



**Virtual Worksession  
Town of Southern Pines  
Monday January 25, 2021, 3:00 PM**

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

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

**Worksession Agenda**

**Call to Order**

- 1. Miscellaneous *(These items to be acted on by the Council during the 01-25-21 meeting)***
  - A. CU-08-20, Conditional Use Permit; 150 S Page Street
  - B. Award of PW Annex Construction bid contingent on LGC loan approval – Progressive Construction
- 2. Discussion regarding speed limit/traffic requests:**
  - A. Indiana Avenue
  - B. Talamore/Highland View Dr.
- 3. Discussion regarding Moore County consideration of increasing the Occupancy Tax at the request of the Convention and Visitors Bureau**
- 4. Discussion regarding DFI Phase II contract proposal**

## ***PUBLIC COMMENT PROCEDURES***

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

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

## **Agenda Item**

**To:** Reagan Parsons  
**Via:** BJ Grieve, Planning Director  
**From:** Lauren Long, Planner I  
**Subject:** CU-08-20, Conditional Use Permit; 150 S Page Street  
**Date:** January 25, 2020

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

Robert Koontz of KoontzJones Design, agent to Braden Riley on behalf of Riley Walker Companies, has submitted an application for a Conditional Use Permit for a mixed-use building containing 3,650 SF of office space and seven (7) multi-family residential units on a combined 0.79 acres where an existing 2,400 SF of office currently exists. The subject parcels are located within the CB (Central Business) zoning district and are identified as PIN: 858100199199 (PARID: 00030975) and PIN: 858100198126 (PARID: 20170389). The Property owner according to the Moore County tax records is 490 Broad, LLC.

### **II. TOWN COUNCIL HEARING:**

A Public Hearing was held at the January 12, 2021 Regular Meeting of the Town Council for CU-08-20. Staff reviewed details of the project and its compliance with the Unified Development Ordinance (UDO).

Mr. Robert Koontz of KoontzJones Design represented himself and Riley Walker Companies as the applicants for their Conditional Use Permit request. Mr. Koontz presented a Powerpoint of the proposed development and answered a variety of questions from the Town Council regarding architectural compliance with §4.10.4 of the UDO as well as about the location and dimensions of parking spaces along South Page Street.

Mr. Marsh Smith of 225 West New York Avenue testified that he was impressed by the proposed elevations for the building that were being proposed and that he believed it was an appropriate location for higher density development. Mr. Marsh also noted that the development located at the corner of South Bennet Street and West New York Avenue had difficulty with sedimentation erosion control but that he did not believe this would be a problem that would arise as a result of the current proposal being discussed. Mr. Marsh also expressed his concern over the proposal to fence in the rear of 150 South Page Street and the affect it would have on the local wildlife, notably the deer.

Cynthia Huntley of 145 South Page Street testified that she lives and operates a business directly across from the location of the proposed development. Ms. Huntley expressed her concerns about the public notification process for the proposed development and stated that she had not been contacted by the applicant to discuss the

proposed development as had been requested by Ms. Jenny Williams at the Planning Board Regular Meeting on December 18, 2020. Ms. Huntley was also concerned about the proposed height of the building, traffic and circulation, as well as the absence of any discussion involving red-cockaded woodpeckers, which she stated were present in the area. Ms. Huntley asked Mr. Koontz if it was his intention to occupy all of the commercial space on the first floor of the building.

Mr. Koontz replied that it was his intention and that he would be expanding a number of his staff in the near future from nine employees to potentially twelve or fifteen employees. Ms. Huntley stated that she believed this would lead to a problem concerning parking in the area.

A unanimous vote of the Town Council closed the Public Hearing until January 25, 2020 to allow for Public Comment in accordance with G.S. §166A-19.24(e) requiring a minimum of 24 hours following the remote public hearing for submittal of written comments. No comments were received by staff following the public hearing.

### **III. PLANNING BOARD ACTION:**

On the December 18, 2020 Regular Meeting of the Planning Board, in accordance with UDO § 2.5.2, unanimously voted to observe the procedures defined in UDO § 2.13.2 for Legislative Public Hearings. The Planning Board heard from staff as well as the applicant regarding application CU-08-20. Planning staff presented a review of the Conditional Use Permit application and compliance with the Unified Development Ordinance (UDO).

Mr. Bob Koontz of KoontzJones Design presented a Powerpoint of the proposed development and answered a variety of questions from the Planning Board. Mr. Koontz answered questions about the square footage of the apartments, the location of the entrance and questions about taxation rates and accessibility to the building from the street. Ms. Jennifer Williams, of 145 West Maine Avenue, expressed concern over the number of multi-family developments that had been proposed in the area around downtown and within the Town's planning jurisdiction. She expressed concerns over the availability and capacity of utility service to the proposed developments at their projected density. Staff explained that all development was reviewed by the Engineering Department and the Fire Marshall for connection to the Town's infrastructure for utilities and that regular maintenance and upgrades were made to that infrastructure to handle increases in development. Ms. Williams also made the applicant aware that neighbors across South Page Street from the site were unhappy with the proposed density and height of the building. Mr. Koontz told Ms. Williams that he would be happy to reach out to the individuals if she would provide him with their contact information.

Hearing no further testimony offered and no further questions from the Board for the applicant, the Planning Board closed the public hearing and proceeded with Board Discussion. After board discussion, Diane Westbrook made a motion to adopt Attachment A of the staff report with language modifying Criteria C of the staff drafted findings of fact for UDO §2.21.7 to reflect the Planning Board's recommendation to reduce the parking requirements administratively. The motion was seconded by Ben Green. Ms. Westbrook

then made a motion to recommend approval of Conditional Use Permit CU-08-20. The motion was seconded by Mr. Andy Bleggi. All motions were carried unanimously.

#### **IV. PROJECT INFORMATION:**

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

**i. Property Owners:**

490 Broad LLC  
Robert Koontz  
150 S Page Street  
Southern Pines, NC, 28387

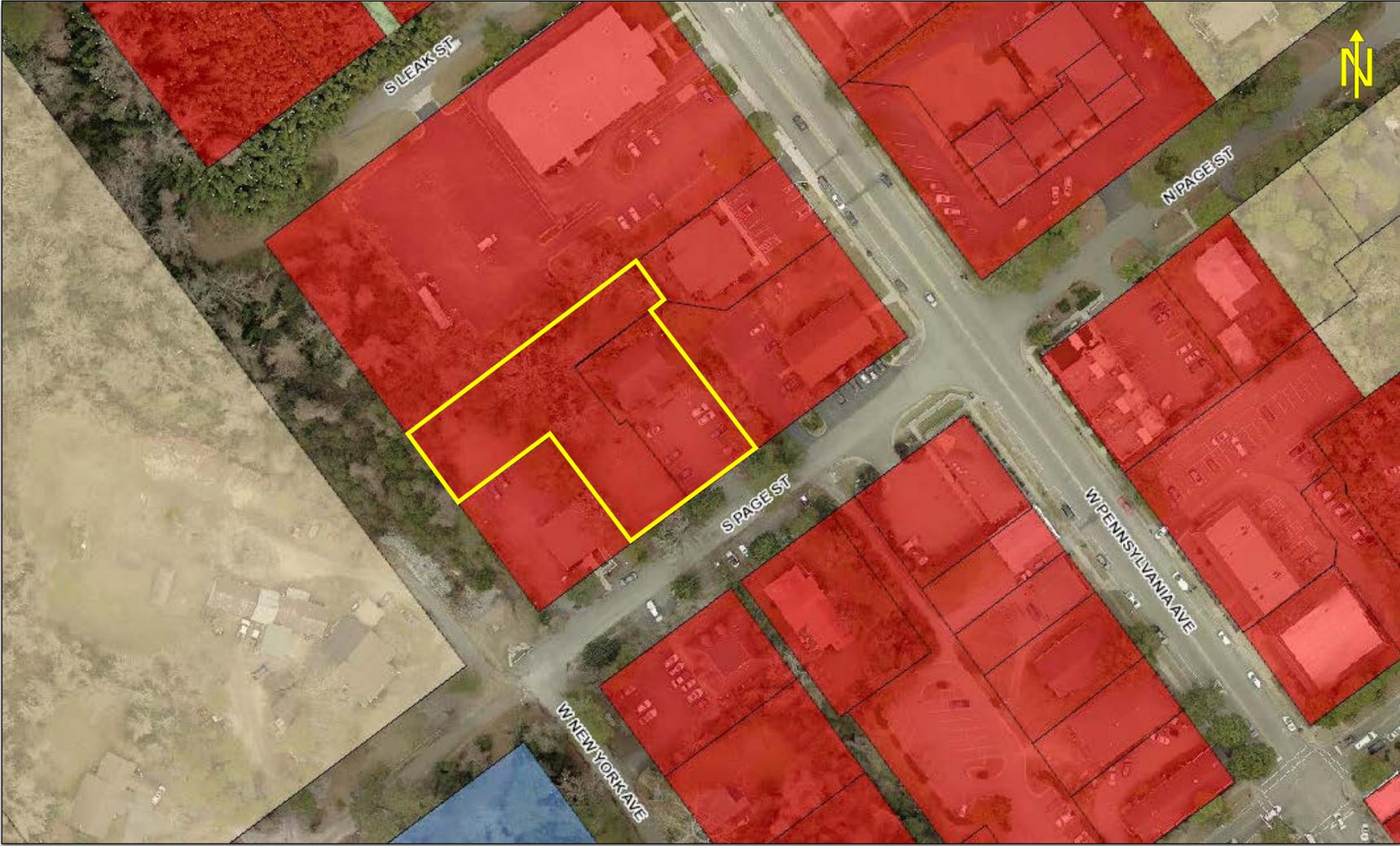
**ii. Applicant:**

Riley Walker Companies  
Braden Riley  
PO Box 3248  
Pinehurst, NC, 28374

**iii. Authorized Agent:**

Robert Koontz  
150 S Page Street  
Southern Pines, NC, 28387

Figure 1: Vicinity & Zoning Map (Project Area Highlighted in Yellow)



- CB, Central Business
- OS, Office Services
- OSCD, Office Services Conditional District
- RM-2, Residential Single & Multi-Family
- FRR, Facilities Resources Recreation

## **B. Project History and Site Information:**

### **i. Location:**

The site is located west of West Pennsylvania Avenue and north of South Page Street.

### **ii. Zoning:**

The site is currently zoned Central Business (CB). To the north are Central Business (CB) and Family Facilities and Recreation (FRR), to the east are Central Business (CB) and Residential-Multi Family-2 (RM-2) to the South are Central Business (CB) and Office Services (OS) (See Figure 1). The site is also located in the Downtown Transition Overlay.

