



AGENDA

Town of Southern Pines Planning Board Meeting, May 19, 2016, 7:00 PM, Douglass Community Center, 1185 W Pennsylvania Avenue

- I. Call to Order**
- II. Approval of Minutes: April 21, 2016**
- III. Miscellaneous Business**
 - 1. The Pavilion at Morganton Park Unified Sign Plan; Petitioner, Koontz Jones Design**
 - 2. Morganton Park South: Phase 1 Unified Sign Plan; Petitioner, Koontz Jones Design**
- IV. Public Hearing**
 - 1. CU-02-16 Conditional Use Permit: Major Subdivision Application for a Single-Family Attached (Townhomes) Development; Petitioner, Goneau Construction**
- IV. Adjournment**

MINUTES

Town of Southern Pines Planning Board Meeting, Thursday, April 21, 2016, 7:00 PM Douglass Community Center, 1185 West Pennsylvania Avenue

The Town of Southern Pines Planning Board held a regular monthly meeting on Thursday, April 21, 2016 at 7:00 PM at the Douglass Community Center, 1185 West Pennsylvania Avenue.

Board Members Present: Chairman Mike Martin, Vice Chairman John McLaughlin, Kristen Obst, Jim Curlee, and Bill Pate.

Board Members absent: Britany Paschal and William Ross.

Staff Present: Bart Nuckols Planning Director, Chris Kennedy Senior Planner

Meeting called to order: 7:00 PM

NEW BUSINESS

Neva Sherry's years of service were recognized by the Planning Board. In addition, the Planning Board thanked her for her service to the Town of Southern Pines.

APPROVAL OF MINUTES – September 2015, November 2015, January 2016, February 2016, and March, 2016

A motion was made to approve the Planning Board minutes as written. The **motion carried unanimously.**

OATH OF TESTIMONY

All witnesses were sworn in by Bart Nuckols, Planning Director.

PUBLIC HEARINGS

1) **CU-01-16 Conditional Use Permit: Major Subdivision Application for a Multi-Family Residential Development to include 288 Apartments; Petitioner, Koontz Jones Design**

On behalf of Koontz Jones Design, Mr. Bob Koontz 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.

STAFF REPORT – CHRIS KENNEDY, SENIOR PLANNER

Senior Planner Chris Kennedy presented the request noting the underlying zoning, watershed requirements, street abandonment, TIA, and presented the overall scope of the petitioner's request.

John McLaughlin asked about the current ownership of the property. Mr. Kennedy stated that the property was MLC Automotive.

The Chair opened the public hearing.

Mr. Bob Koontz, representing the Petitioner, Koontz Jones Design, gave a presentation on the request and the neighborhood meeting that was conducted by the petitioner prior to the Planning Board meeting. Mr. Koontz spoke to the site location, zoning and street abandonment proposals. Mr. Koontz briefly covered the developing the site, primarily the topography and tree retention plan for the site. It was noted the request was for 288 multi-family residential dwelling units. Mr. Koontz stated that the site's impervious surface was less than 50%. Mr. Koontz reviewed the highway overlay standards for setback and buffering for the project. In addition, Mr. Koontz gave an overview of the entire development plan.

Jim Curlee, inquired about the saving of existing trees along US Highway #1.

Mr. Koontz replied that was the goal is to save as many existing trees as possible. Mr. Koontz also spoke on the neighborhood meeting and concerns expressed by adjoining property owners regarding traffic during construction and at full build-out. Mr. Koontz stated that the construction traffic would be limited to access from US Highway #1 only. In addition, Mr. Koontz spoke to the neighborhood's inquiry into apartments versus condominium dwelling units. Mr. Koontz stated that apartments are better maintained in the long run with a central leasing agency as compared to condominiums that are ultimately rented out and separately leased and maintained. Mr. Koontz stated market levels dictated a demand rental type properties.

Mr. Koontz spoke the design of the apartments and stated that the units would be mostly masonry.

Mike Martin asked about the number and locations of the parking spaces for the project.

Mr. Koontz stated parking is primarily located in front of the units.

Senior Planner Kennedy pointed out the section of the UDO addressing parking space provisions for different unit type mixes.

Mr. Koontz said it would be in the next phase of review the specific parking numbers would be refined.

Mr. Martin noted that he wished to make sure adequate spaces were provided.

Kristen Obst asked about number of traffic counts on US Highway #1.

Chris Kennedy spoke on the difference of a TIA (Traffic Impact Analysis) and TDA (Traffic Design Analysis) study. He stated this request is a TIA.

Travis Fluitt with Kimley-Horn presented the TIA and spoke on the proposed traffic movements and the roads affected. The discussion included Saylor Street and Midland Road.

Jim Curlee spoke on the Midland Road Corridor study.

Travis Fluitt responded the progress of the Midland Road Corridor study.

Discussion ensued amongst the board regarding the service road, access to the property, and the proposed mitigation of the transportation impacts.

Travis Fluitt stated that a deceleration lane would be installed for the US Highway #1 entrance into the property. Mr. Fluitt also stated that the TIA did not plan for an acceleration lane. Mr. Fluitt then spoke to the traffic dispersal and reviewed the access points into the project.

Jim Curlee asked about information of the need of these unit types and the demand for multi-family housing in Southern Pines.

Mr. Koontz said that several new and existing apartment developments are at buildout or close to completion.

Kathy Anderson with Bank of North Carolina, spoke to renter entrance requirements from the financial side and spoke to the amount of rent and lifestyle which attracts a higher rent.

Chairman Martin asked if there are any further questions from the board.

Pete Mace stated that the fact that none of the neighbors are here spoke to the comfort level of the application.

Jim Curlee asked the buildout time for the project.

Bob Koontz stated it was anticipated to be completed within three (3) years from approval.

Jim Curlee asked Travis Fluitt if NCDOT has a timeframe for the recommendations and ultimate completion of the Midland Road Corridor study and associated improvements.

Travis Fluitt stated that the study results should be available in the near future but that the actual improvement may take upwards of ten (10) years to complete depending on the approved improvements to be made.

Chairman Martin asked if the board had a chance to look at the exhibits and responses.

Jim Curlee **motioned**, seconded by Bill Pate to close the hearing. **Motion carried.**

Chairman Martin expressed the need to review the TIA further. Mr. Martin stated that the overall plan is solid but would like to review the TIA further to review the proposed traffic improvements. Mr. Martin stated that board may possibly delay their recommendation to the Town Council on the application until next month to allow for more review of the TIA and its recommendations.

Chris Kennedy stated that if the board felt comfortable with the rest of the application but was hesitant about the TIA and its recommendations the board could delay their recommendation and continue their deliberation until the May Planning Board meeting or the board could comment separately in the form of a written addendum that staff could forward to the Town Council should the board take issue with any of the recommendation listed within the TIA.

John McLaughlin said he preferred to make a recommendation tonight.

PLANNING BOARD ACTION/RECOMMENDATION TO THE TOWN COUNCIL

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.

Other Business:

None

Meeting Adjourned at 8:47pm

Agenda Item

To: Planning Board

Via: Bart Nuckols, Planning Director

From: Chris Kennedy, Senior Planner

Subject: The Pavilion at Morganton Park Unified Sign Plan; Petitioner, Koontz Jones Design

Date: May 19, 2016

The Pavilion at Morganton Park Unified Sign Plan; Petitioner, Koontz Jones Design

On behalf of The Pavilion at Morganton Park development, Mr. Bob Koontz of Koontz Jones Design has submitted a Unified Sign Plan proposal for the signs to be included within the development. Per UDO Section 3.5.14(I), signs within the development shall adhere to the standards set forth in UDO Section 4.6 or as part of the zoning application or an amendment thereto; however the applicant may submit a Unified Sign Plan that establishes more specific design standards properties within the PD (Planned Development) zoning classification to ensure a coordinated theme across the development. The subject property is identified by the following: PIN #: 857100495159 (Parcel ID: 20150045). Per the Moore County GIS the property owner(s) is listed as Pavilion at Morganton Park, LLC.

Analysis:

- Per UDO Section 3.5.14 *PD-Planned Development*: 3.5.14(I): Signs within the Development shall adhere to the standards set forth in Section 4.6 of this UDO or as part of the zoning application or an amendment thereto. This Applicant may submit a Unified Sign Plan that establishes more specific design standards (size, height, color, materials, illumination) and Sign locations for the project to ensure a coordinated theme across the PD district. Such Unified Sign Plan may be submitted after the approval of the zoning application and may be approved by the Planning Director as an alternate to individual sign permits. Any Unified Sign Plan that exceeds the size or number of signs allowed by Section 4.6 shall require approval by the Planning Board pursuant to Section 2.22.
 - Within the proposed Unified Sign Plan the petitioner is requesting several variations from the UDO standards with respect to signs set forth in UDO Section 4.6; therefore, the Planning Board shall review the Unified Sign Plan as required by UDO Section 3.5.14(I).
 - UDO Section 4.6.13 Shopping Center Signs and Section 4.6.14 Landmark Signs regulate the signage standards for the Tyler's Ridge Commercial District
 - Shopping Center Sign standards are outlined in UDO Section 4.6.13 and Landmark Sign standards are outlined in UDO Section 4.6.14:
 - **4.6.13 Shopping Center Signs**
- (a) Shopping Centers are required to maintain a Unified Sign Plan.

- (b) Signs in Shopping Center Developments are restricted to Monument Signs, Wall Signs, Projecting Signs, Canopy Signs and certain Temporary Signs delineated in Section 4.6.16.
- (c) One (1) Monument Sign per Shopping Center is permitted. However, for Developments having multiple arterial street frontages one additional Monument Sign may be approved for each arterial street frontage. Monument Sign area is calculated at one (1) square foot of Sign area for each linear foot of street frontage or one-hundred (100) square feet of Sign area, whichever is less. Monument Signs shall not exceed a height of ten feet. Additional Monument Signs may be permitted for outparcel buildings within a Shopping Center Development provided that:
 - (1) There is only one (1) Freestanding Sign per out-parcel;
 - (2) The maximum Sign area for the Monument Sign is thirty-two (32) square feet;
 - (3) The maximum height of the Monument Sign is ten (10) feet; and
 - (4) The Sign is not located within one hundred (100) feet of any other Freestanding Sign.
- (d) One Wall Sign per separate business establishment is permitted. A second Wall sign may be established if the business establishment has frontage on more than one street or if the business establishment's parking is not located between the establishment and street. Allowable Wall Sign area is determined as follows:
 - (1) Establishments with a building frontage of fifty (50) feet or less shall have no Sign greater than thirty-five (35) square feet.
 - (2) Establishments with a building frontage greater than fifty (50) feet shall have a maximum Wall Sign area of one (1) square foot of Sign area for each 1 foot of building frontage or two-hundred (200) square feet of Sign area, whichever is less.
- (e) One (1) projecting sign per separate business establishment is permitted. Projecting signs may exceed the twelve (12) inch limit for signs attached to a wall. Projecting signs are not to exceed four (4) square feet in sign area. The bottom edge of such projecting signs must be located at least eight (8) feet above the sidewalk.
 - o **4.6.14 Landmark Signs**
- (a) Landmark Signs are monument structures identifying the name of a specific sub-area or major mixed-use development. Landmark Signs shall only display the name of the sub-area or overall development and shall not depict the name of any businesses or subdivisions within the project area.
- (b) Landmark Signs are only permitted in the PD (Planned Development) zoning classification.
- (c) The location and number of Landmark Signs permitted within a development will be determined during the Planned Development application process for the entire development. For existing developments eligible for Landmark signs, the location and number of Landmark Signs will be determined by the Town of Southern Pines Planning Staff.
- (d) No Landmark Sign shall be located within one thousand two hundred (1,200) feet of another Landmark Sign.
- (e) If a Landmark Sign is used as part of commercial development project, the Sign shall be counted as an authorized Monument Sign.
- (f) The Town Council will approve the architectural design of Landmark Signs through the Architectural Compliance Permit process. Landmark Signs must compliment the character and architectural design of the development. Landmark Signs must also be consistent with other permitted signage to create a unified signage character for the entire development.
- (g) Landmark Signs shall not exceed the following dimensional restrictions:
 - (1) The maximum height for a Landmark Sign is twenty-five (25) feet;
 - (2) The base of the structure shall not exceed one hundred square feet; and

- (3) The maximum profile area of the Landmark Sign shall not exceed one-hundred and fifty (150) square feet. Profile area is the area within the maximum height and width extent of the sign as viewed horizontally from any side.
- (h) Illumination of Landmark Signs must be internal to the sign monument or lit from above in a downward fashion. No up-lighting of these signs will be permitted.

Staff Comments:

- The petitioner is requesting the following deviations from the UDO standards:
 - (1) A building identification sign and address number will be added to identify the “Pavilion”. See Pages 3 of 4 and 4 of 4 in the Phoenix Signs package.
 - (2) A building directory sign will be installed in the rear sidewalk area of the building indicating the businesses located within the Pavilion. See Pages 2 of 4 in the Phoenix Signs package.
- Staff recommends that the Planning Board consider the purposes of the signage standards listed in UDO Section 4.6.1.

Attachments:

- GIS Locations Maps
- The Pavilion at Morganton Park Unified Sign Plan

Planning Board Actions:

The Planning Board may make one of the following motions or any alternative they wish:

1. I move to **approve** The Pavilion at Morganton Park Unified Sign Plan;
2. I move to **deny** The Pavilion at Morganton Park Unified Sign Plan; OR
3. I move to **approve** The Pavilion at Morganton Park Unified Sign Plan **with the following additional conditions...**

Unified Sign Plan: The Pavilion at Morganton Park
PIN #: 857100495159 Parcel ID: 20150045

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Unified Sign Plan: The Pavilion at Morganton Park
PIN #: 857100495159 Parcel ID: 20150045

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THE PAVILION AT MORGANTON PARK

UNIFIED SIGN PLAN

SOUTHERN PINES, NORTH CAROLINA

1. Purpose:

The developer, Kuester Companies, of the Pavilion at Morganton Park is seeking to establish a Unified Sign Plan for the project. The project was approved by the Town Council in April of 2014. Per the Unified Development Ordinance (UDO), Unified Sign Plans are permitted for shopping center projects in order to clearly describe the intended signs for a particular project and provide developers with the opportunity to create a cohesive sign plan for their projects. The Unified Sign Plan may deviate from the UDO standards and protects both the developer and the Town, by clearly establishing the intended design standards and sign locations permitted for the project. The Unified Sign plan allows for signage to meet special site or building conditions that may be present on a particular site. Standards set forth in the Unified Sign Plan are recognized in perpetuity with the property regardless of any future UDO modifications that may alter the signage standards.

In order to comply with the UDO and have appropriate signage within the development, the developer would like to submit this Unified Sign Plan for the property. A sign location map and building elevation showing proposed sign locations are included with this Unified Sign plan request. These documents illustrate the locations of signs proposed throughout the development and additional design detail for the signage throughout the project.

2. Signage Standards:

All signs within the development will adhere to the standards and conditions of the UDO and be located as shown on Sheet A6.0 – Building Elevations and Sheet L-1.0 – Unified Sign Plan. Additional detail and information on signage is included in the Phoenix Signs Package to describe the building sign design for several of the project signs. Proposed sign type to be located on the building and property will include the following:

- A single monument sign
- Canopy signs
- Projecting signs
- Building mounted wall signs
- Temporary Signs
- Window Signs

Each of the sign types listed above will meet the UDO size and dimension standards as described below. Signs will be located for each business on each floor at a sign area maximum of the length of their individual frontage or 35 sf maximum if the business frontage is less than 35' per the UDO.

The following sections for signage design are taken directly from the current, UDO adopted October 8, 2013 and updated on March 18, 2016 and will apply to the Unified Sign Plan for all signs on the property unless a deviation is requested in Section 3 of this document.

4.6.5. Determining the Number of Signs

- (A) For the purpose of determining the number of Signs, a Sign shall be considered to be a single display surface or display device containing elements organized, related and composed to form a unit. Where matter is displayed in a random manner without organized relationship of elements, each element shall be considered a single Sign.
- (B) A multi-sided Sign shall be regarded as one Sign.
- (C) One (1) Logo Emblem Sign is allowed in addition to the permitted number of wall signs.

4.6.6. Computation of Sign Area

- (A) The surface area of a Sign shall be computed by including the entire area within a single, continuous, rectilinear perimeter of not more than eight (8) straight lines or a circle or an ellipse, enclosing the extreme limits of the writing, representation, emblem or other display together with any material or color forming an integral part of the background of the display or used to differentiate the Sign from the backdrop or structure against which it is placed, but not including any supporting framework or bracing that is clearly incidental to the display itself.
- (B) If the Sign consists of more than one (1) section or module, all of the area, including that between sections or modules, shall be included in the computation of the Sign area. The area between a Wall Sign and a Logo Emblem Sign is exempt from the computation of Sign area. In the instance an establishment has a Wall Sign and Logo Emblem Sign on the same frontage, the area between the Wall Sign and the Logo Emblem Sign will not count towards the computation of the Sign area; only the surface area of the Sign shall be included in the computation of the Sign area.
- (C) With respect to two-sided, multi-sided or three dimensional Signs, the surface area shall be computed by including the total of all sides designed either to attract attention or communicate information that can be seen at one time by any person from any vantage point. For example, with respect to a typical two-sided Sign where a message is printed on both sides of a flat surface, the Sign area of one side (rather than the sum total of both sides) shall be regarded as the total Sign area of that Sign, since one can see only one side of the Sign from any vantage point.
- (D) With respect to V-shaped Signs, the surface area shall be calculated as in paragraph (C) above provided that the angle of the intersecting Sign planes does not exceed ninety (90) degrees. If the angle of the intersecting Sign planes exceeds ninety (90) degrees, Sign area shall be computed as it would for a one-sided Sign.

- (E) In computing items of information, letters less than three (3) inches in height, if contained in a Wall Sign, shall not be counted.

4.6.13. Shopping Center Signs

- (A) Shopping Centers are required to maintain a Unified Sign Plan.
- (B) Signs in Shopping Center Developments are restricted to Monument Signs, Wall Signs, Projecting Signs, Canopy Signs and certain Temporary Signs delineated in section 4.6.16.
- (C) One (1) Monument Sign per Shopping Center is permitted. However, for Developments having multiple arterial street frontages one additional Monument Sign may be approved for each arterial street frontage. Monument Sign area is calculated at one (1) square foot of Sign area for each linear foot of street frontage or one-hundred (100) square feet of Sign area, whichever is less. Monument Signs shall not exceed a height of ten feet. Additional Monument Signs may be permitted for outparcel buildings within a Shopping Center Development provided that:
 - (1) There is only one (1) Freestanding Sign per out-parcel;
 - (2) The maximum Sign area for the Monument Sign is thirty-two (32) square feet;
 - (3) The maximum height of the Monument Sign is ten (10) feet; and
 - (4) The Sign is not located within one hundred (100) feet of any other Freestanding Sign.
- (D) One Wall Sign per separate business establishment is permitted. A second Wall sign may be established if the business establishment has frontage on more than one street or if the business establishment's parking is not located between the establishment and street. Allowable Wall Sign area is determined as follows:
 - (1) Establishments with a building frontage of fifty (50) feet or less shall have no Sign greater than thirty-five (35) square feet.
 - (2) Establishments with a building frontage greater than fifty (50) feet shall have a maximum Wall Sign area of one (1) square foot of Sign area for each 1 foot of building frontage or two-hundred (200) square feet of Sign area, whichever is less.
- (E) One (1) projecting sign per separate business establishment is permitted. Projecting signs may exceed the twelve (12) inch limit for signs attached to a wall. Projecting signs are not to exceed four (4) square feet in sign area. The bottom edge of such projecting signs must be located at least eight (8) feet above the sidewalk.

