendments*

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

The proposed rezoning is consistent with the adopted Comprehensive plan. It specifically supports the following visions:

**Natural resources will be protected, with sustainable growth and development:**

The property is located within a public water supply watershed with a high-quality designation. The impervious surface area allowed is 24%. The impervious area can increase up to 70% of the property, but enhanced stormwater controls must be utilized to mitigate the runoff to adjacent streams. The project will not impact the wetlands and is designed to meet the restrictions of the high-quality water designation. The adjacent wetlands and streams will not be disturbed and most of the mature vegetation will remain. This will create mature natural buffers for the project and surface runoff will be further mitigated through vegetated filters.

**Economic development efforts will diversify employment opportunities and create a more sustainable local economy:**

The project will bring additional employment opportunities to the area as well as “reinforcing the Town’s social, cultural, recreations and economic components.” The project will bring additional visitors to the area which will benefit local businesses.

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

The proposed development is adjacent to existing industrial uses and will not impact air pollution. The project will be thoroughly review by NCDOT and any requirements for roadway improvements will be put in place. Natural buffers and interior landscaping will further screen the project from adjacent properties and traffic.

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

The property is currently zoned Industrial which includes manufacturing, distribution, storage, and other large industrial uses. A distillery with associated offices and storage is an approved use in industrially zoned districts. The distillery can, among other things, have direct bottle sales, retail sales, site tours, tastings, and cocktail bar sales to include mixed beverages. These uses are all approved within the Industrial zoning designation. The addition of the restaurant and event space will make the property more harmonious with increase of local residential and commercial projects along Yadkin Road and the surrounding community.

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

The project will protect the health, safety, and welfare of the community by providing a small low intensity manufacturing facility, a restaurant, cocktail bar, and gathering spaces for the local community to take advantage of and enjoy.

The project has been accepted into the EPA's Brownfields Redevelopment Program. A brownfield is a property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a

hazardous substance, pollutant, or contaminant. Communities can benefit from the development of these sites. The benefits include:

- **“Environmental** – By addressing the environmental conditions of a brownfield, the project can reduce or eliminate exposure to environmental contamination and enhance the health and safety of the community.
- **Sustainability** – Brownfields real estate transactions provide an opportunity to integrate environmental cleanup with sustainable reuse of a property. Coupling these two activities can ensure site cleanup and address environmental risk.
- **Goodwill** – Redeveloping a brownfield site provides an opportunity to create new or improve community amenities nearby.”

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

The proposed development will be harmonious with the historical intended use. The project will be developed in a manner to be aesthetically pleasing. It is designed to minimize environmental impacts to the area and will provide additional amenities to the community.

*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 tract was subdivided from a larger tract in 2012 and has 15.04 acres. There exists 4.98 acres of wetlands and 10.06 acres of uplands. The property is large enough to support the proposed development. The property is located within a high-quality water supply watershed, which limits the built upon area to 24% of the tract. The size of the tract will allow the project to be compliant with the high-quality water supply watershed restrictions.

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

There are no other factors relevant to this rezoning.

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

The proposed uses will be equal to or less intensive as a majority of the current approved uses.

Sincerely,  
**NEAL SMITH ENGINEERING, INC.**



Neal Smith, PE  
President

Subject: Petition to Rezone 175 Yadkin Road from Industrial to a Planned Development by Bradley and Jessica Halling, acting as Rickhouse Properties, LLC

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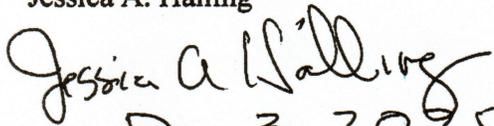
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Sincerely,

Bradley J. Halling

 3 DEC 2020

Jessica A. Halling

  
Dec 3, 2020



## Neal Smith Engineering, Inc.

139 Pinehurst Avenue - Suite C  
Southern Pines, NC 28387  
Phone: (910) 695-8825  
Fax: (910) 695-8832  
www.nseengineering.com  
License No. C-1425



January 11, 2021

Subject: **Neighborhood Meeting Summary  
Brad Halling American Whiskey, Co.  
175 Yadkin Road  
Southern Pines, North Carolina 28387  
NSE Project #2000534**

### **Purpose**

The purpose of this summary is to provide results of the Neighborhood Meeting. The meeting was held at the Neal Smith Engineering, Inc. office on December 22, 2020 between the hours of 3:00pm and 5:00pm.

The attached letter from NSE and owners, Brad and Jessica Halling were mailed out to the surrounding property owners on the attached list. 4 signs were placed on the subject property boundary. A location map of those signs has been provided.

### **Additional Data Requests**

In addition to the attendees of the meeting NSE received an email and a phone call from

Mara Fiskin  
166 Boiling Springs Circle

and a phone call from

Don Stalls-General Manager  
Hamilton Beach Brands

Both Mr. Stalls and Mrs. Fiskin were emailed the Neighborhood Meeting materials.

### **Meeting, Phone Conversation, and Email Comments Summary**

The meeting officially started with an explanation of why this meeting was being held. That a Neighborhood Meeting is required prior to applying for a Planned Development rezoning.

NSE explained the general layout of the site and the proposed uses. It was explained that the distillery and incidental uses such as retail, cocktail bar/tasting room, distillery tours,

and gathering areas were an approved use and the reason for the Planned Development was to allow for a restaurant and event space.

The owners were given the chance to explain their vision which followed the letter provided in the invitation.

The following are questions and concerns that were posed:

1. There was a concern over the ongoing erosion control issue along the Yadkin Rd. NCDOT right of way. It was not a complaint for the site but it was suggested that NCDOT be contacted to correct the problem so it would not affect the aesthetics of the front of the property.

**NSE** and the owners agreed that the area would be reviewed once construction plans began. **NSE** stated that the property entrance along Yadkin Rd. would be reviewed by NCDOT and that the erosion area would be discussed.

2. Where will the entrance be located?

It was explained that the entrance would be aligned with Boiling Springs Circle. This was pointed out on an aerial photo of the subject property.

3. What will the noise level be during outdoor events and what times will they stop? It was of concern that there would be a heavy metal rock band playing late into the evening.

It was stated the outdoor stage or patio would not be used as a concert forum that utilized large bands with large speakers. The music would be tasteful and subdued and would not produce large amounts of unpleasant noise. It was also stated that the entire area will be substantially landscaped, and the event area is located behind the building, which supplies a substantial buffer. It was stated that the site would comply with the Town of Southern Pines noise ordinance in regard to times allowed and decibels.

4. There was concern about the traffic along Yadkin Rd. and what affect this development would have.

**NSE** stated that NCDOT had reviewed the preliminary site layout and that no roadway improvements were required.

5. Will you contact NCDOT and mention that there is a lot of traffic and ask them to review the site again? It is a cut through between US #1 and May St.