## **V. STAFF REVIEW:**

### **A. Application Review Dates:**

- Conditional Use Permit Application Submitted: November 09, 2020
- Application Complete: November 16, 2020
- TRC Review: August 11, 2020
- Notice of Planning Board Public Hearing:
  - Posted On-site: November 25, 2020
  - Mailed: December 01, 2020
  - Internet: December 02, 2020
  - Published: December 02, 2020  
December 09, 2020
- Planning Board Public Hearing: December 17, 2020
- Notice of Town Council Public Hearing:
  - Mailed: December 21, 2020
  - Internet: December 21, 2020
  - Published: December 30, 2020  
January 06, 2020
- Town Council Agenda Meeting: January 6, 2021
- Town Council Public Hearing: January 12, 2020
- Town Council Work Session: January 25, 2020

### **B. Criteria for Review:**

#### **i. Conditional Use Permit (UDO §2.21.7):**

*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.*

### **C. Project Details and Compliance with the UDO:**

#### **i. Description of Proposed Development:**

The proposed development consists of a three-story mixed-use building containing 3,650 SF of office space on the ground floor and seven (7) multi-family residential units on the second and third floors. The area of the combined lots is approximately 0.79 acres and there is an existing 2,400 square foot office building on site. The existing building is proposed to be retained and the addition of a courtyard will connect the two buildings.

#### **ii. Existing and Proposed Public Infrastructure:**

##### *a. Utilities:*

The applicant is requesting to connect to the town's water and sewer system. The parcels intended for development front on South Page Street and an unopened portion of West New York Avenue. Utility infrastructure does exist on South Page Street but does not currently extend through the unopened portion of West New York Avenue. There is a 12" water main within the Right-of-Way on South Page, on which one of the parcels intended for recombination fronts. Sewer access is provided by a 10" clay gravity sewer main that extends through a portion of South Page street and through the western half of the site.

##### *b. Stormwater:*

The site is currently developed with a 2,400 square foot office building with an existing parking lot. The proposed redevelopment of the site will be reviewed administratively during the site plan review process by the Technical Review Committee to determine compliance with the regulations set forth in the Unified Development Ordinance (UDO) and with the state standards for stormwater management. The site is located in the Little River High-Quality Watershed and the redevelopment of the site to include additional impervious will require a 5/70 exemption allocation. 5/70 exemption allocation can be processed administratively within the Central Business District.

##### *c. Streets and Access:*

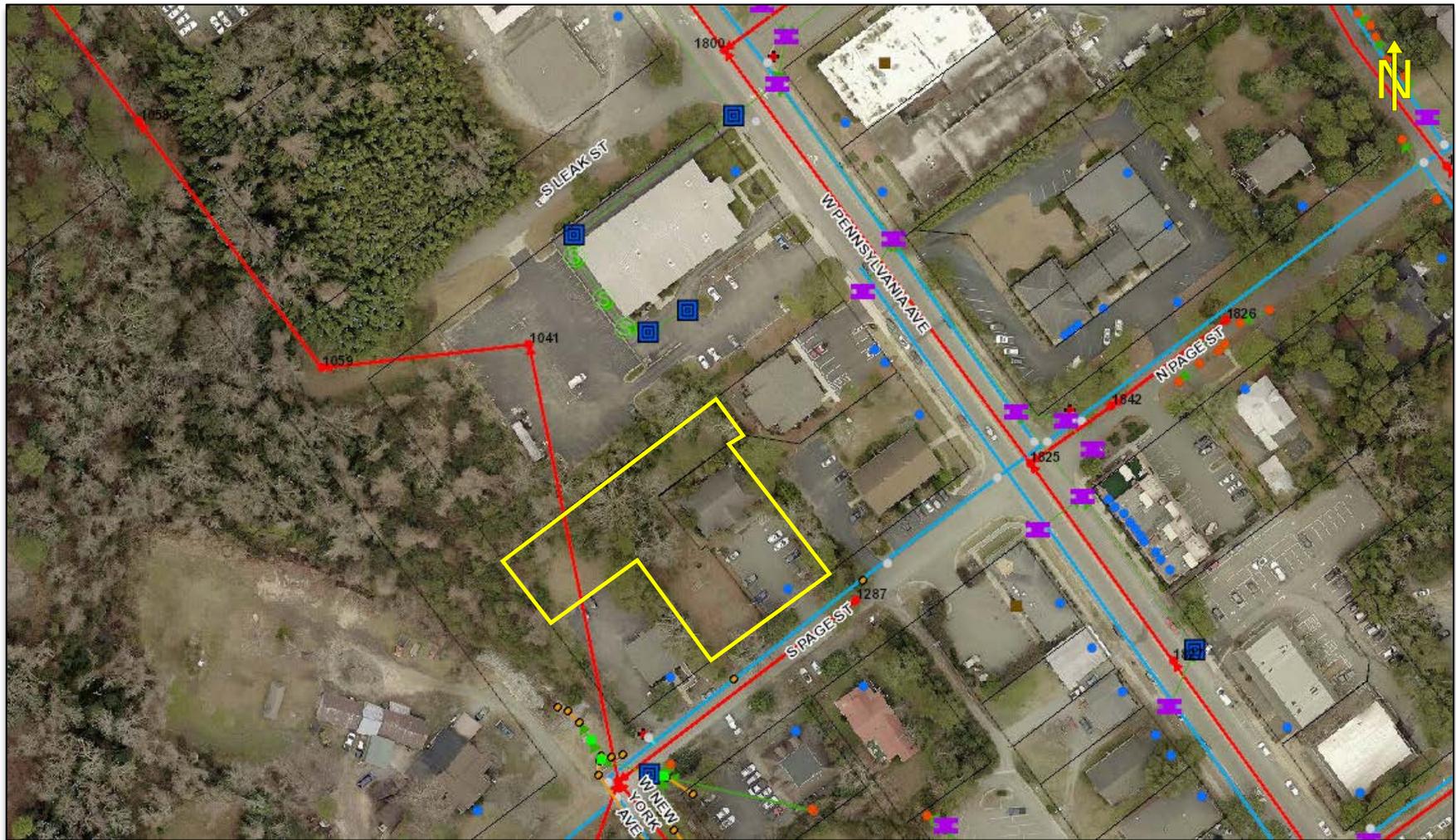
The site is located on South Page Street and access can only be obtained from the public street. The applicant proposes that the existing access be relocated west of its current location to the lot that is proposed to be

recombined with the existing office building that is adjacent. No additional access is proposed and no internal streets, private or public, are proposed to be constructed.

*d. Buffers and Open Space*

There are no landscape buffers required by the Town's development standards for this site. However, the applicant has proposed a fence along the rear property line for the purposes of screening the viewshed. The site is surrounded by the same zoning district and the established adjacent uses as well as the proposed addition of multi-family residential and office space do not specifically require a landscaped buffer. Five percent of the site is proposed to be dedicated to open space and will be provided by the addition of an outdoor courtyard. The courtyard will be accessible by the residents of the building as well as those in the office space.

**Figure 2: Utilities and Stormwater Infrastructure (Proposed Subdivision Outlined in Yellow)**



- |                     |                   |          |                |         |          |             |     |            |                |
|---------------------|-------------------|----------|----------------|---------|----------|-------------|-----|------------|----------------|
| Gravity Sewer Mains | Force Sewer Mains | WR wMain | Water Easement | Culvert | Storm MH | Catch Basin | BMP | Curb Inlet | Drainage Inlet |
|                     |                   |          |                |         |          |             |     |            |                |

Figure 3: Streets and Access (Proposed Subdivision Outlined in Yellow)



State System Streets    Unpaved Town Streets    Paved Town Streets    Private Streets

**Figure 4: Comprehensive Land Use Plan (CLRP) (Proposed Subdivision Outlined in Red)**



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

**iii. Compliance with the Comprehensive Land Use Plan (CLRP) and other Town adopted plans.**

*a. Compliance with the CLRP*

The tract is designated as Commercial on the Future Land Use Map. The proposed development is consistent with the Future Land Use Category's description of intent to provide a concentration of professional office and commercial uses. The commercial designation also accommodates higher density residential into mixed-use developments. The applicant has provided a narrative addressing a justification for compliance of the Conditional Use Permit Amendment with the CLRP and the narrative has been included as an attachment to this memo.

*b. Compliance with Other Adopted Plans*

The Comprehensive Recreation & Parks Master Plan does not contain any recommendations for the 150 South Page Street.

**iv. General Staff Comments**

- The specific review process and criteria for a Conditional Use Permit are found in §2.21.3 of the UDO. The applicant has submitted a narrative addressing compliance with the criteria, a copy of which is attached to this report.
- The density and proposed uses, 8,520 square feet of office and 7 multi-family residential units, are compatible with the Central Business district and the existing neighborhood on the intersection of South Page and West Pennsylvania Avenue.
- The location of the proposed development is within a High-Quality Watershed (HQW). The restrictions on development within a HQW limit the number of dwelling units as well as the built upon area to one dwelling unit per acre or 12% built upon land area unless the development disturbance area is less than one acre or an approved stormwater management practice is used. Any redevelopment of the site will be reviewed at site plan to comply with the applicable stormwater standards and 5/70 exemption allocation, which will be required before the site plan is approved.
- The proposed number of parking spaces to be provided is less than the required number of spaces based on the proposed uses. The number of parking spaces proposed is 33, the number of required parking spaces based on the existing use and the proposed increase in office and the addition of multi-family residential uses is 34 spaces. Section 2.46.3 (D) allows the applicant to request up to a 20% administrative deviation for parking based on site conditions

and the availability of on street parking. The Planning Board has recommended that the applicant receive this reduction based upon the staggered hours of parking needs on site and the availability of on street parking on West Pennsylvania Avenue.

- The proposed layout of the site will require an approved recombination in order to receive a building permit to begin construction.
- Redevelopment of the site will be subject to engineering and site plan review. All state level development regulation and the applicable development regulations in the Unified Development Ordinance (UDO) must be met prior to site plan approval.

**D. Outside Agency Comments:**

A request for comments from agencies was emailed to representatives of the Town of Southern Pines Engineering, Streets, Utilities, Fire and Recreation & Parks Departments as well as representatives of the North Carolina Department of Transportation, U.S. Fish and Wildlife Service and the Regional Land Use Advisory Commission on December 1, 2020. Any comments received after the publishing of this report will be forwarded to the Town Council at the public hearing as an exhibit.

