



## AGENDA

Tuesday, August 10, 2021: 6:00 PM

Town Council Business Meeting

Douglass Community Center: 1185 W. Pennsylvania Ave

### 1. CALL TO ORDER

### 2. PLEDGE OF ALLEGIANCE

### 3. TOWN MANAGER'S COMMENTS

### 4. PUBLIC HEARINGS

#### a. **AX 03-21: Voluntary Annexation Petition for 260 Saunders Blvd.**

Robert and Tracy Currie have petitioned the Town for a voluntary annexation of a contiguous +.459-acre parcel, located at 260 Saunders Blvd.

#### b. **PD-04-21: CDP for NC 22 Overseas Shipping Container Self-Storage for 7688 NC 22 Hwy.**

Dan Pritchard has submitted an application for a Planned Development Conceptual Development Plan in order to develop a storage facility with a commercial outparcel. The subject property is on the west side of NC 22, between Waynor Rd. and Russett Ct.

#### c. **PD-05-21: PDP for NC 22 Overseas Shipping Container Self-Storage for 7688 NC 22 Hwy.**

Dan Pritchard has submitted a Preliminary Development Plan for the first phase of the overall development, to include a maximum of 290 storage units.

#### d. **RA-02-21: Right-of-Way Abandonment on W. Michigan Ave.**

The Town, on behalf of the Mid-South development, proposes to abandon a section of right-of-way in order to facilitate an emergency access point for the Mid-South development. The section proposed for abandonment is located northwest of the intersection with Pine Street and West Michigan Avenue.

### 5. ACTION ITEMS

#### a. **AR-02-21: Consider Architectural Compliance Permit for 540 SW Broad St.**

John Heckethorn, on behalf of Colin and Emi Webster, requests approval of an Architectural Compliance Permit for a 4,668 square-foot commercial office building.

#### b. **WP-02-21: Watershed Protection Permit for NC 22 Overseas Shipping Container Self-Storage for 7688 NC 22 Hwy.**

Dan Pritchard has submitted an application for a Watershed Protection Permit in order to develop a storage facility with a commercial outparcel. If approved, the project will be permitted to develop up to the 70% of the built-upon land area. The subject property is on the west side of NC 22, between Waynor Rd. and Russett Ct.

**c. Consent Agenda**

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

**1. AX-04-21: Approve Resolution to Set Public Hearing for Annexation Petition**

Ms. Toni Anne Washington has petitioned the Town for a voluntary annexation of a contiguous +2.03-acre parcel, located at 1042 SW Broad St. Upon receipt of a Certificate of Sufficiency from the Town Clerk, the next step is to adopt a resolution setting a date for a public hearing. The hearing is proposed for September 14.

**2. Re-Appoint Cooper Carter to the Planning Board for a Term to Expire May 15, 2024**

Cooper Carter has served on the Town's Planning Board since 2019. His term expired on May 15 and he requests re-appointment for a three-year term.

**3. Approve Minutes**

- a. July 7, 2021 Agenda Meeting
- b. July 7, 2021 Closed Session
- c. July 13, 2021 Business Meeting
- d. July 23, 2021 Work Session

**d. Appointment of Council Treasurer & Vice-Treasurer**

Councilmember Mitch Lancaster, who currently serves as Treasurer, is vacated his seat.

**6. PUBLIC COMMENTS**

**7. ADJOURNMENT**

## **Agenda Item**

**To:** Reagan Parsons, Town Manager

**From:** Cindy Williams, Planning Technician

**Subject:** **AX-03-21: Public Hearing for a Request for Voluntary Annexation of Property Contiguous to the Corporate Limits of the Town of Southern Pines; ±.459 Acres; Petitioners: Robert Currie and Tracy Currie**

**Date:** August 10, 2021

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

Robert Currie and Tracy Currie are requesting voluntary annexation of a contiguous parcel that is currently outside of the corporate limits of the Town of Southern Pines. The subject parcel is identified PIN 857116830984 (PARID 00052214). Per the Moore County tax records, the property owners are listed as Robert Allen Currie and Tracy Wyatte Currie.

### **II. PRIOR TOWN COUNCIL ACTION:**

During the June 28, 2021 Town Council work session, the Town Council approved a *Resolution Directing the Clerk to Investigate a Petition Received Under G.S. 160A-31*.

During the July 13, 2021 Town Council Regular Meeting, the Town Council approved a *Resolution Fixing Date of Public Hearing on Question of Annexation Pursuant to G.S. 160A-31, As Amended*.

### **III. PROJECT INFORMATION:**

#### **A. Physical Addresses:**

260 Saunders Boulevard  
Southern Pines, NC 28387

#### **B. Property Owners/Applicants:**

Robert Currie & Tracy Currie  
260 Saunders Boulevard  
Southern Pines, NC 28387

#### **C. Property Identification Number (PIN) & Parcel Identification:**

PIN: 857116830984; PARID: 00052214

#### **D. Size of Property:**

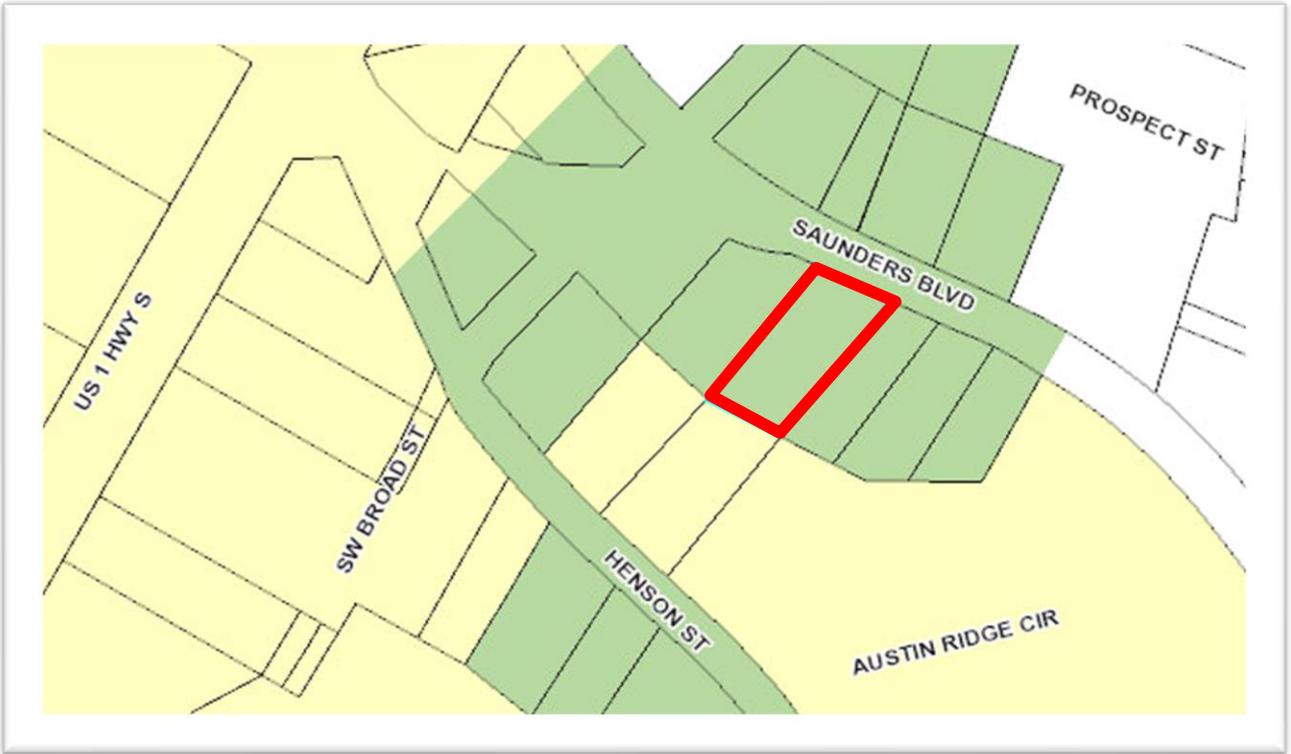
Total Current Acreage: ±.459 acres

#### IV. STAFF COMMENTS:

- The applicants have submitted an annexation petition accompanied by a map and a written metes and bounds description of the subject property.
- The request is a voluntary request for a contiguous annexation as the adjacent property to the South is within the corporate limits of the Town of Southern Pines (see Figure 1).
- The subject property is presently zoned RS-1 (Residential Single-Family) and the adjacent properties to the northwest and southeast are also presently zoned RS-1. The property adjoining to the southwest is zoned RM-2.
- At the June 28, 2021 Town Council work session, the Deputy Town Clerk was directed to investigate the petition for voluntary annexation received under NCGS §160A-31.
- At the July 13, 2021 Town Council Regular meeting, the Deputy Town Clerk provided a certificate of sufficiency of the petition for annexation, and the Town Council approved a resolution setting a date for a public hearing on the petition for annexation.
- The purpose of this agenda item is to hold a public hearing to consider the annexation request.
- **Comprehensive Long Range Plan Analysis:**
  - The subject property is identified as “Residential” on the Comprehensive Long Range Plan (CLRP) Future Land Use Map (see Figure 3). Per the CLRP 2015-2016 update:

*“Residential. This designation encompasses the majority of Southern Pines’ residential land, providing for single-family and attached housing at development densities ranging from one unit per acre in areas that are less intensively developed to up to twelve units per acre that are clearly more urban. Elementary schools, civic uses, parks and neighborhood scale commercial services may be authorized through the rezoning process without amending the future land use map.”*

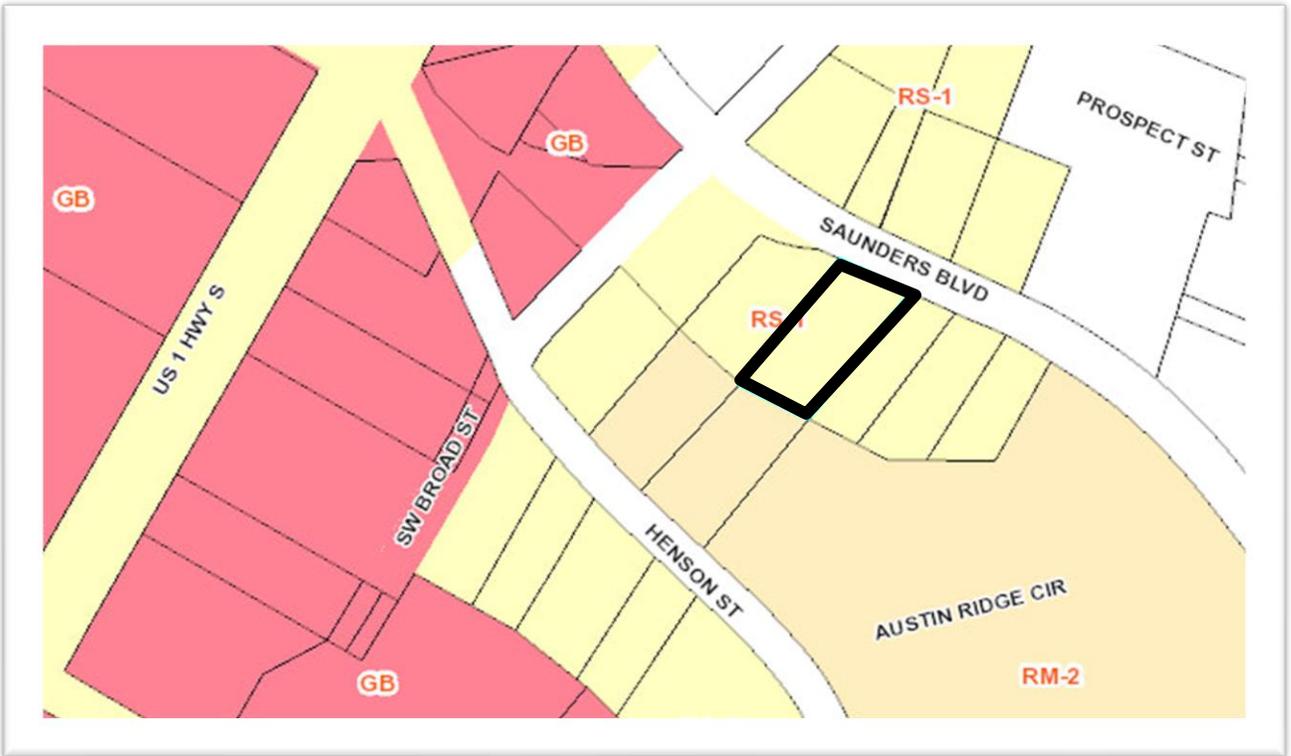
**Figure 1: Adjacent Property (Area to be Annexed Outlined in Red)**



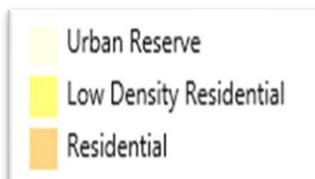
 Town of Southern Pines Corporate Limits

 Town of Southern Pines ETJ

**Figure 2: Zoning Map (Area to be Annexed Outlined in Black)**



**Figure 3: CLRP Future Land Use Map (Area to be Annexed Outlined in Blue)**



**V. ATTACHMENTS:**

1. Petition
2. Written metes and bounds description
3. Survey of subject property

**VI. TOWN COUNCIL ACTION:**

**To either approve or deny the *Voluntary Annexation*, the Town Council may choose one of the following motions or any alternative they wish:**

- 1) I move to adopt an Ordinance approving the Voluntary Annexation request in application AX-03-21 for the property as defined in the submitted written metes and bounds description, and to have the Ordinance effective immediately.

**-or-**

- 2) I move to deny the Voluntary Annexation in application AX-03-21 for the property as defined in the submitted metes and bounds description.

**Metes & Bounds Description of Property Petitioning for Annexation:**

Being Lot No. 12, Block H, according to a map of Pine Ridge, Southern Pines, N.C., recorded in Book of Maps 2A, page 59, Moore County Registry, and BEGINNING at a point in the southwestern line of Magnolia Drive, said point being the southeast corner of Lot No. 13; runs thence along the common dividing line of Lots 12, 13, 2 and 3; thence along the common dividing line between Lots 3 and 12, 100 feet; thence along the common dividing line between Lots 11 and 12, 210 feet in a northeasterly direction to a point in the southwestern boundary of Magnolia Drive; thence in a northwestern direction along said boundary 100 feet to the point of beginning.

**PETITION FOR VOLUNTARY ANNEXATION OF REAL  
PROPERTY CONTIGUOUS TO THE  
TOWN OF SOUTHERN PINES, NORTH CAROLINA**

\_\_\_\_\_ May 24 \_\_\_\_\_, 2021 \_\_\_\_\_

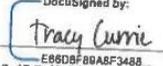
**TO THE TOWN COUNCIL OF THE TOWN OF SOUTHERN PINES, NORTH CAROLINA:**

1. We the undersigned owners of real property respectfully request that the area described in Paragraph 2 below be annexed to the Town of Southern Pines, North Carolina, pursuant to G. S. 160A-31.
  
2. The area requested to be annexed is contiguous to the Town of Southern Pines, and the boundary of such territory is described by metes and bounds as follows:

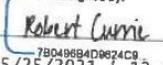
**A legal metes and bounds description of boundaries of annexation, or a legal metes and bounds description of boundaries must be included.**

**Name & Signature of Owner**

**Address of Owner**

Tracy Currie   
DocuSigned by:  
E88D8F80A8F3488  
5/25/2021 | 12:29 PM EDT

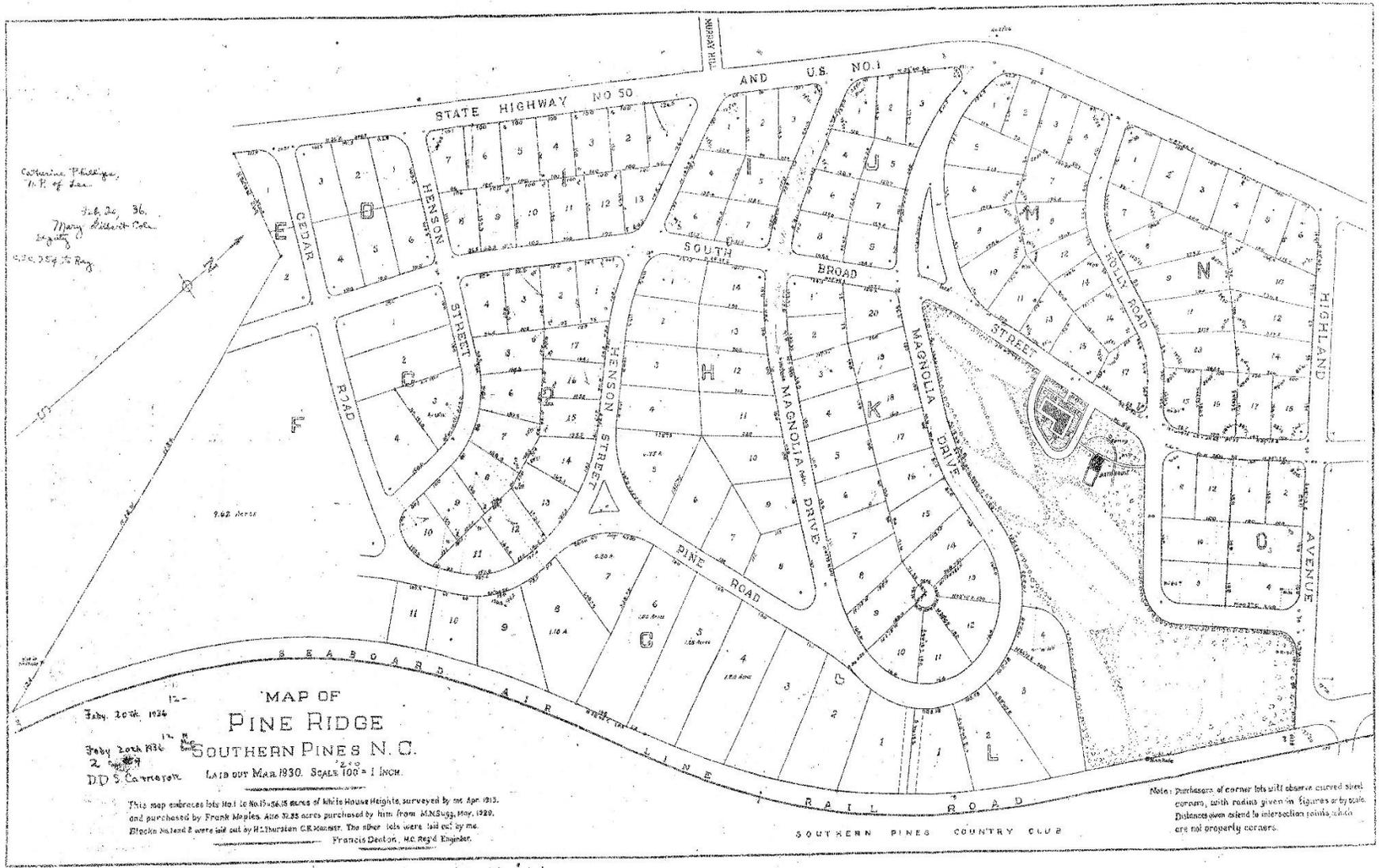
92 Gibbs Road, Hendersonville, NC 28792

Robert Currie   
DocuSigned by:  
78049884D8624C8  
5/25/2021 | 12:44 PM PDT

5518 Cyrus Lee Lane, Monroe, NC 28110

Two copies of the petition, an 11" x 17" map showing location and boundaries of the area requested to be annexed, a legal metes and bounds description and physical address for the property (new projects or properties that are being subdivided are to obtain address numbers from the Southern Pines Planning office while properties with existing structures are to obtain/confirm those addresses through the Southern Pines Fire Department) are to be filed with the Town Clerk, 125 S. E. Broad Street, Southern Pines, NC 28387.





## **Agenda Item**

**To:** Reagan Parsons, Town Manager

**From:** Suzy Russell, Planner II

**Subject:** PD-04-21: A Planned Development District Conceptual Development Plan to accommodate the development of a self-storage facility and to allow future development of requested general business and office service land uses; 7688 NC 22 HWY; Applicant: Dan Pritchard; Authorized Agent: Bob Koontz, Koontz Jones Design

**Date:** August 10, 2021

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

Mr. Robert Koontz of Koontz Jones Design, on behalf of the applicant, Mr. Dan Pritchard, 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 a storage facility utilizing shipping container storage and open-air storage located on 8.3 acres of the total existing 10.02 acres. The parcel along Highway 22 would consist of any of the multiple requested land uses from the office service and general business zoning districts on 1.72 acres. Three (3) existing parcels make up the subject property for a total of 10.02 acres and are zoned planned development (PD). The subject property is located on the west side of NC Highway 22 between Waynor Road and Russet Court. Pursuant to the Moore County tax records, the parcels are identified as PIN: 857400926530 (PARID: 00036656) – This land is located in the extraterritorial jurisdiction of the Town, PIN: 857400920451 (PARID: 00036657) – This land is located in the extraterritorial jurisdiction of the Town and PIN: 857404829141 (PARID:95000179); owned by Airport Park of Moore County, LLC

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

At the July 22, 2021 Regular Meeting of the Planning Board, with six members present and Mr. Andy Bleggi absent, the Planning Board held a legislative public hearing for application PD-04-21. Planning staff, Ms. Suzy Russell, presented a review of the conceptual development plan application. Following staff's comments, the applicant's agent, Mr. Bob Koontz, presented the case for approval of the conceptual development plan. The Planning Board followed with questions and comments for Mr. Koontz.

After closing the public hearing, a motion was made by Mr. Cooper Carter that after considering Criteria A for a zoning map amendment found in UDO §2.17.9 the requested Conceptual Development Plan is found not to be consistent with the Comprehensive Long Range Plan, and the Planning Board adopts the resolution that is included as Attachment A in the staff memorandum for PD-04-21 as revised at the hearing. The Planning Board's

revised Attachment A can be found attached to this report. Mr. Ben Green seconded the motion and the motion was approved 5-1. Mr. Cooper Carter then made a motion that after considering criteria B-H for a zoning map amendment found in UDO 2.17.9 the requested Conceptual Development Plan PD-04-21 is found to not comply with Criteria B and C for a zoning map amendment for the CDP as submitted because there could be adverse impacts on neighboring lands and the Board find the parcel suitable as presently zoned. The requested Conceptual Development Plan is found to comply with the criteria D-H for a zoning map amendment for the CDP as submitted. Mr. Lem Dowdy seconded the motion and was approved unanimously. Mr. Cooper Carter moved to recommend denial of PD-04-21 and Mr. Ben Green seconded the motion and the motion was approved 5-1.

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

Please find the Revised Attachment A of the Planning Board for PD-04-21 in the attachments.

### **III. PROJECT INFORMATION:**

#### **A. Property Details:**

**i. Property Owner and Applicant:**

Airport Park of Moore Count, LLC  
M Fields  
PO Box 206  
Pinehurst, NC 28370

**ii. Applicant:**

Mr. Dan Pritchard  
31 Lakeview Drive  
Whispering Pines, NC 28327

**iii. Authorized Agent:**

Koontz Jones Design  
Mr. Robert Koontz  
150 S Page Street  
Southern Pines, NC 28387

#### **B. Property Information:**

**i. Subject Property Street Address:**

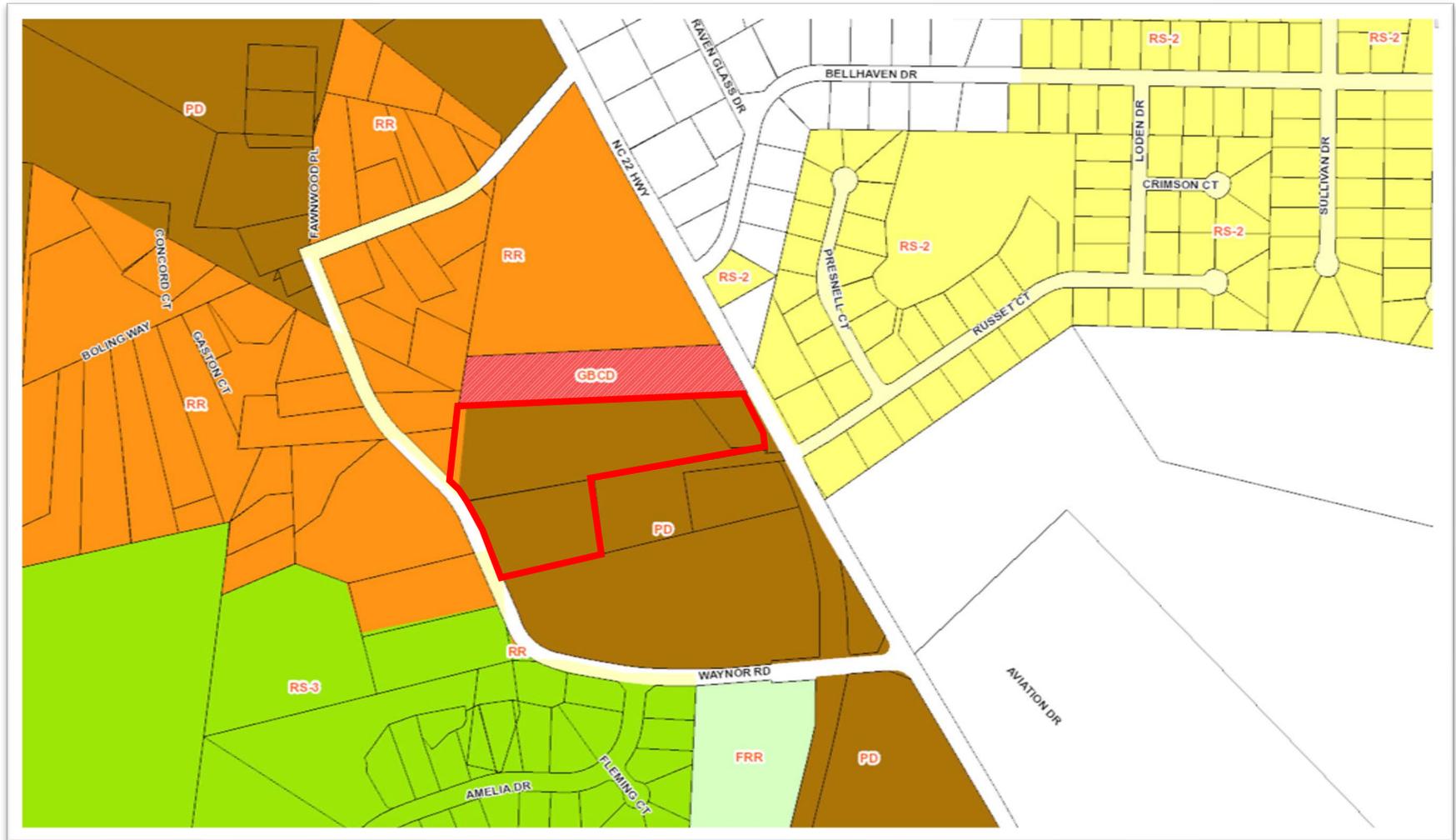
7688 NC 22 Highway  
Southern Pines, NC 28387

- ii. **Size of Property:**  
Total acreage: 10.2 acres
- iii. **Current Property Zoning Classification:**  
The subject property is zoned planned development (PD)
- iv. **Current Location of Subject Property (ETJ and City Limits):**  
PIN: 857400926530 (PARID: 00036656) – This land is located in the extraterritorial jurisdiction of the Town and will require annexation.  
PIN: 857400920451 (PARID: 00036657) – This land is located in the extraterritorial jurisdiction of the Town and will require annexation.  
PIN: 857404829141 (PARID:95000179) – This land is located in the Town city limits.  
The applicant stated in section 2.1 of the applicant’s narrative that the parcels located in the ETJ will be voluntarily annexed into the Town.
- v. **Current Comprehensive Long-Range Plan (CLRP) and Future Land Use Map Designation (FLUM):**  
The subject property designated as residential on the Future Land Use Map. This designation encompasses the majority of Southern Pines’ residential land, providing for single-family and attached housing at development densities ranging from one unit per acre in areas that are less intensively developed to up to twelve units per acre in places that are clearly more urban. Elementary schools, civic uses, parks and neighborhood scale commercial services may be authorized through the rezoning process without amending the future land use map.
- vi. **Existing Property Description:**  
The parcel that fronts NC 22 Highway is mostly cleared of vegetation. The other two lots that have land along Waynor Road are wooded. The applicant has provided a letter from Fish and Wildlife Service and Dr. J.H. Carter III and Associates, Inc., (see in attachments). The subject property is located within the WSIII area. The subject property also falls within the Urban Transition Highway Corridor Overlay, UTHCO, and therefore the maximum built upon surface area is limited to 65% and the maximum building footprint allowed is 30%.
- vii. **Existing Infrastructure:**  
The subject property has access to existing town water and sewer. (See Figure 2: Existing Public Utilities Map). The applicant will be required to build a private street. The subject property would be accessed with the main access being located on NC 22 HWY, a designated NCDOT road. A second access would be located off of Waynor Road for emergency access only.
- viii. **Standards within the Unified Development Standards that apply specifically to this property in regards to a Conceptual Development Plan: (*the UDO intends that no development shall occur on any public or private property within***

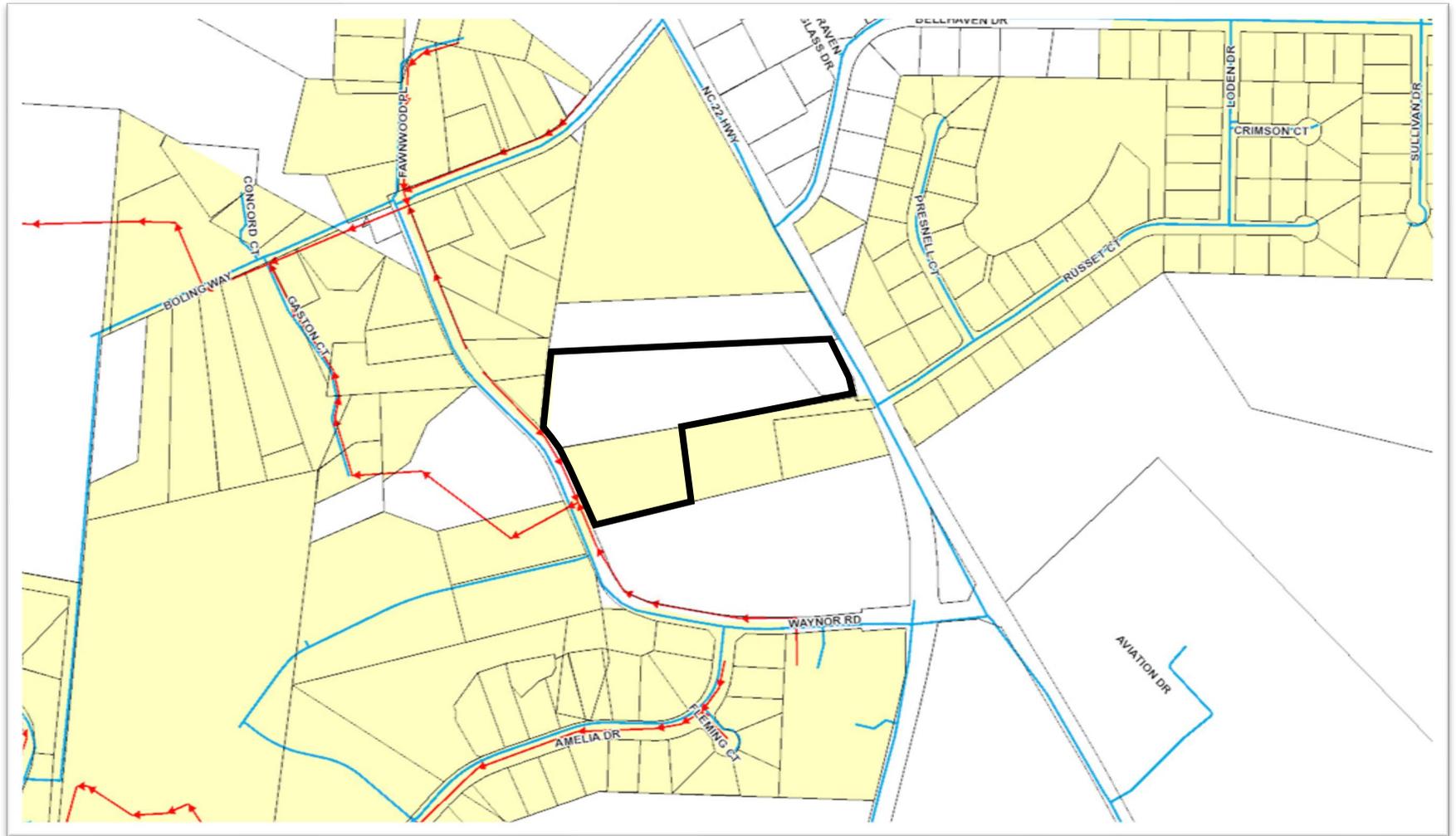
*the jurisdiction of the Town of Southern Pines until and unless all applicable development approvals for the development have been granted)*

- §2.18 PD - Planned Development
- §2.18.4 CDP - Conceptual Development Plan
- §3.5.14 PD - Planned Development District
- §3.6.5 HCO - Highway Corridor Overlay  
Urban Transition Highway Corridor Overlay
- §3.6.8 WPO – Watershed Protection Overlay District
- Chapter 4 Development and Design Standards

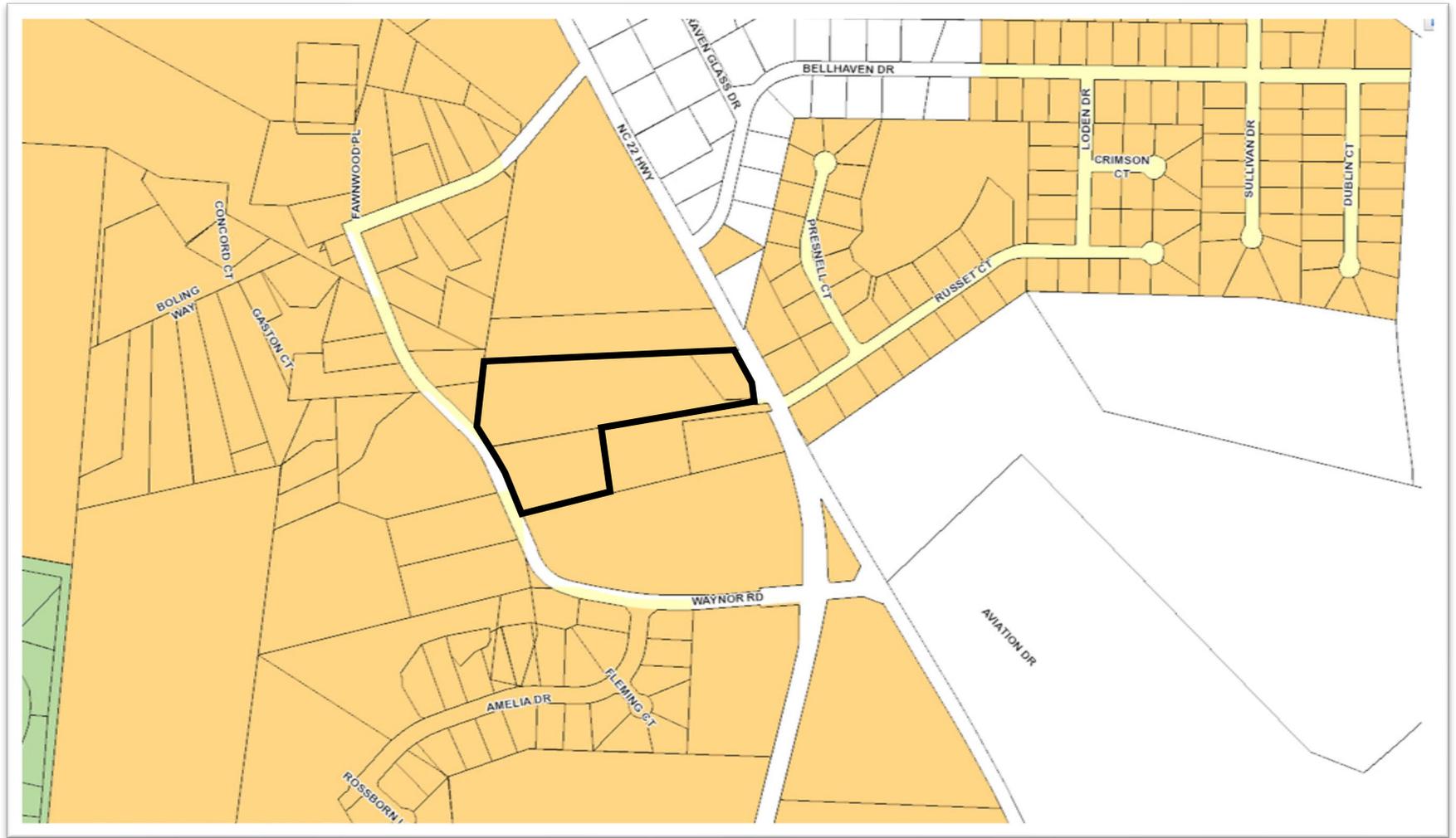
**Figure 1: Vicinity & Current Zoning Map (Subject Property outlined in Red):**



**Figure 2: Existing Public Utilities Map (Blue Line = Water / Red Line = Sewer) and City Limit / ETJ:**



**Figure 3: Subject Property Designated Residential on the Future Land Use Map:**



Residential

**C. 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 general business (GB) and office service (OS) land uses from the Town of Southern Pines UDO Exhibit 3-15 *Table of Authorized Land Uses* as of the date of this report:

1111	2321	2610	3221	4160	5110	5500	6300	6710	7310
1112	2336	2611		4170	5150				7330
1120		2612			5160				7340
S1130		2616							7350
1151		2620							7360
1153		2622							7370
		2623							7380
		2640							
		2650							
		2651							
2113b	2411	2710	3430	4210	5210	6110	6410	6810	9110
2117	2412	2720	3440	4211	5220	6125	6420	6820	
2121	2413	2721		4212		6141	6430	6830	
2127	2414			4221		6142			
2141	2415			4222		6143			
2142	2416			4223		6144			
2144	2417			4233a		6145			
2152	2418			4233b		6147			
2153	2421			4234					
2154	2422			4241					
	2423			4242					
	2424			4243					
	2425								
	2430								
	2440								
	2454								
2210	2510		3500	4315	5320	6210	6500	7100	9920
2220	2520			4316	5340		6511		9931
2230	2530			4329	5371		6512		9932
2240	2550			4339	5372		6513		9940
	2560			4349			6514		9950
	2580						6520		
							6562		
							6567		

The proposed land uses as listed above that are highlighted in grey are allowed in the rural residential zoning district. The applicant has expressed their stance regarding consistency with the CLRP and this can be found in the applicant's narrative under section 2.3. The applicant has stated that a storage facility, land use

2321, would be developed immediately and is intended as a transitional use. The applicant envisions a residential or commercial development on this portion of the property in the future. The parcel that fronts Highway 22 would consist of a development with land uses as proposed from the list above.