**NSE** stated that the plans would be reviewed again by NCDOT and that any additional studies may be required.

6. It was mentioned that there is a lot a wildlife in the area that may cause issues with traffic and that needed to be noted.

NSE stated that much of the site would remain undisturbed and that the construction would be limited to the open area of the site. It was also stated that no wetlands would be disturbed, and most of the mature perimeter vegetation would not be disturbed.

Overall the project was met with enthusiasm and accepted as an interesting project that would be more desirable than some of the other approved Industrial uses that could be place on the site. It was mentioned that something like this is definitely needed in the area. First Friday was mentioned as well as the events held at Southern Pines Brewery.

The attached letters from NSE and owners, Brad and Jessica Halling, were mailed out to the surrounding property owners on the attached list. 4 signs were placed on the subject property boundary. A location map of those signs has been provided.

Sincerely,  
**NEAL SMITH ENGINEERING, INC.**



Neal Smith, PE  
President



December 03, 2020

Re: 175 Yadkin Road  
Southern Pines, NC 28387  
NSE Job No. 200053

To: Property Owners near 175 Yadkin Road  
Southern Pines, NC 28387

A Neighborhood Meeting has been scheduled to allow local property owners the opportunity to review a rezoning request for 175 Yadkin Road. The owners of the subject property have provided a letter detailing the petition to rezone from Industrial to Planned Development. The meeting date, location and contact information is listed below:

Date: Tuesday, December 22, 2020

Location: Neal Smith Engineering Office  
139 Pinehurst Avenue, Suite C  
Southern Pines, NC 28387

Time: 3 PM to 5 PM

Due the current Covid -19 restrictions, masks are required at the office. If you feel unsafe attending an in-office meeting or have a medical issue that keeps you from wearing a mask, we will offer digital and/or physical materials of the project upon request. All questions or requests can be made via email or phone using the following contact information:

Email: [info@nsengineering.com](mailto:info@nsengineering.com)

Phone: 910-695-8825

We look forward to assisting you with any questions concerning this project.

Sincerely,  
**NEAL SMITH ENGINEERING, INC.**

Neal Smith, PE  
President

Subject: Petition to Rezone 175 Yadkin Road from Industrial to a Planned Development by Bradley and Jessica Halling, acting as Rickhouse Properties, LLC

**Dear Southern Pines Neighbors,**

We, Army Sergeant Major (Retired) Brad Halling and Colonel (Retired) Jessica Halling, intend to expand our commitment to Southern Pines by manufacturing and offering a proud array of super-premium spirits from our company, Brad Halling American Whiskey Co., an expertly designed regional distilled spirits plant, restaurant and cocktail bar (NC Gen Statute §18B-1105(a) 4(a)) and G.S. 18B-1005(6)), which includes space to host event functions given parcel size and facility capacity.

In addition to conducting manufacturing activities and storing aging products, we will offer our guests a tour of the plant for an informed discussion about spirits production, and an enjoyable spirits tasting. (NC G.S. 18B-1114.7).

Both our spirits portfolio and distillery experience will honor selfless service of extraordinary Americans by expressing Gratitude™. Our authenticity and lifetimes of service will offer legitimacy to place our portfolio as a premium craft lifestyle brand, with distillery design and production infrastructure to stay on trend.

To ensure a classy experience, the campus like design will be by luxury resort architect, co-founder Smooth Ambler Spirits and Great West Virginia Barrel Company, Mr. Tag Galyean.

One example of an experience is for tours to begin in the Gratitude™ Room, a living museum room showcasing the extraordinary person featured on the current Gratitude™ Series whiskey offering, resulting in a new and varied tours. Once through the Gratitude™ Room, guests will tour the plant and enjoy a tasting.

Guests will then be welcomed to stay and enjoy cocktails and enjoy food from restaurant and cocktail bar, and to purchase bottles and merchandise from a dedicated retail space.

Cocktail bar and restaurant and finished spaces will offer an atmosphere friendly and attractive to our multigenerational military, golf, equestrian, and local community as well as visitors.

Varying small group experiences will be offered as well Single Barrel offerings, VIP Club, Private Barrel Lounge Experience, and events. An outside stage will complement the facility for music, guest speakers, weddings and other events and the like.

**Zoning Request.** In accordance with Para. 2.15 of the Southern Pines Unified Development Ordinance, we are providing notice and opportunity to learn and comment on the proposed zoning change of this 15.04-acre parcel (Pin # 858200642631 and Parcel ID # 00036849), from *Industrial* to *Planned Development*. We conducted a pre-application meeting (Paragraph 2.15.2 UDO) with the Southern Pines Planning Board, and invite surrounding neighbors to meet to learn about and discuss our plan.

**Proposed Uses Under Current Industrial Zoning.**

**Distillery and Accessory Uses.** A Distilled Spirits Plant is *already* permitted is permitted Industrial uses in the UDO, which includes primarily manufacturing, distribution, storage oriented, and large facility uses. Consistent with current zoning, we will construct and operate a Distilled Spirits Plant with associated offices, and barrel and supplies warehouse storage buildings, and will operate the plant consistent with all of the uses found in the North Carolina ABC and Distillery Modernization Act of 2019 found in NC General Statute § 18B-1105.

North Carolina General Statute §18 permits, among other things, direct bottle sales, tours and tastings, and cocktail bar sales to include mixed beverages in North Carolina distilled spirits plants. We will also operate a retail shop as an accessory / incidental use in the Distilled Spirits Plant, consistent with Industrial zoning. The retail shop will offer direct bottle sales consistent with General Statute §18B-1105(a) as well as merchandise such as clothing, glassware, and gifts related to spirits.

**Additional Proposed Uses Under Planned Development.**

**Food / Restaurant.** The plant will also contain kitchen facilities. While manufacture of food and beverage is currently permitted as an Industrial use, restaurant and table service are not. This request includes the supportive accessory use of restaurant. This will allow for table service, catering preparation and chefs preparation of food for private events.

**Mixed Beverages / Bar.** The cocktail bar will serve both spirits produced at the facility, but also offer spirits, malt beverages and wine produced outside of the facility, upon receipt of a mixed beverages permit consistent with NC General Statute § 18B-1105 (a).

**Stage / Special Activities.** A permanent, well situated outdoor stage will be constructed behind the plant to provide a forum for special activities like weddings, guest speakers, live music and the like. Periodically, tents may be used temporarily to protect guests from weather during these activities.

The undevelopable portions and wooded street setbacks are valuable; the site allows for a an attractive campus-like plan that neighbors and residents can be proud of in the Town of Southern Pines.