- Comments from the N.C. Sandhills Sub-Office of the U.S. Fish and Wildlife Service were received on December 2, 2020. The comments state as follows:
  1. *No comments related to red-cockaded woodpecker recovery efforts.*
- Comments from the North Carolina Department of Transportation were received on December 4, 2020. The comments state as follows:
  1. *These are non-State roads and the development wouldn't generate enough traffic to impact the closes State road (Pennsylvania Ave.), so we have no comments.*

## **VI. ATTACHMENTS:**

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

1. Attachment A: Findings of Fact
2. Written Decision
3. Conditional Use Permit Application
4. Narrative
5. Proposed Site Layout

**VII. TOWN COUNCIL ACTION:**

**TOWN COUNCIL ACTION FOR CONDITIONAL USE PERMIT:**

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

**I move to:**

1. Adopt Attachment “A” of the staff report as our Findings of Fact regarding the proposed Conditional Use Permit CU-08-20.
2. Adopt Attachment “A” of the staff report as our Findings of Fact regarding the proposed Conditional Use Permit CU-08-20 with the following changes\_\_\_\_\_.

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

**I move to:**

1. Approve the Conditional Use Permit CU-08-20.
2. Deny the Conditional Use Permit CU-08-20
3. Approve the Conditional Use Permit for CU-08-20 with the following additional conditions....

**TOWN COUNCIL ACTION FOR WRITTEN DECISION:**

The Town Council may wish to take one of the following actions:

**I move to:**

1. Approve the Written Decision for CU-08-20 as prepared by Town Staff;
2. An action listed above with the following conditions...
3. Action not listed above...

**ATTACHMENT “A”**  
**Draft Town Council Findings of Fact**  
**Conditional Use Permit Application CU-08-20**

**Finding of Fact #1:**

The Town Council finds that the application is complete and that the facts submitted are relevant to the case because the request for Conditional Use Permit approval has met the specified submittal requirements as required in the Town of Southern Pines UDO Appendices and the evidence submitted was sworn testimony by qualified experts or provided through substantiated documentation.

**Finding of Fact #2:**

The Town Council finds that the application complies with UDO §2.21.7 Criteria for a Conditional Use Permit, Criteria A-F, in that:

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

1 The Town Council finds that the application CU-08-20 does not deviate from any of the  
2 standards summarized in §3.5.8 *Central Business Development Standards* of the Unified  
3 Development Ordinance. However, the applicant is requesting a reduction to parking as  
4 allowed by §2.46.3 (D) of the UDO allowing the applicant to request a reduction of one  
5 parking space based on the existing site conditions and the availability of on street parking  
6 and staggered use of the proposed parking. No other evidence of extraordinary  
7 circumstances which may allow the standards to be modified has been presented and the  
8 applicant must adhere to the applicable development standards established in the UDO.

**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;**

9 The Town Council finds that the proposed development is in character with the existing  
10 surrounding development, which is primarily commercial. The proposed multi-family  
11 residential units in a mixed use building with office space is in character with the  
12 neighborhood and with the density of development located around South Page Street’s  
13 intersection with West Pennsylvania Avenue.

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

14 The Town Council finds that the existing facilities for sewer and water are sufficient to  
15 service the needs of the proposed development. Water and sewer have previously been  
16 extended to service the site and connection to service has already been established for the  
17 existing office building that is on site. The redevelopment of the site to include design  
18 changes for the proposed management of stormwater and connections to utilities will be  
19 reviewed administratively by the Technical Review Committee during the site plan review  
20 process in accordance with § 2.48 *Site Plan Review* and must meet the applicable state  
21 regulations and the applicable provisions set forth in the Unified Development Ordinance.

22 Town Council acknowledges that the applicant is requesting an administrative reduction in  
23 accordance with §2.46.3 (D) allowing the applicant to request a reduction of one parking  
24 space based on the existing site conditions and the availability of on street parking and  
25 staggered use of the proposed number of parking spaces.

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;**

26 The Town Council finds that the proposed development will likely not have detrimental  
27 impacts on the permitted uses of adjacent properties or impair property values because it  
28 is consistent with the existing zoning and density of development. The Town Council also  
29 finds that the proposed development is located where utilities service has already been  
30 extended.  
31

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

32 The Town Council finds that the proposed development will not have detrimental impacts  
33 on the safety, comfort or general welfare because this development will be required to  
34 adhere to all site development standards and building standards, including, but not limited  
35 to compliance with the building and fire code. The applicants will be required to meet all  
36 conditions imposed as well as meet all regulatory measures set forth at final site plan  
37 review.

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;**

38 The Town Council finds that the proposed development complies with applicable standards  
39 and regulations found within the Town of Southern Pines UDO that are based on the public  
40 interest and welfare and that no disproportionate impacts resulting from the proposed  
41 development will be incurred by the community.

# TOWN OF SOUTHERN PINES

## REGULAR MEETING OF THE TOWN COUNCIL

January 25, 2021

3:00 pm

Interactive Live Webinar hosted on the GotoWebinar Platform

### DECISION OF THE BOARD

**Petitioner:** Riley Walker Companies

**Case Number:** CU-08-20

A public hearing regarding the proposed Conditional Use Permit was held on January 12, 2021. The meeting was called to order with five (5) members present and the Mayor declared a quorum. The oath was administered to all witnesses choosing to speak. The Town Council received evidence from those in attendance regarding CU-08-20. Ms. Lauren Long, Planner I for the Town of Southern Pines, presented the staff report. Mr. Robert Koontz of KoontzJones Design presented on behalf of himself and Braden Riley of Riley Walker Companies, the petitioner.

**Matter at Issue:**

**CU-08-20: Conditional Use Permit for a mixed use building on the north side of Page Street between W. Pennsylvania Avenue and W. New York Avenue; Applicant: Riley Walker Companies by Bob Koontz of Koontz Jones Design, PLLC, Authorized Agent**

Robert Koontz of KoontzJones Design, agent to Braden Riley on behalf of Riley Walker Companies, has submitted an application for a Conditional Use Permit for a mixed-use building containing 3,650 SF of office space and seven (7) multi-family residential units on a combined 0.79 acres where an existing 2,400 SF of office currently exists. The subject parcels are located within the CB (Central Business) zoning district and are identified as PIN: 858100199199 (PARID: 00030975) and PIN: 858100198126 (PARID: 20170389). The Property owner according to the Moore County tax records is 490 Broad, LLC.

A Public Hearing was held at the January 12, 2021 Regular Meeting of the Town Council for CU-08-20. Staff reviewed details of the project and its compliance with the Unified Development Ordinance (UDO).

**Mr. Robert Koontz** of KoontzJones Design represented himself and Riley Walker Companies as the applicants for their Conditional Use Permit request. Mr. Koontz presented a Powerpoint of the proposed development and answered a variety of questions from the Town

Council regarding architectural compliance with §4.10.4 of the UDO as well as about the location and dimensions of parking spaces along South Page Street.

**Mr. Marsh Smith** of 225 West New York Avenue testified that he was impressed by the proposed elevations for the building that were being proposed and that he believed it was an appropriate location for higher density development. Mr. Marsh also noted that the development located at the corner of South Bennet Street and West New York Avenue had difficulty with sedimentation erosion control but that he did not believe this would be a problem that would arise as a result of the current proposal being discussed. Mr. Marsh also expressed his concern over the proposal to fence in the rear of 150 South Page Street and the affect it would have on the local wildlife, notably the deer.

**Cynthia Huntley** of 145 South Page Street testified that she lives and operates a business directly across from the location of the proposed development. Ms. Huntley expressed her concerns about the public notification process for the proposed development and stated that she had not been contacted by the applicant to discuss the proposed development as had been requested by Ms. Jenny Williams at the Planning Board Regular Meeting on December 18, 2020. Ms. Huntley was also concerned about the proposed height of the building, traffic and circulation, as well as the absence of any discussion involving red-cockaded woodpeckers, which she stated were present in the area. Ms. Huntley asked Mr. Koontz if it was his intention to occupy all of the commercial space on the first floor of the building.

Mr. Koontz replied that it was his intention and that he would be expanding a number of his staff in the near future from nine employees to potentially twelve or fifteen employees. Ms. Huntley stated that she believed this would lead to a problem concerning parking in the area.

A unanimous vote of the Town Council closed the Public Hearing until January 25, 2020 to allow for Public Comment in accordance with G.S. §166A-19.24(e) requiring a minimum of 24 hours following the remote public hearing for submittal of written comments.

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**Town Council Action:**

Therefore, having heard all evidence submitted by the petitioner and those in attendance at the January 12, 2021 public hearing, and withholding action until a 24-hour period was observed for Public Comment in accordance with G.S. §166A-19.24(e), the Town Council closed the public hearing. The Town Council now makes the following findings of fact on the application:

The Council voted on the following Findings of Fact and Conclusions of Law as required by UDO §2.21.7 and §2.20.5(G), respectively:

## **Conditional Use Permit Application CU-08-20**

***Finding of Fact #1:*** By a vote of 5-0, the Town Council finds that the application is complete and that the facts submitted are relevant to the case because the request for Conditional Use Permit and Preliminary Plat approval have met the specified submittal requirements as required in the Town of Southern Pines UDO Appendices and the evidence submitted was sworn testimony by qualified experts or provided through substantiated documentation.

***Finding of Fact #2:*** By a vote of 5-0, the Town Council finds that the application complies with UDO §2.21.7 Criteria for a Conditional Use Permit, Criteria A-F, in that:

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

The Town Council finds that the application CU-08-20 does not deviate from any of the standards summarized in §3.5.8 *Central Business Development Standards* of the Unified Development Ordinance. However, the applicant is requesting a reduction to parking as allowed by §2.46.3 (D) of the UDO allowing the applicant to request a reduction of one parking space based on the existing site conditions and the availability of on street parking and staggered use of the proposed parking. No other evidence of extraordinary circumstances which may allow the standards to be modified has been presented and the applicant must adhere to the applicable development standards established in the UDO.

**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 Town Council finds that the proposed development is in character with the existing surrounding development, which is primarily commercial. The proposed multi-family residential units in a mixed use building with office space is in character with the neighborhood and with the density of development located around South Page Street's intersection with West Pennsylvania Avenue.

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

The Town Council finds that the existing facilities for sewer and water are sufficient to service the needs of the proposed development. Water and sewer have previously been extended to service the site and connection to service has already been established for the existing office building that is on site. The redevelopment of the site to include design changes for the proposed management of stormwater and connections to utilities will be reviewed administratively by the Technical Review Committee during the site plan review process in accordance with § 2.48 *Site Plan Review* and must meet the applicable state regulations and the applicable provisions set forth in the Unified Development Ordinance. Town Council acknowledges that the applicant is requesting an administrative reduction in accordance with §2.46.3 (D) allowing the applicant to request a reduction of one parking space based on the existing site conditions and the availability of on street parking and staggered use of the proposed number of parking spaces.