4.6.14. Landmark Signs

- (A) Landmark Signs are monument structures identifying the name of a specific sub-area or major mixed-use development. Landmark Signs shall only display the name of the sub-area or overall development and shall not depict the name of any businesses or subdivisions within the project area.
- (B) Landmark Signs are only permitted in the PD (Planned Development) zoning classification.
- (C) The location and number of Landmark Signs permitted within a development will be determined during the Planned Development application process for the entire development. For existing developments eligible for Landmark signs, the location and number of Landmark Signs will be determined by the Town of Southern Pines Planning Staff.
- (D) No Landmark Sign shall be located within one thousand two hundred (1,200) feet of another Landmark Sign.
- (E) If a Landmark Sign is used as part of commercial development project, the Sign shall be counted as an authorized Monument Sign.
- (F) The Town Council will approve the architectural design of Landmark Signs through the Architectural Compliance Permit process. Landmark Signs must compliment the character and architectural design of the development. Landmark Signs must also be consistent with other permitted signage to create a unified signage character for the entire development.
- (G) Landmark Signs shall not exceed the following dimensional restrictions:
 - (1) The maximum height for a Landmark Sign is twenty-five (25) feet;
 - (2) The base of the structure shall not exceed one hundred square feet; and
 - (3) The maximum profile area of the Landmark Sign shall not exceed one-hundred and fifty (150) square feet. Profile area is the area within the maximum height and width extent of the sign as viewed horizontally from any side.
- (H) Illumination of Landmark Signs must be internal to the sign monument or lit from above in a downward fashion. No up-lighting of these signs will be permitted.

4.6.17. Miscellaneous Restrictions and Prohibitions

- (A) No Off-Premises Signs (except those exempted from regulation or from permit requirements under sections 4.6.13 and 4.6.14) may be located in any district. Off-Premises Signs are prohibited in all HCO Districts, except those which existed on March 1, 1995 in, the Town of Southern Pines that:

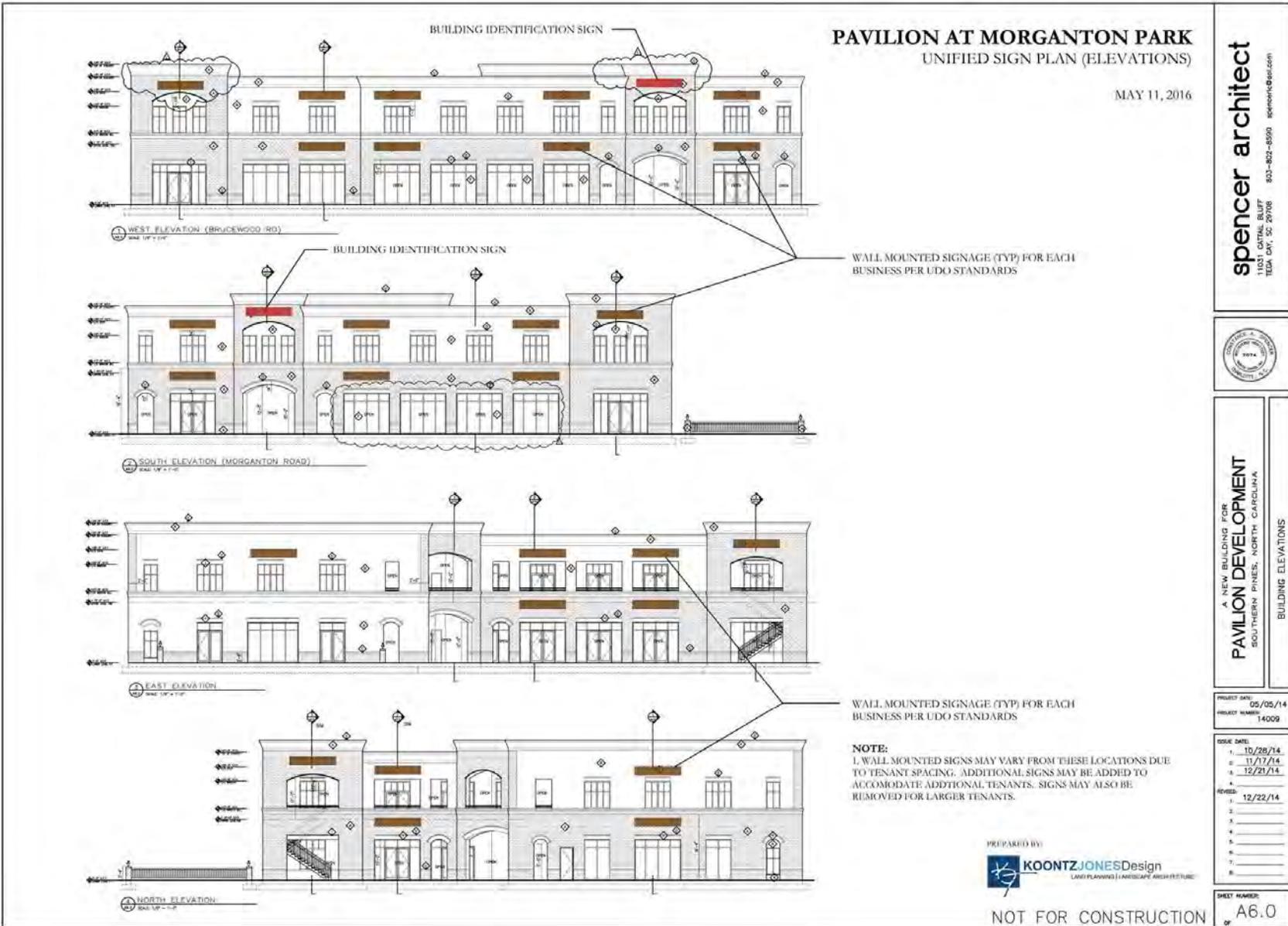
- (1) Are located along federal aid primary highways for which Sign compensation is regulated by state and federal law; and
 - (2) Were erected and are permitted and maintained in compliance with state regulations.
- (B) All Signs, including the supports, frames and embellishments thereto, shall be located outside of any public right-of-way.
 - (C) No Sign shall be attached, affixed or painted on any utility pole, light standard, telecommunications pole, any tree or other natural object.
 - (D) No Sign may be located so that it substantially interferes with the view necessary for motorists to proceed safely through intersections or to enter onto or exit from public streets or private roads.
 - (E) Signs shall not include or have the appearance of animation or changeable information. Without limiting the foregoing, banners, streamers, animated display boards, pennants and propellers are prohibited. The restriction of this section shall not apply to exempt flags, pennants or insignia.
 - (F) Freestanding Signs shall be securely fastened to the ground or to some other substantial supportive structure so that there is virtually no danger that either the Sign or the supportive structure may be moved by the wind or other forces of nature and cause injury to persons or property.
 - (G) No Portable Signs except those meeting the requirements of Section 5.6.13 shall be allowed in any zoning district.
 - (H) Canopy Signs are permitted when suspended or attached to the underside of a canopy provided such Signs do not exceed six (6) square feet in area and shall be located at least eight feet above the sidewalk.
 - (I) Flags, pennants or insignia of any governmental or non-profit organization shall be limited to three (3) per premises.
 - (J) The Sign area of a Sign permanently painted, affixed or placed in a building window that is visible from a street right-of-way shall be restricted to no more than forty (40) percent of the total window area.
 - (K) Awning signs shall be located on the awning valance and shall not exceed twelve (12) square feet in area or cover more than twenty (20) percent of the awning area.
 - (L) No Sign on a vehicle shall be located in any zoning district when the vehicle on which the Sign appears is placed so that the practical effect of the Sign on the vehicle is to advertise the entity or activity to which the Sign refers rather than to identify the vehicle, unless the vehicle is being used off-premises in the regular course of business or is being operated, loaded, or unloaded.

(M) Nothing in this code shall be interpreted to allow for the use of Dynamic Digital Signs (electronic message centers, television screen type) or apparatus as part of a permissible Sign. This provision is not intended to limit the use of LED bulbs to illuminate signs.

3. Deviations:

Deviations to the UDO standards for this Unified Sign Plan request are listed below:

- 1) A building identification sign and address number will be added to identify the "Pavilion". See sheets 3 and 4 of 4 in the Phoenix Signs Package.
- 2) A building directory sign will be located in the rear sidewalk area of the building indicating the businesses located within the Pavilion. See sheet 2 of 4 in the Phoenix Signs Package.



spencer architect
1103 CATAL BLVD
TELESA, NC 28708 803-802-8590 spenarch@aol.com



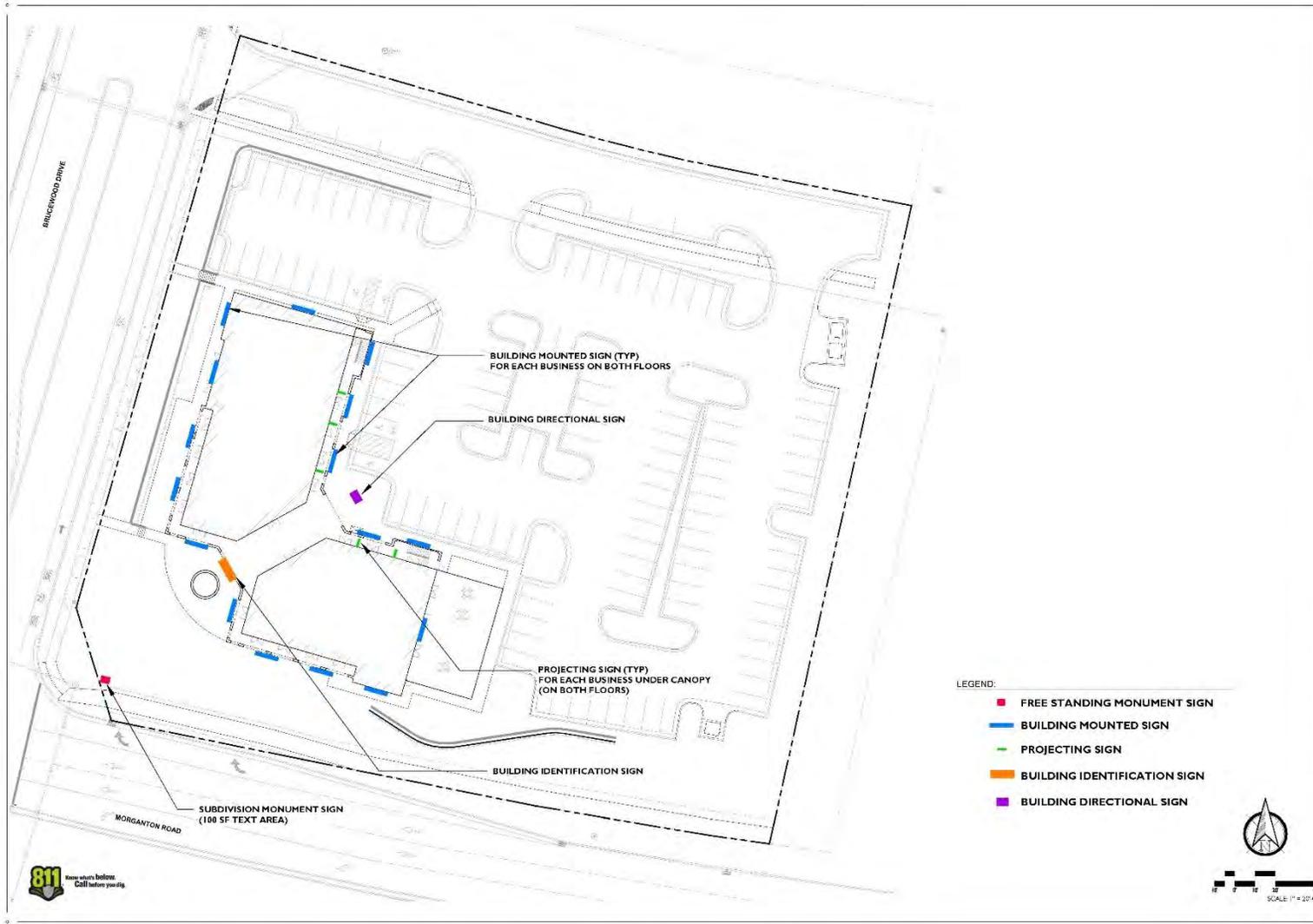
A NEW BUILDING FOR
PAVILION DEVELOPMENT
SOUTHERN PINES, NORTH CAROLINA
BUILDING ELEVATIONS

PROJECT DATE: 05/05/14
PROJECT NUMBER: 14009

ISSUE DATE:
1. 10/28/14
2. 11/17/14
3. 12/21/14

REVISED:
1. 12/22/14
2.
3.
4.
5.
6.
7.
8.

SHEET NUMBER:
OF **A6.0**

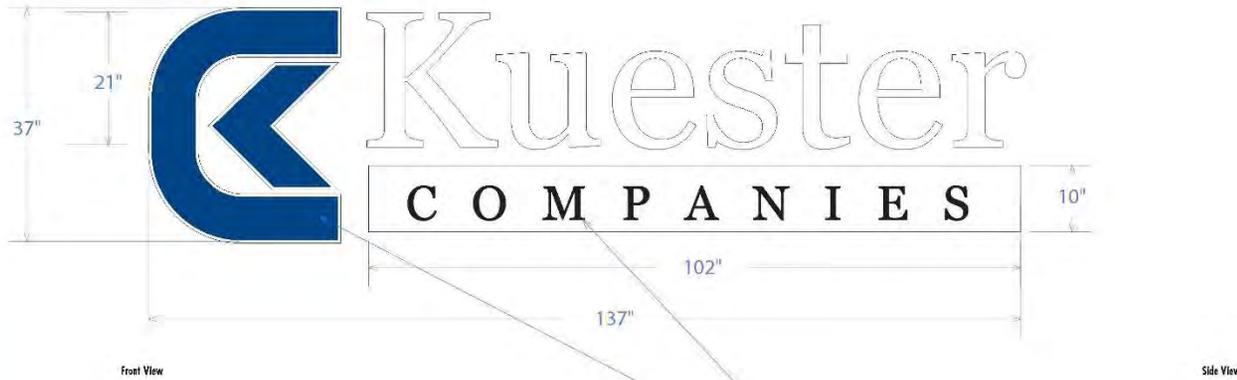


KOONTZDesign
 CIVIL ARCHITECTURE & INTERIORS
 2074 W. BROADWAY #100
 F. WILSON, NC 28787
 www.koontzdesign.com

REVISIONS:

PAVILION AT MORGANTON PARK
 KUESTER COMPANIES | SOUTHERN PINES, NORTH CAROLINA
 UNIFIED SIGN PLAN

DATE: 05/11/2016
 DRAWN BY: J. B. BROWN
 CHECKED BY: J. B. BROWN
 SCALE: 1" = 22'-0"
 SHEET NUMBER: 1
 TOTAL SHEETS: 1
L-1.0



QTY 1 - SF
 1/4" Aluminum plate letters.

Scale : 3/4"=1'

Color Specifications:

- C-1 Matthews Blue TBD
- C-2 Matthews Black
- C-3 Matthews White

(PRINTED COLORS ARE FOR CONCEPTUAL USE ONLY. ACTUAL COLORS TO BE CONFIRMED PRIOR TO FABRICATION)

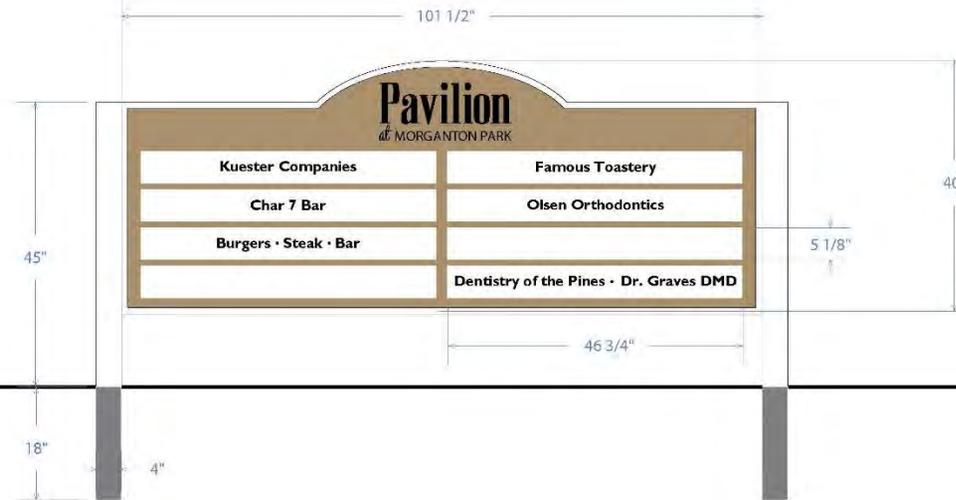
PREVIEW



GENERAL CONCEPT USE ONLY ACTUAL SIZE, PROPORTION, PLACEMENT MAY VARY

PHOENIX SIGNS
 Mobile: 704.301.4303
 2940 Champaign Street - Charlotte, NC - 28210
 704.301-4303 - randy@phoenix-signs.biz

Client Information:	
Kuester Pavilion Southern Pines	
Date: 4/18/16	Contact: DESIGNER: RYT AGENT: Randy Uley
Revisions:	
1.	5.
2.	6.
3.	7.
4.	8.
Underwriters Laboratories Inc. LISTED ELECTRIC SIGN CONFORMS TO UL 18	
<small>THE CONTENT OF THIS DRAWING IS THE PROPERTY OF PHOENIX SIGNS. IT IS TO BE USED ONLY FOR THE PROJECT AND PRODUCT IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF PHOENIX SIGNS.</small>	
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<small>ALL ELECTRICAL SIGNS ARE 120 VOLTS UNLESS OTHERWISE INDICATED</small>	
Page: 1 OF 4	Drawing Number: 041816-A1



QTY 1 - DF

3" Deep Fabricated aluminum box with 1/8" aluminum slats mounted to face with counter sunk screws.

Scale : 3/4"=1'

Color Specifications:

- C-1 Matthews White
- C-2 Matthews Black
- C-2 Matthews Tan TBD

(PRINTED COLORS ARE FOR CONCEPTUAL USE ONLY. ACTUAL COLORS TO BE CONFIRMED PRIOR TO FABRICATION.)



GENERAL CONCEPT USE ONLY. ACTUAL SIZE, PROPORTION, PLACEMENT MAY VARY



PHOENIX SIGNS

Mobile: 704.301.4303
 2940 Champagn Street - Charlotte, NC - 28210
 704.301.4303 - randy@phoenix-signs.biz

Client Information:

Kuester Pavilion
 Southern Pines

Date:	Contract:
4/18/16	DESIGNER: RNT AGENT: Randy Wiley

Revisions:

1.	5.
2.	6.
3.	7.
4.	8.

Underwriters Laboratories Inc.
ETC LISTED
ELECTRIC SIGN
COMPLIES TO UL 14

THIS DEVICE IS NOT TO BE USED IN A MANNER NOT APPROVED BY THE MANUFACTURER. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO INSTALLATION. ALL RIGHTS RESERVED.

THE OWNER OF THIS SIGNAGE AND ALL ELECTRICAL SYSTEMS ARE THE PROPRIETOR OF THE SIGNAGE. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO INSTALLATION. ALL RIGHTS RESERVED.

ALL ELECTRICAL SIGNS ARE 120 VOLTS UNLESS OTHERWISE INDICATED

Page:	Drawing Number:
2 OF 4	041816-A1



Front View



Side View

QTY 1 - SF
 Nonlit 1" deep fabricated aluminum letters mounted flush to face.

Scale : 1"=1'

Color Specifications:

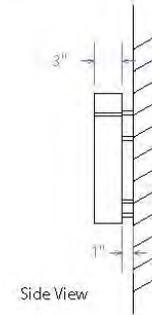
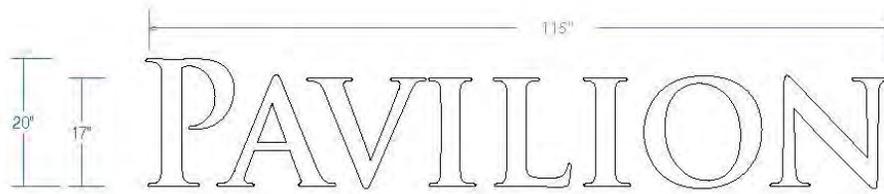
C-1 Matthews White

PRINTED COLORS ARE FOR CONCEPTUAL USE ONLY. ACTUAL COLORS TO BE CONFIRMED PRIOR TO FABRICATION.