#### **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: June 14, 2021
- Application Complete: June 21, 2021
- Notice of July 22, 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): June 01, 2021
- TRC Pre-application Meeting: July 13, 2021
- Planning Board Regular Meeting: July 22, 2021
- Town Council Agenda Meeting: August 4, 2021
- Town Council Public Hearing: August 10, 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. General Project Comments:**

- The applicant is requesting to develop the self-storage facility in stages allowing for a mixture of open-air storage spaces and re-purposed shipping

container units as demand and availability for such units increases for a maximum of 290 storage units. It seems the applicant wishes to add storage containers as demand dictates.

- The project will not be developed in phases. The storage facility will be built simultaneously with the private street. The private street will be built to commercial standards and all utilities will be implemented for both parcels A and B.
- At the time a tenant or purchaser is determined for parcel B, the applicant will submit plans for site plan review per UDO §2.48.
- A 10' sidewalk easement is located along Waynor Road.
- If a future residential development is proposed for parcel A, the applicant has stated they will meet the residential mixed housing (RM-1) zoning district development standards. A new PDP to convert to residential development will be required.
- The applicant may obtain shared access with the existing private driveway of the properties that adjoin parcel B. This could cause the proposed private commercial road to shift. The technical review committee (TRC) will determine the layout of the private commercial street at that time.
- A paved drive within the development will be provided as shown on the conceptual master plan and will meet the standards for drive aisles as found in UDO §4.5.
- Gravel drives will be provided as shown on the conceptual master plan and will meet the standards for drive aisles as found in UDO §4.5.

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

The subject property is currently zoned Planned Development (PD). *The PD district is designed to accommodate mixed land uses, such as office, residential, service, commercial, public or private recreational development and where consistent with the future land use map, light manufacturing and assembly uses that comply with the employment center development patterns in section 6.5 of the UDO.* UDO §2.17 states that a rezoning, or map amendment, is the mechanism for reclassifying a tract, parcel, or land area from one zoning district to another. In this instance, the property is already zoned Planned Development (PD), but has no standards attached to the zoning district and therefore the Town requires the property to be rezoned to a PD with a list of authorized standards. The criteria for zoning map amendments are found in UDO §2.17.9:

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

- C. *Suitability as Presently Zoned.* The Hearing Body shall consider the suitability or unsuitability of the Tract for its use as presently zoned. This factor, like the others, should be weighed in relation to the other standards, and instances can exist in which the land may be rezoned to meet public need, to reflect substantially changed conditions in the neighborhood, or to effectuate important goals, objectives and policies of the Comprehensive Plan or UDO.
- D. *Health, Safety, and Welfare.* The amending ordinance must bear a substantial relationship to the public health, safety or general welfare, or protect and preserve historical and cultural places and areas. The rezoning may be justified, however, if a substantial public need or purpose exists, even if the private owner of the Tract will also benefit.
- E. *Public Policy.* Certain public policies in favor of the rezoning may be considered. Examples include a need for affordable housing, economic Development, mixed-use Development, or sustainable environmental features, which are consistent with neighborhood, area, or specific plans.
- F. *Size of Tract.* The Hearing Body shall consider the size, shape, and characteristics of the Tract in relation to the affected neighboring lands. Amendatory ordinances shall not rezone a single Lot when there have been no intervening changes or other saving characteristics. Proof that a small Tract is unsuitable for use as zoned, or that there have been substantial changes in the immediate area, may justify ordinance rezoning.
- G. *(G) Other Factors.* The Hearing Body may consider any other factors relevant to a rezoning application under state law.
- H. *(H) Applicant Representations.* Except for rezoning requests submitted in accordance with the provisions herein for conditional zoning districts, the Hearing Body shall not consider any representations made by the petitioner that, if the change is granted, the rezoned property will be used for only one of the possible range of uses permitted in the requested classification. Rather, the Hearing Body shall consider whether the entire range of permitted uses in the requested classification is more appropriate than the range of uses in the existing classification.

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

The subject property is designated as residential on the future land use map. This designation encompasses the majority of Southern Pines' residential land, providing for single-family and attached housing at development densities ranging from one unit per acre in areas that are less intensively developed to up to twelve units per acre in places that are clearly more urban. Elementary schools, civic uses, parks and neighborhood scale commercial services may be authorized through the rezoning process without amending the future land use map. The subject property is zoned planned development (PD), and the applicant is proposing GB and OS land uses. 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.

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

The purpose of the PD zoning district 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:

- (D) *The type and location of any and all uses within this PD district must be demonstrated to be appropriate for the project area and surrounding area.*
- (F) (2) The land being considered for this planned development is under single ownership.
- (G) (1) 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 applicant has designated 5 % open space with no usable open space being provided. This request is not consistent with the standards. However, the applicant has provided for a setback for a future sidewalk along Waynor Road if the property converts to a multi-family development.
- The standards for landscaping, screening, buffers and trees included in chapter 4 shall apply to this development along with UDO §4.3 (H) 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 residential which is allowed in the Office Service (OS) zoning district and the subject property is adjacent to a General Business (GB) zoned property therefore the subject property shall be required to have a 30' buffer width. The buffer shall be planted in accordance with UDO §4.3.4. The applicant has stated they will meet the standards of 4.3 along with the standards in 3.5.14 (H).
- The applicant has stated that all signage will be compliant with UDO §4.6. Per UDO 3.5.14 (I) the applicant may submit a unified sign plan that establishes a more specific design standard and sign locations for the project. If the unified sign plan exceeds the size or number of signs allowed under section 4.6 it must be approved by the Planning Board pursuant to UDO §2.22.
- The applicant has stated they will fully comply with all aspects of applicable local and state standards and regulations for stormwater management and watershed protection. The applicant has submitted a watershed protection permit application at the time of this application submittal. The watershed protection permit would allow the applicant to develop the site with up to 70% impervious surface. However Phase 2 will only be allowed a 65 % maximum built upon surface area per the UTHCO with a maximum building footprint of 30%.

- The applicant is proposing to build a private street to the Town of Southern Pines commercial standards noting the Town Engineer, James Michel, has stated that the private street will be built with an adequate cross section with curb and gutter with sewer located down the middle of the road and water to one side, with landscaping located at least 10’ off the water main. A revised cross section is needed for review to determine the final width of the proposed private right-of-way.
  - The applicant has stated that sidewalks will not be provided. The applicant will provide a private commercial street per UDO §4.11. The Town Engineer stated that this was acceptable.
  - The applicant provided a conceptual transportation plan. The applicant has not provided the projected volume of traffic to be carried by the street stated in terms of the number of trips per day. The Town Engineer stated that that he does not anticipate the currently proposed uses will generate significant traffic. It is recommended that the applicant provide an estimate of future traffic projections for planned future uses for review.
  - The applicant is proposing to build a Cul-de-sac and per the UDO that classification is *a street that terminates in a vehicular turn-around that is not longer than 500 feet in length measured from the connection with the intersecting street to furthest paved point of the street turn-around.* The private commercial street shall be constructed with curb and gutter and with a minimum 43’ radius cul-de-sac.
  - Per UDO 4.11.10 (D) the Town Council may waive the required sidewalks for this project as it does not abut property to which pedestrian access from the street will be needed. The applicable standard found in UDO 4.11.10 (K) (2), which states if the cul-de-sac is more than 300 feet in length and serves no more than six (6) lots and the planning department in consultation with public works determines that there is no reasonable possibility that the street right-of-way to which the cul-de-sac connects will include a sidewalk, the applicant will not be required to provide sidewalks. This standard was found to be acceptable to the planning department in consultation with public works.
- Per UDO 3.5.14 (M) (4) 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>
2321: Self-storage facility	Not Provided	1 space per 50 storage units	<b>6</b>

- UDO §3.5.14 (M)(4) requires the applicant to comply with off-street loading standards found in Chapter 4 of the UDO for buildings over 10,000 square feet of gross building area. The applicant is compliant with this standard as there are no buildings over 10,000 square feet.
- UDO §3.5.14 (O)(2) states that building heights in all PD districts shall adhere to the limitations set forth in Chapter 4 for the RM-1 district. Exhibit 4-1 states the maximum height in the RM-1 zoning district is 40'. The applicant is not requesting to deviate from this standard.
- All new utilities associated with this PD shall be located underground.
- The subject property falls within the Urban Transition Highway Corridor Overlay, and the portion of the property which falls within the UTHCO will be required to meet the standards found in UDO §3.6.5.

**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 June 24, 2021.
- On June 30, 2021 NCDOT responded: *From our end they will need to submit a driveway permit. At that time one of our technicians will work with them on the connection at NC 22 and Waynor Road..*
- On July 2, 2021 the Town of Southern Pines Engineer commented:
  1. *It appears that an extension of water and sewer mains will be required to serve the full project. Provide a conceptual water and sewer layout for review.*
  2. *The proposed site access road should be a private road.*
- The applicant provided a letter from the Fish and Wildlife Service. This document is located in the attachment section of this report.

**V. ATTACHMENTS:**

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

1. Revised Attachment A Planning Board Consistency Statement
2. Applicant's Application
3. Applicants' Deed
4. Applicant's Conceptual Development Plan Narrative and Justification
5. Applicant's Neighborhood Meeting Documentation
6. Applicant's Existing Conditions Plan
7. Applicant's Conceptual Land Use Plan
8. Applicant's Conceptual Development and Transportation Plan
9. Comment from NCDOT
10. Comment from Town Engineer
11. Letter provided from NC Fish and Wildlife Service

## VI. TOWN COUNCIL ACTION:

The Town Council shall consider the information gathered at the public hearing in light of the four (4) criteria for approval of a Planned Development – Conceptual Development Plan. The Council may choose to adopt findings of fact and conclusions based on the four (4) criteria for approval of a Planned Development – Conceptual Development Plan, but adoption of findings and conclusions is not required.

After considering the criteria for approval of a Planned Development – Conceptual Development Plan, the Town Council shall vote on whether to approve or deny the proposed Planned Development – Conceptual Development Plan. As part of any approval or denial, in accordance with North Carolina law the Town Council shall adopt a statement regarding consistency of the proposed zoning with the adopted *Comprehensive Long Range Plan*.

Staff has provided draft motions with anticipated actions highlighted, however, the Town Council may make one of the following motions, or any alternative they wish:

### **I move that after considering the first criteria for a Planned Development District Conceptual Development Plan found in UDO §2.18.4(H):**

1. The requested Conceptual Development Plan is found to be consistent with the Comprehensive Long Range Plan and the Town Council adopts the Resolution as drafted by staff and included as Attachment “A” in the staff report PD-04-21;

-or-

2. The requested Conceptual Development Plan is found to be consistent with the Comprehensive Long Range Plan and the Town Council adopts the Resolution that is included as Attachment “A” in the staff report for PD-04-21 with the following revisions...

-or-

3. The requested Conceptual Development Plan is found not to be consistent with the Comprehensive Long Range Plan and the Town Council adopts the Resolution that is included as Attachment “A” in the staff report for PD-04-21 with the following revisions...

### **I move that after considering the second, third and fourth criteria for a Planned Development District Conceptual Development Plan found in UDO §2.18.4(H):**

1. The requested Conceptual Development Plan PD-04-21 is found to comply with the remaining criteria for a Planned Development Conceptual Development Plan as submitted;

-or-

2. The requested Conceptual Development Plan PD-04-21 is found to not comply with the remaining criteria for a Planned Development Conceptual Development Plan as submitted because (INSERT REASONS), but that the project can be made acceptable with the imposition of conditions of approval that will mitigate identified impacts;

-or-

3. The requested Conceptual Development Plan PD-04-21 is found to not comply with the remaining criteria for a Planned Development Conceptual Development Plan because (INSERT REASONS);

**And, therefore, I move to:**

1. Approve PD-04-21;

-or-

2. Approve PD-04-21 with the following conditions to mitigate identified impacts (INSERT CONDITIONS);

-or-

3. Deny PD-04-21;

## Attachment “A”



**TOWN COUNCIL  
RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY  
FOR CONCEPTUAL DEVELOPMENT PLAN APPLICATION  
PD-04-21**

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

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

**WHEREAS**, the Town Council conducted a public hearing on August 10, 2021 for consideration of Conceptual Development Plan application PD-04-21;

**NOW, THEREFORE BE IT RESOLVED** that the Town Council finds and recommends to the Town Council that the Conceptual Development Plan application PD-04-21 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 is suited for the intensity and range of allowable uses because of the size and location of the subject property. The site has the ability to accommodate the traffic that will be produced and the scale of the buildings are compatible with the adjacent development. The site is designed to minimize negative visual, noise and traffic impacts on neighboring properties.

**ADOPTED** this the 10<sup>th</sup> day of August, 2021.

---

Carol Haney, Mayor

**ATTEST:**

---

Peggy Smith  
Town Clerk

## Revised Attachment “A”



**PLANNING BOARD  
RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY  
FOR CONCEPTUAL DEVELOPMENT PLAN APPLICATION  
PD-04-21**

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

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

**WHEREAS**, the Planning Board conducted a public hearing on July 22, 2021 for consideration of Conceptual Development Plan application PD-04-21;

**NOW, THEREFORE BE IT RESOLVED** that the Planning Board finds and recommends to the Town Council that the Conceptual Development Plan application PD-04-21 is reasonable, not in the public interest and inconsistent with the Town of Southern Pines Comprehensive Long Range Plan (CLRP) because the proposed mixed use development inhibits future residential development as outlined in the CLRP. The CLRP designates the parcel on the FLUM as residential, and the applicant is proposing a public storage facility and not a residential development.

**ADOPTED** this the 22<sup>nd</sup> day of July, 2021.

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

**ATTEST:**

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



# Planned Development District Conceptual Development Plan

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## **REQUIRED APPLICATION MATERIALS:**

- \_\_\_\_\_ **Application fee** in the amount of **\$1,800.00**.
- \_\_\_\_\_ **Completed Application** for a Planned Development District - Conceptual Development Plan signed by the applicant.
- \_\_\_\_\_ **Appointment of Agent**, if applicable, signed by the property owner(s) and the agent.
- \_\_\_\_\_ **Deed** copy to provide proof of ownership and property boundaries.
- \_\_\_\_\_ **Written narrative**: It is the responsibility of the applicant to demonstrate compliance with all applicable criteria. Please address **UDO §2.18.4(H) Criteria (1) through (4)**. The list of criteria is attached.
- \_\_\_\_\_ **Additional documentation**: Additional text and/or maps to demonstrate consistency with the approval criteria listed in **UDO §2.18.4(H) Criteria (1) through (4)**.
- \_\_\_\_\_ **Neighborhood meeting materials**: Submit copies of graphics presented at the meeting; a copy of the sign-in sheet showing attendees; representations made by the Applicant regarding the proposed development; and a summary of public comments and responses.
- \_\_\_\_\_ **PDD Conceptual Development Plan**: One (1) full-size copy of a scaled drawing (1" to 100') of the entire tract to be subdivided. Please refer to the **UDO Appendices** to obtain plan requirements.
- \_\_\_\_\_ **Nature of service**: Planned utility services and providers.
- \_\_\_\_\_ **Drainage concept plan** if applicable.
- \_\_\_\_\_ **Conceptual Transportation Plan** if applicable.
- \_\_\_\_\_ **Electronic copy (PDF) of all application materials** submitted to [plan@southernpines.net](mailto:plan@southernpines.net).

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

## **REVIEW AND APPROVAL:**

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

PLANNING DEPARTMENT  
TOWN OF SOUTHERN PINES  
180 SW BROAD STREET  
SOUTHERN PINES, NORTH CAROLINA 28387  
[plan@southernpines.net](mailto:plan@southernpines.net) (910) 692-4003 [www.southernpines.net](http://www.southernpines.net)



# Planned Development District Conceptual Development Plan Application

Fee: \$1,800.00

Date Received: \_\_\_\_\_

Case No.: PD-\_\_\_\_-\_\_\_\_

### Project Information:

Project Name: HIGHWAY 22 TRACT

Physical address: 7688 NC 22 HWY SOUTHERN PINES, NC 28387

PIN: 857400926530; 857400920451; 857404829141

Parcel ID: 00036656; 00036657; 95000179

Site Size: ±10.2 AC

Zoning: PD - PLANNED DEVELOPMENT

### Applicant:

Name(s): DAN PRITCHARD

Email: PRITCH1210@YAHOO.COM

Phone: 215-499-6141

Mailing Address: 31 LAKEVIEW DRIVE WHISPERING PINES, NC 28327

### Authorized Agent, if different from Applicant:

Name(s): ROBERT KOONTZ

Email: BKOONTZ@KOONTZJONES.COM

Phone: 910-684-8487

Mailing Address: 150 S PAGE ST SOUTHERN PINES, NC 28387

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

Name(s): AIRPORT PARK OF MOORE COUNTY, LLC

Email: Mfields@fields-plumbing-heating.com

Phone: 910-783-5004

Mailing Address: PO BOX 206 PINEHURST, NC 28370

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

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

The property which is the subject of this application is located on the WEST side of NC HWY 22 (St./Ave.), between WAYNOR (St./Ave.) and RUSSET (St./Ave.). The property has a frontage of 230 feet and a depth of 1030 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:

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COMMERCIAL, OFFICE, AND RESIDENTIAL DEVELOPMENT

---

**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.

1. Adjacent property: SEE ATTACHED 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: \_\_\_\_\_

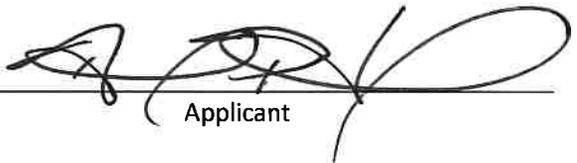
7. Adjacent property: \_\_\_\_\_ Parcel ID #: \_\_\_\_\_  
Property owner(s): \_\_\_\_\_  
Mailing address: \_\_\_\_\_

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: 5 May 2021

  
Applicant

APPOINTMENT OF AGENT

The undersigned owner(s), DAN PRITCHARD, hereby appoint(s) KOONZ JAMES PESIGY 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.

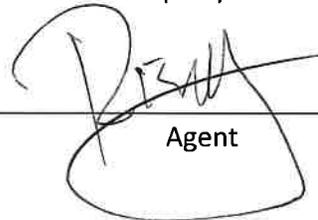
Signed this 5<sup>th</sup> day of May, 2021.



DANIEL PRITCHARD

Property Owner

Property Owner



Agent

APPOINTMENT OF AGENT

The undersigned owner(s), GEORGE FIELDS, hereby appoint(s) KOONZ JOYES DESIMY 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 \_\_\_\_\_ day of 05/10/2021, \_\_\_\_\_.

Authentisign  
*george m fields*  
 5/10/2021 6:06:33 PM GMT  
 \_\_\_\_\_  
 Property Owner

\_\_\_\_\_

Property Owner

*Rosly*  
 \_\_\_\_\_  
 Agent

Parcel ID Short	PIN	Deed Book	Deed Page	Owner's Name	Owner's Name 2	Mailing Address	Mailing Address cont.	City	STATE	Zip Code
00036658	857404823112	1712	60	JONES, THOMAS O		296 WAYNOR RD		CARTHAGE	NC	28327
00037357	857400825339	234	139	PATTERSON, CURTIS LEE & GLADYS		325 WAYNOR RD		CARTHAGE	NC	28327-9520
00037358	857404825746	465	527	PATTERSON, CURTIS LEE & GLADYS		325 WAYNOR RD		CARTHAGE	NC	28327-9520
00037375	857400823667	96E	531	PATTERSON, CURTIS L SR		325 WAYNOR RD		CARTHAGE	NC	28327
00037376	857400824573	96E	531	PATTERSON, CURTIS LEE JR &	CONNIE GERALDINE	295 WAYNOR RD		CARTHAGE	NC	28327
00032261	857400814864	2017E	433	CHAVIS, BRENDA (HRS)	& OTHERS	C/O SANDRA FAIRLEY	1092 W NEW HAMPSHIRE AVE	SOUTHERN PINES	NC	28387
00991862	857400914852	4147	589	CHANDLER POND PROPERTIES, LLC		16 LIBERTY OAK LANE		SURFSIDE BEACH	SC	29575
20190631	857400818633	1064	433	MEDLIN, LYNN CLARK &	CLARK, SHIRLEE HELGA	16 LIBERTY OAK LANE		SURFSIDE BEACH	SC	29575
95000179	857404829141	1242	369	AIRPORT PARK OF MOORE COUNTY,	LLC	PO BOX 206		PINEHURST	NC	28370
97000413	857400815634	5050	542	RAVENSBROOK, LLC		PO BOX 1872		SOUTHERN PINES	NC	28388
00034655	857400928713	4047	117	COUNTY OF MOORE		PO BOX 905		CARTHAGE	NC	28327
00035084	857404927900	2018E	640	DENIS, ROBERT J		7671 NC HWY 22		CARTHAGE	NC	28327
00035333	857404921656	4489	276	SULLIVAN PROPERTY, LLC		9050 SPANISH WELLS CT		FORT MILL	SC	29708
00036656	857400926530	1242	369	AIRPORT PARK OF MOORE COUNTY,	LLC	PO BOX 206		PINEHURST	NC	28370
00036657	857400920451	1242	369	AIRPORT PARK OF MOORE COUNTY,	LLC	PO BOX 206		PINEHURST	NC	28370
20030571	858417020333	4047	117	COUNTY OF MOORE		PO BOX 905		CARTHAGE	NC	28327
20030572	857400929513	4047	117	COUNTY OF MOORE		PO BOX 905		CARTHAGE	NC	28327
20050919	857400927368	4047	117	COUNTY OF MOORE		PO BOX 905		CARTHAGE	NC	28327
20080689	857400930152	406	507	BIBLE TABERNACLE OF SOUTHERN	PINES, NORTH CAROLINA	PO BOX 685		SOUTHERN PINES	NC	28388-0685
94000780	857400926252	1264	455	NEW SOUTH PROPERTIES		123 JOY STREET		DUNN	NC	28334
95000177	857404923106	1677	417	FIELDS HOLDINGS LLC		212 MCDAIRMID RD		PINEHURST	NC	28374

NORTH CAROLINA GENERAL WARRANTY DEED

MRS. JUDITH M. ADAMS

THIS DEED, made this the 28th day of January 1997, and between AIRPORT PARK, LLP, A NORTH CAROLINA LIMITED LIABILITY PARTNERSHIP, hereinafter referred to as "Grantor"; and AIRPORT PARK OF MOORE COUNTY, LLC, PO Box 206 Pinehurst, NC 28370, hereinafter referred to as "Grantee";

WITNESSETH

That Grantors, for valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, have and by these presents do grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in McNeill Township, Moore County, North Carolina, and more particularly described as follows:

SEE ATTACHED EXHIBIT A.

THE ABOVE PROPERTY IS SUBJECT TO THAT CERTAIN RECIPROCAL EASEMENT AGREEMENT DATED JUNE 20, 1994 AS SHOWN IN BOOK 1012 AT PAGE 01 OF THE MOORE COUNTY PUBLIC REGISTRY WHICH EASEMENTS RUNS WITH THIS LAND AND IS HEREBY INCORPORATED BY REFERENCE AS IF FULLY SET FORTH HEREIN.

GRANTOR HEREIN RESERVES FOR ITS SELF HEIRS, SUCCESSORS AND ASSIGNS A PERPETUAL NON-EXCLUSIVE EASEMENT ACROSS THE ABOVE DESCRIBE PROPERTY AS SHOWN ON A CERTAIN MAP RECORDED IN PAT CABINET 5, SLIDE 795, MOORE COUNTY REGISTRY.

THIS CONVEYANCE IS ALSO SUBJECT TO THE FOLLOWING EXCEPTIONS: (I) THE LIEN FOR AD VALOREM TAXES FOR THE CURRENT YEAR; (II) UTILITY EASEMENTS OF RECORD AND RESTRICTIVE COVENANTS THAT ARE ENFORCEABLE AGAINST THE PROPERTY.

TO HAVE AND TO HOLD the aforesaid premises with all privileges and appurtenances thereunto belonging to the said Grantee in fee simple, subject, however, to all conditions, reservations and restrictive covenants appearing of public record affecting the title to and the use of said real estate, county and/or municipal laws, ordinances and regulations.

And the Grantors covenant with the Grantee that Grantors are seized of said premises in fee and have the right to convey in fee simple; that the title is marketable and free and clear of all encumbrances; and that Grantors will warrant and defend the title against the lawful claims of all persons whomsoever; subject, however, to the exceptions, reservations and conditions hereinabove referred to.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

Transfer No Stamps

TAX ADDRESS  
RECORDING \$ 74.00  
STAMP  
TOTAL \$ 74.00 pd.

EVANS & RIFFLE  
LAW OFFICES, PLLC  
ONE PINEHURST COMMONS  
POST OFFICE BOX 2409  
PINEHURST, NORTH CAROLINA  
28374

2748A  
S. Blaxins

228975

Warranty Deed  
Airport, LLP\Airport, LLC  
Page Two.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals, or if corporate, have caused this instrument to be signed in its corporate name by its duly authorized officer and its seal to be affixed by authority of its Board of Directors, as of the day and year first above written.

AIRPORT PARK, L.L.P.,  
A NORTH CAROLINA LIMITED LIABILITY PARTNERSHIP  
BY:

*George M. Fields* (SEAL)  
George M. Fields, Partner

*Katherine D. Fields* (SEAL)  
Katherine D. Fields

*Richard L. Roberts* (SEAL)  
Richard L. Roberts, Partner

*Linda K. Roberts* (SEAL)  
Linda K. Roberts

*McLeod Fowler* (SEAL)  
McLeod Fowler, Partner

*Janet G. Fowler* (SEAL)  
Janet G. Fowler

\*\*\*\*\*  
\*\*\*\*\*

STATE OF NORTH CAROLINA  
COUNTY OF MOORE

I, a Notary Public in and for the aforesaid State and County, do hereby certify that George M. Fields, Partner, George M. Fields and Katherine D. Fields, Husband and Wife personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

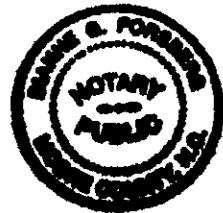
WITNESS my hand and notarial seal, this the 31st day of January, 1997.

EVANS & RIFFLE  
LAW OFFICES, PLLC  
ONE PINEHURST COMMONS  
POST OFFICE BOX 2409  
PINEHURST, NORTH CAROLINA  
28374

*Diana D. Forbush*  
NOTARY PUBLIC

(SEAL)

My commission expires: *May 8, 1998*



Warranty Deed  
Airport, LLP\Airport, LLC  
Page Three.

STATE OF NORTH CAROLINA

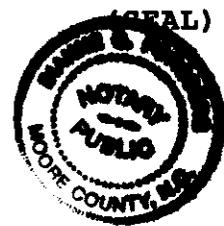
COUNTY OF MOORE

I, a Notary Public in and for the aforesaid State and County, do hereby certify that Richard L. Roberts, Partner, Richard L. Roberts and Linda K Roberts, Husband and Wife personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and notarial seal, this the 30<sup>th</sup> day of January, 1997.

Dianne D. Forsberg  
NOTARY PUBLIC

My commission expires: May 8, 1998



STATE OF NORTH CAROLINA

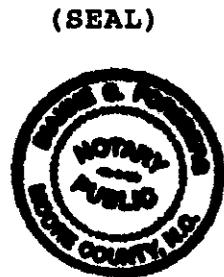
COUNTY OF MOORE

I, a Notary Public in and for the aforesaid State and County, do hereby certify that McLeod Fowler, Partner, McLeod Fowler and Janet G. Fowler, Husband and Wife personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and notarial seal, this the 31<sup>st</sup> day of January, 1997.

Dianne D. Forsberg  
NOTARY PUBLIC

My commission expires: May 8, 1998



EVANS & RIFFLE  
LAW OFFICES, PLLC  
ONE PINEHURST COMMONS  
POST OFFICE BOX 2409  
PINEHURST, NORTH CAROLINA  
28374

NORTH CAROLINA-MOORE COUNTY  
The foregoing certificate(s) Dianne D. Forsberg  
is/are certified to be correct.  
This 27<sup>th</sup> day of February 1997  
JUDITH M. ADAMS, REGISTER OF DEEDS  
Judy D. Martin ASSISTANT/DEPUTY

Warranty Deed  
 Airport, LLP\Airport, LLC  
 Page Four.

## EXHIBIT A.

TRACT I.

BEING ALL OF LOT NUMBER 3 AS SHOWN ON A PLAT ENTITLED, "AIRPORT PARK PROPERTY OF AIRPORT PARK LLP", MCNEILLS TOWNSHIP, MOORE COUNTY, NORTH CAROLINA, DATED OCTOBER 12, 1994 DRAWN BY C.H. BLUE AND ASSOCIATES, P.A., SOUTHERN PINES, NORTH CAROLINA AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS OF MOORE COUNTY, NORTH CAROLINA, IN PLAT CABINET 5, SLIDE 795, TOGETHER WITH ALL EASEMENTS AND PRIVILEGES APPURTENANT TO SAID PROPERTY.

TRACT II.

A CERTAIN TRACT OR PARCEL OF LAND LYING IN MCNEILLS TOWNSHIP, MOORE COUNTY, NORTH CAROLINA, LOCATED ABOUT 93- FEET MORE OR LESS NORTHWEST OF THE INTERSECTION OF HIGHWAY NO. 22 AND STATE ROAD NO. 1897, BOUNDED ON THE NORTH BY LAWRENCE LYERLY, JR. ON THE EAST BY J.D. MICHAEL AND HIGHWAY NO.22, ON THE SOUTH BY AIRPORT PARK AND ON THE WEST BY HUBERT PATTERSON, DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING P.K. NAIL IN THE CENTERLINE OF HIGHWAY NO. 22, SAID CORNER BEING THE NORTHWEST CORNER OF LOT NO. 1 OF THE AIRPORT PARK DIVISION AS RECORDED IN PLAT CABINET 5, AT SLIDE 795; THENCE FROM THE BEGINNING AND AS A COMMON LINE OF GRANTOR AND LOTS NO. 1, 2 AND 3 OF AIRPORT PARK SOUTH 82° 38' 28" WEST 1276.16 FEET TO AN EXISTING P.K. NAIL IN THE CENTERLINE OF STATE ROAD NO. 1897; THENCE LEAVING SAID CENTERLINE NORTH 04° 01' 45" WEST 7.67 FEET TO AN EXISTING IRON PIPE ON THE NORTH SIDE OF STATE ROAD NO 1897; THENCE AS A COMMON LINE OF GRANTOR AND HUBERT PATTERSON NORTH 06° 39' 42" EAST 362.85 FEET, PASSING THROUGH AN EXISTING CONCRETE MONUMENT AT 35.79 FEET, TO AN EXISTING CONCRETE MONUMENT, NORTHERN MOST CONCRETE MONUMENT BEING A COMMON CORNER OF GRANTOR AND PATTERSON; THENCE NORTH 89° 44' 39" EAST 11.47 FEET TO LYERLY'S SOUTHWEST CORNER; THENCE CONTINUING NORTH 89° 44' 39" EAST 1066.28 FEET TO A CORNER, SAID CORNER BEING A COMMON CORNER OF GRANTOR AND LYERLY; THENCE SOUTH 34° 56' 55" EAST 255.48 FEET TO THE BEGINNING, CONTAINING 7.87 ACRES, MORE OR LESS AND BEING A PORTION OF DEED BOOK 551, AT PAGE 26. CONTAINED WITHIN THE BOUNDS OF THE HEREINABOVE DESCRIBED TRACT OF REAL PROPERTY IS THAT CERTAIN 1.00 ACRE TRACT DESCRIBED IN DEED BOOK 420, AT PAGE 241.

PD DISTRICT CONCEPTUAL DEVELOPMENT  
PLAN APPLICATION  
**HIGHWAY 22 TRACT**  
SOUTHERN PINES, NORTH CAROLINA

PROJECT NARRATIVE AND DESIGN STANDARDS

**1.0 PURPOSE**

The purpose of this PD – Conceptual Development Plan application is to:

- Prepare a Conceptual Development Plan (CDP) for the Highway 22 Tract as required to develop the property located in an established Planned Development (PD) district.
- Establish the permitted uses, density, standards and conditions under which the subject property shall be developed through this narrative and the associated plans being submitted with this application.

The Town's Conceptual Development Plan application form is included in the submitted documents. All required items, per Section 2.18.4, Conceptual Development Plan of the Town's Unified Development Ordinance (UDO) are included as a part of this request. The Conceptual Development Plan of this property shall include all standards and conditions included in this document and the submitted supporting documents.

**2.0 PROJECT OVERVIEW**

**2.1 Location**

The proposed project described in this application is geographically located north of downtown Southern Pines on the west side of NC Highway 22. The property is located off of NC Highway 22 in between Waynor Road and Russet Ct. A site location map showing the site and immediate surroundings is included with this application. The property is comprised of three parcels of land. Two parcels including the property with frontage on NC Highway 22 are within Town of Southern Pines Extra Territorial Jurisdiction (ETJ), while the southern most parcel is fully annexed into the the Town of Southern Pines. The town has zoning jurisdiction over the properties. Prior to any construction on the property, the parcel located within the Town's ETJ will be voluntarily annexed into the Town of Southern Pines. Utilities are available at the site with capacity to accommodate the proposed development.

## **2.2 Vision**

The vision for the project is to develop a self storage facility, consisting of a combination of open air storage spaces and re-purposed shipping container storage units. The storage facility would be located in the rear portion of the site while a ±1.6 acre commercial out parcel would be located along NC Highway 22.

The storage facility is intended to be a transitional use for the property. Utilizing shipping containers and open storage areas will allow for easy relocation or removal of the facility in the future. It is envisioned that the units will ultimately be relocated and replaced by residential or other commercial development in the future. This proposed CDP allows for these uses to occur on the property. If these uses ultimately are developed on the property, they will require a new Preliminary Development Plan (PDP) be approved by the Town Council, however, the uses will be permitted in the zoning of this CDP.

Adjoining properties are zoned for general business, residential, and planned development. Proposed development under this CDP would provide compatible uses with the surrounding properties.

## **2.3 Compliance**

All development within the site must adhere to the approved standards and conditions stated in this document. As allowed under UDO Section 3.5.14, unique conditions and standards, differing from baseline UDO conditions and standards, can be established in order to facilitate a planned development district. The conditions and requirements stated in this document that vary from the UDO shall supersede the UDO. Prior to the issuance of a building permit and start of any construction, a Preliminary Development Plan for each phase must be submitted and approved per the requirements of Section 2.18.5 of the UDO. All development and building permits are subject to all Local, State and Federal permitting guidelines, architectural review, rules and regulations and must be approved by the Town of Southern Pines. To the extent this document does not otherwise establish a development standard, the UDO standard in effect at the time of application will apply.