**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;**

The Town Council finds that the proposed development will likely not have detrimental impacts on the permitted uses of adjacent properties or impair property values because it is consistent with the existing zoning and density of development. The Town Council also finds that the proposed development is located where utilities service has already been extended.

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

The Town Council finds that the proposed development will not have detrimental impacts on the safety, comfort or general welfare because this development will be required to adhere to all site development standards and building standards, including, but not limited to compliance with the building and fire code. The applicants will be required to meet all conditions imposed as well as meet all regulatory measures set forth at final site plan review.

**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;**

The Town Council finds that the proposed development complies with applicable standards and regulations found within the Town of Southern Pines UDO that are based on the public interest and welfare and that no disproportionate impacts resulting from the proposed development will be incurred by the community.

**Decision of the Council:**

**By a vote of 5-0, The Town Council approves the Conditional Use Permit CU-08-20.**

This, the 25<sup>th</sup> day of January, 2021.

FOR THE TOWN COUNCIL:

---

Carol Haney, Mayor



## Conditional Use Permit

### REQUIRED APPLICATION MATERIALS:

- \_\_\_ **Application fee** in the amount of \$1,500.00 + \$25.00 per lot for a Major Subdivision
- \_\_\_ **Completed Application** for a Conditional Use Permit signed by the applicant. Please do not leave anything blank and make sure that all of the information provided is correct.
- \_\_\_ **Appointment of Agent**, if applicable, signed by the property owner(s) and the agent.
- \_\_\_ **Deed** copy to provide proof of ownership and property boundaries.
- \_\_\_ **Project description**: Please tell us what currently exists and what changes you are proposing. Please attach written descriptions, maps, illustrations/renderings, photographs, material samples, etc. as necessary.
- \_\_\_ **Written narrative**: It is the responsibility of the applicant to demonstrate compliance with all applicable criteria. Please address all criteria listed in **UDO §2.21.7**. The list of criteria is attached.
- \_\_\_ **Electronic copy (PDF) of all application materials** submitted to [plan@southernpines.net](mailto:plan@southernpines.net).

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

### REVIEW AND APPROVAL:

1. **Staff review**: Planning staff will review the application and notify the applicant if additional information or materials are needed.
2. **Public hearings**: The applicant is expected to attend a public hearing on the application before the Planning Board and before the Town Council the following month. (Please refer to the **Application Processing Timeline** to determine the hearing dates.) The Planning Board will recommend approval, conditional approval or denial to the Town Council. The Town Council will consider that recommendation, as well as evidence and testimony presented, and approve, conditionally approve or deny the Conditional Use Permit.
3. **Issuance of a Conditional Use Permit**: If the request is approved by the Town Council, a Conditional Use Permit setting forth any conditions of approval will be issued to the applicant.

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



# Conditional Use Permit Application

Fee: \$ \_\_\_\_\_ Date Paid: \_\_\_\_\_ Case No.: CU- \_\_\_\_\_ - \_\_\_\_\_

**Project Information:**

Street Address: 150 S Page Street, Southern Pines, NC 28387

PIN: 858100199199 and 858100198126

Parcel ID: 00030975 and 20170389

Site Size: 0.79

Zoning: CB - Central Business

**Applicant:**

Name(s): Riley Walker Companies c/o Braden Riley

Email: randwdevelopment@gmail.com

Phone: 919-601-1217

Mailing Address: PO Box 3248, Pinehurst, NC 28374

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

Name(s): Koontz Jones Design, PLLC c/o Bob Koontz

Email: bkoontz@koontzjones.com

Phone: (910) 684-8487

Mailing Address: 150 S Page Street, Southern Pines, NC 28387

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

Name(s): 490 Broad, LLC c/o Bob Koontz

Email: bkoontz@koontzjones.com

Phone: (910) 684-8487

Mailing Address: 150 S Page Street, Southern Pines, NC 28387

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

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

The property which is the subject of this application is located on the North side of Page Street (St./Ave.), between W. Pennsylvania, Ave. (St./Ave.) and W. New York Ave. (St./Ave.). The property has a frontage of +/- 133 feet and a depth of +/- 192 feet.

The conditional use sought is based upon Section(s) 2.21 of the **Town of Southern Pines Unified Development Ordinance**. The proposed use of the property is as follows:  
Office and residential condominium or apartment

**ADJACENT PROPERTY OWNERS:**

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

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

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

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

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

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

Date: 11/9/2020

Braden Riley  
Applicant

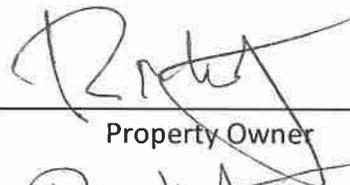
**APPOINTMENT OF AGENT**

The undersigned owner(s), Riley Walker Companies, hereby appoint(s) Koontz Jones Design as the exclusive agent for the purpose of making an application to the Town of Southern Pines for a Conditional Use Permit on the property described in the attached application. The owner(s) hereby agree that this agent has the authority to act for and on behalf of the owner(s) as follows:

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

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

Signed this 9th day of November, 2020.

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

  
\_\_\_\_\_  
Agent

  
\_\_\_\_\_  
Applicant

**APPOINTMENT OF AGENT**

The undersigned owner(s), 490 Broad, LLC, hereby appoint(s) Koontz Jones Design as the exclusive agent for the purpose of making an application to the Town of Southern Pines for a Conditional Use Permit on the property described in the attached application. The owner(s) hereby agree that this agent has the authority to act for and on behalf of the owner(s) as follows:

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

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

Signed this 4th day of November, 2020.

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

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

### **UDO §2.21.7. Criteria for a Conditional Use Permit**

A Conditional Use Permit 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

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.

**150 South Page Street**

Adjoining Property Owners

PIN	PARID	NAME	NAME2	ADDRESS	CITY	STATE	ZIP
858100199199	00030975	490 BROAD, LLC	KOONTZ, ROBERT	PO BOX 117	SOUTHERN PINES	NC	28388
858100198089	00031290	MCGLOTHLIN LAND, LLC		822 FORREST RIDGE DRIVE	DOVER	OH	44622
858105198358	00033668	MARKET STREET PROPERTIES LLC		PO BOX 305	PINEHURST	NC	28370-0305
858105291031	00035557	WARD, CYNTHIA D	HUNTLEY, COURTNEY A JR	145 S PAGE ST	SOUTHERN PINES	NC	28387
858105282901	00036024	SOUTHERN PINES TOWN OF		PO BOX 870	SOUTHERN PINES	NC	28388
858105290344	00036522	TWIN PINES PROPERTIES, LLC		330 W PENNSYLVANIA AVE	SOUTHERN PINES	NC	28387
858105290294	00036725	JARE HOLDINGS, LLC	ATTN: YOEL H BALTER	2334 41ST STREET	WILMINGTON	NC	28403
858105292121	00038063	STANOCO, LLC		7 AMBOY PLACE	PINEHURST	NC	28374-8565
858105280925	00040580	RUSSELL, RONALD C	JORGENSEN, ANNE R	72 PLANTATION DRIVE	SOUTHERN PINES	NC	28387
858105292074	00040639	JORGENSEN, DONALD W		P O BOX 515	SOUTHERN PINES	NC	28388-0515
858105280877	00041554	SMITH, MARSH		PO BOX 1075	SOUTHERN PINES	NC	28388-1075
858100198126	20170389	490 BROAD, LLC	KOONTZ, ROBERT	PO BOX 117	SOUTHERN PINES	NC	28388
858100188767	00031319	AOS PROPERTIES, LLC		PO BOX 2478	SOUTHERN PINES	NC	28388
858105181937	00031985	CALVARY MEMORIAL CHURCH, INC TRUSTEES		400 S BENNETT ST	SOUTHERN PINES	NC	28387

DUD TIERREIN

FOR REGISTRATION REGISTER OF DEEDS  
Judy D. Martin  
Moore County, NC  
June 20, 2018 11:37:39 AM  
Book 4995 Page 462-464  
FEE: \$26.00  
INSTRUMENT # 2018008832

HM



INSTRUMENT # 2018008832

### NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax:-0-

Parcel Identifier No. \_\_\_\_\_ Verified by \_\_\_\_\_ County on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
By: \_\_\_\_\_

Mail/Box to: Robert M. Friesen, Esq., Robbins May & Rich LLP, 120 Applecross Road, Pinehurst, NC 28374

This instrument was prepared by: Robert M. Friesen, Esq., Robbins May & Rich LLP, 120 Applecross Road, Pinehurst, NC 28374

Brief description for the Index: Lot 3R, Block I & 6, Southern Pines

THIS DEED made this 8th day of June, 2018, by and between

**GRANTOR**

Page Street, LLC, a North Carolina limited liability company,  
PO Box 117  
Southern Pines, NC 28388

**GRANTEE**

490 Broad, LLC, a North Carolina corporation (67.67%  
ownership) and Robert E. Koontz (33.33% ownership)  
PO Box 117  
Southern Pines, NC 28388

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

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

WITNESSETH, that the Grantor, as a distributions of Grantor's property, has and by these presents does grant, bargain, sell and convey unto the Grantees in fee simple as their interests appear, all that certain lot or parcel of land situated in the Town of Southern Pines, McNeill Township, Moore County, North Carolina and more particularly described as follows:

See "Exhibit A" attached hereto.

All or a portion of the property herein conveyed \_\_\_ includes or X does not include the primary residence of a Grantor.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, other than the following exceptions:

The Grantor makes no warranty, express or implied, as to title to the property hereinabove described.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

Page Street, LLC \_\_\_\_\_ (SEAL)

By: \_\_\_\_\_ (Entity Name)  
Print/Type Name & Title: David F. Crisafulli, Manager

Print/Type Name: \_\_\_\_\_

By: Michael D. Fields  
Print/Type Name & Title: Michael D. Fields, Manager

Print/Type Name: \_\_\_\_\_ (SEAL)

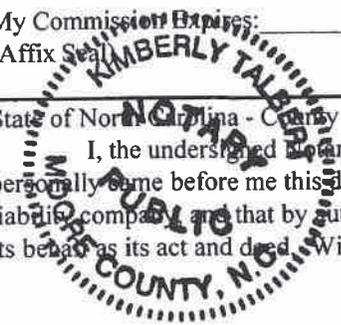
By: \_\_\_\_\_  
Print/Type Name & Title: \_\_\_\_\_

Print/Type Name: \_\_\_\_\_ (SEAL)

State of \_\_\_\_\_ - County or City of \_\_\_\_\_  
I, the undersigned Notary Public of the County or City of \_\_\_\_\_ and State aforesaid, certify that \_\_\_\_\_ personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

My Commission Expires: \_\_\_\_\_  
(Affix Seal) \_\_\_\_\_ Notary Public  
Notary's Printed or Typed Name \_\_\_\_\_

State of North Carolina - County of Moore  
I, the undersigned Notary Public of the County and State aforesaid, certify that David F. Crisafulli and Michael D. Fields personally came before me this day and acknowledged that they are the Managers of Page Street, LLC, a North Carolina limited liability company, and that by authority duly given and as the act of such entity, they signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this 8<sup>th</sup> day of June, 2018.