**Nested within Moore County's 2020 Strategic Action Plan**

In addition to offering a positive, purpose driven environment for our local multigenerational and tourist community, our plan is *squarely nested* in the Moore County 2020 Strategic Action Plan for Economic Development given that it proposes to:

1. Promote the Moore County Brand by “Inspiring and Exciting (internally & externally)”;
2. Create a “platform and environment that promotes military entrepreneurial and business growth,” and gain key relationships w/ Ft. Bragg;
3. Building a business consistent with golf of sports recreation businesses in order to “capitalize on the Home of American Golf brand;”
4. It will further “position Moore County as the thought leadership center on the future of golf; attract additionally golf companies to make Moore County their base; advance development of sports and sports facilities; enhance Moore as an equestrian destination,” given that golfers, equestrian enthusiasts and tourists alike enjoy super-premiums spirits;
5. Bring manufacturing to Moore County by “attracting and growing artisanal, niche, and small to mid-size manufacturing,” and
6. Export super-premium local products, consistent will all of the tenets listed above.

**Nested within Southern Pines Unified Development Ordinance.**

Consistent with the Purpose and Intent of the Southern Pines UDO, our proposed uses also:

1. Lend themselves to protecting and enhance the commercial and civic vitality of Downtown;
2. Protect and enhance the civic vitality and function and aesthetic characteristics of Southern Pines' neighborhoods;
3. Protect and enhance the aesthetic and functional characteristics of Horse Country throughout the extra-territorial jurisdiction of Southern Pines;
4. Contribute to a sustainable, balanced economy, providing community prosperity and fiscal health, improving the Town's economic resilience and self-reliance;
5. Maintain the Town's fiscal and physical health and quality of life as defined in the Comprehensive Plan through proactive, long-range planning and implementation;
6. Maintain fiscal solvency;
7. Retain golf as an essential part of Southern Pines' economy, physical character and culture.

Adding Restaurant at the Distilled Spirits Plant furthers the Health, Safety, and Welfare purpose of the Unified Development Ordinance as it mitigates potential negative impacts of on-site consumption of distilled spirits and is therefore in furtherance of sound public policy.

We look forward to discussing our purpose driven project with you, and look forward to becoming a family owned Southern Pines business.

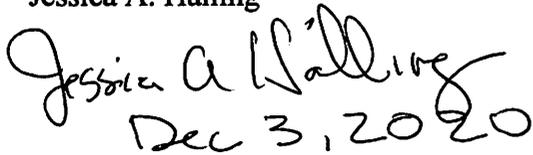
Sincerely,

Bradley J. Halling



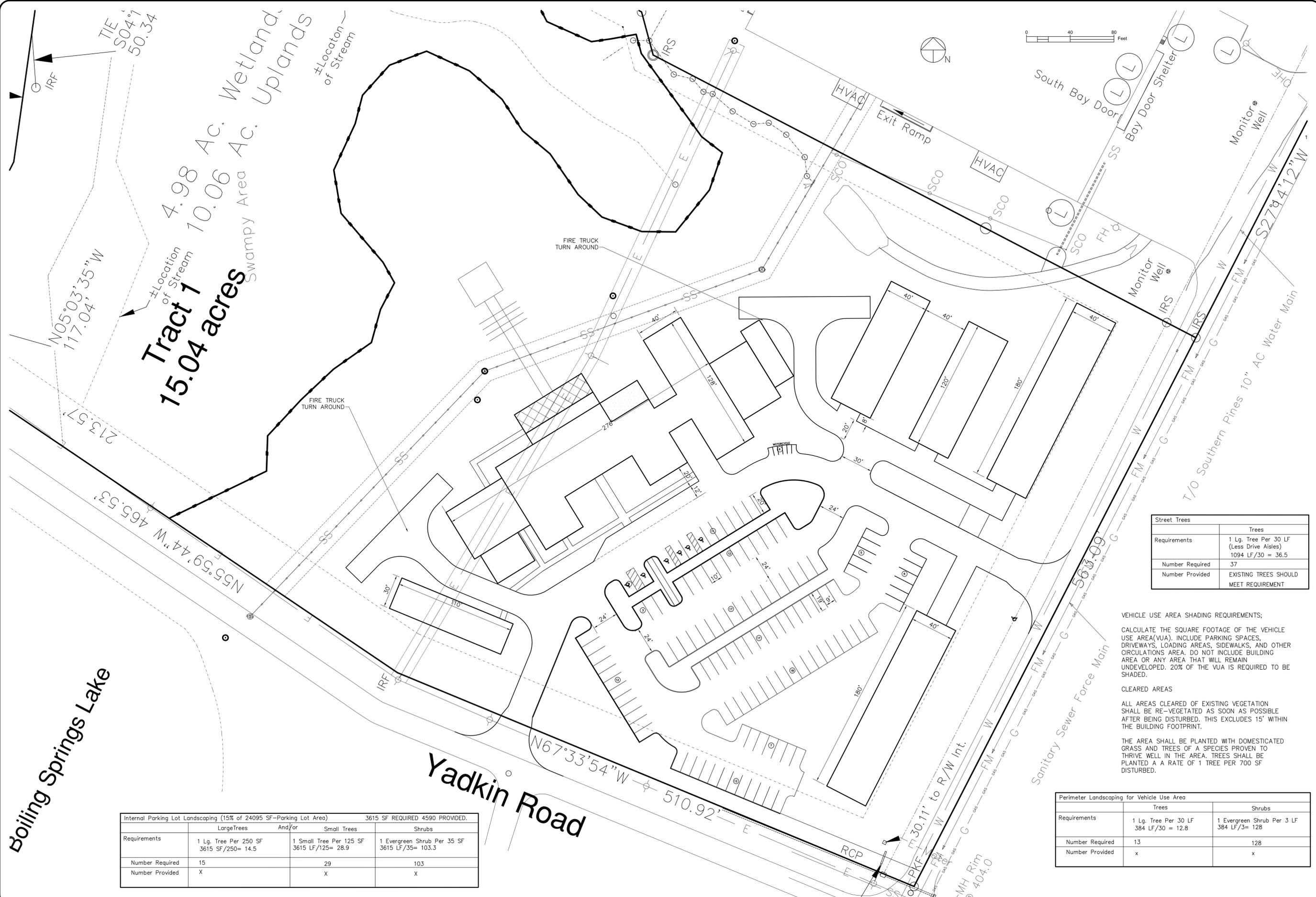
3 DEC 2020

Jessica A. Halling



Dec 3, 2020





Tract 1  
15.04 acres  
4.98 Ac. Wetland  
10.06 Ac. Uplands  
Swampy Area

Internal Parking Lot Landscaping (15% of 24095 SF—Parking Lot Area)				3615 SF REQUIRED 4590 PROVIDED.
	Large Trees	And/or Small Trees	Shrubs	
Requirements	1 Lg. Tree Per 250 SF 3615 SF/250= 14.5	1 Small Tree Per 125 SF 3615 LF/125= 28.9	1 Evergreen Shrub Per 35 SF 3615 LF/35= 103.3	
Number Required	15	29	103	
Number Provided	X	X	X	

Street Trees	
Requirements	Trees
Number Required	1 Lg. Tree Per 30 LF (Less Drive Aisles) 1094 LF/30 = 36.5
Number Provided	EXISTING TREES SHOULD MEET REQUIREMENT

VEHICLE USE AREA SHADING REQUIREMENTS;  
CALCULATE THE SQUARE FOOTAGE OF THE VEHICLE USE AREA (VUA). INCLUDE PARKING SPACES, DRIVEWAYS, LOADING AREAS, SIDEWALKS, AND OTHER CIRCULATIONS AREA. DO NOT INCLUDE BUILDING AREA OR ANY AREA THAT WILL REMAIN UNDEVELOPED. 20% OF THE VUA IS REQUIRED TO BE SHADED.