While the proposed PD – CDP and land uses for the Highway 22 Tract development is not consistent with the Town's Comprehensive Long-Range Plan (CLRP), the proposed development does promote its objectives and is consistent with the uses on surrounding and adjoining properties. The CLRP has designated the property as Rural Residential but it is surrounded by commercial and office uses. This CDP provides locations for land uses which may include commercial, residential, retail, or office uses. Adjoining properties include office, contractors offices, residential, and other commercial/office uses.

## **3.0 EXISTING CONDITIONS**

### **3.1 Existing Natural Features**

#### **3.1.1 Prevalent Tree Canopy and Vegetation**

An analysis of the tree canopy and vegetation has been provided in the red-cockaded woodpecker survey provided by Dr. Jay H. Carter III & Associates, Inc. and has been included with this application

#### **3.1.2 Orchards or Other Agricultural Groves**

No portion of the site is currently being used for an orchard or agricultural use nor do any exist on the site.

#### **3.1.3 Streams, Wetlands and Floodplain**

No streams or wetlands are located on this property. The proposed development is located within two high-quality watershed areas. The front portion of the property along Highway 22 is located in the Little River (Vass) - WS-III watershed and the rear portion of the property toward Waynor Road is located in the Nick's Creek – WS-III watershed.

#### **3.1.4 Topographic Features**

A topographic map with two (2') foot contours is included in the application exhibits on sheet L-1.0 Existing Conditions.

#### **3.1.5 Unique Land Formations, Endangered/Threatened Species**

A red-cockaded woodpecker survey has been prepared by Dr. Jay H. Carter III & Associates, Inc. and has been included with this application. Per the survey, no red-cockaded woodpecker or endangered species habitat exists on the property.

All development and building permits within the site are subject to all Local, State and Federal permitting guidelines, rules and regulations. Additional studies will be conducted if required for permitting.

### **3.2 Existing Man-made Features**

#### **3.2.1 Streets, Roads, Parking or Other Structures**

A paved drive off of NC Highway 22 used to access the two adjacent commercial properties currently exists on property. There are no existing structures located on the property.

#### **3.2.2 Storm Water Facilities and Structures**

There are no existing stormwater facilities located on the property.

### **3.2.3 Utilities**

Sewer – A sewer line is currently located adjacent to the property and is available for connection to this development. The lines can accommodate future development. Adequate available service for the proposed development is available from the Town of Southern Pines.

Electric - Electric power is available. All new electric lines will be installed underground. A powerline and associated easement is located on the property and shown on Sheet L-1.0.

Gas – It appears that natural gas is located nearby. The use of natural gas will be evaluated to determine whether gas service is desirable for the development or if a gas extension is feasible during the site permitting process.

Telephone/Cable – Telephone and cable service are available for the site. All new service lines will be installed underground.

Water – Public water line connections are located near the site. The lines are adequate to accommodate development as proposed.

### **3.2.4 Buildings, Structures, Signs and Historical Structures**

There are no structures, signs or historical structures on the site.

## **3.3 Existing Legal Features**

**3.3.1 Zoning Information** - The subject property is currently zoned PD (Planned Development). The property is also indicated as Rural Residential in the Town's CLRP.

**3.3.2 Property Lines** - see plans and deeds included with this application

**3.3.3 Right of Ways** - Adjacent rights-of-ways along property edges are NC Highway 22 and Waynor Road are shown on plans included with this application on sheet L-1.0 – Existing Conditions.

**3.3.4 Easements** - Utility easements are depicted on plans included with this application.

**3.3.5 Ownership Information** - See existing conditions plan for depictions of the tracts listed in the table below. Copies of the corresponding recorded deeds evidencing ownership are provided as exhibits with this application.

<b>Tract</b>	<b>Owner</b>	<b>Deed Book</b>	<b>Page Number(s)</b>
1	Airport Park of Moore County, LLC	1242	369
2	Airport Park of Moore County, LLC	1242	369
3	Airport Park of Moore County, LLC	1242	369

Property to be rezoned and annexed will be described by using the property descriptions from the attached deeds and by survey.

**3.3.6 Adjacent Parcel information** - the adjacent parcel owners, zoning, use, PIN numbers and Parcel ID numbers are listed on the Adjacent Property Owners list in the exhibit included in this application.

**4.0 DEVELOPMENT CONDITIONS**

**4.1 Development Program**

The development of the +/- 10.2-acre property will include a +/- 1.6-acre commercial/office outparcel along NC Highway 22 and a larger +/- 8.5-acre tract with access to Waynor Road and the proposed new public street from Highway 22. All development will follow the standards of the Town’s UDO for the specific type of development unless specific development standards are included below.

Uses on the property may include items in the General Business (GB) and Office Services (OS) zoning districts. A list of the permitted uses for the property have been included below. These uses have been derived from Exhibit 3-15: Table of Uses in the UDO. GB and OS uses that are not intended for the property have been removed from the list. Permitted Uses for the property are included by their LBCS code below.

Any future residential development will meet the development requirements of the RM-1 (Residential Mixed Housing) zoning classification as described in Section 3.5.6 of the UDO.

LAND USE	LBCS CODE	DESCRIPTION	AREA 'A'	AREA 'B'
<b>RESIDENCE OR ACCOMMODATION FUNCTIONS</b>	1000.00	Homes, apartments, housing for the elderly, and hotels		
<b>Private Dwelling</b>	1100.00	Single-Family homes, doubles, apartments, Condominiums, mobile homes, Townhouses; excludes households with special provisions		
<b>Single-Family</b>	1110.00			
Single-Family detached	1111.00	Typical Single-Family Dwelling	X	
Single-Family attached (Townhomes) (Ord. # 1601)	1112.00	Each Dwelling Unit on a separate Lot; fire wall may protrude from roof or roofs may be staggered	X	
Two-Family (double or Duplex)	1120.00		X	
Accessory Dwelling	S1130		X	
<b>Multi-Family</b>	S1200	Three or more Dwelling Units		
Multi-Family	1151.00	Three or more Dwelling Units	X	
Multi-Family condominium	1153.00	Three or more Dwelling Units that are individually owned and common elements owned by the unit owners as tenants-in-common	X	
<b>GENERAL SALES OR SERVICES</b>	2000.00	Comprises the vast majority of establishments associated with commercial land use		
<b>Retail Sales or Service and Repair</b>	2100.00	Establishments with displays of merchandise sold to the general public and other businesses, or after-sales services such as repair		
Automobile sales or service establishment	2110.00	Motor vehicle and parts dealers including repair and maintenance		
bicycle sales and repair	2113b	New or used bicycles sales or repair	X	X
automotive repair and maintenance	2117.00	Repair garages, body and paint shops, oil change, car wash	X	X
Heavy consumer goods sales or service	2120.00	Heavy or durable goods sales or services		

furniture or home furnishings	2121.00	Furniture, flooring, bedding stores, window treatment	X	X
heating and plumbing equipment	2127.00	heating and plumbing equipment retailers; for heating and plumbing contractors who install or service, use the appropriate construction category	X	X
Consumer goods, other	2140.00	Establishments that retail merchandise (except groceries or health items) not included in preceding codes		
florist	2141.00		X	X
art dealer, supplies, sales and service	2142.00	Including frame shops	X	X
mail order or direct selling establishment	2144.00	Retailing other than in stores	X	X
Grocery, food, beverage, dairy	2150.00	Retail food and beverage merchandise from fixed point-of-sale locations		
convenience store	2152.00	Excludes those with fuel pumps	X	X
specialty food store	2153.00	Retail specialty food items such as coffee and gourmet foods	X	X
fruit and vegetable store	2154.00		X	X
<b>Finance and Insurance</b>	2200.00	Use this category when difficult to differentiate an establishment into a subcategory		
Bank, credit union, or savings institution	2210.00	Central banking functions	X	X
Credit and finance establishment	2220.00	Credit card, sales financing, unsecured consumer lending, real estate credit, international trade financing	X	X
Investment banking, securities, and brokerages	2230.00	Securities underwriting, brokering, exchange services, managing portfolios	X	X
Insurance-related establishment	2240.00	Insurance underwriting, selling insurance	X	X
<b>Real Estate, and Rental and Leasing</b>	2300.00	Rent or lease assets		
Property management services	2320.00	Manage real property for others		

commercial property-related, mini- or self-storage	2321.00	Lease buildings not used as residences; includes mini-warehouses and self-storage Dwelling Units	X	
Rental and leasing	2330.00	Rent tangible goods such as consumer goods and mechanical equipment to customers; excludes establishment primarily renting equipment with operators		
intellectual property rental	2336.00	Establishments that assign patents, trademarks, brand names, and franchise agreements	X	X
<b>Business, Professional, Scientific, and Technical</b>	2400.00	Perform professional, scientific, and technical services		
Professional services	2410.00	Services provided depend on worker skills and knowledge rather than equipment		
legal services	2411.00	Title abstract, lawyers, notaries	X	X
accounting, tax, bookkeeping, payroll services	2412.00		X	X
architectural, engineering, surveying and related services	2413.00	Architectural, engineering, building inspection, surveying and mapping, and laboratory testing (except medical, veterinary, or auto emission)	X	X
graphic, industrial, interior design services	2414.00	Interior, industrial, and graphic design	X	X
consulting services (management, environmental technical)	2415.00	Advise and assist businesses on management, scientific, and technological issues	X	X
scientific research and Development services	2416.00	Conduct research or analyze in the physical, engineering, cognitive, or life sciences	X	X
advertising, media, and photography services	2417.00	Advertising, public relations, media buying agencies, direct mail advertisers, market research, translation providers	X	X
veterinary services	2418.00	Veterinary medicine, testing services for veterinary practitioners	X	X

Administrative services	2420.00	Typical office establishments in any business area. Use as a default category for most office buildings (nursing staffing)		
office administrative services	2421.00	Office administration such as billing, record keeping, personnel, organizational planning	X	X
facilities support services	2422.00	provide operating staff for support services within a client's facilities, including janitorial, security, laundry services, etc.	X	X
employment agency	2423.00	Provide employee placement, temporary help	X	X
copy center, private mail center, other business support services	2424.00	Provide document preparation, telephone answering, telemarketing, court reporting, steno typing, FAX, etc.	X	X
collection agency	2425.00	collect payments, compile credit information, repossesses tangible assets	X	X
Travel arrangement and reservation services	2430.00	Promote or sell travel, includes convention and visitors' bureaus	X	X
Investigation and security services	2440.00	Provide detective, guard and patrol services, picking up and delivery of money, selling of security systems, remote monitoring of security systems	X	X
carpet and upholstery cleaning	2454.00		X	X
<b>Food Services</b>	2500.00	Prepare meals, snacks, and beverages		
Full-service restaurant	2510.00	Provide services to patrons who order and are served while seated or in combination with takeout	X	X
Cafeteria or limited service restaurant	2520.00	Provide services to patrons who order or select items and pay before eating; may be consumed on premises, taken out, or delivered	X	X
Snack or nonalcoholic bar	2530.00	Prepare and serve specialty snacks, such as ice cream, frozen yogurt, cookies, coffee, juices for consumption on or near the premises, snowball stand	X	X

Mobile food services	2550.00	Prepare and serve meals and snacks for immediate consumption from motorized vehicles	X	X
Caterer	2560.00	Provide single event-based food services, including banquet halls with catering for wedding receptions, etc.	X	X
Vending machine operator	2580.00	Retail merchandise through vending machines that they service	X	X
<b>Personal Services</b>	2600.00	Catch-all category for personal service establishments not classified elsewhere such as bail bonding, wedding planning, psychic services, etc.		
Personal care	2610.00	Hair, nail, and skin care and related personal care		
hair, nail, and cosmetic skin care	2611.00	Barber or beauty shop	X	X
dieting and weight reducing	2612.00		X	X
electrolysis, ear piercing, and other personal care services	2616.00		X	X
Dry cleaning and laundry	2620.00			
dry cleaning and laundry	2622.00		X	X
linen and uniform supply	2623.00		X	X
Parking Lot and parking garage	2640.00		X	X
Special Services	2650.00			
massage therapist	2651.00		X	X
<b>Pet and Animal Sales or Service (except Veterinary)</b>	2700.00	Retails pets and other animals (except for farming purposes) and pet supplies, grooming, training, and care taking		
Pet or pet supply store	2710.00	Retail pets, pet foods, pet supplies	X	X
Animal and pet services and kennels	2720.00	Boarding, grooming, sitting, and training (except veterinary and horse boarding)		
animal services	2721.00	grooming and training	X	X

<b>MANUFACTURING AND WHOLESALE TRADE</b>	3000.00	When captive services such as accounting are provide by a separate establishment, they are classified in the appropriate function code and not in manufacturing		
Wood, Paper, and Printing Products	3200.00			
printing and related support activities	3221.00	establishments do not maufacture the stock that they print; for publishers and publishers that also print, use publishing information or codes	X	X
<b>Miscellaneous Manufacturing</b>	3400.00	Use for manufacturing establishments not classified elsewhere		
Office supplies, inks, etc.	3430.00	Except paper	X	X
Signs	3440.00		X	X
<b>Wholesale Trade Establishment</b>	3500.00	Normally operate from a warehouse or office, selling or arranging the purchase of goods to other businesses	X	X
<b>TRANSPORTATION, COMMUNICATION, INFORMATION, AND UTILITIES</b>	<b>4000.00</b>			
Courier and messenger services	4160.00	Provide air, surface, or combined courier delivery services of Parcels and messages	X	X
Postal services	4170.00	Operate the national postal service, including establishments that sort, route, and deliver on a contract basis	X	X
Communications and Information	4200.00	Produce or distribute information	X	X
Publishing	4210.00	Issue copies of works for which they usually posses copyright		
newspapers, books, periodicals, etc.	4211.00	Publish newspapers, magazines, books, databases, greeting cards, calendars, maps, and similar works	X	X
software publisher	4212.00	Publish and reproduce computer software	X	X

Motion pictures and sound recording	4220.00	Produce and distribute motion pictures and sound recordings		
motion picture and video production, publishing, and distribution	4221.00	Produce or distribute motion pictures, videos, television programs, or commercials	X	X
motion picture viewing and exhibition services	4222.00	Operate movie theaters, drive-ins, film festival exhibitions	X	X
sound recording, production, publishing, and	4223.00	Produce, distribute, or publish music and musical recordings or provide sound recording	X	X
Tele-communications and broadcasting	4230.00	Provide point-to-point communications; if multiple services are shared between the same facilities, use this general category; if separate facilities are maintained for each type of service, then use a specific classification		
towers and antennas 50ft tall or less	4233a		X	X
towers and antennas taller than 50 ft	4233b		X	X
telephone and other wired tele-communications	4234.00	operate telephone networks	X	X
Information services and data processing industries	4240.00	News syndicates and information data processing services		
online information services	4241.00	Internet access and service providers	X	X
library or archive	4242.00	Provide library or archive services	X	X
news syndicate	4243.00	Supply information such as news reports, articles, pictures and features to the news media	X	X
<b>Utilities and Utility Services</b>	4300.00	Provide utility services such as electric power, gas, water and sewage removal		
Electric power	4310.00	Provide electric power generation, transmission, control, and distribution		
service distribution lines	4315.00		X	X
electric substations	4316.00		X	X

Natural gas, petroleum, fuels	4320.00	Operate gas distribution systems, gas marketers, gas brokers, transmit and distribute gas		
natural gas service	4329.00	Provide natural gas service distribution to retail customers (includes distribution lines and valves)	X	X
Water, steam, air conditioning supply	4330.00	Public and private utility establishments that offer drinking water, water treatment, water supply, or hot or cool air supply		
water service	4339.00	Provide water service distribution to retail customers (includes distribution lines pumps and valves)	X	X
Sewer, solid waste, and related services	4340.00	Collect, treat, and dispose of waste materials		
wastewater service	4349.00	Provide wastewater service distribution to retail customers (includes collection lines and lift stations)	X	X
<b>ARTS, ENTERTAINMENT, AND RECREATION</b>	<b>5000.00</b>			
<b>Performing Arts or Supporting Establishments</b>	<b>5100.00</b>	Produce or organize and promote live presentations, excludes nightclubs		
Theater, dance or music establishment	5110.00	Companies, groups, or theaters that produce theatrical presentations, dance, dinner theaters, and live musical entertainment	X	X
Agent for management services	5150.00	Agents representing artists, athletes, entertainers, etc.	X	X
Independent artist, writer, or performer	5160.00	Independent individuals engaged in art, productions	X	X
<b>Museums and Other Special Purpose Recreational Institutions</b>	<b>5200.00</b>	Public and private museums, historical sites, zoos, and similar establishments		
Museum	5210.00		X	X
Historical or archeological institution	5220.00	archeological sites, battlefields	X	X

<b>Amusement, Sports, or Recreation Establishment</b>	5300.00	Operate facilities offering activities and provide services		
Games arcade establishment	5320.00	Operate arcades and parlors, except gambling, billiard, or pool	X	X
Miniature golf establishment	5340.00		X	X
Fitness, recreational sports, gym, athletic club, multipurpose facility	5370.00	Includes archery and shooting ranges, horseback riding, ball parks and courts, fitness clubs, and more		
public facilities	5371.00		X	X
private facilities	5372.00		X	X
<b>Natural and other Recreational Parks</b>	5500.00	All parks without special economic functions	X	X
<b>EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE, AND OTHER INSTITUTIONS</b>	6000.00			
<b>Educational Services</b>	6100.00	Offer teaching and learning		
Nursery or preschool	6110.00		X	X
Grade school	6120.00	Comprises all public, private, and specialty schools between the preschool and university level		
special needs education services	6125.00	offer specialized services such as for the physically or mentally disabled	X	X
Technical, trade, or other specialty school	6140.00			
beauty schools	6141.00		X	X
business management	6142.00	Offer courses in office procedures, secretarial skills, and basic office skills	X	X
computer training	6143.00	Except computer repair	X	X
driving education	6144.00		X	X
fine and performing arts education	6145.00	Dance, art, drama, and music schools	X	X
sports and recreation education	6147.00	Offer instruction in athletic activities	X	X
<b>Public Administration</b>	6200.00	All government functions, includes federal, state and local government agencies		

Legislative and executive functions	6210.00	Government and public administrative offices	X	X
<b>Other Government Functions</b>	6300.00	Use this category for government owned establishments not classified elsewhere such as defense and national guard establishments	X	X
<b>Public Safety</b>	6400.00	Government-owned establishments providing fire and rescue, police, and emergency response services		
Fire and rescue	6410.00		X	X
Police	6420.00	Includes combined police and fire departments	X	X
Emergency response	6430.00	Provide ground or air transportation for medical relief purposes	X	X
<b>Health and Human Services</b>	6500.00	Provide health care, social assistance, and associated services		
Ambulatory or outpatient care services	6510.00	Offer health care services directly to patients without providing inpatient services		
clinics and health spas (Ord. # 1601)	6511.00	Include physician offices, dentists, chiropractors, optometrists, licensed massage therapists, and other licensed or certified health care providers	X	X
family planning or outpatient care clinic	6512.00	Provide outpatient family planning services and outpatient care	X	X
medical or diagnostic laboratory	6513.00	Provide analytic or diagnostic services including medical imaging	X	X
blood or organ bank	6514.00		X	X
Nursing, supervision and other rehabilitative services, except	6520.00	Provide inpatient nursing and rehabilitative services and can accommodate patients for extended care, includes convalescent homes, nursing homes, inpatient care hospices, alcoholism or drug addiction rehabilitation, mental health Halfway Houses, group homes, and psychiatric convalescent homes	X	X

Social assistance, welfare, and charitable services	6560.00	Provide social assistance directly to individuals, does not offer residential or accommodation services except for Homeless Shelters		
child daycare	6562.00	Provide care for infants and preschool children, offer pre-kindergarten education programs	X	X
veterans affairs	6567.00		X	X
<b>Death Care Services</b>	6700.00	Funeral homes, crematories, cemeteries		
funeral home and services	6710.00	Includes funeral homes combined with crematories	X	X
<b>Associations, Non-Profit Organizations, Clubs</b>	6800.00	Includes grant making, civic, professional, and similar organizations		
Labor or political organization	6810.00	Labor unions, political groups, and political fund-raising groups	X	X
Business association or professional membership	6820.00	Promote the business interests of their members organization or of their profession	X	X
Civic, social, or fraternal organization	6830.00		X	X
<b>CONSTRUCTION-RELATED BUSINESSES</b>	7000.00	Build or demolish buildings, leveling, earthmoving, excavating, land drainage; should reflect the location of the establishment and not where it is performing its services		
Building, developing, and general contracting	7100.00	Custom builders, general contractors, developers, land Applicants, and construction management firms	X	X
Special Trade Contractor	7300.00	Specialize in construction activities such as plumbing, painting, and electrical work		
Carpentry, floor, and tile contractor	7310.00		X	X
electrial contractors	7330.00		X	X
glass and glazing contractor	7340.00	excludes automotive gass establishments	X	X
masonry and drywall contractor	7350.00	Includes bricklaying, drywall, and plaster work	X	X

Painting and wall covering	7360.00		X	X
Plumbing, heating and air conditioning	7370.00		X	X
roofing, siding, or sheet metal contractor	7380.00		X	X
<b>Agriculture, forestry, fishing and hunting</b>	9000.00	Grow crops, raise animals, harvest timber, and harvest fish and other animals, may be described as farms, greenhouses, nurseries, or hatcheries		
Crop Production	9100.00			
Outdoor production	9110.00		X	X
<b>Unclassifiable or No Function</b>	9900.00			
Temporary Uses (Ord. # 1601)	9920.00	Temporary uses specifically authorized in applicable zoning districts by section 5.25 or 5.26	X	X
Subdivisions	9930.00			
major	9931.00		X	X
minor	9932.00		X	X
Combination Uses	9940.00		X	X
Home Occupations	9950.00		X	X

## 4.2 Additional Design Conditions

The following additional development standards will control development on the site:

### 4.2.1 Vehicular & Pedestrian Circulation and Streets

There will be two (2) points of ingress/egress for the property. The main Ingress/egress to the development will be provided from NC Highway 22 on a new private street and a secondary access to the rear parcel will be provided from Waynor Road for emergency access to the property. The new private street will be constructed from Highway 22 and provide access to all parcels created within the development and existing adjacent parcels that are currently accessed by a private driveway. If a shared access can be determined with the adjoining property owner's at a later date, access may be relocated to incorporate the existing access easement.

The private street will be designed per the road cross section included on sheet L-1.2 - Concept, Phasing, and Transportation Plan. The road will be designed to meet the Town of Southern Pines engineering paving standards or additional geotechnical engineering recommendations will be provided as an alternative based on the specific soil conditions on the property. The functional classification of streets is illustrated in the attached Conceptual Transportation Plan as required by the UDO. Roadways adjacent to the community are governed by the NCDOT and therefore the ingress/egress location will require NCDOT approval.

Sidewalks – Sidewalks will not be provided along the proposed street or along NC Highway 22. If residential uses are developed on the property in the future, requiring submission and approval of a new preliminary development plan (PDP) by the Town Council, a sidewalk will be constructed along the property frontage on Waynor Road.

#### **4.2.2 Open Space**

5% open space will be provided for the development, which is consistent with the proposed uses. The development pattern is consistent with the adjoining properties that do not provide open space. Additional landscaping has been designated for the Waynor Road frontage in Section 4.2.4 of this document and will provide additional buffering. Based on the size, location and proposed uses for the property, no active open space will be provided.

If residential uses are developed on the property in the future, requiring submission and approval of a new preliminary development plan (PDP) by the Town Council, the 20% open space standard for Planned Development (PD) zoning will be met.

#### **4.2.3 Architectural Standards**

All buildings will be required to meet the standards of the commercial building design guidelines described in Section 4.10 of the Town of Southern Pines UDO. Architectural plans must be reviewed and approved by the Town's Architectural Review Board (ARB) prior to building permit authorization.

#### **4.2.4 Landscaping and Buffering**

Landscape standards will meet or exceed the requirements of the Town of Southern Pines UDO per Section 3.5.14(H). Landscape buffers will be installed per the UDO. In addition, the landscape buffer along

Waynor Road will be expanded to meet the 40' landscape buffer requirements included in the Highway Corridor Overlay for Highway 22.

#### **4.2.5 Utilities**

Electric, water, and sewer utilities are currently available near the property as described in Section 3.2.3 of this document. Any new utility lines will be installed underground in accordance with the policies of the local utility providers and the Town of Southern Pines.

From time to time, temporary services may be required and shall be allowed at community facilities, temporary construction offices, temporary sales centers and other common amenities such as parks. Drainage easement areas will be provided as required by the UDO and applicable regulations, the same being designed during, detailed and located during the detailed engineering and permitting of the development phases.

Water and sewer utilities will be provided by the Town of Southern Pines, the cost of which will be borne by the developer. Power and electric utility will be provided by Duke Energy.

#### **4.2.6 Lighting**

Appropriate lighting for any future commercial/retail development will be provided. Parking area lighting will be designed in conformance with the requirements of Section 4.8 in the Town of Southern Pines UDO. The cost of installation of any lighting shall not be the responsibility of the Town of Southern Pines. Lighting will be provided by Duke Energy Progress or other utility company. Installation of any street lights along the new public street will be completed by the developer and dedicated to the Town of Southern Pines along with the street.

#### **4.2.7 Signage**

Signage for the development will be provided along NC Highway 22. These signs may be combined, or individual signs as permitted in the UDO. Signage, internal to the development, may be provided throughout the property for purposes of identification and wayfinding. All signage will be designed in conformance with the requirements of the Town of Southern Pines UDO in Section 4.6.

#### **4.2.8 Temporary Uses/Special Events**

Temporary construction trailers including, but not limited to real estate, construction and sales offices may be installed during the period of

construction and real estate sales. Any temporary uses or special events must obtain the appropriate permits from the Town of Southern Pines.

#### **4.2.9 Storm Water Management and Water Quality Management**

The property is located within two (2) state regulated and protected drainage basins. As such stormwater design will fully comply with all aspects of applicable local and state standards and regulations for storm water management and watershed protection, including specific requirements for erosion and sedimentation control. Best management practices at the time of development for each phase shall be utilized in accordance with NCDEQ guidance. Drainage facilities will be located in the general locations as shown on conceptual site plan included in this application. These locations are subject to change throughout the continued development of the property based on detailed engineering and grading plans. Stormwater must be maintained on the overall property to meet the Town of Southern Pines, NCDEQ, and any other stormwater regulations.

As permitted by the Town of Southern Pines based on the commercial nature of this project and location within the watersheds, a Watershed Protection Permit has been submitted with this application. This will allow the development to provide up to 70% impervious surface and develop the commercial and office uses.

#### **4.2.10 Setbacks**

The setbacks for the property will follow the standards of the UDO for the specific area and uses. A 400' Urban Transition Highway Corridor Overlay is present along NC Highway 22. Setbacks and standards within the first 400' along NC Highway 22 will follow the Highway Corridor Overlay District (HCOD) guidelines. The public street access shall be considered an internal street access for purposes of the HCOD guidelines and permit a 40' building and parking setback from Highway 22. Setbacks along the western side of the property, outside of the Highway Corridor Overlay Districts, will follow the standards of the UDO for the specific area and uses.

### **5.0 Annexation**

Tract 1 as described in Section 3.3.5 is already within the town limits for the Town of Southern Pines. Tract 2 is currently in the Town's ETJ and will be annexed prior to any construction on the property.

## **6.0 Phasing**

This project will not be phased. The storage facility and the commercial outparcel will be developed with the private street off of NC Highway 22. Water and sewer for all parcels will be developed with the construction of the private street. The property will be recombined to accommodate the commercial outparcel and the storage facility. No subdivision of land will be necessary. At such time as a tenant/purchaser for the commercial outparcel is determined meeting the use table in Section 4.1, a site plan will be submitted to the Town's Technical Review Committee for review and permitting.

## **7.0 Conceptual Development Plan UDO Criteria**

Below are listed the four (4) criteria required to approve a Conceptual Development Plan (CDP) application as described in Section 2.18.4(H) of the Town of Southern Pines UDO. Following the individual criteria is an explanation describing how the project demonstrates compliance with each of these criteria.

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

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

The Conceptual Development Plan conforms to all standards of the UDO. The exhibits and narrative included with the application demonstrate the overall compliance with the UDO. The purpose of this PD – Conceptual Development Plan (CDP) application is to provide a development plan and development standards for the proposed development, which includes a commercial/office outparcel and a parcel designated as commercial, office, or residential development. The property is indicated as Rural Residential in the Town's Comprehensive Long-Range Plan (CLRP). This designation does not, however, fit with the properties surrounding parcels, which reflect similar uses to those proposed in the CDP. The proposed CDP sets forth the development standards for the property and complies with the process requirements of the new UDO.

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

The CDP is consistent with the goals and policies of the UDO. The property is zoned PD (Planned Development) on the Town's official zoning maps. The proposed CDP complies with the requirements of the PD district. The proposed PD – CDP and land uses for the property are consistent with the UDO. The Town's Comprehensive Long-Range Plan (CLRP) designates these parcels as Rural Residential, however this designation is not consistent with existing land

uses in the area and on surrounding properties. The proposed uses more consistent to the commercial and office uses located on adjoining properties. The project does promote its objectives of the CLRP. Surrounding properties are zoned for General Business – Conditional District (GB-CD), Planned Development (PD), and Rural Residential (RR). Surrounding properties include commercial, office, and residential uses. This CDP provides for commercial, office, and residential uses. The CDP results in a master planned development, and is consistent with the surrounding land uses.

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

Surrounding development includes commercial, offices, and residential development. The CLRP designates this property as Rural Residential with a PD (Planned Development) zoning classification which allows for mixed-use and a variety of land uses. The CDP application, plans and exhibits provide the development standards necessary to develop a mixed-use community. Proposed standards, densities and residential types are compatible with the surrounding developed properties and adjacent zoning classifications. Section 2.2 of the application describes the overall vision for the property. The existing development is bordered in part on the north by a veterinary clinic, east across Highway 22 by residential development, south by commercial contractors offices, and west by two residential lots. Thus, the proposed CDP is consistent and appropriate for the area of Town in which it is located.

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

As described in Sections 4.2.5 of this narrative, water and sewer utilities are readily available for the project, as well as all other necessary utilities. New utilities to serve the community described in the CDP documents, will follow the existing pattern of utility extensions within the area. Adequate sewer and water capacity to serve the development is available.

## **NEIGHBORHOOD MEETING REPORT**

DATE: June 1, 2021

PROJECT: Highway 22 Tract

LOCATION: Koontz Jones Design office, located at 150 S Page St, Southern Pines, NC

SUBMITTED BY: Bob Koontz

ATTENDEES: Bob Koontz, Koontz Jones Design, PLLC  
Paul Saathoff, Koontz Jones Design, PLLC  
Dan Pritchard, Applicant  
George Manly, Representing Property Owner/Applicant  
Kelly Curran, Representing Property Owner/Applicant

An informal Neighborhood Meeting was held on Tuesday June 1, 2021, from 4:00pm to 6:00 pm at the Koontz Jones Design office, located at 150 S Page Street, in Southern Pines, NC. This meeting is required by the Town of Southern Pines for PD rezoning and Conceptual Development Plan (CDP) applications. The developer and project team held this meeting with the adjoining property owners to present the project and solicit feedback on the preliminary plans and CDP application for the property. All adjoining parcel owners within 200' of the property were notified by letter (see attached copy of the letter) ten (10) days prior to the meeting date.

The meeting was informal in nature to allow adjoining property owners the opportunity to drop by at their convenience to review preliminary plans and ask questions of the development team. No formal presentation was provided. Drawings of the conceptual site plan and overall land use plan were provided for review by the property owners. Development team members were available to answer questions regarding the proposed project.

None of the adjoining property owners attended the meeting.



Robert Koontz, RLA

These notes reflect the author's interpretation of the events during the referenced meeting. Any additions or modifications required should be submitted to the author in writing.



May 21, 2021

Dear adjoining property owner,

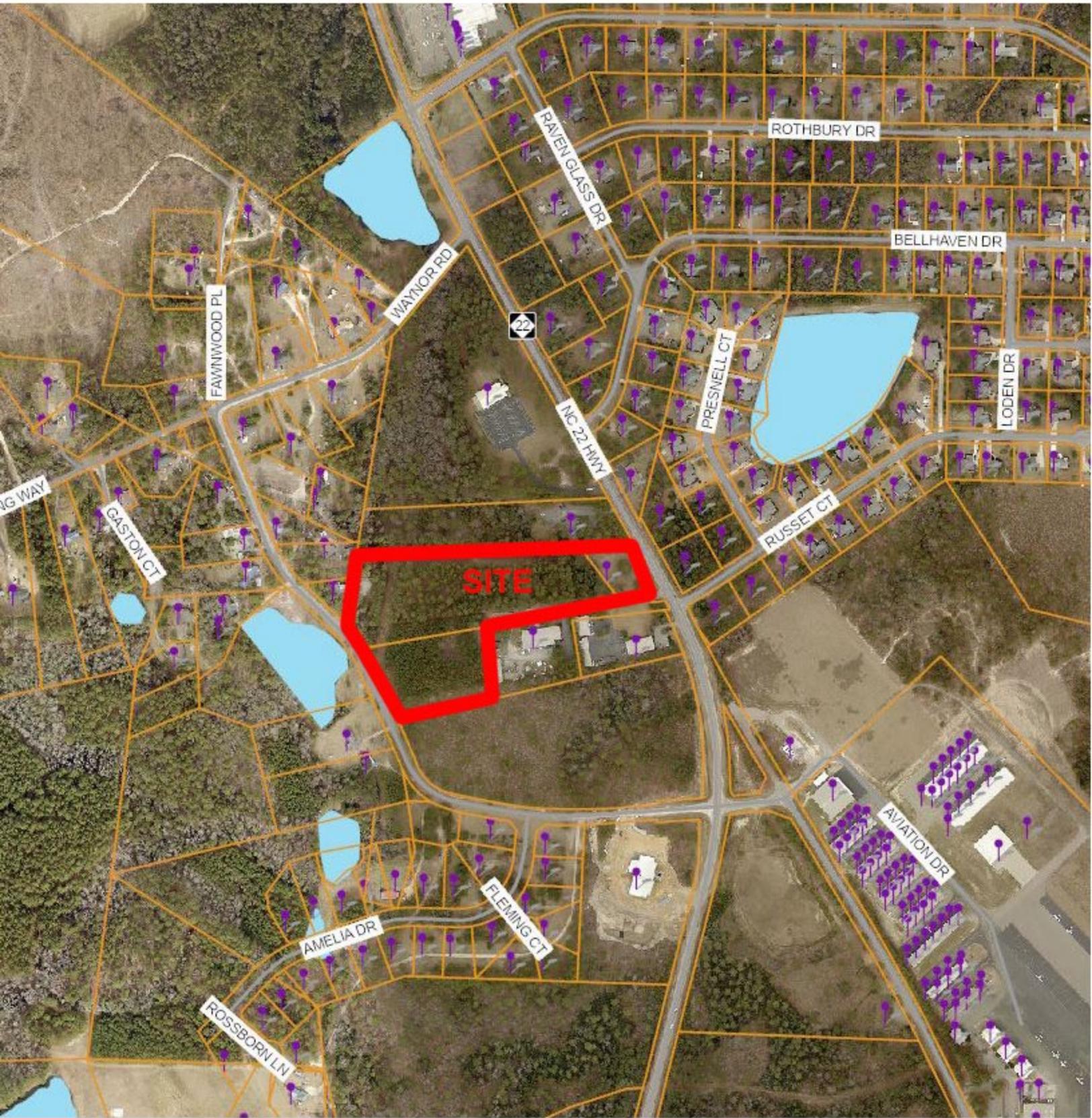
A Neighborhood Meeting will be held to discuss the proposal of a Conceptual Development Plan, and Preliminary Development Plan for a ±10.2 acre property on the west side of NC HWY 22 between Russet Ct and Bellhaven Dr. The property is currently zoned PD (Planned Development). With the proposed Conceptual Development Plan, the applicant is seeking to create a planned development consisting of a ±1.7 acre commercial outparcel along NC HWY 22 and a self-storage facility being proposed for the rear portion of the property.

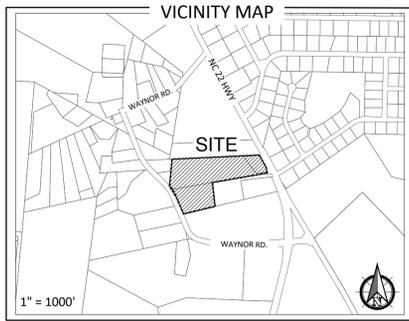
This is not a public hearing. The purpose of this meeting is to inform neighboring property owners of the proposal and to seek comments. The drop-in meeting will be held on June 1st, 2021 between the hours of 4:00 pm and 6:00 pm at the offices of Koontz Jones Design, located at 150 South Page Street in Southern Pines. This meeting will be informal, with no scheduled presentation, so feel free to come by at your convenience during the designated hours. Conceptual plans will be made available for review and discussion with members of the project team. Anyone seeking additional information regarding this project may call (910) 639-4058.