My Commission Expires: 3/11/19  
(Affix Seal)

Kimberly Talbert  
Kimberly Talbert Notary Public  
Notary's Printed or Typed Name

State of \_\_\_\_\_ - County or City of \_\_\_\_\_  
I, the undersigned Notary Public of the County or City of \_\_\_\_\_ and State aforesaid, certify that \_\_\_\_\_

Witness my hand and Notarial stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

My Commission Expires: \_\_\_\_\_  
(Affix Seal) \_\_\_\_\_ Notary Public  
Notary's Printed or Typed Name \_\_\_\_\_

“Exhibit A”

Being all of Lot 3R as shown on plat entitled “Survey for Page Street, LLC., Lots Nos. 3R, 5RA and 24RA, Block L & 6, Town of Southern Pines, McNeill Township, Moore County, North Carolina”, dated March 20, 2017, prepared by Stephen R. Sheffield & Associates, P.A., which plat is recorded in Plat Cabinet 17 at Slide 452 of the Moore County Public Registry.

Also, being the same property as shown in Deed of Release recorded in Book 4895 at Page 255 of the Moore County Public Registry.

## **150 SOUTH PAGE STREET CONDITIONAL USE PERMIT NARRATIVE**

The purpose of this Conditional Use Permit (CUP) application is to fully describe the proposed development of a ± 0.80-acre tract of land located at 150 South Page Street, between the intersections of West Pennsylvania Avenue and West New York Avenue in downtown Southern Pines. The property is zoned Central Business (CB) and located within the Downtown Transition Overlay District with an existing +/- 2,400 sf office building and associated parking. Proposed development of the parcel includes the addition of a new single mixed-use building containing +/- 3,650 square feet of office space on the ground floor and seven (7) multi-family units on the second and third floors. Multi-family is permitted within the CB district through the CUP process. The narrative below describes the project and application.

This project represents an infill redevelopment in Downtown Southern Pines and complies with the Town's Comprehensive Long-Range Plan. The mixed-use building will be added to a property with an existing +/- 2,400 sf office building. The existing office building will remain, and a courtyard will be added between the existing building and new building to provide open space and seating areas for the multi-family residential units and office spaces. These additional office and residential uses will be located within a short walk of the heart of the downtown area.

The building will be required to meet all standards of the commercial building design guidelines described in the Town of Southern Pines Unified Development Ordinance in Section 2.26 Architectural Compliance Permit. Architectural plans must be reviewed and approved by the Town Council and an Architectural Compliance Permit issued prior to building permit authorization. All property setbacks for the CB district and the associated Downtown Transition Overlay District will comply with the UDO.

Standards for individual elements of the design are described below.

- **Pedestrian Connectivity**
  - o Parking areas throughout the site will connect to sidewalks leading to the building entrances and provide accessible access as required.
  - o Sidewalks will be added in the street right-of-way along Page Street to the extent of the property boundaries. These sidewalks will be constructed to connect to the future sidewalk system in this area.
- **Parking Areas**
  - o Parking areas will be located on the side and in the rear of the building. This will allow for screening of the parking areas.
  - o Parking spaces for the development will be included on-site and, within the Page Street right-of-way. New parking spaces will be developed along Page Street and serve the development and the surrounding area. These spaces will provide adequate parking for the building.
  - o With this building being a mixed-use facility, peak parking demand for the multi-family and office development will be required at different times. Section 6.4.4(B)(3) of the UDO permits up to a 50% reduction of required office parking

spaces for mixed-use development containing a mix of office and residential uses. New on-street and on-site parking will exceed the total number of spaces required by the UDO for mixed-use buildings.

- **Streets and Access**

- o Access to the site's parking area will be provided from a driveway located on Page Street, just west of the existing site entrance. This access location will also serve as the location for waste removal and emergency access.
- o Plans will be coordinated with the Town of Southern Pines.

- **Landscaping**

- o A reduction in the rear landscape buffer requirement is requested. Due to the topography, existing vegetation, site dimensions, and use of the adjacent property, it is requested that a fence be permitted along the rear property line, in lieu of landscaping, for screening.
- o All other landscaping on the site will be provided as required by the Town of Southern Pines UDO in Section 4.3. This will include tree islands, parking lot landscaping, and streetscape plantings, as required.

- **Lighting**

- o All lighting on the property will comply with Section 4.8 of the UDO. Lighting levels along streets and within parking areas will be provided to meet the UDO standards for safety. All light will be projected downward to limit any light spilling onto adjacent properties.

- **Open Space**

- o 5% open space for the property will be provided in an outdoor courtyard located between the existing building and new building on the property. This open space will be accessible and usable by the residents of the multi-family portion of the building, as well as the office buildings. The courtyard may include an outdoor grilling area, seating areas and/or other recreational options. This area will be private and maintained by the property owner's association, if one is established, or the property owner.

- **Stormwater**

- o The property is currently developed and includes a building and paved parking areas. The existing parking areas will be removed and replaced. Stormwater management devices will be provided as necessary and control any additional stormwater runoff generated from the new development.
- o This project is within the Little River (Intake No.2) high-quality watershed and stormwater will be provided accordingly.
- o Plans and calculations will be provided during the detailed site engineering process.

- **Utility Service**

- o Adequate water and sewer service can be provided by the Town of Southern Pines to service this development. Sewer and water service lines currently serve the existing structure and will be adapted to service the proposed building.

- **Signage**

- o All signage will meet the Town of Southern Pines UDO standards included in Section 4.6 of the UDO.

## EXHIBIT A

### 150 South Page Street Conditional Use Permit Justification

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

This application complies with all UDO standards related to the Central Business (CB) zoning district and the standards of the Downtown Transition Overlay District. The proposed development will include an existing +/- 2,400 sf office building, +/- 3,650 sf of new office use and seven (7) multi-family residential units. Multi-family development within the CB district requires a Conditional Use Permit. The proposed conditional use complies with the building setbacks and development standards in the UDO. On-street parking is proposed and will be developed to meet the overall parking needs of the development. Section 6.4.4 (B)(3) allows for a 50% reduction in required spaces for the office component of mixed-use areas/buildings. The additional development of on-street parking spaces will provide the overall required parking for the uses within the building and exceed the UDO required minimum number of parking spaces. These spaces are also consistent with other properties in the area and the recent Downtown Southern Pines parking modifications.

- (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 development will maintain the existing office building located on the property. Parcels surrounding the property are also zoned CB. The addition of additional office uses and multi-family residential to this property, within the central business zone, will enhance the property and provide the area with additional residents and office workers close to Downtown Southern Pines. A Conditional Use to allow for multi-family residential development on the parcel will not injure the use and enjoyment of the immediate vicinity.

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

Public water and sewer utilities are readily available for the project and are in place for the existing office building. These utilities will be modified to fit the proposed development, with any cost for on-site utilities being borne 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 project will not impede the development of surrounding properties as it is in conformance with the surrounding development and meets the standards set forth in the UDO. The proposed CUP modification will allow for mixed-use infill development close to downtown Southern Pines, in conformance with the Town's Comprehensive Lang-Range Plan (CLRP). Investment in this property will not impair the property values of other surrounding office or residential uses.

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

This development will become part of the overall Downtown Southern Pines area and provide additional residential and office development within walking distance of Downtown Southern Pines. Additional



Southern Pines Public Works Annex - Re	(2020-012)
801 SE Service Rd. Southern Pines, NC 28388	
19-Jan-21	2:00 PM
Bid Opening	

#	Contractor Name	License	Bid Bond or Check	Identification of Minority	Affadavit A/B	Addenda Acknowledged		Base Bid	Alt. #1	Alt. #2	Alt. #3	Alt. #4	Base + all Alts	Base + 1&4	Base + 1
						1	2								
1	Shaw Construction	4548	X	X	X	X	X	1001692	3105	11295	11492	7015	1034599	1011812	1004797
2	O'Conner	58959	X	X	X	X	X	1139000	21700	11880	24300	7000	1203880	1167700	1160700
3	Progressive Construction	36100	X	X	X	X	X	911700	36300	11000	13300	6600	978900	954600	948000
4	ASJ Wilson	65796	X	X	X	X	X	923000	8500	7000	16115	25200	979815	956700	931500
5															
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14															
15															



**Oscar and Doris Gulley**

405 East Indiana Avenue

Southern Pines, NC 28387

November 1, 2020

Town of Southern Pines  
NOV - 1 2020  
Administration

Southern Pines Town Council

125 SE Broad Street

Southern Pines, NC 28387

The purpose of this letter is to request a time slot on your agenda to present a petition developed by the residents on and around Indiana Avenue. Enclosed is a copy of the original petition that was circulated and which purpose is to request the development of an ordinance to restrict vehicles of more than two axles from using our residential street as a shortcut from Hwy. 211 to Route 1 and from Route 1 to Hwy. 211.

At some point in the past, the Department of Transportation (DOT) erected signs at the intersection of May and Indiana, and at Indiana and Ft. Bragg Road that prohibits vehicles with more than two axles on Indiana Avenue. These signs are being ignored and the heavy truck traffic is increasing. Indiana Avenue narrows at Country Club Lane and it has curves that, in order to make the curve, require the long trucks to cross the center lane in at least one place. Residents on the side streets have problems getting onto Indiana.

In addition to large trucks, we have seen a large increase in regular traffic using the short cut as well. We understand and concur that that traffic should have the right to travel through the neighborhood. We are, however, quite concerned with the speed used along Indiana Avenue in both directions. As the petition states, there are schools, churches and families with children as well as bicyclists and runners. We have only seen a police patrol on two occasions in the past year.

Many of the residents who signed the petition also indicated they wanted to be able to attend the meeting where this will be discussed. Therefore, we are requesting a time slot that is at a reasonable hour so that all who may want to attend will be able to do so.