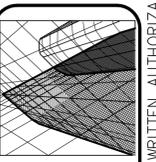
CLEARED AREAS  
ALL AREAS CLEARED OF EXISTING VEGETATION SHALL BE RE-VEGETATED AS SOON AS POSSIBLE AFTER BEING DISTURBED. THIS EXCLUDES 15' WITHIN THE BUILDING FOOTPRINT.

THE AREA SHALL BE PLANTED WITH DOMESTICATED GRASS AND TREES OF A SPECIES PROVEN TO THRIVE WELL IN THE AREA. TREES SHALL BE PLANTED AT A RATE OF 1 TREE PER 700 SF DISTURBED.

Perimeter Landscaping for Vehicle Use Area		
	Trees	Shrubs
Requirements	1 Lg. Tree Per 30 LF 384 LF/30 = 12.8	1 Evergreen Shrub Per 3 LF 384 LF/3= 128
Number Required	13	128
Number Provided	x	x

**BRAD HALLING AMERICAN WHISKEY CO.**  
SOUTHERN PINES, NC  
PRELIMINARY SITE LAYOUT SKETCH

REVISIONS:	REVISIONS:
1 05-20-2020	1
2 05-21-2020	2
3 12-17-2020	3
4 12-17-2020	4



Neal Smith Engineering, Inc.  
139 Pinchurst Avenue - Suite C  
Southern Pines, NC 28387  
Phone: (910) 695-8825  
Fax: (910) 695-8832  
www.nseengineering.com  
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DISTILLERY WILL HAVE SIMILAR ARCHITECTURE AS DISTILLERY SHOWN BELOW



DISTILLERY WILL HAVE SIMILAR ARCHITECTURE AS DISTILLERY SHOWN BELOW



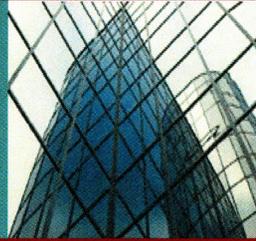
DISTILLERY WILL HAVE SIMILAR ARCHITECTURE AS DISTILLERY SHOWN BELOW





# Neal Smith Engineering, Inc.

139 Pinehurst Ave. – Suite C  
Southern Pines, NC 28387  
Phone: (910) 695-8825  
Fax: (910) 695-8832  
www.nseengineering.com



## BRAD HALLING AMERICAN WHISKEY CO.

PLANNED DEVELOPMENT  
NEIGHBORHOOD MEETING  
SIGN-IN SHEET (NSE No. 2000534)  
DECEMBER 22, 2020 AT 3:00 PM

	Name (Please Print)	Address	Email (Please Print)
1	Cynthia Bradley	146 BS. Cir	Cbrad1250@gmail.com
2	Richard Wiegert	142 Boiling Spr	rswiegert@yahoo.com
3	Beth Whitman	140 Boiling Spr Circle	bethwhitman1313@gmail.com
4			
5			
6			
7			
8			
9			

# Rezoning Neighborhood Meeting

12/22/2020 3:00-5:00pm

## Meeting Location:

Neal Smith Engineering  
139 Pinehurst Ave. - Suite C  
Southern Pines, NC  
910-695-8825



# BRAD HALLING AMERICAN WHISKEY CO.

Southern Pines, North Carolina

## Planned Development Conceptual Plans For Rickhouse Properties 3004 Edgewood Rd. Cameron, nc 28326

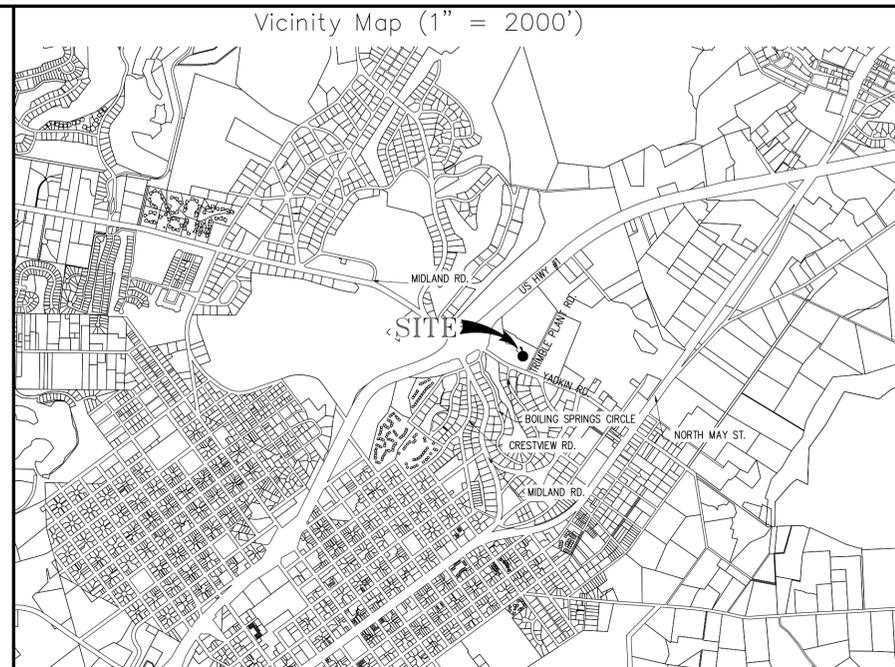
### GENERAL NOTES:

THIS MAP IS NOT IN ACCORDANCE WITH GS 47-30.

SURVEY AND SITE DATA PROVIDED BY:  
EMMETT S. RAYNOR, PLS  
265 E. CONNECTICUT AVE.  
SOUTHERN PINES, NC 28387

AREA BY COORDINATE METHOD.

PROPERTY CURRENTLY ZONED I PER THE TOWN OF  
SOUTHERN PINES.