Best Regards,

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

Robert Koontz, PLA



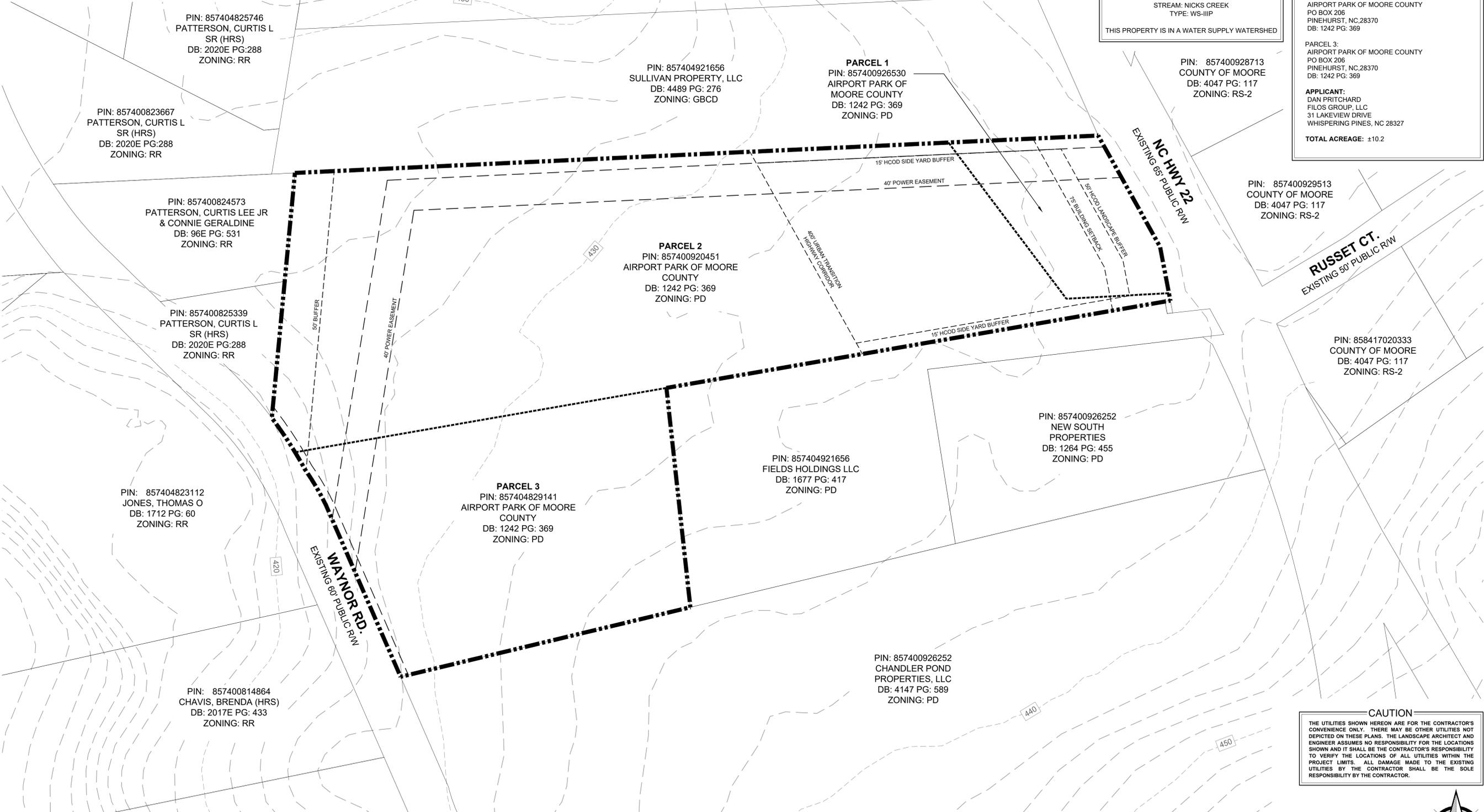


**FLOODPLAIN DATA**  
 THIS PROPERTY IS LOCATED IN FLOOD ZONE 'X'  
 (AREAS OF MINIMAL FLOODING)  
 THE LOCATION OF THE 100-YEAR FLOODPLAIN PER  
 NFIP FIRM COMMUNITY  
 PANEL(S) NO: 8574  
 MAP(S): 3710857400J  
 DATE: OCTOBER 17, 2006

**LEGEND**  
 - - - - - = PROPERTY BOUNDARY  
 - - - - - = EXISTING PARCELS  
 - - - - - = EXISTING MINOR CONTOUR  
 - - - - - = EXISTING MAJOR CONTOUR

**WATERSHED INFORMATION**  
 WATERSHED 1:  
 BASIN: CAPE FEAR  
 STREAM: LITTLE RIVER (VASS)  
 TYPE: WS-IIIP  
 WATERSHED 2:  
 BASIN: CAPE FEAR  
 STREAM: NICKS CREEK  
 TYPE: WS-IIIP  
 THIS PROPERTY IS IN A WATER SUPPLY WATERSHED

**PROPERTY INFORMATION**  
**PROPERTY OWNER(S):**  
 PARCEL 1:  
 AIRPORT PARK OF MOORE COUNTY  
 PO BOX 206  
 PINEHURST, NC.28370  
 DB: 1242 PG: 369  
 PARCEL 2:  
 AIRPORT PARK OF MOORE COUNTY  
 PO BOX 206  
 PINEHURST, NC.28370  
 DB: 1242 PG: 369  
 PARCEL 3:  
 AIRPORT PARK OF MOORE COUNTY  
 PO BOX 206  
 PINEHURST, NC.28370  
 DB: 1242 PG: 369  
**APPLICANT:**  
 DAN PRITCHARD  
 FILOS GROUP, LLC  
 31 LAKEVIEW DRIVE  
 WHISPERING PINES, NC 28327  
**TOTAL ACREAGE: ±10.2**



PIN: 857400929513  
 COUNTY OF MOORE  
 DB: 4047 PG: 117  
 ZONING: RS-2

**RUSSET CT.**  
 EXISTING 50' PUBLIC R/W

PIN: 858417020333  
 COUNTY OF MOORE  
 DB: 4047 PG: 117  
 ZONING: RS-2

PIN: 857400926252  
 NEW SOUTH  
 PROPERTIES  
 DB: 1264 PG: 455  
 ZONING: PD

PIN: 857404921656  
 FIELDS HOLDINGS LLC  
 DB: 1677 PG: 417  
 ZONING: PD

PIN: 857400926252  
 CHANDLER POND  
 PROPERTIES, LLC  
 DB: 4147 PG: 589  
 ZONING: PD

**PARCEL 3**  
 PIN: 857404829141  
 AIRPORT PARK OF MOORE  
 COUNTY  
 DB: 1242 PG: 369  
 ZONING: PD

**PARCEL 2**  
 PIN: 857400920451  
 AIRPORT PARK OF MOORE  
 COUNTY  
 DB: 1242 PG: 369  
 ZONING: PD

**PARCEL 1**  
 PIN: 857400926530  
 AIRPORT PARK OF  
 MOORE COUNTY  
 DB: 1242 PG: 369  
 ZONING: PD

PIN: 857404921656  
 SULLIVAN PROPERTY, LLC  
 DB: 4489 PG: 276  
 ZONING: GBCD

PIN: 857404825746  
 PATTERSON, CURTIS L  
 SR (HRS)  
 DB: 2020E PG:288  
 ZONING: RR

PIN: 857400823667  
 PATTERSON, CURTIS L  
 SR (HRS)  
 DB: 2020E PG:288  
 ZONING: RR

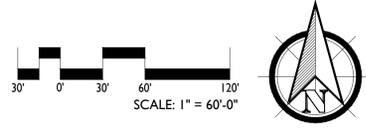
PIN: 857400824573  
 PATTERSON, CURTIS L JR  
 & CONNIE GERALDINE  
 DB: 96E PG: 531  
 ZONING: RR

PIN: 857400825339  
 PATTERSON, CURTIS L  
 SR (HRS)  
 DB: 2020E PG:288  
 ZONING: RR

PIN: 857404823112  
 JONES, THOMAS O  
 DB: 1712 PG: 60  
 ZONING: RR

PIN: 857400814864  
 CHAVIS, BRENDA (HRS)  
 DB: 2017E PG: 433  
 ZONING: RR

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



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

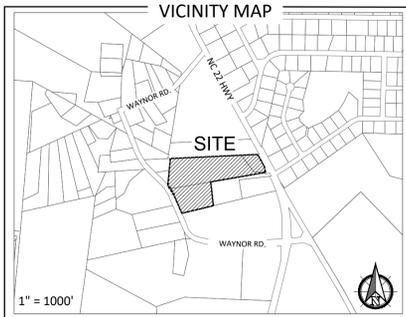
**KOONTZJONESDesign**  
 LAND PLANNING | LANDSCAPE ARCHITECTURE  
 150 S PAGE STREET  
 SOUTHERN PINES, NC 28387  
 P: (910) 684-6467  
 W: www.koontzjonesdesign.com

REVISIONS:

REVISIONS:

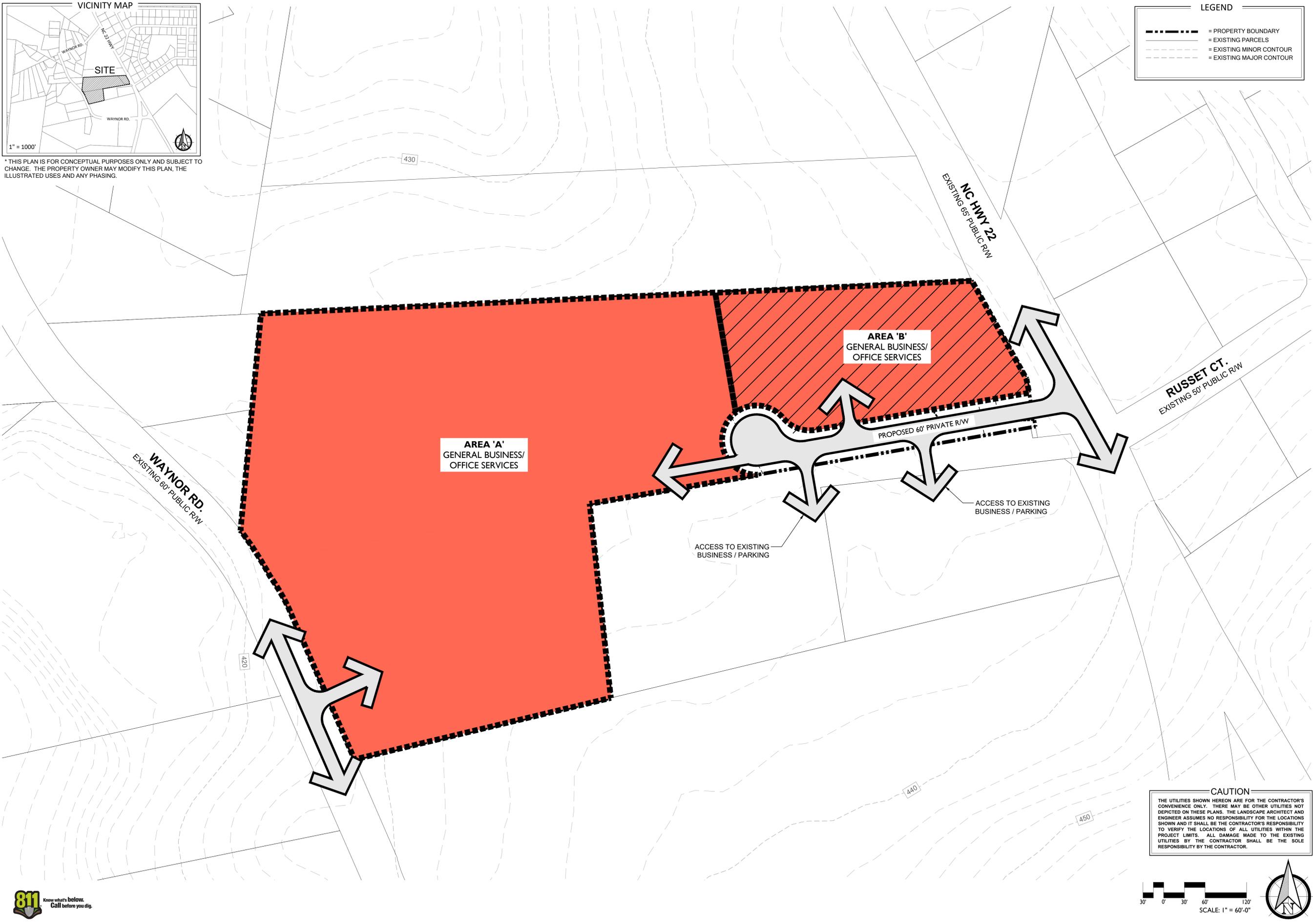
**HIGHWAY 22 TRACT  
 CONCEPTUAL DEVELOPMENT PLAN  
 SOUTHERN PINES, NORTH CAROLINA  
 EXISTING CONDITIONS**

DATE: 06-14-2021  
 DESIGNED BY: PJS  
 DRAWN BY: PJS  
 CHECKED BY: PJS  
 SCALE: 1" = 60'-0"  
 PROJECT #: K0221002  
 SHEET NUMBER:  
**L-1.0**

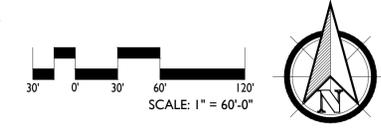


\* THIS PLAN IS FOR CONCEPTUAL PURPOSES ONLY AND SUBJECT TO CHANGE. THE PROPERTY OWNER MAY MODIFY THIS PLAN, THE ILLUSTRATED USES AND ANY PHASING.

LEGEND	
	= PROPERTY BOUNDARY
	= EXISTING PARCELS
	= EXISTING MINOR CONTOUR
	= EXISTING MAJOR CONTOUR



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

**KOONTZJONESDesign**  
 LAND PLANNING | LANDSCAPE ARCHITECTURE  
 150 S PAGE STREET  
 SOUTHERN PINES, NC 28387  
 P: (910) 684-8487  
 W: www.koontzjonesdesign.com

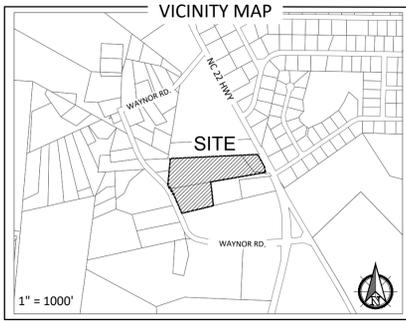
REVISIONS:

REVISIONS:

REVISIONS:

**HIGHWAY 22 TRACT**  
**CONCEPTUAL DEVELOPMENT PLAN**  
 SOUTHERN PINES, NORTH CAROLINA  
**CONCEPTUAL LAND USE PLAN**

DATE: 06-14-2021  
 DESIGNED BY: PJS  
 DRAWN BY: PJS  
 CHECKED BY: PJS  
 SCALE: 1" = 60'-0"  
 PROJECT #: KID21002  
 SHEET NUMBER:  
**L-1.1**



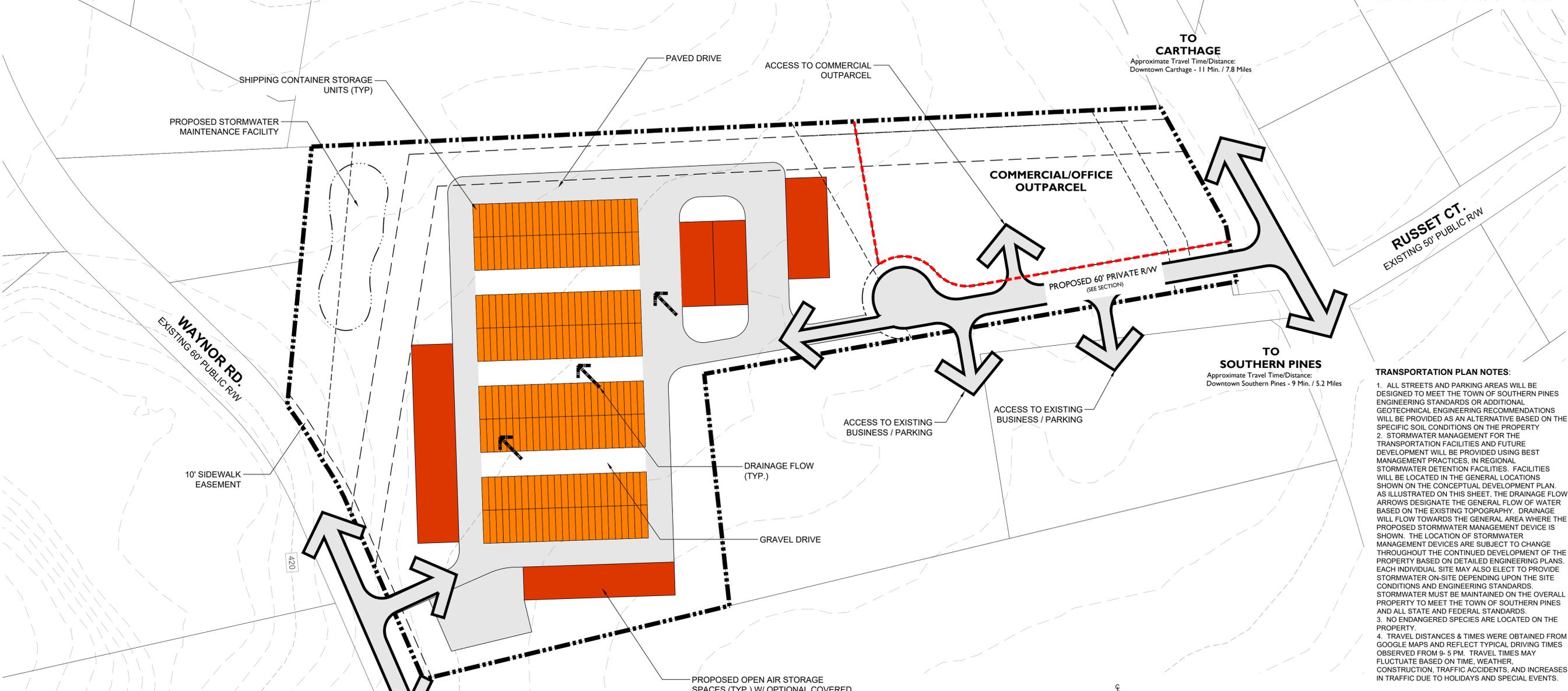
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**LEGEND**

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- - - = EXISTING PARCELS
- - - - - = EXISTING MINOR CONTOUR
- - - - - = EXISTING MAJOR CONTOUR

**PHASING PLAN NOTES:**

1. THIS PROJECT WILL NOT BE PHASED. THE STORAGE FACILITY WILL BE DEVELOPED WITH THE PRIVATE STREET OFF OF NC HIGHWAY 22.
2. THE COMMERCIAL OUTPARCEL WILL BE DEVELOPED WITH ROAD ACCESS, WATER, AND SEWER WITH THE CONSTRUCTION OF THE PRIVATE STREET. AT SUCH TIME AS A TENANT/PURCHASER IS DETERMINED AND MEETS THE USE TABLE IN SECTION 4.1 OF THE CDP, A SITE PLAN WILL BE SUBMITTED TO THE TOWN'S TECHNICAL REVIEW COMMITTEE FOR SITE PLAN REVIEW AND PERMITTING.
3. THE SELF STORAGE FACILITY MAY BE CONSTRUCTED IN PHASES ALLOWING FOR A MIXTURE OF OPEN AIR SPACES AND RE-PURPOSED SHIPPING CONTAINER UNITS AS DEMAND/AVAILABILITY FOR SUCH UNITS INCREASES

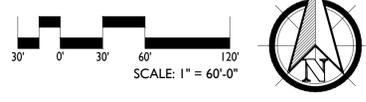
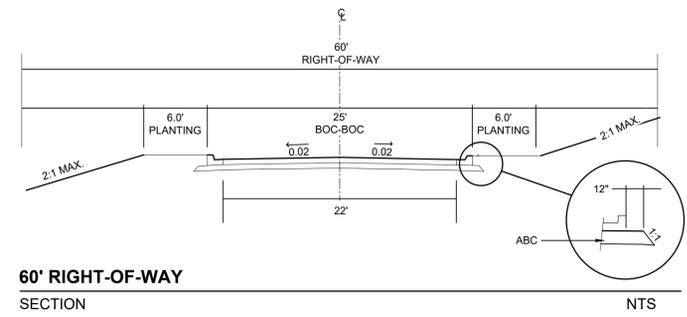


**TRANSPORTATION PLAN NOTES:**

1. ALL STREETS AND PARKING AREAS WILL BE DESIGNED TO MEET THE TOWN OF SOUTHERN PINES ENGINEERING STANDARDS OR ADDITIONAL GEOTECHNICAL ENGINEERING RECOMMENDATIONS WILL BE PROVIDED AS AN ALTERNATIVE BASED ON THE SPECIFIC SOIL CONDITIONS ON THE PROPERTY
2. STORMWATER MANAGEMENT FOR THE TRANSPORTATION FACILITIES AND FUTURE DEVELOPMENT WILL BE PROVIDED USING BEST MANAGEMENT PRACTICES, IN REGIONAL STORMWATER DETENTION FACILITIES. FACILITIES WILL BE LOCATED IN THE GENERAL LOCATIONS SHOWN ON THE CONCEPTUAL DEVELOPMENT PLAN. AS ILLUSTRATED ON THIS SHEET, THE DRAINAGE FLOW ARROWS DESIGNATE THE GENERAL FLOW OF WATER BASED ON THE EXISTING TOPOGRAPHY. DRAINAGE WILL FLOW TOWARDS THE GENERAL AREA WHERE THE PROPOSED STORMWATER MANAGEMENT DEVICE IS SHOWN. THE LOCATION OF STORMWATER MANAGEMENT DEVICES ARE SUBJECT TO CHANGE THROUGHOUT THE CONTINUED DEVELOPMENT OF THE PROPERTY BASED ON DETAILED ENGINEERING PLANS. EACH INDIVIDUAL SITE MAY ALSO ELECT TO PROVIDE STORMWATER ON-SITE DEPENDING UPON THE SITE CONDITIONS AND ENGINEERING STANDARDS. STORMWATER MUST BE MAINTAINED ON THE OVERALL PROPERTY TO MEET THE TOWN OF SOUTHERN PINES AND ALL STATE AND FEDERAL STANDARDS.
3. NO ENDANGERED SPECIES ARE LOCATED ON THE PROPERTY.
4. TRAVEL DISTANCES & TIMES WERE OBTAINED FROM GOOGLE MAPS AND REFLECT TYPICAL DRIVING TIMES OBSERVED FROM 9-5 PM. TRAVEL TIMES MAY FLUCTUATE BASED ON TIME, WEATHER, CONSTRUCTION, TRAFFIC ACCIDENTS, AND INCREASES IN TRAFFIC DUE TO HOLIDAYS AND SPECIAL EVENTS.

**CAUTION**

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



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

**KOONTZJONESDesign**  
 LAND PLANNING | LANDSCAPE ARCHITECTURE  
 150 S PAGE STREET  
 SOUTHERN PINES, NC 28387  
 P: (910) 684-6467  
 W: www.koontzjonesdesign.com

REVISIONS:


**HIGHWAY 22 TRACT**  
**CONCEPTUAL DEVELOPMENT PLAN**  
 SOUTHERN PINES, NORTH CAROLINA  
**CONCEPTUAL MASTER PLAN / TRANSPORTATION PLAN**

DATE: 06-14-2021  
 DESIGNED BY: PJS  
 DRAWN BY: PJS  
 CHECKED BY: PJS  
 SCALE: 1" = 60'-0"  
 PROJECT #: K021002  
 SHEET NUMBER:  
**L-1.2**

**From:** [Cindy Williams](#)  
**To:** [Suzy Russell](#)  
**Subject:** FW: [External] PD-04-21 & PD-05-21 Planned Development Applications  
**Date:** Wednesday, June 30, 2021 12:03:35 PM  
**Attachments:** [image001.png](#)  
[PD-04-21 PHN - agency comment.pdf](#)  
[PD-05-21 PHN - agency comment.pdf](#)

---

Sincerely,

**Cindy Williams, CZO**  
Planning Department  
Town of Southern Pines  
(910) 692-4003

---

**From:** JuarezPozos, Dagoberto <djuarezpozos@ncdot.gov>  
**Sent:** Wednesday, June 30, 2021 11:21 AM  
**To:** Cindy Williams <CWilliams@southernpines.net>  
**Cc:** Reddinger, Kevin S <ksreddinger@ncdot.gov>; Mabry, Richard A <ramabry@ncdot.gov>; James, Janet R <jrjames2@ncdot.gov>  
**Subject:** RE: [External] PD-04-21 & PD-05-21 Planned Development Applications

Cindy,

From our end they will need to submit a driveway permit. At that time one of our technicians will work with them on the connection to NC 22 and Waynor Rd.

Thank you,

Dago

**Dagoberto Pozos, P.E.**  
Assistant District Engineer  
Division 8 District 2

910-944-7621 Office  
[djuarezpozos@ncdot.gov](mailto:djuarezpozos@ncdot.gov)

902 North Sandhills Blvd.  
Aberdeen, NC 28315



*Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.*

---

**From:** Cindy Williams <[CWilliams@southernpines.net](mailto:CWilliams@southernpines.net)>

**Sent:** Thursday, June 24, 2021 11:28 AM

**To:** Archie Daniel <[adaniel@southernpines.net](mailto:adaniel@southernpines.net)>; Cindi King <[CKing@southernpines.net](mailto:CKing@southernpines.net)>; Cory Albers <[calbers@southernpines.net](mailto:calbers@southernpines.net)>; James Michel <[JMichel@southernpines.net](mailto:JMichel@southernpines.net)>; Ken Skipper <[KSkipper@southernpines.net](mailto:KSkipper@southernpines.net)>; Maurice Holland <[mbholland63@gmail.com](mailto:mbholland63@gmail.com)>; JuarezPozos, Dagoberto <[djuarezpozos@ncdot.gov](mailto:djuarezpozos@ncdot.gov)>; [ncsandhillsrcw@fws.gov](mailto:ncsandhillsrcw@fws.gov); Pete Campbell <[director@rluac.com](mailto:director@rluac.com)>; ISTRE, RONALD <[ristre@southernpines.net](mailto:ristre@southernpines.net)>; Scotty Malta <[smalta@moorecountyairport.com](mailto:smalta@moorecountyairport.com)>

**Cc:** Suzy Russell <[SuzyRussell@southernpines.net](mailto:SuzyRussell@southernpines.net)>; Cindy Williams <[CWilliams@southernpines.net](mailto:CWilliams@southernpines.net)>

**Subject:** [External] PD-04-21 & PD-05-21 Planned Development Applications

**CAUTION:** External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to [Report Spam](#).

Good afternoon,

Please review the attached Public Hearing Notices and respond with any comments or concerns at your earliest convenience.

Thank you.

Sincerely,

**Cindy Williams**, CZO  
Planning Department  
Town of Southern Pines  
(910) 692-4003

---

Email correspondence to and from this sender is subject to the N.C. Public Records Law and may be disclosed to third parties.

**From:** [James Michel](#)  
**To:** [Suzy Russell](#); [Ken Skipper](#)  
**Subject:** RE: PD-04-21 andPD-05 21 Highway 22 storage  
**Date:** Friday, July 2, 2021 3:35:04 PM

---

Suzy,

I have two comments on the submitted PD.

1. It appears that an extension of water and sewer mains will be required to serve the full project. Provide a conceptual water and sewer layout for review.
2. The proposed site access road should be a private road.

Let me know if you have any questions.

Thanks

**James Michel, PE, MBA**

Town of Southern Pines  
Town Engineer/Asst. Public Works Director  
140 Memorial Park Ct.  
Southern Pines, NC 28387  
(910)692-1983

---

**From:** Suzy Russell  
**Sent:** Thursday, July 1, 2021 8:24 AM  
**To:** James Michel <[JMichel@southernpines.net](mailto:JMichel@southernpines.net)>; Ken Skipper <[KSkipper@southernpines.net](mailto:KSkipper@southernpines.net)>  
**Subject:** RE: PD-04-21 andPD-05 21 Highway 22 storage

Hi James (and Ken)

Totally understand, however, because this is a pre-app for a PD and not a site plan review, your comments will reflect what has been submitted in the application. Because the meeting is happening on the 13<sup>th</sup> I will only have 1 day to add the comments at that point, because my report deadline is the 15<sup>th</sup>. So, if you could provide me with comments as soon as you are able, I would truly appreciate it.

If you need further communication on this topic please don't hesitate to call me.



*Suzy Russell*, [CZO](#)

Planner II  
Town of Southern Pines  
180 SW Broad Street  
Southern Pines, NC 28387  
(910)692-4003  
[suzyrussell@southernpines.net](mailto:suzyrussell@southernpines.net)

---

**From:** James Michel  
**Sent:** Thursday, July 1, 2021 8:20 AM  
**To:** Suzy Russell <[SuzyRussell@southernpines.net](mailto:SuzyRussell@southernpines.net)>; Ken Skipper <[KSkipper@southernpines.net](mailto:KSkipper@southernpines.net)>  
**Subject:** RE: PD-04-21 andPD-05 21 Highway 22 storage

Suzy,

If I understood BJ correctly, they will be coming in on the 13<sup>th</sup> for a Pre-App. Do you need comments before the pre-app or will we just provide them at TRC?

Thanks

**James Michel, PE, MBA**  
Town of Southern Pines  
Town Engineer/Asst. Public Works Director  
140 Memorial Park Ct.  
Southern Pines, NC 28387  
(910)692-1983

---

**From:** Suzy Russell  
**Sent:** Wednesday, June 30, 2021 8:23 AM  
**To:** Ken Skipper <[KSkipper@southernpines.net](mailto:KSkipper@southernpines.net)>; James Michel <[JMichel@southernpines.net](mailto:JMichel@southernpines.net)>  
**Subject:** PD-04-21 andPD-05 21 Highway 22 storage

Good morning fellas,

Here is the application for the Storage facility on HWY 22. Please send me comments. As always, I am thankful for all you both do.



*Suzy Russell* **CZO**

Planner II  
Town of Southern Pines  
180 SW Broad Street  
Southern Pines, NC 28387

(910)692-4003  
[suzyrussell@southernpines.net](mailto:suzyrussell@southernpines.net)



## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

Sandhills Sub Office  
Post Office Box 119  
Southern Pines, N. C. 28388

February 10, 2021

Dan Pritchard  
Filos Group, LLC  
31 Lakeview Drive  
Whispering Pines, NC 28387

Re: 11.95-acres on Waynor Road & NC Highway 22 (LRKs: 36656, 36657, 95000179),  
Whispering Pines, Moore County, North Carolina

Dear Mr. Pritchard:

This is in response to your request for an assessment of any potential impacts to red-cockaded woodpeckers (*Picoides borealis* = *Dryobates borealis*) associated with the construction of a RV and boat storage facility on the subject lots. The U.S. Fish and Wildlife Service (Service) offers the following comments in support of Section 9 of the Endangered Species Act of 1973 (16 U.S.C. 1531-1543) (Act) and the Service's Private Lands Guidelines found in Appendix 5 of the Service's Recovery plan for the red-cockaded woodpecker (*Picoides borealis*): second revision (U.S. Fish and Wildlife Service 2003). A site visit was conducted by staff of Dr. J.H. Carter III and Associates, Inc. on March 19, 2021.

Based upon the site visit and available data there are no red-cockaded woodpecker cavity trees on these lots which lie outside of any known red-cockaded woodpecker clusters. However, recovery efforts for this species are underway and may result in groups becoming reestablished in areas currently unoccupied by this species. The cumulative loss of foraging and nesting habitat caused by residential and commercial construction is one of the primary threats to the continued existence of the red-cockaded woodpecker in the Whispering Pines/Southern Pines area.

Therefore, as plans are developed for the construction of a RV and boat storage facility on the subject properties, I encourage you to take measures to prevent damage to the bole and root system of any remaining longleaf pines. Landscaping, whenever possible, should use native shrub species that do not exceed seven feet in height, and exotic invasive plants should be avoided.

The results of this survey are valid for a period of one (1) year from the date this letter was issued. However, this determination must be reconsidered if the project design is subsequently modified or if new information becomes available. Please use this letter as

necessary to inform all potentially affected parties of this finding. If you have any questions, please contact me at (919) 812-2954.

Sincerely,

*Caroline S. Krom*

For Pete Benjamin  
Project Leader

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

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

**19 March 2021**

**TO:** Filos Group, LLC  
Attn: Mr. Dan Pritchard  
31 Lakeview Drive  
Whispering Pines, NC 28387

**FROM:** Kevin O'Day, Wildlife Biologist  
Dr. J.H. Carter III & Associates, Inc. (JCA)

**SUBJECT:** Summary of red-cockaded woodpecker survey for the RV and boat storage facility project in Southern Pines, Moore County, North Carolina.

**CC:** Caroline Krom  
US Fish and Wildlife Service  
P.O. Box 119  
Southern Pines, NC 28388

Mr. Dan Pritchard plans to construct an RV and boat storage facility on 3 adjacent lots (LRK #s 36656, 36657 and 95000179) near Whispering Pines, Moore County, NC (Figure 1). This memorandum evaluates the impacts of this project on the Federally-endangered red-cockaded woodpecker (*Dryobates borealis*) (RCW) pursuant to Section 9 of the Endangered Species Act (ESA), as amended.

The project site is located between Waynor Road (Rd.) and NC Highway (Hwy.) 22 (Figure 1). The northern lot (LRK #36657) was forested with moderately dense, second-growth loblolly pine (*Pinus taeda*) with a few pockets of second-growth longleaf pine (*P. palustris*), a dense 10-30 foot (ft.) tall midstory dominated by loblolly and longleaf pine regeneration and turkey oak (*Quercus laevis*) and no herbaceous ground cover. The western edge of the lot, adjacent to the neighboring property was dominated by dense loblolly and longleaf pines with a dense midstory of turkey oak, southern magnolia (*Magnolia grandiflora*) and greenbrier (*Smilax rotundifolia*). The eastern edge, adjacent to lot (LRK #36656) was dominated by dense loblolly

regeneration and common wax-myrtle (*Morella cerifera*). A power line runs east-west through this lot.

The northern two-thirds of the southern lot (LRK #95000179) was dominated by dense loblolly and longleaf pine regeneration. The southern third of the lot was dominated by sparse second-growth longleaf pine with sparse turkey oak and longleaf regeneration in the midstory and no herbaceous ground cover.

The eastern lot (LRK #36656) was mostly open field with a few second-growth loblolly pines and one mature longleaf pine in the northeast corner.

The proposed project will encompass approximately 80% of the 3 lots, with a few buildings and an associated access road with parking and storage areas. A strip of trees will be left along the boundary of the project site.

The RV and boat storage project site does not occur within a RCW foraging habitat partition. A wildlife biologist with Dr. J. H. Carter III & Associates, Inc. (JCA) surveyed the project site on 18 March 2021. No new RCW cavity trees were found. The nearest RCW cavity tree (#4586) contains a relic enlarged cavity and is located 144 feet northeast of the project site, east of NC Hwy. 22, in abandoned MOOR Cluster 44. This project will have no effect on the RCW. No habitat for other listed species was detected.

The RCW survey results are valid for a period of one year from the date of this letter. A copy of this letter along with a letter from the USFWS will be required when you request a building permit from your local Planning and Zoning office. If a RCW constructs a cavity in a pine tree on the aforementioned lot within the one-year time frame, this letter does not allow disturbance (within 50 ft.) or removal of the cavity tree. You must get additional approval from the USFWS for removal or disturbance of a RCW cavity tree.

Sincerely,



Kevin O'Day  
Wildlife Biologist

## **Agenda Item**

**To:** Reagan Parsons, Town Manager

**From:** Suzy Russell, Planner II

**Subject:** PD-05-21: A Planned Development District Conceptual Development Plan to accommodate the development of a self-storage facility and to allow future development of requested general business and office service land uses; 7688 NC 22 HWY; Applicant: Dan Pritchard; Authorized Agent: Bob Koontz, Koontz Jones Design

**Date:** August 10, 2021

---

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

Mr. Robert Koontz of Koontz Jones Design, on behalf of the applicant, Mr. Dan Pritchard, has submitted an application for a Planned Development – Preliminary Development Plan pursuant to Section 2.18.5 of the Town of Southern Pines Unified Development Ordinance (UDO). The three (3) existing parcels that make up the subject property for a total of 10.02 acres will be recombined into two (2) parcels (A and B) and are zoned planned development (PD). The applicant is proposing to develop a storage facility utilizing shipping container storage and open-air storage located on Parcel A, for a maximum of 290 storage units. Parcel B would be developed in the future and will consist of any of the multiple requested land uses from the office service and general business zoning districts as approved in the CDP. The subject property is located on the west side of NC Highway 22 between Waynor Road and Russet Court. Pursuant to the Moore County tax records, the parcels are identified as PIN: 857400926530 (PARID: 00036656) – This land is located in the extraterritorial jurisdiction of the Town, PIN: 857400920451 (PARID: 00036657) – This land is located in the extraterritorial jurisdiction of the Town and PIN: 857404829141 (PARID:95000179); owned by Airport Park of Moore County, LLC

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

At the July 22, 2021 Regular Meeting of the Planning Board, the Planning Board held a public hearing and followed the rules for a legislative public hearing. Planning staff, Ms. Suzy Russell, presented a review of the Preliminary Development Plan application.

