

AGENDA

Agenda Meeting of the Southern Pines Town Council
May 4, 2016, 7:00 PM, C. Michael Haney Community Room, Southern Pines
Police Department
450 West Pennsylvania Avenue

Recognition: Appearance Commission “Sprucing Up Southern Pines” awards (To occur at Regular Business Meeting, not the Agenda Meeting)

1. Manager’s Comments

2. Consent Agenda

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

- A. Adopt Worksession Meeting Minutes of March 28, 2016, Agenda Meeting Minutes of April 6, 2016 and Regular Business Meeting Minutes of April 12, 2016 as written.
- B. Resolution entering into lease with welcome To Southern Pines Inc. to operate a Welcome Center and Cultural Museum at the downtown Train Station
- C. Close Capital Project Fund – Southern Pines Village
- D. Close Capital Project Fund – Morganton Road Bridge
- E. Project Amendment – Capital Project – Water & Sewer Improvements
- F. Establishment of General Capital Reserve Fund
- G. Close Capital Project Fund – Public Safety Communications
- H. Budget Amendment – Transfer to General Capital Reserve Fund - \$110,000
- I. Budget Amendments

<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>CODE</u>	<u>INCREASE</u>	<u>DECREASE</u>
General Fund	Miscellaneous Revenue	10-335-0000	\$ 1,239.00	
Police - Patrol	Professional Services	10-511-4500	\$ 1,239.00	

<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>CODE</u>	<u>INCREASE</u>	<u>DECREASE</u>
General Fund	Miscellaneous Revenue	10-335-0000	\$ 6,902.00	
Police - Patrol	Auto Repair	10-511-1700	\$ 6,902.00	

I. Board Appointments

- Appearance Commission

3. Architectural Reviews

- A. **AR-06-16 EconoLodge Façade Replacement; 408 W. Morganton Road; Petitioner, EconoLodge & Suites Hotel**
- B. **AR-09-15 Monroe Dental Clinic; 330 W. Pennsylvania Avenue; Stagaard & Chao Architects PLLC**

4. Public Hearings

- A. Right of Way Abandonment of N. Mechanic Street & W. Rhode Island Avenue
- B. CU-01-16 Conditional Use Permit: Major Subdivision Application for a Multi-Family Residential Development to include 288 Apartments; Petitioner, Caviness & Cates Building and Development Company
- C. Voluntary Annexation AX-01-16, 3975 Youngs Road
- D. Fiscal Year 2016-2017 Budget Presentation and Hearing

5. Miscellaneous

MINUTES

Worksession Meeting of the Southern Pines Town Council

March 28, 2016, 3:00 pm, C. Michael Haney Community Room, Southern Pines Police Department
450 W. Pennsylvania Avenue

Present: Mayor David McNeill, Mayor Pro Tem Mike Fields, Councilmember Fred Walden, Councilmember Jim Simeon and Councilwoman Teresa VanCamp

Absent: None

1. Request to Discuss a Potential Ordinance Amendment to Chapter 4: Section 4.11. Transportation; Section 4.11.3 Access to Lots;, Petitioner, Nancy Garner

Trey Yelveron of VanCamp, Meacham & Newman was present on behalf of Nancy Garner.

Senior Town Planner Chris Kennedy gave an overview of the requested amendment to Chapter 4: Section 4.11.3 Access to Lots. Mr. Kennedy stated up to three lots could be accessed by a single irrevocable deeded easement within the deed itself.

Mayor Pro Tem Fields inquired why Mr. Kennedy is suggesting only RS-3 and not RS-2.

Senior Town Planner Kennedy stated that RS-3 denotes a 30,000 square foot lot minimum and would be more consistent with the Town's larger tracts. Mr. Kennedy explained why the RS-2 would be too small for the proposed uses with an accessible easement.

2. Request to Discuss a Major Amendment to CU-01-05; Forest Creek Section 17; Airport Road; Petitioner, JSJ Builders Inc.

Senior Town Planner Kennedy presented an overview with site map. Mr. Kennedy stated this was originally a planned residential development with an allowed allotment of dwelling units. Mr. Kennedy commented if you add additional acreage the number of allowed dwelling units does not change, therefore the density will decrease.

Jay Johnson of JSJ Builders in Fayetteville and Angela Thompson of Keller Williams Realty were present for discussion.

Mr. Johnson stated they are proposing to purchase this tract, remove it from Forrest Creek, and decreasing from 20 family units to 19 units with minimum size of 15,000 sq. ft. each. Mr. Johnson stated the lots have been developed since 2008 and they can essentially build on those lots today if they chose to. Mr. Johnson described in detail their proposed plans to enter the development from Airport Road and completely closing this development off from Forrest Creek.

Senior Town Planner Kennedy asked Mr. Johnson if this development would be in any way, shape or form associated with or a part of Forrest Creek.

Mr. Johnson responded in the negative. Mr. Johnson stated this would stand as its own dedicated neighborhood with its own HOA and private streets.

Mayor Pro Tem Fields inquired if Mr. Johnson has discussed the proposed plans with Forrest Creek.

Mr. Johnson responded in the affirmative and continued by stating they are proposing to install fencing that would completely separate the two developments and there will not be an entrance into Forrest Creek.

Senior Town Planner Kennedy stated this request would require a major modification to CU-01-05 and explained the process of triggering another CUP for a major subdivision as well as a rezoning request if this moves forward.

Mayor McNeill stated this request as it stands today is a very large undertaking on the petitioner's part. Mayor McNeill stated there have been voiced citizen concerns regarding this property and Forrest Creek.

Discussion ensued regarding the design of the lots, density, current zoning and the current request.

Mr. Johnson stated he will further discuss this project with developers and Forrest Creek and come back with a more updated request.

3. Request to Discuss a Rezoning of Property Adjacent to Talamore Golf Club and a Major Amendment to CU-03-89; Talamore Golf Club; 1515 Midland Road; Petitioners, Black Point Development LLC & Talamore Partners Limited Partnership

Senior Town Planner Kennedy provided an overview with a map describing the property. Mr. Kennedy explained the procedures that would need to take place if this project moves forward.

After discussion of concerns of buffering, conservation of trees, landscaping, etc., Council unanimously agreed that this item should be further researched and more substantial information should be submitted to continue with this request.

4. Request to Discuss a Major Amendment to CU-01-11; Tyler's Ridge; NC HWY 22; Petitioner, Tyler's Ridge Business Park LLC

Senior Town Planner Kennedy reviewed the petitioners request and referred to an aerial map. Mr. Kennedy gave an overview of the 2011 approval for commercial development of these lots.

Town Manager Reagan Parsons explained the previous and current zoning code for this property. Mr. Parsons stated the PD at that time in 2011 under the old zoning code required that residential lots be made part of the PD application.

Discussion ensued regarding the type, quality and location of the requested daycare.

Councilmember Simeon inquired if the current site plans will be updated to modify the parking and traffic flow.

Senior Town Planner Kennedy replied in the affirmative and stated the drop off area will be queued in the new plans for better safety.

Mayor McNeill requested that staff review the site plans to make sure there is adequate buffering incorporated.

5. Discussion of a Draft Resolution Regarding a Proposed Southern Moore County Transportation Plan

Town Manager Parsons gave an overview of the item and stated this is the beginning of the preliminary steps of a Southern Moore County transportation plan and will be considered by Aberdeen and Pinehurst as well.

6. Discussion of an Appearance Commission Recommended Update to the Tree Removal Ordinance

Assistant Town Manager Adam Lindsay provided a brief overview of the past issue of the illegal removal of a tree and the citizen input regarding the current tree ordinance with suggested revisions in the consequences for illegal removal of trees. Mr. Lindsay stated in addition to citizen input solicitation, staff researched other North Carolina communities with similar ordinances and presents to Council for consideration updated language to the current tree ordinance. Mr. Lindsay stated this would allow the Town Horticulturist or tree protection officer to better educate citizens and enforce the requirements of this updated ordinance. Mr. Lindsay also suggests that notifications and updates be included in the water bill statements annually to keep the public informed.

Discussion ensued.

As so incorporated to these minutes of March 28, 2016 are exact copies as so recorded in the ordinance and resolution books of the Town of Southern Pines as if fully set out in the minutes.

There being no further business the meeting adjourned at 4:25 p.m.

Peggy K. Smith
Town Clerk

MINUTES
Agenda Meeting of the Southern Pines Town Council
April 6, 2016, 7:00 PM, C. Michael Haney Community Room,
Southern Pines Police Department
450 W. Pennsylvania Avenue

Present: Mayor David McNeill, Mayor Pro Tem Mike Fields, Councilmember Fred Walden, Councilmember Jim Simeon and Councilwoman Teresa VanCamp

Absent: None

Call to Order

1. Architectural Reviews

A. **AR-05-16; Amendment to AR-04-15 Ace Hardware Store at Tyler's Ridge Business Park; 215 Capital Drive; Petitioner, John Heckethorn**

Senior Town Planner Chris Kennedy provided an overview of the item. Mr. Kennedy stated the Town had approved the Ace Hardware site in June 2015 and they are now seeking an amendment to install a greenhouse structure in the garden center in lieu of the originally approved trellis structure. Mr. Kennedy explained it would be similar to the attached greenhouse structure at Lowes.

Randy Saunders of 26 Goldenrod Drive, Whispering Pines stated he is one of the co-owners of the Ace Hardware store. Mr. Saunders explained that the type of greenhouse structure they are building has a longer backlog than they had expected, therefore they are proposing to construct a commercially arched peaked roof greenhouse that is very similar to the Lowes garden center that will not be temperature controlled. Mr. Saunders described the building materials and also stated they are requesting anchored shade sails to the right of the greenhouse.

Councilwoman VanCamp inquired if the temporary structure will remain after the greenhouse is completed.

Mr. Saunders explained how they will deconstruct the temporary structure at a later date and relocate it at the back of the greenhouse to be utilized as a gardener's managerial office and the shade sails will remain.

Councilmember Walden commented this proposed design looks like a good fit for the Town.

2. Consent Agenda

- A. Adopt Worksession Meeting Minutes of February 22, 2016, Agenda Meeting Minutes of March 2, 2016 and Regular Business Meeting Minutes of March 8, 2016 as written.

Corrections were noted by the Town Clerk.

B. Budget Amendments

<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>CODE</u>	<u>INCREASE</u>
General Fund	Miscellaneous Revenue	10-335-0000	\$ 3,263.00
Police - Investigations	Auto Repair	10-515-1700	\$ 3,263.00
General Fund	Police Extra Duty Revenue	10-370-0050	\$ 27,000.00
Police - Patrol	Police Extra Duty	10-511-0150	\$ 27,000.00

Town Manager Parsons explained the requested budget amendments.

C. Board Appointments

- **Historic District Commission**

Town Manager Parsons stated Council has reviewed Ryan Hrvatin's Historic District Commission application and he seems to be a suitable choice for the position.

Mayor Pro Tem Fields commented Mr. Hrvatin holds a Master's degree in historic preservation and would be a well-qualified asset to the committee.

Mayor McNeill stated Mr. Hrvatin is a fairly new resident that has expressed his love for the Town of Southern Pines.

D. Resolution Supporting the Creation of a Southern Moore County Transportation Plan

Town Manager Parsons commented that in the last few days, there has been a great amount of discussion and several calls received expressing concerns regarding this item. Mr. Parsons stated that late this afternoon he received a letter from Matthew Day of the Triangle Area Regional Planning Organization requesting that Town Council hold off on making a decision on passage of this particular resolution at this time. Mr. Parsons also stated he was contacted about an hour ago by Moore County Manager Wayne Vest also requesting that Town Council hold off on passage of this particular resolution. Mr. Parsons stated that Mr. Vest stated that he had successfully contacted the Mayors of Aberdeen and Pinehurst and they are all in agreement to hold off on passage of this item at this time.

Town Manager Parsons stated it is his recommendation at this time to either place this item under Miscellaneous for consideration at a later time and/or direct the staff to confirm the intent of our neighboring communities as this is a statement of cooperation between the three parties or if in fact the two neighboring communities decide to hold off on this, it will be removed from the agenda until a future date.

Mayor Pro Tem Fields recommended that this item be removed from the agenda completely and councilmembers unanimously agreed 5-0.

E. Talamore Irrigation Agreement Renewal

Town Manager Parsons gave a brief overview of the item.

F. Moore County Arts Council Lease Renewal

Town Manager Parsons reviewed the item.

G. Update to the Tree Removal Ordinance, Code Section 101.23

Town Manager Parsons gave a brief review and suggested this item be removed from the consent agenda and add it under miscellaneous to allow for community input and further research on this item.

Mayor Pro Tem Fields stated he recommends that Council pull this item from the agenda and place it under miscellaneous and councilmember unanimously agreed 5-0.

H. Abandonment of N. Mechanic Street between W. Maine Avenue and NE Service Road

Town Manager gave an overview the item. Mr. Parsons stated staff recommends that Council not take action on this particular item until such time a decision is rendered on the Conditional Use Application for the Hector properties development. Mr. Parsons stated in the event that that requested Conditional Use Application is not approved, staff would not recommend abandonment of this section at this point and time due to accessibility and possible future developments. Mr. Parsons stated if the CUP does pass in its current state, the abandonment of this section will become necessary and this will properly initiate that process.

Councilwoman VanCamp inquired who owns the adjacent properties.

Senior Town Planner Kennedy explained the properties lines and named owners by way of Aerial map and stated this property is a "paper street" and you would only know it exist by paper map.

Discussion ensued regarding sewer lines and right-of-ways.

3. Architectural Reviews

- A. AR-05-16; Amendment to AR-04-15 Ace Hardware Store at Tyler's Ridge Business Park; 215 Capital Drive; Petitioner, John Heckethorn**

Addressed in item 1.A.

4. Public Hearings

- A.** Abandonment of a portion of unopened N. Mechanic Street: Abandonment of Right-of-Way along N. Mechanic Street for the portion of Right-of-Way between W. Maine Avenue to W. Rhode Island Avenue

Senior Town Planner Kennedy gave a brief overview of the item.

- B. OA-01-16; Ordinance Amendment to the UDO to Include Veterinary Services into the NB Zoning Classification; Petitioner, Roy Harvel**

Senior Town Planner Kennedy explained the item and stated the petitioner amended the original application to only request that the veterinary services be added to the neighborhood business.

- C. CU-03-16 Conditional Use Permit: Major Subdivision Application for a Single-Family Detached Residential Development along Clark Street; Petitioner, Koontz Jones Design**

Senior Town Planner stated all information has been provided in the submitted packet accompanying this item.

As so incorporated to these minutes of April 6, 2016 are exact copies as so recorded in the ordinance and resolution books of the Town of Southern Pines as fully set out in the minutes.

There being no further business the meeting adjourned at 7:36 p.m.

Peggy K. Smith
Town Clerk

Minutes

**Regular Business Meeting of the Southern Pines Town Council
April 12, 2016, 7:00 PM, Douglass Community Center, 1185 W. Pennsylvania Avenue**

Present: Mayor David McNeill, Mayor Pro Tem Mike Fields, Councilmember Fred Walden, Councilmember Jim Simeon, Councilwoman Teresa VanCamp

Absent: None

Call To Order

Pledge of Allegiance

1. Manager's Comments

Town Manager Reagan Parson requested a motion to include under item C – Board Appointments, the second full term reappointment of William Bill Ross as of 05/01/2016 through 05/01/2019 to the Planning Board.

Upon motion by Councilmember Jim Simeon, seconded by Councilmember Fred Walden and carried unanimously 5-0, it was approved to add under item C – Board Appointments to include William Bill Ross's reappointment to the Planning Board as of 05/01/2016 through 05/01/2019 to the consent agenda.

2. Consent Agenda

All items listed below are considered routine or have been discussed at length in previous meetings and will be enacted by one motion. No separate discussion will be held unless requested by a member of the Town Council.

A. Adopt Worksession Meeting Minutes of February 22, 2016, Agenda Meeting Minutes of March 2, 2016 and Regular Business Meeting Minutes of March 8, 2016 as written.

B. Budget Amendments

<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>CODE</u>	<u>INCREASE</u>
General Fund	Miscellaneous Revenue	10-335-0000	\$ 3,263.00
Police - Investigations	Auto Repair	10-515-1700	\$ 3,263.00
General Fund	Police Extra Duty Revenue	10-370-0050	\$ 27,000.00
Police - Patrol	Police Extra Duty	10-511-0150	\$ 27,000.00

C. Board Appointments

- Historic District Commission
 - Ryan Hrvatin 05/01/2016 – 05/01/2020 – 1st Appointment
- Planning Board
 - William Ross 05/01/2016 – 05/01/2019 – 2nd Appointment

D. Talamore Irrigation Agreement Renewal

E. Moore County Arts Council Lease Renewal

F. Resolution Declaring Intent to Abandon Unopened Portions of N. Mechanic Street, between W. Maine Avenue and NE Service Road, and W. Rhode Island, between NE Service Road and the Northern edge of the Unopened Intersection of West Rhode Island and N. Mechanic Street, and Setting A Public Hearing

Upon motion by Councilmember Walden, seconded by Councilmember Simeon and carried unanimously 5-0, the consent agenda was approved.

3. Architectural Reviews

A. **AR-06-16 EconoLodge Façade Replacement; 408 W. Morganton Road; Petitioner, EconoLodge & Suites Hotel**

The petitioner, John Heckethorn of Heckethorn Architecture PLLC, has submitted an application requesting Architectural Review approval for an amendment to a previous Architectural Review approval under application AR-04-15. AR-04-15 approved the Architectural Compliance Permit for a new commercial structure located at 215 Capital Drive in the Tyler's Ridge Business Park development on the west side of Highway 22 and south of Airport Road. The proposed project is a new construction for an Ace Hardware Store. The proposed structure will be 20,000 square feet with an additional 10,000 square feet of outdoor garden center area. The petitioner is seeking to modify the original approval with respect to the outdoor garden center area. The property is identified by the following: PIN: 857300978122 (PARID: 20110243). Per the Moore County Tax records, the property owner(s) are listed as Southern Pines Ace Land.

Senior Town Planner Chris Kennedy gave a brief overview of the item and referred to site plans of the proposed development. Mr. Kennedy stated the petitioner is seeking an amendment to include a gabled trellis to the greenhouse feature with sails and explained the initial phases of the project.

Mayor McNeill stated this item was reviewed in detail last Wednesday evening.

Senior Town Planner Kennedy stated Attorney Marsh Smith submitted a letter minutes prior to this meeting and staff has not had ample time to review it.

Mayor McNeill requested that staff work with the applicant with regards to Mr. Smith's submitted letter.

Councilwoman VanCamp inquired if there would be any openings between the proposed sails and if there would be a vertical feature with no sides.

Senior Town Planner Kennedy responded in the affirmative and stated it will only have a roof with poles supporting the sail structures that will remain after the greenhouse is in place.

Mayor Pro Tem Fields stated he moves to approve AR-05-16 amendment to AR-04-15; Ace Hardware Store at Tyler's Ridge Business Park. This motion was seconded by Councilmember Walden and carried unanimously 5-0 and was approved.

4. Public Hearings

A. **Abandonment of a portion of unopened N. Mechanic Street: Abandonment of Right-of-Way along N. Mechanic Street for the portion of Right-of-Way between W. Maine Avenue to W. Rhode Island Avenue Sections of Right-Of-Way**

The Town has received a request to abandon the one and one-half (1.5) block portion of N. Mechanic Street extending from the intersection of W. Maine Avenue and N. Mechanic Street to the intersection of the NE Service Road and N. Mechanic Street and W. Rhode Island sections of Right-Of-Way

Senior Town Planner Chris Kennedy provided an overview of this item with an ariel map and stated the Town does not have any utility services in this area.

Mayor McNeill opened the public hearing.

No voiced public comments on this item.

Upon motion by Mayor Pro Tem Fields, seconded by Councilmember Walden and carried unanimously 5-0, the public hearing was closed.

Mayor Pro Tem Fields stated he moves to approve the abandonment of a portion of unopened N. Mechanic Street; the abandonment of Right-of-Way along N. Mechanic Street for the portion of Right -of-Way between W. Maine Avenue to W. Rhode Island Avenue Sections of Right-of-Way. This motion was seconded by Councilmember Walden and carried unanimously 5-0 and was approved.

B. OA-01-16: Ordinance Amendment to the UDO to Include Veterinary Services into the NB Zoning Classification: Petitioner, Roy Harvel

The petitioner Mr. Roy Harvel is requesting to amend the Town of Southern Pines Unified Development Ordinance Chapter 3: Exhibit 3-15 *Table of Authorized Land Uses* to allow LBCS 2418 Veterinary Services in the NB (Neighborhood Business) zoning classification.

Senior Town Planner Kennedy provided an overview of this item.

Councilwoman VanCamp inquired if training would be allowed and if this would require overnight boarding.

Senior Town Planner responded in the affirmative. Mr. Kennedy explained the legislative procedures for this hearing.

Mayor McNeill asked Mr. Kennedy to point out for the public, the local neighborhood business in the area on the provided zoning map.

Pete Mace of 170 Pine Barrens Vista, Whispering Pines stated he is concerned with outside boarding that would create a noise factor in the neighborhood.

Pam Garty of 90 Oak Drive, Southern Pines stated she has lived here for 42 years and she has a vested interest in this request. Ms. Garty asked what would be done about barking for overnight boarding.

Town Manager Reagan Parsons stated that any limited overnight boarding that may take place is required to be inside boarding with this facility.

Senior Town Planner Kennedy explained this is incorporated as supplemental required restrictions.

Ms. Garty inquired how the biological waste will be handled since this will be a surgical facility.

Mayor McNeill stated Mr. Kennedy will follow up with the procedures for biological wastes disposal with the code enforcement officer.

Senior Town Planner Kennedy stated there are legal guidelines to be followed with a clinic such as this and he is sure they are aware of the policies and guidelines to be followed.

Ms. Garty inquired if other neighborhood businesses would be allowed in this area besides this request in the future.

Mr. Kennedy stated that only those businesses already contained in the NB District per the UDO table are allowed to operate at this site. This is a request to add an additional use, and other uses not currently contained in the table would require a similar Hearing and process in the future.

Ms. Party stated she is very concerned with what she perceives to be high traffic problems on Hwy. 22 and the property value declination this may cause.

Upon motion by Councilmember Walden, seconded by Councilmember Simeon and carried unanimously 5-0 the public hearing was closed.

Mayor Pro Tem Fields stated he makes a motion to approve the requested text amendment and to make a finding and determination that the approval of the text amendment request is consistent with the adopted Land Use Plan and that the approval of the text amendment request is reasonable and in the public interest due to the approval being consistent with the comprehensive plan and, as a result, the approval furthers the goals and objectives of the comprehensive plan and he moves to approve OA-01-16. This motion was seconded by Councilmember Walden and carried unanimously 5-0 to approve OA-01-16.

C. **CU-03-16 Conditional Use Permit: Major Subdivision Application for a Single-Family Detached Residential Development along Clark Street: Petitioner, Koontz Jones Design**

On behalf of the petitioner Koontz Jones Design, Mr. Bob Koontz is requesting the approval of a residential development project located along Clark Street that will require a Conditional Use Permit application for a Major Subdivision. Per Section 2.20 *Major Subdivisions* of the Unified Development Ordinance any subdivision of land creating greater than five (5) lots requires a Conditional Use Permit. The proposed development consists of a total of ten (10) lots, thereby the proposal will require a CUP. The subject property received the approval of a minor subdivision for five (5) lots in November 2015. The current request is a major subdivision to further subdivide lot 5 as shown on the November 2015 minor subdivision plat (see attachments) into an additional five (5) lots, creating a total of ten (10) lots from the parent tract; one (1) lot will serve as open space with the remaining nine (9) lots designated for single-family detached development. The subject property is comprised of 5.99 acres and is zoned RS-1 (Residential Single-Family – 1). The property is identified by the following: PIN: 85820071105 (PARID: 20150368). Per the Moore County Tax records, the property owner(s) are listed as Bradford Village LLC.

Mayor McNeill reviewed the procedures for a conditional use quasi-judicial hearing and gave a brief overview of the request.

Mayor McNeill swore in all interested witnesses that requested to provide testimonies.

Mayor Pro Tem Fields stated he did make a site visit to this property.

Senior Town Planner Kennedy provided a brief review of the property and the request while referring to a map.

Bob Koontz of Koontz Designs stated the original plan included 5 lots and they are now requesting a major subdivision of the parcels due to the size of the lots and explained the current plans of where they are heading with this development regarding regulations.

Discussion ensued regarding the buffering at the back of the property, the size of the lots, the possibility of a woodpecker habitat, potential trail space, greenway space, etc.

Councilwoman VanCamp asked Mr. Koontz why he is requesting to change the number of lots.

Mr. Koontz stated it would better suit the needs of the project.

Mayor McNeill swore in Pete Mace as a testimonial witness.

Pete Mace stated he has been involved with this property from the beginning of the project. Mr. Mace stated the developer is extending the sewer system for the additional 5 lots, which is a large factor. Mr. Mace commented that long leaf pines will be kept incorporated with the project and as many trees will be saved as possible.

Marsh Smith of 568 Santee Road, Southern Pines asked Mr. Koontz if this will have engineered storm water.

Mr. Koontz responded in the negative.

Mr. Smith stated this is the type of development that appeals to environmentalists due to the fact that its in-fill and you are not going out and disturbing virgin territory. Mr. Smith continued by expressing his concerns of this development being within one mile of high quality water designated stream. Mr. Smith explained the needed allocation by the Town to meet the water shed supply requirements and cited the UDO requirements. Mr. Smith made several suggestions that the Town may want to consider regarding this issue.

Mr. Koontz stated they have taken these issues into consideration and they feel that the lot sizes do meet the requirements.

Town Manager Parsons asked Mr. Koontz if he was testifying that ultimately he would be below 12 percent impervious lacking the engineered storm water.

Mr. Koontz responded he does believe they should and will be below the 12 percent standard requirements and if they are not, obviously, they would bring back a high water quality allocation.

Mayor McNeill swore in Town Manager Reagan Parsons as a testimonial witness.

Town Manager Parsons explained in more detail the new UDO requirements regarding allocation credits water shed requirements, as the process differs from the previous one explained by Mr. Smith.

Senior Town Planner Kennedy reviewed the current protocol for water shed allocations requests and permit requests.

Mayor McNeill asked Mr. Koontz if there would be families moving into this development with children.

Mr. Koontz responded in the affirmative.

Mayor McNeill stated to his knowledge, Council hasn't had anything similar to this that backs up to a railroad track and inquired what safety measures are being taken for the safety of the children.

Mr. Mace stated the developer's will have some type of buffered fencing installed.

Upon motion by Councilmember Walden, seconded by Mayor Pro Tem Fields and carried unanimously 5-0, the public hearing was closed.

Mayor Pro Tem Fields stated that under Finding of Fact #1 he moves that as a finding of fact that the application is complete and that the facts submitted are relevant to the case, in that A - request for Preliminary Plat approval has met the specified submittal requirements as required in the Town of Southern Pines Appendices, B - the facts submitted are relevant to the case as the evidence submitted was sworn testimony done so by qualified experts or provided through substantiated documentation. This motion was seconded by Councilmember Simeon and carried unanimously 5-0 to approve Finding of Fact #1.

Mayor Pro Tem Fields stated that under Finding of Fact #2 he moves that as a finding of fact the application complies with Section 2.20.5(G) Criteria for a Preliminary Plat, Criteria 1-6, in that criteria 1 - is not applicable. Criteria 2 - this project is consistent with the goals and objectives of the comprehensive long range plan and establishes a development pattern that is in the context of the surrounding neighborhood and the projects in the area of Southern Pines. The development pattern also meets the land use goals defined by the CLRP by adding development where public utilities are available in developing infill locations near downtown Southern Pines. Criteria 3 - This proposed preliminary plat complies with the standards and restrictions of the UDO and other applicable State regulations. Criteria 4 - the proposed subdivision is compatible and consistent with the RS-1 zoning district of that property and all residential lots proposed on the preliminary plat meet the size density and set-back requirements of the current RS-1 zoning district. The development complies with the standards of the UDO as described for that district. The surrounding properties are developed in a similar manner as the proposed preliminary plat. Uses directly across Clark Street from this property include other RS-1 zoned properties GB and RM-2. The subdivision increased units of RS-1 parcels are compatible with all the surrounding uses. Criteria 5 - the proposed subdivision is compatible with the adjacent properties and will not be detrimental to the adjacent properties. Criteria 6 - the public water & sewer utilities are readily available for the project to which will be borne by the developer. The lots front on Clark Street and are configured in the same manner as most lots along Clark Street and these lots will have adequate access to accommodate waste removal and emergency vehicles. This motion was seconded by Councilmember Walden and carried unanimously 5-0 to approve finding of fact #2.

Mayor Pro Tem Fields stated he moves that the proposed preliminary plat is consistent with those documents that constitute the officially adopted land development plan and other applicable plans and he moves to approve the Preliminary Plat. This motion was seconded by Councilmember Walden and carried unanimously 5-0 to approve the Preliminary Plat.

Mayor Pro Tem Fields stated regarding the Conditional Use Application, under Finding of Fact #1, he moves that Finding of Fact that the application is complete and the facts submitted are relevant to the case, a - the request for a conditional use permit approval has met the specified submittal requirements as required by the Town of Southern Pines UDO appendices, and b - the facts submitted are relevant to the case as the evidence submitted by sworn testimonies done so by qualified experts or provided through substantiated documentation. This motion was seconded by Councilmember Walden and carried unanimously 5-0 to approve the Conditional Use Application under Finding of Fact #1.

Mayor Pro Tem Fields stated under Finding of Fact #2 he moves that Finding of Fact that the application complies with Section 2.21.7 Criteria for a Conditional Use Permit, Criteria A-F, in that Criteria A – this proposed development will comply with all regulations of the RS-1 zoning district and any applicable supplemental use regulations, any lots created will meet the minimal lot size requirements of 10,000 square feet and provide appropriate set-backs for the RS-1 zoning district. Access will meet the Towns requirements as all lots front to the existing Clark Street and are consistent with the rest of the surrounding neighborhood. Criteria B – the conditional use meets the standards of the zoning district and is in character of the surrounding properties. Uses directly across from Clark Street from this property include other RS-1 zoned properties GB and RM-2 residential multi-family. The subdivision and increased number of units of the RS-1 parcels are compatible with all the surrounding uses. Criteria C – Public water and sewer utilities are readily available for the project and cost which will be borne by the developer. The lots front the existing Clark Street and are configured in the same manner as most other lots along Clark Street. These lots will have adequate access to accommodate emergency and waste removal vehicles. Criteria D – This project will not impede the development of the surrounding properties as it is in conformance of the surrounding development zoning classification described in criteria B of the exhibit that was attached to their application. Criteria E – This residential neighborhood will continue the existing development pattern in the neighborhood and will continue to conform to all development standards of the UDO engineering requirements of the Town. As a result, the use will not be detrimental to or endanger the public health, comfort, safety or general welfare of the surrounding neighborhood. Criteria F – The conditional use is in compliance with the established development pattern and is in context with the underlying zoning district. This project is also consistent with the goals and objectives of the Comprehensive Long Range Plan and establishes the development pattern that is within the context of the surrounding neighborhood and projects in this area of Southern Pines. The development pattern also meets the land use goals defined by the CLRP by adding development where public utilities are available and developing infill locations near downtown Southern Pines. This motion was seconded by Councilmember Walden and carried unanimously 5-0 to approve Finding of Fact #2.

Mayor Pro Tem Fields stated he moves that the proposed Conditional Use Application is consistent with those documents that constitute the officially adopted land development plan and other applicable plans and he moves to approve CU-03-16. This motion was seconded by Councilmember Walden and carried unanimously 5-0 to approve CU-03-16.

5. Miscellaneous

A. Requested comment period related to Town Tree Removal Ordinance

Town Manager Parsons provided an overview of the item and stated staff will continue to further review this item and will re-address this at a later date.

Assistant Town Manager Adam Lindsay gave a brief overview of this item and explained the request to ask for more public input on this item.

Suzanne Coleman of 225 N. May Street, Southern Pines was present to express her concerns and questions with the incorporation of this ordinance.

Pete Mace stated he has questions about what the Town's interpretation of the caliper of tree is. Mr. Mace stated the language needs to be clearer as to the definition of a tree and caliper of a tree.

Town Manager Parsons stated more consideration is being addressed with this subject with the Appearance Commission and more feedback is expected. Mr. Parsons stated he would recommend that if anyone is going to do any type of work regarding trees, they should consult Town staff before removing any trees.

Vince Zucchini of 128 Longleaf Road, Southern Pines discussed that all vegetation should be regarded as similar to trees when within the right of way and public spaces. Mr. Zucchini stated as a homeowner, you accept this obligation and therefore the circumference of the tree must be taken into account to accommodate the loss of the tree.

Ms. Coleman provided a display example of the circumference of a tree and stated the replacement of a tree should be replaced with like circumference area of the tree.

B. Request to Adopt Update to the Tree Removal Ordinance, Code Section 101.23

No action was taken by Council and it was agreed this topic would come before them again in the future.

6. Public Comments

Jim Crawford of 160 Broadmeade Drive, Southern Pines was present to discuss his concerns of the current UDO allowing a single family home to be rented out to several different people at one time. Mr. Crawford stated this seems to him to be an operational boarding house.

Suzanne Coleman of 225 N. May Street stated she has concerns regarding the new open carry law, people can show up at events such as Springfest carrying handguns where children are and she is asking that this issue be looked into further to insure public safety.

Upon motion by Mayor Pro Tem Fields, seconded by Councilman Walden and carried unanimously 5-0, the meeting was adjourned.

As so incorporated to these minutes of April 12, 2016 are exact copies as so recorded in the ordinance and resolution books of the Town of Southern Pines as fully set out in the minutes.

There being no further business the meeting adjourned at 8:48 p.m.

Peggy K. Smith
Town Clerk

MEMORANDUM

TO: Town Council
Reagan Parsons, Town Manager

FROM: Crystal Gabric, Finance Director

DATE: April 27, 2016

SUBJECT: Capital Project Fund – Southern Pines Village

The Southern Pines Village capital project fund was created for funding of the economic infrastructure grant from the Rural Economic Development Center for the relocation of water and sewer lines as part of the Southern Pines Village project. All expenditures for the project have been completed and the grant has been closed.

Please authorize the closing of the Southern Pines Village capital project fund.

Thank you in advance for your consideration.