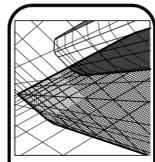


### SITE DATA

PARCEL ID:	36849
PIN:	858200642631
DEED BOOK & PAGE:	BOOK 5475, PAGE 429
ADDRESS:	175 YADKIN RD.
CURRENT ZONING:	I
SETBACKS:	
FRONT:	40'(FROM RIGHT OF WAY) 70'(FROM C/L OF ROAD)
SIDE:	15'(FROM RIGHT OF WAY) 45'(FROM C/L OF ROAD)
REAR:	10'(INTERIOR) 20'(INTERIOR)
WATERSHED:	WS-III-BW
DOWNSTREAM RECEIVING STREAM:	LITTLE RIVER INTAKE #2
STREAM CLASSIFICATION:	SWANN LAKE
RIVER BASIN:	HOW
TOTAL ACREAGE:	CAPE FEAR 15.04 ACRES
PROPOSED USE:	INDUSTRIAL/COMMERCIAL
EXISTING IMPERVIOUS AREA:	30,562 SF (4.67%)
PROPOSED IMPERVIOUS AREA:	142,365 SF (21.73%)
MAXIMUM BUILDING AREA:	51,270 SF

DRAWING INDEX	
COVER SHEET	COVER
EXISTING CONDITIONS	XC-1
CONCEPTUAL SITE LAYOUT PLAN	SP-1
CONCEPTUAL SITE LAYOUT PLAN-PHASE 1	SP-2

REVISIONS:	REVISIONS:



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BRAD HALLING AMERICAN WHISKEY CO.  
Southern Pines, NC  
Cover Sheet

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NUMBER	DIRECTION	DISTANCE
L1	N64°11'35"E	67.99'
L2	N64°11'35"E	30.93'
L3	N01°46'52"E	32.20'
L4	N42°54'11"E	44.80'
L5	N46°44'53"E	40.79'
L6	N54°55'40"E	42.36'
L7	N15°24'06"E	31.38'
L8	N27°50'08"E	27.41'
L9	N29°18'48"W	21.53'
L10	N40°37'25"W	58.82'
L11	N09°34'25"W	40.05'
L12	N24°49'23"E	46.58'
L13	N14°27'45"E	26.79'
L14	N41°59'58"E	36.96'
L15	N69°24'12"E	36.18'
L16	S65°25'06"E	43.17'
L17	S48°55'55"E	39.41'
L18	S33°02'07"E	34.41'
L19	S50°12'11"E	32.75'
L20	S34°40'60"E	45.25'
L21	S48°45'23"E	29.53'
L22	S69°58'31"E	38.78'
L23	S89°28'26"E	30.99'
L24	N38°55'37"E	49.15'
L25	N19°03'56"E	35.99'
L26	N52°20'42"W	23.81'
L27	N36°02'18"W	93.91'
L28	N15°05'39"W	18.16'
L29	S79°47'42"W	23.62'
L30	S81°56'31"W	17.80'
L31	N65°49'14"W	44.65'
L32	N26°50'32"W	33.82'
L33	N60°43'24"W	45.80'
L34	N70°43'08"W	32.66'
L35	N61°33'02"W	47.84'
L36	N71°09'25"W	39.59'
L37	N73°23'32"W	42.12'
L38	N65°03'60"W	36.52'
L39	N50°53'16"W	33.54'
L40	N22°30'56"W	50.49'
L41	S85°47'32"W	29.22'
L42	N87°18'22"W	26.52'
L43	S51°55'03"W	16.01'
L44	S44°35'29"W	30.76'
L45	N21°03'48"W	39.58'
L46	N56°45'32"W	9.22'
L47	S50°00'37"W	6.76'

N45°09'45"E  
ch= 97.83'

TIE LINE  
N09°26'13"W  
8.36'

N35°43'15"E  
ch= 96.00'

N31°17'16"E  
ch= 87.06'

N17°51'16"E  
ch= 75.60'

N07°54'14"E  
ch= 79.85'

N08°01'16"E  
ch= 119.12'

N26°56'11"E  
ch= 100.00'

15.04 acres  
USACOE Approved  
Jurisdictional  
Wetlands

Swampy Area  
10.06 Ac. Uplands

4.98 Ac. Wetlands

CONTROL CORNER  
IRF having NC-Grid  
NAD'83 Coordinates:  
x= 1,886,322.78  
y= 525,310.09

NC Self Storage, LLC

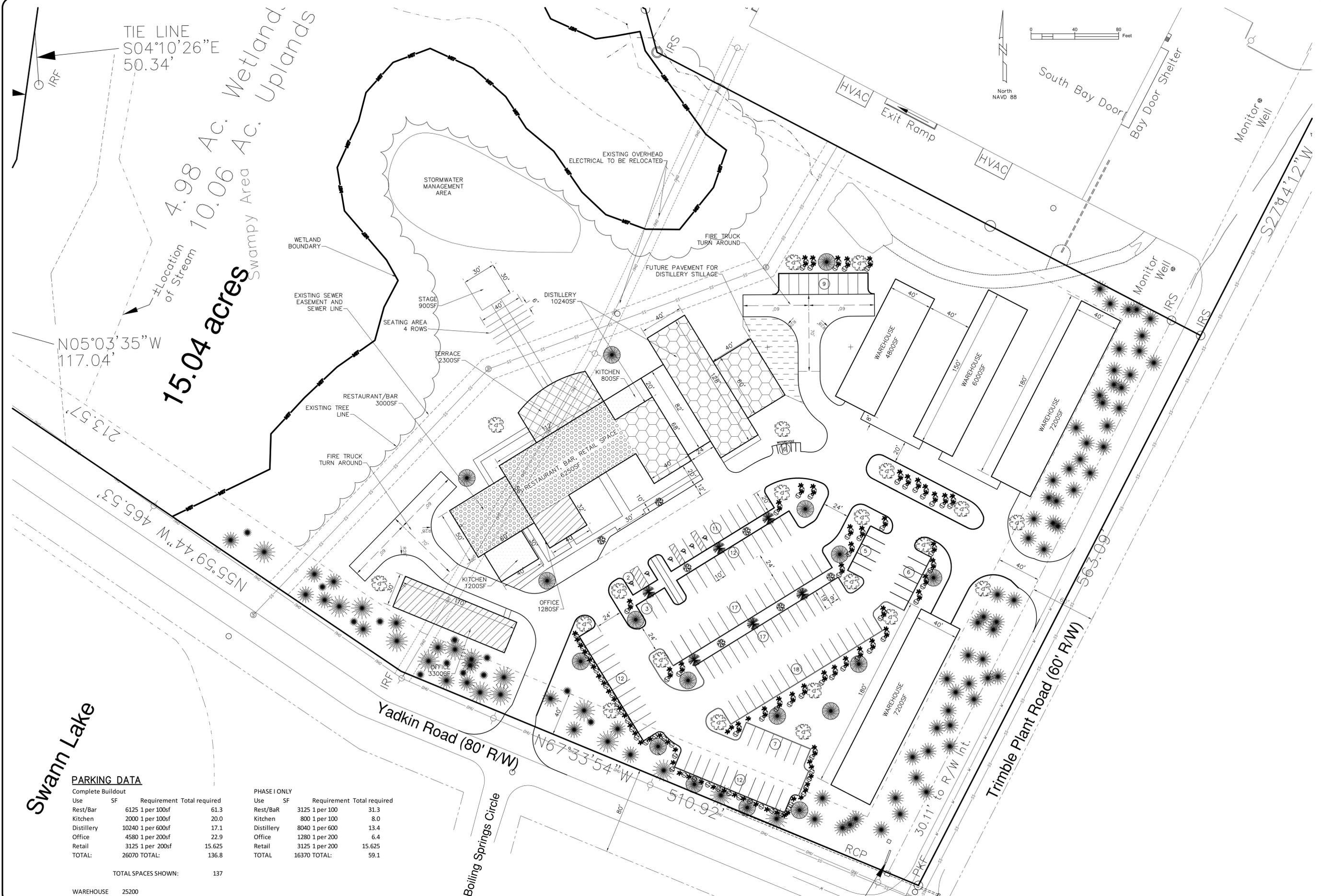
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**15.04 acres**