We understand the pandemic has been an issue with in-person meetings. That's why I am sending a copy of the petition now so that arrangements can be made by the Council to know the issues prior to any meeting.

Thank you for your consideration of this request. Please let us know if there is additional information needed.

Sincerely,



Oscar Gulley III



Doris Gulley

Oscar "Pete" and Doris Gulley

**PETITION TO THE TOWN OF SOUTHERN PINES**

**Currently, vehicles with more than two axles are ignoring the DOT signs (at both ends of Indiana Avenue) forbidding such vehicles from traveling our residential streets. Evidently, drivers of such vehicles have learned they can save approximately ten minutes using residential streets (as a 'short-cut' from Hwy. 211 to Route 1) rather than designated highways.**

**We, the residents of Indiana Avenue petition the town of Southern Pines to pass and enforce a town ordinance that effectively restricts vehicles of more than two axles to designated highways.**

**Indiana Avenue is a two-lane, residential street that was not built for heavy vehicles as evidenced by the recent infrastructure repair having to be completed on Indiana Avenue and the corner of Indiana and May. There are schools and churches and many families with children living on Indiana Avenue. Southern Pines has allowed bicyclists to utilize street traffic lanes. The large trucks pose a safety threat to such other traffic.**

**The DOT has been contacted but explained they were not an enforcement agency and could only do repairs caused by the trucks. Other towns have passed such ordinances and we are demanding action in the form of an ordinance be taken to eliminate this problem (REF. attached copy of sample ordinance Sec. 20-181 from Rocky Mount and photos of the infrastructure damage.) Additionally, we are asking that until such an ordinance be developed and instituted, that Southern Pines police force enforce the DOT ordinance as well as the speed of traffic along Indiana Avenue.**

<b><u>NAME</u></b>	<b><u>ADDRESS</u></b>	<b><u>SIGNATURE</u></b>
LAUREL HOLDEN	305 S. May St.	<i>Laurel Holden</i>
DORIS L. GULLEY	405 E. Indiana Ave	<i>Doris L. Gulley</i>
PETE GILLEY	" "	<i>Pete Gilley</i>
Marissa Best	415 E. Indiana Ave	<i>Marissa Best</i>
Todd A. Meope	475 E. Indiana Ave.	<i>T Meope</i>
Grady D. Moore	" " "	<i>G. Moore</i>

**PETITION TO THE TOWN OF SOUTHERN PINES**

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<u>NAME</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
JONATHAN S. CAGE	730 E. INDIANA AVE. Southern Pines, NC 28389	<i>Jonathan S. Cage</i>
JULIE M. CAGE	730 E. INDIANA AVE Southern Pines, NC 28389	<i>Julie M. Cage</i>
Kay Newman	535 E. Indiana Ave Southern Pines, NC	<i>Kay Newman</i>
RB Newman	335 E Indiana Ave Southern Pines, NC	<i>Robert B. Newman</i>
Bert & Brenda Hannell	670 E Indiana Ave So. Pines NC	<i>Bert &amp; Brenda Hannell</i>

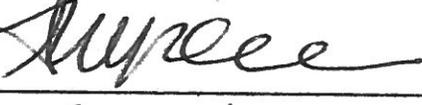


Petition to Restrict Vehicles of  
MORE THAN

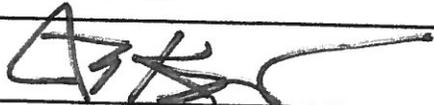
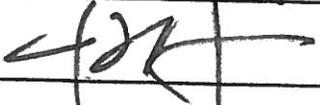
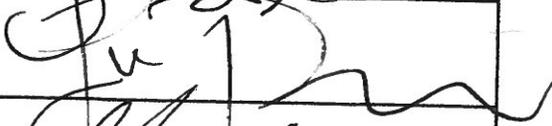
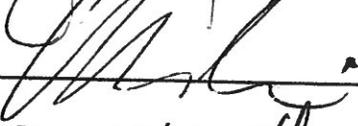
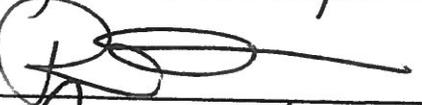
NAME	ADDRESS	SIGNATURE
Candace Wimbish	1275 E. Indiana Ave Southern Pines, NC	Candace Wimbish
PATRICK WIMBISH	1275 E Indiana Ave Southern Pines, NC	Patrick Wimbish
Amy Goff Tamez	360 E Indiana Southern Pines	Amy Goff Tamez
Keri's MATTHEWS	460 E. Indiana St	Keri Matthews
Sue Smithson	1745 E. Conn. Ave	Sue Smithson
Zuck Smithson	1745 E. Conn Ave	Zuck Smithson
EARL KEY	207 Tenten Tree So. Pines	Earl Key
Mary Helen Young	260 N. Bethesda <sup>(SP)</sup>	M H Young
Elizabeth Strickland	120 Riding Lane	Elizabeth Strickland
Ann Smith	145 CC Circle	Karen A. Smith
SANDRA PATTERON	160 C.C. CIRCLE	Sandra Patterson
Ray Owen	460 Country Club Dr.	Ray Owen
Donna Boyce	105 PennCard Lane	Donna M Boyce

Thank you

# Petition to Restrict Vehicles of more than two axels

NAME	ADDRESS	SIGNATURE
Capel Brandel	120 Highland Rd	
Hail Morissey	630 E Indiana	Hail Morissey
Stuart Fulghum	115 Halyon Drive	
Brittany Thomson	255 Pine Grove Rd	
KRIS Raider	255 Pine Grove R	
NATALIE PATRY	265 S BETHESDA RD	
ANDREW PAPPY	265 S BETHESDA RD	
Michelle Bailey	210 Maples Rd	
Justin Bailey	210 Maples Rd	
RICK + SARAH PANKER	1125 East Mass.	
THOMAS + Mary Sun	1111 E Mass, St	
Mary Altmeyer	160 Arbutus Rd	Mary Altmeyer
Nancy McNiff	905 E Indiana	Nancy McNiff
Mary Sullivan	880 E Mass	
Amyr. Haskell	860 E. Mass.	
Lydia Tiller	850 E. Mass.	Lydia Tiller

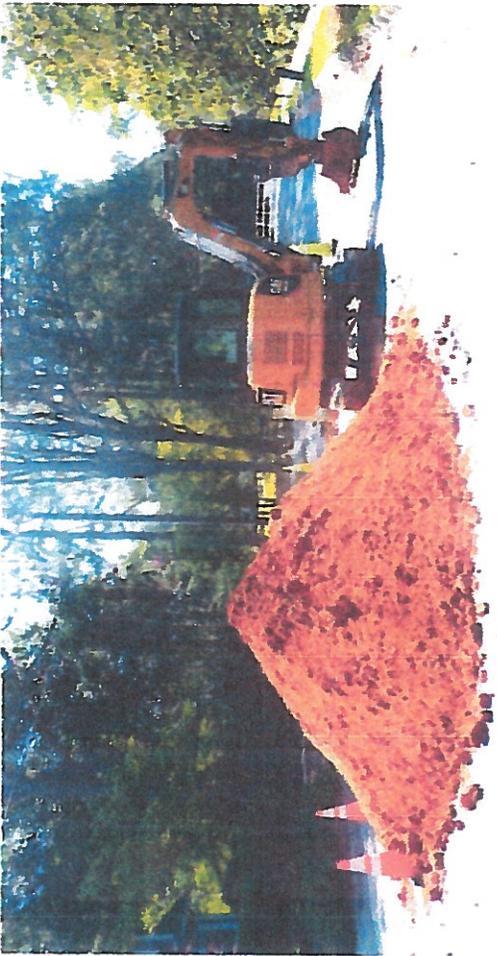
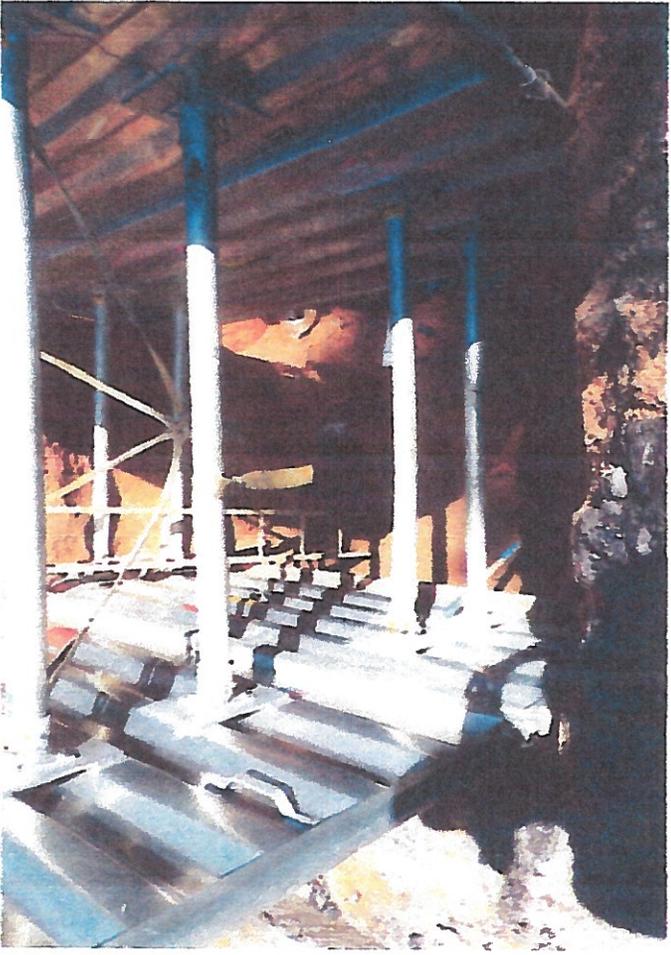
Petition to Restrict Vehicles <sup>of</sup>  
more than 2 axes

<u>NAME</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
Jeff Keury	465 E. INDIANA AVE	
Scott Harris	465 E INDIANA AVE	
Stephanie Watt	345 County Club Dr.	Stephanie R Watt
James Watt	345 CC Drive	James Watt
Ruska Kar	375 Country Club Dr	Ruska Kar
	375 Country Club Dr	
Jillian Robinson	325 Country Club	
Andrew Roberson	325 Country Club	
Juanita Mayette	510 EAST MASS AV	Jy Mayette
Ann g Mayette	510 EAST MASS AV	Ann g Mayette
Prudie Aricari	350 County Club Dr	Prudie Aricari
Terrence M. Connolly	275 Pine Grove Rd E Indiana	T. Connolly
Regan R Connolly	275 Pine Grove Rd	Regan R Connolly
Linda S Hayes	260 Pine Grove Rd	Linda S. Hayes
Betty O'Nahom	225 MAPLES Rd	
Crystal Hicks	1215 E. Indiana Ave	Crystal Hicks