MEMORANDUM

TO: Town Council
Reagan Parsons, Town Manager

FROM: Crystal Gabric, Finance Director

DATE: April 27, 2016

SUBJECT: Capital Project Fund – Morganton Road Bridge – Water & Sewer Project

The Morganton Road Bridge – Water & Sewer capital project fund was created for funding of the relocation and/or new water and sewer lines due to the Morganton Road Bridge replacement project. All expenditures for the project have been completed and the capital project fund has a remaining balance of \$1,195. The balance of the fund is directly attributed to investment earnings.

Please authorize the closing of the Morganton Road Bridge - Water & Sewer capital project fund and the excess project funds to be transferred to the Water and Sewer Improvements capital project fund.

Thank you in advance for your consideration.

**AN ORDINANCE
AMENDING THE MORGANTON ROAD BRIDGE – WATER & SEWER
CAPITAL PROJECT FUND**

BE IT ORDAINED, by the Town of Southern Pines Town Council, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project budget is hereby amended:

Section 1: The project authorized is for the purpose of funding the relocation and/or new water and sewer lines due to the Morganton Road Bridget replacement project.

Section 2: The officers of this unit are hereby directed to proceed with the capital project within the terms of the budget contained herein.

Section 3: The following additional appropriation for the project:

Transfer to Water & Sewer Improvements Capital Project	<u>\$1,195</u>
Total Additional Project Appropriation	<u>\$1,195</u>

Section 4: The following additional revenue is appropriated for this project:

Interest on Investments	<u>\$1,195</u>
Total Additional Project Revenues	<u>\$1,195</u>

Section 5: Copies of this capital project ordinance shall be furnished to the Clerk to the Governing Board, and to the Finance Officer for direction in carrying out this project.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of May 10, 2016 as shown in the minutes of the Town Council for that date.

Peggy K. Smith, Town Clerk

**AN ORDINANCE
AMENDING THE WATER & SEWER IMPROVEMENTS CAPITAL PROJECT FUND**

BE IT ORDAINED, by the Town of Southern Pines Town Council, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project budget is hereby amended:

Section 1: The project authorized is for the purpose of funding improvements to the water and sewer distribution system.

Section 2: The officers of this unit are hereby directed to proceed with the capital project within the terms of the budget contained herein.

Section 3: The following additional appropriation for the project:

Construction – Water Distribution System	<u>\$1,195</u>
Total Additional Project Appropriation	<u>\$1,195</u>

Section 4: The following additional revenue is appropriated for this project:

Transfer In – Morganton Road Bridge Water & Sewer Project	<u>\$1,195</u>
Total Additional Project Revenues	<u>\$1,195</u>

Section 5: Copies of this capital project ordinance shall be furnished to the Clerk to the Governing Board, and to the Finance Officer for direction in carrying out this project.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of May 10, 2016 as shown in the minutes of the Town Council for that date.

Peggy K. Smith, Town Clerk

MEMORANDUM

TO: Town Council
Reagan Parsons, Town Manager

FROM: Crystal Gabric, Finance Director

DATE: April 27, 2016

SUBJECT: Capital Reserve Fund

A capital reserve fund is used to accumulate resources for ongoing or future capital projects. The funds must originate through a board-adopted resolution or ordinance. Capital reserve funds can be established for either governmental or enterprise capital purposes, however, the purpose of the fund must be stated when the fund is created. A capital reserve fund may be established for any purpose for which bonds can be issued.

Transfers from a capital reserve fund must be authorized by the governing board through an ordinance or resolution, usually the budget ordinance or a budget amendment. The governing board cannot authorize a transfer for a purpose that is not specified in the original resolution or ordinance establishing the fund, without an amendment to the original resolution or ordinance. The funds must still be used for capital purposes.

The resolution or ordinance should authorize the withdrawal in the form of an appropriation from the reserve fund to another fund. Transfers to other funds are the only types of appropriations that may be made in a capital reserve fund. These appropriations from the reserve fund cannot exceed the amount of available funds in the reserve fund.

Theoretically, the establishment of a capital reserve fund would more systematically fund capital projects over a longer period of time. This would prevent the inconsistent amounts needed each year and hopefully more stabilize the transfers in the General Fund.

Please consider the establishment of a General Capital Reserve Fund and the transfer from the General Fund in the amount of \$110,000, which is the amount of the proceeds from the recent sale of Town owned land. Also, please consider transferring the remaining balance of the Capital Project Fund – Public Safety Communications to the Reserve Fund.

Thank you in advance for your consideration.

TOWN OF SOUTHERN PINES
ORDINANCE FOR ESTABLISHMENT AND MAINTENANCE
OF THE GENERAL CAPITAL RESERVE FUND

BE IT ORDAINED, by the Town of Southern Pines Town Council, that pursuant to Section 18 of Chapter 159 of the General Statutes of North Carolina, the following General Capital Reserve Fund ordinance is hereby adopted;

WHEREAS, the Town recognizes the need to accumulate funds for the purpose of acquisition, renovation and/or construction of major capital facilities and improvements to the Town's infrastructure.

Section 1. The Governing Board hereby creates a General Capital Reserve Fund.

Section 2. This fund will remain operational until the Governing Board deems it necessary to dissolve the fund.

Section 3. The Governing Board will appropriate funds as they deem necessary from the General Fund for transfer into the General Capital Reserve Funds as outlined above. Excess funds from closed Capital Project Funds may also be transferred into the General Capital Reserve Fund.

The following amounts are appropriated for the project:

Transfer to Capital Project Funds	<u>\$113,697</u>
Total Appropriations	<u>\$113,697</u>

The following revenues are anticipated to be available to complete this project:

Transfer from Capital Project – Public Safety Communications	3,697
Transfer from General Fund	<u>110,000</u>
Total Revenues	<u>\$113,697</u>

ADOPTED, this the 10th day of May, 2016,

ATTEST:

W. David McNeill, Mayor

Peggy K. Smith, Town Clerk

(Seal)

MEMORANDUM

TO: Town Council
Reagan Parsons, Town Manager

FROM: Crystal Gabric, Finance Director

DATE: April 27, 2016

SUBJECT: Capital Project Fund – Public Safety Communications

The Public Safety Communications capital project fund was created for funding of communication equipment and infrastructure for the police and fire departments. All expenditures for the project have been completed and the capital project fund has a remaining balance of \$3,697. The balance is comprised of \$2,937, which is the difference between the final project expenditures and the budget, as well as excess investment earnings of \$760.

Please authorize the closing of the Public Safety Communications capital project fund and the excess project funds to be transferred to the newly created General Capital Reserve Fund.

Thank you in advance for your consideration.

**AN ORDINANCE
AMENDING THE PUBLIC SAFETY COMMUNICATIONS CAPITAL PROJECT FUND**

BE IT ORDAINED, by the Town of Southern Pines Town Council, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project budget is hereby amended:

Section 1: The project authorized is for the purpose of funding communication equipment and infrastructure for the police and fire departments as well as to address communication to serve all Town departments.

Section 2: The officers of this unit are hereby directed to proceed with the capital project within the terms of the budget contained herein.

Section 3: The following reduction in the appropriation for the project:

Construction	\$2,937
Total Reduction in Project Appropriation	<u>\$2,937</u>

The following additional appropriation for the project:

Transfer to General Capital Reserve Fund	\$3,697
Total Additional Project Appropriation	<u>\$3,697</u>

Section 4: The following additional revenue is appropriated for this project:

Interest on Investments	\$760
Total Additional Project Revenues	<u>\$760</u>

Section 5: Copies of this capital project ordinance shall be furnished to the Clerk to the Governing Board, and to the Finance Officer for direction in carrying out this project.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of May 10, 2016 as shown in the minutes of the Town Council for that date.

Peggy K. Smith, Town Clerk

**AN ORDINANCE
AMENDING THE 2015/2016 FISCAL YEAR BUDGET**

BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Southern Pines in regular session assembled this 10th day of May, 2016 that the Operating Budget for the Fiscal Year 2015/2016 be and hereby is amended as follows:

<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>CODE</u>	<u>INCREASE</u>	<u>DECREASE</u>
General Fund	Surplus Property Sales	10-335-0100	\$110,000.00	
General Fund	Transfer to General Capital Reserve Fd	10-670-5900	\$110,000.00	

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of May 10, 2016 as shown in the minutes of the Town Council for that date.

Peggy K. Smith, Town Clerk



Police Department

Mailing
P.O. Box 330
Southern Pines, NC 28388

Physical Location
450 W. Pennsylvania Ave.
Southern Pines, NC 28387

Administration: (910) 692-2732
Communications Center: (910) 692-7031
Patrol Division: (910) 693-4101
Investigation Division: (910) 693-1481
Crime Tips: (910) 693-4110

Email: PD@southernpines.net
www.southernpines.net/Police

To: Town Council
From: Robert Temme
Chief of Police
Date: April 22, 2016
Re: Request for Budget Amendment

The Southern Pines Police Department received from the League of Municipalities, a reimbursement for medical treatment to an injured police K-9 in the amount of \$1238.80 (two checks one for \$1,153.30 and the second for \$85.50). This reimbursement was deposited into the General Fund 10-335-0000. The vendor for the services provided were paid from the Police Patrol Account, 10-511-4600.

At this time, I am respectfully requesting that the reimbursement amount of \$1238.80 be transferred from the General Account 10-335-0000, to the Police Department line item 10-511-4600.

Thank you for your consideration of this request.

Xc: Finance Director
Director of Administrative Services
File Budget 2015/16

**AN ORDINANCE
AMENDING THE 2015/2016 FISCAL YEAR BUDGET**

BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Southern Pines in regular session assembled this 10th day of May, 2016 that the Operating Budget for the Fiscal Year 2015/2016 be and hereby is amended as follows:

<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>CODE</u>	<u>INCREASE</u>	<u>DECREASE</u>
General Fund	Miscellaneous Revenue	10-335-0000	\$ 1,239.00	
Police - Patrol	Professional Services	10-511-4500	\$ 1,239.00	

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of May 10, 2016 as shown in the minutes of the Town Council for that date.

Peggy K. Smith, Town Clerk



Police Department

Mailing
P.O. Box 330
Southern Pines, NC 28388

Physical Location
450 W. Pennsylvania Ave.
Southern Pines, NC 28387

Administration: (910) 692-2732
Communications Center: (910) 692-7031
Patrol Division: (910) 693-4101
Investigation Division: (910) 693-1481
Crime Tips: (910) 693-4110

Email: PD@southernpines.net
www.southernpines.net/Police

To: Town Council
From: Robert Temme
Chief of Police
Date: April 18, 2016
Re: Request for Budget Amendment

The Southern Pines Police Department received from the League of Municipalities, two reimbursement checks for damage that occurred to both a marked and unmarked police vehicle (\$4479.52 and \$2,422.10) for a total reimbursement amount of \$6,901.62. These reimbursement checks were deposited into the General Fund 10-335-0000. The repairs for the damage to the vehicles will be paid from the Police Patrol Account, 10-511-1700.

At this time, I am respectfully requesting that the reimbursement amount of \$6,901.62 be transferred from the General Account 10-335-0000, to the Police Department line item 10-511-1700.

Thank you for your consideration of this request.

Xc: Finance Director
Director of Administrative Services
File Budget 2015/16

**AN ORDINANCE
AMENDING THE 2015/2016 FISCAL YEAR BUDGET**

BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Southern Pines in regular session assembled this 10th day of May, 2016 that the Operating Budget for the Fiscal Year 2015/2016 be and hereby is amended as follows:

<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>CODE</u>	<u>INCREASE</u>	<u>DECREASE</u>
General Fund	Miscellaneous Revenue	10-335-0000	\$ 6,902.00	
Police - Patrol	Auto Repair	10-511-1700	\$ 6,902.00	

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of May 10, 2016 as shown in the minutes of the Town Council for that date.

Peggy K. Smith, Town Clerk

Agenda Item

To: Reagan Parsons, Town Manager

Via: Bart Nuckols, Planning Director

From: Chris Kennedy, Senior Planner

Subject: AR-06-16 EconoLodge Façade Replacement; 408 W. Morganton Road; Petitioner, EconoLodge & Suites Hotel

Date: May 10, 2016

AR-06-16 EconoLodge Façade Replacement; 408 W. Morganton Road; Petitioner, EconoLodge & Suites Hotel

On behalf of the petitioner, the EconoLodge & Suites Hotel, Mr. Robert Anderson of Anderson Architecture has submitted an application requesting Architectural Review approval for a façade replacement on the existing structure located at 408 W. Morganton Road. The property is zoned OS (Office Services) and is identified by the following: PIN: 857100873862 (PARID: 20070004).

Staff Comments:

- The subject property is a 2.82 acre site located off of W. Morganton Road.
- The property is zoned OS (Office Services).
- The existing structure is 16,254 square feet.
- The petitioner is seeking to veneer the façade on the eastern facing elevation of the structure (facing US Highway 1) with vinyl siding.
- The vinyl siding has already been installed without Town consent. The petitioner is seeking the approval of the Architectural Compliance Permit in order to come into compliance with the Town zoning ordinance.
- The petitioner has submitted a narrative explaining the rationale for retaining the vinyl siding on the existing structure in lieu of a brick repair or replacement.
- Per the UDO, Architectural Compliance Permits for commercial additions and new construction up to 3,499 square feet are reviewed by Planning Department staff and commercial projects exceeding 3,500 square feet are reviewed by the Town Council.
 - In instances where the petitioner requests the waivers allowed by the UDO relative to the Architectural Compliance Permit or when the proposed project is located on property owned by the Town, staff elects to forward the application to the Town Council for approval of the Architectural Compliance Permit regardless of the square footage of the structure.
- The proposed project must comply with the standards of Section 4.10 Commercial Building Design Standards as set forth in the UDO.

- Per Section 4.10.4 (C) Building Materials: The exterior finish of building walls shall be primarily comprised of brick. Cementitious horizontal lap siding, textured concrete masonry, cast stone and stucco may be used for accents, provided that they cover no more than twenty (20) percent of the exterior walls, exclusive of doors and windows. Wood and metal may be used as trim around doors and windows. The permit issuing authority may approve:
 - 1. The use of alternative building materials that establish an equivalent appearance and have equal or greater durability.
 - 2. Alternative materials satisfying minimum building code standards on walls that are screened and not visible from any public street, walkway, or residential zoning district.
 - The petitioner is asking that the Town Council waive the requirements for an 80% brick façade to keep the façade consistent with its existing conditions and permit the retention of vinyl siding as it is currently installed.

Attachments:

- GIS Aerial Vicinity Maps
- AR Application
- Narrative
- Vicinity Map
- Existing Conditions

IN ADDITION TO Architectural Review Approval from Town Council, THE APPLICANT SHOULD BE REMINDED THAT ALL APPLICABLE PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION AND/OR DEMOLITION CAN BEGIN.

When the applicant applies for the required permits such as zoning, grading, soil erosion control, building, sign, etc., a set of detailed plans (including a site plan in compliance with various Sections of the Town of Southern Pines UDO) will be necessary. Planning staff recommend a staff consultation of the applicant's preliminary plans to provide comprehensive remarks by all appropriate Town departments/divisions. Such staff consultation should minimize development costs, avoid misunderstanding or misinterpretation and ensure compliance with the requirements.

This map was created by the Town of Southern Pines Planning Department. The Town of Southern Pines, its agents and employees make NO warranty as to the correctness or accuracy of the information set forth on this media whether expressed or implied, in fact or in law, including without limitation the implied warranties of merchantability and fitness for a particular use. Any resale of this data is strictly prohibited in accordance with North Carolina General Statute 132-10. Grid is based on North Carolina State Plane Coordinate System NAD83 (feet).

AR-06-16 EconoLodge & Suites Hotel 408 W. Morganton Road



**AR-06-16 EconoLodge & Suites Hotel
408 W. Morganton Road**

This map was created by the Town of Southern Pines Planning Department. The Town of Southern Pines, its agents and employees make NO warranty as to the correctness or accuracy of the information set forth on this media whether expressed or implied, in fact or in law, including without limitation the implied warranties of merchantability and fitness for a particular use. Any resale of this data is strictly prohibited in accordance with North Carolina General Statute 132-10. Grid is based on North Carolina State Plane Coordinate System NAD83 (feet).



APPLICATION FOR SOUTHERN PINES TOWN COUNCIL
ARCHITECTURAL REVIEW

Date Received: 4/1/2016

Case: AR- 06-16

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

I, the undersigned, do hereby make application for an architectural review of the property as described below, to the Town of Southern Pines Town Council:

1. Name of project: Econo Lodge Siding
2. Project Street Address: 408 W. Morganton Rd
3. PIN # 857100873862 LRK 20070004
4. Type of Commercial Building (i.e. retail, office, etc.): Hospitality
5. Square footage of Project: 16,254 SF

I certify that all information furnished in this application is accurate and in compliance with the attached architectural standards of the Town of Southern Pines.

Name of Petitioner: Bipin Patel Signature: *Bipin Patel*
Please Print

Mailing Address of Petitioner: 408 W. Morganton Rd
Please Print

E-Mail of Petitioner: jbpatel569@yahoo.com
Please Print

Phone Number of Petitioner: 910-692-2063
(Area Code)

Name of legal owner of Property Owner JAI SHREE AMBE INC
(If different from Petitioner) Please Print

Mailing Address of Legal Property Owner 408 W. Morganton Rd
(If different from Petitioner) Please Print

Phone Number of Legal Property Owner 910-692-2063
(If different from Petitioner) Please Print

Form updated July 16, 2014



Application for Architectural Review
Town of Southern Pines

Subject Property: Econo Lodge Inn and Suites
408 W. Morganton Road
Southern Pines, NC

Owners: Jai Shree Ambe, Inc.
Bipin and Jyoti Patel
408 W. Morganton Road
Southern Pines, NC

NARRATIVE

The problem:

1. Owner discovered water intrusion into east face of building to be a major, ongoing problem.
2. Owner experienced damage to interior finishes and commencement of mold growth.
3. Owner pursued several solutions, including re-caulking, window replacement. Nothing worked.
4. Owner contracted to install vinyl siding as a last resort.
5. Vinyl siding solved the water intrusion problem. Owner now engaged in gradually renovating damaged rooms.
6. The architect discovered during his examination that the building had no flashing or weep holes. The masonry work is very poor, so the problem will need a solution for the building to be functional.

The offense:

1. The Owner performed all the work unaware of the Southern Pines requirement that they submit their plans for re-siding their façade.
2. The Owners were unaware of the code requiring 80% masonry on the façade of their building.
3. The Town discovered the violation and demanded compliance.

Anderson Architecture, PLLC • 135 West Connecticut Avenue, Southern Pines, NC 28387
P: (910) 692-7316 • F: (910) 692-7476

www.AndersonArchitecture.net



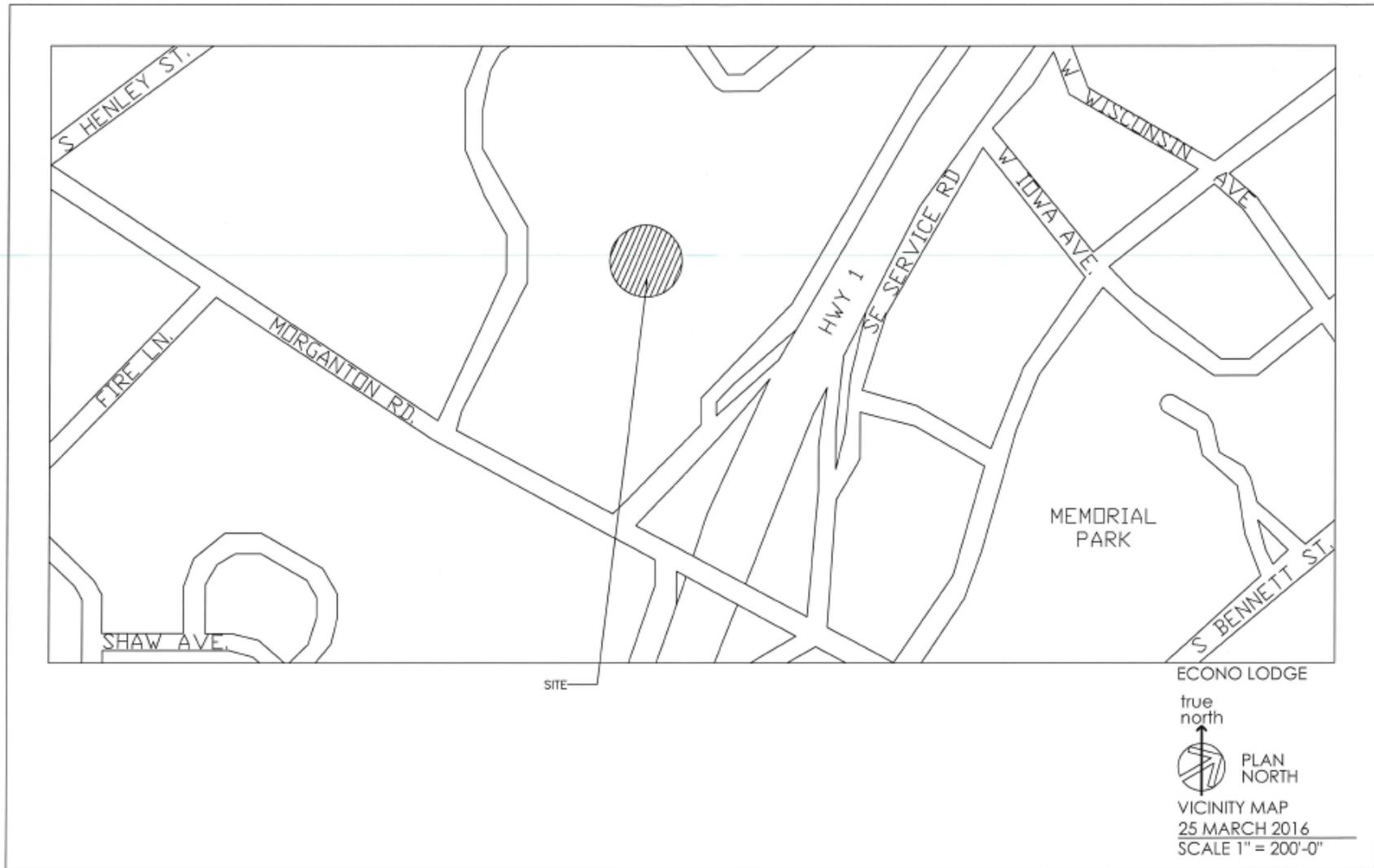
Effort to comply:

1. The Owner obtained bids to remove the vinyl, but discovered in the process that the wood strips supporting the siding had been glued to the brick with an adhesive so strong that attempts to remove it would cause severe damage to the brick.
2. The Owner then decided to try re-siding the façade in a brick look-alike material, such as that on the old Lobsteer, the VFW, and O'Reilly's Automotive Parts. This would involve removing the vinyl, but retaining the wood strips. The bids came in and the prices were exorbitant.

Conditions at present and a request to retain the vinyl siding:

1. The color of the siding is compatible with the adjacent building and the remaining exposed brick on the subject building.
2. The "grain" and scale of the siding is compatible with adjacent masonry surfaces.
3. Views submitted in photos from various positions east of the building demonstrate that the siding is neither offensive nor noticeable to any but a trained and discerning eye.
4. In consideration of the above stated facts, the Owner requests that the Town allow the vinyl to remain as it is installed.

End of Narrative



Econo Lodge Facade



View from South Bound Exit Ramp



View from South Bound Exit Ramp



Architecture · Feasibility · Due Diligence · Interior Design · Construction Management

Econo Lodge Facade



View from US#1 South Bound Lane



View from North Bound Entrance Ramp



Architecture Feasibility Due Diligence Interior Design Construction Management

Econo Lodge Facade



Typical moisture damage in room



Architecture · Feasibility · Due Diligence · Interior Design · Construction Management

Econo Lodge Facade



Typical moisture damage in room



Architecture Feasibility Due Diligence Interior Design Construction Management

Econo Lodge Facade



Exterior wood furring on brick substrate



Architecture · Feasibility · Due Diligence · Interior Design · Construction Management

Existing Conditions



Agenda Item

To: Reagan Parsons, Town Manager
Via: Bart Nuckols, Planning Director
From: Chris Kennedy, Senior Planner
Subject: AR-09-15 Monroe Dental Clinic; 330 W. Pennsylvania Avenue; Stagaard & Chao Architects PLLC
Date: May 10, 2016

AR-09-15 Monroe Dental Clinic; 330 W. Pennsylvania Avenue; Stagaard & Chao Architects PLLC

On behalf of Stagaard & Chao Architects PLLC, the petitioner Mr. Allan Stagaard has submitted an application requesting Architectural Review approval for a new commercial structure located at 330 W. Pennsylvania Avenue. The proposed project includes the demolition of the existing structure and the new construction of a dental office. The proposed structure will be 2,950 square feet. The property is identified by the following: PIN: 858105290344 (PARID: 00036522). Per the Moore County Tax records, the property owner(s) are listed as Twin Properties LLC.

Staff Comments:

- The subject property is a 0.266 acre site.
- The property is zoned Central Business (CB).
- The proposed project must comply with the standards of Section 4.10 Commercial Building Design Standards as set forth in the UDO.
- Per Section 4.10.4 (C) Building Materials: The exterior finish of building walls shall be primarily comprised of brick. Cementitious horizontal lap siding, textured concrete masonry, cast stone and stucco may be used for accents, provided that they cover no more than twenty (20) percent of the exterior walls, exclusive of doors and windows. Wood and metal may be used as trim around doors and windows. The permit issuing authority may approve:
 - 1. The use of alternative building materials that establish an equivalent appearance and have equal or greater durability.
 - 2. Alternative materials satisfying minimum building code standards on walls that are screened and not visible from any public street, walkway, or residential zoning district.
 - The petitioner came to the Town Council in March 2016 for review. The petitioner requested that the Town Council waive the requirements for an 80% brick façade. The Town Council commented that the building failed to meet the façade material requirements per the UDO and asked the petitioner to reevaluate the material composition and come back to the Town Council with revised renderings.

- The petitioner has submitted a revised proposal that includes a brick façade with lap siding in the gables of the proposed structure (see attachments for Revisions for May 2016 Submittal). The revised proposal includes an 80% brick façade with 20% of the wall comprised of hardie board accents in the gables of the proposed structure. The revised proposal complies with UDO Section 4.10.4(C); therefore, petitioner is no longer asking the Town Council for any waivers.
- The face brick, hardie board and batten siding, fascia, frieze board, and trim will be painted in the color of Benjamin Moore OC-9 “Ballet White”.
- The windows will be comprised of Pella Aluminum Clad windows in the color of “Hartford Green”.
- The roof will be comprised of fiberglass shingles in the color of “Driftwood”.
- All mechanical equipment on the ground and roof will be screened from all sides.
- The building height is proposed at 21.4’, which is under the 45’ height maximum for the CB (Central Business) zoning classification.
- The proposed structure will be 2,950 square feet. Per the UDO any structure applying for the Architectural Compliance Permit under 3,499 square feet may be approved at the staff level. However due to the previous request to waiver from UDO Section 4.10.4(C) staff has elected to forward the application to the Town Council.
- The proposed project utilizes the Downtown Overlay standards.

Attachments:

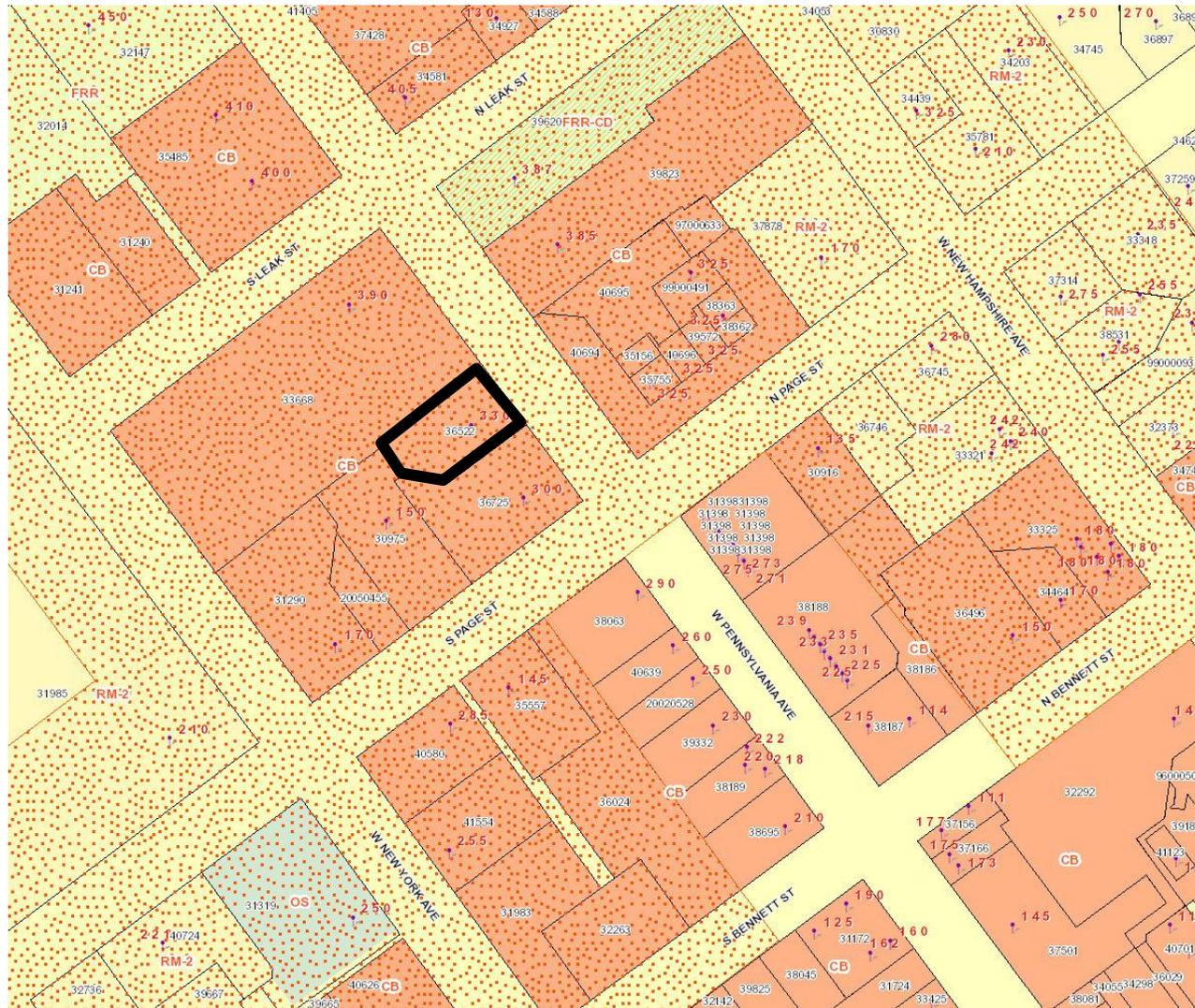
- GIS Aerial Vicinity Maps
- AR Application
- Narrative
- Illustrative Renderings
- Adjacent Property Context Images
- Site Plan
- Elevations and Floor Plan

IN ADDITION TO Architectural Review Approval from Town Council, THE APPLICANT SHOULD BE REMINDED THAT ALL APPLICABLE PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION AND/OR DEMOLITION CAN BEGIN.

When the applicant applies for the required permits such as zoning, grading, soil erosion control, building, sign, etc., a set of detailed plans (including a site plan in compliance with various Sections of the Town of Southern Pines UDO) will be necessary. Planning staff recommend a staff consultation of the applicant’s preliminary plans to provide comprehensive remarks by all appropriate Town departments/divisions. Such staff consultation should minimize development costs, avoid misunderstanding or misinterpretation and ensure compliance with the requirements.

AR-09-15 Monroe Dental Clinic 330 W. Pennsylvania Avenue

This map was created by the Town of Southern Pines Planning Department. The Town of Southern Pines, its agents and employees make NO warranty as to the correctness or accuracy of the information set forth on this media whether expressed or implied, in fact or in law, including without limitation the implied warranties of merchantability and fitness for a particular use. Any resale of this data is strictly prohibited in accordance with North Carolina General Statute 132-10. Grid is based on North Carolina State Plane Coordinate System NAD83 (feet).

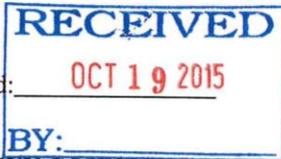


**AR-09-15 Monroe Dental Clinic
330 W. Pennsylvania Avenue**

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APPLICATION FOR SOUTHERN PINES TOWN COUNCIL
ARCHITECTURAL REVIEW



Date Received:

OCT 19 2015

Case: AR-09-15

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

I, the undersigned, do hereby make application for an architectural review of the property as described below, to the Town of Southern Pines Town Council:

1. Name of project: New Office for Dr. Edward Monroe, DDS
2. Project Street Address: 330 West Pennsylvania Avenue
3. PIN # 858105290344 LRK 00036522
3. Type of Commercial Building (i.e. retail, office, etc.): Dental Office

I certify that all information furnished in this application is accurate and in compliance with the attached architectural standards of the Town of Southern Pines.

Name of Petitioner: Alan Stagaard

Please Print

Signature: 

Mailing Address of Petitioner: PO Box 4840, Pinehurst, NC 28374

Please Print

E-Mail of Petitioner: admin@stagaardchao.com

Please Print

Phone Number of Petitioner: 910-295-4800

(Area Code)

Name of legal owner of Property Owner Twin Properties LLC
(If different from Petitioner)

Please Print

Mailing Address of Legal Property Owner 280 Highland Road, Southern Pines, NC 28387
(If different from Petitioner)

Please Print

Phone Number of Legal Property Owner 910-695-3334
(If different from Petitioner)

Please Print

Form updated December 10, 2013

19 October 2015
Revised April 14, 2016

Re: New Office for Dr. Edward Monroe, DDS
330 West Pennsylvania Ave., Southern Pines NC
Lot #10, LRK #0036522



105 CHEROKEE ROAD
P O BOX 4840
PINEHURST NC 28374
910 295 4800
FAX 910 295 4862

Narrative Explanation of Design Conformance

The project is located in Zone CB.

The proposed building is designed to have an architectural style, mass, scale, height, material texture and color that are compatible and visually harmonious with the existing neighborhood, and is in keeping with the general character of the existing buildings in the surrounding areas.

Section 4.10.3 Site Design requirements

- A. Building continuity - Building front is recessed to allow for required parking spaces and to cause least disturbance to the existing terrain.
- B. Connection to Street – Internal sidewalk is provided between parking spaces and the building.
- C. Front yards – Shape and design of the space, including landscaping, provides a clear visibility of the entire front yard from the sidewalk. Walks, driveway, and parking surfaces are of durable non-slip materials and are accessible and ADA compliant.