Following staff's comments, the applicant's agent, Mr. Bob Koontz presented the case for approval of the Preliminary Development Plan.

After closing the public hearing, a motion was made by Mr. Cooper Carter to recommend denial of the preliminary development plan PD-05-21 because the Planning Board had already recommended denial of the related Conceptual Development Plan PD-04-21. The motion was seconded by Mr. Dowdy and approved 5-1.

Please be reminded per UDO §2.5.2 “*When the Planning Board serves as a recommending body for an action requiring an evidentiary hearing by the Town Council, the Board may follow the rules for a legislative hearing to provide a preliminary forum for review, provided that no part of the forum or recommendation may be used as a basis for a decision by the Town Council.*”

### **III. PROJECT INFORMATION:**

#### **A. Property Owner & Applicant Information:**

- i. Property Owners and Applicant:**  
Airport Park of Moore Count, LLC  
M Fields  
PO Box 206  
Pinehurst, NC 28370Rickhouse Properties, LLC
- ii. Applicant:**  
Mr. Dan Pritchard  
31 Lakeview Drive  
Whispering Pines, NC 28327
- iii. Authorized Agent:**  
Koontz Jones Design  
Mr. Robert Koontz  
150 S Page Street  
Southern Pines, NC 28387

#### **B. Property Information:**

- i. Street Address:**  
7688 NC 22 Highway  
Southern Pines, NC 28387
- ii. Size of Property:**  
Total Project Acreage: 10.2 acres
- iii. Existing Infrastructure:**  
The subject property has access to existing town water and sewer. (See Figure 2: Existing Public Utilities Map). The applicant will be required to build a private street. The subject property would be accessed with the main access being located on NC 22 HWY, a designated NCDOT road. A second access would be located off of Waynor Road for emergency access only.
- iv. Current Property Zoning and CLRP Classification:**  
The subject property is zoned Planned Development (PD) and is designated as residential on the future land use map.

**C. Planned Development History & Current Project Description:**

**i. Planned Development History:**

The 10.2 acre Conceptual Development Plan (CDP) was approved by the Town of Southern Pines on July 22, 2021 (PD-04-21).

**ii. Current Project Description:**

- The proposed mixed land use development as approved with the CDP with the following proposed general business (GB) and office service (OS) land uses from the Town of Southern Pines UDO Exhibit 3-15 *Table of Authorized Land Uses* as of the date of this report as listed below:

1111	2321	2610	3221	4160	5110	5500	6300	6710	7310
1112	2336	2611		4170	5150				7330
1120		2612			5160				7340
S1130		2616							7350
1151		2620							7360
1153		2622							7370
		2623							7380
		2640							
		2650							
		2651							
2113b	2411	2710	3430	4210	5210	6110	6410	6810	9110
2117	2412	2720	3440	4211	5220	6125	6420	6820	
2121	2413	2721		4212		6141	6430	6830	
2127	2414			4221		6142			
2141	2415			4222		6143			
2142	2416			4223		6144			
2144	2417			4233a		6145			
2152	2418			4233b		6147			
2153	2421			4234					
2154	2422			4241					
	2423			4242					
	2424			4243					
	2425								
	2430								
	2440								
	2454								
2210	2510		3500	4315	5320	6210	6500	7100	9920
2220	2520			4316	5340		6511		9931
2230	2530			4329	5371		6512		9932
2240	2550			4339	5372		6513		9940
	2560			4349			6514		9950
	2580						6520		
							6562		

							6567		
--	--	--	--	--	--	--	------	--	--

- The storage facility will be located on the 8.4-acre parcel, Area A, and will consist of a mixture of shipping containers and open storage areas. This is to be developed upon approval. The 1.72 acre outparcel will be developed when sold or leased and requires a separate PDP.
- Each parcel must undergo detailed site plan review with the Technical Review Committee (TRC) for compliance with all Town development standards prior to construction.
- Per UDO §2.8.1. Expiration of Development Approval:  
*Unless otherwise identified in this chapter or specified in the approval, approvals shall expire when: (A) There is no substantial construction, erection, alteration, excavation, demolition or similar work authorized by such permits within one (1) year after issuance. (B) Work has commenced, but there is no substantial progress on the project for a period of one (1) year. (C) The project has not been completed within two (2) years of issuance of the permit.*

**Figure 1: Vicinity Map (Subject Property Outlined in Red)**

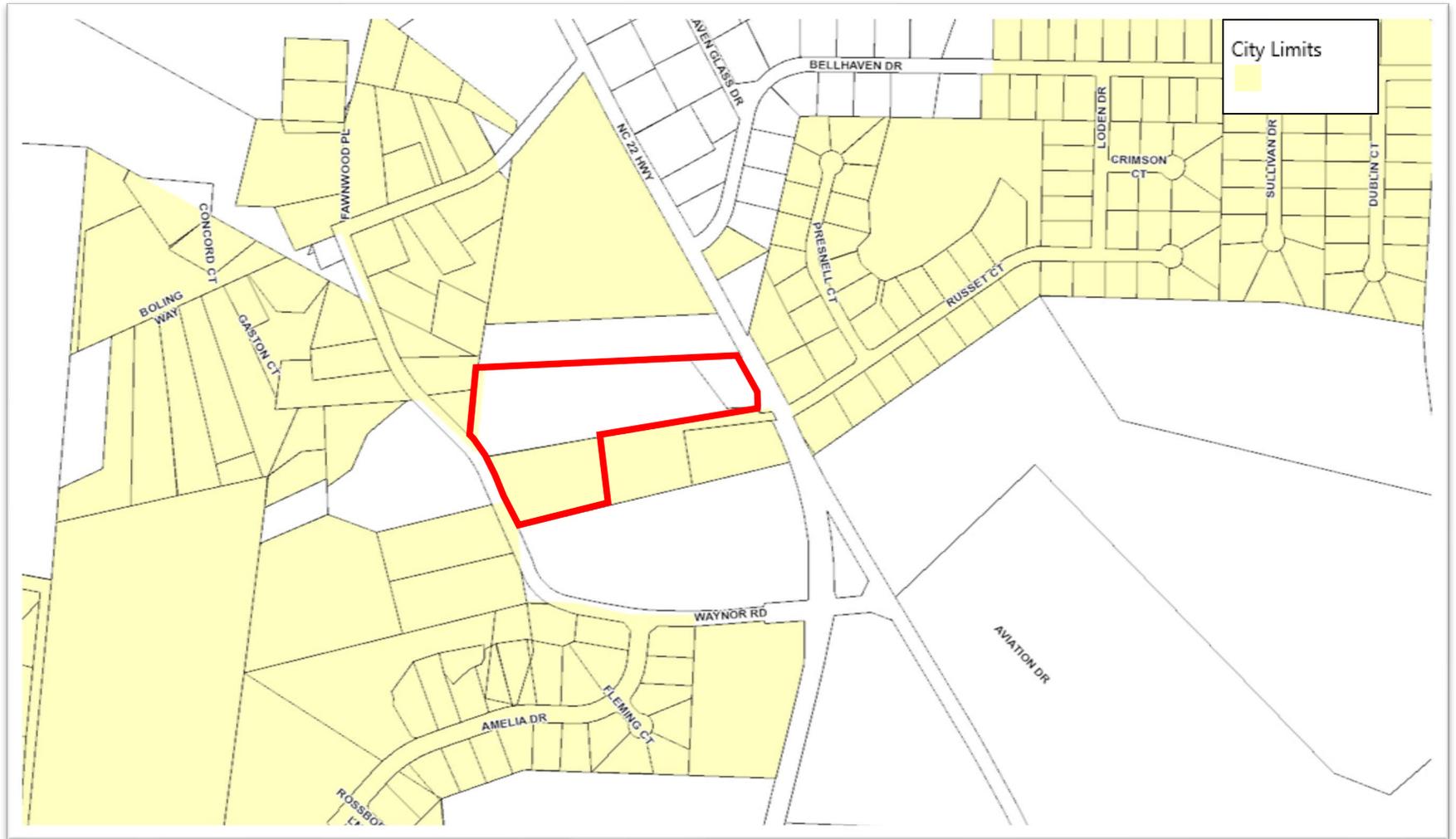
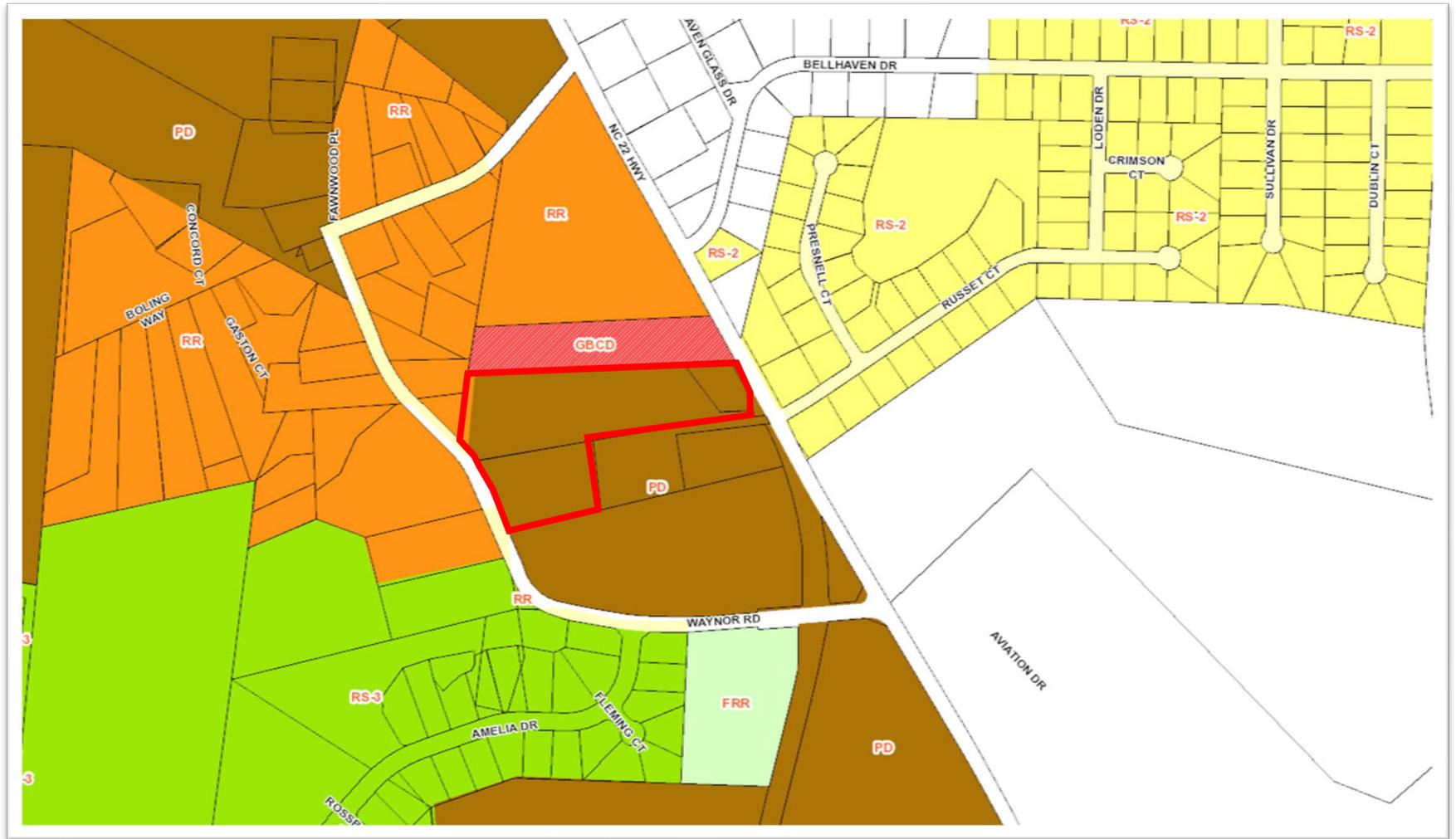


Figure 2: Existing Infrastructure (Subject Property Outlined in Yellow)



Figure 3: Zoning Map: (Subject Property has been rezoned to PD but has not been updated in GIS; Outlined in Red)



#### IV. STAFF REVIEW:

##### A. Application Review Dates & Associated Postings:

- Preliminary Development Plan Application Submitted: June 14, 2021
- Application Complete: June 21, 2021
- Notice of Planning Board Public Hearing:
  - Posted On-site: July 9, 2021
  - Mailed: June 28, 2021
  - Internet: June 28, 2021
- Planning Board Public Hearing: July 22, 2021
- Town Council Agenda Meeting: August 4, 2021
- Town Council Public Hearing: August 10, 2021

##### B. Process of Review:

The procedures for review and approval of a Planned Development (PD) District, per UDO §2.18 where a three-step process of Conceptual Development Plan, Preliminary Development Plan and Final Development Plan are required to complete a Planned Development (PD) District.

##### C. Criteria for Review:

The criteria for review for this submittal and approval of the second step in the Planned Development process, the Preliminary Development Plan, are as follows:

###### **Preliminary Development Plan - UDO §2.18.5(H):**

1. *The application demonstrates that it will achieve the purposes of the PDD and this section;*
2. *The Preliminary Development Plan is consistent with the Conceptual Development Plan and conforms to all applicable provisions of this UDO;*
3. *The proposed Development is located in an area of the Town that is appropriate; and*
4. *The proposed Development will not cause the need for inefficient extensions and expansions of public facilities, utilities and services.*

###### **PD-Planned Development District – UDO §3.5.14 (A-P).**

##### D. Staff Comments:

###### **i. Consistency evaluation with the Conceptual Development Plan (CDP), PD-04-21:**

- The proposed preliminary development plan appears to be generally consistent with the CDP if the CDP is approved as submitted by the applicant.
- Per UDO §2.18.4 (I) (3), *the approval of the Conceptual Development Plan shall not expire as long as the development proceeds in accordance with the phasing plan. At such time as the development lags one (1) year behind the approved phasing plan, the approval shall expire unless the applicant*

*submits a written request for the extension and continuance of the Conceptual Development Plan. Approval of any such extension request shall be automatic one time only for a period of twelve (12) months. Subsequent extensions to the Conceptual Development Plan shall require approval of the Planning Board.*

- ii. Consistency evaluation with the Unified Development Ordinance (UDO):**
  - The applicant is generally consistent with UDO §3.5.14 (D) Land Use Mix.
  - The applicant states that they will provide the 5%, .5 acres of the 10.2 acres, open space requirement with no usable open space. This is not consistent with the open space requirements of UDO §3.5.14 (G).
  - The applicant is proposing a 6' fence on parcel A. The applicant shall comply with UDO §4.7.
  - The applicant shall comply with all applicable standards of chapter 4.
  - An Architectural Compliance Permit pursuant to UDO §2.26 will be required.
  - Site plan review and approval pursuant to UDO §2.48 will be required prior to the approval of a building permit for the subject property.
  - Final Development Plans pursuant to UDO §2.18.7 will be required to demonstrate compliance with the Preliminary Development Plan.
  
- iii. General Comments:**
  - The public hearing for this request will be evidentiary in format and will follow the procedures set forth in UDO §2.14.
  - The applicant is proposing to place 290 storage units on the portion of land that fronts Waynor Road. The applicant will be required to have 6 parking spaces.
  - The private commercial street will be built to the Town commercial street standards set forth in the CDP in simultaneously with area A.

**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 June 24, 2021.

**V. ATTACHMENTS:**

1. Preliminary Development Plan Application
2. Preliminary Development Plan Justification
3. Preliminary Development Plan Narrative
4. Existing Conditions Plan
5. Preliminary Development Plan

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

## **VI. TOWN COUNCIL ACTION:**

To either approve or deny a Preliminary Development Plan application, the Town Council must make findings of fact and conclusions to the applicable standards. The Town Council shall first vote on whether the application is complete and whether the facts presented are relevant to the case. The Town Council shall then vote on whether the application complies with the criteria as set forth in Section 2.18.5(H) Criteria for a Preliminary Development Plan, Criteria 1-4. The Town Council may choose one of the following motions, or any alternative they wish:

### **I move to:**

1. Adopt Attachment A of the staff report as Findings of Fact regarding the proposed Preliminary Development Plan PD-05-21.

-or-

2. Adopt Attachment A of the staff report as Findings of Fact regarding the proposed Preliminary Development Plan PD-05-21, with the following changes...

**Next, the Town Council shall vote on whether to approve, deny or approve with conditions the proposed Preliminary Development Plan. The Town Council may choose one of the following motions, or any alternative they wish:**

### **I move to:**

1. Approve the Preliminary Development Plan for PD-05-21;
2. Deny the Preliminary Development Plan for PD-05-21;
3. Approve the Preliminary Development Plan for PD-05-21 with the following additional conditions...

**ATTACHMENT “A”**  
**Draft Town Council Findings of Fact**  
**Preliminary Development Plan Application PD-05-21**

**Finding of Fact #1:**

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

**Finding of Fact #2:**

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

**1. The application demonstrates that it will achieve the purposes of the PDD and this section;**

The Town Council finds that the Preliminary Development Plan (PDP) to develop two parcels, a storage facility on the first parcel which fronts Waynor Road and a future commercial development located on the outparcel that fronts Highway 22 is generally consistent with the purposes of the PD-planned development zoning district.

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

The Town Council finds that the PDP is consistent with the Conceptual Development Plan (CDP) because the PDP maintains the mix and intensity of land uses as well as the standards evaluated and approved with the CDP. The applicant requested to deviate from open space requirements for the development of the storage facility, a transitional use, prior to the possible proposed residential use. The applicant provided for a sidewalk and open space requirements within the CDP document, so that if the property develops into a residential community, a sidewalk will be built by the developer and the open space requirement will be met at that time. The Town Council finds that planning for the transition of the property in such a manner is adequate and fulfills the needs of the community at this time with the possibility of enhancing mobility in the future.

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

The Town Council finds that the PDP is in an area of the Town that is appropriate because the proposed development establishes a compatible development that facilitates growth in a responsible manner. The community character will be maintained as a mix of residential and commercial properties and has the ability to accommodate for possible changing housing demands in the future.

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

The Town Council finds that this development is served by existing public utilities because both water and sewer are currently located along Waynor Road in front of the subject property.



## Planned Development District Preliminary Development Plan

### REQUIRED APPLICATION MATERIALS:

- \_\_\_\_\_ **Application fee** in the amount of **\$1,800.00 plus \$25.00 per lot.**
- \_\_\_\_\_ **Completed Application** for a Planned Development District - Preliminary Development Plan signed by the applicant.
- \_\_\_\_\_ **Appointment of Agent**, if applicable, signed by the property owner(s) and the agent.
- \_\_\_\_\_ **Written narrative** describing the application's consistency with the Conceptual Development Plan, the UDO, and any other applicable regulations.
- \_\_\_\_\_ **Neighborhood meeting records** if not provided in conjunction with an application for Conceptual Development Plan approval or if additional meetings have been held.
- \_\_\_\_\_ **Additional documentation:** Additional text and/or maps to demonstrate consistency with **UDO §2.18.5(H) Criteria (1) through (4).**
- \_\_\_\_\_ **PDD Preliminary Development Plan:** One (1) full-size copy of a preliminary plat or scaled drawings of the entire tract to be subdivided. Please refer to the **UDO Appendices** for plan requirements.
- \_\_\_\_\_ **Drainage concept plan** if applicable.
- \_\_\_\_\_ **Traffic Impact Analysis** if applicable.
- \_\_\_\_\_ **Electronic copy (PDF) of all application materials** submitted to [plan@southernpines.net](mailto:plan@southernpines.net).

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

### REVIEW AND APPROVAL:

1. **Staff review:** Planning staff will review the application and notify the applicant if additional information or materials are needed.
2. **Public hearing:** The applicant is expected to attend a public hearing on the application before the Town Council at its regular monthly meeting. (Please refer to the **Application Processing Timeline** to determine the hearing date.) The Town Council will consider evidence and testimony presented and may approve, conditionally approve or deny the request.
3. **Approval:** Please refer to UDO **§2.18.5(I) Effect of Approval.**

COMMUNITY DEVELOPMENT DEPARTMENT  
TOWN OF SOUTHERN PINES  
180 SW BROAD STREET  
SOUTHERN PINES, NORTH CAROLINA 28387  
[plan@southernpines.net](mailto:plan@southernpines.net) (910) 692-4003 [www.southernpines.net](http://www.southernpines.net)



# Planned Development District Preliminary Development Plan Application

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

**Project Information:**

Project Name: HIGHWAY 22 TRACT

Physical Address: 7688 NC 22 HWY SOUTHERN PINES, NC 28387

PIN: 857400926530; 857400920451; 857404829141 Parcel ID: 00036656; 00036657; 95000179

Site Size: ±10.2 AC Zoning: PD - PLANNED DEVELOPMENT

**Applicant:**

Name(s): DAN PRITCHARD

Email: PRITCH1210@YAHOO.COM Phone: 215-499-6141

Mailing Address: 31 LAKEVIEW DRIVE WHISPERING PINES, NC 28327

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

Name(s): ROBERT KOONTZ

Email: BKOONTZ@KOONTZJONES.COM Phone: 910-684-8487

Mailing Address: 150 S PAGE ST SOUTHERN PINES, NC 28387

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

Name(s): AIRPORT PARK OF MOORE COUNTY, LLC

Email: Mfields@fields-plumbing-heating.com Phone: 910-783-5004

Mailing Address: PO BOX 206 PINEHURST, NC 28370

4-12-21

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

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

The property which is the subject of this application is located on the WEST side of NC HWY 22 (St./Ave.), between WAYNOR (St./Ave.) and RUSSET (St./Ave.). The property has a frontage of 230 feet and a depth of 1030 feet.

The request is based upon **Section 2.18.5** of the **Town of Southern Pines Unified Development Ordinance**. The proposed use of the property is as follows:  
A 1.72 ACERE COMMERCIAL OUTPARCEL AND STORAGE FACILITY

**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.

- 1. Adjacent property: SEE ATTACHED 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: \_\_\_\_\_

**APPOINTMENT OF AGENT**

The undersigned owner(s), DAN PRITCHARD, GEORGE FIELDS, hereby appoint(s) KOONTZ JONES DESIGN as the exclusive agent for the purpose of making an application to the Town of Southern Pines for the approval of the Planned Development District – Preliminary Development Plan described in the attached application. The owner(s) hereby agree(s) that this agent has the authority to act for and on behalf of the owner(s) as follows:

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

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

Signed this 14 day of JUNE, 2021.

Authentisign  
*george fields* 06/14/2021  
 6/14/2021 2:19:45 PM GMT  
 \_\_\_\_\_  
 Property Owner

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

DocuSigned by:  
*Daniel Pritchard*  
 D4E74B7D525342C...  
 \_\_\_\_\_  
 Agent

*[Handwritten Signature]*  
 \_\_\_\_\_  
 Agent

Parcel ID Short	PIN	Deed Book	Deed Page	Owner's Name	Owner's Name 2	Mailing Address	Mailing Address cont.	City	STATE	Zip Code
00036658	857404823112	1712	60	JONES, THOMAS O		296 WAYNOR RD		CARTHAGE	NC	28327
00037357	857400825339	234	139	PATTERSON, CURTIS LEE & GLADYS		325 WAYNOR RD		CARTHAGE	NC	28327-9520
00037358	857404825746	465	527	PATTERSON, CURTIS LEE & GLADYS		325 WAYNOR RD		CARTHAGE	NC	28327-9520
00037375	857400823667	96E	531	PATTERSON, CURTIS L SR		325 WAYNOR RD		CARTHAGE	NC	28327
00037376	857400824573	96E	531	PATTERSON, CURTIS LEE JR &	CONNIE GERALDINE	295 WAYNOR RD		CARTHAGE	NC	28327
00032261	857400814864	2017E	433	CHAVIS, BRENDA (HRS)	& OTHERS	C/O SANDRA FAIRLEY	1092 W NEW HAMPSHIRE AVE	SOUTHERN PINES	NC	28387
00991862	857400914852	4147	589	CHANDLER POND PROPERTIES, LLC		16 LIBERTY OAK LANE		SURFSIDE BEACH	SC	29575
20190631	857400818633	1064	433	MEDLIN, LYNN CLARK &		16 LIBERTY OAK LANE		SURFSIDE BEACH	SC	29575
95000179	857404829141	1242	369	AIRPORT PARK OF MOORE COUNTY,	CLARK, SHIRLEE HELGA	16 LIBERTY OAK LANE		SURFSIDE BEACH	SC	29575
97000413	857400815634	5050	542	RAVENSBROOK, LLC	LLC	PO BOX 206		PINEHURST	NC	28370
00034655	857400928713	4047	117	COUNTY OF MOORE		PO BOX 1872		SOUTHERN PINES	NC	28388
00035084	857404927900	2018E	640	DENIS, ROBERT J		PO BOX 905		CARTHAGE	NC	28327
00035333	857404921656	4489	276	SULLIVAN PROPERTY, LLC		7671 NC HWY 22		CARTHAGE	NC	28327
00036656	857400926530	1242	369	AIRPORT PARK OF MOORE COUNTY,	LLC	9050 SPANISH WELLS CT		FORT MILL	SC	29708
00036657	857400920451	1242	369	AIRPORT PARK OF MOORE COUNTY,	LLC	PO BOX 206		PINEHURST	NC	28370
20030571	858417020333	4047	117	COUNTY OF MOORE		PO BOX 206		PINEHURST	NC	28370
20030572	857400929513	4047	117	COUNTY OF MOORE		PO BOX 905		CARTHAGE	NC	28327
20050919	857400927368	4047	117	COUNTY OF MOORE		PO BOX 905		CARTHAGE	NC	28327
20080689	857400930152	406	507	BIBLE TABERNACLE OF SOUTHERN	PINES, NORTH CAROLINA	PO BOX 685		SOUTHERN PINES	NC	28388-0685
94000780	857400926252	1264	455	NEW SOUTH PROPERTIES		123 JOY STREET		DUNN	NC	28334
95000177	857404923106	1677	417	FIELDS HOLDINGS LLC		212 MCDAIRMID RD		PINEHURST	NC	28374

- 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: \_\_\_\_\_

June 11, 2021 | 7:56 AM PDT

Date: \_\_\_\_\_

DocuSigned by:  
*Daniel Pritchard*  
 D4E74B7D525342C... Applicant

Parcel ID Short	PIN	Deed Book	Deed Page	Owner's Name	Owner's Name 2	Mailing Address	Mailing Address cont.	City	STATE	Zip Code
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20080689	857400930152	406	507	BIBLE TABERNACLE OF SOUTHERN	PINES, NORTH CAROLINA	PO BOX 685		SOUTHERN PINES	NC	28388-0685
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95000177	857404923106	1677	417	FIELDS HOLDINGS LLC		212 MCDAIRMID RD		PINEHURST	NC	28374

## Highway 22 Tract Preliminary Development Plan Justification

Below are listed the six (6) criteria required to approve a Preliminary Development Plan (PDP) application as described in Section 2.18.5(H) of the Town of Southern Pines Unified Development Ordinance (UDO). Following the individual criteria is an explanation, indicated in red, describing how the project demonstrates compliance with each of these criteria.

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

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

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

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

The PDP is consistent with and meets all standards and requirements provided in the CDP documents and plans and conforms to the standards of the UDO. All uses are consistent with the proposed development program and allowable uses in the CDP. The development of a self-storage facility and commercial out parcel is consistent with Section 2.2 of the Project Narrative and Design Standards as part of the CDP. The storage facility and commercial outparcel will follow all standards of the CDP

- (3) The Preliminary 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 PDP is consistent with the goals and policies of the UDO. The property is zoned PD (Planned Development) on the Town's official zoning maps. The proposed PDP complies with the requirements of the PD district and the CDP. The proposed PDP and land uses for the property are consistent with the UDO. The Town's Comprehensive Long-Range Plan (CLRP) designates these parcels as Rural Residential, however this designation is not consistent with existing land uses in the area and on surrounding properties. The proposed uses are more consistent to the commercial and office uses located on adjoining properties. The project does promote its objectives of the CLRP. Surrounding properties are zoned for General Business – Conditional District (GB-CD), Planned Development (PD), and Rural Residential (RR). Surrounding properties include commercial, office, and residential uses. This CDP provides for commercial, office, and residential uses. The uses as proposed in the PDP are consistent with the surrounding land uses.

Since all utility infrastructure, and roadway improvements will be provided by the developer, there will be no burden on the Capital Improvements Plan.

- (4) The proposed PDD satisfies the criteria for a zoning map amendment established in this chapter;

The proposed PDP represents the first phases of development as described in the CDP. All required documents and plans required for the PDP have been provided for review and meet the standards of the approved CDP and UDO satisfying the criteria for a zoning map amendment. The plans are consistent with the purpose and intent of the PD district and are in conformance with the Town's CLRP, UDO and the approved CDP. By adhering to all UDO standards of Section 2.18.5 Preliminary Development Plan, Section 2.18 Planned Development, the approved CDP and the CLRP, the proposed PDP satisfies all criteria for a zoning map amendment to include the proposed self-storage facility and commercial outparcel development

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

Surrounding development includes commercial, offices, and residential development. The CLRP designates this property as Rural Residential with a PD (Planned Development) zoning classification which allows for mixed-use and a variety of land uses. The CDP application for, plans and exhibits provide the development standards necessary to develop a mixed-use community. Proposed standards, densities and residential types are compatible with the surrounding developed properties and adjacent zoning classifications. Section 2.2 of the CDP describes the overall vision for the property. The existing development is bordered in part on the north by a veterinary clinic, east across Highway 22 by residential development, south by commercial contractors offices, and west by two residential lots. Thus, the proposed CDP is consistent and appropriate for the area of Town in which it is located.

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

As described in Section 4.2.5 of the CDP, water and sewer utilities are readily available for the project, as well as all other necessary utilities. New utilities to serve the community described in the CDP documents, will follow the existing pattern of utility extensions within the area. Adequate sewer and water capacity to serve the development is available.

## **HIGHWAY 22 TRACT PRELIMINARY DEVELOPMENT PLAN NARRATIVE**

The purpose of this PD – Preliminary Development Plan (PDP) application is to fully describe the proposed phases of development for the Highway 22 Tract that meets all standards of the Highway 22 Tract Conceptual Development Plan (CDP). As stated in the Town of Southern Pines Unified Development Ordinance (UDO) in Section 2.18.5(A), the PDP is intended to show, with greater detail, the proposed portion of development and illustrate how “proposed land use mix and intensity are consistent with the Comprehensive Plan, the purposes of the PDD and the approved Conceptual Development Plan”. The following narrative will provide information related to the submitted plans and provide details of the storage facility development and commercial outparcel of the Highway 22 Tract CDP. This narrative will describe how the PDP meets the criteria set forth in Section 2.18.5(A). The uses are consistent with the PD zoning district and CDP for Highway 22 Tract.

While the proposed PD – PDP and land uses for the Highway 22 Tract development is not consistent with the Town's Comprehensive Long-Range Plan (CLRP), the proposed development does promote its objectives and is consistent with the uses on surrounding and adjoining properties. The CLRP has designated the property as Rural Residential but it is surrounded by commercial and office uses. This CDP provides locations for land uses which may include commercial, residential, retail, or office uses. Adjoining properties include office, contractors offices, residential, and other commercial/office uses.

The storage facility, as described in this PDP application, is intended to include the first phases of development for the property and will consist of a mixture of shipping containers and open storage areas and a 1.72 acre commercial / office outparcel. This development conforms with the Development Program in Section 4.1 of the CDP and all other standards indicated in the CDP for the property. Following is a description of the individual phases and overall design elements of the PDP.

### **Self-Storage Facility and Commercial Outparcel**

#### **Stormwater Management**

Stormwater management for the property will be provided per Section 4.2.9 of the CDP. Appropriate state and local stormwater and erosion control permits will be required by the Town prior to any land disturbance activity on the site.

#### **Lighting**

All lighting on the property will follow Section 4.2.6 of the CDP and Section 4.8 of the UDO. Lighting levels in parking areas and throughout the community will be provided to meet the UDO standards for safety. All light will be projected downward in order to limit any light spilling onto adjacent properties.

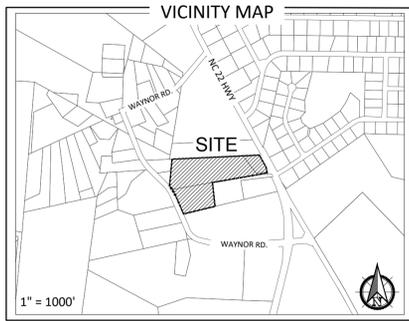
**Utilities**

Water and sewer utilities are readily available for the project. The community will connect to readily available water and sewer utilities, the cost of which will be borne by the developer.

**Vehicular Circulation**

Vehicular circulation will be constructed in accordance with Section 4.2.1 of the CDP document.