**PARKING DATA**

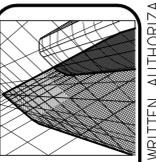
Complete Buildout				PHASE I ONLY			
Use	SF	Requirement	Total required	Use	SF	Requirement	Total required
Rest/Bar	6125	1 per 100sf	61.3	Rest/Bar	3125	1 per 100	31.3
Kitchen	2000	1 per 100sf	20.0	Kitchen	800	1 per 100	8.0
Distillery	10240	1 per 600sf	17.1	Distillery	8040	1 per 600	13.4
Office	4580	1 per 200sf	22.9	Office	1280	1 per 200	6.4
Retail	3125	1 per 200sf	15.625	Retail	3125	1 per 200	15.625
<b>TOTAL:</b>	<b>26070</b>	<b>TOTAL:</b>	<b>136.8</b>	<b>TOTAL:</b>	<b>16370</b>	<b>TOTAL:</b>	<b>59.1</b>

TOTAL SPACES SHOWN: 137

WAREHOUSE 25200

**BRAD HALLING AMERICAN WHISKEY CO.**  
SOUTHERN PINES, NC  
CONCEPTUAL SITE LAYOUT PLAN

REVISIONS:

**Neal Smith Engineering, Inc.**  
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Southern Pines, NC 28387  
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Fax: (910) 695-8832  
www.nseengineering.com  
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JOB NUMBER: 2000534  
DRAWING KEY: SP-1

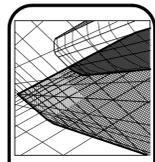


NOTE:  
PHASE I IS SHOWING THE INITIAL  
CONSTRUCTION OF THE BUILDING.  
THIS IS A START UP COMPANY  
AND THE FUTURE CONSTRUCTION  
WILL BE DEPENDENT UPON THE  
GROWTH OF THE COMPANY AND  
SUPPORT REQUIRED.

**BRAD HALLING AMERICAN WHISKEY CO.**  
SOUTHERN PINES, NC

CONCEPTUAL SITE LAYOUT PLAN-PHASE 1

REVISIONS:

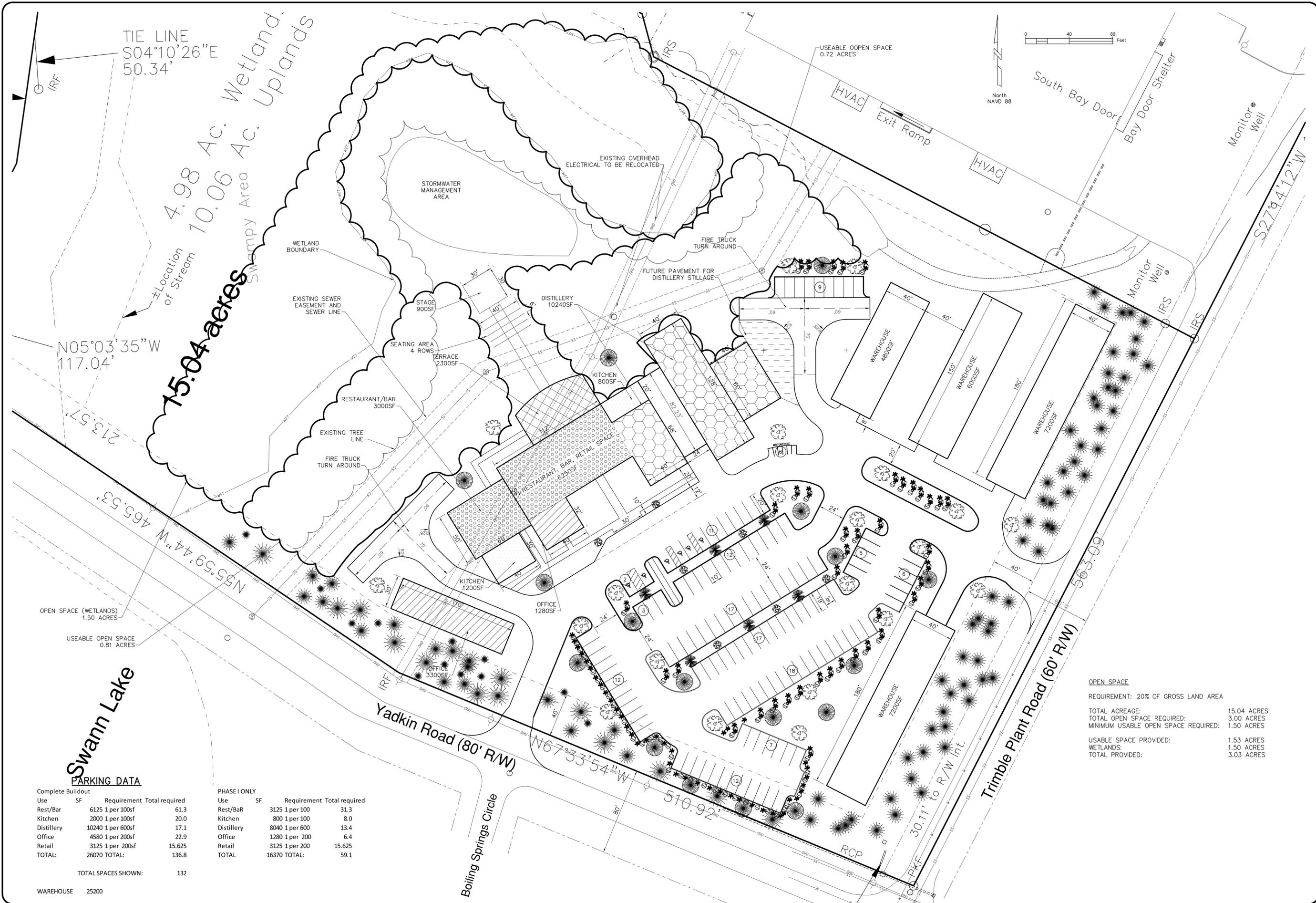
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01-11-2021  
JOB NUMBER:  
2000534  
DRAWING KEY:  
SP-2