Section 4.10.4 Building Design requirements

- A. Building Orientation and Entries – The primary customer entry faces the street. There is a secondary staff entry to the left, recessed back by approximately 12 feet from the main entrance.
- B. Building Dimensions – Building segments are created through a combination of changes in rooflines and architectural features such as decorative brackets at gable ends.

- C. Building Materials – The exterior finish of the building walls shall be mainly of brick with accents of cementitious board and batten siding on gable ends. This is compatible with other buildings within three blocks of the project. Attached are photographs of adjacent buildings with a rich mixture of different siding types.
- D. Windows and Exterior Doors on the building are of non-reflective clear glass. Window sizes on the Main Level are 3'-0" wide x 5'-6" high, the height being 1.83 times the width.
- E. Awnings – There are no awnings on this project.
- F. Galleries – There are no galleries on this project.
- G. Roofs – This project has multiple gable roofs running in both directions to create roof line changes as viewed from the street. Fiberglass roof shingles of neutral color is used.
- H. Mechanical Equipment – shall be located on the rear yard and will not be visible from the street.

Revised Elevations for May 2016 Submittal



Revised Elevations for May 2016 Submittal



Revised Elevations for May 2016 Submittal

MATERIAL COLORS
 FACE BRICK - BENJAMIN MOORE # OC-9 'BALLET WHITE'
 HARDIE BOARD & BATTEN SIDING - BENJAMIN MOORE # OC-9 'BALLET WHITE'
 FACIAS, FRIESES & TRIM COLOR - BENJAMIN MOORE # OC-9 'BALLET WHITE'
 WINDOWS - FELLA ALUMINUM CLAD 'HARTFORD GREEN'
 ROOFING - OPEN ROOFING 'DRIFTWOOD'

1 FRONT ELEVATION
 AAS 1/8" = 1'-0"

1 RIGHT SIDE ELEVATION
 AAS 1/8" = 1'-0"

REV. 14 APRIL 2016

Stagaard & Chao
 Architects

PLLC

105 CHEROKEE RD
 P.O. BOX 4840
 PINEHURST, NC 28374
 910 395 4800

ALAN STAGAARD AIA
 TEREZTA CHAO AIA

NEW DENTAL OFFICE FOR
DR. EDWARD MONROE
 590 WEST PENNSYLVANIA AVENUE
 SOUTHERN PINES, NC 28387
 LTRK # 00036522, LOT# 10

BUILDING
 ELEVATIONS

AAS

Revised Elevations for May 2016 Submittal

1 REAR ELEVATION
AA4 1/8" = 1'-0"

1 LEFT SIDE ELEVATION
AA4 1/8" = 1'-0"

Labels in drawings include: SHINGLED ROOF WITH GUTTERS, PAINTED BRICK, HARD BOARD & BATTEN SIDING, 1/4" TRIM, 1/4" TRIM, and FINISH BRACE PLAYS TO 80.

REV. 14 APRIL 2016

**Stgaard
& Chao
Architects**

P.L.L.C.

105 CHEROKEE RD
P.O. BOX 4840
PINEHURST, NC 28374
910 995 4800

ALAN STAGGAARD A.I.A.
TERRITH CHAO A.I.A.

NEW DENTAL OFFICE FOR
DR. EDWARD MONROE
890 WEST PENNSYLVANIA AVENUE
SOUTHERN PINES, NC 28687
LRK # 00096522, LOT# 10

BUILDING
ELEVATIONS

AA4

Previous Proposal



NEW DENTAL OFFICE FOR DR. EDWARD MONROE, DDS
VIEW TOWARDS PRIMARY-CUSTOMER ENTRY

Previous Proposal



NEW DENTAL OFFICE FOR DR. EDWARD MONROE, DDS
VIEW TOWARDS STAFF & CUSTOMER ENTRIES



No. 1 – Natural Wood Horizontal Siding



No. 2 – Painted Combination Horizontal and Vertical Siding



No. 3 – Painted Vertical Siding



No. 4 – Painted Horizontal Siding



No. 5 – Painted Horizontal Siding



No. 6 – Painted Brick



No. 7 – Painted Board & Batten and Brick



No. 8 – Painted Horizontal Siding, Natural Brick, and Textured CMU



No. 9 – Brick with Metal Fascia Band



No. 10 – Brick with Painted Trim



No. 11 - Brick



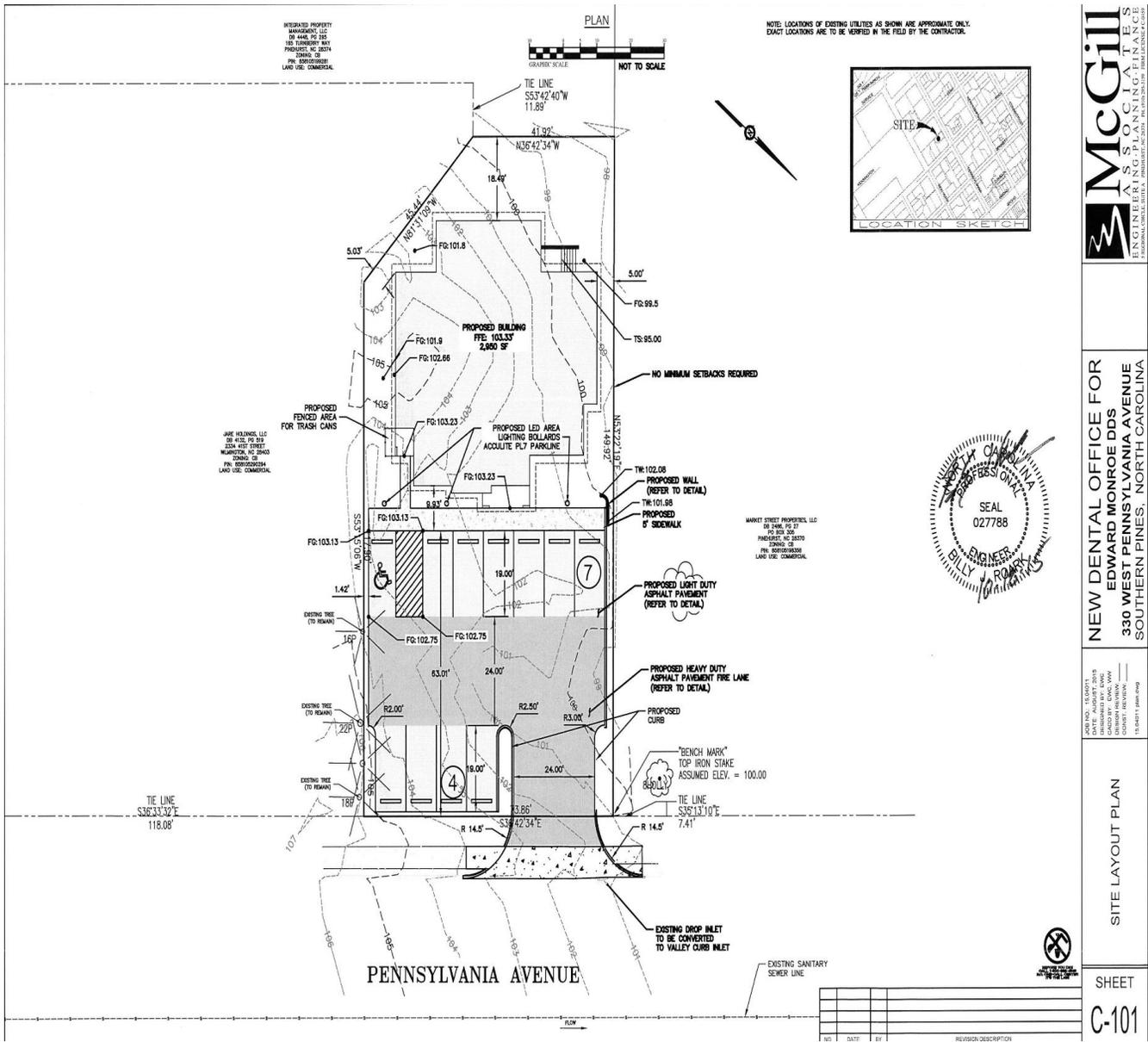
No. 12 - Brick



No. 13 – Brick with Metal Fascia



No. 14 – Painted Horizontal Siding



INTEGRATED PROPERTY MANAGEMENT, LLC
 10144, PO BOX 205
 101 TOWNSEND WAY
 FARMERSVILLE, NC 28744
 PHONE: 813-888-8888
 LAND USE: COMMERCIAL

JANE HOLDING, LLC
 10144, PO BOX 205
 101 TOWNSEND WAY
 FARMERSVILLE, NC 28744
 PHONE: 813-888-8888
 LAND USE: COMMERCIAL

NOTE: LOCATIONS OF EXISTING UTILITIES AS SHOWN ARE APPROXIMATE ONLY.
 EXACT LOCATIONS ARE TO BE VERIFIED IN THE FIELD BY THE CONTRACTOR.



MARKET STREET PROPERTIES, LLC
 10144, PO BOX 205
 101 TOWNSEND WAY
 FARMERSVILLE, NC 28744
 PHONE: 813-888-8888
 LAND USE: COMMERCIAL

McGill
 A S C O C I A T E S
 ENGINEERING PLANNING
 1400 W. GOLF COURSE RD. SUITE 100
 FARMERSVILLE, NC 28744
 PHONE: 813-888-8888
 FAX: 813-888-8889

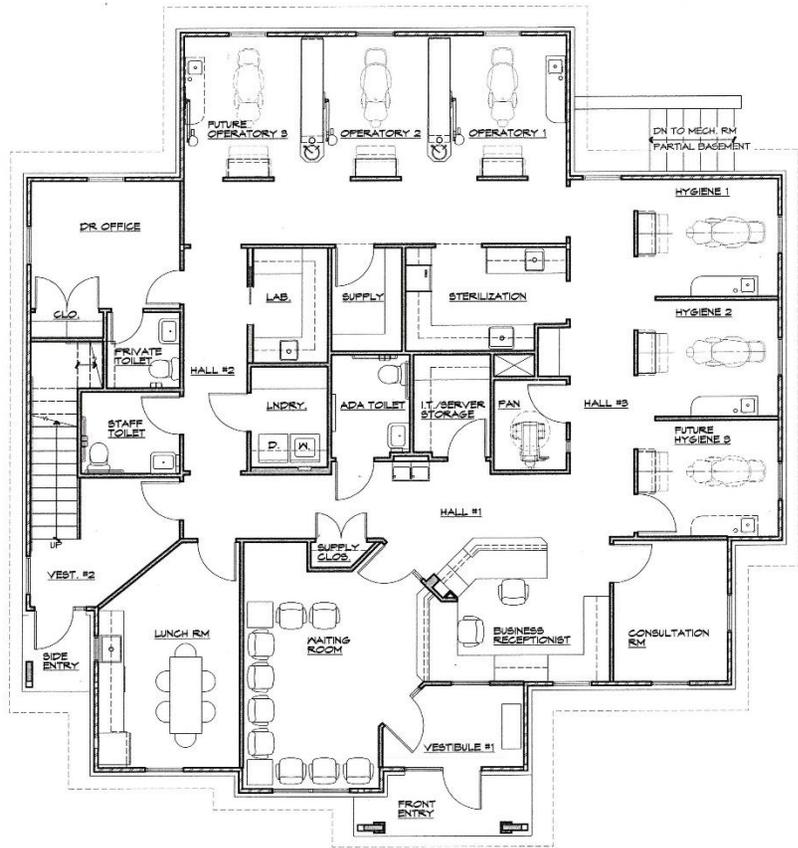
NEW DENTAL OFFICE FOR
 EDWARD MONROE DDS
 330 WEST PENNSYLVANIA AVENUE
 SOUTHERN PINES, NORTH CAROLINA

DATE: 09/15/2015
 DATE OF ADOPTION: 2015
 PROJECT NO.: 150901
 DRAWING NO.: 150901-001
 SHEET NO.: C-101
 15.0901.001-001

SITE LAYOUT PLAN

SHEET
 C-101

NO.	DATE	BY	REVISION DESCRIPTION



ALAN H. STAGARD
 REGISTERED ARCHITECT
 6411
Alan Stgaard
 10/19/15

Stgaard & Chao
 Architects
 P.L.L.C.

105 CHEROKEE RD
 P.O. BOX 4840
 PINEHURST, NC 28374
 910 295 4800

ALAN STAGARD A.I.A.
 TERESITA CHAO A.I.A.

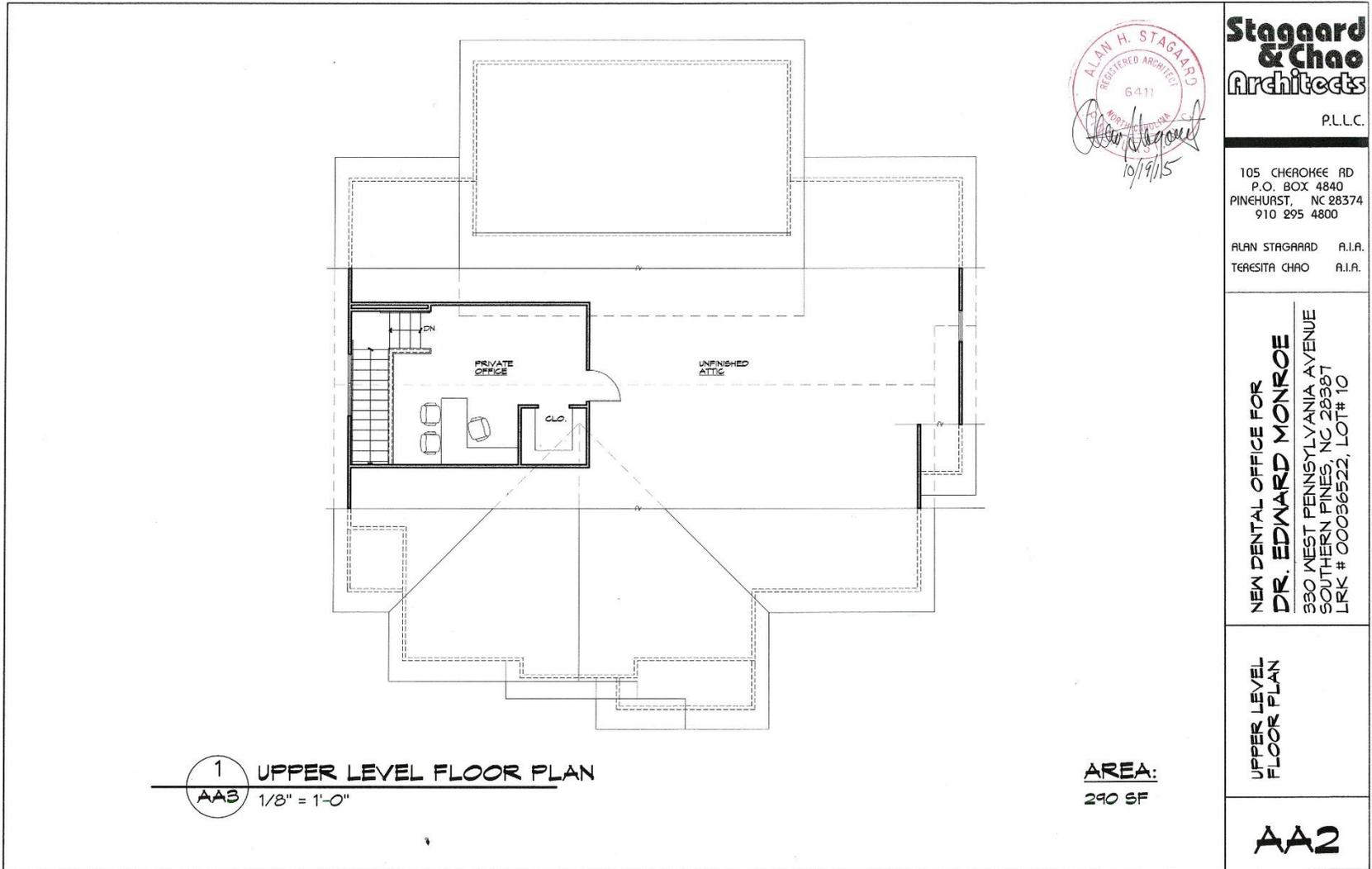
NEW DENTAL OFFICE FOR
DR. EDWARD MONROE
 330 WEST PENNSYLVANIA AVENUE
 SOUTHERN PINES, NC 28387
 LRK # 00036522, LOT# 10

MAIN LEVEL
 FLOOR PLAN

AA1

1 MAIN LEVEL FLOOR PLAN
 AAS 1/8" = 1'-0" 19 OCT. 2015

AREA:
 2950 SF



MATERIAL COLORS

FACE BRICK - BENJAMIN MOORE # OC-9 "BALLET WHITE"
 HARDIE BOARD & BATTEN SIDING - BENJAMIN MOORE # OC-9 "BALLET WHITE"
 FACIAS, FRIEZEBD & TRIM COLOR - BENJAMIN MOORE # OC-9 "BALLET WHITE"
 WINDOWS - FELLA ALUMINUM CLAD "HARTFORD GREEN"
 ROOFING - OWENS ROOFING "DRIFTWOOD"



Stagaard & Chao Architects

P.L.L.C.

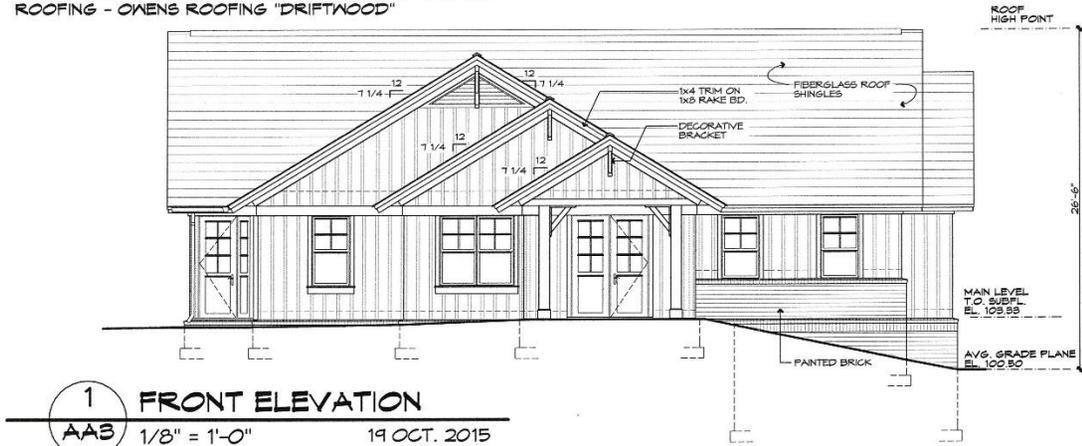
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 P.O. BOX 4840
 PINEHURST, NC 28374
 910 295 4800

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 TERESITA CHAO A.I.A.

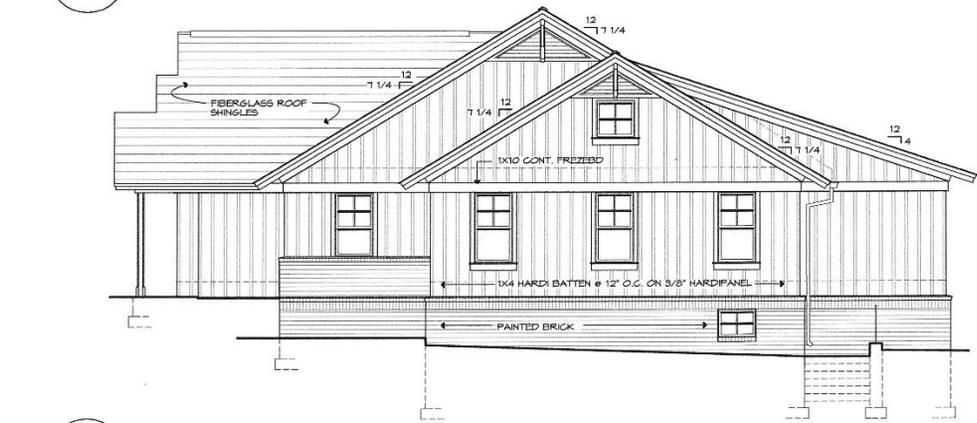
NEW DENTAL OFFICE FOR
DR. EDWARD MONROE
 330 WEST PENNSYLVANIA AVENUE
 SOUTHERN PINES, NC 28387
 LRK # 00036522; LOT# 10

BUILDING
 ELEVATIONS

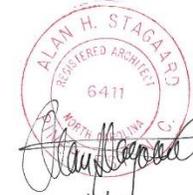
AAS



1 FRONT ELEVATION
 AAS 1/8" = 1'-0" 19 OCT. 2015



1 RIGHT SIDE ELEVATION
 AAS 1/8" = 1'-0" 19 OCT. 2015



**Stgaard
& Chao**
Architects

P.L.L.C.

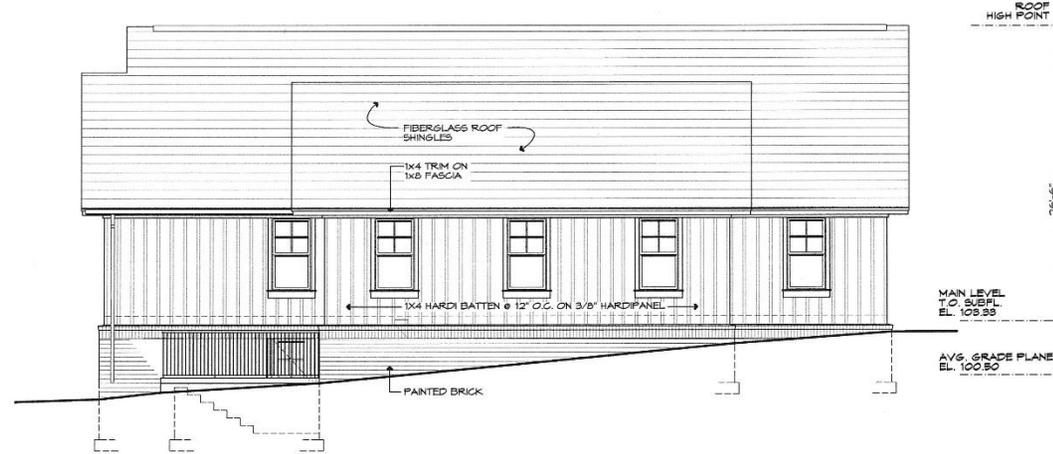
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NEW DENTAL OFFICE FOR
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330 WEST PENNSYLVANIA AVENUE
SOUTHERN PINES, NC 28387
LRK # 00036522, LOT# 10

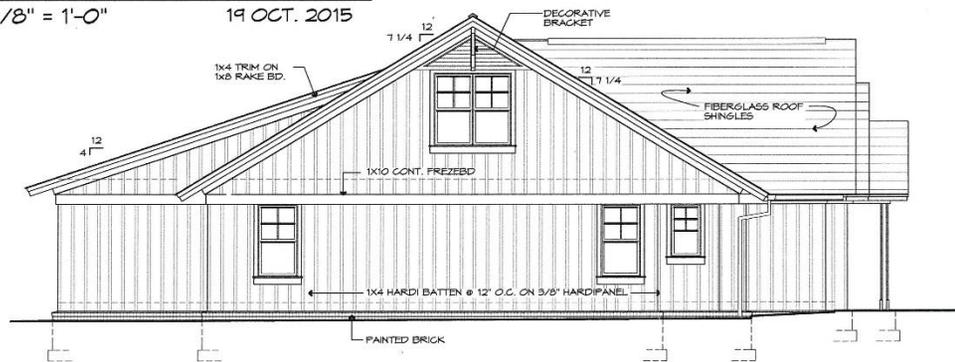
BUILDING
ELEVATIONS

AA4



1 REAR ELEVATION

AA4 1/8" = 1'-0" 19 OCT. 2015



1 LEFT SIDE ELEVATION

AA4 1/8" = 1'-0" 19 OCT. 2015

Agenda Item

To: Reagan Parsons, Town Manager
Via: Bart Nuckols, Planning Director
From: Chris Kennedy, Senior Planner
Subject: Abandonment of N. Mechanic Street & W. Rhode Island Avenue
Date: May 10, 2016

In April 2016, the Town of Southern Pines Public Works Department received a request that the Town Council consider two sections of road for a right-of-way abandonment. The first section identified for right-of-way abandonment is comprised of the one and one-half (1.5) block portion of N. Mechanic Street extending from the eastern boundary of the intersection with W. Maine Avenue and N. Mechanic Street to the termination of N. Mechanic Street at the NE Service Road. The second section identified for right-of-way abandonment includes the portion of W. Rhode Island Avenue extending from the northern boundary of the intersection of W. Rhode Island Avenue and N. Mechanic Street extending to the termination of W. Rhode Island Avenue at the NE Service Road. Both portions included in the request are unopened sections of right-of-way (See attachment). At the April 12, 2016 Regular Business Meeting of the Town Council the Town Council adopted a resolution to review the request for this abandonment at the May 2016 Regular Business Meeting of the Town Council.

Both sections of right-of-way listed in this request are considered “paper” streets in that the areas designated for a street are not currently improved or easily accessible for most types of transportation. These sections of street are not included in Powell Bill funding calculations. The Town does not have future plans to improve these portions of unopened road. The Town does have a sewer line that runs east to west along W. Maine Avenue that will require an easement if the abandonment is approved.

Per UDO Section 2.29, the procedure to abandon streets, no matter their condition or utility, requires an adopted resolution, public notices, and a public hearing. Per UDO Section 2.29.2, the process for abandonment may be initiated by the Town Council or the owner of property abutting the street or alley. The Town Council shall adopt a resolution declaring its intent to close a street or alley and call for a public hearing. If the abandonment is approved, the areas abandoned revert automatically to the adjoining property owners to the midway point of the right-of-way on their side of the street for the length of their property on that right-of-way.

Staff Comments:

- This right-of-way abandonment request has been submitted by the same petitioner as Conditional Use Permit application CU-01-16. The petitioner is seeking the approval of a Conditional Use Permit for a multi-family development along the NE Service Road and the right-of-ways included herein as part of the abandonment request.
 - Town Staff recommends to the Town Council delay their decision making of this right-of-way abandonment request until the Town Council makes a decision on Conditional Use Permit application CU-01-16.
 - Furthermore, town staff recommends to the Town Council that should the Conditional Use Permit application CU-01-16 be denied, the right-of-way abandonments requests listed herein also be denied.
- The UDO standards and requirements for the abandonment or vacation of right-of-way are defined in UDO Section 2.29.

2.29 VACATION OF STREETS OR ALLEYS

2.29.1 Purpose and Applicability

This section establishes the process for approving the elimination of a Street or Alley, in whole or in part.

2.29.2 Initiation

The process may be initiated by the Town Council or the owner of property abutting the street or alley. The Town Council shall adopt a resolution declaring its intent to close a street or alley and call for a public hearing.

2.29.3 Notice

The Town Manager shall cause the notice to be published once a week for four successive weeks prior to the hearing, mail a copy of the notice by registered or certified mail to all the owners of property adjoining the street or alley and post notice in at least two places along the street or alley. If the street or alley is under the authority and control of the Department of Transportation, a copy of the resolution shall be mailed to the Department of Transportation. No street or alley under the control of the Department of Transportation may be closed unless the Department of Transportation consents thereto. The cost of notice shall be borne by the applicant for the vacation.

2.29.4 Decision

At the hearing, any person may be heard on the question of whether or not the closing would be detrimental to the public interest, or the property rights of any individual. 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. A certified copy of the order shall be filed in the office of the register of deeds.

2.29.5 Appeals

Any person aggrieved by the closing of any street or alley including the Department of Transportation if the street or alley is under its authority and control, may appeal the Council's order to the District Court within 30 days after its adoption.

2.29.6 Ownership

- (A) Except as provided in paragraph (C) of this section, upon the closing of a street or alley in accordance with this section, all right, title, and interest in the right-of-way shall be conclusively presumed to be vested in those persons owning lots or parcels of land adjacent to the street or alley, and the title of such adjoining landowners, for the width of the abutting land owned by them, shall extend to the centerline of the street or alley.
- (B) The provisions of this subsection regarding division of right-of-way in street or alley closings may be altered as to a particular street or alley closing by the assent of all property owners taking title to a closed street or alley by the filing of a plat which shows the street or alley closing and the portion of the closed street or alley to be taken by each such owner. The plat shall be signed by each property owner who, under this section, has an ownership right in the closed street or alley.
- (C) The Town may reserve its right, title, and interest in any utility improvement or easement within a street closed pursuant to this section. Such reservation shall be stated in the order of closing. Such reservation also extends to utility improvements or easements owned by private utilities which at the time of the street closing have a utility agreement or franchise with the Town. To retain such easements, the Town Council shall, after public hearing, approve a "declaration of retention of utility easements" specifically describing such easements.

2.29.7 Recording Procedures

The recorder of deeds shall write legibly on the vacated plat the word "vacated," and shall enter on the plat a reference to the volume and page at which the vacating instrument is recorded.

Attachments:

- Map Depicting Right-of-Way to be Vacated

Town Council Actions:

The Town Council shall vote on whether the proposed street or alley vacation request 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 their property. The Town Council could make one of the following motions for recommendations or any alternative they wish:

I move that the proposed street or alley vacation request...

- 1) **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 their property, therefore...
- 2) **is contrary to the public interest, and that individuals** 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 their property, therefore...

I move to:

- 1) **Approve** the abandonment of the portions of N. Mechanic Street and W. Rhode Island Avenue as specified in the attached map;
- 2) **Deny** the abandonment of the portions of N. Mechanic Street and W. Rhode Island Avenue as specified in the attached map; OR
- 3) **Approve** the abandonment of the portions of N. Mechanic Street and W. Rhode Island Avenue as specified in the attached map **with the following additional conditions...**

IN ADDITION TO *Street or Alley Vacation Approval from Town Council*, THE APPLICANT SHOULD BE REMINDED THAT ALL APPLICABLE PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION AND/OR DEMOLITION CAN BEGIN. When the applicant applies for the required permits such as zoning, grading, soil erosion control, building, sign, etc., a set of detailed plans (including a site plan in compliance with various Sections of the Town of Southern Pines UDO) will be necessary. Planning staff recommend a staff consultation of the applicant's preliminary plans to provide comprehensive remarks by all appropriate Town departments/divisions. Such staff consultation should minimize development costs, avoid misunderstanding or misinterpretation and ensure compliance with the requirements.

Agenda Item

To: Reagan Parsons, Town Manager

Via: Bart Nuckols, Planning Director

From: Chris Kennedy, Senior Planner

Subject: CU-01-16 Conditional Use Permit: Major Subdivision Application for a Multi-Family Residential Development to include 288 Apartments; Petitioner, Caviness & Cates Building and Development Company

Date: May 10, 2016

CU-01-16 Conditional Use Permit: Major Subdivision Application for a Multi-Family Residential Development to include 288 Apartments; Petitioner, Caviness & Cates Building and Development Company

On behalf of the petitioner Caviness & Cates Building and Development Company, Mr. Bob Koontz of Koontz Jones Design is requesting a development project that will require a Conditional Use Permit application for a multi-family residential development off of US Highway 1 North and NE Service Road. Per Section 4.10.8 of the Unified Development Ordinance, no multi-family development may include more than ten (10) dwelling units except pursuant to a Planned Development or Conditional Use Permit (CUP) approval. The proposed development consists of an apartment project to include two-hundred eighty-eight (288) dwelling units, thereby the proposal will require a CUP. The subject property is comprised of approximately 25.59 acres in the OS (Office Services) and RM-2 (Residential Multi-Family 2) zoning classifications. The property is identified by the following: PIN: 858214321933 (PARID: 00039174); PIN: 858217214672 (PARID: 00032830); and, PIN: 858217213440 (PARID: 00032829). Per the Moore County Tax records, the property owner(s) are listed as MLC Automotive LLC and the Town of Southern Pines.

Planning Board Recommendation:

At the April 21, 2016 Regular Meeting of the Planning Board, the Planning Board held a quasi-judicial public hearing and heard evidence from those in attendance regarding the application CU-01-16. The Planning Board voted on a recommendation for the Preliminary Plat and then voted on a recommendation for the CU-01-16 application for a major subdivision.

The Board voted on two findings of fact for the application before voting on whether to recommend approval or denial of the Preliminary Plat. First, the Board unanimously voted (5-0) to recommend that as a finding of fact the application was complete and the facts submitted were relevant to the case. Second, the Board unanimously voted (5-0) to recommend that as a finding of fact the application complies with Section 2.20.5 (G) Criteria for a Preliminary Plat, Criteria 1-6. Next, the Board unanimously voted (5-0) to recommend that the proposed Preliminary Plat is consistent

with those documents that constitute the officially adopted land development plan and other applicable plans. The Planning Board unanimously voted (5-0) to recommend approval of the Preliminary Plat with no conditions.

The Board voted on two findings of fact for the application before voting on whether to recommend approval or denial of the Conditional Use Permit application. The Board unanimously voted (5-0) to recommend that as a finding of fact the application is complete and the facts submitted were relevant to the case. Then, the Board unanimously voted (5-0) to recommend that as a finding of fact the application complies with Section 2.21.7 Criteria for a Conditional Use Permit, Criteria A-F. Next, the Board unanimously voted (5-0) to recommend that the proposed Conditional Use Permit Application is consistent with those documents that constitute the officially adopted land development plan and other applicable plans. The Planning Board unanimously voted (5-0) to recommend approval of CU-01-16 with no conditions.

Attachments:

- Watershed Protection Permit (WP-01-16) (Not available at this time)
- RLUAC Response (Not available at this time)
- Written Decision of the Planning Board
- Planning Board Memo and Packet

Town Council Actions:

To either approve or deny the *Preliminary Plat*, 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 2.20.5(G) Criteria for a Preliminary Plat, Criteria 1-6. The Town Council may choose one of the following motions or any alternative they wish:

Finding of Fact #1

- 1) I move that as a finding of fact that the application is complete and that the facts submitted are relevant to the case, in that....

Or

- 2) I move that as a finding of fact the application is incomplete and/or that the facts submitted are not relevant to the case, in that.....

Finding of Fact #2

- 1) I move that as a finding of fact the application complies with Section 2.20.5(G) Criteria for a Preliminary Plat, Criteria 1-6, in that.....

Or

- 2) I move that as a finding of fact the application does not comply with Section 2.20.5(G) Criteria for a Preliminary Plat, Criteria 1-6, in that.....

The Town Council shall vote on whether the proposed *Preliminary Plat* is consistent with the *Comprehensive Long Range Plan* that has been adopted and any other officially adopted plan that is applicable. The Town Council could make one of the following motions for recommendations or any alternative they wish:

I move that:

1. The proposed *Preliminary Plat* is consistent with those documents that constitute the officially adopted land development plan and other applicable plans; or
2. The proposed *Preliminary Plat* is not consistent with those documents that constitute the officially adopted land development plan or other applicable plans, in that

I move to:

1. Approve the Preliminary Plat;
2. Deny the Preliminary Plat; OR
3. Approve the Preliminary Plat with the following additional conditions...