PHOENIX SIGNS

Mobile: 704.301.4303
 2940 Champaign Street - Charlotte, NC - 28210
 704.301.4303 - randy@phoenix-signs.biz

Client Information:	
Kuester Pavilion Southern Pines	
Date: 4/18/16	Contact: RUSCHKE, TAT ADDRESS: Sandy Hilly
Locations:	
1.	5.
2.	6.
3.	7.
4.	8.
<p>UL Listed Electric Sign <small>COMPLIES TO UL 88</small></p>	
<small>THIS ARTICLE & MATERIALS ARE COVERED BY A PATENT PENDING IN THE UNITED STATES OF AMERICA. ANY REPRODUCTION OR USE WITHOUT THE WRITTEN PERMISSION OF PHOENIX SIGNS IS PROHIBITED AND WILL BE PROSECUTED TO THE FULL EXTENT OF THE LAW.</small>	
<p>© 2010 ALL RIGHTS RESERVED</p>	
<small>ALL ELECTRICAL SIGNS ARE 120 VOLTS UNLESS OTHERWISE SPECIFIED</small>	
Page: 3 of 4	Drawing Number: 041816-A1



Rev. Channel Letters: LED lit Reverse fabricated aluminum letters spaced off wall 1".

Scale: 1/2" = 1' - 0"

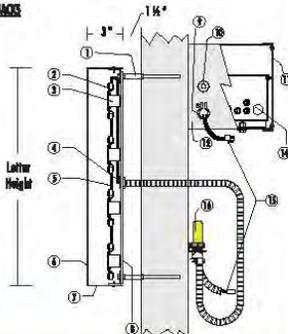
Color Specifications:

- FACES: 0.090" Aluminum, Paint White
- SIDEWALLS: 0.063" Aluminum, Paint White
- ILLUMINATION: Internal LED, Bright White
- SPACERS: 1" Spacers Painted White

(PRINTED COLORS ARE FOR CONCEPTUAL USE ONLY. ACTUAL COLORS TO BE CONFIRMED PRIOR TO FABRICATION.)

TYPICAL BACK-LIGHTED REVERSE w/ DOUBLE BACKS

1. Metal Clip & Start w/ 1/8" Pin Off Spacer
2. LED Module
3. Electrical End Cap
4. 3/4" Conduit Connector
5. Low Voltage Secondary Wiring
6. 0.090 Aluminum Face
7. 0.063 Aluminum Sidewall
8. 3/16" Clear Plexiglas (Blind Screen)
9. 1/2" Primary Wiring Conduit Connector
10. 3/4" Conduit Connector
11. Wiring Access Lid
12. Aluminum, Waterproof Transformer Can
13. Low Voltage LED Transformer
14. High Voltage House Transformer
15. LED Leads to Transformer or Next Letter
16. LED Splice / Junction



Conceptual Photo



WEST Elevation

APPROXIMATE SCALE: 1/8" = 1' - 0" (GENERAL CONCEPT USE ONLY. ACTUAL SIZE, PROPORTION & PLACEMENT MAY VARY.)



Mobile: 704.301.4303
2940 Champaign Street - Charlotte, NC - 28210
704-301-4303 - randy@phoenix-signs.biz

Client Information:

Kuester - The Pavilion
100 Pavilion Way
Southern Pines, NC

Date: 04/18/16
Contract: BLDG SIGNS - THE PAVILION - SOUTHERN PINES, NC

Revisions:	
1.	5.
2.	4.
3.	7.
4.	6.

Information:
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ALL ELECTRICAL SIGNS ARE 20 VOLTS UNLESS OTHERWISE INDICATED.
Page: 4 of 4
Drawing Number: 041816-A1

Agenda Item

To: Planning Board

Via: Bart Nuckols, Planning Director

From: Chris Kennedy, Senior Planner

Subject: Morganton Park South: Phase 1 Unified Sign Plan; Petitioner, Koontz Jones Design

Date: May 19, 2016

Morganton Park South: Phase 1 Unified Sign Plan; Petitioner, Koontz Jones Design

On behalf of the Morganton Park South Phase 1 development, Mr. Bob Koontz of Koontz Jones Design has submitted a Unified Sign Plan proposal for the signs to be included in phase one of the development. Per UDO Section 3.5.14(I), signs within the development shall adhere to the standards set forth in UDO Section 4.6 or as part of the zoning application or an amendment thereto; however the applicant may submit a Unified Sign Plan that establishes more specific design standards properties within the PD (Planned Development) zoning classification to ensure a coordinated theme across the development. The subject property is identified by the following: PIN #: 857100487639 (Parcel ID: 98000750); PIN #: 857100489331 (Parcel ID: 20150133); PIN #: 857100583612 (Parcel ID: 20150132); PIN #: 857100485363 (Parcel ID: 20050319). Per the Moore County GIS the property owner(s) is listed as CPGKRE Pinehurst Lowes, LLC.

Analysis:

- Per UDO Section 3.5.14 *PD-Planned Development*: 3.5.14(I): Signs within the Development shall adhere to the standards set forth in Section 4.6 of this UDO or as part of the zoning application or an amendment thereto. This Applicant may submit a Unified Sign Plan that establishes more specific design standards (size, height, color, materials, illumination) and Sign locations for the project to ensure a coordinated theme across the PD district. Such Unified Sign Plan may be submitted after the approval of the zoning application and may be approved by the Planning Director as an alternate to individual sign permits. Any Unified Sign Plan that exceeds the size or number of signs allowed by Section 4.6 shall require approval by the Planning Board pursuant to Section 2.22.
 - Within the proposed Unified Sign Plan the petitioner is requesting several variations from the UDO standards with respect to signs set forth in UDO Section 4.6; therefore, the Planning Board shall review the Unified Sign Plan as required by UDO Section 3.5.14(I).
 - UDO Section 4.6.13 Shopping Center Signs and Section 4.6.14 Landmark Signs regulate the signage standards for the Tyler's Ridge Commercial District
 - Shopping Center Sign standards are outlined in UDO Section 4.6.13 and Landmark Sign standards are outlined in UDO Section 4.6.14:
 - **4.6.13 Shopping Center Signs**
- (a) Shopping Centers are required to maintain a Unified Sign Plan.

- (b) Signs in Shopping Center Developments are restricted to Monument Signs, Wall Signs, Projecting Signs, Canopy Signs and certain Temporary Signs delineated in Section 4.6.16.
- (c) One (1) Monument Sign per Shopping Center is permitted. However, for Developments having multiple arterial street frontages one additional Monument Sign may be approved for each arterial street frontage. Monument Sign area is calculated at one (1) square foot of Sign area for each linear foot of street frontage or one-hundred (100) square feet of Sign area, whichever is less. Monument Signs shall not exceed a height of ten feet. Additional Monument Signs may be permitted for outparcel buildings within a Shopping Center Development provided that:
 - (1) There is only one (1) Freestanding Sign per out-parcel;
 - (2) The maximum Sign area for the Monument Sign is thirty-two (32) square feet;
 - (3) The maximum height of the Monument Sign is ten (10) feet; and
 - (4) The Sign is not located within one hundred (100) feet of any other Freestanding Sign.
- (d) One Wall Sign per separate business establishment is permitted. A second Wall sign may be established if the business establishment has frontage on more than one street or if the business establishment's parking is not located between the establishment and street. Allowable Wall Sign area is determined as follows:
 - (1) Establishments with a building frontage of fifty (50) feet or less shall have no Sign greater than thirty-five (35) square feet.
 - (2) Establishments with a building frontage greater than fifty (50) feet shall have a maximum Wall Sign area of one (1) square foot of Sign area for each 1 foot of building frontage or two-hundred (200) square feet of Sign area, whichever is less.
- (e) One (1) projecting sign per separate business establishment is permitted. Projecting signs may exceed the twelve (12) inch limit for signs attached to a wall. Projecting signs are not to exceed four (4) square feet in sign area. The bottom edge of such projecting signs must be located at least eight (8) feet above the sidewalk.
 - o **4.6.14 Landmark Signs**
- (a) Landmark Signs are monument structures identifying the name of a specific sub-area or major mixed-use development. Landmark Signs shall only display the name of the sub-area or overall development and shall not depict the name of any businesses or subdivisions within the project area.
- (b) Landmark Signs are only permitted in the PD (Planned Development) zoning classification.
- (c) The location and number of Landmark Signs permitted within a development will be determined during the Planned Development application process for the entire development. For existing developments eligible for Landmark signs, the location and number of Landmark Signs will be determined by the Town of Southern Pines Planning Staff.
- (d) No Landmark Sign shall be located within one thousand two hundred (1,200) feet of another Landmark Sign.
- (e) If a Landmark Sign is used as part of commercial development project, the Sign shall be counted as an authorized Monument Sign.
- (f) The Town Council will approve the architectural design of Landmark Signs through the Architectural Compliance Permit process. Landmark Signs must compliment the character and architectural design of the development. Landmark Signs must also be consistent with other permitted signage to create a unified signage character for the entire development.
- (g) Landmark Signs shall not exceed the following dimensional restrictions:
 - (1) The maximum height for a Landmark Sign is twenty-five (25) feet;
 - (2) The base of the structure shall not exceed one hundred square feet; and

- (3) The maximum profile area of the Landmark Sign shall not exceed one-hundred and fifty (150) square feet. Profile area is the area within the maximum height and width extent of the sign as viewed horizontally from any side.
- (h) Illumination of Landmark Signs must be internal to the sign monument or lit from above in a downward fashion. No up-lighting of these signs will be permitted.

Staff Comments:

- The petitioner is requesting the following deviations from the UDO standards and the sign waivers approved by the Town Council under the application MRD-01-13:
 - Deviations to the approved sign plan waiver request are indicated on the attached document.
 - (Remove one (1) free standing monument sign located at the southwest entry point of the property and remove the landmark sign located at the intersection of the street labeled Public Street “B” (now the private road known as Patriot Boulevard) and Morganton Road).
 - Changing LED pricing signs are requested for all sides of the gas canopy.
 - One (1) changing LED pricing sign is request for the freestanding monument sign located nearest the gas canopy as shown on Page 5 of 5 in the Lowe’s Food signage packet.
 - Additional signs are requested for the end units of the building labeled “Shops IV” nearest to the northwestern side of the property. Signs are currently permitted on the front and rear of the building. Signs are requested for the building faces that face Patriot Boulevard and Brucewood Road. The petitioner is claiming that the deviation would be consistent with the signs permitted on the building labeled “Shops III” located along Patriot Boulevard.
 - Additional signs are requested for the “Lowe’s To Go” area of the building as shown on Page 4 of 5 in the Lowe’s Food signage packet. These signs include an under canopy sign stating Lowe’s To Go and Enter and Exit signs for the canopy. The signs would be designed and sized as indicated on the sheet.
- Staff recommends that the Planning Board consider the purposes of the signage standards listed in UDO Section 4.6.1.
- Staff also recommends that the Planning Board deny all requests for changeable message LED sign requests as per UDO Section 4.6.17(E) and 4.6.17(M), both of which prohibit this type of signage.

Attachments:

- GIS Locations Maps
- Morganton Park South Phase 1 Unified Sign Plan

Planning Board Actions:

The Planning Board may make one of the following motions or any alternative they wish:

1. I move to **approve** the Morganton Park South Phase 1 Unified Sign Plan;
2. I move to **deny** the Morganton Park South Phase 1 Unified Sign Plan; OR
3. I move to **approve** the Morganton Park South Phase 1 Unified Sign Plan **with the following additional conditions...**

Unified Sign Plan: Morganton Park South Phase 1

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).



MORGANTON PARK SOUTH PHASE 1

UNIFIED SIGN PLAN

SOUTHERN PINES, NORTH CAROLINA

1. Purpose:

The developer, Chartwell Property Group, of the Morganton Park South – Phase 1 project is seeking to establish a Unified Sign Plan for the project. The original project approval, under the previous MU zoning district classification, included an overall sign plan waiver request for both Phase 1 and Phase 2 (see attached) of the project. Plans for the Phase 1 and Phase 2 areas of the project were approved by the Town Council in May of 2013, prior to the adoption of the Town's revised Unified Development Ordinance (UDO) in October of 2013. Sign locations were included for the original sign plan as a waiver request and made part of the development conditions for the property approved by the Town Council. When the new UDO was approved, the property zoning designation was changed to PD. Under this zoning classification, Unified Sign Plans were permitted for shopping center projects in order to clearly describe the intended signs for a particular project and provide developers with the opportunity to create a cohesive sign plan for their projects. The Unified Sign Plan may deviate from the UDO standards and protects both the developer and the Town, by clearly establishing the intended design standards and sign locations permitted for the project. Standards set forth in the Unified Sign Plan are recognized in perpetuity with the property regardless of any future UDO modifications that may alter the signage standards.

After Town Council approval of the Phase 1 and Phase 2 plans, some minor site plan modifications were made and approved by staff. A gas canopy was added to the site plan that was not contemplated during the original approval. This canopy was approved during the detailed site planning process, however, no signs were designated for this structure in the original sign waiver approval.

In order to comply with the updated ordinance and have appropriate signage for all structures within the development, the developer would like to submit a Unified Sign Plan for Phase 1 of the property, sign location map, a signage package for the Lowe's Foods store and monument sign plans. These documents illustrate the locations of signs proposed throughout the development and additional design detail for the signage throughout the project.

2. Signage Standards:

All signs within the development will adhere to the standards and conditions of the UDO and be located as shown on Sheet A1 – Sign Plan and in the Lowe's Foods signage package. Monument signs will follow the character shown on the attached sheet AS 1. Canopy signs and projecting signs may be added as described in the UDO language below.

The following sections for signage design are taken directly from the current, UDO adopted October 8, 2013 and updated on March 18, 2016 and will apply to the Unified Sign Plan for all signs on the property unless a deviation is requested in Section 3 of this document.

4.6.5. Determining the Number of Signs

- (A) For the purpose of determining the number of Signs, a Sign shall be considered to be a single display surface or display device containing elements organized, related and composed to form a unit. Where matter is displayed in a random manner without organized relationship of elements, each element shall be considered a single Sign.
- (B) A multi-sided Sign shall be regarded as one Sign.
- (C) One (1) Logo Emblem Sign is allowed in addition to the permitted number of wall signs.

4.6.6. Computation of Sign Area

- (A) The surface area of a Sign shall be computed by including the entire area within a single, continuous, rectilinear perimeter of not more than eight (8) straight lines or a circle or an ellipse, enclosing the extreme limits of the writing, representation, emblem or other display together with any material or color forming an integral part of the background of the display or used to differentiate the Sign from the backdrop or structure against which it is placed, but not including any supporting framework or bracing that is clearly incidental to the display itself.
- (B) If the Sign consists of more than one (1) section or module, all of the area, including that between sections or modules, shall be included in the computation of the Sign area. The area between a Wall Sign and a Logo Emblem Sign is exempt from the computation of Sign area. In the instance an establishment has a Wall Sign and Logo Emblem Sign on the same frontage, the area between the Wall Sign and the Logo Emblem Sign will not count towards the computation of the Sign area; only the surface area of the Sign shall be included in the computation of the Sign area.
- (C) With respect to two-sided, multi-sided or three dimensional Signs, the surface area shall be computed by including the total of all sides designed either to attract attention or communicate information that can be seen at one time by any person from any vantage point. For example, with respect to a typical two-sided Sign where a message is printed on both sides of a flat surface, the Sign area of one side (rather than the sum total of both sides) shall be regarded as the total Sign area of that Sign, since one can see only one side of the Sign from any vantage point.
- (D) With respect to V-shaped Signs, the surface area shall be calculated as in paragraph (C) above provided that the angle of the intersecting Sign planes does not exceed ninety (90) degrees. If the angle of the intersecting Sign planes exceeds ninety (90) degrees, Sign area shall be computed as it would for a one-sided Sign.

- (E) In computing items of information, letters less than three (3) inches in height, if contained in a Wall Sign, shall not be counted.

4.6.13. Shopping Center Signs

- (A) Shopping Centers are required to maintain a Unified Sign Plan.
- (B) Signs in Shopping Center Developments are restricted to Monument Signs, Wall Signs, Projecting Signs, Canopy Signs and certain Temporary Signs delineated in section 4.6.16.
- (C) One (1) Monument Sign per Shopping Center is permitted. However, for Developments having multiple arterial street frontages one additional Monument Sign may be approved for each arterial street frontage. Monument Sign area is calculated at one (1) square foot of Sign area for each linear foot of street frontage or one-hundred (100) square feet of Sign area, whichever is less. Monument Signs shall not exceed a height of ten feet. Additional Monument Signs may be permitted for outparcel buildings within a Shopping Center Development provided that:
 - (1) There is only one (1) Freestanding Sign per out-parcel;
 - (2) The maximum Sign area for the Monument Sign is thirty-two (32) square feet;
 - (3) The maximum height of the Monument Sign is ten (10) feet; and
 - (4) The Sign is not located within one hundred (100) feet of any other Freestanding Sign.
- (D) One Wall Sign per separate business establishment is permitted. A second Wall sign may be established if the business establishment has frontage on more than one street or if the business establishment's parking is not located between the establishment and street. Allowable Wall Sign area is determined as follows:
 - (1) Establishments with a building frontage of fifty (50) feet or less shall have no Sign greater than thirty-five (35) square feet.
 - (2) Establishments with a building frontage greater than fifty (50) feet shall have a maximum Wall Sign area of one (1) square foot of Sign area for each 1 foot of building frontage or two-hundred (200) square feet of Sign area, whichever is less.
- (E) One (1) projecting sign per separate business establishment is permitted. Projecting signs may exceed the twelve (12) inch limit for signs attached to a wall. Projecting signs are not to exceed four (4) square feet in sign area. The bottom edge of such projecting signs must be located at least eight (8) feet above the sidewalk.

4.6.14. Landmark Signs

- (A) Landmark Signs are monument structures identifying the name of a specific sub-area or major mixed-use development. Landmark Signs shall only display the name of the sub-area or overall development and shall not depict the name of any businesses or subdivisions within the project area.
- (B) Landmark Signs are only permitted in the PD (Planned Development) zoning classification.
- (C) The location and number of Landmark Signs permitted within a development will be determined during the Planned Development application process for the entire development. For existing developments eligible for Landmark signs, the location and number of Landmark Signs will be determined by the Town of Southern Pines Planning Staff.
- (D) No Landmark Sign shall be located within one thousand two hundred (1,200) feet of another Landmark Sign.
- (E) If a Landmark Sign is used as part of commercial development project, the Sign shall be counted as an authorized Monument Sign.
- (F) The Town Council will approve the architectural design of Landmark Signs through the Architectural Compliance Permit process. Landmark Signs must compliment the character and architectural design of the development. Landmark Signs must also be consistent with other permitted signage to create a unified signage character for the entire development.
- (G) Landmark Signs shall not exceed the following dimensional restrictions:
 - (1) The maximum height for a Landmark Sign is twenty-five (25) feet;
 - (2) The base of the structure shall not exceed one hundred square feet; and
 - (3) The maximum profile area of the Landmark Sign shall not exceed one-hundred and fifty (150) square feet. Profile area is the area within the maximum height and width extent of the sign as viewed horizontally from any side.
- (H) Illumination of Landmark Signs must be internal to the sign monument or lit from above in a downward fashion. No up-lighting of these signs will be permitted.