In summary, the proposed PD – PDP is consistent with and would provide compatible uses with the surrounding properties. The adjoining properties are zoned for general business, residential, and planned development. This PDP contains a self storage facility and commercial / office outparcel prescribed in the CDP. The proposed site design meets the standards of the CDP. The development as proposed in this PDP is the commencement of the first phases of development for the Highway 22 Tract. The proposed PDP meets the description of the vision described in Section 2.2 of the CDP and will create a new self storage facility and commercial / office outparcel for the property and Southern Pines

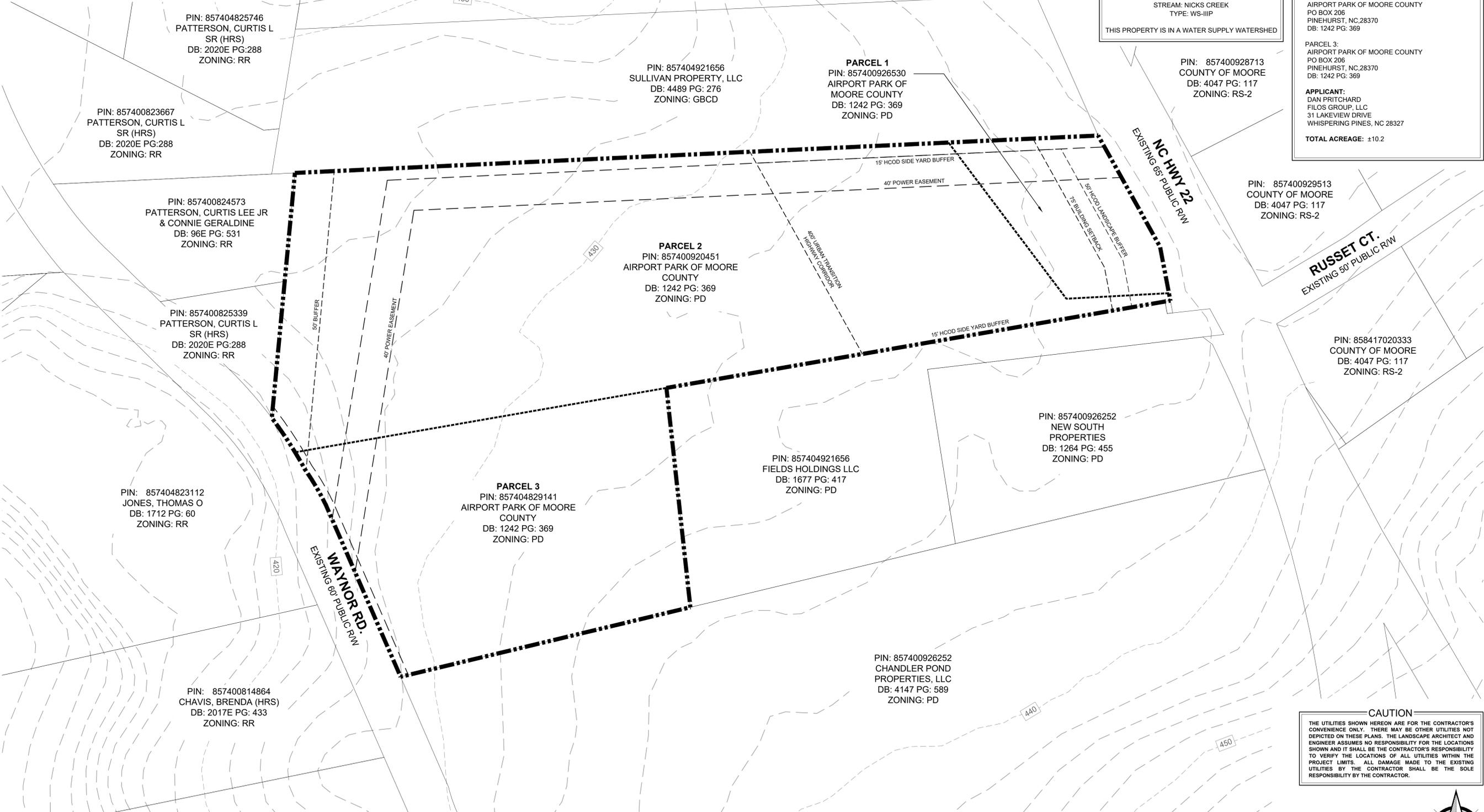


**FLOODPLAIN DATA**  
 THIS PROPERTY IS LOCATED IN FLOOD ZONE 'X' (AREAS OF MINIMAL FLOODING)  
 THE LOCATION OF THE 100-YEAR FLOODPLAIN PER NFIP FIRM COMMUNITY PANEL(S) NO: 8574 MAP(S): 3710857400J DATE: OCTOBER 17, 2006

**LEGEND**  
 - - - - - = PROPERTY BOUNDARY  
 - - - - - = EXISTING PARCELS  
 - - - - - = EXISTING MINOR CONTOUR  
 - - - - - = EXISTING MAJOR CONTOUR

**WATERSHED INFORMATION**  
 WATERSHED 1:  
 BASIN: CAPE FEAR  
 STREAM: LITTLE RIVER (VASS)  
 TYPE: WS-IIIP  
 WATERSHED 2:  
 BASIN: CAPE FEAR  
 STREAM: NICKS CREEK  
 TYPE: WS-IIIP  
 THIS PROPERTY IS IN A WATER SUPPLY WATERSHED

**PROPERTY INFORMATION**  
**PROPERTY OWNER(S):**  
 PARCEL 1:  
 AIRPORT PARK OF MOORE COUNTY  
 PO BOX 206  
 PINEHURST, NC.28370  
 DB: 1242 PG: 369  
 PARCEL 2:  
 AIRPORT PARK OF MOORE COUNTY  
 PO BOX 206  
 PINEHURST, NC.28370  
 DB: 1242 PG: 369  
 PARCEL 3:  
 AIRPORT PARK OF MOORE COUNTY  
 PO BOX 206  
 PINEHURST, NC.28370  
 DB: 1242 PG: 369  
**APPLICANT:**  
 DAN PRITCHARD  
 FILOS GROUP, LLC  
 31 LAKEVIEW DRIVE  
 WHISPERING PINES, NC 28387  
**TOTAL ACREAGE: ±10.2**



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

**KOONTZJONESDesign**  
 LAND PLANNING | LANDSCAPE ARCHITECTURE  
 150 S PAGE STREET  
 SOUTHERN PINES, NC 28387  
 P: (910) 684-6467  
 W: www.koontzjonesdesign.com

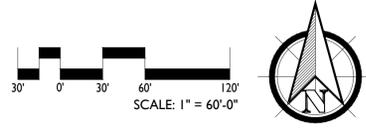
REVISIONS:

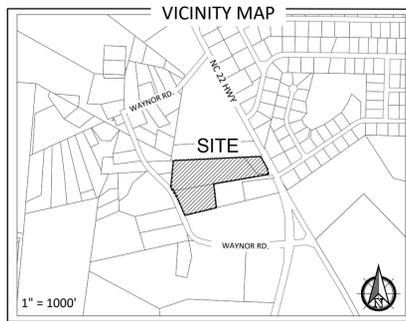
REVISIONS:

**HIGHWAY 22 TRACT**  
**PRELIMINARY DEVELOPMENT PLAN**  
 SOUTHERN PINES, NORTH CAROLINA  
**EXISTING CONDITIONS**

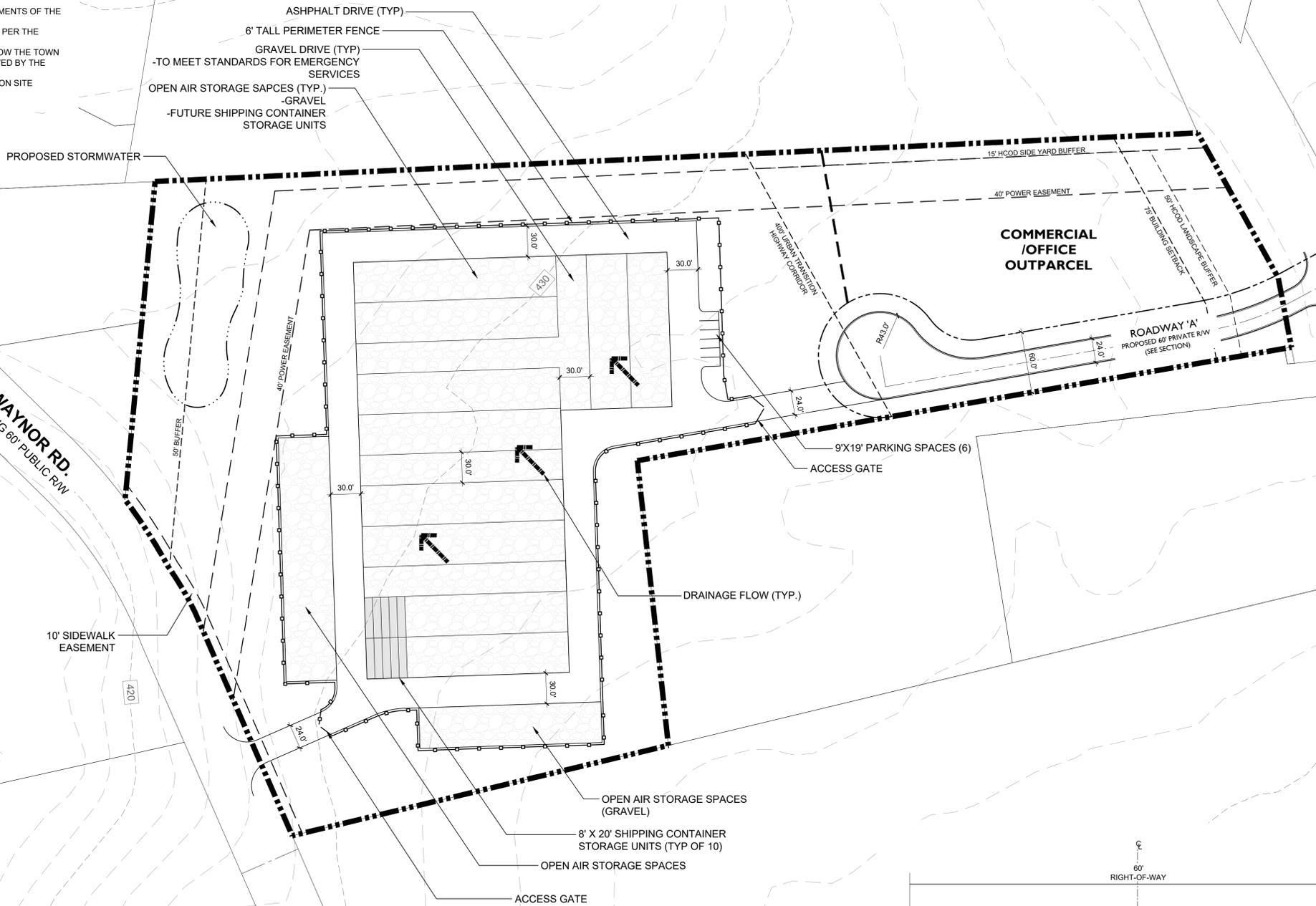
DATE: 06-14-2021  
 DESIGNED BY: PJS  
 DRAWN BY: PJS  
 CHECKED BY: PJS  
 SCALE: 1" = 60'-0"  
 PROJECT #: K0221002  
 SHEET NUMBER:  
**L-1.0**

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





- GENERAL NOTES:**
1. LANDSCAPE STANDARDS WILL MEET OR EXCEED THE REQUIREMENTS OF THE TOWN OF SOUTHERN PINES UDO PER SECTION 3.5.14(H).
  2. LIGHTING WILL BE PROVIDED PER THE REQUIREMENTS OF THE TOWN OF SOUTHERN PINES UDO
  3. PROJECT SIGNS WILL MEET ALL REQUIREMENTS PER THE TOWN OF SOUTHERN PINES UDO STANDARDS
  4. STORMWATER MANAGEMENT DEVICES TO FOLLOW THE TOWN OF SOUTHERN PINES STANDARDS AND BE APPROVED BY THE TOWN ENGINEER.
  5. DRAINAGE WILL BE RETAINED AND TREATED BY ON SITE STORMWATER MANAGEMENT DEVICES.



**LEGEND**

- = PROPERTY BOUNDARY
- - - = EXISTING PARCELS
- - - - - = EXISTING MINOR CONTOUR
- - - - - = EXISTING MAJOR CONTOUR

**PROPERTY INFORMATION**

**PROPERTY OWNER(S):**  
 PARCEL 1:  
 AIRPORT PARK OF MOORE COUNTY  
 PO BOX 206  
 PINEHURST, NC, 28370  
 DB: 1242 PG: 369

PARCEL 2:  
 AIRPORT PARK OF MOORE COUNTY  
 PO BOX 206  
 PINEHURST, NC, 28370  
 DB: 1242 PG: 369

PARCEL 3:  
 AIRPORT PARK OF MOORE COUNTY  
 PO BOX 206  
 PINEHURST, NC, 28370  
 DB: 1242 PG: 369

**APPLICANT:**  
 DAN PRITCHARD  
 FILOS GROUP, LLC  
 31 LAKEVIEW DRIVE  
 WHISPERING PINES, NC 28327

**TOTAL ACREAGE:** ±10.2

**STORAGE UNITS (8'x20'): 290**

**REQUIRED PARKING:**  
 STORAGE UNITS (290)  
 1 SPACE/50 UNITS = 6 SPACES REQUIRED

**PROVIDED PARKING:**  
 6 TOTAL SPACES

**TOTAL OPEN SPACE REQUIRED:** ±0.51 AC (5%)

**OPEN SPACE PROVIDED:** ±0.51 AC

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

**KOONTZJONESDesign**  
 LAND PLANNING | LANDSCAPE ARCHITECTURE

150 S PAGE STREET  
 SOUTHERN PINES, NC 28387  
 P: (910) 684-6467  
 W: www.koontzjonesdesign.com

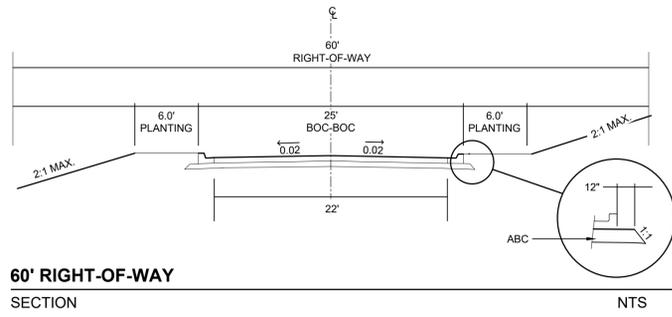
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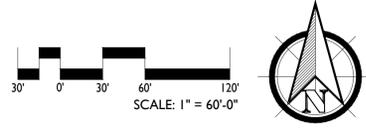
**HIGHWAY 22 TRACT  
 PRELIMINARY DEVELOPMENT PLAN  
 SOUTHERN PINES, NORTH CAROLINA  
 PRELIMINARY DEVELOPMENT PLAN**

DATE: 06-14-2021  
 DESIGNED BY: PJS  
 DRAWN BY: PJS  
 CHECKED BY: PJS  
 SCALE: 1" = 60'-0"  
 PROJECT #: KID21002  
 SHEET NUMBER:  
**L-1.1**



**CAUTION**

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



## Agenda Item

**To:** Reagan Parsons, Town Manager  
**From:** Lauren Long, Planner I  
**Subject:** RA-02-21: Request for abandonment of Town right-of-way to vacate a section of West Michigan Avenue  
**Date:** August 10, 2021

---

### I. SUMMARY OF REQUEST:

The Town of Southern Pines, on behalf of the Mid-South development, is proposing the abandonment of a section of right-of-way for West Michigan Avenue to facilitate an emergency access point. The section of right-of-way for which Mid-South is requesting abandonment is located northwest of the intersection with Pine Street and West Michigan Avenue adjacent to Moore County PARID 00033301 and 00033300 (see Figure 1).

### II. STAFF REVIEW

#### A. Notice and Dates of Action:

- Town Council Regular Meeting
  - Resolution of Intent approved: July 13, 2021
  
- Notice of Public Hearing:
  - Posted On-Site: July 19
  - Publication Dates: July 18, July 21, July 28, and August 4
  - Mailed: July 20, 2021

#### B. Review Process:

Requests to vacate Town right-of-way are reviewed pursuant to UDO §2.29 as well as NCGS §160A-299.

#### C. Criteria:

When reviewing a request for abandonment of Town right-of-way the hearing bodies shall consider and be guided by the following criteria, as set forth in **UDO §2.29.4:**

*“ (...) If it appears to the satisfaction of the Town Council after the hearing that closing the street or alley is not contrary to the public interest, and that no individual owning property in the vicinity of the street or alley or in the subdivision in which it is located would thereby be deprived of reasonable means of ingress and egress to his property, the Council may adopt an order closing the street or alley (...).”*

**D. Staff Comments:**

The section of West Michigan Avenue from its intersection with Pine Street to the parcel line of the Mid-South development is approximately 175 linear feet. West Michigan Avenue is an 80' right-of-way and was first recorded on July 10, 1894 in Map Book 1 Page 70 on block R17.

Asphalt has been extended along West Michigan Avenue from its intersection with South Hale Street to the southeastern side of its intersection with Pine Street. The section of right-of-way that has been requested to be abandoned does not contain any public utility infrastructure and is not included in the Town's street listing. The Town does not receive any state street aide allocations under the Powell Bill Program for this section of right-of-way.

The requested closure is to facilitate an emergency ingress and egress point from Phase 3 of the Mid-South Development. Town staff have prepared a draft order calling for the closure of West Michigan Avenue and it has been attached to this report for the Town Council's consideration.

**Figure 1: Vicinity Map**



**III. ATTACHMENTS:**

Documents related to this application including (but not limited to), public hearing notices, agency referrals, email correspondence, etc., are on file in the Town of Southern Pines Planning Office and available upon request during normal business hours.

#### **IV. TOWN COUNCIL ACTION**

Staff has contacted authorized agents representing Mid-South development multiple times requesting a metes and bounds legal description of the right of way being considered for abandonment. This description is not required for providing notice of the hearing, but is necessary to be included in the Order to Vacate.

Therefore, as of the date of completion of this report, staff recommends that the public hearing be held as scheduled but that the Order be completed and considered on a future agenda once a metes and bounds legal description is provided.

## **Agenda Item**

**To:** Reagan Parsons, Town Manager

**From:** Lauren Long, Planner I

**Subject:** AR-02-21 Ascot Office Building

**Date:** August 10, 2021

---

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

John Heckethorn, on behalf of Colin and Emi Webster, is requesting approval of an Architectural Compliance Permit for a 4,668 square foot commercial office building located at 540 SW Broad Street.

### **II. PROJECT INFORMATION:**

**1. PARID 00032313; PIN 858100170238**

**2. Physical Address:**

540 SW Broad Street  
Southern Pines, NC

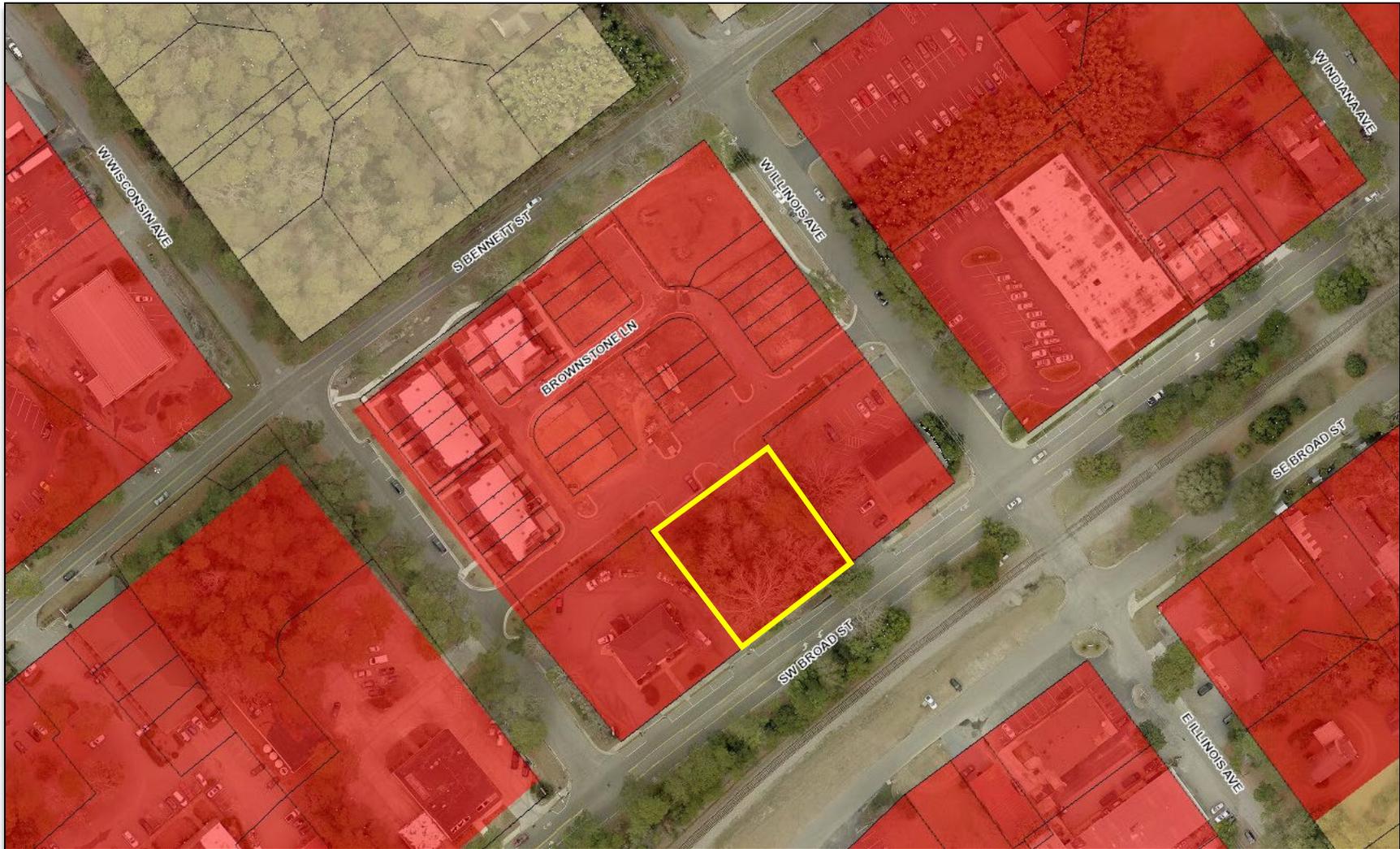
**3. Owners:**

Colin and Emi Webster  
30 County club Blvd  
Whispering Pines, NC 28327

**4. Applicant / Agent:**

John Heckethorn  
230 N Bennett Street  
Southern Pines, NC 28387

Figure 1: Vicinity Map and Zoning Map (Subject Property Outlined in Yellow)

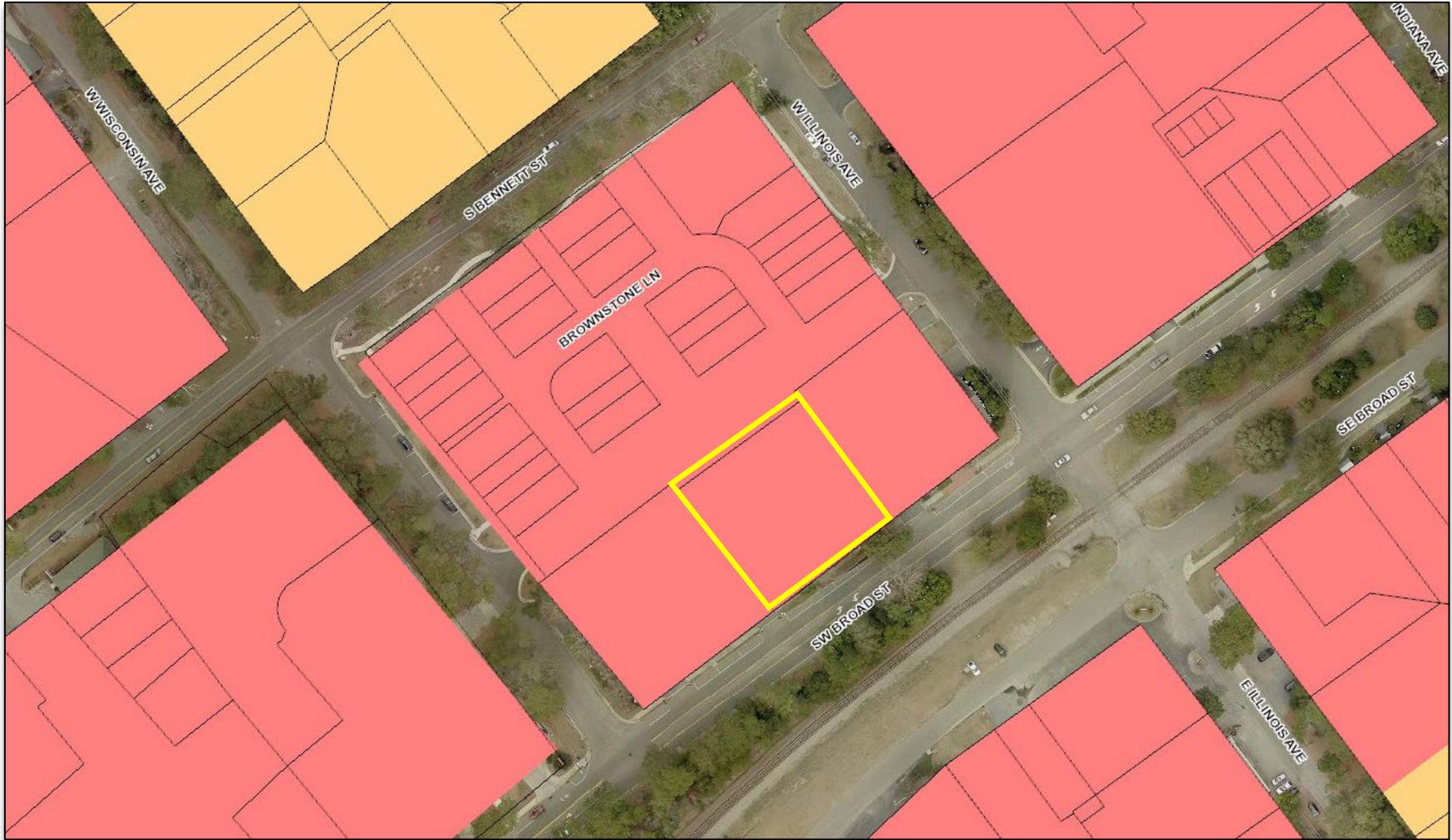


■ CB, Central Business

■ RM-1, Residential Single & Multi-Family

■ RM-2, Residential Single & Multi-Family

Figure 2: CLRP Future Land Use Map (Subject Property Outlined in Yellow)



- Parks / Open Space
- Residential / Golf
- Rural Equestrian
- Urban Reserve
- Low Density Residential
- Residential
- Commercial
- Traditional Mixed Use
- Industrial

**5. Comprehensive Long-Range Plan Designation:**

The area is designated as Commercial on the Comprehensive Long-Range Plan (CLRP). The “Commercial” future land use is designed to include land dedicated to retail, professional office, and other primarily non-residential commercial uses. Higher density residential and mixed- use development is also encouraged in this designation.

**6. Zoning:**

The parcel is currently zoned Central Business (CB) (See figure 1). CB is a district designed to accommodate a variety of commercial and high-density residential uses that are designed to be pedestrian oriented as well as preserve the general character of current development in the CB district and encourage common or shared off-street parking.

**III. STAFF REVIEW:**

**1. Review Process:**

Applications for Architectural Compliance Permits are reviewed pursuant to UDO §2.26.

**2. Application Review Dates:**

Application Submitted: July 6, 2021

Application Complete: July 13, 2021

Town Council Agenda Meeting: August 4, 2021

Town Council Meeting: August 10, 2021

**3. Criteria for Review:**

When reviewing an application for an Architectural Compliance Permit, the Town Council shall approve, conditionally approve or deny the application based on the following criteria, as set forth in **UDO §2.26.7:**

- 1. The application is consistent with applicable Comprehensive Plan goals and policies;*
- 2. The application substantially conforms with the applicable multi-family or commercial design standards and other applicable provisions of the UDO, including the purposes of the zoning district in which the property is located;*
- 3. The application is consistent with applicable conditions of prior Development approvals; and*
- 4. The development as proposed will be compatible with neighboring development and has mitigated potential conflicts.*

**4. Staff Comments:**

- The proposed elevations and site plan show a two-story commercial building 4668 square feet in area. The proposed design is compliant with §4.10.4 *Building Design Requirements* with regards to building orientation, building dimensions, awnings, roofs, mechanical equipment and garage bay location.

- The proposed design is not compliant with §4.10.4 with regards to the following requested deviations:
  - The building segments at the front of the building do not meet the requirement that building segmentation must be taller than wide, per UDO §4.10.4(B).
  - The cement board siding that is requested is vertically oriented and not horizontally as required per UDO §4.10.4(C).
  - The windows as designed do not meet the requirement that window height be one and one-half times the width due to the clerestory windows that have been designed in conjunction with the windows, per UDO §4.10.4(D)(2)(C).
- This request for an Architectural Compliance Permit is also subject to the standards of §3.5.8 (D) *District Development Standards for the Central Business District*. However, as the applicant is not proposing a courtyard or dining area within the front setback, the standards are not applicable.

**(Building Elevations Figures (4.0- 4.3))**

**Figure 4.0 Front Elevation:**



**Figure 4.1 West Side Elevation:**



**Figure 4.2 East Side Elevation:**



**Figure 4.3 Rear Elevation:**



**IV. ATTACHMENTS:**

1. Written Narrative Addressing Compliance with §4.10.4 of the UDO
2. Site Plan
3. Elevations

**V. TOWN COUNCIL ACTION:**

**The Town Council shall vote on whether the proposed application for the Architectural Compliance Permit complies with the UDO and should consider whether the application is consistent with UDO Section 2.26 and UDO Section 4.10.4 as well as UDO Section 3.5.8 (D). The Town Council may make one of the following motions or any alternative they wish:**

**I move to:**

1. Approve AR-02-21;
2. Approve AR-02-21 with the following conditions...
3. Deny AR-02-21;

# NARRATIVE

## COMPLIANCE WITH SECTION 4.10 – COMMERCIAL BUILDING DESIGN STANDARDS

### 4.10.3 Site Design Requirements:

- Building Continuity: Not applicable to this project
- Connection to Street: Not applicable to this project
- Front yards: Items in the front yard will consist of sidewalks, landscaping and decorative fencing complying with exhibit 4-14.
- Landscaping: The only required landscape buffer is located at the rear parking area (see site plan for location). Parking area landscaping in compliance with the UDO will also be provided. HVAC units and a trash receptacle area will be screened with landscaping, fencing or both.
- Parking: Parking will comply with the provisions of section 4.5. There will be no parking between the building and Broad St..

### 4.10.4 Building Design Requirements:

- Building Orientation and Entries: The front of the building and the main entrance face Broad St..
- Building Dimensions: Each side of the building has been broken up into multiple building segments. Building segments have been created by using a combination of building offsets, change in building materials and changes in roof height. At the two-story rear elevation, the building segments are taller than they are wide. A waiver is requested from this requirement at the one-story portions of the building.
- Building Materials: The exterior building walls are composed of 80% brick and 20% painted cement-board siding. A waiver is requested to use vertical board-and-batten siding versus horizontal siding.
- Windows: Windows will be non-reflective glass. The façade facing Broad St. has 65% windows and doors between the height of 2 feet and 10 feet, which meets the DTO district requirement. With the exception of the clerestory windows, the window heights are 1.5 times the width. An exemption is requested for the clerestory windows.
- Awnings: Awnings will be black metal roof or black fabric on black metal frames.
- Galleries and Arcades: Not applicable to this project.
- Roofs: The building will have gable and hip roofs. The roof material will be non-reflective standing seam metal in a black color.
- Mechanical Equipment: HVAC equipment will be ground-mounted and will be screened from view with landscaping and/or fencing.
- Loading Zones and Garage Bays: Garage doors are located on the rear of the building facing a shared driveway.
- Signage: The building signage will be cast metal letters mounted to the face of the building over the front entrance. The letters will project 4-6” and will be backlit.

### 4.10.5 Frontage:

- Frontage Zone: Not applicable to this project
- Pedestrian Zone: Not applicable to this project
- Furniture Zone: Not applicable to this project

### 4.10.6 Large Scale Development: Not applicable to this project

### 4.10.7 Manufactured Home Parks: Not applicable to this project

### 4.10.8 Multi-Family Development Standards: Not applicable to this project



VICINITY MAP (1"=2000')

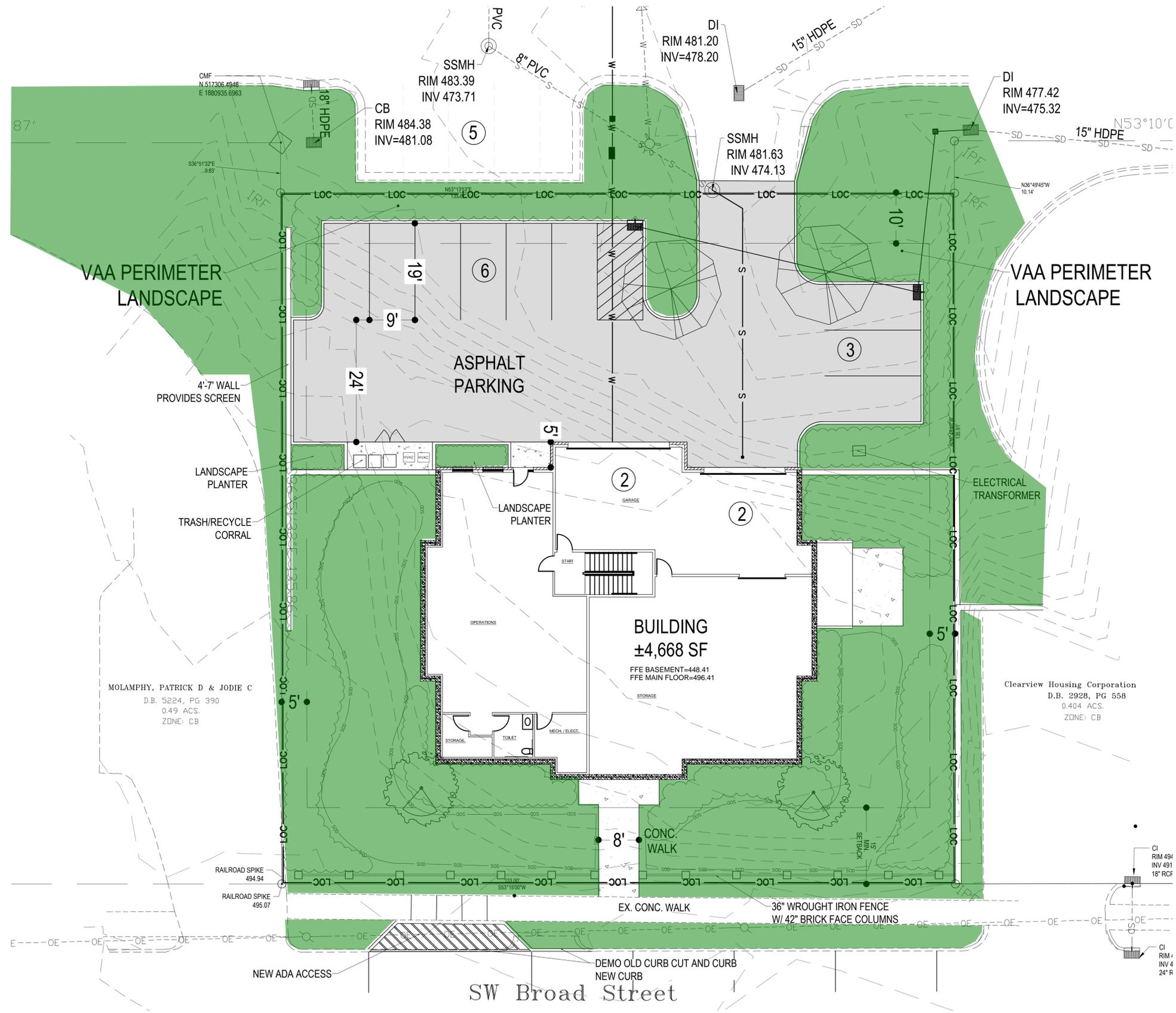
**SITE NOTES**

ZONE: CB  
 MAXIMUM HEIGHT: 45'  
 FRONT SETBACK: 15' MINIMUM  
 INTERIOR SIDE SETBACK: 5' MINIMUM  
 REAR SETBACK: 10' MINIMUM

PROPERTY:  
 ADDRESS: 540 SW BROAD STREET  
 PARCEL: 18,079SF OR 0.42 ACS  
 PIN: 00032313  
 ID: 858100170238  
 DB: 4493, PG: 261

Site:  
 ALL EXISTING SITE VEGETATION TO BE REMOVED  
 PARCEL IS OUTSIDE SPECIAL FLOOD HAZARD AREA PER FEMA MAP 3710858000J, DATED 10/17/2006.  
 THERE ARE NO DEFINED WETLANDS ON SITE.

Parking Count			
Usage	SF	Requirement	Required
Office	6150	1/400 sf	15.38
Storage	1530	1/5,000	0.31
Total Required:			16
Provided:			
Garage=	4		
On site=	9		
Off site=	5 (per agreement)		
	18		



PRELIMINARY

**HECKETHORN ARCHITECTURE, PLLC**  
 108 E. Connecticut Avenue  
 Southern Pines, NC 28387  
 Phone: 910-695-1441  
 Email: jdhata@earthlink.net



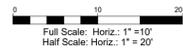
NEW OFFICE BUILDING  
 FOR  
**ASCOT CORPORATION, LLC**  
 SOUTHERN PINES, NORTH CAROLINA

PROJECT NO.:  
 2013

DATE:

REVISIONS:

SHEET NO.  
**C2.0**





**FRONT ELEVATION**  
3/16" = 1'-0"



**SIDE ELEVATION**  
3/16" = 1'-0"

**HECKETHORN ARCHITECTURE, PLLC**

108 E. Connecticut Avenue  
Southern Pines, NC 28387  
Phone: 910-695-1441  
Email: jllhite@earthlink.net

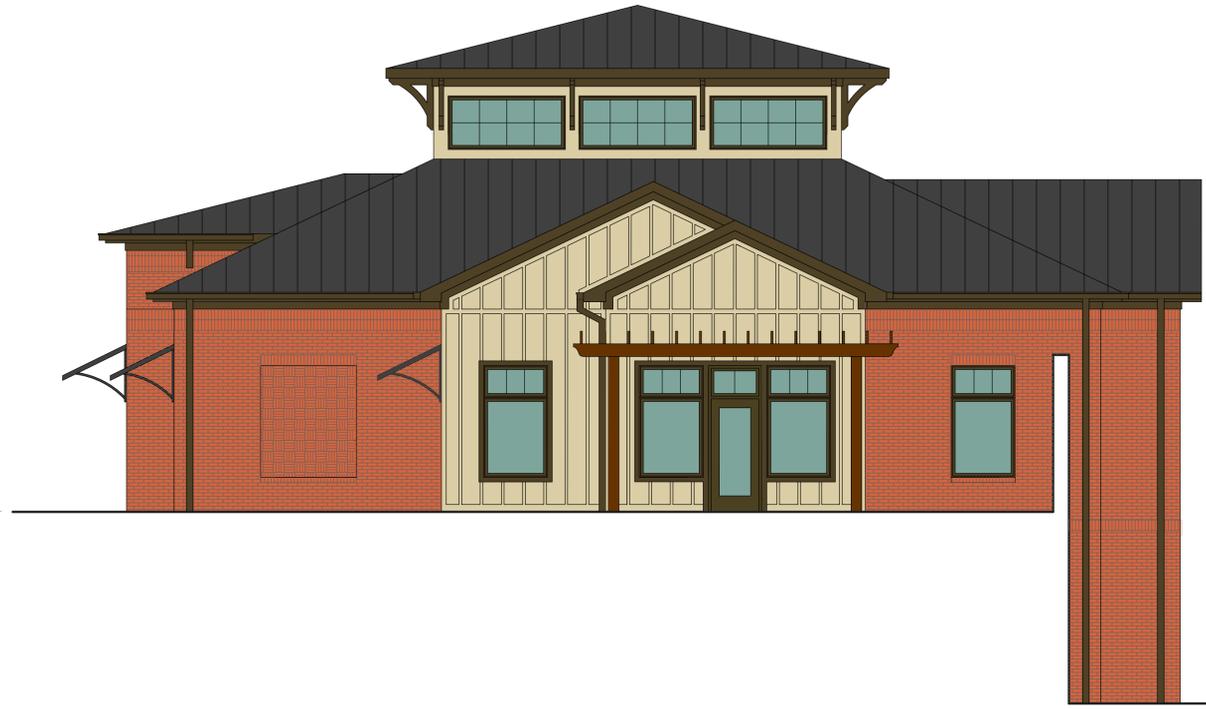
**NEW OFFICE BUILDING**  
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SOUTHERN PINES, NORTH CAROLINA

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2013

DATE:  
7/6/21

REVISIONS:

SHEET NO.