To either approve or deny a **Conditional Use Permit** 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 2.21.7 Criteria for a Conditional Use Permit, Criteria A-F. The Town Council may choose one of the following motions or any alternative they wish:

Finding of Fact #1

- 1) I move that as a finding of fact that the application is complete and that the facts submitted are relevant to the case.

Or

- 2) I move that as a finding of fact the application is incomplete and/or that the facts submitted are not relevant to the case, in that.....

Finding of Fact #2

- 1) I move that as a finding of fact the application complies with Section 2.21.7 Criteria for a Conditional Use Permit, Criteria A-F.

Or

- 2) I move that as a finding of fact the application does not comply with Section 2.21.7 Criteria for a Conditional Use Permit, Criteria A-F, in that.....

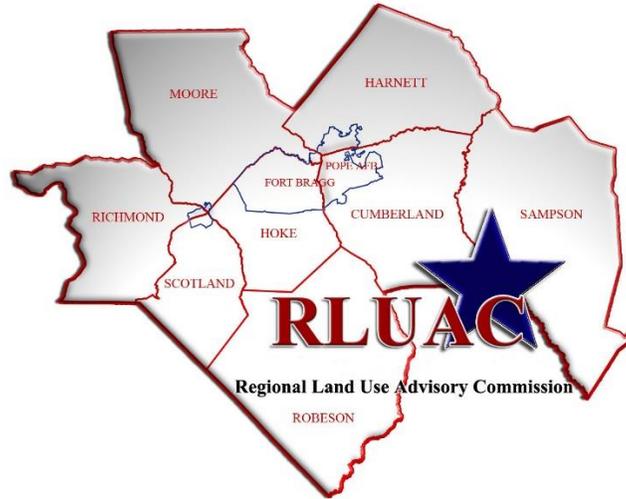
The Town Council shall vote on whether the proposed **Conditional Use Permit** application is consistent with the *Comprehensive Long Range Plan* that has been adopted and any other officially adopted plan that is applicable. The Town Council could make one of the following motions for recommendations or any alternative they wish:

I move that:

1. The proposed *Conditional Use Application* is consistent with those documents that constitute the officially adopted land development plan and other applicable plans; or
2. The proposed *Conditional Use Application* is not consistent with the documents that constitute the officially adopted land development plan or other applicable plans, in that

I move to:

1. Approve CU-01-16
2. Deny CU-01-16; OR
3. Approve CU-01-16 with the following additional conditions...



TOWN OF SOUTHERN PINES

REGULAR BUSINESS MEETING OF THE PLANNING BOARD

April 21, 2016

7:00 pm

Douglass Community Center
1185 W. Pennsylvania Avenue

DECISION OF THE BOARD

Petitioner: Caviness & Cates Building and Development Company

Case Number: CU-01-16

The meeting was called to order with five (5) members present and the Chairman declared that a quorum was present. The petitioner, Caviness & Cates Building and Development Company appeared before the Board through its agent, Mr. Bob Koontz of Koontz Jones Design. The oath was administered to the witnesses prior to their testimony.

Matter at Issue:

CU-01-16 Conditional Use Permit: Major Subdivision Application for a Multi-Family Residential Development to include 288 Apartments; Petitioner, Caviness & Cates Building and Development Company

On behalf of the petitioner Caviness & Cates Building and Development Company, Mr. Bob Koontz of Koontz Jones Design is requesting a development project that will require a Conditional Use Permit application for a multi-family residential development off of US Highway 1 North and NE Service Road. Per Section 4.10.8 of the Unified Development Ordinance, no multi-family development may include more than ten (10) dwelling units except pursuant to a Planned Development or Conditional Use Permit (CUP) approval. The proposed development consists of an apartment project to include two-hundred eighty-eight (288) dwelling units, thereby the proposal will require a CUP. The subject property is comprised of approximately 25.59 acres in the OS (Office Services) and RM-2 (Residential Multi-Family 2) zoning classifications. The property is identified by the following: PIN: 858214321933 (PARID: 00039174); PIN: 858217214672 (PARID: 00032830); and, PIN: 858217213440 (PARID: 00032829). Per the Moore County Tax records, the property owner(s) are listed as MLC Automotive LLC and the Town of Southern Pines.

Mr. Bob Koontz, presented the case for the approval of Conditional Use Permit CU-01-16. Mr. Koontz submitted into evidence the following items: a preliminary plat; a PowerPoint presentation for the Planning Board, four (4) exhibits each comprised of a written response stating the project's compatibility with an individual set of criteria listed in the Town's adopted plans and ordinances,

a neighborhood meeting report, and a Traffic Impact Analysis (TIA). Mr. Koontz presented the PowerPoint presentation, introduced the exhibits, and addressed the questions from the Planning Board and the public present at the public hearing.

Mr. Travis Fluitt, transportation engineer with Kimley-Horn & Associates, presented the findings of the Traffic Impact Analysis (TIA) submitted by the petitioner. Mr. Fluitt addressed the questions from the Planning Board and the public present at the public hearing with respect to traffic concerns and the TIA document.

Ms. Kathy Anderson, Vice President of the Bank of North Carolina, provided a representation of the rental rates, tenant intake criteria, and characteristics of the project relative to the financial sector. Ms. Anderson addressed the questions from the Planning Board and the public present at the public hearing related financial and tenant intake concerns.

Planning Board Action: Hearing all evidence submitted by the petitioner and any comments from those in attendance the Planning Board then closed the public hearing. After a period of discussion and deliberation the Planning Board made the following findings of fact on the application:

Findings of Fact:

The following findings of fact were made by the Board as required by Section 2.20.5(G):

Finding of Fact #1

- 1) **I move that as a finding of fact that the application is complete and that the facts submitted are relevant to the case, in that**
- a. The request for Preliminary Plat approval has met the specified submittal requirements as required in the Town of Southern Pines UDO Appendices; and,
 - b. The facts submitted are relevant to the case as the evidence submitted was sworn testimony done so by qualified experts or provided through substantiated documentation.

Finding of Fact #2

- 1) **I move that as a finding of fact the application complies with Section 2.20.5(G) Criteria for a Preliminary Plat, Criteria 1-6, in that...**

2.20.5 (G) Criteria

1. **The application is consistent with the approved Sketch Plat, if applicable.**
Not Applicable.
2. **The application is consistent with the Comprehensive Plan, as well as any other adopted plans for streets, alleys, parks, playgrounds, and public utility facilities;**
The proposed project is consistent with the goals and objectives of the Comprehensive Long Range Plan (CLRP) as the project incorporates many of the goals and objectives of the CLRP and establishes a development pattern that is in keeping with the context of the surrounding neighborhood and downtown Southern Pines. The development pattern is in harmony with the surrounding neighborhood and meets the land use goals defined by the CLRP as specified in Exhibit A in the petitioner's submittal. Further, the project provides recreational amenities and ties into existing streets and public utilities.
3. **The proposed subdivision complies with the UDO and applicable state and federal regulations;**
The proposed preliminary plat complies with the UDO standards and restrictions and the proposed total density is less than the maximum number of residential dwelling units permitted on the property based on the underlying zoning categories. The request also complies with all applicable state and federal regulations.
4. **The proposed subdivision, including its Lot sizes, density, access, and circulation, is compatible with the existing and/or permissible zoning and future land use of adjacent property;**
The proposed subdivision is compatible with the UDO standards and restrictions for the OS and RM-2 zoning districts. The OS zoning classification permits office and service land uses as well as residential land uses at a density of 10-12 dwelling units per acre. The RM-

2 zoning classification permits single-family and multi-family residences at a density of 5-7 dwelling units per acre. The surrounding neighborhood is a residential neighborhood zoned as RM-2 which include both single-family, single-family attached, and multi-family residential projects. Site access is provided from the NE Service Road and from W. Rhode Island Avenue. The improvement of the proposed accesses should provide adequate vehicular circulation for all types of vehicles including emergency and waste removal vehicles. Proposed access and circulation patterns in this fringe area along US Highway 1 allow for connectivity to the existing grid framework characteristic of the surrounding neighborhood and downtown Southern Pines.

5. The proposed subdivision will not have detrimental impacts on the safety or viability of permitted uses on adjacent properties;

The proposed subdivision is compatible with the adjacent properties and will not be detrimental to the adjacent properties as the project complies with the approved density as well as the buffer requirements set forth in the UDO.

6. The proposed public facilities are adequate to serve the normal and emergency demands of the proposed Development, and to provide for the efficient and timely extension to serve future Development;

Public water and sewer utilities are readily available for the project, the cost of which will be borne by the developer. Roadway connections and improvements will be made at the right-of-way on West Rhode Island Avenue and the current US Highway 1 access location. All streets and parking areas within the development will be gated and private. Parks, open spaces, trails, sidewalks and other amenities will be provided by the developer for the residents.

The Planning Board then voted on whether the proposed *Preliminary Plat* is consistent with the adopted *Comprehensive Long Range Plan* and any other applicable officially adopted plan.

By a vote of 5-0, the Planning Board voted to recommend to the Town Council that the proposed *Conditional Use Permit Application* is consistent with those documents that constitute the officially adopted land development plan and other applicable plans.

By a vote of 5-0, the Planning Board voted to recommend to the Town Council the approval of the *Preliminary Plat* with no conditions.

The following findings of fact were made by the Board as required by Section 2.21.7:

Finding of Fact #1

- 1) I move that as a finding of fact that the application is complete and that the facts submitted are relevant to the case.
- a. The request for a Conditional Use Permit approval has met the specified submittal requirements as required in the Town of Southern Pines UDO Appendices; and,
 - b. The facts submitted are relevant to the case as the evidence submitted was sworn testimony done so by qualified experts or provided through substantiated documentation.

Finding of Fact #2

- 1) I move that as a finding of fact the application complies with Section 2.21.7 Criteria for a Conditional Use Permit, Criteria A-F, in that...

2.21.7 Criteria

A Conditional Use is permitted only if the Applicant demonstrates that:

A. The proposed conditional use shall comply with all regulations of the applicable zoning district and any applicable supplemental use regulations;

The property is currently zoned OS and RM-2. Residential land uses are permitted under the OS zoning classification at a density of 10-12 dwelling units per acre and the RM-2 zoning classification at a density of 5-7 dwelling units per acre. This density would allow for 294 residential units to be developed on the site; the proposed plan includes 288 total multi-family residential dwelling units therefore the proposed conditional use complies with the UDO density regulations. The proposed development also complies with all regulations of the OS and RM-2 zoning classifications, the supplemental use regulations for multi-family residential units per UDO Section 4.10.8, and the standards and restrictions for the Urban Transition Highway Corridor Overlay.

B. The proposed conditional use shall conform to the character of the neighborhood in which it is located and not injure the use and enjoyment of property in the immediate vicinity for the purposes already permitted;

The proposed conditional use will be designed to meet the standards for multi-family development described in Section 4.10.8 *Multi-Family Development Standards* and be designed to meet the existing character of the properties in the surrounding neighborhood and other homes in the vicinity. Dimensional standards and restrictions set forth in the UDO to protect the use and enjoyment of adjacent property are included into the design. UDO standards relative to heights, setbacks, landscaping, buffers and the like will all be met.

C. Adequate public facilities shall be provided as set forth herein;

Public water and sewer utilities are readily available for the project, the cost of which will be borne by the developer. Parks, open spaces, trails, sidewalks and amenities for the residents are provided in the design by the developer.

D. The proposed use shall not impede the orderly Development and improvement of surrounding property for uses permitted within the zoning district or substantially diminish or impair the property values within the neighborhood;

This is an infill project along the US Highway 1 corridor in proximity to downtown Southern Pines. The topography in this area separates the proposed project from the remaining residential property in the vicinity and provides a natural buffer. The proposed project provides a transitional area between US Highway 1 and the residential development on the grid of downtown Southern Pines and should not impede the development of surrounding properties. The surrounding neighborhood provides an eclectic group of housing types and property values. The proposed project should not diminish or impair the property values of the existing neighborhood.

E. The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, comfort or general welfare;

The proposed project will provide an infill development that will comply with UDO and CLRP standards. The CLRP and the UDO are documents that seek to advance the public health, safety, and general welfare of the public with policies, standards and restrictions. As a result, if the proposed project conforms to those policies, standards, and restrictions, the use should not be detrimental to or endanger the public health, safety, comfort, or general welfare of the surrounding neighborhood and the public at large.

F. The public interest and welfare supporting the proposed use shall be sufficient to outweigh the individual interests that are adversely affected by the establishment of the proposed use.

This project incorporates many of the goals and objectives of the CLRP and establishes a development pattern that fits within the context of the surrounding neighborhood and downtown Southern Pines. As set forth as a goal of the CLRP, the provision of residential units, especially those that enhance the diversity of residential dwelling unit composition in the downtown areas should be viewed as a positive impact. Development, in general, typically brings externalities that some may perceive as an adverse impact. However, the proposed development seeks to further the goals and objectives of the CLRP, conforms to UDO requirements, and brings in more residents will work, seek entertainment, and shop in downtown Southern Pines. Therefore, the public interest and welfare supporting the proposed project is sufficient to outweigh and individual interests that may be adversely affected.

The Planning Board then voted on whether the proposed *Conditional Use Permit* is consistent with the adopted *Comprehensive Long Range Plan* and any other applicable officially adopted plan.

By a vote of 5-0, the Planning Board voted to recommend to the Town Council that the proposed *Conditional Use Permit Application* is consistent with those documents that constitute the officially adopted land development plan and other applicable plans.

By a vote of 5-0, the Planning Board voted to recommend to the Town Council the approval of the *Conditional Use Permit* with no conditions.

Decision of the Board:

The requests under application CU-01-16 for Preliminary Plat Approval and Conditional Use Permit Approval were recommended for approval to the Town Council with no conditions.

This is the 21st day of April, 2016.

FOR THE PLANNING BOARD:

Michael G. Martin, Chairman

cc: Douglas Gill, Esq.
Southern Pines Planning Department
Southern Pines Town Council
David McNeill, Mayor
Southern Pines Town Clerk
Reagan Parsons, Town Manager
John McLaughlin, Vice Chairman
Jim Curlee
William O. Ross
Bill Pate
Kristen Obst
Brittany Paschal

Caviness & Cates Building and Development Company
Koontz Jones Design

Agenda Item

To: Planning Board

Via: Bart Nuckols, Planning Director

From: Chris Kennedy, Senior Planner

Subject: CU-01-16 Conditional Use Permit: Major Subdivision Application for a Multi-Family Residential Development to include 288 Apartments; Petitioner, Caviness & Cates Building and Development Company

Date: April 21, 2016

CU-01-16 Conditional Use Permit: Major Subdivision Application for a Multi-Family Residential Development to include 288 Apartments; Petitioner, Caviness & Cates Building and Development Company

On behalf of the petitioner Caviness & Cates Building and Development Company, Mr. Bob Koontz of Koontz Jones Design is requesting a development project that will require a Conditional Use Permit application for a multi-family residential development off of US Highway 1 North and NE Service Road. Per Section 4.10.8 of the Unified Development Ordinance, no multi-family development may include more than ten (10) dwelling units except pursuant to a Planned Development or Conditional Use Permit (CUP) approval. The proposed development consists of an apartment project to include two-hundred eighty-eight (288) dwelling units, thereby the proposal will require a CUP. The subject property is comprised of approximately 25.59 acres in the OS (Office Services) and RM-2 (Residential Multi-Family 2) zoning classifications. The property is identified by the following: PIN: 858214321933 (PARID: 00039174); PIN: 858217214672 (PARID: 00032830); and, PIN: 858217213440 (PARID: 00032829). Per the Moore County Tax records, the property owner(s) are listed as MLC Automotive LLC and the Town of Southern Pines.

Analysis:

The majority of the subject property is identified as “Commercial” with a small portion identified as “Residential” in the *Comprehensive Long Range Plan* Future Land Use Map. Per the *Comprehensive Long Range Plan 2015-16 Update*:

- **Commercial:** 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 Highway 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.
- **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 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.

Staff Comments:

- The subject property is comprised of 25.59 acres and is located within the corporate limits of the Town of Southern Pines.
 - The subject property consists of 22.85 acres of OS zoned property and 2.74 acres of RM-2 zoned property.
- Multi-Family land uses are classified under LBCS 1151 in UDO Exhibit 3-15 Table of Authorized Land Uses. LBCS 1151 is listed a “ZC” in the OS and RM-2 zoning classifications.
 - The “ZC” designation denotes that LBCS 1151 is a permitted land use in the OS and RM-2 zoning districts but once the land use reaches a certain threshold or intensity, greater than ten (10) dwelling units in this case, a Conditional Use Permit is triggered.
- The adjoining properties are zoned RM-2 to the East, South, and West. The property across US Highway 1 is zoned RS-1 and FRR.
- The approved density for the OS zoning district is calculated by factoring 10,000 square feet of land area for the first dwelling unit and an additional 3,600 square feet of land area for each additional dwelling unit. The OS zoning district permits approximately thirteen (13) dwelling units per acre.
- The approved density for the RM-2 zoning district is calculated by factoring 10,000 square feet of land area for the first dwelling unit and then 6,000 square feet of land area for each additional dwelling unit. The RM-2 zoning district permits approximately five-to-seven (5-7) dwelling units per acre.
- Per UDO Section 3.5.11, the OS zoning classification is designed to accommodate office and service uses as well as medium-density residential uses. The major objectives of the district are to:
 1. Encourage land uses that buffer residential districts from intensive non-residential uses and arterial streets;
 2. Provide aesthetic controls and dimensional requirements to ensure compatible office and service development with surrounding residential uses;
 3. Encourage a mixture of medium-density residential uses with offices and services; and,
 4. Allow for single-family dwellings in business corridors to be used for business or residential purposes.
- Per UDO Section 3.5.7, the RM-2 zoning classification is established as a district in which to allow primarily single-family and multi-family residences at a moderate-density (approximately 5-7 dwelling units per acre) in areas served by adequate public water and sewer systems. The regulations of this district are intended to:
 1. Encourage single-family and multi-family residences; and,
 2. Encourage new residential development that is compatible with that in the existing neighborhoods.

- Per Section 2.20.5 a Preliminary Plat must satisfy the following criteria: A Sketch Plat shall be required when an Applicant is applying for the subdivision of less than the entire, contiguous land area held in common ownership. *

2.20.5 (G) Criteria for a Preliminary Plat

The application is consistent with the approved Sketch Plat, if applicable. *Not applicable in this request

- (1) *The application is consistent with the approved Sketch Plat, if applicable.*
 - (2) *The application is consistent with the Comprehensive Plan, as well as any other adopted plans for streets, alleys, parks, playgrounds, and public utility facilities;*
 - (3) *The proposed subdivision complies with the UDO and applicable state and federal regulations;*
 - (4) *The proposed subdivision, including its Lot sizes, density, access, and circulation, is compatible with the existing and/or permissible zoning and future land use of adjacent property;*
 - (5) *The proposed subdivision will not have detrimental impacts on the safety or viability of permitted uses on adjacent properties; and*
 - (6) *The proposed public facilities are adequate to serve the normal and emergency demands of the proposed Development, and to provide for the efficient and timely extension to serve future Development.*
- Per Section 2.21.7 an Application for a Conditional Use Permit must satisfy the following criteria:

2.21.7 Criteria for a Conditional Use Permit

A Conditional Use is permitted only if the Applicant demonstrates that:

- (A) *The proposed conditional use shall comply with all regulations of the applicable zoning district and any applicable supplemental use regulations;*
 - (B) *The proposed conditional use shall conform to the character of the neighborhood in which it is located and not injure the use and enjoyment of property in the immediate vicinity for the purposes already permitted;*
 - (C) *Adequate public facilities shall be provided as set forth herein;*
 - (D) *The proposed use shall not impede the orderly Development and improvement of surrounding property for uses permitted within the zoning district or substantially diminish or impair the property values within the neighborhood;*
 - (E) *The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, comfort or general welfare; and,*
 - (F) *The public interest and welfare supporting the proposed use shall be sufficient to outweigh individual interests that are adversely affected by the establishment of the proposed use.*
- Per Section 4.10.8 a multi-family development must comply with the following development standards:

4.10.8 Multi-Family Development Standards

(B) Applicability

- (1) *The following Development standards shall apply to all Multi-Family structures in the Morganton Road Overlay district and Multi-Family Developments of ten (10) or more Dwelling Units in any zoning district in which such Dwelling Units are allowed.*
- (2) *No Multi-Family Development may include more than ten (10) Dwelling Units, except pursuant to a Planned Development or Conditional Use Permit approval.*

- (3) *The Development standards in this section may be modified pursuant to a PD or Conditional Use Permit approval.*
 - (4) *In the RM-1 and RM-2 districts, no Multi-Family Residence may be located within two hundred (200) feet of the closest point of any other Multi-Family Residence, unless both structures are part of an integrated complex that includes no more than ten (10) Dwelling Units.*
- (C) *Building Setbacks, Orientation and Lot Standards*
- (1) *Buildings shall be set back a minimum of ten (10) feet and a maximum of fifteen (15) feet from sidewalks public walkways or street right-of-way. Setbacks may be greater than fifteen (15) feet if the intervening distance consists of common open space.*
 - (2) *The minimum spacing between the sides of Multi-Family Residential structures shall be twenty (20) feet.*
 - (3) *Where practical, Dwellings should be located to face each other across common landscaped space with buildings no closer than (30) feet.*
- (D) *Building Design. Multi-Family Developments shall:*
- (1) *Include variations in heights, color, setback, rooflines, trim, and building sizes to create visual diversity between structures;*
 - (2) *Group buildings in clusters;*
 - (3) *Articulate façades by including projections of at least five (5) feet at least once every fifty (50) feet along the façade,*
 - (4) *Locate windows to provide easy surveillance of open spaces and walkways, without placing such windows within direct alignment with windows of adjacent structures;*
 - (5) *Units above grade level should have access to private balconies of usable dimensions no smaller than ten (10) feet by six (6) feet;*
 - (6) *Create areas for foundation planting by keeping hard surfaces away from front façades;*
 - (7) *Design entrances to.*
 - (a) *Provide private entrances at grade level and adjacent to private open space to the greatest extent possible. Unless otherwise approved by the Town Council, no more than four (4) Dwelling Units shall share a common entrance.*
 - (b) *Avoid aligning doors to separate Dwelling Units with each other unless screening is provided. However, entrances should be visible from the sidewalk or public walkway and other Dwelling Units, when practical.*
 - (c) *Provide porches or roofed overhangs over building entrances.*
 - (d) *Set back buildings or entries so that the entry paths extend at least ten (10) feet from sidewalk or public circulation walkway. These entry areas should be designed to provide semi-public gardens around the front entryways. Do not provide access to apartments via long-shared access galleries.*
 - (8) *Provide a private garden, yard, patio or balcony for every Dwelling Unit.*
 - (9) *The private open space of all Dwelling Units shall be visually and functionally accessible from inside the Dwelling.*
 - (10) *Provide screening for yards where private activities are likely to occur and to delimit private from common open space.*
- (E) *Pedestrian Improvements*
- (1) *Provide continuous walkways through the project and connecting Dwellings to and through common open space.*

- (2) *Minimize walkways that provide direct opportunities to cut through the project by strategically locating fences, low walls and planting areas within the site and near site entry points.*
- (3) *Provide storage space for strollers, bicycles, and so forth, close to the main entries of Dwellings or groups of Dwellings.*

(F) Parking

- (1) *Provide parking in small Lots that are designed and located to ensure that most parked vehicles are visible from one (1) or more Dwellings.*
- (2) *To the greatest extent practicable, parking shall not separate Dwelling Units from common open space.*

(G) Open Space

- (1) *Common usable open space shall comprise ten (10) percent of the total project area.*
- (2) *Open spaces shall be configured so that the ratio of building height to open space width is in the range of 1:3 or greater. Ratios as tight as 1:2 may be approved if landscaping effectively screens buildings from each other.*
- (3) *Common open space shall be configured in square or nearly square areas with sides of at least one hundred (100) feet.*
- (4) *To the greatest extent practicable, Dwelling Units shall have access to common open space without having to cross a street.*
- (5) **Play Areas**
 - (a) *Play areas for young children should be physically separated from potential traffic hazards.*
 - (b) *Provide a variety of hard-surfaces areas in the form pathways that are least five (5) feet wide and small areas off the circulation system for various children's activities.*
- (6) *For Developments with more than twenty (20) Dwellings, provide on-site; well-equipped and challenging play areas for school age children within a five (5) minute walk from each Dwelling Unit.*
 - (a) *Provide places for school age children to sit.*
 - (b) *Where possible include a space for ball games on site (minimum 80 feet x 40 feet).*
- (7) *Provide retaining walls that can also be used for casual seating.*
- (8) *Where cluster Dwellings are included in a project, ensure some uniqueness for each cluster. Vary the design (size, dimensions, grading, planting, site furniture and play equipment) of the common open spaces of each cluster.*
- (9) *The number of Dwelling Units grouped around common and open space should range between twenty (20) to one hundred (100).*

- *The property is within the Urban Transition Highway Corridor Overlay; which shall be developed with a balance of residential, recreational, and commercial uses. These sections are best suited for providing a balance of naturalized and manmade conditions. The visual quality of these sections depends on quality site planning, landscaping, and preservation of natural features.*
- *The Highway Corridor Overlay standards are set forth in UDO Section 3.6.5 and UDO Exhibit 3-13.*
- *The Urban Transition Highway Corridor Overlay (UT-HCO), shall extend 400' from the edge of the right-of-way and run parallel to the right-of-way.*
- *The setbacks for the UT-HCO are as follows:*

- Building Setback: 75.0’;
- Parking Area Setback: 50.0’;
- Landscape Buffer: 50.0’;
- Buffer from Residential Zones: 50.0’;
- Buffer from Non-Residential Zones: 25.0’
- Other Urban Transition Highway Corridor Overlay standards include:
 - Maximum Building Height: 35.0’;
 - Maximum Built upon Surface: 65.0%;
 - Maximum Building Footprint: 30.0%;
 - Highway Yard Parking Maximum: 40.0% of total spaces;
 - Maximum Parking: 5 spaces/1000 square feet of building area
- Per UDO Exhibit 4-1, the setbacks for the OS zoning classification are as follows:
 - Front: 35.0’; Side: 15.0’; Exterior Side: 15.0’; Rear: 15.0’
- Per UDO Exhibit 4-1, the setbacks for the RM-2 zoning classification are as follows:
 - Front: 25.0’; Side: 10.0’; Exterior Side: 15.0’; Rear: 30.0’
- The entirety of the property is within the Little River #2 Intake (LR#2) Watershed and is therefore subject to Watershed Protection Overlay District and the standards set forth in UDO Section 3.6.8.
- This project may be required to obtain a Watershed Protection Permit from the Town Council due to its location within the high quality watershed. Should the project exceed the 12% impervious level the project will be required to utilize BMPs for storm water management. Should the project exceed the 24% impervious level the project will be required to apply for the 5/70 Exemption from the Town Council as part of the CUP application.
- The Watershed Protection Permit if approved will provide the project with the 5/70 exemption allowing the project to develop up to the 70% impervious surface level.
 - The development is proposed at 48.9% impervious.
- Nearly half of the property is within the study area of the Downtown Neighborhood Development Plan as specified in the Comprehensive Long Range Plan, however the subject property is not within the boundaries of the Downtown Transition Overlay.
- As part of the requests under CU-01-16 the petitioner is also seeking to abandon/vacate portions of right-of-way adjacent to the proposed project. The proposed site plan reflects an approval of the abandonment; the acreage and subsequent land to be amassed into the subject property should an approval be granted is shown in the proposed site plans. Staff advises the Town Council to withhold judgement on the proposed right-of-way abandonment until the requests under CU-01-16 are resolved, resulting in either an approval or a denial. Should application CU-01-16 receive a denial, staff would recommend to the Town Council that the request for right-of-way abandonment also be denied.
 - The petitioner has submitted a request to abandon the one and one-half (1.5) block portion of N. Mechanic Street extending from the eastern boundary of the intersection with W. Maine Avenue and N. Mechanic Street to the termination of N. Mechanic Street at the NE Service Road. The request also includes the proposed abandonment of W. Rhode Island Avenue extending from the northern boundary of the intersection of W. Rhode Island Avenue and N. Mechanic Street extending

to the termination of W. Rhode Island Avenue at the NE Service Road. Both portions included in the request are unopened sections of right-of-way.

- The entirety of N. Mechanic Street between NE Service Road and W. Rhode Island Avenue and W. Rhode Island between N. Mechanic Street and NE Service Road is considered a “paper” street in that it is not currently improved or easily accessible for most types of transportation. This section of street is not included in Powell Bill funding calculations. The Town does not have future plans to improve these portions of unopened road. The Town does have a sewer line that runs east to west along W. Maine Avenue that will be impacted by this action, however the Town ensure its ability to secure a utilities easement prior to any abandonment of right-of-way. Per UDO Section 2.29.6 (C), the Town may reserve its right, title, and interest in any utility improvement or easement within a street closed pursuant to this section. Such reservation shall be stated in the order of closing. Such reservation also extends to utility improvements or easements owned by private utilities which at the time of street closing have a utility agreement or franchise with the Town. To retain such easements, the Town Council shall, after public hearing, approve a “declaration of retention of utility easements” specifically describing such easements.
- Per UDO Section 2.29, the procedure to abandon streets, no matter their condition or utility, requires an adopted resolution (see attached), public notices, and a public hearing. Per UDO Section 2.29.2, the process for abandonment may be initiated by the Town Council or the owner of property abutting the street or alley. The Town Council shall adopt a resolution declaring its intent to close a street or alley and call for a public hearing. If the abandonment is approved, the areas abandoned revert automatically to the adjoining property owners to the midway point of the right-of-way on their side of the street for the length of their property on that right-of-way.

Attachments:

- GIS Location
 - Application Materials
 - Existing Conditions
 - Proposed Renderings
 - Preliminary Plat
 - Criteria Narratives
 - Watershed Protection Permit Application
 - TDA – Traffic Design Analysis (Draft Results)
 - Future Land Use Map
-

Planning Board Action:

To either approve or deny a *Preliminary Plat* application, the Planning Board must make findings of fact and conclusions to the applicable standards. The Planning Board shall first vote on whether the application is complete and whether the facts presented are relevant to the case. The Planning Board shall then vote on whether the application complies with the criteria as set forth in Section 2.20.5 (G) Criteria for a Preliminary Plat, Criteria 1-6. The Planning Board may choose one of the following motions for recommendations or any alternative they wish:

Finding of Fact #1

- 1) I move to recommend that as a finding of fact that the application is complete and that the facts submitted are relevant to the case.

Or

- 2) I move to recommend that as a finding of fact the application is incomplete and/or that the facts submitted are not relevant to the case, in that.....

Finding of Fact #2

- 1) I move to recommend that as a finding of fact the application complies with Section 2.20.5(G) Criteria for a Preliminary Plat, Criteria 1-6, in that

Or

- 2) I move to recommend that as a finding of fact the application does not comply with Section 2.20.5(G) Criteria for a Preliminary Plat, Criteria 1-6, in that....

The Planning Board shall vote on whether the proposed *Preliminary Plat* is consistent with *Comprehensive Long Range Plan* that has been adopted and any other officially adopted plan that is applicable. The Planning Board could make one of the following motions for recommendations or any alternative they wish:

I move that we advise that:

1. The proposed *Preliminary Plat* is consistent with those documents that constitute the officially adopted land development plan and other applicable plans; or
2. The proposed *Preliminary Plat* is not consistent with those documents that constitute the officially adopted land development plan or other applicable plans, in that

Then:

I move to recommend to the Town Council:

1. The approval of the Preliminary Plat;
2. The denial of the Preliminary Plat; OR
3. The approval of the Preliminary Plat with the following additional conditions...

To either approve or deny a *Conditional Use Permit* application, the Planning Board must make findings of fact and conclusions to the applicable standards. The Planning Board shall first vote on whether the application is complete and whether the facts presented are relevant to the case. The Planning Board shall then vote on whether the application complies with the criteria as set forth in Section 2.21.7 Criteria for a Conditional Use Permit, Criteria A-F. The Planning Board may choose one of the following motions for recommendations or any alternative they wish:

Finding of Fact #1

- 1) I move to recommend that as a finding of fact that the application is complete and that the facts submitted are relevant to the case.

Or

- 2) I move to recommend that as a finding of fact the application is incomplete and/or that the facts submitted are not relevant to the case, in that.....

Finding of Fact #2

- 1) I move to recommend that as a finding of fact the application complies with Section 2.21.7 Criteria for a Conditional Use Permit, Criteria A-F, in that....

Or

- 2) I move to recommend that as a finding of fact the application does not comply with Section 2.21.7 Criteria for a Conditional Use Permit, Criteria A-F, in that....