4.6.17. Miscellaneous Restrictions and Prohibitions

- (A) No Off-Premises Signs (except those exempted from regulation or from permit requirements under sections 4.6.13 and 4.6.14) may be located in any district. Off-Premises Signs are prohibited in all HCO Districts, except those which existed on March 1, 1995 in, the Town of Southern Pines that:

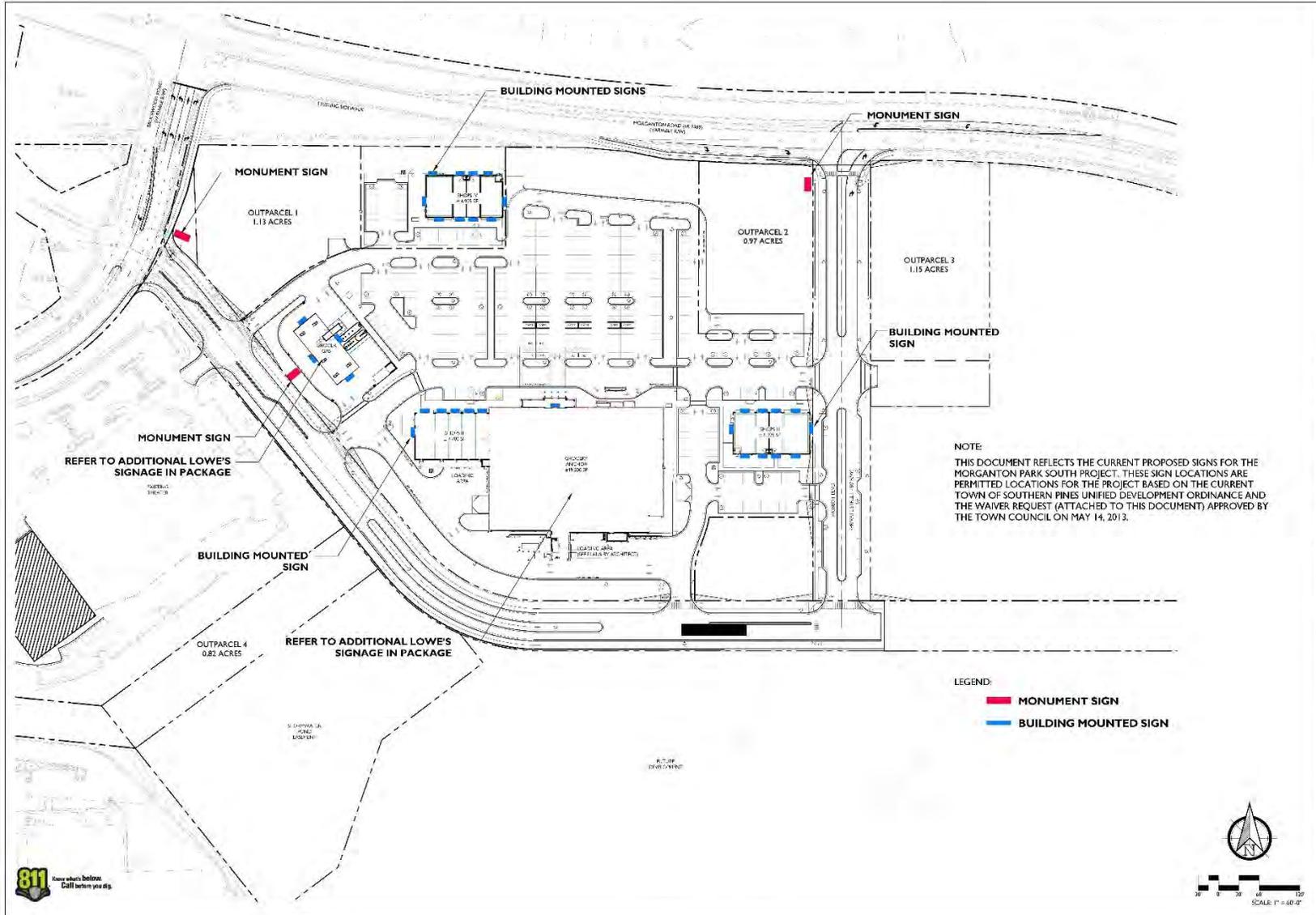
- (1) Are located along federal aid primary highways for which Sign compensation is regulated by state and federal law; and
 - (2) Were erected and are permitted and maintained in compliance with state regulations.
- (B) All Signs, including the supports, frames and embellishments thereto, shall be located outside of any public right-of-way.
 - (C) No Sign shall be attached, affixed or painted on any utility pole, light standard, telecommunications pole, any tree or other natural object.
 - (D) No Sign may be located so that it substantially interferes with the view necessary for motorists to proceed safely through intersections or to enter onto or exit from public streets or private roads.
 - (E) Signs shall not include or have the appearance of animation or changeable information. Without limiting the foregoing, banners, streamers, animated display boards, pennants and propellers are prohibited. The restriction of this section shall not apply to exempt flags, pennants or insignia.
 - (F) Freestanding Signs shall be securely fastened to the ground or to some other substantial supportive structure so that there is virtually no danger that either the Sign or the supportive structure may be moved by the wind or other forces of nature and cause injury to persons or property.
 - (G) No Portable Signs except those meeting the requirements of Section 5.6.13 shall be allowed in any zoning district.
 - (H) Canopy Signs are permitted when suspended or attached to the underside of a canopy provided such Signs do not exceed six (6) square feet in area and shall be located at least eight feet above the sidewalk.
 - (I) Flags, pennants or insignia of any governmental or non-profit organization shall be limited to three (3) per premises.
 - (J) The Sign area of a Sign permanently painted, affixed or placed in a building window that is visible from a street right-of-way shall be restricted to no more than forty (40) percent of the total window area.
 - (K) Awning signs shall be located on the awning valance and shall not exceed twelve (12) square feet in area or cover more than twenty (20) percent of the awning area.
 - (L) No Sign on a vehicle shall be located in any zoning district when the vehicle on which the Sign appears is placed so that the practical effect of the Sign on the vehicle is to advertise the entity or activity to which the Sign refers rather than to identify the vehicle, unless the vehicle is being used off-premises in the regular course of business or is being operated, loaded, or unloaded.

(M) Nothing in this code shall be interpreted to allow for the use of Dynamic Digital Signs (electronic message centers, television screen type) or apparatus as part of a permissible Sign. This provision is not intended to limit the use of LED bulbs to illuminate signs.

3. Deviations:

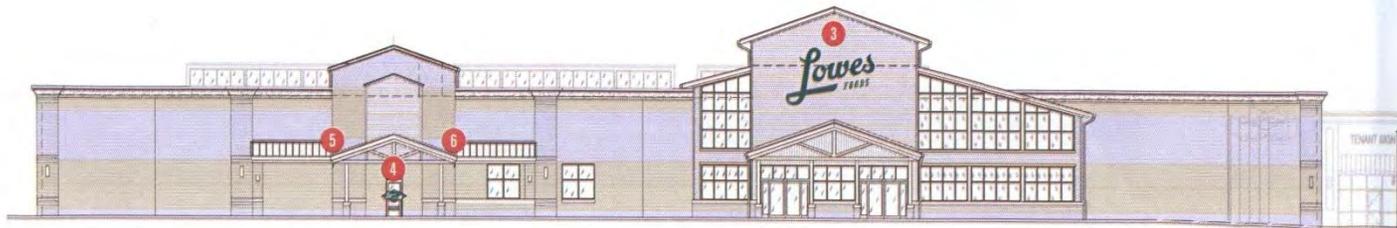
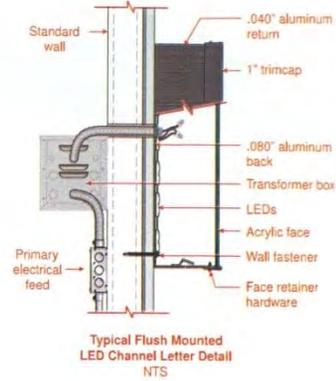
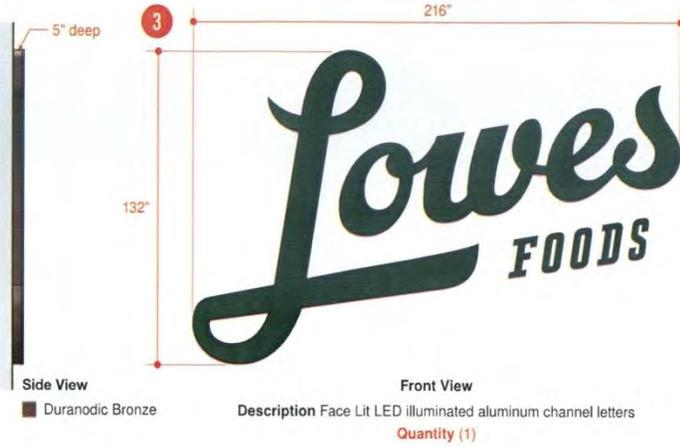
Deviations to the UDO standards and Town Council approved waiver request are listed below:

- 1) Deviations to the approved sign plan waiver request are indicated on the attached document. (remove one (1) Free Standing Monument Sign located at the southwest entry point of the property and remove the Landmark Sign located at the intersection of the street labeled Public Street 'B' (now known as Patriot Boulevard) and Morganton Road)
- 2) Changing LED pricing Signs are requested for all sides of the gas canopy.
- 3) And changing LED pricing sign is requested for the free standing monument sign located nearest the gas canopy as show on Page 5 of 5 in the Lowe's Foods signage packet.
- 4) Additional signs are requested for the end units of the building labeled "Shops IV" near on the northwestern side of the property. Signs are currently permitted on the front and rear of the building. Signs are requested for the building faces that face Patriot Road and Brucewood Road on the building. This would be consistent with the signs permitted on the building labeled "Shops III" located along Patriot Boulevard.
- 5) Additional signs are requested for the Lowe's To Go area of the building as shown on sheet 4 of 5 in the Lowe's signage package. These signs include an under canopy sign stating Lowe's To Go and Enter and Exit signs for the canopy. The signs would be designed and sized as indicated on the sheet.



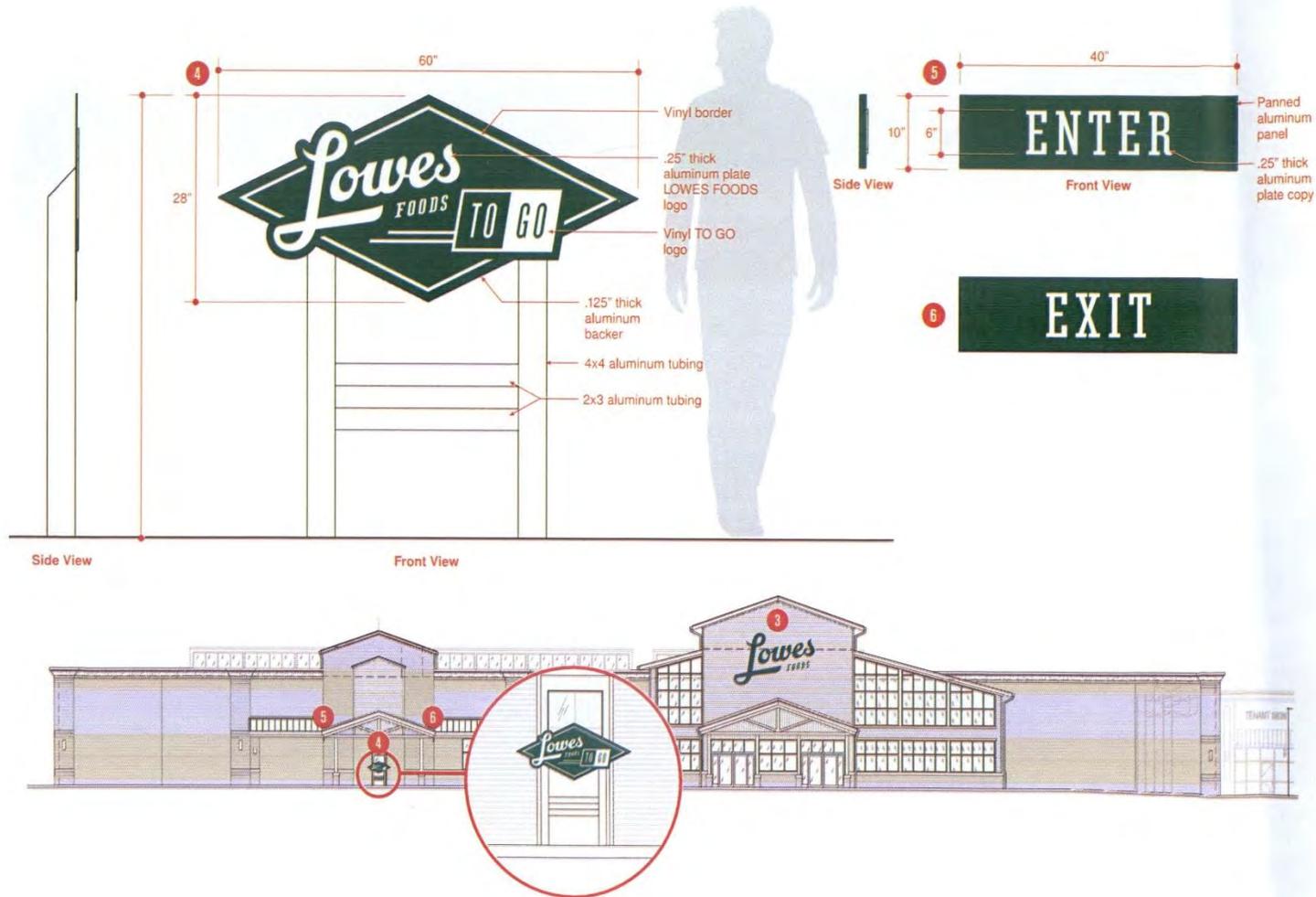
KOONTZDesign
LAND SURVEYING AND DESIGN
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www.landdesign.com

MORGANTON PARK SOUTH - PHASE I
RETAIL DEVELOPMENT
LINCOLN HARRIS, SOUTHERN PINES, INC
SIGN PLAN



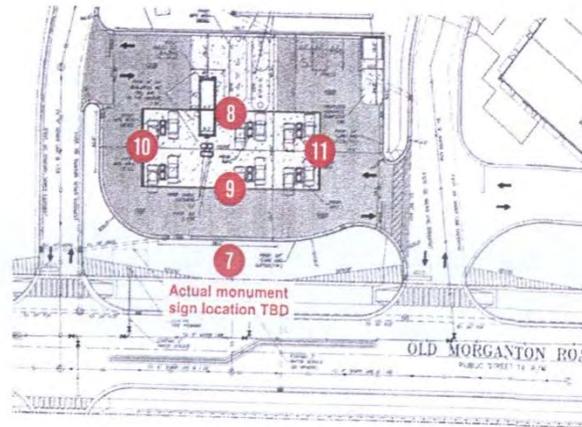
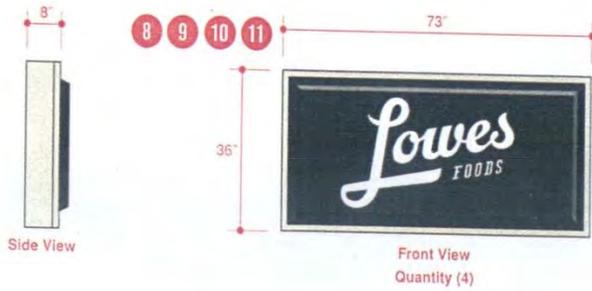
CLIENT	
	A
CONTACT	
SITE	Morganton Park Morganton Road Southern Pines, NC
FILE	Sales Rep Jeff Hines
	File Name lowes 261
DESIGN	Design TDH
	Draft: 10.07.15
REVISIONS	Rev 1:
	Rev 2:
	Rev 3:
	Rev 4:
	Rev 5:
	Rev 6:
CLIENT REVIEW	<input type="checkbox"/> Approved
	<input type="checkbox"/> Approved as Noted
	<input type="checkbox"/> Revise & Re-submit
	Name
	Title
	Date
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CLIENT	
CONTACT	A
SITE	Morganton Park Morganton Road Southern Pines, NC
FILE	Sales Rep Jeff Hines File Name lowes 261 Design TDH Draft: 10.07.15 Rev 1: 02.10.16 Rev 2: Rev 3: Rev 4: Rev 5: Rev 6:
CLIENT REVIEW	<input type="checkbox"/> Approved <input type="checkbox"/> Approved as Noted <input type="checkbox"/> Revise & Re-submit Name _____ Title _____ Date _____
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CLIENT	A
CONTACT	
SITE	Morganton Park Morganton Road Southern Pines, NC
FILE	Sales Rep Jeff Hines File Name lowes 261 Design TDH Draft: 10.07.15 Rev 1: 01.18.16 Rev 2: 03.03.06 Rev 3: Rev 4: Rev 5: Rev 6:

CLIENT REVIEW	Approved Approved as Noted Revise & Re-submit
Name	
Title	
Date	

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Agenda Item

To: Planning Board

Via: Bart Nuckols, Planning Director

From: Chris Kennedy, Senior Planner

Subject: CU-02-16 Conditional Use Permit: Major Subdivision Application for a Single-Family Attached (Townhomes) Development; Petitioner, Goneau Construction

Date: May 19, 2016

CU-02-16 Conditional Use Permit: Major Subdivision Application for a Single-Family Attached (Townhomes) Development; Petitioner, Goneau Construction

On behalf of Goneau Construction, Mr. Marcel Goneau has submitted a Conditional Use Permit application requesting the approval of a Major Subdivision for a residential development project between W. Maine Avenue and W. Rhode Island Avenue. 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 fourteen (14) single-family attached dwelling units, thereby the proposal will require a CUP. The subject property is comprised of 2.037 acres is zoned RM-2 (Residential Multi-Family - 2). The property is identified by the following: PIN: 858218219937 (PARID: 00036263). Per the Moore County Tax records, the property owner(s) are listed as Silver Ridge Holdings LLC.

Analysis:

The subject property is identified as “Residential” in the *Comprehensive Long Range Plan Future Land Use Map*. Per the *Comprehensive Long Range Plan 2015-16 Update*:

- **Residential:** This designation encompasses the majority of Southern Pines’ residential land, providing for single-family and attached housing at development densities ranging from one unit per acre in areas that are less intensively developed to up to twelve units per acre 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 2.037 acres (1.67 acres listed per the Moore County GIS and 0.367 acres of land obtained with the abandonment of N. Mechanic Street right-of-way between W. Maine Avenue and W. Rhode Island Avenue).
- The subject property is located in the corporate limits of the Town of Southern Pines.
- The adjoining properties are zoned RM-2 to the East, South, and West. The property

to the North of the subject property is zoned OS.

- Single-Family Attached (Townhomes) land uses are classified under LBCS 1112 in UDO Exhibit 3-15 Table of Authorized Land Uses. LBCS 1112 is listed a “ZS” in the RM-2 zoning classification.
- 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 3.5.7, 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.
- Portions of the subject property lie within the Urban Transition Highway Corridor Overlay. The Highway Corridor Overlay standards are set forth in UDO Section 3.6.5 and UDO Exhibit 3-13.
 - Per UDO Section 3.6.5(F)(1), single family lots may be developed according to the standards of the underlying zoning district and these lots and the single-family homes built upon them shall not be considered non-conforming situations.
 - Therefore the UT-HCO standards are not applicable to the proposed project listed in CU-02-16.
- 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’
 - Per UDO Section 4.2.2(F), private roads or driveways that serve more than three (3) lots, more than three (3) dwelling units or any non-residential use projected to generate traffic equivalent to three (3) or more dwelling units shall be treated as public streets for the purposes of measuring front and exterior side setbacks.
 - Based on the regulations set forth in UDO Section 4.2.2(F), the petitioner is requesting a waiver from rear setback requirement of 30’ only along the rear property line behind units 1-6 as listed on the preliminary plat; the property line nearest to N. Hale Street. The petitioner is proposing a reduction in the rear setback from 30’ to 20’.
 - Per UDO Section 2.46.3(A), the Administrative Relief section of the UDO, the rear setback may be reduced by no less than sixty (60) percent of the minimum required setback if the situation complies with the criteria set forth in UDO Section 2.46.4.
 - The planning director is authorized to grant administrative relief if the applicant is able to comply with the criteria set forth in UDO Section 2.46.4. This request is seeking to reduce the rear setback from 30’ to 20’. Based on the standards of UDO Section 2.46.3(A), the allowed sixty (60) percent reduction could reduce the rear setback to 18’.
 - The petitioner would have the ability to seek administrative relief from the planning director, however, the petitioner has decided to proceed with the waiver request during the public hearings in front of the Planning Board and Town Council; requesting that the boards grant such relief during the

preliminary plat and CUP application processes.