Petition to the Town of Southern Pines

<u>NAME</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
Cathy Somakos	160 Arbutus Rd	Cathy Somakos
Mynde Nielsen	220 S Valley Rd	Mynde Nielsen
Maureen Clark	610 Old Field	Maureen Clark
Laura Walden	660 E. Mass <sup>Av</sup>	Laura Walden
Franklin Dabbs	660 E. Mass Ave	Franklin Dabbs
Gabrielle Studenmund	475 ORCHARD RD	Gabrielle Studenmund
Jennifer Spencer	175 Crosscut	Jennifer Spencer
Barry Spencer	175 Crosscut	Barry Spencer
Mark McGill	155 Hillside	Mark McGill
Jim	155 Hillside Rd.	Jim
Susan McNeill	165 Hillside Road	Susan McNeill
MERIDITH MARTENS	160 HILLSIDE RD	Meridith Martens
KAITLIN YOURONS	925 E INDIANA AVE	Kaitlin Yourons
Josephine Ellis	1290 E. INDIANA	Josephine Ellis
Olivia Hedfield	104 Canterbury Road	Olivia Hedfield
BARRY BENNETT	106 CANTERBURY RD	Barry Bennett





## Sec. 20-181. - Truck routes.

- (a) **Definitions.** The following definitions shall apply in the interpretation and enforcement of this section:
- (1) **Cargo** means any property transported by truck.
  - (2) **Direction sign** means the customary highway marker designating the highway route number or that a certain direction should be followed to reach a given destination.
  - (3) **Intersection of routes** means the point reached on a highway within the city at which a direction sign indicating that a turn should be made from one route to another is located.
  - (4) **Local truck** means any truck having three (3) or more axles which enters, leaves or operates within the city for the purpose of either collecting or discharging cargo or for the purpose of either collecting or discharging passengers within the city.
  - (5) **Local truck route** means those routes or streets established in subsection (d) and designated by signs as local truck routes.
  - (6) **Operator** means the person physically operating a truck, or a person therein and directing its operation.
  - (7) **Passenger** means any person transported by truck.
  - (8) **Special truck routes** means those routes or streets defined in subsection (e).
  - (9) **Through truck** means any truck having three (3) or more axles which passes through the city without stopping for the purpose of either collecting or discharging cargo or for the purpose of collecting or discharging passengers.
  - (10) **Through truck route** means those routes or streets established in subsection (b) and designated by signs as numbered state or federal routes.
  - (11) **Truck** means any motor vehicle used or designed to be used for the transportation of cargo or passengers including, but not limited to, the following: trucks; intercity buses; truck-drawn trailers, when the truck is designed primarily for use in towing a trailer. The following motor vehicles are excluded from this meaning: passenger automobiles; pickup trucks; vehicle-drawn trailers, when the vehicle drawing the trailer is not designed primarily for drawing a trailer; motorcycles; motor scooters; school buses; charter buses; and other nonscheduled buses.

- (b) *Through truck routes designated.* Through truck routes are established for the passage of through trucks over the streets and highways within the city designated as provided in section 20-76.
- (c) *Use of through truck routes.*
- (1) The operator of a through truck entering the city on any through truck route shall proceed exclusively on a through truck route until he leaves the city.
  - (2) The operator of a through truck entering the city by way of a route not a through truck route or local truck route shall, upon entering the city, proceed to the nearest through truck or local truck route, whichever is nearer. Upon reaching a local truck route, the operator of a through truck shall proceed along such route or routes to the nearest through truck route. Upon reaching the through truck route, the operator of a through truck shall proceed exclusively upon a through truck route until he leaves the city.
- (d) *Local truck routes designated.* Local trucks may travel over any street or highway within the area bounded by and including the following streets:
- (1) Grace Street from North Church Street to Raleigh Road;
  - (2) Grand Avenue from North Church Street to Atlantic Avenue;
  - (3) Atlantic Avenue from Grand Avenue to Raleigh Road;
  - (4) Raleigh Road from Grace Street to Atlantic Avenue;
- and upon other streets designated as provided in section 20-76 as local truck routes for the passage of local trucks over the streets and highways within the city.
- (e) *Use of special truck routes by local trucks.*
- (1) The operator of a local truck shall, upon leaving the origin of his trip, proceed by the shortest route to the nearest through truck route or local truck route except when the shortest route between the origin and the destination of a local truck is less than the distance between the origin and the nearest truck route.
  - (2) The operator of a local truck proceeding on a local truck route or a through truck route shall proceed exclusively on such route or routes until he reaches his destination or a point on that route from which he shall proceed by the shortest nonthrough truck route to his destination.
  - (3) The operator of a local truck entering the city on any route other than a through truck route or local truck route shall, upon entering the city, proceed by the shortest route to the nearest local truck route or through truck route and shall

proceed on such route until either the point of destination is reached or a point on that route nearest his destination is reached (which will yield the shortest nonthrough truck route to this destination). *Exception:* When the shortest route between the point of entry into the city and the destination of a local truck is less than the shortest route from the point of entry into the city to the nearest through truck route or local truck route, the operator of a local truck, upon entering the city, shall not be required to proceed to the nearest through truck route or local truck route before proceeding to his destination.

(Code 1967, § 19-94)

Charter reference— Authority to regulate, § 460(a).

Date: December 10, 2020

FROM: Board of Directors, Talamore Westside HOA

TO: Reagan Parsons, Town Manager, Town of Southern Pines; et al.

REQUEST: To lower the present speed limits on Talamore Drive and Highland View Drive from 35mph to 25mph

Recent precedent for changing speed limits

The Sandhills Sentinel reported on November 18, 2019 that “[s]peed limits [are] changing on some Southern Pines roads,” specifically ten streets in the Knollwood Heights community. These changes resulted in speed limits being reduced from 35mph to 25mph.

Attachment accompanying this email

We have attached a spreadsheet of speed limits on roads in the general vicinity of the Talamore HOA. It appears to us that the 35mph speed limits on Talamore Drive and Highland View Drive are anomalies. To elaborate with two examples:

Highland View Drive

Highland View Drive measures only 0.4 miles. In the first 0.1 mile after entering Highland View from Knoll Road, there are two golf cart crossings and two intersecting roads (McNish Road and Glen Devon Drive). Coming from the other direction and approaching the 0.1 mile just mentioned is a crest in the road with dangerous “limited sight distance” immediately beyond it of a golf cart crossing and an intersecting road (Glen Devon Drive). At the other end of Highland View Drive is an even more dangerous “limited sight distance” situation occasioned by a steep hill before Talamore Drive. Motorists turning from Talamore Drive onto Highland View Drive cannot see over that hill; there are a number of driveways right over the crest of that hill.

We would note that on Bennett Street (clearly neither a residential neighborhood nor near Talamore, we admit) as one approaches

Morganton Road there is a sign reducing the speed limit from 35mph to 25mph warning of “limited sight distance” as one drives up a hill.

#### Talamore Drive

Talamore Drive runs through a residential neighborhood from Midland Road to the Clubhouse and villas at the Talamore Golf Course. Talamore Drive is the only way to and from the golf course clubhouse; traffic flow can be significant at times. Talamore Drive runs downhill after Highland View Drive. From numerous resident observations, we believe the 35mph speed limit is regularly exceeded by the many visitors to the golf course. Additionally, the 36 new homes being built at the corner of Midland Road and Talamore Drive will have only one outlet: onto Talamore Drive.

We would note that Ridge Road has a 25mph speed limit. There is significant traffic going to and from Pine Needles Inn and Golf Club and the Carolinas Golf Association, the only two entities on this non-residential road.

Thank you for your consideration. Please address all correspondence on this issue to:

Tony Maramarco  
16 Glen Devon Drive  
Southern Pines, NC 28387

508-641-0824

Table 1

Speed Limit	Street	From	To	Length in Miles	Density *	Intersections	Notes
35	Knoll Rd.	Felton Capel Ln.	Midland Rd.	1.1			Double-lined
35	Midland Rd.	P'hurst Circle	Rte. 1 circle	~ 3.0			4-lane split hwy
35	Yadkin Rd.	May St.	Rte. 1 ramp	0.7			Multi-use area
35	Pee Dee Rd.	Midland Rd.	Rte. 22	0.9			Double-lined
25	Hunter Tr.	Knoll Rd.	Tall Timbers Dr.	0.5	92.0	3	
25	Lakewood Dr.	Tall Timbers Dr.	Tall Timbers Dr.	0.4	40.0	1	
25	Woodland Dr.	Tall Timbers Dr.	Tall Timbers Dr.	0.5	34.0	2	
25	Tall Timbers Dr.	Hunter Tr.	Knoll Rd.	0.6	47.0	4	
25	Steeplechase Way	Paddock Ln.	Knoll Rd.	0.75	64.0	1	
<b>35</b>	<b>Talamore Dr.</b>	<b>Midland Rd.</b>	<b>Clubhouse</b>	<b>0.5</b>	<b>42.0</b>	<b>3</b>	<b>+ 1 golf crossing</b>
<b>35</b>	<b>Highland View Dr.</b>	<b>Knoll Rd.</b>	<b>Talamore Dr.</b>	<b>0.4</b>	<b>52.5</b>	<b>2</b>	<b>+ 2 golf crossings</b>
					* homes per mile		





# Extended Speed Summary

## Talamore Dr/Highland View Dr, NB

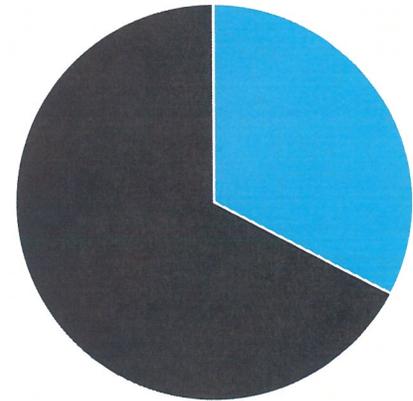
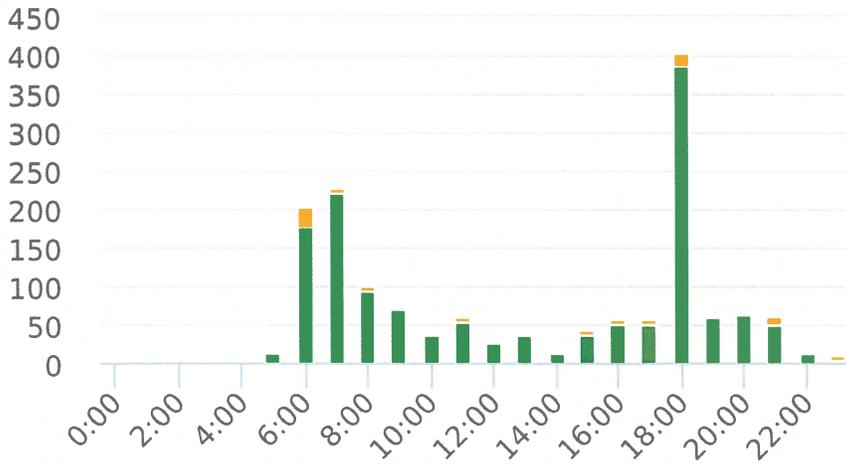
Start: 2020-10-23  
 End: 2020-10-30  
 Times: 0:00-23:59