The Planning Board shall vote on whether the proposed *Conditional Use Permit* is consistent with *Comprehensive Long Range Plan* that has been adopted and any other officially adopted plan that is applicable. The Planning Board could make one of the following motions for recommendations or any alternative they wish:

I move that we advise that:

1. The proposed *Conditional Use Permit Application* is consistent with those documents that constitute the officially adopted land development plan and other applicable plans; or
2. The proposed *Conditional Use Permit Application* is not consistent with those documents that constitute the officially adopted land development plan or other applicable plans, in that

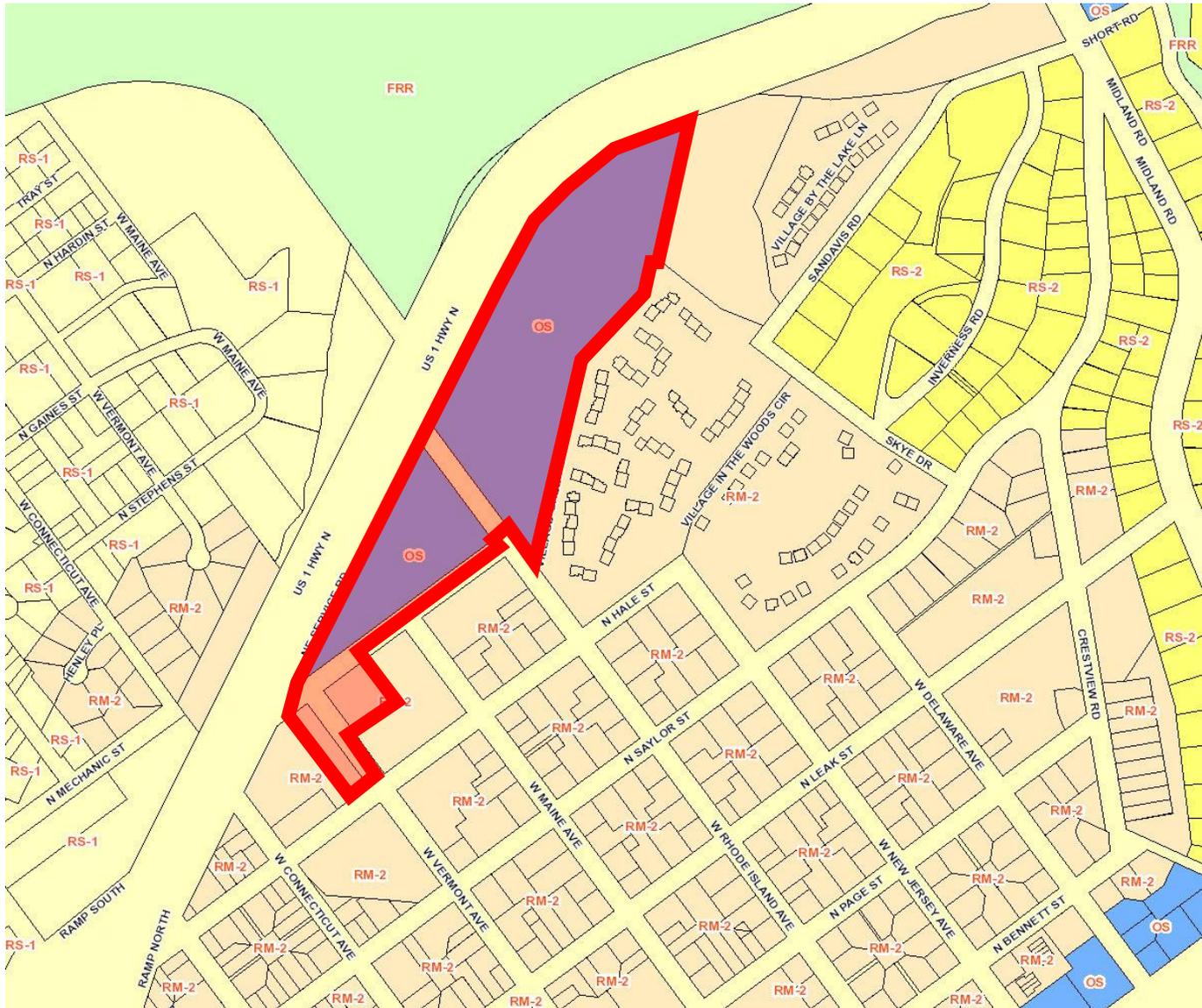
Then:

I move to recommend to the Town Council:

1. The approval of CU-01-16;
2. The denial of CU-01-16; OR
3. The approval of CU-01-16 with the following additional conditions...

CU-01-16 – Proposed Multi-Family Development

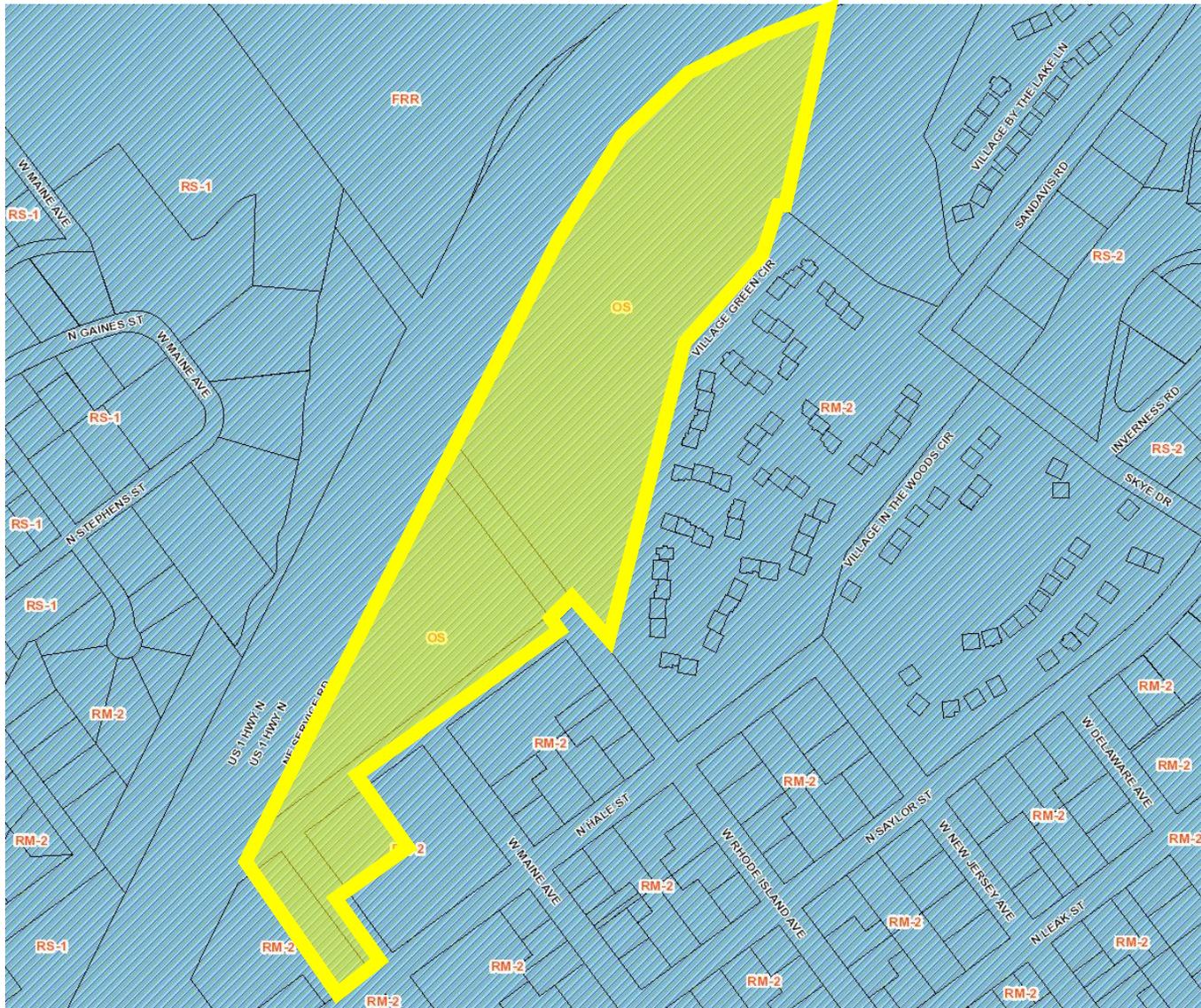
This map was created by the Town of Southern Pines Planning Department. The Town of Southern Pines, its agents and employees make NO warranty as to the correctness or accuracy of the information set forth on this media whether expressed or implied, in fact or in law, including without limitation the implied warranties of merchantability and fitness for a particular use. Any resale of this data is strictly prohibited in accordance with North Carolina General Statute 132-10. Grid is based on North Carolina State Plane Coordinate System NAD83 (feet).



CU-01-16 – Proposed Multi-Family Development Watershed Map

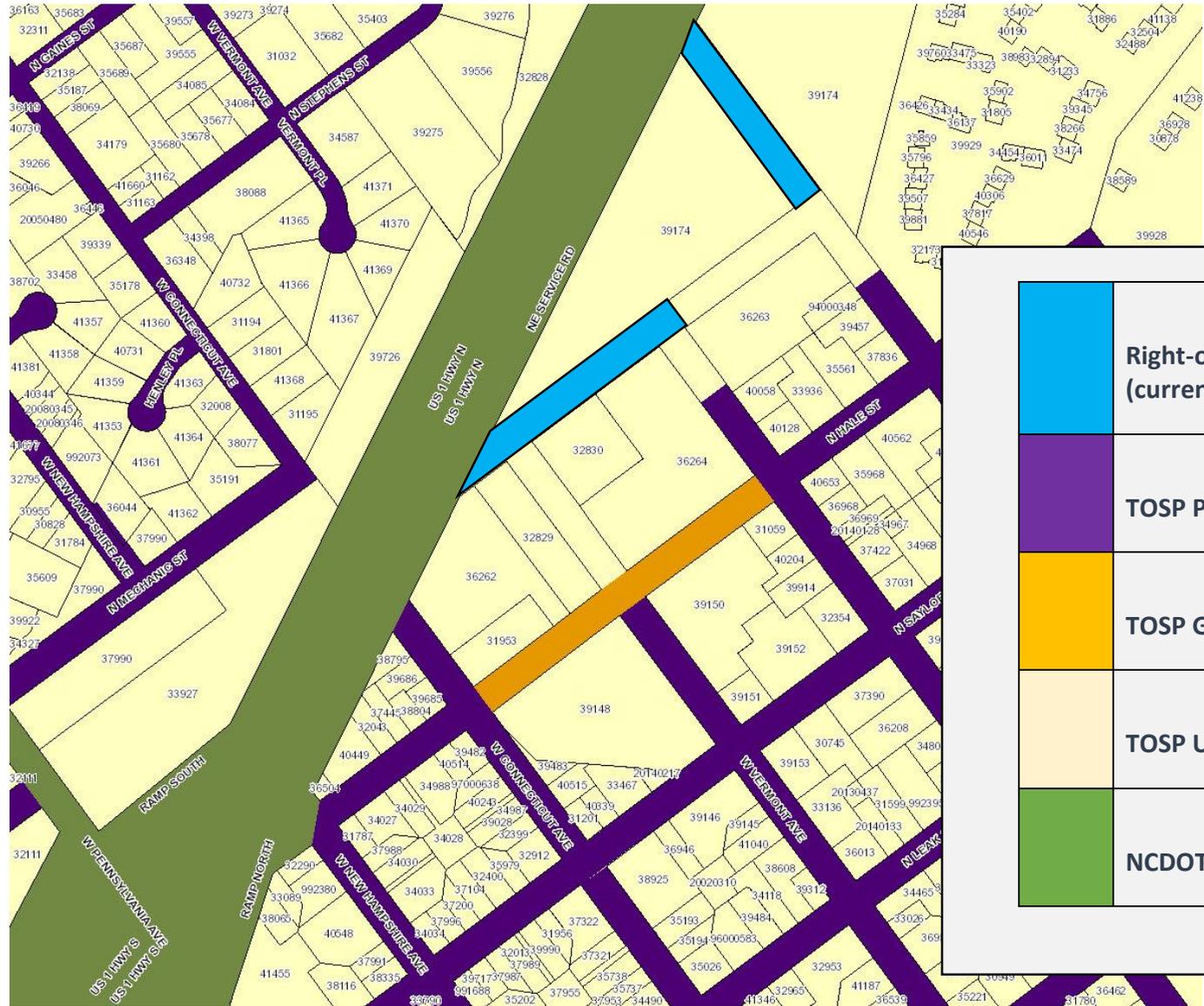
This map was created by the Town of Southern Pines Planning Department. The Town of Southern Pines, its agents and employees make NO warranty as to the correctness or accuracy of the information set forth on this media whether expressed or implied, in fact or in law, including without limitation the implied warranties of merchantability and fitness for a particular use. Any resale of this data is strictly prohibited in accordance with North Carolina General Statute 132-10. Grid is based on North Carolina State Plane Coordinate System NAD83 (feet).

merchability and fitness for a particular use. Any resale of this data is strictly prohibited in accordance with North Carolina General Statute 132-10. Grid is based on North Carolina State Plane Coordinate System NAD83 (feet).



CU-01-16 – Proposed Multi-Family Development Right-of-Way Proposed for Vacation/Abandonment

This map was created by the Town of Southern Pines Planning Department. The Town of Southern Pines, its agents and employees make NO warranty as to the correctness or accuracy of the information set forth on this media whether expressed or implied, in fact or in law, including without limitation the implied warranties of merchantability and fitness for a particular use. Any resale of this data is strictly prohibited in accordance with North Carolina General Statute 132-10. Grid is based on North Carolina State Plane Coordinate System NAD83 (feet).



	Right-of-Way to be Vacated (currently unimproved)
	TOSP Paved Streets
	TOSP Gravel Streets
	TOSP Unimproved Streets
	NCDOT Streets

CU- 01-16

Date Received: March 21, 2016

**Application for Conditional Use Permit
Town of Southern Pines**

To the Planning Board and Town Council:

I, the undersigned, do hereby make application to and petition the Planning board and town Council to grant a Conditional Use Permit as required in the zoning Ordinance. In support of this application, the following facts are shown:

The property sought for Conditional Use is located on the East side of US Highway 1 (Street/Avenue), between W. Vermont Ave. (Street Avenue) and W. Rhode Island Ave. (Street/ Avenue. The address is _____, also known as LRK # 00039174, 00032830, 00032829 and PIN # 858214321933, 858217214672, 858217213440. It has a frontage of 2600 feet and a depth of +/-530 feet, containing 25.59 acres.

The Conditional Use sought is based on Section(s) 2.20, 2.21, 3.7.1, 4.10.8 of the *Town of Southern Pines Unified Development Ordinance*. The property in question is located in a OS and RM-2 zoning district and is proposed for the following use:

The CUP is requested to develop 288 multi-family units on the property as permitted through a conditional use permit per Section 3.72 and in Exhibit 3-15 - Table of Uses of the Town of Southern Pines UDO.

The following are all individuals, firms or corporations owning property 200 feet adjacent to both sides and rear, as well as the property across the street/highway from the property described above or at least the 10 nearest property owners. Please see Town Staff for details on how to compute the required adjacent property list.

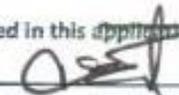
List of Adjacent Properties

1. Property owners' name: See Attached List
 Mailing Address: _____

 LRK #: _____
 Adjacent Property Address: _____

2. Property owners' name: _____
 Mailing Address: _____

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

Petitioner Signature: 

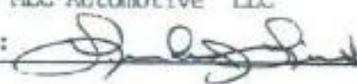
Petitioner's Name: CHRIS CATES

Petitioner's Mailing Address: Please Print
639 Executive Place
Fayetteville, NC 28305

Petitioner's email CHRIS@CATEASANDCATES.COM

Petitioner's Phone # 910 481 0503

Cell# 410 850 8833

Property owner's signature: By:  , Manager

Property owner's signature: _____

Property owner's Mailing Address: Please Print
MLC Automotive, LLC c/o Linda J. Leith
5601 Capital Boulevard
Raleigh, North Carolina 27616

Property owner's email n/a

Property owner's Phone # 919-876-5432

Cell # _____

THE PETITIONER OR A REPRESENTATIVE OF THE PETITIONER IS EXPECTED TO ATTEND ALL MEETINGS TO BE AVAILABLE TO ANSWER QUESTIONS CONCERNING THE REQUEST.

**US HIGHWAY 1 PROPERTY
CONDITIONAL USE PERMIT NARRATIVE**

The development of the property described as the US Highway 1 Property in the submitted exhibits is planned to be a new infill community within the existing downtown area of Southern Pines. The 25.59-acre property located off of US Highway 1 and at the end of West Rhode Island Avenue is located in the Office/Service (OS) (22.85 acres) and RM-2 (2.74 acres) zoning districts. The OS zoning is intended to “accommodate office and service uses as well as medium-density residential uses”, which includes multi-family uses, as stated in Section 3.5.11 and in the table of uses in Section 3.7.1 of the Town of Southern Pines Unified Development Ordinance. The RM-2 district accommodates single-family and multi-family residential units. The underlying density on the project would permit up to 294 residential dwelling units on the property.

This conditional use permit application proposes 288 multi-family residential units to be developed on the property. The development will meet the development standards for OS and RM-2 district projects as well as supplementary standards for multi-family development established in the Town’s UDO in Section 4.10.8. Adequate parking will be provided on site to meet UDO standards. The main entrance to the site will be provided at the end of the right-of-way of West Rhode Island Avenue. It is intended that the abandoned right-of-way will be realigned to connect to a NCDOT ingress/egress location along US Highway 1 and become a private street. Streets and parking areas will be built to Town of Southern Pines and NCDOT standards and remain as private streets.

Development will consist of 288 multi-family residential units with many amenities. These amenities will include a swimming pool, clubhouse building, children’s play area, dog park and park spaces. The property falls within a high quality watershed and there is no floodplain or wetland on the property. The overall impervious surface for the property is 48.9%. As a result, a watershed protection application has been submitted to allow for increased impervious surface and would allow up to 70% impervious surface. This site is a residential infill location in the downtown of Southern Pines. Increased impervious surface in infill locations for residential development is consistent with the Towns Comprehensive Long Range Plan (CLRP).

Design elements for the project are described below.

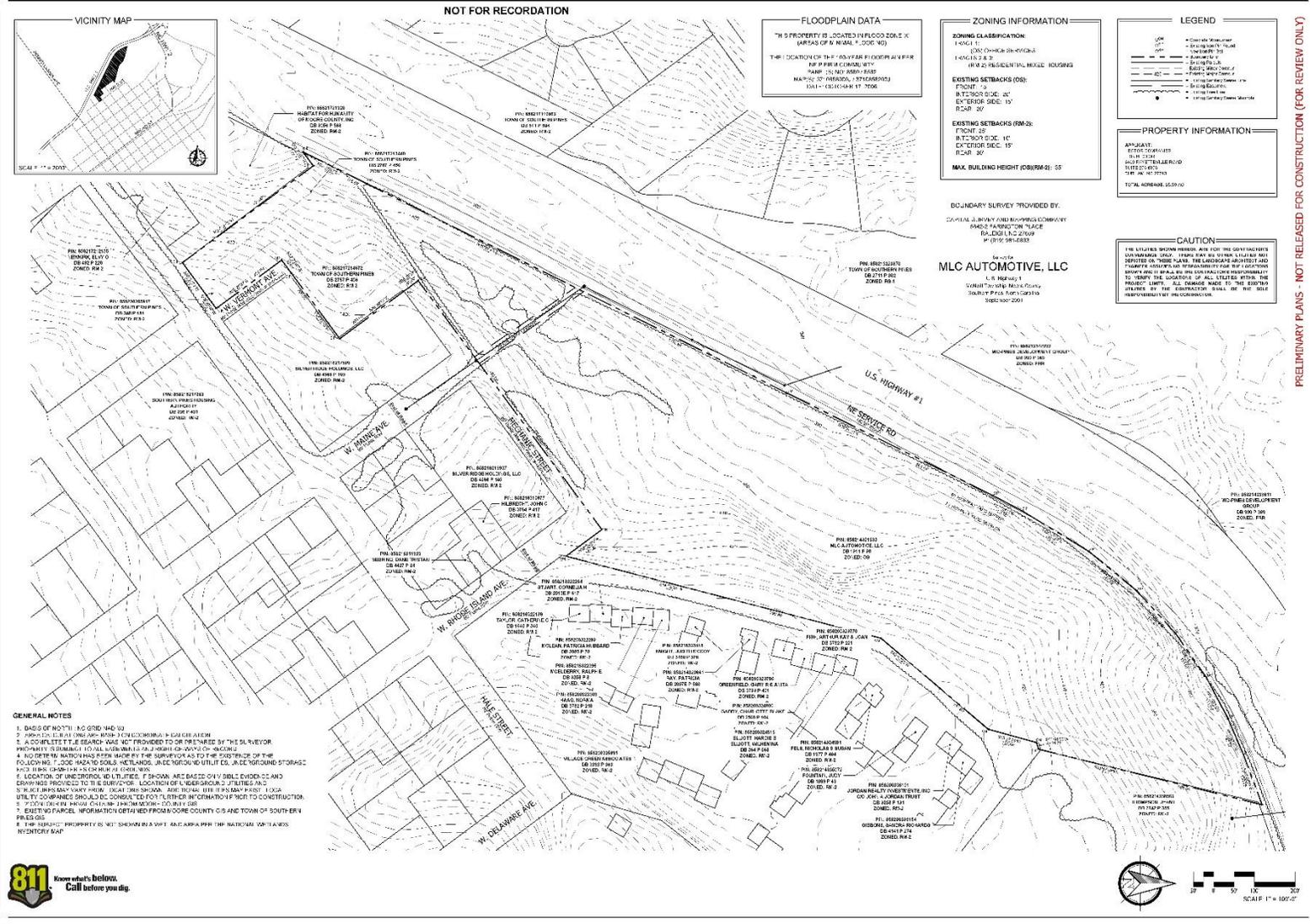
- **Pedestrian Connectivity**
 - o Pedestrian connectivity will be provided throughout the community. The pedestrian system will connect to the sidewalks along the newly constructed West Rhode Island Avenue. The property is five (5) blocks from Broad Street and the West Rhode Island Avenue connection is two (2) blocks from sidewalk connections at West Vermont Avenue that lead into downtown.
- **Parking Areas**
 - o The multi-family residential buildings will have surface parking at a ratio that meets the UDO standards.



- **Streets and Access**
 - A request to abandon the current West Rhode Island Avenue right-of-way has been made. The right-of-way will be removed and a private roadway extension will provide a connection to US Highway 1 at an existing curb cut location.
 - Access to the multi-family residential development will be provided from two (2) different locations with access from the new West Rhode Island Avenue and from US 1. The property will be gated at both of these entrances. Appropriate emergency access controls will be provided for the development as required by the Town of Southern Pines Fire Marshal.
- **Landscaping**
 - Landscaping will be provided as required by the Town of Southern Pines UDO. Much of the site is currently wooded. Due to the topography of the site, many trees within the property boundary will be removed.
 - Planting buffers and screening will be provided on adjacent property boundaries where necessary and required by the Town's UDO. Effort will be taken to preserve existing trees in the buffer areas of the project where feasible. This trees save area will count toward planting credit as permitted in the UDO.
- **Open Space**
 - Multi-family residential development is required to have 10% open space. The development will provide a minimum of 50% open space. This open space will be located in buffer areas, stormwater features, parks and amenity areas throughout the property.
- **Buffers/Setbacks**
 - Buffers and setbacks will be provided per the requirements of the OS district standards and Highway Corridor Overlay District.
- **Stormwater**
 - Stormwater management best practices will be applied on the site as necessary and required to control stormwater runoff throughout the project. All stormwater will be handled on site in a series of ponds, basins or other devices.
- **Utility Service**
 - Adequate water and sewer service can be provided by the Town of Southern Pines to service this development. Utilities are currently within close proximity, along the streets and adjacent properties near the proposed site. All utilities on the site will be located underground.
- **Architectural Character**
 - Multi-family residential units will be designed to fit the character of downtown Southern Pines. Design of the project is intended to blend into the surrounding area and add to the surrounding neighborhood. It is also intended that the project will be visually appealing from US Highway 1. Materials are intended to be a mixture of brick and cementitious siding material that will blend with other downtown development.
- **Signage**
 - A subdivision sign will be placed at each entrance to the project joining a major roadway (US1 and West Rhode Island Avenue). These signs will indicate the name of the community. Any additional directional or on site signage for parking area, parks or

amenities will follow the Town of Southern Pines sign ordinance guidelines for size, materials and height.

The descriptions and conditions described above will apply to the entire project as indicated in the Conditional Use Permit plan document.



NOT FOR RECORDATION

FLOODPLAIN DATA
 THIS PROPERTY IS LOCATED IN FLOOD ZONE X (AREAS OF MINIMAL FLOODING)
 THE LOCATION OF THE FLOODPLAIN FLOODPLAIN MAP IS AVAILABLE AT THE TOWN OF SOUTHERN PINES PLANNING DEPARTMENT
 MAP NO. 15, NOVEMBER 2005
 MAP NO. 15, NOVEMBER 2005
 DATE OF REVISION: 11/2005

ZONING INFORMATION
ZONING CLASSIFICATION:
 R-100 (1) SINGLE-FAMILY RESIDENTIAL
 R-100 (2) RESIDENTIAL MEDIUM DENSITY HOUSING
EXISTING SETBACKS (FEET):
 R-100 (2) SIDE: 10'
 R-100 (2) REAR: 20'
EXISTING SETBACKS (FEET):
 R-100 (2) SIDE: 10'
 R-100 (2) REAR: 20'
MAX. BUILDING HEIGHT (FOOTING): 35'

LEGEND

---	Property Boundary
---	Survey Boundary
---	Setback Line
---	Right-of-Way Line
---	Easement Line
---	Utility Line
---	Other Utility Line
---	Other Utility Line
---	Other Utility Line

PROPERTY INFORMATION
 APPROXIMATE TOTAL AREA: 10.0 ACRES
 TOTAL BUILDING AREA: 10,000 SQ. FT.
 TOTAL FLOOR AREA: 10,000 SQ. FT.
 TOTAL VOLUME: 10,000 CU. YD.

BOUNDARY SURVEY PROVIDED BY:
 CAPITAL SURVEY AND MAPPING COMPANY
 6000 S. PARKWAY TRAIL
 RAYLEIGH, NC 27609
 P: 919.981.2200
 F: 919.981.2200
MLC AUTOMOTIVE, LLC
 101 Highway 1
 Southern Pines, North Carolina
 Southern Pines, North Carolina
 (919) 691-2000

CAUTION
 THE UTILITIES SHOWN HEREON ARE FOR THE INFORMATION OF THE CONTRACTOR ONLY. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UTILITIES WITHIN THE PROJECT LIMITS. ALL DAMAGES MADE TO THE EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

- GENERAL NOTES**
1. BASE OF NORTH: NG GRID 1440 50
 2. SPAN ALL DIMENSIONS WITH "X" OR "Y" DIMENSIONS IN CASE OF AMBIGUITY
 3. ALL DIMENSIONS ARE SEARCHED AND PROVIDED TO OR PREPARED BY THE SURVEYOR
 4. NO DEPENDENT MATERIAL HAS BEEN PROVIDED FOR THE SURVEYOR AS TO THE EXISTENCE OF THE FOLLOWING: 1. SIDE WALKS, SIDEWALKS, AND SIDEWALKS UTILITIES, AND SIDEWALKS STORAGE
 5. LOCATION OF UNDERGROUND UTILITIES: 1. 24-INCH METAL BARS ONLY BELLIED CURBS AND DRAINAGE PROVIDED TO THE SURVEYOR. LOCATION OF UNDERGROUND UTILITIES AND 2. 24-INCH METAL BARS ONLY BELLIED CURBS AND DRAINAGE PROVIDED TO THE SURVEYOR
 6. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION
 7. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION
 8. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION

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

KOONTZ/ONES Design
 LINDA KOONTZ/ONES ARCHITECTURE
 100 W. MAIN ST., SUITE 100
 SOUTHERN PINES, NC 28586
 P: 919.691.2000
 F: 919.691.2000



U.S. 1 PROPERTY
 SOUTHERN PINES, NORTH CAROLINA
 EXISTING CONDITIONS PLAN

L1.0





NOT FOR RECORDATION

FLOODPLAIN DATA
 THE PROJECT IS LOCATED IN UNFLOODED ZONE 1X
 (AREAS OF MINIMAL FLOODING)
 THE LOCATION OF THE PROPERTY IS SHOWN IN PINK
 ON THE FLOOD MAP OF THE
 WILSON COUNTY, NORTH CAROLINA
 MAP NO. 100000010000000
 DATE: OCTOBER 17, 2008

BOUNDARY SURVEY PROVIDED BY:
 CAPITAL SURVEY OF J. MARSHALL COOK, CIVIL
 ENGINEER, 1000 W. WILSON ST., SUITE 100,
 WILSON, NC 27597
 P. 919.654.6888

Prepared by
MLC AUTOMOTIVE, LLC
 110 - 10000 1
 1000 FARMER ROAD, SUITE 100
 SOUTH FERRY, NORTH CAROLINA
 27586-1211

ZONING INFORMATION
ZONING CLASSIFICATION:
 TRACT 7
 (OFFICE SERVICES)
 TRACT 7.3
 (OFFICE, COMM. BLDG., MFG., & BLDG.)
EXISTING SETBACKS (F.S.):
 FRONT: 15'
 REAR: 15'
 SIDE: 15'
EXISTING SETBACKS (R.M.S.):
 FRONT: 15'
 REAR: 15'
 SIDE: 15'
MAX. BUILDING HEIGHT (O.S.P.M.S.): 35'

LEGEND

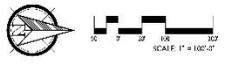
- 10' Easement
- 20' Easement
- 30' Easement
- 40' Easement
- 50' Easement
- 60' Easement
- 70' Easement
- 80' Easement
- 90' Easement
- 100' Easement
- 120' Easement
- 150' Easement
- 200' Easement
- 300' Easement
- 400' Easement
- 500' Easement
- 600' Easement
- 700' Easement
- 800' Easement
- 900' Easement
- 1000' Easement

PROPERTY INFORMATION

APPROXIMATE
 NET AREA: 100,000 SQ. FT.
 GROSS AREA: 120,000 SQ. FT.
 TOTAL AREA: 120,000 SQ. FT.
 TOTAL OPEN SPACE: 10,000 SQ. FT.
 TOTAL IMPROVED SURFACE: 110,000 SQ. FT.

CAUTION
 THIS PLAN IS BEING OFFERED FOR THE CONTRACTORS
 INFORMATION ONLY. IT IS NOT TO BE USED AS A BASIS
 FOR ANY CONTRACT. THE CONTRACTOR SHALL BE
 RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE
 INFORMATION SHOWN ON THIS PLAN. THE CONTRACTOR
 SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY
 PERMITS AND APPROVALS FROM THE LOCAL
 GOVERNMENT. THE CONTRACTOR SHALL BE RESPONSIBLE
 FOR OBTAINING ALL NECESSARY PERMITS AND
 APPROVALS FROM THE LOCAL GOVERNMENT. THE
 CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING
 ALL NECESSARY PERMITS AND APPROVALS FROM
 THE LOCAL GOVERNMENT.

- GENERAL NOTES**
1. BASIS OF NORTH AND GRID MAP TO
 2. PROJECT LOCATION IS SHOWN ON WILSON COUNTY, NORTH CAROLINA
 3. A CORNER IS IN THE PUBLIC RECORD PROVIDED TO THE SURVEYOR
 4. NO DETERMINATION HAS BEEN MADE BY THE SURVEYOR AS TO THE EXISTENCE OF THE
 HAZARDOUS MATERIALS IN THE PROJECT AREA. THE SURVEYOR IS NOT RESPONSIBLE FOR
 HAZARDOUS MATERIALS IN THE PROJECT AREA.
 5. LOCATION OF UNDERGROUND UTILITIES IS SHOWN. THESE ARE BASED ON FIELD EVIDENCE AND
 DRAWINGS PROVIDED TO THE SURVEYOR. LOCATION OF UNDERGROUND UTILITIES AND
 STRUCTURES MAY VARY FROM LOCATION SHOWN. ADDITIONAL UTILITIES MAY EXIST. LOCAL
 UTILITIES DEPARTMENT IS THE BEST SOURCE FOR INFORMATION ON UNDERGROUND UTILITIES.
 6. EXISTING PARCEL INFORMATION OBTAINED FROM WILSON COUNTY GIS AND TOWN OF SOUTHERN
 PINES GIS.
 7. ALL RIGHTS RESERVED BY MLC AUTOMOTIVE, LLC.
 8. ALL RIGHTS RESERVED BY MLC AUTOMOTIVE, LLC.
 9. ALL RIGHTS RESERVED BY MLC AUTOMOTIVE, LLC.



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

KOONTZ-JONES DESIGN
 ARCHITECTS AND PLANNERS
 1000 WILSON ST., SUITE 100
 WILSON, NC 27597
 WWW.KOONTZ-JONESDESIGN.COM



SECTION:

U.S. 1 PROPERTY
 SOUTHERN PINES, NORTH CAROLINA
OVERALL DEVELOPMENT PLAN

DATE: 04-20-2015
 DRAWN BY: J.P. [Name]
 CHECKED BY: [Name]
 PROJECT NO.: [Number]
 SHEET NUMBER:
L2.0

US 1 PROPERTY
CONCEPTUAL MASTER PLAN
 SOUTHERN PINES, NORTH CAROLINA

APRIL 8, 2016



DEVELOPMENT SUMMARY

PROPERTY:	± 25.6 ACRES
MULTI-FAMILY APARTMENTS (24 UNITS / BUILDING)	288 UNITS

KOONTZJONESDesign
 LAND PLANNING | LANDSCAPE ARCHITECTURE

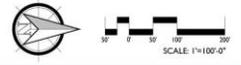


EXHIBIT A

US Highway 1 Property Conditional Use Permit Justification

Below are listed the six (6) criteria required to approve a Conditional Use Permit application as described in Section 2.21.7 of the Town of Southern Pines UDO. Following the individual criteria is an explanation, indicated in red, describing how the project demonstrates compliance with each of these criteria. A Conditional Use is permitted only if the Applicant demonstrates that:

- (A) The proposed conditional use shall comply with all regulations of the applicable zoning district and any applicable supplemental use regulations;

The property is currently zoned OS and would permit office and service uses on the property. Residential uses are also permitted under the OS zoning classification at an RM-1 density. This density would allow for 294 residential units to be developed on the site. Multi-family residential units are permitted at the proposed density are permitted through a Conditional Use Permit for the site. The proposed plan includes 288 total multi-family residential units which complies with the regulations of the zoning district.

The proposed development also complies with all supplemental use regulations for multi-family residential units.

- (B) The proposed conditional use shall conform to the character of the neighborhood in which it is located and not injure the use and enjoyment of property in the immediate vicinity for the purposes already permitted;

All structures will be designed to meet the standards for multi-family development described in Section 5.14 Multi-Family Development Standards. Structures will be designed to meet the existing character of the RM-1 zoned properties in the surrounding neighborhood and other homes in the vicinity. Buildings will meet all UDO standards for building height.

Buffers will be placed along property boundaries that are shared with adjacent properties. Every attempt will be made to maintain existing trees throughout the development. The property falls within a Highway Corridor Overlay District which requires a 75' building setback and a 50' parking area setback from US 1. The 75' buffer area will be planted per the Town of Southern Pines landscape standards. In order to gain additional credit toward the Town's landscape requirements, efforts will be taken to maintain trees in this area as well. All landscaping will meet and/or exceed Town of Southern Pines requirements for landscaping within parking fields.

Appropriate landscaping will be planted along the adjoining property boundaries on the east side of the property. These plantings will meet the Town's landscaping requirements and screen the development from adjoining properties. Landscape materials will selected to match the existing area and maintain a natural appearance for the property that is in keeping with the character of the surrounding neighborhood and Southern Pines community.