- The vehicular trip generation of the project per UDO Exhibit 4-19 is 85.4 ADT (average daily trips). Per the UDO a single-family attached land use is 6.1 trips per day per dwelling.
- Per UDO Section 4.11.3 *Access to Lots*, (C) a private drive may be approved as the sole access for a lot or parcel subject to the following conditions:
 - (1) It accesses a public or private easement and is located on a perpetual easement not less than twenty (20) feet in width;
 - (2) The easement serves no more than three (3) lots in the RE or RR zoning districts or no more than twenty-five (25) dwelling units in a RS-1, RM-1, RM-2, or PD zoning district;
 - (3) Prior to recording of the final plat, that delineates the lot(s), restrictive covenants shall be recorded in the Moore County Registry that permanently establishes the easement, provides for maintenance of the private drive, and prohibits further division of any of the lots served by the easement. If the private drive is part of a subdivision for single-family attached (townhomes) or condominium dwelling units, the lots may be served by a “Private Ingress/Egress/Access Easement” that is maintained by the “Home Owners Association” and shall be clearly designated on the Final Plat and in the restrictive HOA documents.
- Per Section 4.11.3(D), private drives shall meet the design and construction requirements to support and provide fire department access. Pavement width shall be at least twenty (20) feet, but may be increased based on curve radii and whether parking is allowed to encroach on the private drive. The HOA is responsible for ensuring fire department access at all times.
 - The proposed private drive width is shown at twenty-two (22) feet. The Town of Southern Pines Fire Department has reviewed the proposal and will prohibit parking along the private drive.
- The proposed project shows the extension of W. Maine Avenue from its current terminus to the entrance of proposed development. The petitioner is asking the Planning Board and the Town Council to allow only the extension of W. Maine Avenue to the entrance of the proposed development per the allowances in UDO Section 4.11.7(B).
- Per UDO Section 4.11.7 *Street Connections Required*:
 - (A) Whenever connections to anticipated or proposed surrounding streets are required by this section, the street right-of-way shall be extended and the street developed to the property line of the subdivided property (or to the edge of the remaining undeveloped portion of a single tract) at the point where the connection to the anticipated or proposed street is expected.
 - (B) The permit issuing authority may:
 - (1) Waive the requirement to develop the street when the right-of-way is extended, if it is determined that the development of the street is not practicable.
 - (2) Require temporary turnarounds to be constructed at the end of such streets pending their extension when such turnarounds appear necessary to facilitate the flow of traffic or accommodate emergency vehicles. However, no temporary dead-end street or cul-de-sac in excess of one-thousand (1000) feet may be created unless no other practicable alternative is available.
 - (3) Authorize the applicant to pay a fee in lieu of constructing the road

connection at the time of development.

- Per UDO Exhibit 4-3, the proposed project must provide a 10' landscape buffer on its property between itself and another RM-2 zoned property. A buffer is not required on the northern portion of the property as it abuts OS zoned property. See attachments for the landscape plan provided by the petitioner.
- 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 required and 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 39.54% impervious.
- 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.*

Attachments:

- GIS Location
 - Application Materials
 - Criteria Narratives
 - Preliminary Plat
 - Landscape Plan
 - Cross Section of Site
 - 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-02-16;
2. The denial of CU-02-16; OR
3. The approval of CU-02-16 with the following additional conditions...

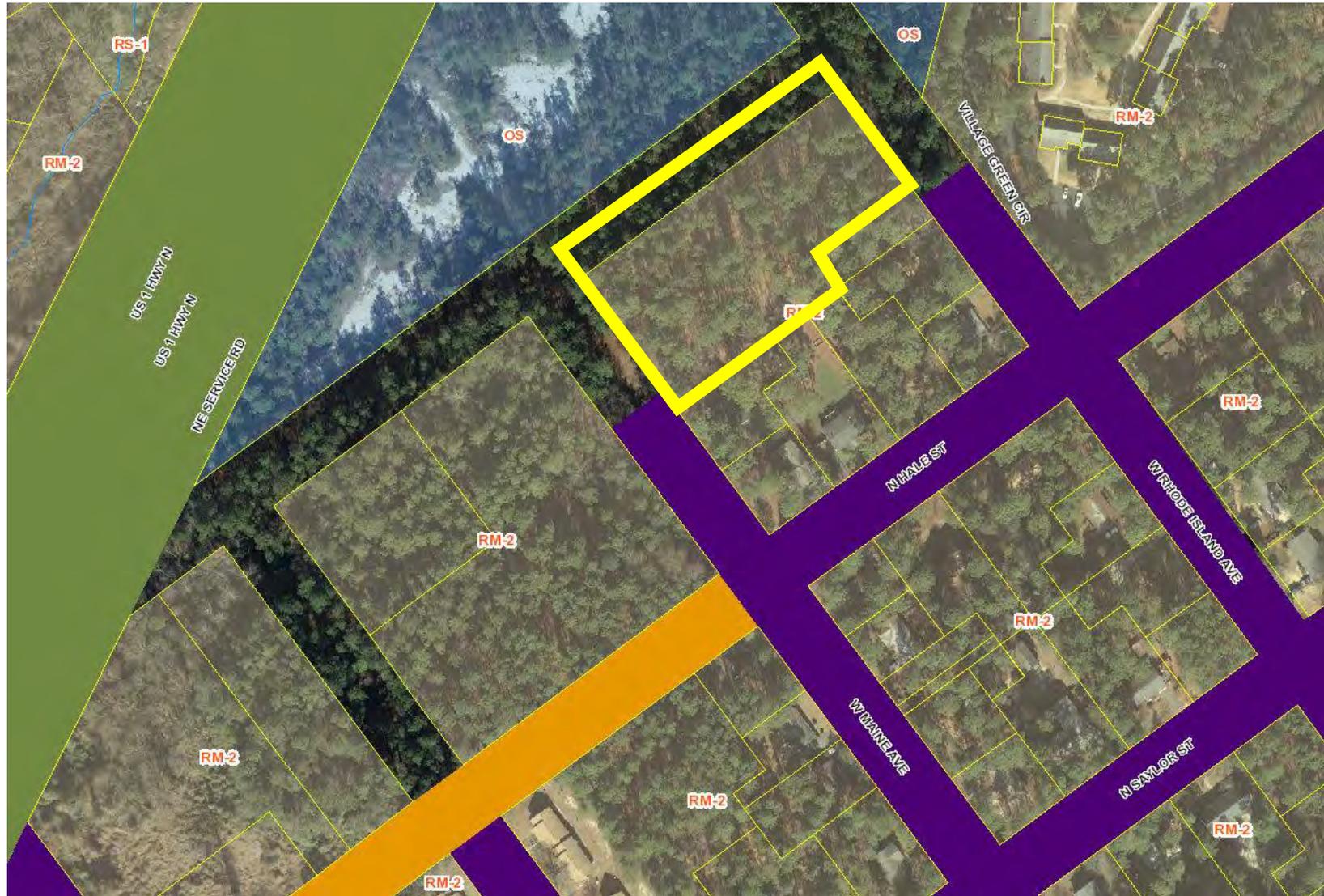
CU-02-16 Major Subdivision (Zoning with Aerials Map)
PIN: 858218219937 (Parcel ID: 00036263)

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CU-02-16 Major Subdivision (Powell Bill Map) PIN: 858218219937 (Parcel ID: 00036263)

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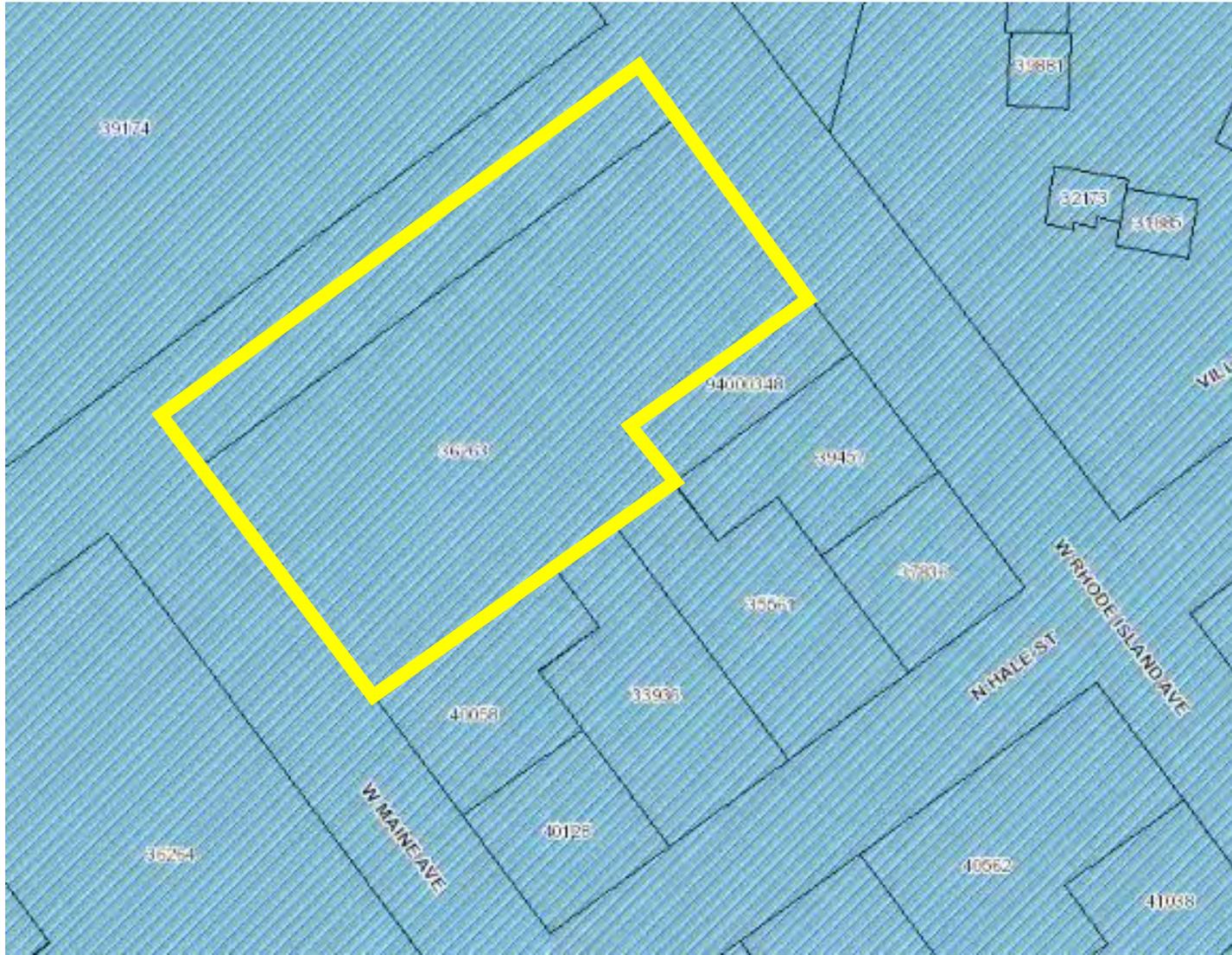
CU-02-16 Major Subdivision (UT-HCO Map)
PIN: 858218219937 (Parcel ID: 00036263)

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CU-02-16 Major Subdivision (Watershed Map)
PIN: 858218219937 (Parcel ID: 00036263)

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CU- 02-16

Date Received: April 18, 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 W. Maine (Street/Avenue), between W. Maine (Street Avenue) and W. Rhode Island (Street/ Avenue). The address is N/A, also known as LRK # 00036263 and PIN # 858218219937. It has a frontage of 200.14 feet and a depth of 399.73 feet, containing 1.665 acres.

The Conditional Use sought is based on Section(s) 2.20.5(G) Major Subdivision & 2.21.7 of the *Town of Southern Pines Unified Development Ordinance*. The property in question is located in a RM-2 zoning district and is proposed for the following use:

Townhome Community

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: MLC Automotive, LLC

Mailing Address: PO Box 40110
Raleigh, NC 27629

LRK #: 00039174

Adjacent Property Address: N/A

2. Property owners' name: Silver Ridge Holdings, LLC

Mailing Address: 125 Williams Road
Southern Pines, NC 28387

LRK #: 00036264

Adjacent Property Address: N/A

3. Property owners' name: Leo Walsh

Mailing Address: 625 W. Maine Ave

Southern Pines, NC 28387

LRK #: 00040058

Adjacent Property Address: Same

4. Property owners' name: Patrick Phillips

Mailing Address: 510 N. Hale Street

Southern Pines, NC 28387

LRK #: 00033936

Adjacent Property Address: Same

5. Property owners' name: Josef Kriesz

Mailing Address: 520 N. Hale Street

Southern Pines, NC 28387

LRK #: 00035561

Adjacent Property Address: Same

6. Property owners' name: Dane Sebring

Mailing Address: 620 W. Rhode Island

Southern Pines, NC 28387

LRK #: 00039457

Adjacent Property Address: Same

7. Property owners' name: John Hilbrecht
Mailing Address: 620 W. Maine Street
Southern Pines, NC 28387
LRK #: 94000348
Adjacent Property Address: Same

8. Property owners' name: Catherine Taylor
Mailing Address: 31 Village Green
Southern Pines, NC 28387
LRK #: 00039881
Adjacent Property Address: Same

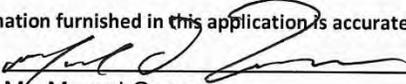
9. Property owners' name: Eileen Malan
Mailing Address: PO Box 2020
Southern Pines, NC 28387
LRK #: 00032173
Adjacent Property Address: 27 Village Green
Southern Pines, NC 28387 Marcel

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

LRK #: _____
Adjacent Property Address: _____

Please note that if you have more than (10) ten adjacent property owners, please use additional sheets, if necessary. Please include a stamped envelope addressed to each adjacent property owner with the following return address: Town of Southern Pines, Attn: Planning Department, 180 SW Broad Street, Southern Pines, NC 28387

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

Petitioner Signature: 

Petitioner's Name: Mr. Marcel Goneau

Please Print

Petitioner's Mailing Address: _____

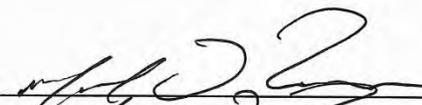
125 Williams Road

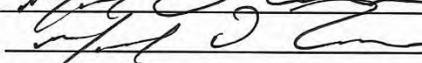
Southern Pines, NC 28387

Petitioner's email Marcel@Goneauconstruction.com

Petitioner's Phone # 800-695-4317

Cell# 910-585-0618

Property owner's signature: 

Property owner's signature: 

Please Print

Property owner's Mailing Address: Silver Ridge Holdings, LLC

Mr. Marcel Goneau

125 Williams Road, Southern Pines, NC 28387

Property owner's email Marcel@Goneauconstruction.com

Property owner's Phone # 800-695-4317

Cell # 910-585-0618

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

PIN:858218219937
PARID:00036263
NAME:SILVER RIDGE HOLDINGS, LLC
ADDRESS:125 WILLIAMS ROAD
CITY:SOUTHERN PINES
STATE:NC
ZIP:28387

PIN:858214321933
PARID:00039174
NAME:MLC AUTOMOTIVE, LLC
ADDRESS:PO BOX 40110
CITY:RALEIGH
STATE:NC
ZIP:27629

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

PIN:858218310977
PARID:94000348
NAME:HILBRECHT, JOHN C
ADDRESS:620 W RHODE ISLAND AVE
CITY:SOUTHERN PINES
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:858218312805
PARID:00037836
NAME:SINEATH, BENJAMIN LEE
ADDRESS:600 W RHODE ISLAND AVE
CITY:SOUTHERN PINES
STATE:NC
ZIP:28387

PIN:858218310892
PARID:00035561
NAME:KNIESZ, JOSEF R & JANINA M
ADDRESS:520 N HALE STREET
CITY:SOUTHERN PINES
STATE:NC
ZIP:28387

PIN:858218310717
PARID:00033936
NAME:PHILLIPS, PATRICK R &
NAME2:JENIFER A
ADDRESS:510 N HALE ST
CITY:SOUTHERN PINES
STATE:NC
ZIP:28387

PIN:858218219667
PARID:00040128
NAME:WEATHERSPOON, MICHAEL P
ADDRESS:500 N HALE ST
CITY:SOUTHERN PINES
STATE:NC
ZIP:28387

PIN:858218219707
PARID:00040058
NAME:WALSH, LEO
NAME2:WALSH, SHIRLEY
ADDRESS:625 W MAINE AVE
CITY:SOUTHERN PINES
STATE:NC
ZIP:28387-4018

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:858218323111
PARID:00032173
NAME:MALAN, EILEEN C
ADDRESS:PO DRAWER 2020
CITY:SOUTHERN PINES
STATE:NC
ZIP:28388

PIN:858218322189
PARID:00039881
NAME:TAYLOR, CATHERINE C
ADDRESS:31 VILLAGE GREEN
CITY:SOUTHERN PINES
STATE:NC
ZIP:28387



Goneau construction | design | development
Conditional Use Permit Application
Town of Southern Pines

April 18, 2016

Marcel O. Goneau, AIBD
125 Williams Road, Southern Pines, North Carolina
Founder/President of Goneau construction | design | development
Board of Director – Moore County Home Builders Association
Professional Member – American Institute of Building Design (AIBD)

Contact Information:
800-695-4317
contact@goneauconstruction.com
www.GoneauConstruction.com

Goneau construction | design | development Proprietary Information



DESCRIPTION OF PROPOSED DEVELOPMENT – WEST MAINE VILLAGE NORTH

Goneau construction | design | development (Goneau Construction) is proposing a new Townhome community, West Maine Village North, on the property located at 635 West Maine Avenue, Southern Pines, NC 28387. The property is 2.04 acres and holds a zoning classification of Residential Multi-Family (RM-2). The majority of the surrounding properties in this section of Southern Pines hold the same zoning classification, RM-2, except the adjacent 22 acre site which holds the Office/Service (OS) zoning classification. The RM-2 property on West Maine is an ideal density transitional site from the existing single family homes to the future neighboring OS district. The majority of the site has a modest topography which is moderately wooded with primarily pine trees, some hardwoods trees and no existing structures. The “front” or “entrance” to the property is 240 feet wide and the overall depth of the property is 400 feet deep. The entrance to the proposed community will be accessed from West Maine Avenue, which is currently undeveloped. Goneau Construction will improve the section of West Maine Avenue required to access the proposed development. Public utilities are within reasonable access to the site and we will provide adequate utilities to sufficiently service the proposed community. The overall surrounding neighborhood is primarily single family homes with one small multi-family housing community approximately two blocks away. The site is approximately six blocks from North West Broad Street and the Southern Pines commercial downtown Central Business District (CB).

CRITERIA AND JUSTIFICATION FOR PRELIMINARY PLAT DESIGN FOR WEST MAINE VILLAGE NORTH (CRITERIA 2.20.5(G) PRELIMINARY PLAT SOUTHERN PINES UDO 9/8/2015)

2.20.5(G) (1) Criteria

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

2.20.5(G) (1) Justification

Goneau Construction’s proposed project, West Maine Village North, does not require the submission and approval of a Sketch Plat, therefore the sketch plat is not applicable. As stated in the Southern Pines Unified Development Ordinance (UDO) *Section 2.20.4(B) Sketch Plat Applicability* a Sketch Plat is required “when an Applicant is applying for the subdivision of less than the entire, contiguous land area held in common ownership.” Goneau Construction is using the entire tract for the development and will not be subdividing the property at 635 West Maine Avenue.

2.20.5(G) (2) Criteria

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

2.20.5(G) (2) Justification

Goneau Construction’s proposed project to develop 14 Townhomes is consistent with the Town of Southern Pines Comprehensive Long Range Plan adopted in 2010 updated 2015-2016. Southern Pines Comprehensive Plan’s community vision for housing focuses on diverse, affordable, and compatible housing within the neighborhood it is developed. West Maine Village

North provides -2016 residents with an affordable housing option, which maintains and builds upon the characteristics of the neighborhood and downtown area. Located on a currently vacant lot within an existing residential neighborhood, the new townhome community will provide the Town with an infill opportunity that will add to the revitalization of the neighborhood.