**SIDE ELEVATION**  
3/16" = 1'-0"



**REAR ELEVATION**  
3/16" = 1'-0"

**HECKETHORN ARCHITECTURE, PLLC**

108 E. Connecticut Avenue  
Southern Pines, NC 28387  
Phone: 910-695-1441  
Email: jhl@earthlink.net

**NEW OFFICE BUILDING**  
FOR  
**ASCOT CORPORATION, LLC**  
SOUTHERN PINES, NORTH CAROLINA

PROJECT NO.:  
2013

DATE:  
7/6/21

REVISIONS:

SHEET NO.

## **Agenda Item**

**To:** Reagan Parsons, Town Manager

**From:** Cindy Williams, Planning Technician

**Subject:** WP-02-21: Watershed Protection Permit Request; 5/70 Allocation for an Office, Commercial and Residential Development; Petitioner: Dan Pritchard by Robert Koontz, Authorized Agent

**Date:** August 10, 2021

---

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

Mr. Robert Koontz has submitted an application for a Watershed Protection Permit requesting  $\pm 10.2$  acres of 5/70 exemption allocation to develop a storage facility and commercial/office and residential units. Per the Moore County tax records, the total calculated acreage is 10.58 acres. The subject properties are within the Little River (Vass) Watershed within the Cape Fear River Basin. Should the Town Council wish to grant the 5/70 exemption for these properties under Watershed Protection Permit WP-02-21, the Town shall deduct a total of 10.58 acres from the Little River (Vass) Watershed tally sheet. The subject parcels are currently zoned Planned Development (PD) and are identified by the following: PIN 857400926530 (PARID 00036656); PIN 857400920451 (PARID 00036657); and PIN 857404829141 (PARID 95000179). Per the Moore County tax records, the property owner is listed as Airport Park of Moore County, LLC.

### **II. PROJECT INFORMATION:**

#### **A. Property Owner & Petitioner Information:**

- i. Current Property Owner:**  
Airport Park of Moore County, LLC  
P.O. Box 206  
Pinehurst, NC 28370
  
- ii. Petitioner:**  
Dan Pritchard  
31 Lakeview Drive  
Whispering Pines, NC 28327

**iii. Authorized Agent:**  
Robert Koontz  
Koontz Jones Design  
150 Page Street  
Southern Pines, NC 28387

**iv. Property Information:**

**a. Street Address:**  
7688 NC Highway 22  
Southern Pines, NC 28387

**b. Property Identification Numbers:**  
PIN 857400926530 (PARID 00036656)  
PIN 857400920451 (PARID 00036657)  
PIN 857404829141 (PARID 95000179)

**c. Size of Property:**  
Total Current Acreage: 10.58

**v. Description of Proposed Development:**  
Mr. Dan Pritchard plans to construct a combination of office, commercial and residential units on approximately 10.58 acres on NC Highway 22 (see Figure 1) which will result in a total of 7.14 acres (70%) of impervious surface.

**B. Property Zoning Classification:**

The subject property is zoned Planned Development (PD).

**Figure 1: Vicinity Map (Subject Property Outlined in Red)**



**Figure 2: Zoning Map (Subject Property Outlined in Blue)**



### C. Staff Comments:

- The entirety of the property is within the Little River (Vass) Watershed and is therefore subject to the Watershed Protection Overlay District and the standards set forth in UDO §3.6.8.
  - The subject property lies within the Little River (Vass) Watershed.
  - The proposed development is required to obtain the 5/70 exemption allocation because the proposed new development will exceed the maximum of 24% built upon area.
    - The development is proposing 7.41 acres of built-upon land area, or 70% of the subject property.
  - Should the Town Council wish to grant the 5/70 exemption, the entirety of the project acreage (10.58 acres) will be deducted from the 5/70 tally sheet for the Little River (Vass) Watershed.
  - The Watershed Protection Permit, if approved, will provide the project with the 5/70 exemption allowing the project to develop up to the 70% built-upon land area.
- The 5/70 exemption for the Town of Southern Pines went into effect in 1993 and allows the Town to develop 5% of our watershed to a 70% impervious level.
- All development in the Town's watershed constructed prior to 1993 is statutorily defined as pre-existing development and considered to be exempt from the requirement to obtain the 5/70 exemption. All new development within a watershed shall be subject to the current watershed standards and eligible projects may pursue the 5/70 exemption.
- The UDO defines the Protected Area as "The area adjoining and upstream of the Watershed Critical Area in which protection measures are required. Unless otherwise modified by the Town, this area corresponds with the state's High Quality Water (HQW) area. The boundaries of the protected area are defined as extending ten (10) miles upstream and draining to the Cape Fear, lower Little River #2 public water supply intake or the ridge line of the Watershed (whichever comes first). The Town may extend the Protected Area as needed. Major landmarks such as highways or property lines may be used to delineate the outer boundary of the Protected Area if these landmarks are immediately adjacent to the appropriate outer boundary of ten miles."
- Per UDO Exhibit 3-14, the 5/70 Exemption standards dictate the following for the Rest of Watershed (WS-III):

- New Development shall be limited to two (2) Dwelling Units per acre or twenty-four (24) percent built-upon area. If the new development exceeds either of these thresholds the project may apply for the 5/70 exemption.
- All allocations shall be deducted from the five percent (5%) total area allocation and shall be monitored by the Planning Department.
- If this exemption is granted, a state stormwater permit shall not be required.

### III. ATTACHMENTS:

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

1. Watershed Protection Permit Application
2. Petitioner's Narrative
3. Proposed Site Plan
4. UDO Exhibit 3-14
5. 5/70 Tally Sheet Excerpt

### IV. TOWN COUNCIL ACTION:

To either approve or deny the *Watershed Protection Permit* for the subject property, the Town Council may choose one of the following motions or any alternative they wish:

**I move to:**

- 1) Approve WP-02-21, and deduct the project acreage from the Town's official 5/70 watershed tally.

**-or-**

- 2) Deny WP-02-21.



# Watershed Protection Permit Application

Date Received: \_\_\_\_\_ Case No.: WP-\_\_\_\_-\_\_\_\_

I, the undersigned, do hereby make application to the Town of Southern Pines Town Council for a Watershed Protection Permit for the property described below.

**Project Information:**

Project Name: HIGHWAY 22 TRACT Zoning District: PD Total Property Acreage: 10.2 AC  
PIN: 857400926530; 857400920451; 857404829141 Parcel ID: 00036656; 00036657; 95000179 Watershed: NICKS CREEK; LITTLE RIVER  
Type of Development: OFFICE, COMMERCIAL, RESIDENTIAL Total Built-Up Area\*: 7.14 AC  
% of Total Property Acreage Proposed to be Built-Up Area\*: 70

**Applicant:**

Name(s): DAN PRITCHARD Email: PRITCH1210@YAHOO.COM  
Mailing Address: 31 LAKEVIEW DRIVE WHISPERING PINES, NC 28327 Phone: 215-499-6141

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

Name(s): ROBERT KOONTZ  
Email: BKOONTZ@KOONTZIONES.COM Phone: 910-684-8487  
Mailing Address: 150 S PAGE ST SOUTHERN PINES, NC 28387

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

Name(s): AIRPORT PARK OF MOORE COUNTY, LLC  
Email: Mfields@fields-plumbing-heating.com Phone: 910-783-5004  
Mailing Address: PO BOX 206 PINEHURST, NC 28370

Signature of Applicant

\*Definition of Built-Up Area May be Found in Chapter 9 of the Unified Development Ordinance.

Please review **UDO §3.6.8 Watershed Protection Overlay District** in its entirety.

COMMUNITY DEVELOPMENT DEPARTMENT  
TOWN OF SOUTHERN PINES  
180 SW BROAD STREET  
SOUTHERN PINES, NORTH CAROLINA 28387  
[plan@southernpines.net](mailto:plan@southernpines.net) (910) 692-4003 [www.southernpines.net](http://www.southernpines.net)

APPOINTMENT OF AGENT

The undersigned owner(s), DAN PRITCHARD, hereby appoint(s) KOONTE JAMES PESIGY 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 5<sup>th</sup> day of May, 2021.



DANIEL PRITCHARD

Property Owner

Property Owner



Agent

1-12-21

**APPOINTMENT OF AGENT**

The undersigned owner(s), GEORGE FIELDS, hereby appoint(s) KOONTZ JONES DESIGN 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 \_\_\_\_\_ day of \_\_\_\_\_, 05/10/2021

Authentisign  
*george m fields*

5/10/2021 5:06:33 PM GMT  
Property Owner

Property Owner

*[Handwritten Signature]*  
Agent

1-12-21

## **Watershed Protection Permit Narrative**

Below are listed the criteria required to approve a Watershed Protection Permit application as described in Exhibit 3-14, Table Note 3, of the Town of Southern Pines UDO. Following the individual criteria is an explanation describing how the project demonstrates compliance with each of these criteria.

**(A) The use and location of the use are consistent with the Comprehensive Plan;**

The property is zoned PD (Planned Development) on the Town's official zoning maps. The proposed CDP and PDP complies with the requirements of the PD district. The proposed PD – CDP and land uses for the property are consistent with the UDO. The Town's Comprehensive Long-Range Plan (CLRP) designates these parcels as Rural Residential, however this designation is not consistent with existing land uses in the area and on surrounding properties. The proposed uses are more consistent to the commercial and office uses located on adjoining properties. The project does promote the objectives of the CLRP. Surrounding properties are zoned for General Business – Conditional District (GB-CD), Planned Development (PD), and Rural Residential (RR). Surrounding properties include commercial, office, and residential uses. This CDP provides for commercial, office, and residential uses. The CDP results in a master planned development, and is consistent with the surrounding land uses.

**(B) The design of the project is appropriate for the location and is consistent with the purposes of the WPO district;**

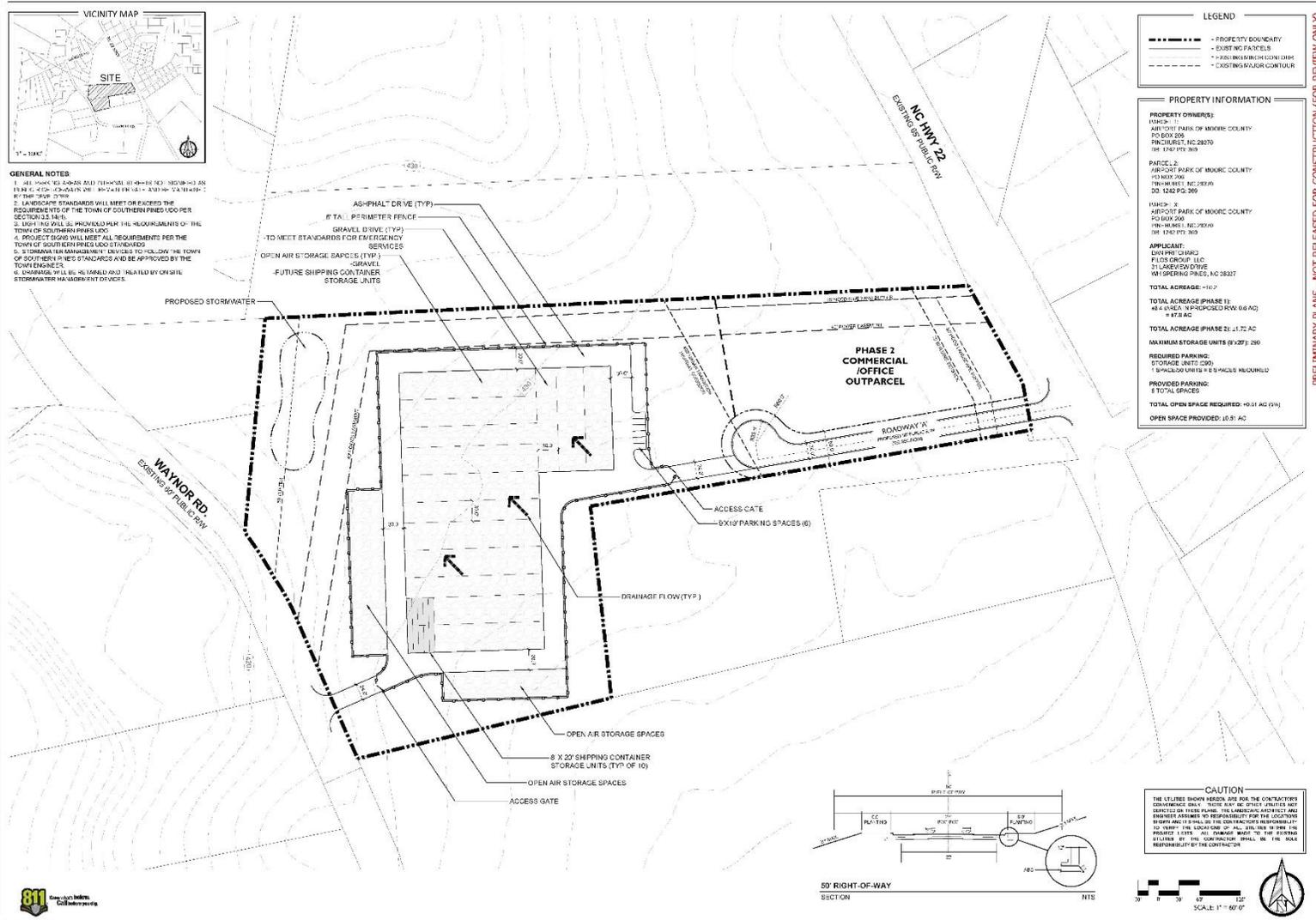
The design of the project and it's proposed uses are consistent with the area and surrounding properties. The proposed uses are consistent with the Planned Development (PD) zoning district and are compatible with the commercial, office, and residential uses of the surrounding properties. Adjoining properties include office, contractors offices, residential, and other commercial/office uses. The project is appropriate for the area in which it is located.

**(C) The allocation is minimum necessary to establish the use at a size, scale and design that serves the interests of the neighborhood and the Town as a whole;**

The allocation is minimum necessary to develop the property with the proposed uses as described in the proposed CDP. The proposed scale and uses are consistent with the adjoining properties and reflect those of the established businesses and properties in the area.

**(D) The allocation will not detract from the viability of similar uses in the area or other parts of the Town**

Allocation for this project will not detract from the viability of similar uses in the area or other parts of town. The project will be consistent with the existing land uses in the area and on surrounding properties and not be a burden to existing businesses in the area or Town.



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

**KOONTZ JONES Design**  
 1000 W. HARRIS STREET  
 SOUTHERN PINES, NC 28370  
 WWW.KOONTZJONESDESIGN.COM

**HIGHWAY 22 TRACT**  
**PRELIMINARY DEVELOPMENT PLAN**  
 SOUTHERN PINES, NORTH CAROLINA  
**PRELIMINARY DEVELOPMENT PLAN**

DATE: 06/14/2021  
 DRAWN BY: JED  
 CHECKED BY: JED  
 PROJECT: 20210002  
 SHEET NUMBER: 1-1.1

**Exhibit 3-14: WPO District Development Density and Intensity Requirements**

Location	Maximum Density or Intensity
<b>Critical Area</b>	New Development shall be limited to either one (1) Dwelling Unit per acre or twelve (12) percent built upon land area.
<b>High Quality Water (HQW) / Protected Area</b>	<p>New Development shall be limited to one (1) Dwelling Unit per acre or twelve (12) percent built upon land area unless (a) the development disturbance area is less than one (1) acre or (b) BMPs or another approved stormwater management based practices are used. New Development with a development disturbance area less than one (1) acre shall be limited to two (2) Dwelling Units per acre or twenty-four (24) percent built upon land area. New Development utilizing BMPs or another approved stormwater management based practices shall be limited to two (2) Dwelling Units per acre or twenty-four (24) percent built-upon land area in the Watershed outside of the Critical Area.</p> <ul style="list-style-type: none"> <li>• For Commercial Projects: New Development requires a state Stormwater Permit if the development disturbance area exceeds one (1) acre. If the new development exceeds the twenty-four (24) percent built upon area the project may apply for the 5/70 exemption*.</li> <li>• For Residential Projects: New Development requires a state Stormwater Permit if the development disturbance area exceeds one (1) acre. If the new development exceeds the twenty-four (24) percent built upon area the project may apply for the 5/70 exemption*.</li> </ul>
<b>Rest of Watershed (WS-III)</b>	New Development shall be limited to two (2) Dwelling Units per acre or twenty-four (24) percent built-upon area. If the new development exceeds either of these thresholds the project may apply for the 5/70 exemption*.

Table Notes:

**\* 5/70 Exemption Allocation for Non-Residential and High-Density Attached Residential Development:** New Development may be developed at up to seventy (70) percent built-upon land area as follows:

1. The total area subject to this provision shall not to exceed five (5) percent of Southern Pines' jurisdiction as of July 1, 1993 within the Watershed and outside of the Critical Area.
2. Development in the **CB** district shall qualify for this allocation on a first come, first serve basis until the five (5) percent is exhausted.
3. Development outside of the **CB** district requiring an allocation of Built-Upon Area shall require approval from the Town Council in conjunction with any Development Approval prior to Building Permit Approval. The allocation may be granted concurrently with Architectural Compliance Permit or Final Development Plan approval and shall be subject to the following criteria:
  - a. The use and location of the use are consistent with the Comprehensive Plan;
  - b. The design of the project is appropriate for the location and is consistent with the purposes of the WPO district;
  - c. The allocation is minimum necessary to establish the use at a size, scale and design that serves the interests of the neighborhood and the Town as a whole; and
  - d. The allocation will not detract from the viability of similar uses in the area or other parts of the Town.
4. All allocations shall be deducted from the five (5) percent total area allocation and shall be monitored by the Planning Director.
5. If this exemption is granted, a State stormwater permit shall not be required.

**Exemptions:** Those areas bounded by a pre-existing natural or permanent obstruction which prevents surface storm water runoff from reaching any designated water supply as determined in writing by the North Carolina Division of Water Quality, and the exception would have only an insignificant impact on the available allocation as determined by the Town Council.

<b>Current 5/70 Watershed Tally Sheet:</b>				
<b>Watershed</b>	<b>Gross Acreage (2012)</b>	<b>5% of Watershed</b>	<b>Total Existing Project Acreage Deductions with Post-1993 Built-Up Area Exceeding 24%</b>	<b>Acreage Left Available since 1993 Allotment of 5%</b>
Little River (Vass)	622.33	31.12	4.38	26.74
<b>Proposed Project: WP-02-21</b>				
<b>Total Project Acreage</b>	<b>Total Permitted Amount of Built-Up Area for Project in Acres (70%)</b>	<b>Proposed Amount of Built-Up Area for Project</b>	<b>Total Acreage to be Deducted from 5/70 Tally</b>	<b>Acreage Left Available if Request is Approved</b>
10.58	7.41	70%	10.58	16.16

**RESOLUTION SETTING SEPTEMBER 14, 2021 PUBLIC HEARING  
FOR ANNEXATION APPLICATION AX-04-21: CROSSFIT**

**WHEREAS**, a petition requesting annexation of an area described herein has been received; and

**WHEREAS**, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency thereof; and

**WHEREAS**, certification by the Town Clerk as to the sufficiency of said petition has been made;

**NOW, THEREFORE BE IT RESOLVED** by the Town Council of the Town of Southern Pines, North Carolina:

**Section 1.** That a public hearing on the question of annexation of the area described herein will be held at the Douglass Community Center at 6:00 pm on September 14, 2021.

**Section 2.** The area proposed for annexation is described as follows:

**Physical Addresses:**

1042 SW Broad Street  
Southern Pines, NC 28387

**Property Owners/Applicants:**

T & S Developers LLC  
55 Woodenbridge Lane  
Pinehurst, NC 28374

**Property Identification Number (PIN) and Parcel Identification:**

PIN: 857100951443; PARID: 00055811

**Size of Property:**

Total Current Acreage: ±2.03 acres

**Meets & Bounds Description:**

A certain parcel of land in Sandhills Township, Moore County, North Carolina fronting on the southeast side of Old US Highway No. 1 and on the northwest side of Broad Street Extension, and described as follows:

Beginning at the northwest common corner of Lots 5 and 6 of the Powell & Suggs Subdivision and being depicted on the plat recorded in Plat Cabinet 18 at Slide 301 in the Office of the Register of Deeds for Moore County, NC; running thence from the beginning N56°02'00"E 100.00 feet to an iron stake; thence S 55°29'08"E 193.33 feet to an iron stake; thence S 41°15'41"W 65.83 feet to an iron stake; thence S 53°01'12"E 217.28 feet to an iron stake in the line of Broad Street Extension; thence as Broad Street Extension S 32°05'54"W 288.91 feet to an iron stake; thence N 51°24'35"W 264.81 feet to an iron stake; thence N 41°39'28"E 248.22 feet to an iron stake; thence N 53°34'39"W 218.30 feet to the beginning, containing 2.03 acres, more or less.

**Section 3.** Notice of said public hearing shall be published in The Pilot, a newspaper having general circulation in the Town of Southern Pines, at least ten (10) days prior to the date of said public hearing.

I certify that this resolution was adopted by the Town Council of the Town of Southern Pines at its meeting of August 10, 2021 as shown in the minutes of the Town Council for that date.

ATTEST:

TOWN OF SOUTHERN PINES

\_\_\_\_\_  
Elizabeth Robertson, Deputy Town Clerk

\_\_\_\_\_  
Carol R. Haney, Mayor

**CERTIFICATE OF SUFFICIENCY  
AX-04-21: CROSSFIT**

To the Town Council of the Town of Southern Pines, North Carolina;

I, Elizabeth Robertson, Deputy Town Clerk, do hereby certify that I have investigated the attached petition and hereby make the following findings:

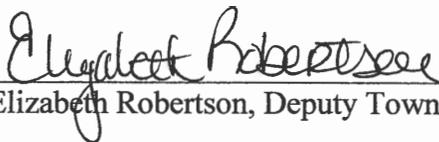
The petition contains an adequate property description of the area proposed for annexation, which is identified as follows: PIN: 857100951443 (PARID: 00055811)

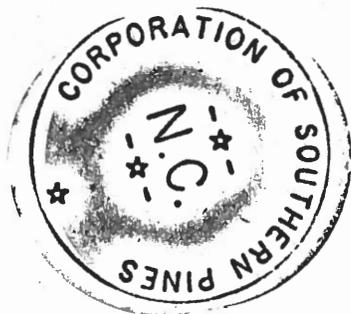
The area described in the petition is contiguous to the Town of Southern Pines primary corporate limits, as defined by N.C.G.S. 160A-31.

The petition is signed by and includes addresses of all owners of real property lying in the area described herein. Per the Moore County Tax Department and Register of Deeds, the property owners are listed as T & S Developers LLC.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Southern Pines, North Carolina, this 5<sup>th</sup> day of August, 2021.

(SEAL)

  
Elizabeth Robertson, Deputy Town Clerk



## Agenda Item

**To:** Reagan Parsons, Town Manager

**From:** Cindy Williams, Planning Technician

**Subject:** AX-04-21: Set a Public Hearing for Voluntary Annexation of Property Contiguous to the Corporate Limits of the Town of Southern Pines; ±2.03 Acres; Petitioner: Toni Anne Washington

**Date:** August 10, 2021

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### I. SUMMARY OF APPLICATION REQUEST:

Ms. Toni Anne Washington is requesting voluntary annexation of a contiguous parcel that is currently outside of the corporate limits of the Town of Southern Pines. The subject parcel is identified PIN 857100951443 (PARID 00055811). Per the Moore County tax records, the property owners are listed as T & S Developers LLC.

### II. PRIOR TOWN COUNCIL ACTION:

During the August 4<sup>th</sup>, 2021 Town Council Agenda Meeting, the Town Council approved a *Resolution Directing the Clerk to Investigate a Petition Received Under G.S. 160A-31*.

### III. PROJECT INFORMATION:

#### A. Physical Addresses:

1042 SW Broad Street  
Southern Pines, NC 28387

#### B. Property Owner:

T & S Developers LLC  
55 Woodenbridge Lane  
Pinehurst, NC 28374

#### C. Applicant:

Toni Anne Washington  
55 Woodenbridge Lane  
Pinehurst, NC 28374

#### D. Property Identification Number (PIN) & Parcel Identification:

PIN: 857100951443; PARID: 00055811

**E. Size of Property:**

Total Current Acreage: ±2.03 acres

**IV. STAFF COMMENTS:**

- The applicant has submitted an annexation petition accompanied by a map and a written metes and bounds description of the subject property.
- The request is a voluntary request for a contiguous annexation as a portion of the subject parcel is within the corporate limits of the Town of Southern Pines (see Figure 1).
- The subject property is presently zoned GB (General Business) and the adjacent properties are also presently zoned GB.
- At the August 4<sup>th</sup>, 2021 Agenda Meeting, the Town Clerk was directed to investigate the sufficiency of the petition for voluntary annexation of the subject property.
- The purpose of this agenda item is for the Town Council to adopt a *Resolution Fixing Date of Public Hearing on Question of Annexation Pursuant to G.S. 160A-31, As Amended.*
- **Comprehensive Long Range Plan Analysis:**
  - The subject property is identified as “Commercial” on the Comprehensive Long Range Plan (CLRP) Future Land Use Map (see Figure 3). Per the CLRP 2015-2016 update:

*“The Commercial designation applies to all land dedicated to retail, professional, office, or other primarily non-residential, commercial use. It includes the Downtown portions along Broad Street and Pennsylvania Avenue, the regional commercial corridor on US 15/501, and all commercial land in between. Higher density residential may be incorporated into mixed-use developments within areas designated for this future land use category.”*

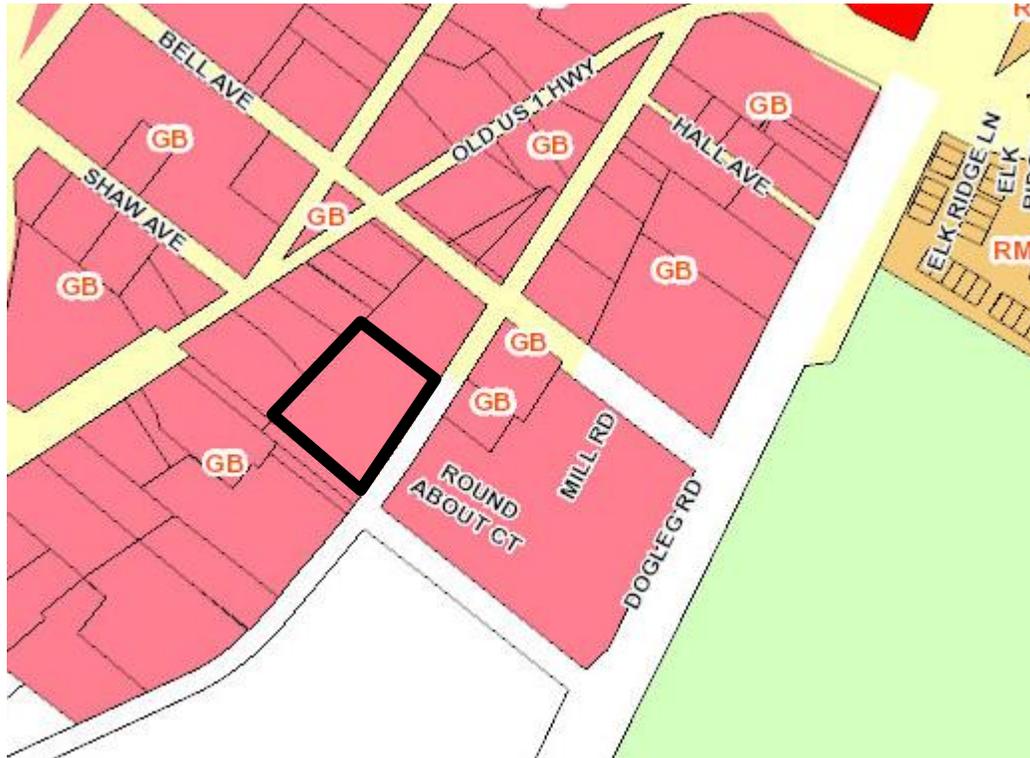
**Figure 1: Adjacent Property (Area to be Annexed Outlined in Red)**



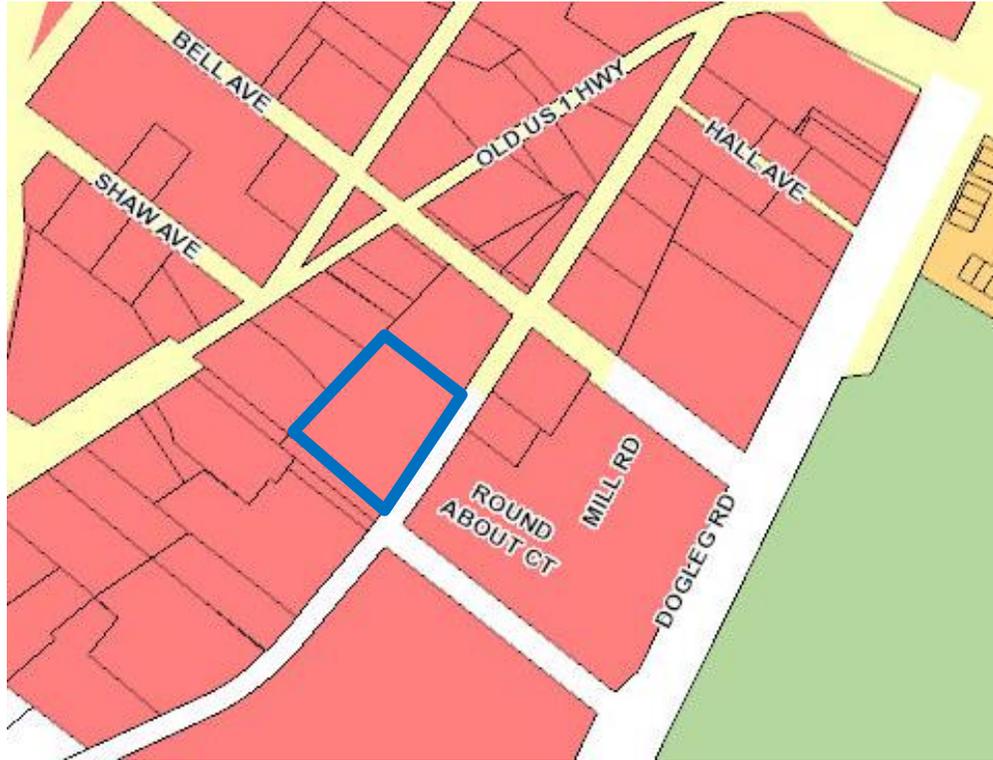
 Town of Southern Pines Corporate Limits

 Town of Southern Pines ETJ

**Figure 2: Zoning Map (Area to be Annexed Outlined in Black)**



**Figure 3: CLRP Future Land Use Map (Area to be Annexed Outlined in Blue)**



**V. ATTACHMENTS:**

1. Petition
2. Written metes and bounds description
3. Survey of subject property

**VI. TOWN COUNCIL ACTION:**

Upon receiving a Certificate of Sufficiency from the Town Clerk, the Town Council may fix a date for the public hearing to consider the annexation request. The Town Council may choose one of the following motions, or any alternative they wish:

- 1) Per the Town Clerk's Certificate of Sufficiency, I move to adopt a resolution establishing **September 14, 2021** as the date of the public hearing for the voluntary annexation of property as defined in the submitted written metes and bounds description under application AX-04-21.

**-or-**

- 2) I move to not adopt a resolution establishing **September 14, 2021** as the date of the public hearing for the voluntary annexation of property as defined in the submitted written metes and bounds description under application AX-04-21.

**PETITION FOR VOLUNTARY ANNEXATION OF REAL  
PROPERTY CONTIGUOUS TO THE  
TOWN OF SOUTHERN PINES, NORTH CAROLINA**

JULY 9 \_\_\_\_\_, 2021

**TO THE TOWN COUNCIL OF THE TOWN OF SOUTHERN PINES, NORTH CAROLINA:**

1. **We the undersigned owners of real property respectfully request that the area described in Paragraph 2 below be annexed to the Town of Southern Pines, North Carolina, pursuant to G. S. 160A-31.**
  
2. **The area requested to be annexed is contiguous to the Town of Southern Pines, and the boundary of such territory is described by metes and bounds as follows:**

A legal metes and bounds description of boundaries of annexation, or a legal metes and bounds description of boundaries must be included.

Name & Signature of Owner

Address of Owner

Toni Anne Washington  


55 woodenbridge Ln.  
Pinehurst NC 28374

Two copies of the petition, an 11" x 17" map showing location and boundaries of the area requested to be annexed, a legal metes and bounds description and physical address for the property (new projects or properties that are being subdivided are to obtain address numbers from the Southern Pines Planning office while properties with existing structures are to obtain/confirm those addresses through the Southern Pines Fire Department) are to be filed with the Town Clerk, 125 S. E. Broad Street, Southern Pines, NC 28387.

**Metes & Bounds Description of Property Petitioning for Annexation:**

A certain parcel of land in Sandhills Township, Moore County, North Carolina fronting on the southeast side of Old US Highway No. 1 and on the northwest side of Broad Street Extension, and described as follows:

Beginning at the northwest common corner of Lots 5 and 6 of the Powell & Suggs Subdivision and being depicted on the plat recorded in Plat Cabinet 18 at Slide 301 in the Office of the Register of Deeds for Moore County, NC; running thence from the beginning N56-0200"E 100.00 feet to an iron stake; thence S 55°29'08"E 193.33 feet to an iron stake; thence S41°15'41"W 65.83 feet to an iron stake; thence S 53°01'12"E 217.28 feet to an iron stake in the line of Broad Street Extension; thence as Broad Street Extension S 32°05'54"W 288.91 feet to an iron stake; thence N 51°34'35"W 264.81 feet to an iron stake; thence N 41°39'28"E 248.22 feet to an iron stake; thence N 53°34'39"W 218.30 feet to the beginning, containing 2.03 acres, more or less.



## Agenda Item

**To:** Reagan Parsons, Town Manager  
**From:** BJ Grieve, Planning Director  
**Subject:** Cooper Carter Reappointment to Planning Board  
**Date:** August 10, 2021

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### I. SUMMARY OF APPLICATION REQUEST:

The Planning Board consists of seven (7) regular members, with five (5) members residing in Town and appointed by the Town Council and two (2) members residing in the Town's extra-territorial jurisdiction and appointed by the Board of County Commissioners. Members serve a three (3) year term and are limited to two (2) successive complete terms, but may continue to serve until their successors have been appointed.

Bill Pate was serving a second term on the Planning Board when he was elected to the Town Council on November 5, 2019. On December 10, 2019, Cooper Carter was appointed to serve the remainder of Mr. Pate's second term as an in-Town member which was scheduled to expire on May 15, 2021. Cooper Carter's first term expired on May 15, 2021 and he is eligible for reappointment for a second term, which will expire on May 15, 2024.

The Planning Division of the Community Development Department is requesting Cooper Carter be reappointed to a full three-year term on the Planning Board. Mr. Carter's request is attached to this memo.