On page 2.4 of the Comprehensive Long Range Plan (CLRP) under housing it states "Southern Pines residents recognize the importance and relevance of housing that is diverse, affordable and compatible with the neighborhood in which it is developed." The developer believes that the multi-family residential proposed for this neighborhood offers a variety and diversity of residential products within the community and surrounding neighborhood. The variety in housing options allows residents of Southern Pines to make housing decisions that fit their needs and lifestyle. This community fits into the context of the surrounding neighborhood and provides a buffer and transition of density to townhomes, multi-family and other residential development surrounding the property.

EXHIBIT A

In addition see the attached Compliance with Comprehensive Long Range Plan Objectives document.

- (C) Adequate public facilities shall be provided as set forth herein;

Public water and sewer utilities are readily available for the project, the cost of which will be borne by the developer. Parks, open spaces, trails, sidewalks and amenities will be provided by the developer for the residents.

- (D) The proposed use shall not impede the orderly Development and improvement of surrounding property for uses permitted within the zoning district or substantially diminish or impair the property values within the neighborhood;

This is an infill project along the US 1 corridor in close proximity to downtown Southern Pines. Surrounding zoning districts, east of US 1, permit higher density and multi-family and townhome development. This project will not impede the development of surrounding properties.

- (E) The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, comfort or general welfare; and

This residential neighborhood will continue the existing development pattern in the neighborhood and will not be detrimental to or endanger the public health, safety, comfort or general welfare of the surrounding neighborhood or downtown Southern Pines. The development will also meet many of the goals of the CLRP and is permitted as a conditional use within the Town's UDO.

- (F) The public interest and welfare supporting the proposed use shall be sufficient to outweigh individual interests that

This project incorporates many of the goals and objectives of the CLRP and establishes a development pattern that is in context with the surrounding neighborhood and downtown Southern Pines. The development pattern also meets the landuse goals defined by the CLRP and is in harmony with the surrounding neighborhood. Utility infrastructure will be provided for the development and the cost borne by the developer.

Base on the properties proximity to downtown, higher density residential development is appropriate for the area. The greater number of residents will work, seek entertainment and shop in downtown Southern Pines. These additional resident will contribute to the character and vibrancy of the downtown center.

EXHIBIT B

US Highway 1 Property Major Subdivision Justification

Below are listed the six (6) criteria required to approve a Major Subdivision application as described in Section 2.20.5 (G) Criteria of the Town of Southern Pines UDO. Following the individual criteria is an explanation, indicated in red, describing how the project demonstrates compliance with each of these criteria.

(1) The application is consistent with the approved Sketch Plat, if applicable.

Not Applicable

(2) The application is consistent with the Comprehensive Plan, as well as any other adopted plans for streets, alleys, parks, playgrounds, and public utility facilities;

This project incorporates many of the goals and objectives of the CLRP and establishes a development pattern that is in context with the surrounding neighborhood and downtown Southern Pines. The development pattern also meets the landuse goals defined by the CLRP and is in harmony with the surrounding neighborhood. See Exhibit A for CLRP consistency.

(3) The proposed subdivision complies with the UDO and applicable state and federal regulations;

This major subdivision plan complies with the UDO based on the requests for a Conditional Use Permit (CUP). The project falls below the maximum number of residential units permitted on the property based on the underlying zoning categories. The request also complies with all applicable state and federal regulations.

(4) The proposed subdivision, including its Lot sizes, density, access, and circulation, is compatible with the existing and/or permissible zoning and future land use of adjacent property;

The proposed subdivision will be compatible with the surrounding neighborhood. The property is currently zoned as OS and RM-2 districts. OS districts permit office and service uses as well as residential uses at a RM-1 density. RM-2 districts permit single-family and multi-family residences. The surrounding neighborhood is a residential neighborhood zoned as RM-2 (Residential Mixed Housing) and includes several higher density and attached residential units. Access and circulation patterns allow for connected streets as is characteristic of the surrounding neighborhood and downtown Southern Pines.

(5) The proposed subdivision will not have detrimental impacts on the safety or viability of permitted uses on adjacent properties; and

This proposed subdivision is compatible with the adjacent properties. See description in item (4) above.

(6) The proposed public facilities are adequate to serve the normal and emergency demands of the proposed Development, and to provide for the efficient and timely extension to serve future Development.

Public water and sewer utilities are readily available for the project, the cost of which will be borne by the developer. Roadway connections will be made at the right-of-way on West Rhode Island Avenue and the current US 1 curb cut location. All streets and parking areas within the development will be gated and private. Parks, open spaces, trails, sidewalks and other amenities will be provided by the developer for the residents.

EXHIBIT C

Compliance with Comprehensive Long Range Plan Objectives

Below is a list of Comprehensive Long range Plan (CLRP) objectives that the design of this project incorporates into the proposed development. The item identification at the beginning of each objective refers to the item number as referred to in the CLRP goals.

(P-N.01) Ensure that new neighborhood building and renovation are compatible with the overall scale, architectural, transportation and public-space characteristics of the neighborhood.

The project architectural, site design and neighborhood character fits into the surrounding neighborhood and is intended to blend in to the Southern Pines vernacular. Elements of building design and scale will be comparable with recently-completed regional projects. Transportation improvements are designed into the conceptual plan and are considerate of both vehicular and pedestrian linkages; both serving as neighborhood enhancements.

(P-N.02) Support the development of compatible infill housing in Southern Pines neighborhoods.

This infill project meets the density requirements of the existing OS and RM-2 zoning districts for the property and the proposed use is permitted within the districts. Adjacent properties are single-family residential and multi-family residential developments. Supply for new residential units is limited and demand for proposed multi-family units is present.

(P-N.03) Ensure new neighborhoods and mixed-use centers interconnect with adjoining residential.

The roadway network allows for an additional connection to the overall street pattern and all streets are interconnected with the existing infrastructure. Providing access gates at the property entrances will limit cut through traffic to and from US 1. Sidewalks will be provided throughout the community and connections to surrounding neighborhoods will be provided where available. The conceptual plan reasonably balances site characteristics and existing roadway infrastructure allowing flow of design and use of both existing and proposed centers of development.

(P-N.05) Encourage a wide variety of residential building types in new residential areas, consistent with the Town's existing building vernacular.

The multi-family buildings within the development will be consistent with the Southern Pines vernacular. The buildings will use materials consistent with Southern Pines. The mix of residential unit types is appropriate with the surrounding area. Market parameters dictate standards supporting Town's existing vernacular.

(P-R.01) Acquire, develop and maintain neighborhood parks in new and existing neighborhoods.

The project will provide it's on parks and amenities including open play areas, pool and clubhouse area, shade structure, pocket parks and dog park area as well as internal trails and sidewalks.

(P-C.01) Favor higher-density development within the existing urbanized area over development on the perimeter, limiting sprawl and helping the Town provide affordable services.

EXHIBIT C

The plan maximizes the permitted density on the property in a downtown infill neighborhood without a change in zoning classification. The site is part of the existing downtown urbanized area and all utility services are readily available for the site. Proposed density and location maximize urban planning objectives by limiting adverse impact and enhancing neighborhood efficiencies and livability. Higher density in close proximity of the vibrant downtown center area of Southern Pines, provides more residents within walking and biking distance of downtown. More people close to downtown will help maintain its vibrancy as the project's residents seek work, entertainment/dining and shopping options close to home.

(P-X.01) Increase roadway interconnectivity throughout Southern Pines, creating an environment conducive to multiple transportation options and coordinating with adjacent jurisdictions as appropriate.

The property provides an interconnected street network with a new connection to US Highway 1. Sidewalks will be added along new roadways and throughout the development. This will help facilitate pedestrian and bicycle travel connecting to downtown.

(P-X.02) Make walking or bicycling a more convenient, safe and economical transportation alternative.

See item (P-X.01) above.

(P-X.08) Create or enhance pedestrian infrastructure downtown and along access routes to adjoining neighborhoods.

See item (P-X.01) above.

(P-V.12) Encourage the use of native plants and those typical of Southern Pines' historic landscapes.

It is intended that the development will maintain plants when appropriate and utilize native plants in all areas of the development.

(P-S.11) Ensure that costs of extending services to new development are generally borne by such development, except where cost-sharing is necessary to facilitate or attain larger community goals as determined by the Town.

All development infrastructure to serve the property (water, sewer, roads) cost will be borne by the developer and dedicated to the Town of Southern Pines. Water, sewer and road infrastructure are all available adjacent to the site.

EXHIBIT D

US Highway 1 Property Multifamily Development Standards

Below are listed the six (6) multi-family development standards and their subsections from Section 4.10.8 of the Town of Southern Pines UDO. Following the individual criteria is an explanation, indicated in red, describing how the project demonstrates compliance with each of these criteria.

(A) Applicability

- (1) The following Development standards shall apply to all Multi-Family structures in the Morganton Road Overlay district and Multi-Family Developments of ten (10) or more Dwelling Units in any zoning district in which such Dwelling Units are allowed. *These development standards apply to the property as it is more than 10 dwelling units.*
- (2) No Multi-Family Development may include more than ten (10) Dwelling Units, except pursuant to a Planned Development or Conditional Use Permit approval. *This property is seeking a Conditional Use Permit.*
- (3) The Development standards in this section may be modified pursuant to a PD or Conditional Use Permit approval. *The proposed Conditional Use Permit follows these development standards to the greatest extent possible. Any variations are listed below and permitted as part of the Conditional Use Permit.*
- (4) In the RM-1 and RM-2 districts, no Multi-Family Residence may be located within two hundred (200) feet of the closest point of any other Multi-Family Residence, unless both structures are part of an integrated complex that includes no more than ten (10) Dwelling Units. *No multi-family units exist within 200 feet of this property that are not part of another integrated multi-family complex (Village Green).*

(B) Building Setbacks, Orientation and Lot Standards

- (1) Buildings shall be set back a minimum of ten (10) feet and a maximum of fifteen (15) feet from sidewalks public walkways or street right-of-way. Setbacks may be greater than fifteen (15) feet if the intervening distance consists of common open space. *All multi-family buildings on the property meet this standard. The clubhouse building is setback beyond 15' to allow for additional landscaping area in front of the building.*
- (2) The minimum spacing between the sides of Multi-Family Residential structures shall be twenty (20) feet. *All buildings exceed 20' in separation.*
- (3) Where practical, Dwellings should be located to face each other across common landscaped space with buildings no closer than (30) feet. *Due to the narrow shape of this site, buildings have been placed in a linear fashion for most of the site. Where possible, buildings were across from each other. Most buildings backup to landscape areas and planted buffers. Where possible planted landscape islands have been provided to break up parking areas and add trees/landscaping.*

(C) Building Design. Multi-Family Developments shall:

- (1) Include variations in heights, color, setback, rooflines, trim, and building sizes to create visual diversity between structures; *Proposed architecture will meet these specifications.*
- (2) Group buildings in clusters; *Due to the narrow shape of this site buildings are dispersed in a more linear fashion. Buildings are grouped closely together in an effort to share parking and provide additional open space throughout the site.*
- (3) Articulate façades by including projections of at least five (5) feet at least once every fifty (50) feet along the façade, *Proposed architecture will meet these specifications.*
- (4) Locate windows to provide easy surveillance of open spaces and walkways, without placing such windows within direct alignment with windows of adjacent structures; *Windows are located on all facades of the building and near walkways in order to allow for surveillance.*
- (5) Units above grade level should have access to private balconies of usable dimensions no smaller than ten (10) feet by six (6) feet; *Proposed architecture will meet these specifications.*

EXHIBIT D

(6) Create areas for foundation planting by keeping hard surfaces away from front façades; Foundation plantings will be provided between the building and hard surfaces. The dimensions of this area are defined by Section 4.10.8 (B)(1). The clubhouse will be setback beyond this requirement to provide additional landscaping area.

(7) Design entrances to.

(a) Provide private entrances at grade level and adjacent to private open space to the greatest extent possible. Unless otherwise approved by the Town Council, no more than four (4) Dwelling Units shall share a common entrance. 12 units are served by each breezeway from the ground level through the use of stairs. Each breezeway serves 4 dwelling units on each level of the building.

(b) Avoid aligning doors to separate Dwelling Units with each other unless screening is provided. However, entrances should be visible from the sidewalk or public walkway and other Dwelling Units, when practical. No entrances are aligned directly with other dwelling units without landscape areas in between the buildings and entrances. All entrances are clearly visible from sidewalks and parking areas.

(c) Provide porches or roofed overhangs over building entrances. Roofed overhangs are provided on all breezeway entrances. These entrances will provide focal elements for the building, while breaking up the front façade of the buildings.

(d) Set back buildings or entries so that the entry paths extend at least ten (10) feet from sidewalk or public circulation walkway. These entry areas should be designed to provide semi-public gardens around the front entryways. Do not provide access to apartments via long-shared access galleries. Entrances are setback as defined by Section 4.10.8 (B)(1). Landscaping is provided in between the sidewalk and building entrance to soften the entrance and create an attractive entrance location.

(8) Provide a private garden, yard, patio or balcony for every Dwelling Unit. All units in the development will have a private outdoor balcony or patio. Ground floor units will have private fenced patios, while upper level units will have private balconies.

(9) The private open space of all Dwelling Units shall be visually and functionally accessible from inside the Dwelling. All units will have windows and view the exterior landscaped areas, amenities and park.

(10) Provide screening for yards where private activities are likely to occur and to delimit private from common open space. Landscaping will be provided in front of all ground floor patios to allow for screening and privacy.

(D) Pedestrian Improvements

(1) Provide continuous walkways through the project and connecting Dwellings to and through common open space. An interconnected network of walkways and sidewalks provide access throughout the community. All units are connected through pedestrian pathways to the park, clubhouse and amenity areas throughout the property.

(2) Minimize walkways that provide direct opportunities to cut through the project by strategically locating fences, low walls and planting areas within the site and near site entry points. The property is proposed to be a private gated community with limited access gates located at West Rhode Island Avenue and US Highway 1. Pedestrian connections will be made to the streets surrounding the property, however, these locations will be gated and intended of the use of the residents. All amenities within the development will be private.

(3) Provide storage space for strollers, bicycles, and so forth, close to the main entries of Dwellings or groups of Dwellings. Bicycle storage racks will be provided at the clubhouse and at each building.

(E) Parking

(1) Provide parking in small Lots that are designed and located to ensure that most parked vehicles are visible from one (1) or more Dwellings. Parked vehicles will be visible from each building. Parking areas will be separated and divided by landscaping and parking islands per the Town's UDO.

(2) To the greatest extent practicable, parking shall not separate Dwelling Units from common open space. Due to the narrow shape of this site, dwellings are located facing open space areas where practicable.

(F) Open Space

(1) Common usable open space shall comprise ten (10) percent of the total project area. The project has in excess of 50% open space.

EXHIBIT D

(2) Open spaces shall be configured so that the ratio of building height to open space width is in the range of 1:3 or greater. Ratios as tight as 1:2 may be approved if landscaping effectively screens buildings from each other. **The open space areas meet these standards.**

(3) Common open space shall be configured in square or nearly square areas with sides of at least one hundred (100) feet. **Common open space and amenity areas are not configured as square areas as the topography and narrow site area prohibit this configuration. Open space areas are configured to fit the land, work with the topography and work within the plan structure to provide recreation opportunities for the residents of the community. The larger recreation/amenity areas exceed 100 feet on all sides.**

(4) To the greatest extent practicable, Dwelling Units shall have access to common open space without having to cross a street. **No public streets are provided within the development.**

(5) Play Areas

(a) Play areas for young children should be physically separated from potential traffic hazards. **The play area is located at the end of the property in a park area. This will allow for children's safety and separate children from vehicular traffic. The sidewalk system throughout the project will connect to this park area.**

(b) Provide a variety of hard-surfaces areas in the form pathways that are least five (5) feet wide and small areas off the circulation system for various children's activities. **The play area will provide these items.**

(6) For Developments with more than twenty (20) Dwellings, provide on-site; well-equipped and challenging play areas for school age children within a five (5) minute walk from each Dwelling Unit. **A play area will be provided as described above. Due to the linear nature and topography of this site, a flat area located outside of the main vehicular circulation pattern was identified for the playground. This area also has several large trees that will be maintained to create a shaded play area. Access to this area may exceed 5 minutes from the northernmost building. The clubhouse and pool area, however, are within five minutes' walk of all units. Children of all ages will be permitted to utilize these areas as well as the park area.**

(a) Provide places for school age children to sit. **Benches and sitting areas will be provided for children and adults.**

(b) Where possible include a space for ball games on site (minimum 80 feet x 40 feet). **Due to the topography and narrow site a flat area of this size will not be provided. However, the pool and clubhouse will provide a fitness room, theater room, game room and other amenities open to children. This properties proximity to downtown Southern Pines open spaces and parks will permit residents to have ball games if desired.**

(7) Provide retaining walls that can also be used for casual seating. **Retaining walls or site furniture will be used to provide casual seating.**

(8) Where cluster Dwellings are included in a project, ensure some uniqueness for each cluster. Vary the design (size, dimensions, grading, planting, site furniture and play equipment) of the common open spaces of each cluster. **This does not apply to this site.**

(9) The number of Dwelling Units grouped around common and open space should range between twenty (20) to one hundred (100) **Several units are grouped within close proximity of the clubhouse and pool area.**

PIN:858214321933
PARID:00039174
NAME:MLC AUTOMOTIVE, LLC
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CITY:RALEIGH
STATE:NC
ZIP:27629

PIN:858214338562
PARID:00040949
NAME:THOMPSON, JEAN L
ADDRESS:900 SANDAVIS RD
CITY:SOUTHERN PINES
STATE:NC
ZIP:28387

PIN:858200325691
PARID:00039929
NAME:VILLAGE GREEN
ASSOCIATES
NAME2:OF SOUTHERN PINES
ADDRESS:VILLAGE GREEN
CITY:SOUTHERN PINES
STATE:NC
ZIP:28387

PIN:858200336196
PARID:00041184
NAME:MAIR, ROBERT C
CO/TRUSTEE &
NAME2:KENZER-MAIR, AMY B
CO/TRUSTEE
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CITY:CHATSWORTH
STATE:CA
ZIP:91311

PIN:858214337130
PARID:00032439
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CIRCLE
CITY:SOUTHERN PINES
STATE:NC
ZIP:28387

PIN:858200336154
PARID:00032024
NAME:GIBBONS, SANDRA
RICHARDS
ADDRESS:56 VILLAGE GREEN
CIRCLE
CITY:SOUTHERN PINES
STATE:NC
ZIP:28387

PIN:858200336101
PARID:00032844
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INVESTMENTS, INC
NAME2:C/O JOHN A JORDON
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CITY:SOUTHERN PINES
STATE:NC
ZIP:28387-5401

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PARID:00040921
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CIRCLE
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STATE:NC
ZIP:28387

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PARID:00038012
NAME:FOUNTAIN, JUDY
ADDRESS:54 VILLAGE GREEN CIR
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STATE:NC
ZIP:28387

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PIN:858214325818
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CIRCLE
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STATE:NC
ZIP:28387

PIN:858214325865
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CIRCLE
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STATE:NC
ZIP:28387

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PARID:00033182
NAME:ELLIOTT, HARDIE B
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CITY:ARLINGTON
STATE:TX
ZIP:76094

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PARID:00037852
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ZIP:28387

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ANITA
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ZIP:28387

PIN:858200323770
PARID:00035284
NAME:FISH, ARTHUR K & JOAN
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CIRCLE
CITY:SOUTHERN PINES
STATE:NC
ZIP:28387

PIN:858214324558
PARID:00033323
NAME:THOMAS, LOUISE N
TRUSTEE
ADDRESS:41 VILLAGE GREEN
CITY:SOUTHERN PINES
STATE:NC
ZIP:28387

PIN:858214324601
PARID:00033475
NAME:HILL, SAMMY H & BILLIE
JOYCE
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STATE:NC
ZIP:28387

PIN:858214323641
PARID:00039760
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ZIP:19380-5719

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PARID:00036426
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PARID:00035859
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CITY:SOUTHERN PINES
STATE:NC
ZIP:28387

PIN:858218323111
PARID:00032173
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STATE:NC
ZIP:28388

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LLC
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PARID:94000348
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AVE
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STATE:NC
ZIP:28387

PIN:858218311933
PARID:00039457
NAME:SEBRING, DANE TRISTAN
ADDRESS:620 W RHODE ISLAND
CITY:SOUTHERN PINES
STATE:NC
ZIP:28387

PIN:858218217509
PARID:00036264
NAME:SILVER RIDGE HOLDINGS,
LLC
ADDRESS:125 WILLIAMS ROAD
CITY:SOUTHERN PINES
STATE:NC
ZIP:28387

PIN:858217214672
PARID:00032830
NAME:TOWN OF SOUTHERN
PINES
ADDRESS:PO BOX 870
CITY:SOUTHERN PINES
STATE:NC
ZIP:28387

PIN:858217213440
PARID:00032829
NAME:TOWN OF SOUTHERN
PINES
ADDRESS:PO BOX 870
CITY:SOUTHERN PINES
STATE:NC
ZIP:28387

PIN:858217212320
PARID:00036262
NAME:HABITAT FOR HUMANITY
NAME2:OF MOORE COUNTY, INC
ADDRESS:2268 NC HWY 5
CITY:ABERDEEN
STATE:NC
ZIP:28315

PIN:858200205917
PARID:00039148
NAME:TOWN OF SOUTHERN
PINES
ADDRESS:PO BOX 870
CITY:SOUTHERN PINES
STATE:NC
ZIP:28387

PIN:858217212155
PARID:00031953
NAME:NEWKIRK, ELVY O
ADDRESS:80 WEAVER WAY
CITY:ROXBURY
STATE:MA
ZIP:02119

PIN:858218217283
PARID:00039150
NAME:SOUTHERN PINES HOUSING
NAME2:AUTHORITY
ADDRESS:801 S MECHANIC ST
CITY:SOUTHERN PINES
STATE:NC
ZIP:28387

**APPLICATION FOR THE
TOWN OF SOUTHERN PINES TOWN COUNCIL
WATERSHED PROTECTION PERMIT**

Date Received: 3/21/16

Case: WP- 01 - 16

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

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

1. Name of Project: US Highway 1 Property
2. Project Street Address: US 1
3. PIN # 858214321933 LRK 00039174
4. Watershed: LITTLE RIVER MAKE NO. 2
5. Type of Commercial Building (i.e. retail, office, etc.): MULTI-FAMILY APARTMENTS

I certify that all information furnished in this application is accurate and in compliance with the Watershed Protection Overlay standards of the Town of Southern Pines.

Name of Petitioner: Robert Koontz
Please Print

Signature: 

Mailing Address of Petitioner: 150 Page Street, Southern Pines, NC 28387
Please Print

E-Mail of Petitioner: bkoontz@koontzdesign.com
Please Print

Phone Number of Petitioner: (910) 639-4058
(Area Code)

Name of legal owner of Property Owner
(If different from Petitioner) MLC AUTOMOTIVE, LLC
Please Print

Mailing Address of legal Property Owner
(If different from Petitioner) PO BOX 40110, RALEIGH, NC 27629
Please Print

Phone number of legal Property Owner
(If different from Petitioner) (919) 876-5432
(Area Code)

Form updated December 13, 2013

Traffic Impact Analysis

DRAFT

US 1 Residential Development Southern Pines, NC

Prepared for:

Caviness and Cates Building and Development Co.

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**Traffic Impact Analysis
for
US 1 Residential Development
Southern Pines, North Carolina**

**Prepared for:
Caviness and Cates Building and Development Co.
Fayetteville, NC**

**Prepared By:
Kimley-Horn and Associates, Inc.
NC License # F-0102
421 Fayetteville Street, Suite 600
Raleigh, North Carolina 27601
(919) 677-2000**

**017321000
April 2016**



This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

Executive Summary

The proposed US 1 Residential Development is a project located on the east side of US 1 between Pennsylvania Avenue and Midland Road in Southern Pines, North Carolina. The site is currently vacant. As currently envisioned, the development of the approximately 25-acre property will consist of 288 apartment units. The development is expected to be completed (built-out) in 2017.

This report presents trip generation, distribution, traffic analyses, and recommendations for transportation improvements required to meet anticipated traffic demands. The traffic conditions studied include the existing (2016), future (2026) background, and future (2026) build-out. While the Town’s TIA guidelines reference both 10- and 20-year projections, with the short buildout timeline expected for this project, a 10-year projection time horizon was agreed upon as a part of the scoping of this study. The weekday AM and PM peak hours were studied.

Trips for the entire development were generated as apartments (LUC 220). Table ES-1 shows the trip generation potential of the proposed land use.

Table ES-1 ITE Traffic Generation – Weekday Trips					
Land Use Code	Land Use Density	AM Peak Hour		PM Peak Hour	
		Enter	Exit	Enter	Exit
220	Apartment (288 Units)	29	116	114	62

Due to the ongoing discussion regarding the US 1 Northbound Service Road and whether its existing access to the US 1 Northbound Off-Ramp will remain open in the future, two scenarios were analyzed in the future build-out condition: one in which the US 1 Northbound Service Road access remains open and one in which it is closed. For the purposes of this analysis, all study intersections were evaluated under the assumption of closed access between the US 1 Northbound Service Road and the US 1 Northbound Off-Ramp. This results in the most conservative analysis of the projected traffic throughout the study network. However, a future (2026) build-out analysis was also completed for the intersections of the US 1 Northbound Off-Ramp at US 1 Northbound Service Road and Midland Road at US 1 Northbound Off-Ramps for a scenario in which access remains open at its existing location.

Analysis indicates that all intersections in the study area are expected to operate acceptably with the proposed development in place with the exception of Midland Road at US 1 Northbound Off-Ramps. The northbound approach (US 1 Northbound Off-Ramp) at this

unsignalized intersection is expected to operate with long delays in the year 2026 with or without the proposed development in place. Site traffic is expected to account for less than 5% of the total traffic at this intersection in the AM and PM peak hours. Analysis results are summarized in Table ES-2. The delay reported for the intersections in the study area, all of which are unsignalized, was determined using an average of five SimTraffic simulation runs. Intersections with approaches that have a reported delay greater than 50 seconds are considered to operate at LOS F. These approaches are noted in the summary table below with red text.

Table ES-2 Level-of-Service Summary		
Condition	AM Peak Hour LOS (Delay)	PM Peak Hour LOS (Delay)
Midland Road at US 1 Northbound Ramps		
Existing (2016) Traffic	NB – D (31.0) SB – A (6.4)	NB – E (35.4) SB – A (8.4)
Future (2026) Background Traffic	NB – F (67.1) SB – A (9.4)	NB – F (117.4) SB – A (7.8)
Future (2026) Build-out Traffic (Open Service Road Access Scenario)	NB – F (84.3) SB – A (8.7)	NB – F (163.5) SB – D (26.9)
Future (2026) Build-out Traffic (Closed Service Road Access Scenario)	NB – E (40.5) SB – A (6.2)	NB – F (110.5) SB – A (9.8)
US 1 Northbound Off-Ramp at US 1 Northbound Service Road		
Existing (2016) Traffic	NB – A (3.5)	NB – A (3.1)
Future (2026) Background Traffic	NB – F (58.6)	NB – C (19.0)
Future (2026) Build-out Traffic (Open Service Road Access Scenario)	NB – D (31.0)	NB – F (79.4)
Midland Road at Crestview Road		
Existing (2016) Traffic	NB – A (9.8)	NB – A (9.4)
Future (2026) Background Traffic	NB – A (9.3)	NB – B (12.2)
Future (2026) Build-out Traffic (Closed Service Road Access Scenario)	NB – B (14.8)	NB – C (15.3)
N Saylor Street at Crestview Road		
Existing (2016) Traffic	NB – A (3.2)	NB – A (2.4)
Future (2026) Background Traffic	NB – A (2.8)	NB – A (2.9)
Future (2026) Build-out Traffic (Closed Service Road Access Scenario)	NB – A (4.4)	NB – A (4.0)

ES-2



Table ES-2 (cont.) Level-of-Service Summary		
Condition	AM Peak Hour LOS (Delay)	PM Peak Hour LOS (Delay)
N Saylor Street at W Rhode Island Avenue / Proposed Site Driveway #1		
Existing (2016) Traffic	EB – A (3.7) WB – A (4.9)	EB – A (3.8) WB – A (4.3)
Future (2026) Background Traffic	EB – A (3.8) WB – A (4.3)	EB – A (3.9) WB – A (4.3)
Future (2026) Build-out Traffic (Closed Service Road Access Scenario)	EB – A (4.1) WB – A (4.7)	EB – A (3.8) WB – A (5.5)
N Saylor Street at Vermont Avenue		
Existing (2016) Traffic	EB – A (3.7) WB – A (4.0)	EB – A (4.1) WB – A (4.4)
Future (2026) Background Traffic	EB – A (3.9) WB – A (4.1)	EB – A (4.0) WB – A (3.8)
Future (2026) Build-out Traffic (Closed Service Road Access Scenario)	EB – A (3.9) WB – A (4.3)	EB – A (3.6) WB – A (4.1)
N Saylor Street at W Pennsylvania Avenue		
Existing (2016) Traffic	NB – A (8.6) SB – A (5.2)	NB – A (8.6) SB – A (6.3)
Future (2026) Background Traffic	NB – A (10.0) SB – A (5.7)	NB – B (10.1) SB – A (9.2)
Future (2026) Build-out Traffic (Closed Service Road Access Scenario)	NB – A (8.7) SB – A (7.4)	NB – B (12.2) SB – A (9.1)
W Rhode Island Avenue at N Bennett Street		
Existing (2016) Traffic	EB – A (4.2) WB – A (3.8)	EB – A (4.1) WB – A (3.7)
Future (2026) Background Traffic	EB – A (4.4) WB – A (4.0)	EB – A (3.7) WB – A (4.3)
Future (2026) Build-out Traffic (Closed Service Road Access Scenario)	EB – A (4.7) WB – A (3.9)	EB – A (3.6) WB – A (5.1)
Broad Street at W Rhode Island Avenue		
Existing (2016) Traffic	EB – A (4.2)	EB – A (3.5)
Future (2026) Background Traffic	EB – A (3.9)	EB – A (3.0)
Future (2026) Build-out Traffic (Closed Service Road Access Scenario)	EB – A (4.7)	EB – A (4.4)

Table ES-2 (cont.) Level-of-Service Summary		
Condition	AM Peak Hour LOS (Delay)	PM Peak Hour LOS (Delay)
US 1 Northbound at US 1 Northbound Service Road Access / Proposed Site Driveway #2		
Existing (2016) Traffic	WB – A (1.2)	WB – A (3.4)
Future (2026) Background Traffic	WB – A (3.1)	WB – A (4.7)
Future (2026) Build-out Traffic (Closed Service Road Access Scenario)	WB – A (4.5)	WB – A (6.5)
US 1 Northbound Service Road at US 1 Northbound Service Road Access / Proposed Site Driveway #2		
Existing (2016) Traffic	EB – A (2.5)	EB – A (2.7)
Future (2026) Background Traffic	EB – A (2.5)	EB – A (2.4)
Future (2026) Build-out Traffic (Closed Service Road Access Scenario)	WB – A (4.7) NB – A (4.2)	WB – A (4.5) NB – A (4.1)

The following improvements are recommended to be performed to accommodate projected US 1 Residential Development site traffic based on the capacity analysis presented herein:

US 1 Northbound at US 1 Northbound Service Road Access:

- Construct an exclusive right-turn lane on US 1 Northbound with 50 feet of full-width storage as well as the appropriate length of deceleration storage and bay taper

US 1 Northbound Service Road at US 1 Northbound Service Road Access/Proposed Site Driveway #2

- Operate the eastbound approach (US 1 Northbound Service Road Access) as a free-flow movement so that vehicles will not queue back onto mainline US 1 when attempting to enter the proposed site. This will require that all other movements at this intersection be under STOP control.

US 1 Northbound Service Road Connection Closure Analysis

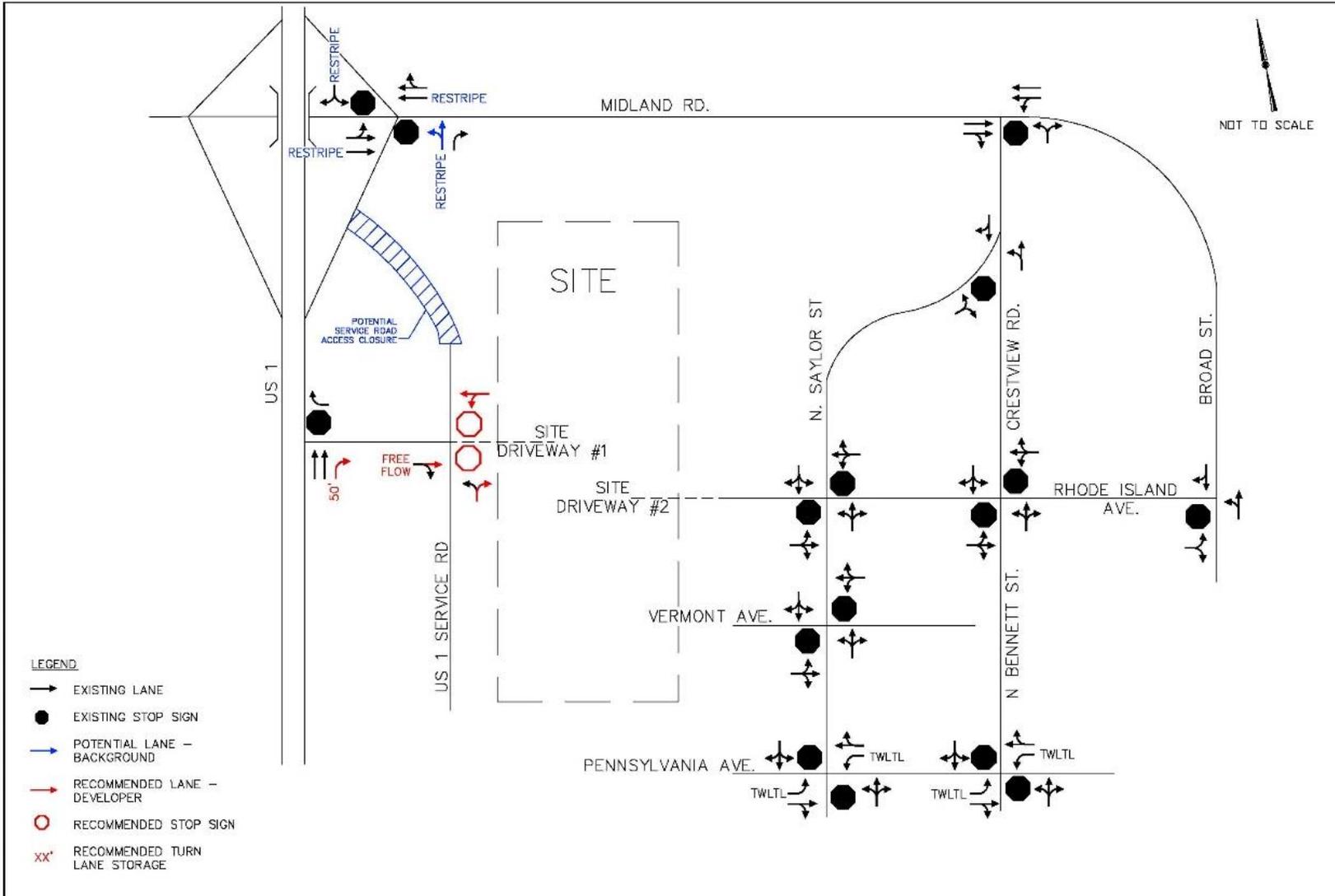
Existing AM and PM peak hour traffic counts along the US 1 Northbound Service Road indicate that closing the two-way connection and access from Midland Road will have minimal impact on traffic patterns in the area. Traffic counts showed as little as one (1) vehicle using the US 1 Northbound Service Road during the PM peak hour, and no vehicles were observed in the AM peak hour.