Specifically, West Maine Village North is consistent with the following goals and policies found in the Comprehensive Plan:

- **Goal G-1 – Community Well-Being:** *Improve the personal health and security of our residents and promote neighborhoods and commercial areas that are safe, secure and healthy.*
- **Goal G-4 – Neighborhoods:** *Protect and enhance the civic vitality, function, stability and character of Southern Pines commercial and residential neighborhoods.*
- **Goal G-10 – Economy:** *Achieve a sustainable, resilient, balanced economy, providing community prosperity and fiscal health.*
- **Goal G-11 – Housing:** *Facilitate the provision of a broad range of housing choices that serve residents of all abilities and incomes.*
- **Policy P-1 – Downtown:** *Implement and periodically refine the Downtown Neighborhood Development Plan, and more specifically:*
 - P-1a. Ensure that new growth and renovation in the Downtown are compatible with Downtown's overall scale, architectural, transportation and public-space characteristics.*
 - West Maine Village North provides compatible townhome units that further diversify the immediate neighborhood, which already has single family and multi-family housing options. West Maine Village North will be developed on a vacant lot in the downtown Southern Pines area.
 - P-1e. Preserve, protect and maintain Southern Pines' historic properties, districts and landscapes.*
 - While not directly located in the Historical District, West Maine Village North's turn-of-the-century, "Cottage" architecture will maintain the historical architectural vernacular commonly found throughout the Southern Pines downtown area.
- **Policy P-2 – Neighborhoods:** *Ensure that new development and redevelopment are compatible with the overall scale, architecture, transportation and public-space characteristics of the neighborhood in which it occurs.*
 - West Maine Village North will develop 2.04 acres of an infill lot that is compatible with the neighborhood and Town of Southern Pines. The townhomes will boast a turn-of-the-century, two-story "Cottage" architecture, which is consistent in scale and architecture commonly found throughout the Southern Pines downtown area. This site is located within the downtown Southern Pines street and transportation grid as originally mapped by the town designers and engineers. Similar characteristics and architecture can be found in other areas of the neighborhood such as in Village Green Circle, Village in the Woods Circle, and West Vermont Avenue.
- **Policy P-4 – Future Land Use:** *Use the future land use map in Chapter 4 of this plan as a guide for zoning decisions. Recognizing that the map accommodates projected growth through the year 2040, decisions to approve zoning map amendments, proposed development and infrastructure extensions need to consider both the proposed future*

land use and whether the timing of the action is consistent with the Town's other goals and policies. For instance, when considering action on a development proposal that matches the use shown on future land use map, the Town should consider whether the development is premature and would encourage sprawl while reducing the incentive for infill development that would capitalize on existing infrastructure and support Downtown vitality.

- The current and future zoning district for the site proposed for West Maine Village North is RM-2. This zoning classification is a residential district which allows single-family homes and medium density multi-family communities that focus on creating transitional areas between residential neighborhoods and commercial areas. West Maine Village North meets the RM-2 zoning requirements as well as the intent of providing a transitional community between the existing single-family homes and the OS district found adjacent to the site. Additionally, West Maine Village North is an infill development that uses and improves existing infrastructure and does not encourage unnecessary sprawl or development.
- **Policy P-6 – Mobility:** *Enhance mobility options for residents of Southern Pines by:*
 - **P-6a.** *Ensuring that new neighborhoods and mixed-use centers interconnect with adjoining land uses.*
 - West Maine Village North will be accessed from West Maine Avenue and easily connect with the existing Southern Pines street and transportation grid as well as the adjoining neighborhood.
- **Policy P-7 – Streetscapes:** *When improving streets and when streets are installed as part of new developments, ensure that the streets:*
 - **P-7a.** *Are designed and constructed to support the needs of all users (e.g., cars, bicycles, pedestrians and, where applicable, truck traffic) in context with their location and function in the region, Town and neighborhood in which they are located.*
 - During the development of West Maine Village North we will improve a portion of West Maine Avenue which will support the needs of all users and emergency access vehicles. The entrance/exit off of West Maine Avenue as well as the new private street, Abbey Lane, meet the requirements in the UDO and offer functional and improved streets. Abbey Lane will be 22'-0" wide exceeding the minimum 20'-0" required dimension noted in the UDO by 2'-0". Additionally, as required in Section 4.2.2(F) the Townhomes will be held to the 25'-0" "Front" setback from edge of pavement. These dimensions and design will allow for easy access to residents and any visitors.
 - **P-7c.** *Balance the mobility and aesthetic roles of streets, preserving existing trees where alternative street cross-section designs are feasible.*
 - The street designed for West Maine Village North will include multiple landscaped peninsulas on the hardscape and parking areas providing an aesthetically pleasing and balanced streetscape. Additionally, all existing Lingleaf Pines as well as some hardwoods found at the entrance of the property on West Maine Avenue have been identified and will be preserved where feasible.
- **Policy P-9 – Access Management:** *Enhance the safety and function of arterial and collector streets through access management strategies that:*
 - **P-9a.** *Encourage common or shared parking facilities as well as common driveways.*

- West Maine Village North parking and driveways are designed to allow easy access and use for residents and visitors. The number of parking spaces is more than double the required two (2) spaces per unit, with two (2) spaces in the garage, two (2) outside of the garage, and one (1) space in front of the Townhome. Driveways are easily accessed from the private street, Abbey Lane.
- P-9b. Control the number, width, and location of driveways; and**

 - Driveways have been separated for consistent flow from Townhome to Townhome and will maintain a 20'-0" width for ease of access into each garage. The number of driveways are consistent with the density of the community, which offers a two (2) car garage for each Townhome.
- P-9c. Require site access from side streets where appropriate.**

 - Access to West Maine Village North is from West Maine Avenue which is a mapped street right-of-way (ROW) within the Southern Pines grid.
- **Policy P-12 – New Housing Choices: Foster the provision of a mix of housing that meets the financial and physical needs of existing and future residents by encouraging development of a variety of housing types in new residential areas and promoting compatible infill in existing neighborhoods.**

 - West Maine Village North will provide infill housing by developing 14 townhomes on a vacant lot within an already established Southern Pines neighborhood. Offered in the mid \$200,000's the infill housing will be compatible with the surrounding area and competitive in price. West Maine Village North will further diversify and foster a variety of housing types within the immediate neighborhood which already has single-family and multi-family housing options. Developing West Maine Village North will promote infill housing that meets the current economic environment and needs of existing and future residents.
- **Policy P-13 – Existing Housing Stock: Promote the maintenance of the existing housing stock through code enforcement in collaboration with neighborhoods, community education and support for residents' efforts to maintain the safety, structural integrity and appearance of their homes and neighborhoods.**

 - West Maine Village North is designed to maintain the overall scale of the current houses surrounding it and be compatible with the architecture seen in and around downtown Southern Pines. We expect West Maine Village North to revitalize the immediate neighborhood and help add more value to the existing homes and area. Developing on an infill vacant lot will promote and motivate maintenance of existing homes and improving the existing infrastructure will increase safety within the community.
- **Policy P-15 – Growth Coordination: To maintain the Town's fiscal integrity and ability to provide public facilities and services in a cost-effective manner**

P-15a. Favor infill development in areas with access to public facilities over development on the perimeter that requires extension of public facilities.

 - West Maine Village North will develop an infill vacant lot with access to public facilities and services. It is located within the primary grid of the Town of Southern Pines offering ease of access for all public works services and for emergency services such as fire and police.

P-15b. 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; and

- The extension of services such as water and sewer will be paid for by Goneau Construction. All services are found in close proximity to the proposed community and accessible without any undue burden to neighboring properties or the Town. As a result of extending the necessary services to West Maine Village North, Goneau construction will improve existing surrounding infrastructure in the immediate utility grid of Southern Pines.

P-16c. Consider the cost-effectiveness of public facilities when reviewing new development, particularly when it involves the extension of roads or utilities.

- Goneau Construction is developing an infill lot and does not require excessive extension of public utilities or roads. Water mains and sewer lines are easily accessible for the West Maine Village North site and the improvements and extension of the public facilities will be paid by Goneau Construction. In addition, the extension of the public facilities will improve and update the immediate area's public utilities once completed.

The Future Land Use Map found in the Comprehensive Plan designates the site of West Maine Village North as primarily residential and recommends residential land uses in those areas. The site on West Maine Avenue is zoned for residential use and Goneau Construction will use the site for residential housing.

West Maine Village North follows the regulations of the UDO, which are in place to implement the goals, objectives, policies, and strategies of the Comprehensive Plan. We designed West Maine Village North to offer an effective use of the land and provide quality homes that improve and benefit our community.

2.20.5(G) (3) Criteria

The proposed subdivision complies with the UDO and applicable state and federal regulations.

2.20.5(G) (3) Justification

West Maine Village North is compliant with the following Development and Design Standards stated in *Chapter 4, Section 4.2 Lot Development Standards*:

- *Section 4.2.1 Height* – The townhome units in West Maine Village North do not exceed the maximum height of 35' for RM-2 zoning districts established in *Exhibit 4-1*.
- *Section 4.2.3 Lot Size, Density, and Lot Width* – West Maine Village North meets the minimum lot size for RM-2 zones in *Exhibit 4-1*. We have calculated the density or number of dwelling units allowed on the property using *Exhibit 4-1* and do not exceed the maximum allowable dwelling units for the lot size (for specific density calculations please see our justification for criteria 2.20.5(G) (4) below). According to the Table Notes for *Exhibit 4-1 Table Note (8)* minimum lot width is not applicable to townhome development.

The proposed project is also compliant with RM-2 zoning permissible uses, adequately meets and provides all public utilities requirements, and adheres to emergency access requirements and

fire codes. The landscape and buffers planned for the community comply with the UDO and the townhomes are cohesive and compatible with the existing neighborhood characteristics and architecture vernacular.

As illustrated in the enclosed preliminary plat, West Maine Village North meets all but one of the minimum setback requirements established in the UDO *Chapter 4, Section 4.2.2 Setbacks* and listed in *Exhibit 4-1* for RM-2 zoning districts. The siting of the townhome units on the preliminary plat meets the minimum front setback, setback from street centerline, exterior side setback and interior side setback listed in *Exhibit 4-1* under RM-2 zoning and allows us to meet the minimum rear setback requirements on the west side of the property. Additionally, the placement of the townhome units and improvements in the site results in 54,543.5 square feet of green space or pervious area which is 60.45% of the total property square footage.

Section 4.2.2(F) of the UDO requires that lots with three (3) or more dwelling units treat private roads as public streets for purposes of measuring front and exterior side setbacks. Interpretation on this regulation and how it effects which minimum setbacks are required to be met in the development is unclear. *Section 4.2.2(F)* only refers to measuring the front and exterior side setbacks based on where the dwelling or unit fronts the public street. Goneau Construction considers the front of the dwelling or townhome units to face Abbey Lane and interprets the only setback requirements the units must meet are the front and exterior side setback, as stated in *Section 4.2.2(F)*. However if the minimum 30' rear setback is still required to be met in addition to the front and exterior side setbacks listed in *4.2.2(F)*, West Maine Village North does not meet the minimum rear setback on the east side of the property as presented on the attached preliminary plat.

If indeed it is determined the 30' rear setback is found to be part of the requirement of *Section 4.4.2 (F)* Goneau Construction would request the Councils approval by granting Administrative Relief as presented in *Section 2.46.3* "Types of Administrative Relief" sub-section (A) Building Setback Reduction, which reads in the UDO; "The side and rear building setback shall not be less than (60) percent of the minimum setback requirement." While this administrative relief can be granted at Southern Pines staff level, Goneau Construction request consideration be given to this reduction in setbacks during the CUP approval process. By granting relief of the rear setback on the East side of the development the units would be located 20'-0" from the property line. At 60% of the 30'-0" setback the units are allowed to be 18' from the property line therefore the units will exceed the allowable distance by 2'-0".

Section 2.46.4 Criteria Administrative Relief may be granted when the Planning Director finds that the application meets the following criteria:

- A) The relief will not create a burden on adjacent property owners or conflict with the zoning district's proposes;
- B) The relief is necessary to allow efficient use of the property due to the site conditions or circumstances that do not commonly affect properties in the district; and
- C) The relief does not convey a right or privilege that would be unavailable to similar situated properties.

2.46.4 (A) Justification By maintaining the 20' setback allowed in *Section 2.46.3 (F)*, installing a 6' fence and meeting all buffer and landscape requirements established in the UDO *Section 4.3*

Landscaping and 4.3.4 Buffers the developers proposes that the intent of the UDO will be met by developing a buffer space that does not harm or detrimentally impact the existing neighbors. All required buffering is identified and illustrated on the enclosed landscape plan. Per *Exhibit 4-3: Minimum Buffer Widths*, the buffer along the entire east side of the property is 10' wide meeting the requirements for a RM-2 zoning abutting another RM-2 zoning. The quantities of plants for the 10' Buffer are based on *Exhibit 4-5: Minimum Planting Required in Buffers* and will be a variety of native evergreens and flowering plants to soften the townhomes and create privacy.

Section 4.46.4 (B) Justification By granting the allowable Administrative Relief, Council will be allowing for the most efficient use of the property due to the site conditions and circumstances which are not commonly found in the RM-2 District. These site conditions are illustrated on the enclosed "Development Section Plan" offered for Councils review.

Section 4.46.4 (C) Justification Being that the West Maine Village North site is indeed unique in its site specific circumstances by granting the allowable Administrative Relief would not convey a right without presenting a similar hardship nor will it convey privileges without similar justifications both of which have been established parameters to be met for approval. As presented on the enclosed "Development Section Plan" the rare and unique circumstances offer Council justified reasons for the Administrative Relief promoting a viable and safe residential community.

The enclosed preliminary plat is based on the successful abandonment of Mechanic Street, which was requested in March 2016. The abandonment of Mechanic Street will provide us with the necessary space to meet rear setbacks on the west side of the property with room to spare, while also giving us more space on the east side of the property. On the enclosed preliminary plat we have adjusted the townhome units to the west in order to gain a larger setback on the east side of the property. Goneau Construction is unable to push the townhomes further to the west in order to gain more space for a larger rear setback due to the topography on the west side of the site. The topography on the west side of the property has an 18' grade transition within a 35' length making it very steep and impractical to use. This topography could not be used for yard space if we did push the townhomes further to the west due to the severity of the slope.

Furthermore, it is impractical to open Mechanic Street on the west side of the property in order to face the townhomes out toward that street to gain more room for the minimum rear setbacks on the east side of the property, because the driveways to access the townhomes from Mechanic Street would be too steep and unusable. In order to lessen the grade of the driveway we would have to make the driveways very long leaving little room to build any new residential housing on the site. The steep topography of the west side of the property is illustrated in the cross sections of the preliminary plat and demonstrates that we are limited to siting the townhomes where they currently are shown on the preliminary plat in order to develop the property into functional and accessible residential housing.

We understand that the intent of the setbacks, as established in the UDO, is to protect existing structures and provide space, privacy, and a buffer between structures or residences. All considerations will be taken into place to maintain this intent and we will design and create a buffering area to provide privacy to the existing residences and ensure the townhomes do not feel as if they are encroaching their property.

The proposed project complies with the goals, intent, and all but one of the development and design standards in the UDO. Due to the steep topography on the west side of the property Goneau Construction sited the 14 townhome units as shown in the enclosed preliminary plat in order to provide a functional, safe, and viable residential community, while still considering and respecting the existing neighbors and adjacent structures.

2.20.5(G) (4) Criteria

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.

2.20.5(G) (4) Justification

West Maine Village North is compatible with the existing zoning, RM-2, including its lot sizes, density, access and circulation. The purpose of the RM-2 zoning districts is to allow single-family and multi-family housing in areas served by adequate public utilities. Our project meets the intent and purpose of RM-2 zoning by building 14 multi-family townhome units on a site situated in an established downtown neighborhood that is already served by public utilities and can be easily extended for the site.

Section 3.5.7 R-2 Residential Mixed Housing (5-7 DU/ac) in the UDO outlines the requirements for RM-2 lot sizes and density. The UDO states that RM-2 districts are a moderate density with approximately 5-7 Dwelling Units per acre. The property on West Maine Avenue is currently one lot and we will be building 14 townhome units (or dwelling units) on the lot. As stated in the UDO *Exhibit 4-1: Building Height, Setbacks, and Lot Dimensions* the minimum lot size is 10,000 sq.ft. The lot for 635 West Maine Avenue is 2.04 acres, which equals a total of 88,862.40 sq.ft. Per *Exhibit 4-1*, each additional dwelling unit requires an additional 6,000 sq.ft. per unit. Using the “minimum lot size” and the “additional area required per additional dwelling unit” we were able to calculate the total number of townhome units allowed on the property, which is 14.14 dwelling units. (See calculations below.)

RM-2 Lot Size and Density Calculations from UDO *Exhibit 4-1*:

635 West Maine Avenue is 2.04 acres = 88,862.40 total sq.ft.
Subtract 10,000 sq.ft. for the first dwelling unit = 78,862.40 sq.ft.
Divide remaining square feet (78,862.40) by 6000 sq.ft. per additional unit = 13.14 units
Total allowable units = 14.14

Goneau Construction will build 14 units out of the 14.14 total allowable units on the West Maine Avenue property. Due to the fact that the proposed project is a townhome development the minimum lot width requirement is not applicable as stated on page 4-5 of the UDO in *Table Notes number (8)*.

The Townhomes will be easily accessed using the improved/extended section of West Maine Avenue. Per the UDO *Section 4.11.3 (A) Access to Lots* “Every lot must be accessible to a public street for the users of the Lot and emergency vehicles.” Each dwelling or unit on our property will have access to the private street, Abbey Lane via their driveway as well as emergency vehicles and Abbey Lane will access the public street West Maine Avenue. We expect only

vehicles of residents and visitors of West Maine Village North and one neighboring home located at 625 West Maine Avenue to use the improved portion of West Maine Avenue. Traffic counts are illustrated in *Section 2.20.5 (G) (6)* of this narrative and provide evidence of 85.4 trips per day resulting from West Maine Village North being developed. West Maine Avenue will dead end just past the proposed community therefore other than the immediate residents, excess traffic will have no purpose to use that section of the road. By improving West Main Avenue (paving the road and extending utilities) we are improving future land use opportunities in adjacent properties that can access West Maine Avenue.

The ingress/egress off of West Maine Avenue will provide residents with access to the new private street, Abbey Lane running down the length of the property and ending in a hammerhead turnaround area for motor vehicles and emergency vehicles. Driveways to the attached garages will be accessible from the street and each unit has five (5) parking spaces per unit. The street width is 22' exceeding the minimum requirement by 2' and will be a two-way road for motor vehicles and emergency vehicles to use. The hammerhead turn around area at the end of the street meets the needs of emergency vehicles with a 37.5' turn radius. The street will not have on-street parking, residents will use the parking spots, garages, and driveways for parking so as not to hinder or block emergency vehicle access. The street planned for the community will provide the adequate circulation necessary to allow various modes of transportation (vehicle, pedestrian, bicycle) to safely access the community and minimize any conflicts. The access and circulation system in the community will also provide easy and efficient links to common spaces.

2.20.5(G) (5) Criteria

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

2.20.5(G) (5) Justification

Goneau Construction has purposefully planned West Maine Village North with the neighboring properties in mind. All considerations have been made ensuring the West Maine Village North community will not detrimentally impact the safety or viability of the adjacent properties and neighborhood.

In order to reduce the visual impact of the development for the adjacent properties we will create the required buffering between West Maine Village North and the current adjacent properties. In the UDO *Section 4.3.4 Buffers, Exhibit 4-3: Minimum Buffer Widths* RM-2 zoned districts require a 10' buffer when bordering another RM-2 zoned district. To meet this requirement, we planned a 10' buffer along the entire property on the east side due to our property bordering a RM-2 zoned district. Goneau Construction will landscape the buffer area with the required plants based on *Exhibit 4-5: Minimum Planting Required in Buffers* as described in the UDO. There will also be a 6' fence installed along the east property line behind six (6) units to maximize privacy and help reduce the visual impact for the neighbors. Consideration has been given to neighboring homes and properties in the landscape design offering privacy and attractive landscaping for the residence of West Maine Village North as well as the neighbors next door.

Due to the small size and low density of the West Maine Village North development the traffic generated by this community as well as the neighboring home is well within the allowable traffic

for the classification of street which it abuts, West Maine Avenue. West Maine Avenue is classified as a "Local" street as described in *Section 4.11.2 (B) (2)* of the UDO which states; "Local: A street whose sole function is to provide access to abutting properties. It is intended to serve no more than twenty-five (25) dwelling units and up to two-hundred (200) trips per day." Based on *Exhibit 4-19: Trips Generation Rates* the calculations are as follows for West Maine Village North;

(14) Multi-Family and Single Family Attached @ 6.1 trips per day per unit = 85.4
(1) Existing Single Family Home @ 10.0 trips per day per unit = 10.0
Therefor the total number of trips per day resulting from West Maine Village North community being developed yields 95.4 trips falling well within the UDO guidelines of 200 trips per day.

Also, by approving the West Maine Village North development, 120 feet of West Maine Avenue will be extended, as well as upgrading water lines for the immediate grid benefiting the adjacent property owners and Southern Pines public utilities.