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**15.04 acres**

4.98 Ac. Wetland  
10.06 Ac. Swampy Area  
Uplands

**PARKING DATA**

Complete Buildout			PHASE I ONLY		
Use	SF	Requirement Total required	Use	SF	Requirement Total required
Rest/Bar	6125	1 per 100sf 61.3	Rest/Bar	3125	1 per 100 31.3
Kitchen	2000	1 per 100sf 20.0	Kitchen	800	1 per 100 8.0
Distillery	10240	1 per 600sf 17.1	Distillery	8040	1 per 600 13.4
Office	4580	1 per 200sf 22.9	Office	1280	1 per 200 6.4
Retail	3125	1 per 200sf 15.625	Retail	3125	1 per 200 15.625
<b>TOTAL:</b>	<b>26070</b>	<b>TOTAL: 136.8</b>	<b>TOTAL:</b>	<b>16370</b>	<b>TOTAL: 59.1</b>

TOTAL SPACES SHOWN: 132

WAREHOUSE 25200

**OPEN SPACE**  
 REQUIREMENT: 20% OF GROSS LAND AREA

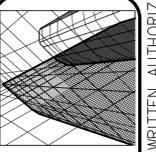
TOTAL ACREAGE: 15.04 ACRES  
 TOTAL OPEN SPACE REQUIRED: 3.00 ACRES  
 MINIMUM USABLE OPEN SPACE REQUIRED: 1.50 ACRES

USABLE SPACE PROVIDED: 1.53 ACRES  
 WETLANDS: 1.50 ACRES  
 TOTAL PROVIDED: 3.03 ACRES

**BRAD HALLING AMERICAN WHISKEY CO.**  
 SOUTHERN PINES, NC  
 CONCEPTUAL SITE LAYOUT PLAN

REVISIONS:

NO.	DATE	BY	DESCRIPTION
1	02-03-2021	BCW	
2	02-05-2021	BCW	



Neal Smith Engineering, Inc.  
 139 Pinchurst Avenue - Suite C  
 Southern Pines, NC 28387  
 Phone: (910) 695-8825  
 www.nseengineering.com  
 License No. CE1425



**PRELIMINARY**  
 Do not use for construction

DRAWN BY: BCW  
 SCALE: As Noted  
 DATE: 01-11-2021  
 JOB NUMBER: 2000534  
 DRAWING KEY: SP-1

# BRAD HALLING AMERICAN WHISKEY COMPANY

## CAMPUS STYLE DISTILLED SPIRITS PLANT GROWTH PLAN

AS OF FEB 1, 2021

FOR PRESENTATION AT FEB 18, 2021 TOWN OF SOUTHERN PINES CONCEPTUAL DEVELOPMENT PLAN ZONING MEETING

**PHASE 1:** Construction of **Distilled Spirits Plant** (approx. 15,500 sq ft - including production, blending, bottling, delivery/pickup, and storage; cocktail bar, kitchen, restaurant, retail, office and private tasting/dining space, bathrooms and terraces) with completion of the following infrastructure:

1. Entry / Exit driveway on Trimble Plant Road.
2. Entry /Exit driveway on Yadkin Road.
3. Minimum parking required pursuant to approved Planned Development.
4. Required fire access drives for the completed building.
5. Installation of water, sewer, electrical, gas, communication and signs.
6. Main sidewalks and landscaping to the completed building.
7. Required storm water infrastructure.

Construction of Phase 1 is to be completed within 24 months of the issuance of building permits.

**PHASE 2:** Construction of **Rickhouse A:** (approx. 120 x 40 sq ft) building for barrel and equipment/supply storage, tastings.

Construction of **Stage** (approx. 30 x 30 sq ft) with roof, with final grading and seeding of land to accommodate amphitheater setting.

Phase 2 is to be completed within 60 months of issuance of building permits.

**PHASE 3:** Construction of **Rickhouse B** (approx. 150 x 40 sq ft) and **Rickhouse C** (180 x 40 sq ft) buildings for barrel storage and equipment/supply storage, tastings.

Construction of **North Side Expansion** of the **Distilled Spirits Plant** for additional production, blending, bottling, delivery, pick/up and storage capacity space.