Based on the capacity analyses, the potential closure of access to the US 1 Northbound Service Road is expected to result in improved operations for the Midland Road at US 1 Northbound Ramps intersection if the existing pavement along the northbound approach, which currently accommodates two-way traffic, is restriped as an exclusive right-turn lane and shared through/left-turn lane. Since the decision of whether or not to close the US 1

Northbound Service Road connection is not expected to impact the proposed development in any appreciable way, it is not recommended that the connection closure be attributed to the proposed development. The proposed closure would provide improved traffic operations with or without the proposed development being in place. Furthermore, site traffic is expected to account for less than 5% of the total traffic at this intersection in the peak hours in 2026.

The recommended roadway laneage is shown on Figure ES-1.

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LEGEND

- EXISTING LANE
- EXISTING STOP SIGN
- POTENTIAL LANE - BACKGROUND
- RECOMMENDED LANE - DEVELOPER
- RECOMMENDED STOP SIGN
- XX* RECOMMENDED TURN LANE STORAGE

Kimley»Horn	US 1 RESIDENTIAL DEVELOPMENT SOUTHERN PINES, NC	RECOMMENDED LANEAAGE	FIGURE ES-1
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Table of Contents

	<u>Page No.</u>
1.0 INTRODUCTION.....	1
2.0 INVENTORY	2
2.1 STUDY AREA.....	2
2.2 EXISTING CONDITIONS.....	2
3.0 TRAFFIC GENERATION.....	6
4.0 SITE TRAFFIC DISTRIBUTION	7
5.0 PROJECTED TRAFFIC VOLUMES.....	10
5.1 EXISTING TRAFFIC.....	10
5.2 HISTORIC GROWTH TRAFFIC	10
5.3 SITE TRAFFIC	10
5.4 PROJECTED BUILD-OUT TRAFFIC	10
6.0 CAPACITY ANALYSIS.....	18
6.1 MIDLAND ROAD AT US 1 NORTHBOUND RAMPS	22
6.2 US 1 NORTHBOUND OFF-RAMP AT US 1 NORTHBOUND SERVICE ROAD	23
6.3 MIDLAND ROAD AT CRESTVIEW ROAD	23
6.4 N SAYLOR STREET AT CRESTVIEW ROAD.....	24
6.5 N SAYLOR STREET AT W RHODE ISLAND AVENUE/ PROPOSED SITE DRIVEWAY #1	24
6.6 N SAYLOR STREET AT W VERMONT AVENUE.....	24
6.7 N SAYLOR STREET AT W PENNSYLVANIA AVENUE.....	24
6.8 W RHODE ISLAND AVENUE AT BENNETT STREET.....	24
6.9 BROAD STREET AT W RHODE ISLAND AVENUE.....	25
6.10 US 1 NORTHBOUND AT US 1 NORTHBOUND SERVICE ROAD ACCESS/ PROPOSED SITE DRIVEWAY #2	25
6.11 US 1 NORTHBOUND SERVICE ROAD AT US 1 NORTHBOUND SERVICE ROAD ACCESS/ PROPOSED SITE DRIVEWAY #2	25
7.0 CONCLUSIONS AND RECOMMENDATIONS.....	26

Appendices

- A. TRIP GENERATION
- B. TRAFFIC COUNT DATA
- C. INTERSECTION SPREADSHEETS
- D. SYNCHRO OUTPUT: EXISTING (2016)
- E. SYNCHRO OUTPUT: BACKGROUND (2026)
- F. SYNCHRO OUTPUT: BUILD-OUT (2026) – CLOSED ACCESS ROAD SCENARIO
- G. SYNCHRO OUTPUT: BUILD-OUT (2026) – OPEN ACCESS ROAD SCENARIO
- H. SIMTRAFFIC OUTPUT: EXISTING (2016)
- I. SIMTRAFFIC OUTPUT: BACKGROUND (2026)
- J. SIMTRAFFIC OUTPUT: BUILD-OUT (2026) – CLOSED ACCESS ROAD SCENARIO
- K. SIMTRAFFIC OUTPUT: BUILD-OUT (2026) – OPEN ACCESS ROAD SCENARIO

List of Tables

<u>Table No.</u>	<u>Title</u>	<u>Page No.</u>
3.1	ITE Traffic Generation – Weekday Trips.....	6
6.0-A	Level-of-Service Control Delay Thresholds.....	19
6.0-B	Level-of-Service Summary	20

List of Figures

Figure No.	Title	Page No.
1	Site Location	3
2	Site Plan	4
3	Existing Roadway Laneage	5
4	Site Traffic Distribution and Percent Assignment – Closed Access Scenario	8
5	Site Traffic Distribution and Percent Assignment – Open Access Scenario	9
6	Existing and Projected Background AM Peak Hour Traffic Volumes	12
7	Existing and Projected Background AM Peak Hour Traffic Volumes	13
8	Projected Build-Out AM Peak Hour Traffic Volumes – Closed Access Scenario	14
9	Projected Build-Out PM Peak Hour Traffic Volumes – Closed Access Scenario	15
10	Projected Build-Out AM Peak Hour Traffic Volumes – Open Access Scenario	16
11	Projected Build-Out PM Peak Hour Traffic Volumes – Open Access Scenario	17
12	Recommended Roadway Laneage	27

1.0 Introduction

The proposed US 1 Residential Development is a project located on the east side of US 1 between Pennsylvania Avenue and Midland Road in Southern Pines, North Carolina. The site is currently vacant. As currently envisioned, the development of the approximately 25-acre property will consist of 288 apartment units. The development is expected to be completed (built-out) in 2017.

This report presents trip generation, distribution, traffic analyses, and recommendations for transportation improvements required to meet anticipated traffic demands. The traffic conditions studied include the existing (2016), future (2026) background, and future (2026) build-out. While the Town's TIA guidelines reference both 10- and 20-year projections, with the short buildout timeline expected for this project, a 10-year projection time horizon was agreed upon as a part of the scoping of this study. The weekday AM and PM peak hours were studied.

Due to the ongoing discussion regarding the US 1 Northbound Service Road and whether its existing access to the US 1 Northbound Off-Ramp will remain open in the future, two scenarios were analyzed in the future build-out condition: one in which the US 1 Northbound Service Road access remains open and one in which it is closed. For the purposes of this analysis, all study intersections were evaluated under the assumption of closed access between the US 1 Northbound Service Road and the US 1 Northbound Off-Ramp. This results in the most conservative analysis of the projected traffic throughout the study network. However, a future (2026) build-out analysis was completed for the intersections of the US 1 Northbound Off-Ramp at US 1 Northbound Service Road and Midland Road at US 1 Northbound Off-Ramps for a scenario in which access remains open at its existing location.

North Carolina Department of Transportation (NCDOT) and Town of Southern Pines staff were consulted to obtain background information and to ascertain the elements covered in this traffic impact analysis (TIA).

2.0 Inventory

2.1 Study Area

The study area for this TIA consists of the following intersections:

- Midland Road at US 1 Northbound Ramps
- US 1 Northbound Off-Ramp at US 1 Northbound Service Road
- Midland Road at Crestview Road
- N Saylor Street at Crestview Road
- N Saylor Street at W Rhode Island Avenue / Proposed Site Driveway #1
- N Saylor Street at W Vermont Avenue
- N Saylor Street at W Pennsylvania Avenue
- W Rhode Island Avenue at N Bennett Street
- Broad Street at W Rhode Island Avenue
- US 1 Northbound at US 1 Northbound Service Road Access
- US 1 Northbound Service Road at US 1 Northbound Service Road Access/Proposed Site Driveway #2

Figure 1 shows the site location, and Figure 2 shows the site plan.

2.2 Existing Conditions

The surrounding land uses are primarily residential. Roadways in the study area include US 1, Midland Road (NC 2), Pennsylvania Avenue, Broad Street, Crestview Road, Saylor Street, Rhode Island Avenue, Vermont Avenue, Bennett Street. The existing roadway laneage in the study area is shown in Figure 3.

US 1 is a 4-lane divided highway with a posted speed limit of 55 mph near the study area. The reported 2013 average daily traffic (ADT) volume was approximately 19,000 vehicles per day (vpd) south of Midland Road.

Midland Road is a 4-lane divided roadway with a posted speed limit of 35 mph east of US 1. The reported 2013 ADT volume was approximately 4,900 vpd east of US 1.

Pennsylvania Avenue is a 3-lane roadway with a center two-way left-turn lane (TWLTL) and a posted speed limit of 35 mph. The estimated ADT volume near the study area is approximately 8,500 vpd.

Broad Street is a 2-lane roadway with a posted speed limit of 25 mph near the study area. The estimated ADT volume is approximately 5,500 vpd.

Crestview Road, Saylor Street, Rhode Island Avenue, Vermont Avenue, and Bennett Street are all 2-lane roadways with estimated ADT volumes below 1,000 vpd.



	<p style="text-align: center;">US 1 RESIDENTIAL DEVELOPMENT SOUTHERN PINES, NC</p>	<p style="text-align: center;">SITE LOCATION</p>	<p style="text-align: center;">FIGURE 1</p>
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3.0 Traffic Generation

The traffic generation potential of the proposed development was determined using the traffic generation rates published in *Trip Generation* (Institute of Transportation Engineers, 9th Edition, 2012). Trips for the entire development were generated as apartments (LUC 220). Table 3.1 summarizes the estimated traffic generation potential of the site during a typical weekday.

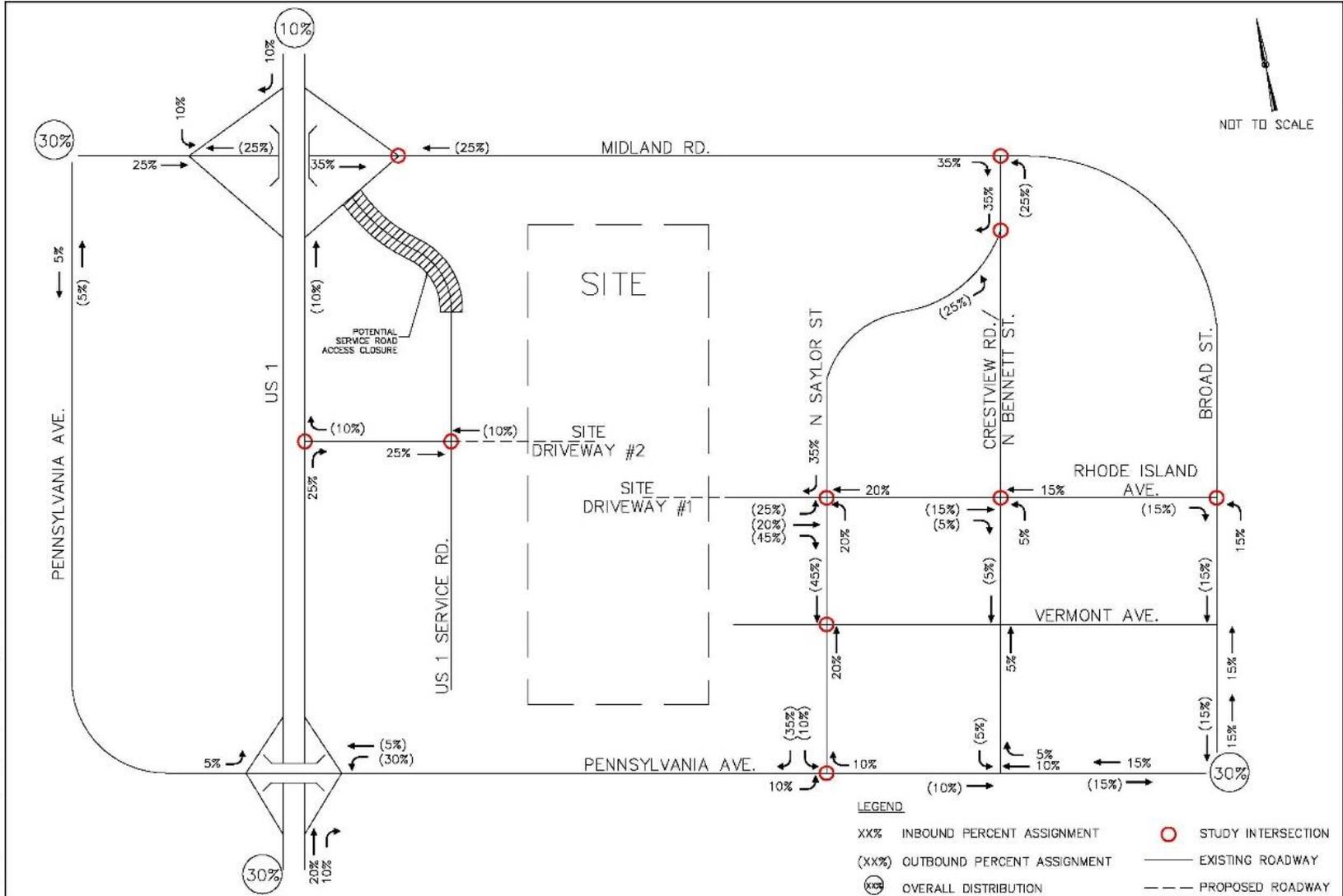
Table 3.1 ITE Traffic Generation – Weekday Trips					
Land Use Code	Land Use Density	AM Peak Hour		PM Peak Hour	
		Enter	Exit	Enter	Exit
220	Apartment (288 Units)	29	116	114	62

4.0 Site Traffic Distribution

The proposed generated trips were assigned to the surrounding roadway network based on existing traffic patterns and existing and projected land use densities in the study area. The estimated directional distribution is as follows:

- 30% to/from downtown Southern Pines
- 30% to/from Pinehurst along Midland Road and W Pennsylvania Avenue
- 30% to/from the south along US 1
- 10% to/from the north along US 1

Figure 4 shows the site traffic distribution and percent assignment for the analysis scenario in which the US 1 Northbound Service Road access near Midland Road is closed. Figure 5 shows the site traffic distribution and percent assignment for the analysis scenario in which the US 1 Northbound Service Road access remains open near Midland Road.



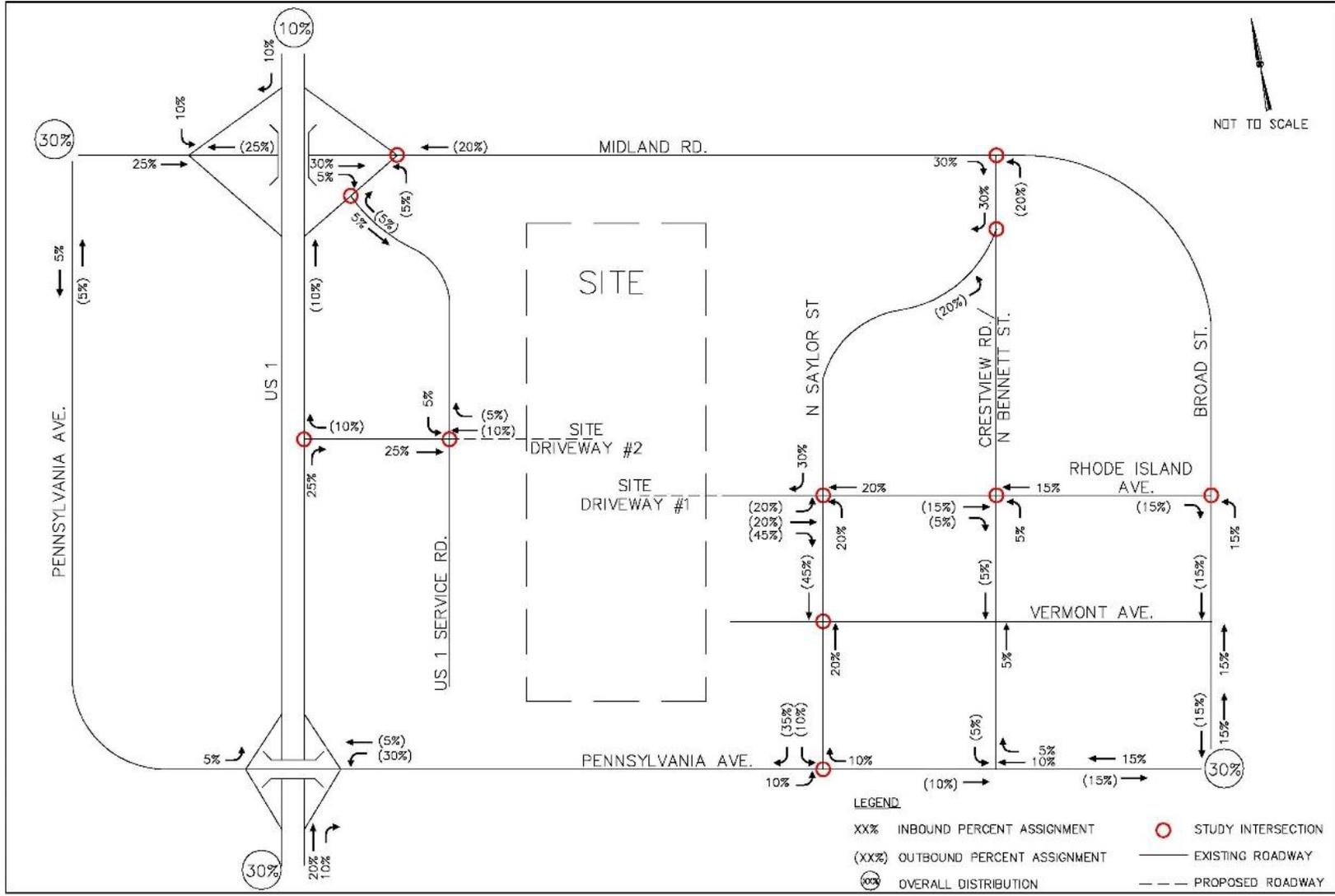
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US 1 RESIDENTIAL DEVELOPMENT
SOUTHERN PINES, NC

SITE TRAFFIC DISTRIBUTION –
CLOSED SERVICE ROAD RAMP
CONNECTION SCENARIO

FIGURE
4

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NOT TO SCALE

FIGURE 5

SITE TRAFFIC DISTRIBUTION - OPEN SERVICE ROAD RAMP CONNECTION SCENARIO

US 1 RESIDENTIAL DEVELOPMENT SOUTHERN PINES, NC



5.0 Projected Traffic Volumes

5.1 Existing Traffic

AM peak hour (7:00 to 9:00 AM) and PM peak hour (4:00 to 6:00 PM) turning movement counts were performed at the following intersections:

▪ Midland Road at US 1 Northbound Ramps	May 12, 2015
▪ Midland Road at Crestview Road	April 5, 2016
▪ N Saylor Street at Crestview Road	April 5, 2016
▪ N Saylor Street at W Rhode Island Avenue	April 5, 2016
▪ N Saylor Street at W Vermont Avenue	April 5, 2016
▪ N Saylor Street at W Pennsylvania Avenue	April 5, 2016
▪ W Rhode Island Avenue at N Bennett Street	April 5, 2016
▪ Broad Street at W Rhode Island Avenue	April 5, 2016
▪ US 1 Northbound Service Road at US 1 Northbound Service Road Access	April 5, 2016

Additionally, a 24-hour tube count was conducted along US 1 Northbound, just south of the US 1 Northbound Service Road Access, on April 5, 2016.

The existing AM and PM peak hour traffic volumes at the study intersections are shown in Figures 6 and 7, respectively, and the traffic count data are included in the Appendix. Existing peak hour factors (PHF) were used in the analysis when available. Otherwise, a PHF of 0.90 was used.

5.2 Historic Growth Traffic

Based on historic ADT volumes in the area, the existing volumes were grown at an annual growth rate of 1.5% through the 2026 horizon year. This is consistent with the growth rate assumed in the area as a part of the Midland Road Corridor Study traffic analyses.

5.3 Site Traffic

The proposed site traffic was generated and assigned to the adjacent roadway network according to the distribution discussed previously in Section 4.0. The site traffic volumes for the AM and PM peak hours for the scenario in which the US 1 Northbound Service Road access is closed are shown in Figures 8 and 9, respectively. The site traffic volumes for the AM and PM peak hours for the scenario in which the US 1 Northbound Service Road access remains open are shown in Figures 10 and 11, respectively.

5.4 Projected Build-Out Traffic

To estimate the projected build-out peak hour traffic volumes, site-generated traffic volumes were added to the background traffic volumes. Figures 8 and 9 reflect the projected build-out traffic volumes for the AM and PM peak hours, respectively, for the scenario in which the US 1 Northbound Service Road access is closed. Figures 10 and 11 reflect the projected build-out traffic

volumes for the AM and PM peak hours, respectively, for the scenario in which the US 1 Northbound Service Road access remains open.

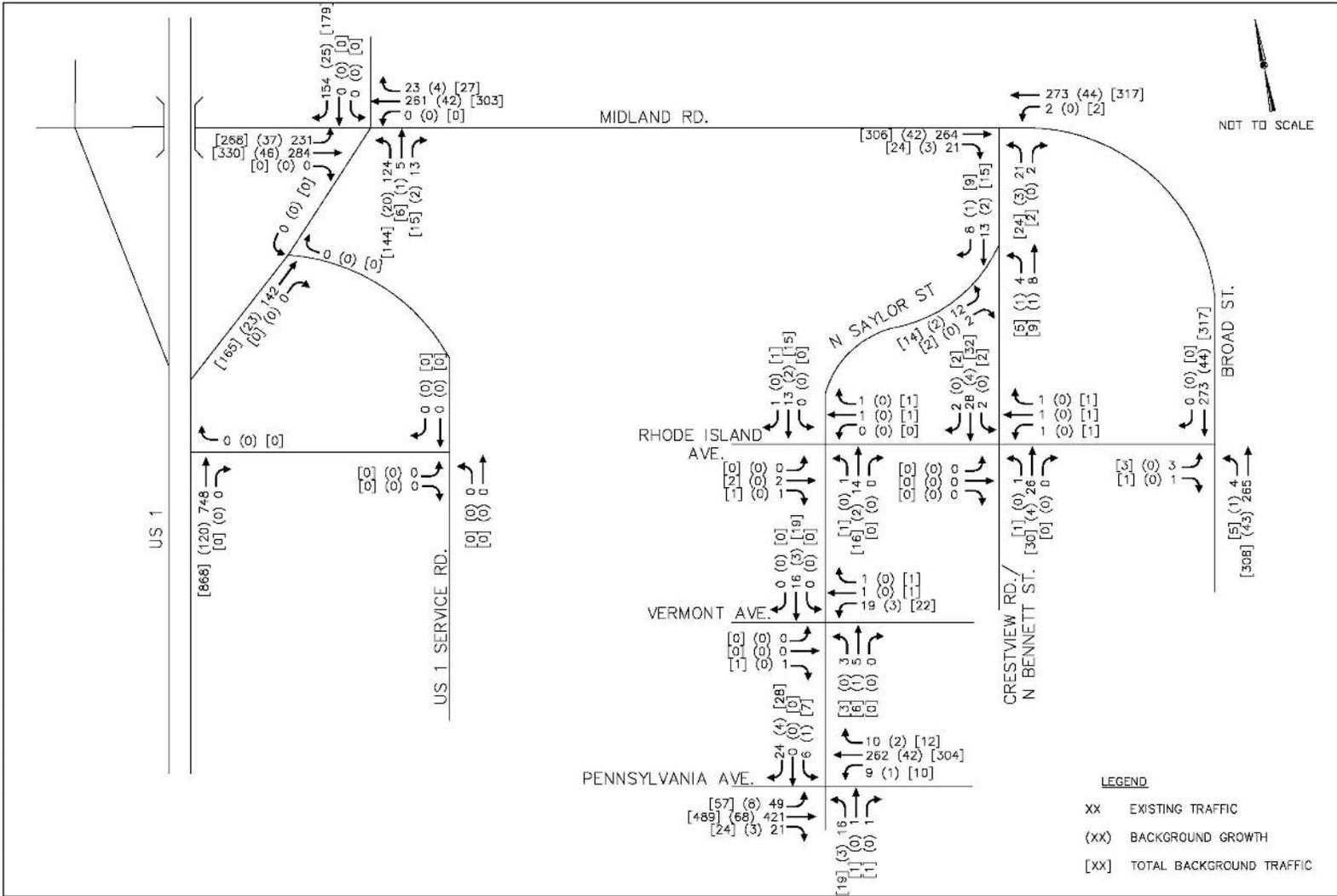


FIGURE 6

EXISTING AND PROJECTED (2026) BACKGROUND AM PEAK HOUR TRAFFIC VOLUMES

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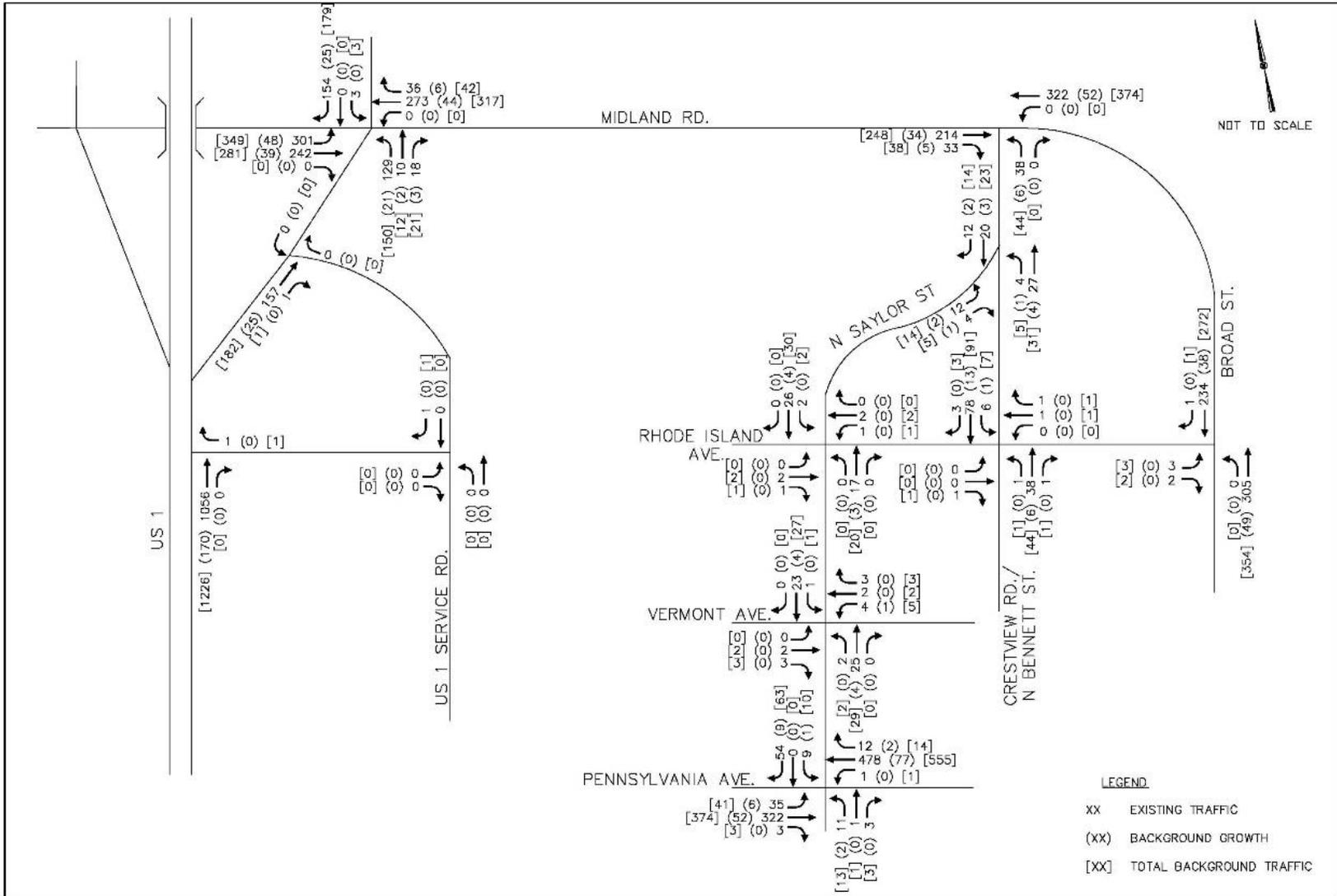
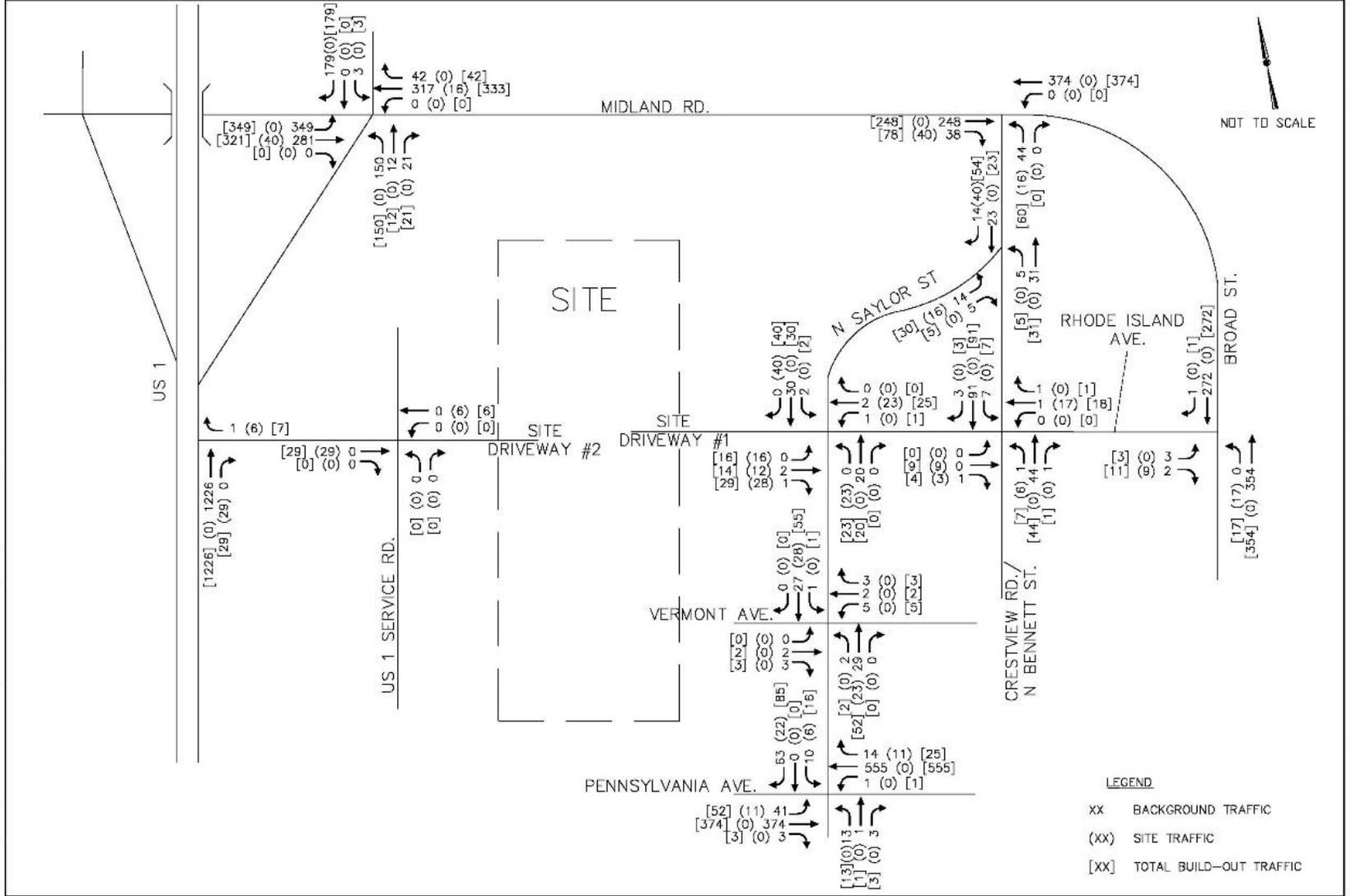