In conjunction with a local real estate firm we have researched the immediate area's property values and expect that by infilling a vacant lot in the current neighborhood property values will slightly increase for adjacent properties. This will increase the viability of the neighborhood.

During the development of West Maine Village North we will meet all North Carolina codes and regulations in order to ensure the safety of not only the residents of the community, but also the neighboring residents. We believe West Maine Village North will become an asset to the neighborhood and will not have any detrimental impacts to the neighbors or town.

2.20.5(G) (6) Criteria

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.

2.20.5(G) (6) Justification

The West Maine Avenue site is a vacant lot located in an area already served by adequate public facilities to include public water and sewer lines. The site is in an area of Town that is appropriate and well-suited for the proposed development and will not require inefficient extensions and/or expansions of public facilities.

The proposed public facilities are in compliance with and meet the utility requirements in *Section 4.15 Utilities* in the UDO. Per *Section 4.15.1 Utility Ownership and Easement Rights*, after installation of public utilities Goneau Construction will transfer all ownership and easement rights to a public utility or entity to enable the effective operation and maintenance of the utility. We will make available to each townhome electric power and telecommunication service and bury the utilities underground in accordance with the regulations of the respective utility company (*Section 4.15.3; 4.15.4; 4.15.5*).



During the time we improve 120 feet of West Maine Avenue to allow for easier access to the community we will connect to the Town’s water and sewer line in accordance with the provisions of the Water and Sewer Use Ordinance, Town of Southern Pines, adopted March 13, 1984, as amended. We will extend the current water and sewer line into West Maine Village North community as well as locate and construct the lines to conveniently accommodate utility service to future adjacent or nearby properties.

Goneau Construction will connect to the existing sewer line located on West Maine Avenue and construct a gravity feed sewer main for the proposed development. The gravity feed line will provide adequate services to accommodate the reasonable needs of the community and provide a system that can be easily maintained and improved for future uses (*Section 4.15.12*).

Goneau Construction will install a 6” looped water main from West Maine Avenue through the development connecting back to West Rhode Island Avenue. This will result in a more than adequate range of water pressure of a minimum of 60 PSI and an upgraded water line in the current grid for the adjacent properties. Every townhome in the development will be served by this water supply system and we will ensure compliance with all health regulations (*Section 4.15.13*).

Per *Section 4.15.8* of the UDO, the West Maine Village North water system will have a sufficient fire hydrant system that provides adequate fire protection and meets the needs of the community. Emergency vehicles will have full access to the proposed development by using the improved section of West Maine Avenue to enter and exit the community. The street meets the required minimum width of 20’ and there is motor-vehicle turnaround area specifically developed and designed to meet the requirements of emergency vehicles. As stated in *Section 4.11.3 (C) (1)* A Private Drive may be approved as the sole access for a lot or parcel subject to the following conditions (1) It accesses a public or private street and is located on a perpetual easement not less than twenty (20) feet in width which Abbey Lane does meet.

The public facilities proposed for West Maine Village North will provide more than adequate utilities to serve the normal and emergency needs of the community and will remain accessible for any future developments.

CRITERIA AND JUSTIFICATION FOR CONDITIONAL USE PERMIT FOR WEST MAINE VILLAGE NORTH (CRITERIA 2.21.7 SOUTHERN PINES UDO 9/8/2015)

2.21.7 (A) Criteria

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

2.21.7 (A) Justification

As stated above in our justifications for Criteria 2.20.5(G)(3) and 2.20.5(G)(4) on pages 3-6, the West Maine Village North development currently meets and complies with all applicable zoning district regulations and any supplemental use regulations.

Section 3.5.7 R-2 Residential Mixed Housing (5-7 DU/ac) in the UDO outlines the requirements for RM-2 lot sizes and density. The UDO states that RM-2 districts are a moderate density with

approximately 5-7 Dwelling Units per acre. The property on West Maine Avenue is currently one lot and we will be building 14 townhome units (or dwelling units) on the lot. As stated in the UDO *Exhibit 4-1: Building Height, Setbacks, and Lot Dimensions* the minimum lot size is 10,000 sq.ft. The lot for 635 West Maine Avenue is 2.04 acres, which equals a total of 88,862.40 sq.ft. Per *Exhibit 4-1*, each additional dwelling unit requires an additional 6,000 sq.ft. per unit. Using the “minimum lot size” and the “additional area required per additional dwelling unit” we were able to calculate the total number of townhome units allowed on the property, which is 14.14 dwelling units. (See calculations below.)

RM-2 Lot Size and Density Calculations from UDO *Exhibit 4-1*:

635 West Maine Avenue is 2.04 acres = 88,862.40 total sq.ft.

Subtract 10,000 sq.ft. for the first dwelling unit = 78,862.40 sq.ft.

Divide remaining square feet (78,862.40) by 6000 sq.ft. per additional unit = 13.14 units

Total allowable units = 14.14

Goneau Construction will build 14 units out of the 14.14 total allowable units on the West Maine Avenue property. Due to the fact that the proposed project is a townhome development the minimum lot width requirement is not applicable as stated on page 4-5 of the UDO in *Table Notes number (8)*.

West Maine Village North is compliant with the Development and Design Standards stated in *Chapter 4, Section 4.2.1 Height and Section 4.2.3 Lot Size, Density, and Lot Width*. The proposed project is also compliant with RM-2 zoning permissible uses, adequately meets and provides all public utilities requirements, and adheres to emergency access requirements and fire codes. The landscape and buffers planned for the community comply with the UDO and the townhomes are cohesive and compatible with the existing neighborhood characteristics and architecture vernacular.

As illustrated in the enclosed preliminary plat, West Maine Village North meets all but one of the minimum setback requirements established in the UDO *Chapter 4, Section 4.2.2 Setbacks* and listed in *Exhibit 4-1* for RM-2 zoning districts. The siting of the townhome units on the preliminary plat meets the minimum front setback, setback from street centerline, exterior side setback and interior side setback listed in *Exhibit 4-1* under RM-2 zoning and allows us to meet the minimum rear setback requirements on the west side of the property. Additionally, the placement of the townhome units and improvements in the site results in 54,543.5 square feet of green space or pervious area which is 60.45% of the total property square footage.

Section 4.2.2(F) of the UDO requires that lots with three (3) or more dwelling units treat private roads as public streets for purposes of measuring front and exterior side setbacks. Interpretation on this regulation and how it effects which minimum setbacks are required to be met in the development is unclear. *Section 4.2.2(F)* only refers to measuring the front and exterior side setbacks based on where the dwelling or unit fronts the public street. Goneau Construction considers the front of the dwelling or townhome units to face Abbey Lane and interprets the only setback requirements the units must meet are the front and exterior side setback as stated in *Section 4.2.2(F)*. However if the minimum 30' rear setback is still required to be met in addition to the front and exterior side setbacks listed in *4.2.2(F)*, West Maine Village North does not meet

the minimum rear setback on the east side of the property as presented on the attached preliminary plat.

If indeed it is determined the 30' rear setback is found to be part of the requirement of *Section 4.4.2 (F)* Goneau Construction would request the Councils approval by granting Administrative Relief as presented in *Section 2.46.3* "Types of Administrative Relief" sub-section (A) Building Setback Reduction, which reads in the UDO: "The side and rear building setback shall not be less than (60) percent of the minimum setback requirement." While this administrative relief can be granted at Southern Pines staff level, Goneau Construction request consideration be given to this reduction in setbacks during the CUP approval process. By granting relief of the rear setback on the East side of the development the units would be located 20'-0" from the property line. At 60% of the 30'-0" setback the units are allowed to be 18' from the property line therefore the units will exceed the allowable distance by 2'-0".

Section 2.46.4 Criteria Administrative Relief may be granted when the Planning Director finds that the application meets the following criteria:

- D) The relief will not create a burden on adjacent property owners or conflict with the zoning districts proposes;
- E) The relief is necessary to allow efficient use of the property due to the site conditions or circumstances that do not commonly affect properties in the district; and
- F) The relief does not convey a right or privilege that would be unavailable to similar situated properties.

2.46.4 (A) Justification By maintaining the 20' setback allowed in *Section 2.46.3 (F)*, installing a 6' fence and meeting all buffer and landscape requirements established in the UDO *Section 4.3 Landscaping* and *4.3.4 Buffers* the developers proposes that the intent of the UDO will be met by developing a buffer space that does not harm or detrimentally impact the existing neighbors. All required buffering is identified and illustrated on the enclosed landscape plan. Per *Exhibit 4-3: Minimum Buffer Widths*, the buffer along the entire east side of the property is 10' wide meeting the requirements for a RM-2 zoning abutting another RM-2 zoning. The quantities of plants for the 10' Buffer are based on *Exhibit 4-5: Minimum Planting Required in Buffers* and will be a variety of native evergreens and flowering plants to soften the townhomes and create privacy.

Section 4.46.4 (B) Justification By granting the allowable Administrative Relief, Council will be allowing for the most efficient use of the property due to the site conditions and circumstances which are not commonly found in the RM-2 District. These site conditions are illustrated on the enclosed "Development Section Plan" offered for Councils review.

Section 4.46.4 (C) Justification Being that the West Maine Village North site is indeed unique in its site specific circumstances by granting the allowable Administrative Relief would not convey a right without presenting a similar hardship nor will it convey privileges without similar justifications both of which have been established parameters to be met for approval. As presented on the enclosed "Development Section Plan" the rare and unique circumstances offer Council justified reasons for the Administrative Relief promoting a viable and safe residential community.

The enclosed preliminary plat is based on the successful abandonment of Mechanic Street, which was requested in March 2016. The abandonment of Mechanic Street will provide us with the necessary space to meet rear setbacks on the west side of the property, while also giving us more space on the east side of the property. On the enclosed preliminary plat we have adjusted the townhome units to the west in order to gain a larger setback on the east side of the property. Goneau Construction is unable to push the townhomes further to the west in order to gain more space for a larger rear setback due to the topography on the west side of the site. The topography on the west side of the property has an 18' grade transition within a 35' length making it very steep and impractical to use. This topography could not be used for yard space if we did push the townhomes further to the west due to the severity of the slope.

Furthermore, it is impractical to open Mechanic Street on the west side of the property in order to face the townhomes out toward that street to gain more room for the minimum rear setbacks on the east side of the property, because the driveways to access the townhomes from Mechanic Street would be too steep and unusable. In order to lessen the grade of the driveway we would have to make the driveways very long leaving little room to build any new residential housing on the site. The steep topography of the west side of the property is illustrated in the cross sections of the preliminary plat and demonstrates that we are limited to siting the townhomes where they currently are shown on the preliminary plat in order to develop the property into functional and accessible residential housing.

We understand that the intent of the setbacks as established in the UDO is to protect existing structures and provide space, privacy, and a buffer between structures or residences. All considerations will be taken into place to maintain this intent and we will design and create a buffering area to provide privacy to the existing residences and ensure the townhomes do not feel as if they are encroaching their property.

To mitigate the requested waiver of only meeting the required rear setback by 70% on the east side of the property we will meet all buffer and landscape requirements established in the UDO *Section 4.3 Landscaping* and *4.3.4 Buffers* and develop a buffering space that does not harm or detrimentally impact the existing neighbors. All required buffering is identified and illustrated on the enclosed landscape plan. Per *Exhibit 4-3: Minimum Buffer Widths*, the buffer along the entire east side of the property is 10' wide meeting the requirements for a RM-2 zoning abutting another RM-2 zoning. The quantities of plants for the 10' Buffer are based on *Exhibit 4-5: Minimum Planting Required in Buffers* and will be a variety of native evergreens and flowering plants to soften the townhomes and create privacy. Additionally, we will install a 6' fence along the east property line behind six (6) townhome units between the existing housing to increase privacy and maintain the intent of the setbacks.

The proposed project complies with the goals, intent, and all but one of the development and design standards in the UDO. Due to the steep topography on the west side of the property Goneau Construction sited the 14 townhome units as shown in the enclosed preliminary plat in order to provide a functional, safe, and viable residential community, while still considering and respecting the existing neighbors and adjacent structures.

2.21.7 (B) Criteria

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.

2.21.7 (B) Justification

Goneau Construction will develop the West Maine Avenue property into 14 high quality, aesthetically pleasing Townhome units that will provide comfort and affordability to residents while maintaining similar characteristics to the existing surrounding area. The designs of the Townhomes are similar in scale, structure size, and architectural style to many of the Southern Pines residential community's characteristics.

West Maine Village North will use the "Cottage" architectural vernacular found throughout the downtown Southern Pines area as inspiration for the design of the new community. The "Cottage" architecture began in the early 1900's and has maintained its appeal for over a century. By applying details of the "Cottage" architecture West Maine Village North will blend into the existing neighborhood homes and enrich the neighborhood with character and curb appeal. We have observed that a high percentage of homes are two story throughout the Southern Pines area which qualifies our thought and reasoning for using this architecture for scale and character. The Townhomes to be constructed will have a two-story appearance, which is commonly found in the "Cottage" style offering continuity with the surrounding community. West Maine Village North will offer an organic extension to the existing Southern Pines downtown area enhancing the enjoyment of the community.

2.21.7 (C) Criteria

Adequate public facilities shall be provided as set forth herein.

2.21.7 (C) Justification

As stated above in our justification for Criteria 2.20.5(G)(6) on pages 7-8, Goneau Construction will connect to and construct all necessary infrastructure and utilities to connect the development to public facilities adhering to Federal, State and Local codes. West Maine Village North is located in an area of the Town that is already served by public facilities. The proposed project will be able to reasonably access the public facilities and provide adequate public facilities to meet the needs of the townhomes.

The proposed public facilities are in compliance with and meet the utility requirements in *Section 4.15 Utilities* in the UDO. Per *Section 4.15.1 Utility Ownership and Easement Rights*, after installation of public utilities Goneau Construction will transfer all ownership and easement rights to a public utility or entity to enable the effective operation and maintenance of the utility. We will make available to each townhome electric power and telecommunication service and bury the utilities underground in accordance with the regulations of the respective utility company (*Section 4.15.3; 4.15.4; 4.15.5*).

During the time we improve 120 feet of West Maine Avenue to allow for easier access to the community we will connect to the Town's water and sewer line in accordance with the provisions of the Water and Sewer Use Ordinance, Town of Southern Pines, adopted March 13,



1984, as amended. We will extend the current water and sewer line into West Maine Village North community as well as locate and construct the lines to conveniently accommodate utility service to future adjacent or nearby properties.

Goneau Construction will connect to the existing sewer line located on West Maine Avenue and construct a gravity feed sewer main for the proposed development. The gravity feed line will provide adequate services to accommodate the reasonable needs of the community and provide a system that can be easily maintained and improved for future uses (*Section 4.15.12*).

Goneau Construction will install a 6" looped water main from West Maine Avenue through the development connecting back to West Rhode Island Avenue. This will result in a more than adequate range of water pressure of a minimum of 60 PSI and an upgraded water line in the current grid for the adjacent properties. Every townhome in the development will be served by this water supply system and we will ensure compliance with all health regulations (*Section 4.15.13*).

Per *Section 4.15.8* of the UDO, the West Maine Village North water system will have a sufficient fire hydrant system that provides adequate fire protection and meets the needs of the community. Emergency vehicles will have full access to the proposed development by using the improved section of West Maine Avenue to enter and exit the community. The street meets the required minimum width of 20' and there is motor-vehicle turnaround area specifically developed and designed to meet the requirements of emergency vehicles.

The public facilities proposed for West Maine Village North will provide more than adequate utilities to serve the normal and emergency needs of the community and will remain accessible for any future developments.

2.21.7 (D) Criteria

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.

2.21.7 (D) Justification

The West Maine Village North project will not impede the orderly development and improvement of surrounding property. The proposed development falls within the effective and permitted uses for the current zoning district and will promote continual improvement within the immediate area. Moreover, West Maine Village North will provide a logical and natural transition between the adjacent existing single-family houses and the higher density OS district abutting the West Maine property.

Goneau Construction in collaboration with a local real estate firm has executed a preliminary market analysis and study in order to obtain local real estate values for the area. It was determined that the immediate local real estate values averaged approximately \$128,000 with an average square footage of 1182. At this time, we anticipate the Townhomes at West Maine Village North to be priced in the mid to upper \$200,000s with the average square foot

approximately 1800. We expect these values to have a slight increase on the neighboring homes property values ultimately yielding a positive impact on real estate values.

2.21.7 (E) Criteria

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

2.21.7 (E) Justification

Based on the preliminary information and data provided by Tammy Lyne, NC Real Estate Broker and NC State-Certified Residential Appraiser on March 13 2016 it is concluded that the community that will emerge from the development of West Maine Village North will yield a viable, socially and economically sound population of property owners due to the development's real estate cost, product quality, and community value. West Maine Village North will not be detrimental to or endanger the public health, safety, comfort or general welfare of any surrounding citizens, home owners or property owners. Instead it will benefit the area and provide an improvement and welcome addition to the surrounding neighborhood and Southern Pines by its relations of size, quality and value.

2.21.7 (F) Criteria

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.

2.21.7 (F) Justification

It is found facts as presented herein that the West Maine Village North development on West Main Avenue is compatible with the Town of Southern Pines UDO and Comprehensive Long Range Plan. West Main Village North meets the purpose of the RM-2 zoning district, which is to allow and encourage new residential developments that are consistent with existing neighborhoods. The community will maintain the Town's architectural vernacular and characteristics while providing a natural transition between RM-2 zones and the abutting OS zone. Infilling a vacant lot in an established neighborhood and improving West Maine Avenue will strengthen the welfare of the community as well as diversify the neighborhood and provide residents with more housing options. We have designed and carefully planned West Maine Village North to meet the full intentions and conform to the UDO. While impacts will always exist resulting from a property being developed, it is proposed by the developer that the positive impacts outweigh any potential negative impacts at the proposed development, West Maine Village North given the fact that the West Maine Village North project meets all criteria of the Southern Pines UDO and the fact that the Southern Pines UDO was adopted with the understanding that the UDO promotes health, safety and general welfare then one must conclude by meeting the UDO, West Maine Village North promotes health, safety and general welfare.