### II. CURRENT PLANNING BOARD ROSTER:

	<u>1<sup>st</sup> appt.</u>	<u>2<sup>nd</sup> appt.</u>	<u>Term Expires</u>
<b>Gary Carroll</b> (in Town)	03/01/17	03/10/20	03/10/23
<b>Cooper Carter</b> (in Town)	12/10/19		05/15/21
<b>Diane Westbrook</b> (in Town)	12/03/18		12/03/21
<b>Benjamin Greene</b> (ETJ)	03/12/19		03/12/22
<b>Kim Wade</b> (in Town)	08/14/19		08/14/22
<b>Lemuel Dowdy</b> (in Town)	12/10/19		12/10/22
<b>Andy Bleggi</b> (ETJ)	03/10/20		03/10/23



DATA SHEET FOR APPOINTMENT TO  
COMMITTEES, COMMISSIONS  
AND BOARDS



COMMITTEE, COMMISSION, OR BOARD IN WHICH INTERESTED: Planning Board

NAME: COOPER CARTER TELEPHONE: 202-497-7419  
ADDRESS: 10 S Ridge St EMAIL: ccarter@gmail.com

EDUCATIONAL BACKGROUND

BA: UNC Chapel Hill (2003)  
MA: Georgetown University (2011)

EMPLOYMENT

JOB TITLE: Intelligence Specialist  
EMPLOYER: US Army Special Operations Command

CIVIC AND PROFESSIONAL ACTIVITIES: \_\_\_\_\_

PAST MEMBERSHIP IN ORGANIZATIONS AND OFFICES HELD: \_\_\_\_\_

ANY ADDITIONAL INFORMATION AND COMMENTS: \_\_\_\_\_

Would be interested in serving another term

DATE: 22 JULY 2021 SIGNATURE: [Signature]

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\*

PA 40



## MINUTES

Wednesday, July 7, 2021: 6:00 PM

Town Council Agenda Meeting

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

### 1. CALL TO ORDER

Mayor Haney called the meeting to order at 6:00 pm. All Councilmembers were present except for Bill Pate.

### 2. TOWN MANAGER'S COMMENTS

Town Manager Reagan Parsons reviewed the agenda.

### 3. REVIEW PROPOSED ITEMS FOR JULY 13 AGENDA

#### a. Council Recognition

##### i. Sprucing Up Southern Pines Winners

The Appearance Commission has received nominations for its 2021 Sprucing Up Southern Pines awards program. Eight winners have been chosen and they have been invited to the July 13 meeting.

##### ii. West Southern Pines Task Force

Mayor Haney would like to recognize the task force for their recent work in collaboration with the Town and Development Finance Initiative.

Town Manager Parsons requests that Item iii added to the agenda for July 13. Sara Odio from DFI would like give a brief update regarding feedback received at the recent public meeting.

#### b. Public Hearings

##### i. AX-02-21: Voluntary Annexation Petition for 465 Petty Street

Town Manager Parsons provided an overview of the request. Gareth and Lorraine Williams have petitioned the Town for a voluntary annexation of a contiguous +.353-acre parcel, located at 465 Petty Street, PIN 858220802013 (PARID 00991745).

##### CU-01-21: Conditional Use Permit Request for a Monopole at 184 Wooster Road

Town Manager Parsons gave a brief overview of the request, noting this will be a quasi-judicial hearing. He asked if there were any procedural questions and there were none. Mr. Ryan Woods of Tower Engineering Professionals has submitted an application on behalf of Carolina Power & Light to construct a new 140 foot-tall monopole tower at the existing

Duke Energy substation.

**c. Proposed Revisions to Town Code Chapter 50, Water and Sewer Use Ordinance**

Town Manager Parsons gave a brief overview of all of the revisions included. As discussed at the June 28 work session, staff has reviewed the current Water and Sewer Use Ordinance and proposes a number of revisions to the existing code. Staff has prepared the first set of amendments, which are largely administrative in nature, for consideration at the July 13 meeting. Revisions to the backflow ordinance will be presented at a future meeting, to allow for continued discussions and consistency with the surrounding communities who are also reviewing their backflow ordinances.

**d. Consent Agenda**

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

**i. AX 03-21: Approve Resolution to Set Public Hearing for Annexation Petition**

Town Manager Parsons provided an overview of the request. Robert and Tracy Currie have petitioned the Town for a voluntary annexation of a contiguous +.459-acre parcel, located at 260 Saunders Blvd. Upon receipt of a Certificate of Sufficiency from the Town Clerk, the next step is to adopt a resolution setting a date for a public hearing. The hearing is proposed for August 10.

**ii. RA-02-21: Approve Resolution to Set Public Hearing for Right-of-Way Abandonment**

Town Manager Parsons provided an overview of the request. The Town, in partnership with the Mid-South residential development, proposes to abandon 175 linear feet of an 80' right-of-way for West Michigan Avenue, northwest of the intersection with Pine Street. The hearing is proposed for August 10.

**iii. Approve Minutes**

1. April 7, 2021 Budget Retreat
2. April 26, 2021 Work Session
3. May 24, 2021 Work Session
4. June 2, 2021 Agenda Meeting
5. June 2, 2021 Closed Session
6. June 8, 2021 Business Meeting
7. June 28, 2021 Work Session

**4. CLOSED SESSION UNDER NC GENERAL STATUTE 143-318.11(a) (4) TO DISCUSS POTENTIAL INCENTIVES RELATED TO AN ECONOMIC DEVELOPMENT PROJECT**

Town Manager Parsons requested the Council enter into a closed session under NC General Statute 143-318.11(a) (4) to discuss potential incentive related to an economic development project and requested that Town Planning Director B.J. Grieve, Assistant Town Manager Jessica Roth and Town Attorney Doug Gill be included.

Upon motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 5-0, Council adjourned to closed session at 6:09 pm.

No action was taken during the closed session.

Upon motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 4-0, Council returned to Regular Session and adjourned at 7:36 pm.

Respectfully Submitted,

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Elizabeth Robertson, Deputy Town Clerk



## MINUTES

**Tuesday, July 13, 2021: 6:00 PM**

**Town Council Business Meeting**

**Douglass Community Center: 1185 W. Pennsylvania Ave**

### 1. CALL TO ORDER

Mayor Haney called the meeting to order at 6:00 pm.

Present: Mayor Carol Haney, Mayor Pro Tem Paul Murphy, Councilmembers Mitch Lancaster and Mike Saulnier

Absent: Councilmember Bill Pate

### 2. PLEDGE OF ALLEGIANCE

### 3. TOWN MANAGER'S COMMENTS

Town Manager Reagan Parsons gave a brief overview of the meeting agenda.

### 4. COUNCIL RECOGNITION/GUEST PRESENTATIONS

#### a. Sprucing Up Southern Pines Winners

Melissa Hall, Chair of the Sprucing Up Southern Pines Committee and member of the Town of Southern Pines Appearance Commission, along with other commission members presented awards to the 2021 award winners. Winners were presented certificates and yard signs for their properties.

- Ernesto and Amy Tamez – 360 Indiana Avenue
- Ella Smith – 850 Michigan Avenue
- Tony and Jeannie Blando – 340 Page Street
- Denise Krauza and Jesse Coyle – 275 S. Valley Road
- Hot Asana Yoga Studio – Virginia Gallagher – 10 Camelia Way
- The Highlands – Moore Housing Limited Partnership – 1650 Richards Street
- The Sunrise Theater – Sunrise Preservation Group – 250 NW Broad Street
- Wolcotts – Scott Wolcott – 190 W. Pennsylvania Avenue

#### b. West Southern Pines Task Force

Mayor Haney called up members of the task force to recognize and thank them for their recent work in collaboration with the Town and Development Finance Initiative. Included were: Kim Wade, Lemuel Dowdy, Mike Fields, Councilmember Mitch Lancaster and Mayor Pro Tem Paul Murphy.

#### c. DFI Update

Sarah Odio from the Development Finance Initiative (DFI) provided an update to Council on input received during the June 23<sup>rd</sup> public meeting regarding the redevelopment of the Town's Morganton Road site should include. She presented six proposed Guiding Public Interests for Council to adopt, which will then be used to solicit desired concept plans:

- i. Serve as a distinctive entry point to the West Southern Pines Neighborhood and Morganton Road area.
- ii. Allow for greater density of commercial uses along Morganton Road; as the site nears the West Southern Pines neighborhood, transition to lower density uses that align with the residential character of the community.
- iii. Align with the West Southern Pines neighborhood's revitalization goal to increase economic and physical vitality while preserving the neighborhood's culture and character.
- iv. Include publicly accessible recreational uses currently not available in the area.
- v. Provide pedestrian and bike access to and around the site, and improve connectivity from the West Southern Pines neighborhood to Morganton Road without substantially increasing non-resident traffic.
- vi. Minimize public investment and maximize private investment.

Councilmember Mitch Lancaster questioned the use of the word "should" in the language and asked if the goals are adopted by Council would they constrain unnecessarily the possible outcomes.

Councilmember Mike Saulnier asked if the goals if adopted would be used as a checklist when asking for proposals.

Sarah Odio explained that DFI will return to the Council with multiple conceptual plans that will, in some way, include or address all of the guiding public interests to varying degrees. At that time, Council will have to choose the preferred plan.

Ms. Dottie Brower, a local resident who participated in the community meeting, objected to the idea of changing the language for any of the guiding points. She feels they should be approved as proposed as they address specifically what the community feels are needed in the West Southern Pines area.

Upon motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 4-0, to adopt the proposed Guiding Public Interests as presented for the Town's Morganton Road Property. The presentation from Sarah Odio is included in the minutes for reference.

## 5. PUBLIC HEARINGS

### a. AX-02-21: Voluntary Annexation Petition for 465 Petty Street

Gareth and Lorraine Williams have petitioned the Town for a voluntary annexation of a contiguous +.353-acre parcel, located at 465 Petty Street, PIN 858220802013 (PARID 00991745).

Upon motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 4-0, the public hearing for AX-02-21 was opened. No public comments were presented during the hearing.

Upon motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 4-0, the public hearing for AX-02-21 was closed.

Councilmember Saulnier moved to adopt the ordinance approving the voluntary annexation application AX-02-21, effective immediately. The motion was seconded by Mayor Pro Tem Murphy and carried unanimously 4-0, AX-02-21: Voluntary Annexation Petition for 465 Petty Street was approved.

**b. CU-01-21: Conditional Use Permit Request for a Monopole at 184 Wooster Road**

Upon motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 4-0, the public hearing for CU-01-21 was opened.

Town Planner Suzy Russell presented the staff report for CU-01-21. Mr. Ryan Woods of Tower Engineering Professionals has applied on behalf of Carolina Power & Light to construct a new 140-foot-tall monopole tower at the existing Duke Energy substation.

Toby Coleman of 150 Fayetteville Street, Raleigh, NC, attorney for Duke Energy, gave a brief overview of the request.

David McNeil of 311 Elm Street, Aberdeen, NC, District Manager at Duke Energy provided a more detailed review of the request. The communications tower will be located within the Southern Pines substation. Duke Energy is upgrading its communication network and this tower will support remote monitoring and control capabilities across the system. Called a Cambien Pole, it will be 140 feet tall, with the height needed to maintain a line of site with other tower structures within the system. The tower will collect data, control transmission and distribution equipment, and offer a reliable platform in order provide essential communications to employees following major storms. Duke Energy will invest \$200,000 in equipment for this tower and estimates a completion date of November 1, 2021, weather permitting.

Town Manager Parson asked Mr. McNeil to clarify why Carolina Light & Power is listed on application documents in some places and Duke Energy in others. Mr. McNeil confirmed that Carolina Power & Light was founded on July 13, 1908, and in 2000, purchased Florida Power, changing the company name at that time to Progress Energy. Progress Energy then merged with Duke Energy in 2012.

Upon motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 4-0, the public hearing for CU-01-21 was closed.

Councilmember Saulnier moved to adopt Attachment "A" of the staff report as Findings of Fact regarding the proposed Conditional Use Permit (CU-01-21), seconded by Mayor Pro Tem Murphy and carried unanimously 4-0.

Upon motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 4-0, Conditional Use Permit CU-01-21 was approved.

**6. ACTION ITEMS**

**a. Consider Approval of Proposed Revisions to Town Code Chapter 50, Water and Sewer Use Ordinance**

Town Manager Parsons gave a brief overview of the amendments. As discussed at the June 28 work session, staff has reviewed the current Water and Sewer Use Ordinance and proposes a number of revisions to the existing code. Staff has prepared the first set of amendments, which are largely administrative in nature. Revisions to the backflow ordinance will be presented at a future meeting, to allow for continued discussions and consistency with the surrounding communities who are also reviewing their backflow ordinances.

Upon motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 4-0, the Amendment to Town Code Chapter 50, Water and Sewer Use Ordinance was approved as presented.

**b. Consider Appointment to Historic District Commission: July 13, 2021 to July 12, 2025**

Ms. Michaela Harr has applied for appointment to the Historic District Commission. Mayor Haney requests Council approval of this appointment. Terms for the Historic District Commission are four years.

Upon motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 4-0, the appointment of Ms. Michaela Harr to the Historic District Commission was approved.

**c. Consent Agenda**

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

**i. AX 03-21: Approve Resolution to Set Public Hearing for Annexation Petition**

Town Manager Parsons provided an overview of the request. Robert and Tracy Currie have petitioned the Town for a voluntary annexation of a contiguous +.459-acre parcel, located at 260 Saunders Blvd. Upon receipt of a Certificate of Sufficiency from the Town Clerk, the next step is to adopt a resolution setting a date for a public hearing. The hearing is proposed for August 10.

**ii. RA-02-21: Approve Resolution to Set Public Hearing for Right-of-Way Abandonment**

Town Manager Parsons provided an overview of the request. The Town, in partnership with the Mid-South residential development, proposes to abandon 175 linear feet of an 80' right-of-way for West Michigan Avenue, northwest of the intersection with Pine Street. The hearing is proposed for August 10.

**iii. Approve Minutes**

1. April 7, 2021 Budget Retreat
2. April 26, 2021 Work Session
3. May 24, 2021 Work Session
4. June 2, 2021 Agenda Meeting
5. June 2, 2021 Closed Session
6. June 8, 2021 Business Meeting
7. June 28, 2021 Work Session

Upon motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 4-0, the Consent Agenda was approved.

## 7. PUBLIC COMMENTS

Dot Brower of 102 Eastman Road spoke positively about the community meetings with Sarah Odio and DFI. Ms. Brower spoke of the efforts of Southern Pines Land and Housing Trust to purchase the old Southern Pines Elementary and expressed frustration with the Moore County School Board's decisions. Ms. Brower asked for a more vocal demonstration by the Town in support of the Trust's efforts to acquire the property.

Don Rich of 6 Mechanic Street questioned why the acquisition of the old Southern Pines Elementary School was not a Town project and asked for support from the Town Council in the efforts of the Land Trust to acquire the property.

Arthur Mason of 795 W. New Hampshire Avenue questioned the Town Council's support of the West Southern Pines community.

Felicia Winfield of 1716 W New York Ave shared her concerns regarding the Moore County School Board, their current dealings with the Land Trust's efforts to purchase the property, and the level of transparency during the negotiations.

Arlisa Turner Berch of 290 S Mechanic Street spoke in support of the intended use of property proposed by the Land Trust. She shared that the project would help people by giving them the tools to be self-sufficient in a safe environment.

Oliver Hines of 635 W. Michigan Avenue stated there have been false rumors surrounding the Land Trust's plans for the property. Mr. Hines spoke of growing up in the community and asked the Town Council to support the Land Trust in the acquisition.

Lemuel Dowdy of 245 N. Leak Street offered some details about the Land Trust's actions toward the proposed acquisition. He stated that the Land Trust sent an increased bid on July 9 of \$525,000, based on a current appraisal of \$638,000. Ms. Brower added that following the Trust's bid of \$525,000, Quality Homes submitted another bid for \$600,000. Ms. Brower questions the timing of the bid from Quality Homes, which has upset the community.

Nora Bowman of 740 S. Hill Street shared that she had attended the School Board's meeting the previous evening where the property sale was discussed. Ms. Bowman is disappointed in the current proceeding and expressed her desire for the Town Council to support Land Trust's efforts to purchase the property and protect the interests of West Southern Pines.

Kim Wade of 240 S. Stevens Street asked each council member to state their position on the Land Trust's efforts and whether or not they would support the Trust financially in the acquisition.

- Mayor Haney stated that she supports the purchase of the property by the Land Trust and has confirmed her support to the Moore County School Board.
- Councilmember Saulnier stated that he supports the efforts of the Land Trust but could not commit to any financial support yet until having further discussions with the Council.

- Mayor Pro Tem Murphy stated that he supports the acquisition by the Land Trust.
- Councilmember Lancaster stated that he needs more information from the Land Trust before he can decide. He requested that the Trust make a formal proposal to Council of what is being requested so it can be discussed at a future work session.

## 8. ADJOURNMENT

Upon motion by Councilman Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 4-0, the meeting was adjourned at 8:37 pm.

Respectfully Submitted,

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Elizabeth Robertson, Deputy Town Clerk

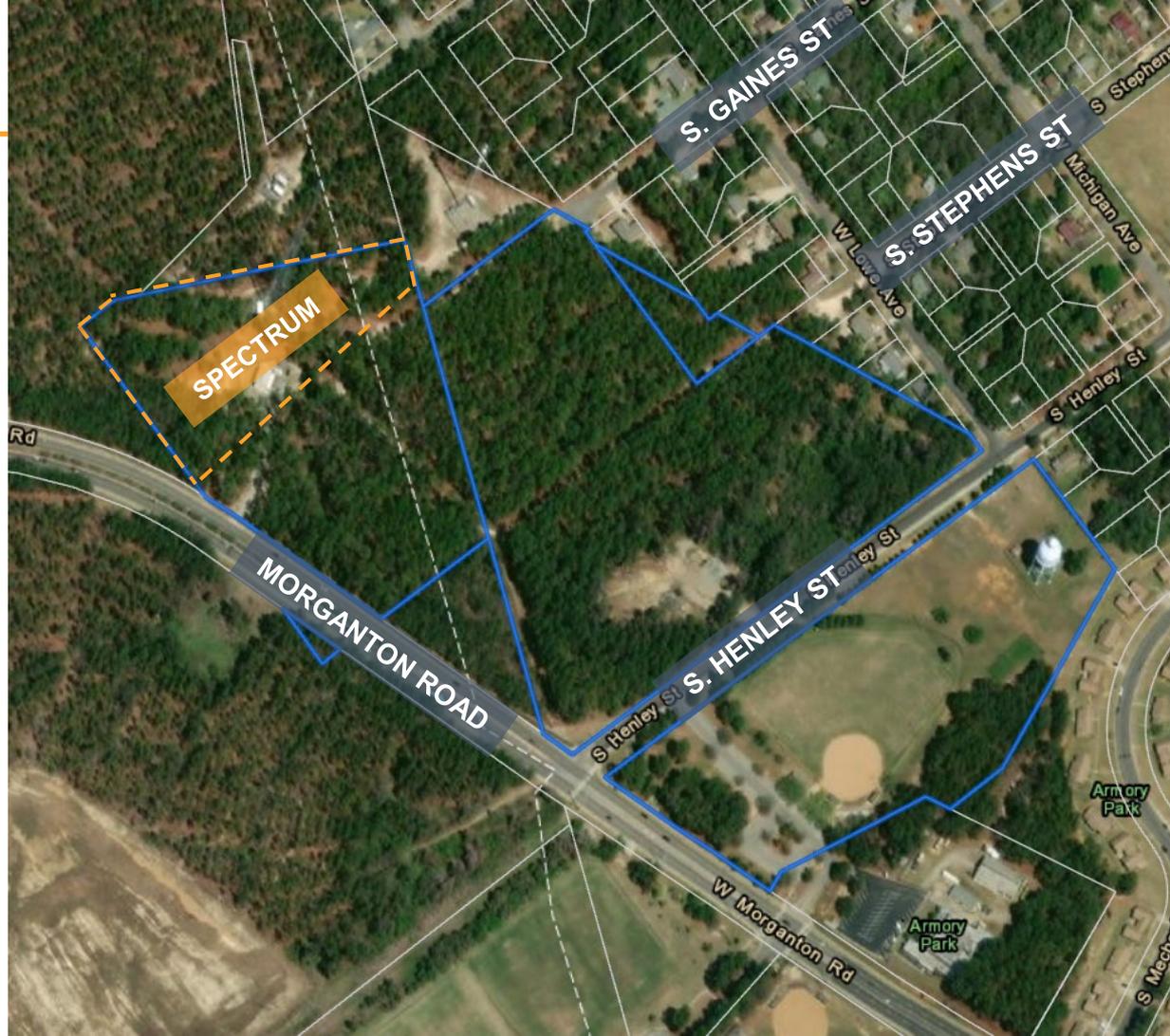
Town of Southern Pines

# Morganton Road Redevelopment Guiding Public Interests



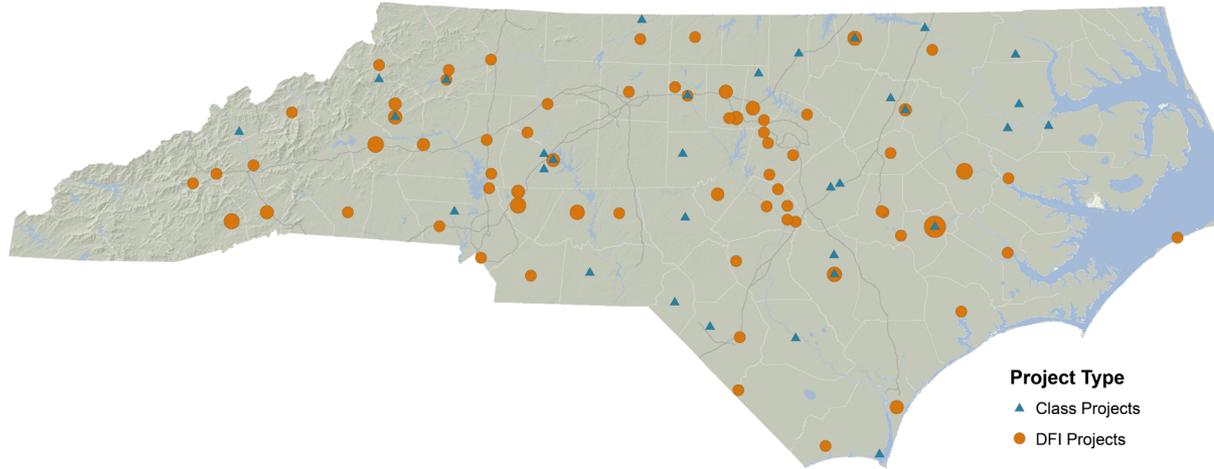
# Agenda

- Project overview
- What are guiding public interests?
- Proposed guiding public interests



# Development Finance Initiative (DFI)

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The Development Finance Initiative (DFI) is a program of UNC Chapel Hill's School of Government and advises communities in NC to attract private investment for transformative projects by providing specialized real estate development and finance expertise.

# DFI Phase II Engagement

Following recommendations for the revitalization of West Southern Pines, DFI was engaged in March 2021 to provide pre-development services for the redevelopment of the Town's Morganton Road property.

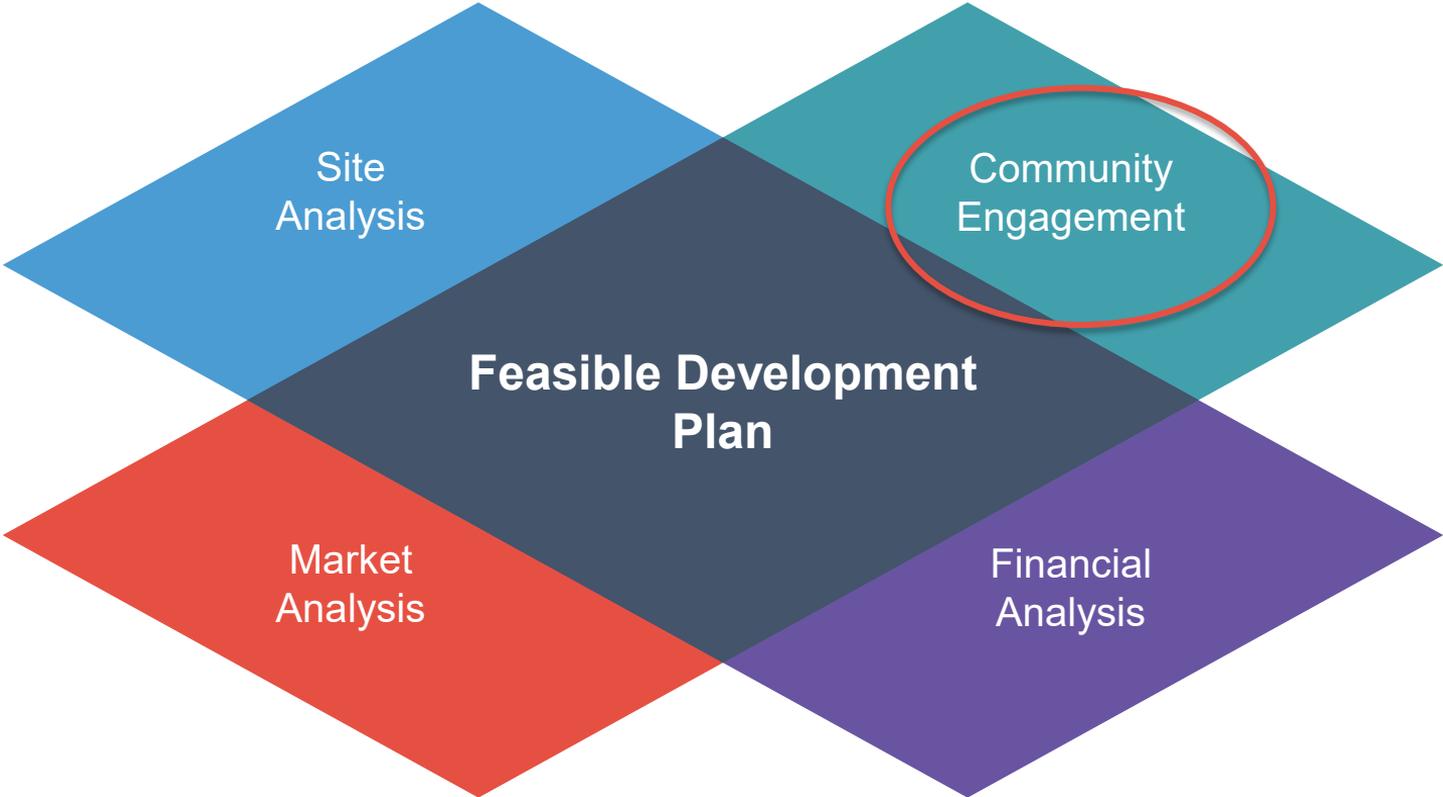
The process will culminate in a competitive process to identify a development partner for the Town.

Phase I: Roadmap to Revitalization of WSP

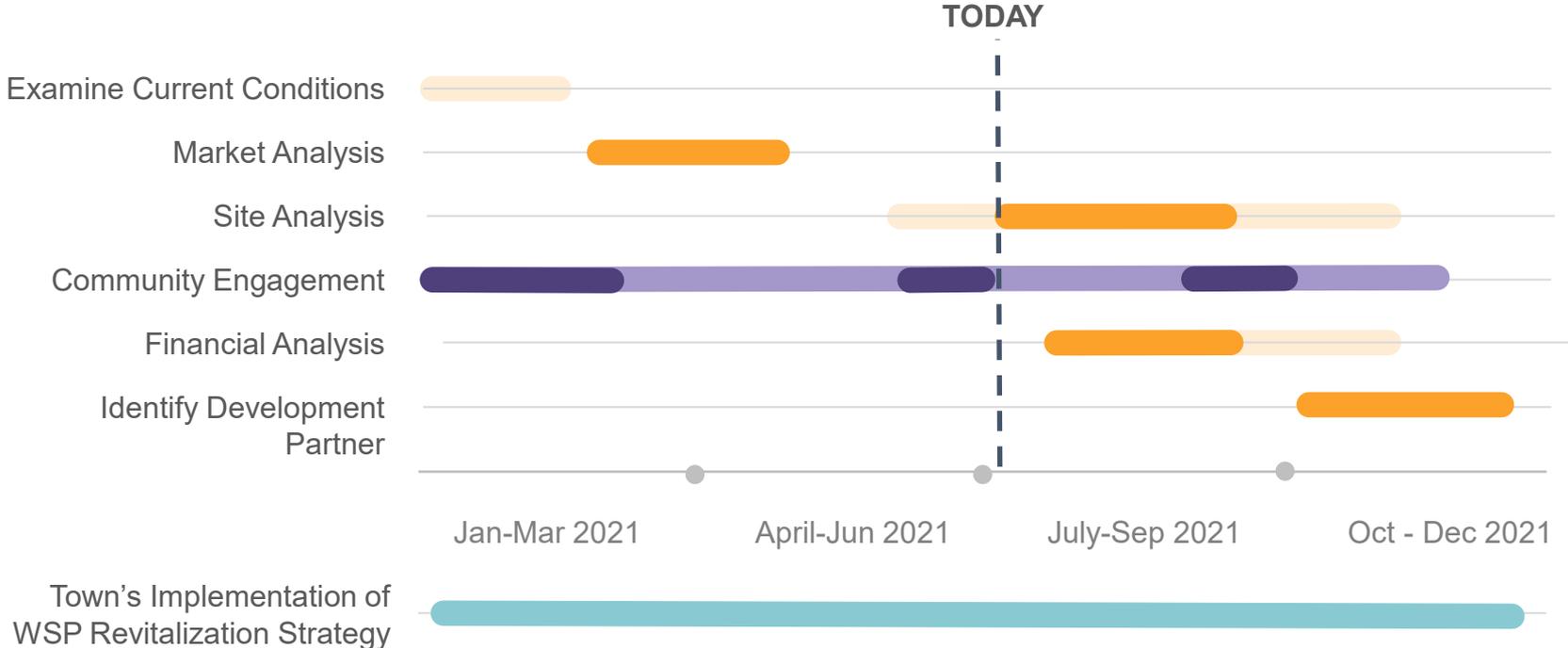


# Pre-Development Process

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# Pre-Development Project Timeline



Note: Timeline subject to change due to market conditions, community feedback, delays in decision-making, as well as response during private developer outreach.



# What are Public Interests?

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## Public Interests

Reflect values

Relevant to the site

Encompass range of opinions

Exploration of tradeoffs needed

Input for criteria to evaluate development plans and select development partner

## Development Plan

Defined

For example, the plan will include:

- Density by use
- Recreational types and location
- # of parking spaces
- Street extensions and realignments

Property value

Amount and type of private and public (if any) investment

# Process of Drafting Public Interests

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- Built on previous engagement with West Southern Pines neighborhood and Town planning documents
- Directly engaged adjacent property owners and other stakeholders
- Received feedback from council at 4/26/2021 meeting
- Held public input session on 06/23/2021, at Douglass Center and online
  - Public memo to council dated 7/9/2021 details the input received



# Participants were asked to reflect on the following:

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Redevelopment of the Town's Morganton Road site should:

- Create a mixed-use activity center that serves as gateway to Morganton Road and complements existing uses along the corridor
- Align with the West Southern Pines neighborhood revitalization goals
- Maintain publicly-accessible recreational uses
- Increase connectivity between Morganton Road and the West Southern Pines neighborhood and provide pedestrian and bike access to and around the site
- Minimize public investment and attract private investment

# Proposed Guiding Public Interests

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Redevelopment of the Town's Morganton Road site should:

- Serve as a distinctive entry point to the West Southern Pines neighborhood and Morganton Road area.
- Allow for a greater density of commercial uses along Morganton Road; as the site nears the West Southern Pines neighborhood, transition to lower density uses that align with the residential character of the community.
- Align with the West Southern Pines neighborhood's revitalization goal to increase economic and physical vitality while preserving the neighborhood's culture and character.
- Include publicly accessible recreational uses currently not available in the area.
- Provide pedestrian and bike access to and around the site, and improve connectivity from the West Southern Pines neighborhood to Morganton Road without substantially increasing non-resident traffic.
- Minimize public investment and maximize private investment.

# Next Steps

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- Town Council endorses the public interests.
- DFI begins work with architect (Neighboring Concepts) to explore development plans that meet the public interests and are financially feasible.
- DFI and Town bring multiple development scenarios back to public (via community meetings and WSP advisory group) for feedback.

# Questions?

Sarah Odio

Senior Project Manager, DFI  
[odio@sog.unc.edu](mailto:odio@sog.unc.edu)



## MINUTES

**Monday, July 26, 2021: 3:00 PM**

**Town Council Work Session**

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

### 1. CALL TO ORDER

Mayor Carol Haney called the work session to order at 3:00 pm and welcomed everyone to the meeting. All members of Council were present.

### 2. TOWN MANAGER'S COMMENTS

Town Manager Reagan Parsons reviewed the pending agenda.

### 3. ACTION ITEMS

#### a. **Written Decision for CU-01-21: Conditional Use Permit Request for a Monopole at 184 Wooster Road**

*Council conducted a quasi-judicial hearing and approved this application on July 13, 2021. Staff has prepared a written decision summarizing the findings of fact and Council decision.*

Councilmember Bill Pate abstained from the vote since he was absent from the July 13, 2021 meeting.

Councilmember Mike Saulnier motioned to approve the decision on CU-01-21 as written by staff, which was seconded by Mayor Pro Tem Paul Murphy and carried 4-0-1, with Councilmember Pate abstaining.

### 4. COUNCIL UPDATES AND DISCUSSION

#### a. **Southern Pines Land & Housing Trust: Vincent Gordon**

*The Land & Housing Trust has requested that the Town provide \$160,000 toward the acquisition of the Southern Pines Primary School from Moore County Schools.*

Chair Vincent Gordon of the Trust presented an overview of the request to council. The Trust has submitted to a formal proposal (updated letter submitted during the session) to council requesting \$160,000 in some form, preferably a grant, to add to the \$525,000 in cash pledged. The requested funding will allow the Trust to make a full appraisal offer of \$685,000 to the school board for the Southern Pines Primary School property.

Councilmember Mitch Lancaster and Town Manager Parsons asked about the feasibility study discussed in the proposal. Mr. Gordon replied that there were two completed. One study was completed by DFI to evaluate the project's economic feasibility and implementation options. The second was completed by Perkins & Will to evaluate the site and structures.

Councilmember Lancaster noted that some of the renovation's costs are pushed out to 2024. Mr. Gordon responded that the plan is to start occupying the space within 6-8 months, prioritizing tenants who will pay rent in order to get income coming in as soon as possible. Mr. Gordon offered that Habitat for Humanity is prepared to pre-pay rent for up to 3 years, if needed.

Councilmember Lancaster confirmed with Mr. Gordon that the school board had indicated a willingness to negotiate a sale of 4± acres for approximately \$300,000. Mr. Gordon said that the Trust wants the entire campus and is in continued negotiations to obtain all of the property.

Councilmember Lancaster commented that he previously understood the Trust did not intend to request financial participation from the Town for this project. Mr. Gordon indicated that he has received inquiries from the West Southern Pines community and the School Board as to why the Town has not committed to financially participate.

Councilmember Saulnier applauded the Trust for their effort to independently pursue this project. He confirmed that the Council first received a formal funding request from the Trust a week before and has worked with staff to respond quickly. Councilmember Saulnier asked Mr. Gordon if there are any constraints on how the Town can fiscally participate. Mr. Gordon confirmed there are no constraints, stating the Trust is flexible in the means to achieve the \$685,000 needed and has accommodated donors in any way possible.

Mayor Haney stated that she supports the Trust in advancing this project and also thanked the town staff on their efforts to quickly research the proposal over the last week. Mr. Gordon thanked Assistant Town Manager Jessica Roth for her help.

Councilmembers discussed the pledges and proposed future income. Mr. Gordon confirmed his confidence to collect all of the pledges within a short time to closed on the property and plans to present an updated full-appraisal offer at the School Board's work session on August 2.

Mayor Pro Tem Murphy commented that he encourages the Town to not only fiscally collaborate, but to also collaborate ideologically to transform the area into a place of possibility.

**5. COUNCIL CLOSED SESSION UNDER NC GENERAL STATUTE § 143-318.11(a)(3) TO DISCUSS MATTERS COVERED UNDER ATTORNEY CLIENT PRIVILEGE.**

Councilmember Saulnier made a motion for Council to enter into closed session, seconded by Councilmember Pate and carried unanimously 5-0.

The full Council participated in the closed session, along with Town Manager Reagan Parsons, Assistant Town Manager Jessica Roth, Planning Director B.J. Grieve, and Town Attorney Doug Gill.

There was no formal action taken during the work session. Council came to a general consensus on a statement to release concerning discussions that took place: "Council has authorized staff to explore, with the Land Trust, opportunities to meet service needs within the West Southern Pines neighborhood, while also providing the Land Trust the ability to move forward with development plans for the primary school site."

Councilmember Lancaster motioned to exit closed session, which was seconded by Councilmember Saulnier. The vote was unanimous, 5-0, and Council exited closed session at 5:03 pm.

## 6. ADJOURNMENT

No further action or discussion took place after Council exited closed session.

Upon motion by Councilmember Saulnier, seconded by Councilmember Pate and carried unanimously 5-0, the meeting was adjourned at 5:03 pm.

Respectfully Submitted,

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Elizabeth Robertson, Deputy Town Clerk