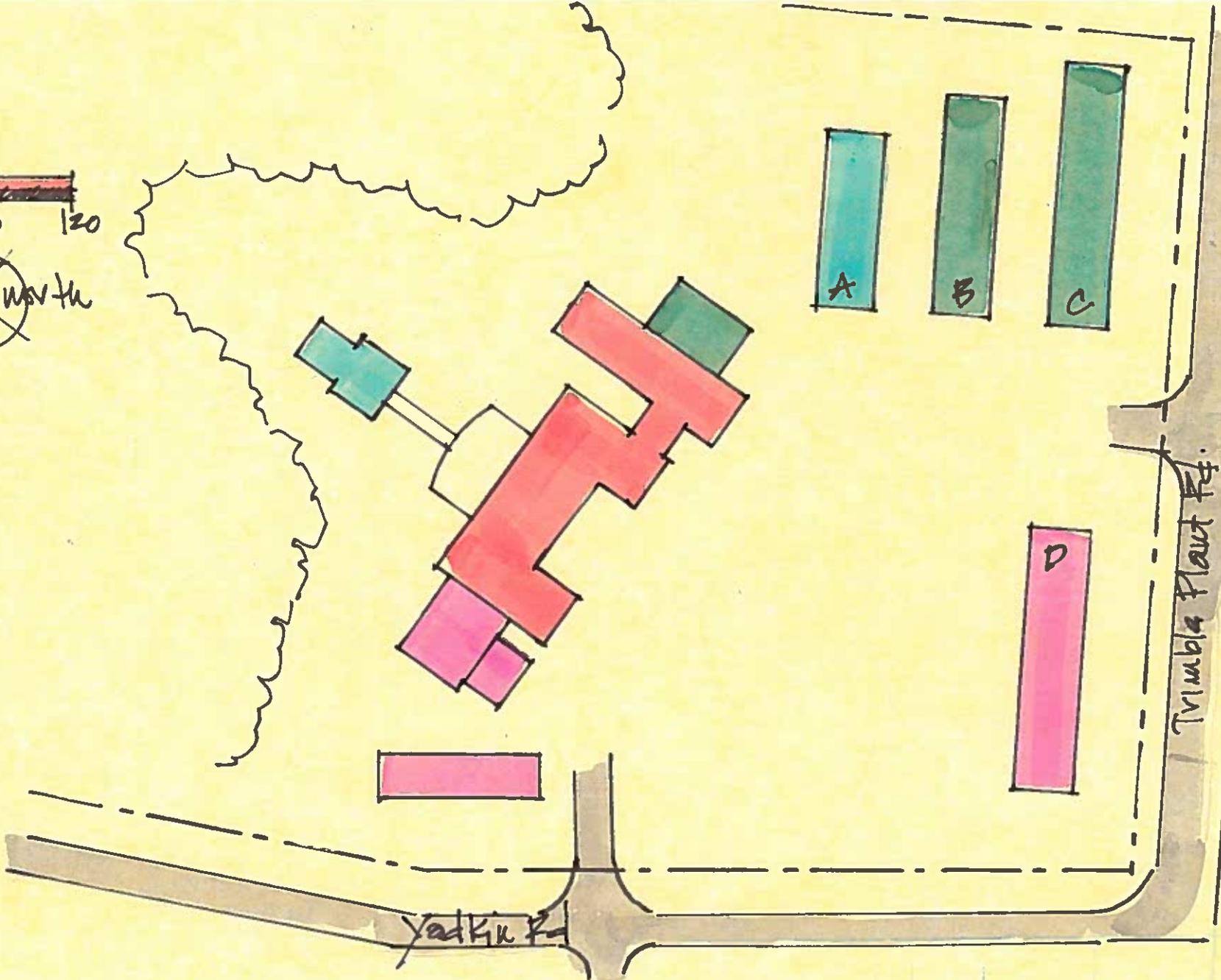
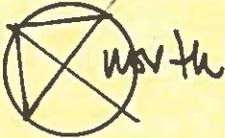
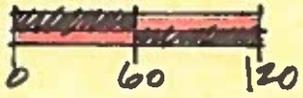
Phase 3 is to be completed within 96 months of the issuance of building permits.

**PHASE 4:** Construction of **South Side Expansion** of the **Distilled Spirits Plant** for add'l private tasting/dining space and caterer's kitchen space.

Construction of **Headquarters Office Suite Building**.

Construction of **Rickhouse D** (approx. 180 x 40 sq ft) for barrel and equipment supply/storage, tastings.

Phase 4 is to be completed within 120 months of issuance of building permits.



- 1
- 2
- 3
- 4



NORTH CAROLINA  
Environmental Quality

October 23, 2020

ROY COOPER  
Governor

MICHAEL S. REGAN  
Secretary

MICHAEL SCOTT  
Director

**Sent Via USPS and email**

Jessica A. Halling  
Rickhouse Properties, LLC  
304 Edgewood Road  
Cameron, NC 28326  
[jhalling@yahoo.com](mailto:jhalling@yahoo.com)

Subject: Letter of Eligibility  
Trimble Plant Road Property  
175 Yadkin Road  
Southern Pines, Moore County  
Brownfields Project Number 24049-20-063

Dear Ms. Halling:

The North Carolina Department of Environmental Quality (DEQ) has received and reviewed your September 10, 2020 Brownfields Property Application (BPA) submitted by Rickhouse Properties, LLC as a Prospective Developer seeking a Brownfields Agreement regarding the Brownfields Property. Upon review of the BPA with respect to the requirements of the Brownfields Property Reuse Act of 1997, DEQ has determined that this project is eligible for entry into the North Carolina Brownfields Program (NCBP) and for continued evaluation for a Brownfields Agreement (BFA).

The next step in the BFA process will involve a detailed review of available environmental and other relevant data to determine what is currently known about contamination at the Brownfields Property, and what, if any, information gaps may exist that may require additional assessment. We are in receipt of the following document submitted with your BPA:

Report	Prepared By	Date
Phase I Environmental Site Assessment	Hal Owen and Associates	June 18, 2020

If available, historical Brownfields Property information from the files of DEQ's Division of Waste Management will also be utilized during the evaluation process. Please forward any additional information or data you may have or can acquire for our evaluation. This should include reports from other DEQ agencies or regional offices. We will contact you regarding any additional assessment that may be necessary to establish that the Brownfields Property is or can be made suitable for the intended reuse, as required by statute.



According to the BPA, the intended redevelopment for the Brownfields Property is for a distilled spirits plant, with associated office, parking, retail, warehousing, and commercial uses. Because risk management decisions may vary depending on the nature of the redevelopment, it will be important that DEQ review the locations of the various elements. Please forward any maps or drawings indicating these details, even if they are only preliminary or conceptual.

**Please note:** The site uses in the application have not yet been determined to be suitable. That determination will be made with further analysis of site specific data. Pending execution of a final BFA, NCBP eligibility is provisional. The protections a BFA offers the Prospective Developer are *not in effect*, unless and until, the BFA is executed. If you occupy the Brownfields Property or operate or conduct activities at the Brownfields Property that result in a release of regulated substances before a BFA has been finalized for the Brownfields Property, you may be considered to have caused or contributed to contamination at the Brownfields Property. Because an entity that could be considered to have caused or contributed to contamination at the Brownfields Property cannot be a Prospective Developer under the Act, your eligibility for participation in the NCBP would be placed in jeopardy. Consult closely with your Project Manager regarding any planned site activities prior to agreement finalization. You are cautioned to conduct all such operations and activities at the Brownfields Property with great care not to cause a release of regulated substances at the Brownfields Property that could jeopardize your eligibility for participation in the NCBP.

If a party other than Rickhouse Properties, LLC will own the Brownfields Property at the conclusion of the brownfields process, the final document (which gets recorded at the register of deeds' office) must be signed not only by Prospective Developer, but by that owner. Failure by the Prospective Developer to ensure, by the time the BFA negotiations are complete, the willingness to sign of any such party, and to provide DEQ the exact name, email address, telephone number, and US mail address of the party (along with the signatory/signatory's title in the case of an entity) will delay, and could prevent, the BFA taking effect.

We are excited about the potential for public benefit offered by the reuse of the Trimble Plant Road Property and look forward to working with you to advance this brownfields redevelopment project. If you have questions about this correspondence or require additional information, please feel free to contact the project manager Jim Rudder by phone at 704-798-0352, or by e-mail at james.rudder@ncdenr.gov.

Sincerely,



Bruce Nicholson  
Brownfields Program Manager

ec: Central Files, DEQ  
Ellen Lorscheider, DEQ  
Jim Rudder, DEQ  
Justin Ballard, Hart & Hickman