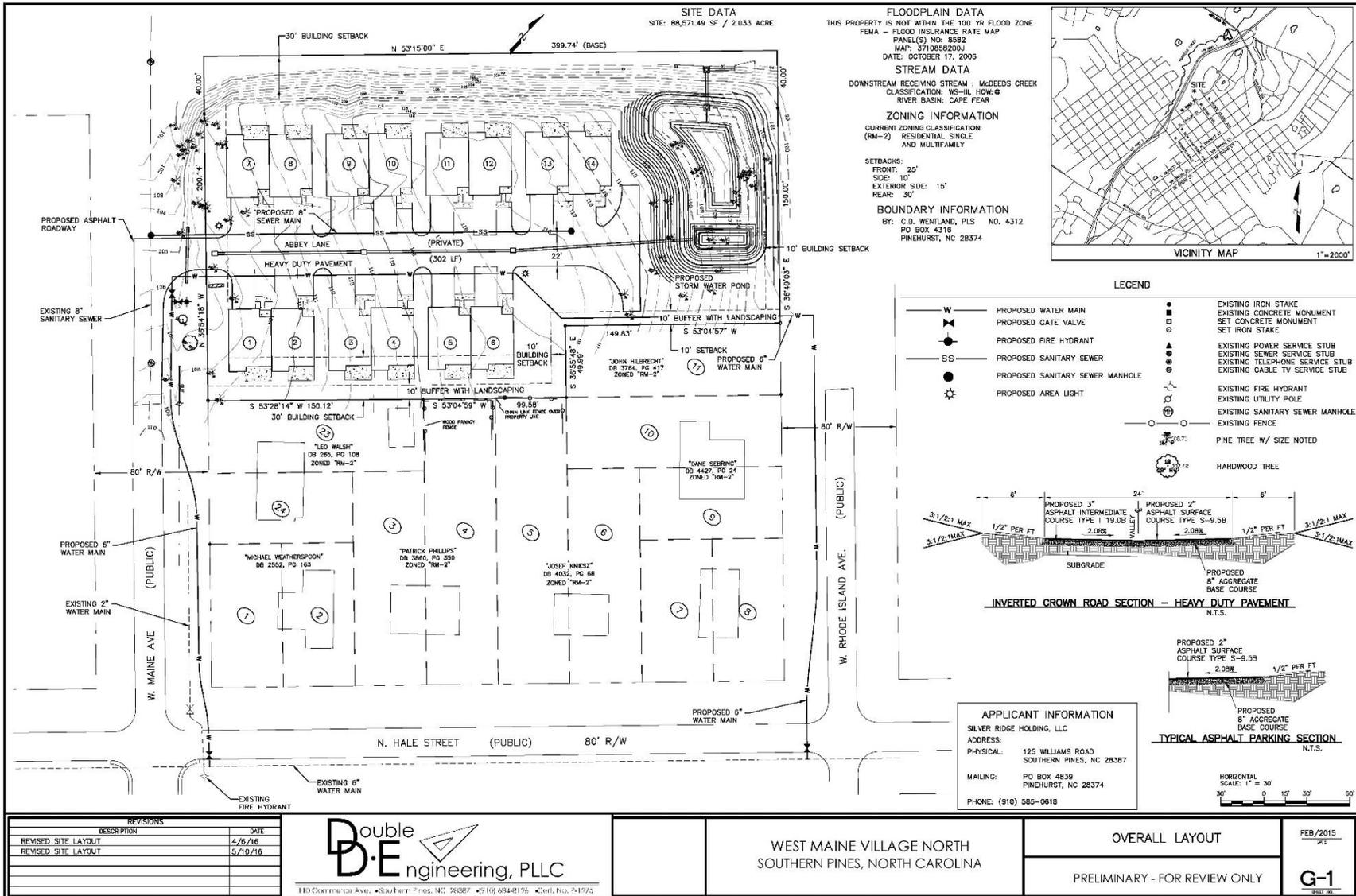
CONCLUSION

Goneau construction | design | development respectfully submits our CUP application to the Southern Pines Planning Board and the Southern Pines Town Council for consideration and approval. As described, our proposal to develop a new Townhome residential community on West Maine Avenue consisting of 14 Townhomes will provide the homeowners and community



with a safe, comfortable and welcoming neighborhood. We are dedicated to designing and providing housing with appealing architecture to the area and will use the turn-of-the-century “Cottage” style to add character and create aesthetically pleasing homes. In our evaluation, West Maine Village North is consistent with the town’s Comprehensive Long Range Plan will improve the immediate neighborhood by adding value and contributing to the long term viability of the area. As presented herein, the development West Maine Village North complies with the UDO, state and federal regulations and will adhere to all such requirements. By approving the West Maine Village North project, a viable community will emerge extending new opportunities for families to thrive that will be able to appreciate our town of Southern Pines.

As a local design-build company with over 30 years experience in the area we are invested in our community and are committed to providing quality homes for our neighbors. We employ local subcontractors and an experienced team dedicated to providing high quality services to our clients. Goneau Construction has carefully planned a Townhome residential community that will not only benefit Southern Pines, but also directly support the local economy. Our intention with West Maine Village North and everything we build is to provide great homes and communities for the families that live in them so they may enjoy an enriched lifestyle as a result of our services.



SITE DATA
 SITE: 88,571.49 SF / 2.033 ACRE

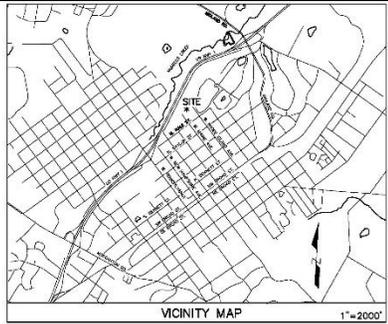
FLOODPLAIN DATA
 THIS PROPERTY IS NOT WITHIN THE 100 YR FLOOD ZONE
 FEMA - FLOOD INSURANCE RATE MAP
 PANEL(S) NO: 6582
 MAP: 3710858200J
 DATE: OCTOBER 17, 2006

STREAM DATA
 DOWNSTREAM RECEIVING STREAM: McDEES CREEK
 CLASSIFICATION: WS-III, HOW-0
 RIVER BASIN: CAPE FEAR

ZONING INFORMATION
 CURRENT ZONING CLASSIFICATION
 (RM-2) RESIDENTIAL SINGLE AND MULTIFAMILY

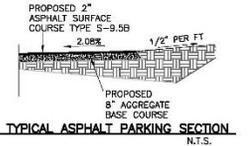
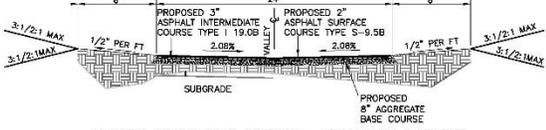
SETBACKS:
 FRONT: 25'
 SIDE: 10'
 EXTERIOR SIDE: 15'
 REAR: 30'

BOUNDARY INFORMATION
 BY: C.D. WENTLAND, PLS NO. 4312
 PO BOX 4316
 PINEHURST, NC 28374



LEGEND

- W — PROPOSED WATER MAIN
- SS — PROPOSED SANITARY SEWER
- F — PROPOSED FIRE HYDRANT
- S — PROPOSED SANITARY SEWER MANHOLE
- L — PROPOSED AREA LIGHT
- I — EXISTING IRON STAKE
- C — EXISTING CONCRETE MONUMENT
- G — SET CONCRETE MONUMENT
- O — SET IRON STAKE
- P — EXISTING POWER SERVICE STUB
- S — EXISTING SEWER SERVICE STUB
- T — EXISTING TELEPHONE SERVICE STUB
- V — EXISTING CABLE TV SERVICE STUB
- H — EXISTING FIRE HYDRANT
- U — EXISTING UTILITY POLE
- M — EXISTING SANITARY SEWER MANHOLE
- F — EXISTING FENCE
- P — PINE TREE W/ SIZE NOTED
- H — HARDWOOD TREE



APPLICANT INFORMATION
 SILVER RIDGE HOLDING, LLC
 ADDRESS:
 PHYSICAL: 125 WILLIAMS ROAD
 SOUTHERN PINES, NC 28387
 MAILING: PO BOX 4839
 PINEHURST, NC 28374
 PHONE: (910) 585-0618

HORIZONTAL SCALE: 1" = 30'
 30' 0' 15' 30' 60'

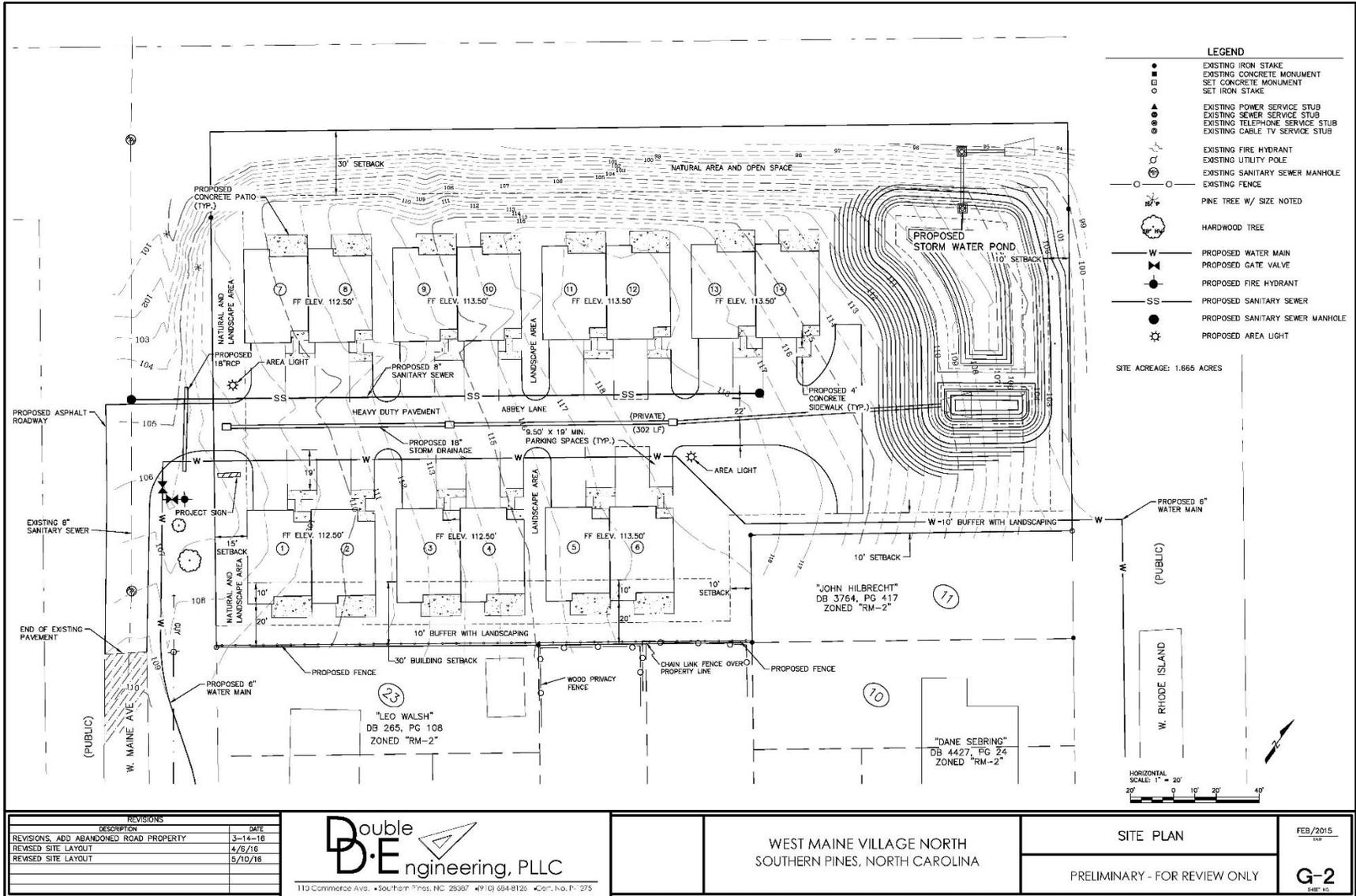
REVISIONS	
DESCRIPTION	DATE
REVISED SITE LAYOUT	4/8/16
REVISED SITE LAYOUT	5/10/16

Double D.E engineering, PLLC
 110 Commercial Ave. • Suite 100 • Pine, NC 28387 • (910) 684-8156 • Cell: (910) 684-8173

WEST MAINE VILLAGE NORTH
 SOUTHERN PINES, NORTH CAROLINA

OVERALL LAYOUT
 PRELIMINARY - FOR REVIEW ONLY

FEB/2015
G-1



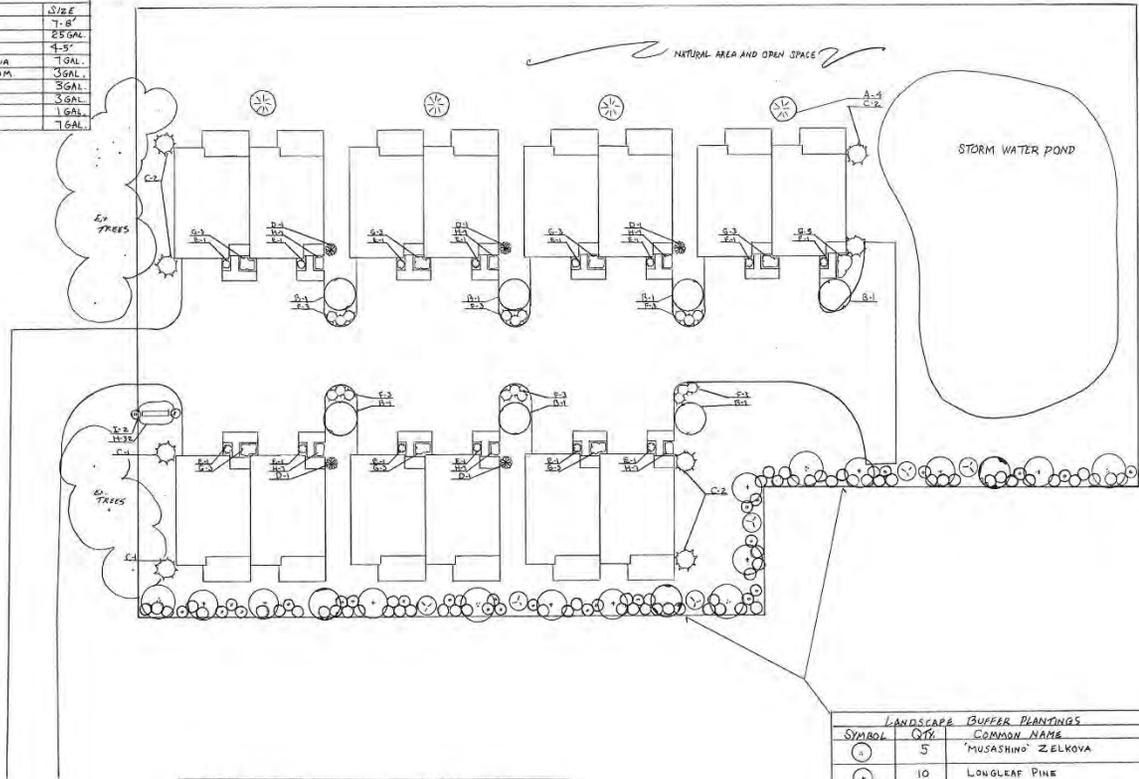
REVISIONS	DESCRIPTION	DATE
1	REVISIONS, ADD ABANDONED ROAD PROPERTY	3-14-16
2	REVISED SITE LAYOUT	4/6/16
3	REVISED SITE LAYOUT	5/10/16

Double D.E engineering, PLLC
 110 Commerce Ave. • 561 North 77th, NC 28607 • 919 684-8128 • Conn. No. P-275

WEST MAINE VILLAGE NORTH
 SOUTHERN PINES, NORTH CAROLINA

SITE PLAN
 PRELIMINARY - FOR REVIEW ONLY
 FEB/2015
G-2
2407-01

KEY QTY	PLANT LIST	COMMON NAME	SIZE
A	4	'GREEN GIANT' ARBORVITAE	7-8'
B	7	'NATCHES' CRAPE MYRTLE	25GAL
C	8	'MARY NELL' HOLLY	4-5'
D	5	'VIOLETTA' SAMANNA CAMELLIA	10AL
E	14	'CRIMSON FIRE' LOROPETALUM	3GAL
F	18	'PARSONS' JUNIPER	3GAL
G	26	'BLUE RUG' JUNIPER	3GAL
H	20	'ROYAL PURPLE' LIRIOPE	16AL
I	2	'WINTER GREEN' BOXWOOD	76AL



BUFFER PLANTING CALCULATIONS (RM-1, RM-2) 105+	
(1) LARGE TREE PER 400 SF	$463 LF \times 10 FT = 4,630 SF = 400 SF = 11.5$ trees
50% EVERGREEN	6 trees
	5 deciduous trees
(1) SMALL TREE PER 400 SF	$463 LF \times 10 FT = 4,630 SF = 400 SF = 11.5$ trees
>20% f <30% deciduous	3 deciduous trees
at least 50% evergreens to be	4 TAYLOR JUNIPER trees
Species other than Pine trees	4 Longleaf Pine trees
(1) Shrub per 50 SF	$463 LF \times 10 FT = 4,630 = 50 SF = 92$ shrubs
<30% to be deciduous	26 deciduous shrubs
	66 evergreen shrubs

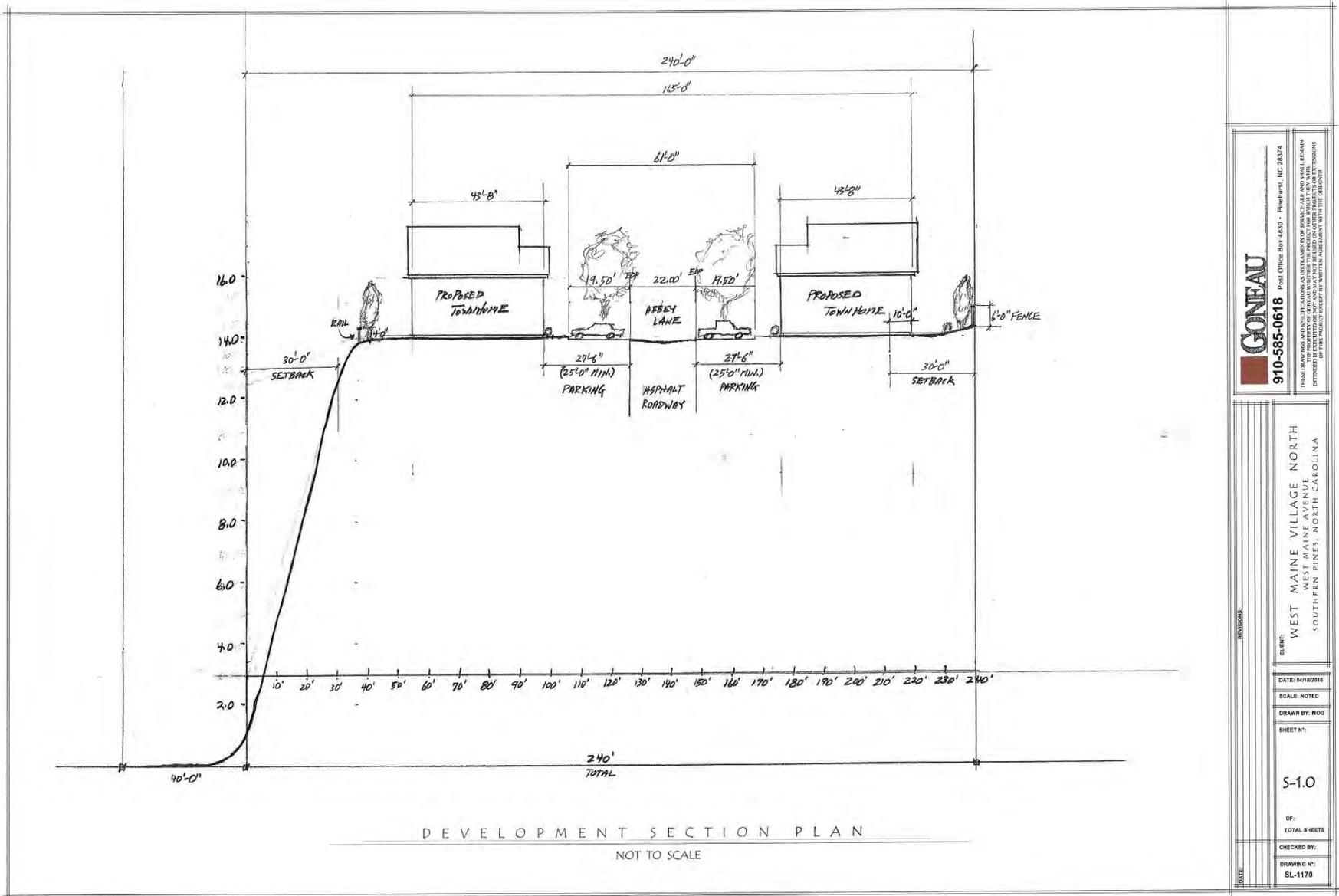
LANDSCAPE BUFFER PLANTINGS			
SYMBOL	QTY	COMMON NAME	SIZE
⊙	5	'MUSASHINO' ZELKOVA	10'
○	10	LONGLEAF PINE	8' @ CAL.
⊙	3	'MIAMI' CRAPE MYRTLE	8'
⊙	6	'TAYLOR' JUNIPER	15" CAL.
⊙	66	'SHI-SHI GASHIRA' SASANQUA CAMELLIA	3 GAL 18" H
⊙	26	'BEATRIX FARRHO' FORSYTHIA	3 GAL 18" H



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REVISIONS	
NO.	DESCRIPTION
1	4/28/2016
2	
3	
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12	
13	
14	

SCALE: 1" = 8' 2016
 DATE: 1-8-2016
 DRAWN BY: AZ ADZ
 PAGE NO.



GONEAU
910-585-0618
P.O. Office Box 4830 • Pinehurst, NC 28374

CLIENT:
WEST MAINE VILLAGE NORTH
WEST MAINE AVENUE
SOUTHERN PINES, NORTH CAROLINA

DATE: 04/18/2016
SCALE: NOTED
DRAWN BY: MGD
SHEET N°:

5-1.0

OF:
TOTAL SHEETS

CHECKED BY:
DRAWING N°:
SL-1170

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Future Land Use Map: Proposed Major Subdivision CU-02-16