FIGURE 7

EXISTING AND PROJECTED (2026) BACKGROUND PM PEAK HOUR TRAFFIC VOLUMES

US 1 RESIDENTIAL DEVELOPMENT SOUTHERN PINES, NC



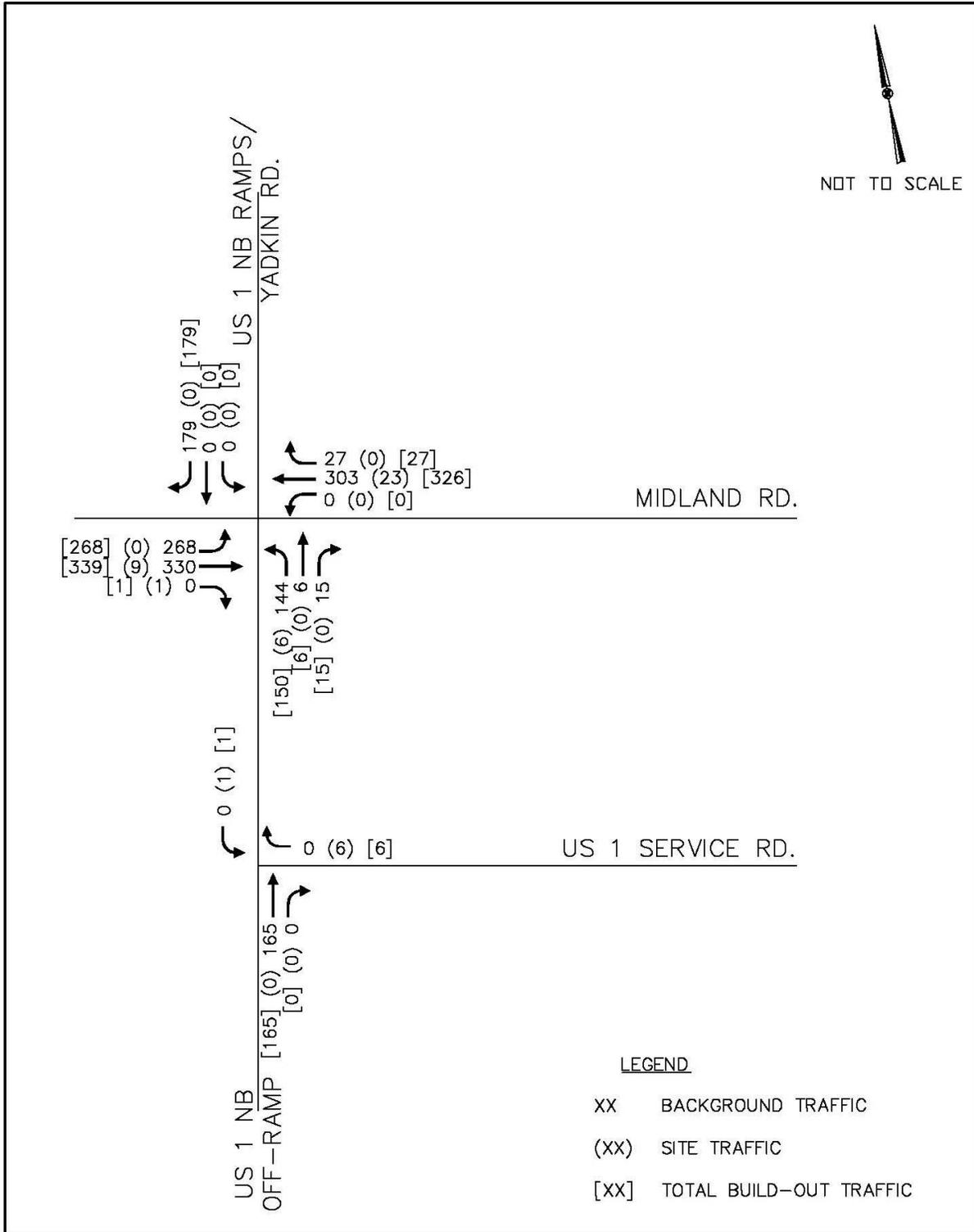


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SOUTHERN PINES, NC

PROJECTED (2026) BUILD-OUT
PM PEAK HOUR TRAFFIC VOLUMES
(CLOSED SERVICE ROAD CONNECTION)

FIGURE
9

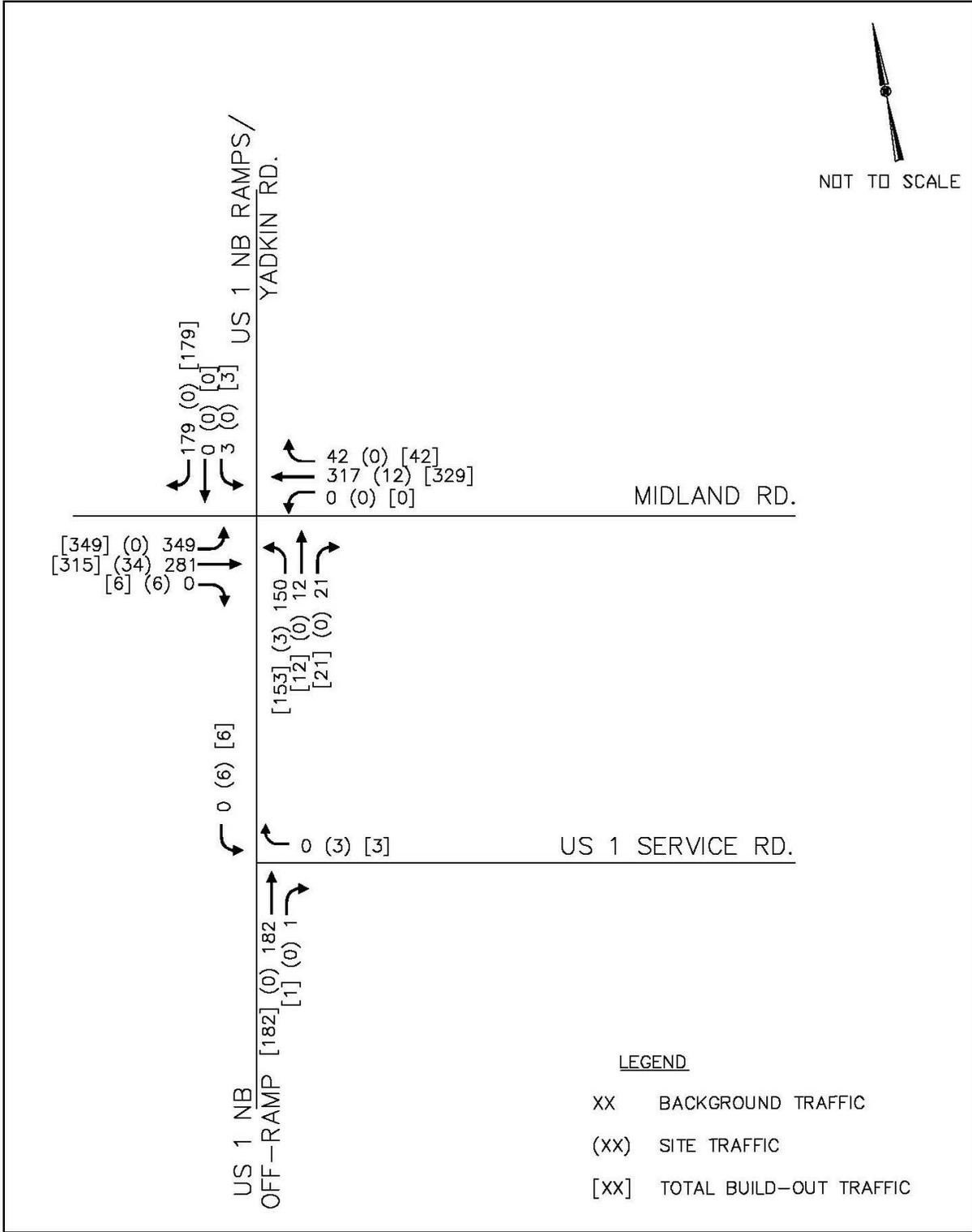


US 1
RESIDENTIAL DEVELOPMENT
SOUTHERN PINES, NC

PROJECTED (2026) BUILD-OUT
AM PEAK HOUR TRAFFIC VOLUMES
(OPEN SERVICE RD. CONNECTION)

FIGURE
10

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US 1
RESIDENTIAL DEVELOPMENT
SOUTHERN PINES, NC

PROJECTED (2026) BUILD-OUT
PM PEAK HOUR TRAFFIC VOLUMES
(OPEN SERVICE RD. CONNECTION)

FIGURE
11

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6.0 Capacity Analysis

Capacity analyses (see Appendix) were performed for the weekday AM and PM peak hours for the existing (2016) and future (2026) background and build-out traffic conditions using Synchro Version 9 and SimTraffic software to determine the operating characteristics of the surrounding road network and the impacts of the proposed project.

Capacity is defined as the maximum number of vehicles that can pass over a particular road segment or through a particular intersection within an established time duration. Capacity is combined with Level-of-Service (LOS) to describe the operating characteristics of a road segment or intersection. LOS is a qualitative measure that describes operational conditions and motorist perceptions within a traffic stream. The *Highway Capacity Manual* defines six levels of service, LOS A through LOS F, with A representing the shortest average delays and F representing the longest average delays.

For unsignalized intersections, only the movements that must yield right-of-way experience control delay. Therefore, LOS criteria for the overall intersection is not reported by Synchro Version 9 or computable using methodology published in the *Highway Capacity Manual*. Accordingly, minor street approach delays are reported herein for unsignalized conditions.

It is common for the minor street approach delays as reported by Synchro calculations and SimTraffic simulations to differ, but generally, the results from each program indicate the same general trend in operations between alternatives. However, for the analyses in this study, it was observed that the minor street delays as calculated by Synchro showed extreme differences from those in SimTraffic. As an example, the average delay for the northbound approach at the intersection of Midland Road at US 1 Northbound Ramps was found to be 117.4 seconds for the PM peak hour of the projected background (2026) traffic condition. Alternatively, the delay for the same approach and traffic condition was calculated to be in excess of 1000 seconds by Synchro. For the purposes of reporting, the minor street approach delays provided herein were determined using SimTraffic simulations. However, Synchro LOS reports are also provided for all of the analysis alternatives in the Appendix.

Table 6.0-A lists the LOS control delay thresholds published in the *Highway Capacity Manual* for unsignalized intersections.

Table 6.0-A Level-of-Service Control Delay Thresholds Unsignalized Intersections	
Level-of-Service	Unsignalized Intersections – Average Control Delay [sec/veh]
A	≤ 10
B	> 10 – 15
C	> 15 – 25
D	> 25 – 35
E	> 35 – 50
F	> 50

Capacity analyses were performed for the existing (2016) and future (2026) background and build-out traffic conditions, as appropriate, for the following intersections:

- Midland Road at US 1 Northbound Ramps
- US 1 Northbound Off-Ramp at US 1 Northbound Service Road
- Midland Road at Crestview Road
- N Saylor Street at Crestview Road
- N Saylor Street at W Rhode Island Avenue / Proposed Site Driveway #1
- N Saylor Street at W Vermont Avenue
- N Saylor Street at W Pennsylvania Avenue
- W Rhode Island Avenue at N Bennett Street
- Broad Street at W Rhode Island Avenue
- US 1 Northbound at US 1 Northbound Service Road Access / Proposed Site Driveway #2
- US 1 Northbound Service Road at Proposed Site Driveway #2

Table 6.0-B summarizes the operation for the study intersections for the AM and PM peak hour traffic conditions listed above. All capacity analyses are included in the Appendix and are briefly summarized in the following sub-sections. Intersections with approaches that have a reported delay greater than 50 seconds are considered to operate at LOS F. These approaches are noted in the summary table below with red text.

Table 6.0-B Level-of-Service Summary		
Condition	AM Peak Hour LOS (Delay)	PM Peak Hour LOS (Delay)
Midland Road at US 1 Northbound Ramps		
Existing (2016) Traffic	NB – D (31.0) SB – A (6.4)	NB – E (35.4) SB – A (8.4)
Future (2026) Background Traffic	NB – F (67.1) SB – A (9.4)	NB – F (117.4) SB – A (7.8)
Future (2026) Build-out Traffic (Open Service Road Access Scenario)	NB – F (84.3) SB – A (8.7)	NB – F (163.5) SB – D (26.9)
Future (2026) Build-out Traffic (Closed Service Road Access Scenario)	NB – E (40.5) SB – A (6.2)	NB – F (110.5) SB – A (9.8)
US 1 Northbound Off-Ramp at US 1 Northbound Service Road		
Existing (2016) Traffic	NB – A (3.5)	NB – A (3.1)
Future (2026) Background Traffic	NB – F (58.6)	NB – C (19.0)
Future (2026) Build-out Traffic (Open Service Road Access Scenario)	NB – D (31.0)	NB – F (79.4)
Midland Road at Crestview Road		
Existing (2016) Traffic	NB – A (9.8)	NB – A (9.4)
Future (2026) Background Traffic	NB – A (9.3)	NB – B (12.2)
Future (2026) Build-out Traffic (Closed Service Road Access Scenario)	NB – B (14.8)	NB – C (15.3)
N Saylor Street at Crestview Road		
Existing (2016) Traffic	NB – A (3.2)	NB – A (2.4)
Future (2026) Background Traffic	NB – A (2.8)	NB – A (2.9)
Future (2026) Build-out Traffic (Closed Service Road Access Scenario)	NB – A (4.4)	NB – A (4.0)

Table 6.0-B (cont.) Level-of-Service Summary		
Condition	AM Peak Hour LOS (Delay)	PM Peak Hour LOS (Delay)
N Saylor Street at W Rhode Island Avenue / Proposed Site Driveway #1		
Existing (2016) Traffic	EB – A (3.7) WB – A (4.9)	EB – A (3.8) WB – A (4.3)
Future (2026) Background Traffic	EB – A (3.8) WB – A (4.3)	EB – A (3.9) WB – A (4.3)
Future (2026) Build-out Traffic (Closed Service Road Access Scenario)	EB – A (4.1) WB – A (4.7)	EB – A (3.8) WB – A (5.5)
N Saylor Street at Vermont Avenue		
Existing (2016) Traffic	EB – A (3.7) WB – A (4.0)	EB – A (4.1) WB – A (4.4)
Future (2026) Background Traffic	EB – A (3.9) WB – A (4.1)	EB – A (4.0) WB – A (3.8)
Future (2026) Build-out Traffic (Closed Service Road Access Scenario)	EB – A (3.9) WB – A (4.3)	EB – A (3.6) WB – A (4.1)
N Saylor Street at W Pennsylvania Avenue		
Existing (2016) Traffic	NB – A (8.6) SB – A (5.2)	NB – A (8.6) SB – A (6.3)
Future (2026) Background Traffic	NB – A (10.0) SB – A (5.7)	NB – B (10.1) SB – A (9.2)
Future (2026) Build-out Traffic (Closed Service Road Access Scenario)	NB – A (8.7) SB – A (7.4)	NB – B (12.2) SB – A (9.1)
W Rhode Island Avenue at N Bennett Street		
Existing (2016) Traffic	EB – A (4.2) WB – A (3.8)	EB – A (4.1) WB – A (3.7)
Future (2026) Background Traffic	EB – A (4.4) WB – A (4.0)	EB – A (3.7) WB – A (4.3)
Future (2026) Build-out Traffic (Closed Service Road Access Scenario)	EB – A (4.7) WB – A (3.9)	EB – A (3.6) WB – A (5.1)
Broad Street at W Rhode Island Avenue		
Existing (2016) Traffic	EB – A (4.2)	EB – A (3.5)
Future (2026) Background Traffic	EB – A (3.9)	EB – A (3.0)
Future (2026) Build-out Traffic (Closed Service Road Access Scenario)	EB – A (4.7)	EB – A (4.4)

Table 6.0-B (cont.) Level-of-Service Summary		
Condition	AM Peak Hour LOS (Delay)	PM Peak Hour LOS (Delay)
US 1 Northbound at US 1 Northbound Service Road Access / Proposed Site Driveway #2		
Existing (2016) Traffic	WB – A (1.2)	WB – A (3.4)
Future (2026) Background Traffic	WB – A (3.1)	WB – A (4.7)
Future (2026) Build-out Traffic (Closed Service Road Access Scenario)	WB – A (4.5)	WB – A (6.5)
US 1 Northbound Service Road at US 1 Northbound Service Road Access / Proposed Site Driveway #2		
Existing (2016) Traffic	EB – A (2.5)	EB – A (2.7)
Future (2026) Background Traffic	EB – A (2.5)	EB – A (2.4)
Future (2026) Build-out Traffic (Closed Service Road Access Scenario)	WB – A (4.7) NB – A (4.2)	WB – A (4.5) NB – A (4.1)

6.1 Midland Road at US 1 Northbound Ramps

Analysis indicates that this unsignalized intersection currently operates with moderate delays for the northbound minor street approach (US 1 Northbound Ramp) and with short delays for the southbound minor street approach (US 1 Northbound Ramp) in the AM and PM peak hours. In the year 2026, the intersection is expected to operate with long delays for the northbound minor street approach and short delays for the southbound minor street approach in the AM and PM peak hours for the background traffic condition. At project build-out without any changes to the existing service road access, this intersection is expected to continue to operate with long delays for the northbound minor street approach, and the southbound minor street approach is expected to operate with short to moderate delays. It is typical for stop sign controlled side streets and driveways intersecting major streets to experience long delays during peak hours, while the majority of the traffic moving through the intersection on the major street experiences little or no delay.

Existing AM and PM peak hour traffic counts along the US 1 Northbound Service Road indicate that closing the two-way connection and access from Midland Road will have minimal impact on traffic patterns in the area. Traffic counts showed as little as one (1) vehicle using the US 1 Northbound Service Road during the PM peak hour, and no vehicles were observed in the AM peak hour. Based on the capacity analyses, for the scenario in which access to the US 1 Northbound Service Road is closed from the US 1 Northbound Off-Ramp, it is recommended that the existing pavement along the US 1 Northbound Off-Ramp be restriped to accommodate an exclusive right-turn lane and shared through/left-turn lane. This is expected to result in improved operations for the Midland Road at US 1 Northbound Ramps intersection.

Since the decision of whether or not to close the US 1 Northbound Service Road connection is not expected to impact the proposed development in any appreciable way, it is not recommended that the connection closure be attributed to the proposed development. The proposed closure would provide improved traffic operations with or without the proposed development being in place. Furthermore, site traffic is expected to account for less than 5% of the total traffic at this intersection in the peak hours in 2026. As a result, there are no additional site-related recommendations for mitigation at this intersection.

6.2 US 1 Northbound Off-Ramp at US 1 Northbound Service Road

Analysis indicates that this unsignalized intersection currently operates with short delays for the minor street approach (US 1 Northbound Ramps) in the AM and PM peak hours. In the year 2026, based on the SimTraffic analyses, the intersection is expected to operate with moderate to long delays for the minor street approach during the peak hours for the background traffic condition. At project build-out, the intersection is expected to continue to operate with moderate to long delays for the minor street approach during the peak hours for the scenario in which access to the US 1 Northbound Service Road remains open. For this intersection, the delay as reported from SimTraffic varied significantly from the Synchro-calculated delay for the 2026 background and build-out scenarios. Synchro analyses indicate that the intersection is expected to operate with short delays for the minor street approach during the AM and PM peak hours in 2026 whether or not the proposed development is completed.

Based on the projected site traffic volumes at the intersection of US 1 Northbound Off-Ramp at US 1 Northbound Service Road and the minimal impact of the site traffic at this intersection, there is not expected to be a rational nexus for associating the closure of the US 1 Northbound Service Road access to the proposed development. As a result, there are no additional recommendations for mitigation at this intersection.

6.3 Midland Road at Crestview Road

Analysis indicates that this unsignalized intersection currently operates with short delays for the minor street approach (Crestview Road) in the AM and PM peak hours. In the year 2026, the intersection is expected to continue to operate with short delays for the minor street approach in the AM and PM peak hours for the background and build-out traffic condition. No queuing issues are expected at this intersection. As a result, there are no recommendations for mitigation at this intersection.

6.4 N Saylor Street at Crestview Road

Analysis indicates that this unsignalized intersection currently operates with short delays for the minor street approach (N Saylor Street) in the AM and PM peak hours. In the year 2026, the intersection is expected to continue to operate with short delays for the minor street approach in the AM and PM peak hours for the background and build-out traffic condition. No queuing issues are expected at this intersection. As a result, there are no recommendations for mitigation at this intersection.

6.5 N Saylor Street at W Rhode Island Avenue / Proposed Site Driveway #1

Analysis indicates that this unsignalized intersection currently operates with short delays for the minor street approaches (W Rhode Island Avenue) in the AM and PM peak hours. In the year 2026, the intersection is expected to continue to operate with short delays for the minor street approaches in the AM and PM peak hours for the background and build-out traffic condition. No queuing issues are expected at this intersection. As a result, there are no recommendations for mitigation at this intersection.

6.6 N Saylor Street at W Vermont Avenue

Analysis indicates that this unsignalized intersection currently operates with short delays for the minor street approaches (W Vermont Avenue) in the AM and PM peak hours. In the year 2026, the intersection is expected to continue to operate with short delays for the minor street approach in the AM and PM peak hours for the background and build-out traffic condition. No queuing issues are expected at this intersection. As a result, there are no recommendations for mitigation at this intersection.

6.7 N Saylor Street at W Pennsylvania Avenue

Analysis indicates that this unsignalized intersection currently operates with short delays for the minor street approaches (N Saylor Street) in the AM and PM peak hours. In the year 2026, the intersection is expected to continue to operate with short delays for the minor street approach in the AM and PM peak hours for the background and build-out traffic condition. No queuing issues are expected at this intersection. As a result, there are no recommendations for mitigation at this intersection.

6.8 W Rhode Island Avenue at Bennett Street

Analysis indicates that this unsignalized intersection currently operates with short delays for the minor street approaches (W Rhode Island Avenue) in the AM and PM peak hours. In the year 2026, the intersection is expected to continue to operate with short delays for the minor street approach in

the AM and PM peak hours for the background and build-out traffic condition. No queuing issues are expected at this intersection. As a result, there are no recommendations for mitigation at this intersection.

6.9 Broad Street at W Rhode Island Avenue

Analysis indicates that this unsignalized intersection currently operates with short delays for the minor street approach (W Rhode Island Avenue) in the AM and PM peak hours. In the year 2026, the intersection is expected to continue to operate with short delays for the minor street approach in the AM and PM peak hours for the background and build-out traffic condition. No queuing issues are expected at this intersection. As a result, there are no recommendations for mitigation at this intersection.

6.10 US 1 Northbound at US 1 Northbound Service Road Access / Proposed Site Driveway #2

Analysis indicates that this unsignalized intersection currently operates with short delays for the westbound minor street approach (US 1 Northbound Service Road Access) in the AM and PM peak hours. In the year 2026, the intersection is expected to continue to operate with short delays for the minor street approach in the AM and PM peak hours for the background traffic condition.

To accommodate site traffic at this intersection, the following roadway improvement is recommended:

- Construct an exclusive right-turn lane on US 1 Northbound with 50 feet of full-width storage as well as the appropriate length of deceleration storage and bay taper

With the recommended improvement in place, the intersection is expected to continue to operate with short delays for the minor street approach in the AM and PM peak hours for the 2026 build-out traffic condition. No queuing issues are expected at this intersection.

6.11 US 1 Northbound Service Road at US 1 Northbound Service Road Access / Proposed Site Driveway #2

Analysis indicates that this unsignalized intersection currently operates with short delays for the eastbound minor street approach (US 1 Northbound Service Road Access) in the AM and PM peak hours. In the year 2026, the intersection is expected to continue to operate with short delays for the minor street approach in the AM and PM peak hours for the background traffic condition.

As a part of this project, Site Driveway #2 is proposed to tie in at this intersection to provide direct access to US 1 Northbound from the site. To accommodate site traffic at this intersection, the following roadway improvement is recommended:

- Operate the eastbound approach (US 1 Northbound Service Road Access) as a free-flow movement so that vehicles will not queue back onto mainline US 1 when attempting to enter the proposed site. This will require that all other movements at this intersection be under STOP control.

With the recommended improvement in place, the intersection is expected to operate with short delays for the minor street approach in the AM and PM peak hours for the 2026 build-out traffic condition. No queuing issues are expected at this intersection.

7.0 Conclusions and Recommendations

Analysis indicates that all intersections in the study area are expected to operate acceptably with the proposed development in place with the exception of Midland Road at US 1 Northbound Off-Ramps. The northbound approach (US 1 Northbound Off-Ramp) at this unsignalized intersection is expected to operate with long delays in the year 2026 with or without the proposed development in place. Site traffic is expected to account for less than 5% of the total traffic at this intersection in the AM and PM peak hours.

Based on the analyses, the following improvements are recommended to accommodate traffic related to the proposed US 1 Residential Development:

US 1 Northbound at US 1 Northbound Service Road Access:

- Construct an exclusive right-turn lane on US 1 Northbound with 50 feet of full-width storage as well as the appropriate length of deceleration storage and bay taper

US 1 Northbound Service Road at US 1 Northbound Service Road Access/Proposed Site Driveway #2

- Operate the eastbound approach (US 1 Northbound Service Road Access) as a free-flow movement so that vehicles will not queue back onto mainline US 1 when attempting to enter the proposed site. This will require that all other movements at this intersection be under STOP control.

Based on the capacity analyses, the potential closure of access to the US 1 Northbound Service Road is expected to result in improved operations for the Midland Road at US 1 Northbound Ramps intersection if the existing pavement along the northbound approach, which currently accommodates two-way traffic, is restriped as an exclusive right-turn lane and shared through/left-turn lane. Since the decision of whether or not to close the US 1 Northbound Service Road connection is not expected to impact the proposed development in any appreciable way, it is not recommended that the connection closure be attributed to the proposed development.

The recommended roadway laneage is shown on Figure 12.

This map was created by the Town of Southern Pines Planning Department. The Town of Southern Pines, its agents and employees make NO warranty as to the correctness or accuracy of the information set forth on this media whether expressed or implied, in fact or in law, including without limitation the implied warranties of merchantability and fitness for a particular use. Any resale of this data is strictly prohibited in accordance with North Carolina General Statute 132-10. Grid is based on North Carolina State Plane Coordinate System NAD83 (feet).

Future Land Use Map: Proposed Major Subdivision CU-01-16



Legend

City Limit

Primary Roads

Future Land Use Categories

Park / Open Space

Residential / Golf

Rural Equine

Urban Reserve

Low Density Residential

Residential

Commercial

Traditional Mixed Use

Industrial



Agenda Item

To: Reagan Parsons, Town Manager

Via: Bart Nuckols, Planning Director

From: Chris Kennedy, Senior Planner

Subject: AX-01-16; Voluntary Annexation Request for Property South of Youngs Road and East of Piney Lane; 3975 Youngs Road; Petitioner, Moore HL Properties Inc.

Date: May 10, 2016

AX-01-16; Voluntary Annexation Request for Property South of Youngs Road and East of Piney Lane; 3975 Youngs Road; Petitioner, Moore HL Properties Inc.

The petitioner Moore HL Properties Inc. is requesting voluntary annexation for a 1.46 acre parcel located at 3975 Youngs Road. The parcel is located South of Youngs Road and East of Piney Lane. The property is identified by the following: PIN: 858108880944 (PARID: 00038809). Per the Moore County Tax records, the property owner(s) are listed as Thomas and Eleanor Gallagher.

Staff Comments:

- The applicant has submitted an application with a plat map and a written metes and bounds description.
- Per the Moore County GIS, the majority of the subject property is shown as included within the corporate limits of the Town (see GIS map). The request is to annex into the corporate limits of the Town any portion of the property currently located in the Extraterritorial Jurisdiction (ETJ) of the Town.

Town Council Actions:

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 approve the Voluntary Annexation request in the application AX-01-16 for the property as defined in the submitted written metes and bounds.

Or

- 2) I move to deny the Voluntary Annexation request in the application AX-01-16 for the property as defined in the submitted written metes and bounds.

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AX-01-16 Moore HL Properties Inc. Voluntary Annexation Request for Property South of Youngs Road and East of Piney Lane



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

April 1, 20 16

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:

(Insert **legal** metes and bounds description of boundaries of annexation or a legal metes and bounds description of boundaries **MUST** be included)

Address: 3975 Youngs Road

BEGINNING at a point at the intersection of the Southern right-of-way of Youngs Road and the Eastern right-of-way of Pine Lane, and running thence S 84° E. 280.0' to a point in the Southern right-of-way of Youngs Road; thence S 6° W. 203.7' to an iron pipe; thence N 86.0° 01.1 min. E. 280.10' to a spike at a point in the right-of-way of Pine Lane; thence along the right-of-way of Pine Lane N 6° E. 213.7' to the point of beginning; and being the same tract as described as Lot "A" on a plat recorded in Plat Cabinet 3, Slide 341, Moore County Registry.

RECEIVED
APR 01 2016

BY: *Admitt*

Name & Signature of Owner

Address of Owner

Dewey T. Holderfield
Moore HL Properties, Inc.
D Holderfield

55 Walnut Creek Road
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 (this can be obtained from the addressing coordinator at the Moore County Planning Dept.) are to be filed with the Town Clerk, 125 S. E. Broad Street, Southern Pines, NC 28387.)

**NORTH CAROLINA
MOORE COUNTY**

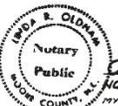
I, CHARLES D. WARD, CERTIFY THAT THE MAP HEREON IS IN ALL RESPECTS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AS TRULY SWORN BY ME AS SURVEYOR, AND THAT THE BOUNDARIES NOT SURVEYED BY ME ARE SHOWN IN ACCORDANCE WITH A. S. 17-30 AS AMENDED.



Charles D. Ward
CHARLES D. WARD
REGISTERED SURVEYOR
N. C. NO. L-1416

**NORTH CAROLINA
MOORE COUNTY**

I, LINDA E. OLDMAN, NOTARY PUBLIC FOR MOORE COUNTY, CERTIFY THAT CHARLES D. WARD REGULARLY APPEARED BEFORE ME THIS 23RD DAY OF JUNE, 1987, AND ACKNOWLEDGED THE DUE EXECUTION OF THIS FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN EXPRESSED.



Linda R. Oldham
LINDA E. OLDMAN
NOTARY PUBLIC
MY COMMISSION EXPIRES 11-25-91

**NORTH CAROLINA
MOORE COUNTY**

THE FOREGOING CERTIFICATE OF LINDA E. OLDMAN, NOTARY PUBLIC OF MOORE COUNTY, IS IN DUE FORM AND CORRECTLY EXECUTED AND CERTIFICATE BE RECORDED THIS 23RD DAY OF JUNE, 1987.

REGISTER OF DEEDS

**NORTH CAROLINA
MOORE COUNTY**

FILED FOR REGISTRATION THIS _____ DAY OF _____, 1987, AT _____ A. M. AND DULY RECORDED IN MOORE COUNTY REGISTER'S OFFICE, MOORE COUNTY REGISTER'S OFFICE.

REGISTER OF DEEDS

I, BUDDY BLACKBURN, DIRECTOR OF PLANNING, DO HEREBY CERTIFY THAT THIS PLAN CONFORMS TO THE TOWN OR SUBDIVISION MAPS REGULATORY REGULATIONS AND IS APPROVED FOR RECORDING.

6-26-87 *Buddy Blackburn*
DATE DIRECTOR OF PLANNING

CHARLES D. WARD
REGISTERED SURVEYOR
N. C. NO. L-1416
SOUTHERN PINES, N. C.

I CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ACCEPT THE PLAN OF SUBDIVISION WITH THE PUBLIC CONSENT, EXPRESSLY RESERVING BUILDING LOTS, AND DEDICATE ALL RIGHTS TO PUBLIC USE AND OTHER USES TO WHICH SUCH PROPERTY IS TO BE DEVOTED. I HEREBY CERTIFY THAT THE LAND SHOWN HEREON IS WITHIN THE PLANNING JURISDICTION OF THE TOWN OF SOUTHERN PINES, NORTH CAROLINA.

June 26, 1987 *Betty Lane D. Simpson*
DATE OWNER

CERTIFICATE OF APPROVAL OF THE DESIGN AND INSTALLATION OF UTILITY, UTILITIES, AND OTHER REQUIRED IMPROVEMENTS.

I HEREBY CERTIFY THAT UTILITY AND OTHER IMPROVEMENTS HAVE BEEN INSTALLED IN AN ACCEPTABLE MANNER AND ACCORDANCE TO TOWN SPECIFICATIONS IN THE SUBDIVISION MAP OF JERRY SIMPSON PROPERTY, OF THE S. QUARTER SECTION IN THE TOWN OF SOUTHERN PINES, N. C.

June 26, 1987 *[Signature]*
DATE PUBLIC WORKS DIRECTOR

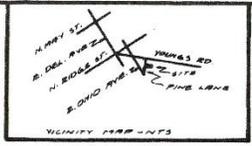
OWNER: BETTY LANE D. SIMPSON
U.S. 15-30
SOUTHERN PINES, N. C.

CURRENT ZONING - R-1

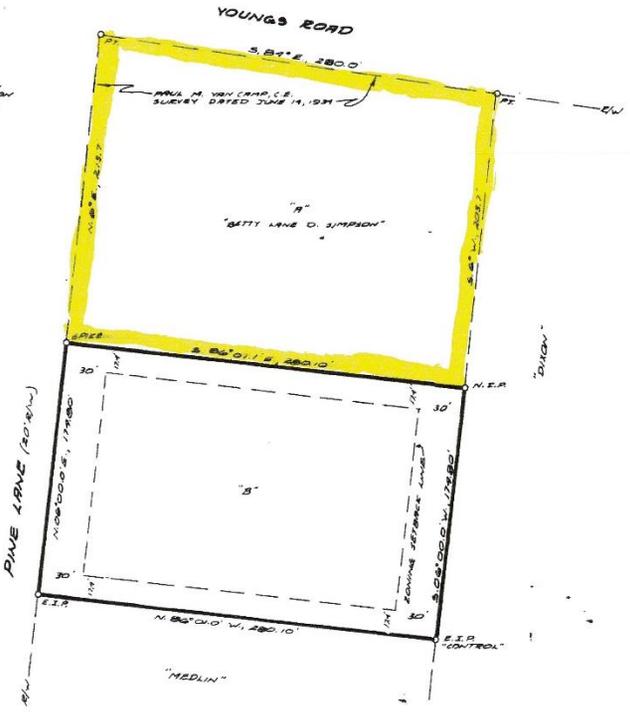
NOTE
THIS PROPERTY IS NOT LOCATED IN A KNOWN FLOOD PLAIN.

REFERENCE
77 E. 1ST MOORE COUNTY CLERK OF COURT

REER
1.12 ACRES BY D.M.D.



Plat Cabinet 3 Slide 341
June 29 8 49 PM '87
JUDITH M. AJAMES
REGISTERED CLERK OF DEEDS
MOORE COUNTY, N. C.



PLAN OF
JERRY SIMPSON
PROPERTY
MANEILL TOWNSHIP
MOORE COUNTY, N. C.
SOUTHERN PINES
SCALE - 1" = 50'



Amended legal description of property to be annexed by the Town of Southern Pines.

April 7, 2016

To wit:

Being all of that (northeastern) triangular portion of Lot "A" that lies outside the current corporate limits of the Town of Southern Pines, said Lot "A" being further described by metes and bounds as follows:

BEGINNING at a point at the intersection of the Southern right-of-way of Youngs Road and the Eastern right-of-way of Piney Lane; running thence S84°E 280.0' to a point in the Southern right-of-way of Youngs Road; thence S 6° W 203.7' to an iron pipe; thence N 86°01.1' W 280.10' to a spike at a point in the right-of-way of Piney Lane; thence along the right-of-way of Piney Lane N 6° E 213.7' to the point of BEGINNING, and abeing the same tract as described as Lot "A" on a plat recorded in Plat Cabinet 3, Slide 341, in the Moore County Registry.

Future Land Use Map: AX-01-16

3975 Youngs Road

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 = Subject Property

Legend

-  City Limits
-  Primary Roads
- Future Land Use Categories**
-  Parks / Open Space
-  Residential / Golf
-  Rural / Equestrian
-  Urban Reserve
-  Low Density Residential
-  Residential
-  Commercial
-  Traditional Mixed Use
-  Industrial