Violation Threshold: Speed Limit + 10  
 Speed Range: 1 to 100

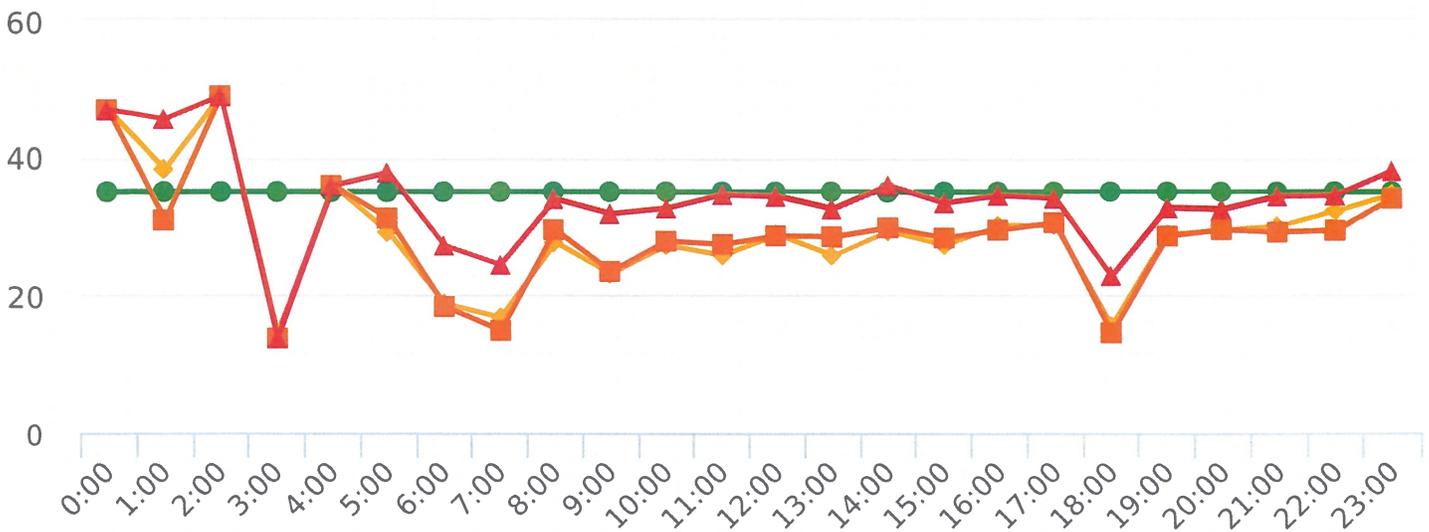
### Overall Summary

Total Days of Data: 7  
 Speed Limit: 35  
 Average Speed: 22.17  
 50th Percentile Speed: 21.84  
 85th Percentile Speed: 28.87  
 Pace Speed Range: 17-27

Minimum Speed: 5  
 Maximum Speed: 51  
 Display Mode: Display Off  
 Average Volume per Day: 229.4  
 Total Volume: 1606



**Violators**   **Inside Threshold**   **Compliant**   **Vehicles Slowed**   **Other**



**Speed Limit**   **Average Speed**   **50% Speed**   **85% Speed**



# Extended Speed Summary

## Talamore Dr/Highland View Dr, NB

Start: 2020-10-23

End: 2020-10-30

Times: 0:00-23:59

Violation Threshold: Speed Limit + 10

Speed Range: 1 to 100

Time	Sign Mode	Speed Limit	Total # Vehicles	Total # Violator	% Violator	Avg # Vehicles	Avg # Violators	Min Speed	Max Speed	Avg Speed	50% Speed	85% Speed	Sign Effectiveness
0:00	Display Off	35	2	2	100.0%	0.3	0.3	46	48	47.0	47.0	47.0	0.0%
1:00	Display Off	35	3	1	33.3%	0.4	0.1	25	47	38.3	31.0	45.7	0.0%
2:00	Display Off	35	1	1	100.0%	0.1	0.1	49	49	49.0	49.0	49.0	0.0%
3:00	Display Off	35	5	0	0.0%	0.7	0.0	6	25	14.6	13.8	13.8	100.0%
4:00	Display Off	35	2	0	0.0%	0.3	0.0	32	40	36.0	36.0	36.0	50.0%
5:00	Display Off	35	18	0	0.0%	3.0	0.0	5	44	29.2	31.3	37.9	0.0%
6:00	Display Off	35	207	2	1.0%	34.5	0.3	5	48	18.8	18.4	27.3	43.0%
7:00	Display Off	35	228	0	0.0%	38.0	0.0	5	42	16.8	14.9	24.5	41.2%
8:00	Display Off	35	101	0	0.0%	16.8	0.0	5	40	27.7	29.6	34.1	15.8%
9:00	Display Off	35	72	0	0.0%	12.0	0.0	5	38	23.2	23.5	31.9	21.2%
10:00	Display Off	35	37	0	0.0%	6.2	0.0	5	38	27.3	27.9	32.7	27.1%
11:00	Display Off	35	61	0	0.0%	10.2	0.0	5	40	25.8	27.5	34.7	16.6%
12:00	Display Off	35	30	0	0.0%	5.0	0.0	10	44	28.9	28.7	34.4	20.2%
13:00	Display Off	35	39	0	0.0%	6.5	0.0	5	38	25.8	28.6	32.6	15.4%
14:00	Display Off	35	17	0	0.0%	2.8	0.0	7	44	29.4	29.9	36.0	35.4%
15:00	Display Off	35	44	0	0.0%	7.3	0.0	6	40	27.3	28.4	33.5	6.9%
16:00	Display Off	35	58	0	0.0%	9.7	0.0	13	44	30.1	29.6	34.6	19.2%
17:00	Display Off	35	58	0	0.0%	9.7	0.0	7	42	30.3	30.6	34.2	24.1%
18:00	Display Off	35	405	0	0.0%	67.5	0.0	5	43	15.5	14.6	22.9	46.8%
19:00	Display Off	35	63	0	0.0%	10.5	0.0	17	45	28.9	28.7	32.7	28.4%
20:00	Display Off	35	68	1	1.5%	11.3	0.2	16	51	29.5	29.6	32.5	17.7%
21:00	Display Off	35	60	1	1.7%	10.0	0.2	5	48	30.0	29.2	34.5	16.8%
22:00	Display Off	35	16	0	0.0%	2.7	0.0	25	45	32.2	29.4	34.6	25.1%
23:00	Display Off	35	11	0	0.0%	1.8	0.0	23	41	34.6	34.1	38.1	36.6%
<b>Total Volumes/ Avg</b>			<b>1606</b>	<b>8</b>	<b>0.5%</b>	<b>267.5</b>	<b>1.2</b>	<b>5</b>	<b>51</b>	<b>29.0</b>	<b>28.8</b>	<b>34.0</b>	<b>25.3%</b>
<b>Total/Avg w/o Feedback</b>			<b>1606</b>	<b>8</b>	<b>0.5%</b>	<b>267.5</b>	<b>1.2</b>	<b>5</b>	<b>51</b>	<b>29.0</b>	<b>28.8</b>	<b>34.0</b>	<b>25.3%</b>
<b>Total/Avg w/ Feedback</b>			<b>0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0.0</b>	<b>n/a</b>	<b>n/a</b>	<b>n/a</b>	<b>n/a</b>	<b>n/a</b>	<b>n/a</b>



# Extended Speed Summary

Talamore Dr/Highland View Dr, NB

Start: 2020-10-14

End: 2020-10-30

Times: 0:00-23:59

Violation Threshold: Speed Limit + 10

Speed Range: 1 to 100

## Overall Summary

Total Days of Data: 16

Speed Limit: 35

Average Speed: 22.67

50th Percentile Speed: 22.64

85th Percentile Speed: 29.54

Pace Speed Range: 18-28

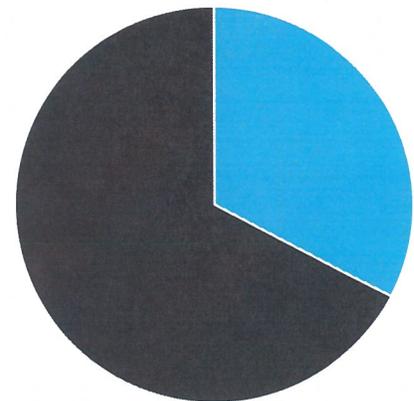
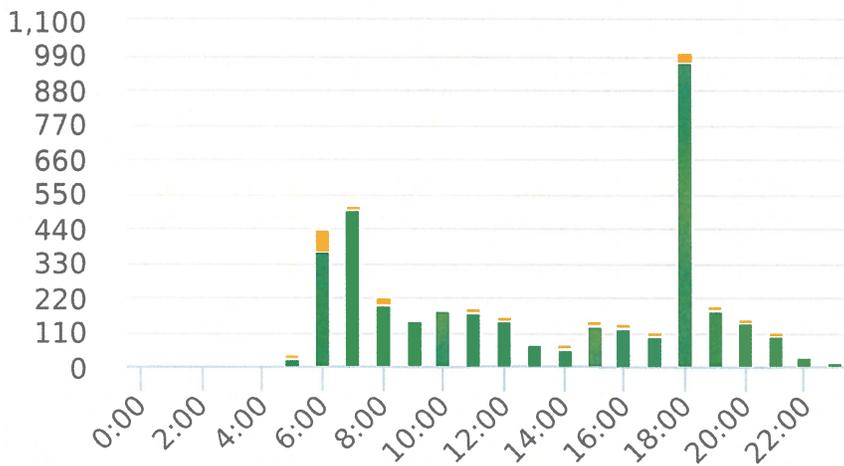
Minimum Speed: 5

Maximum Speed: 51

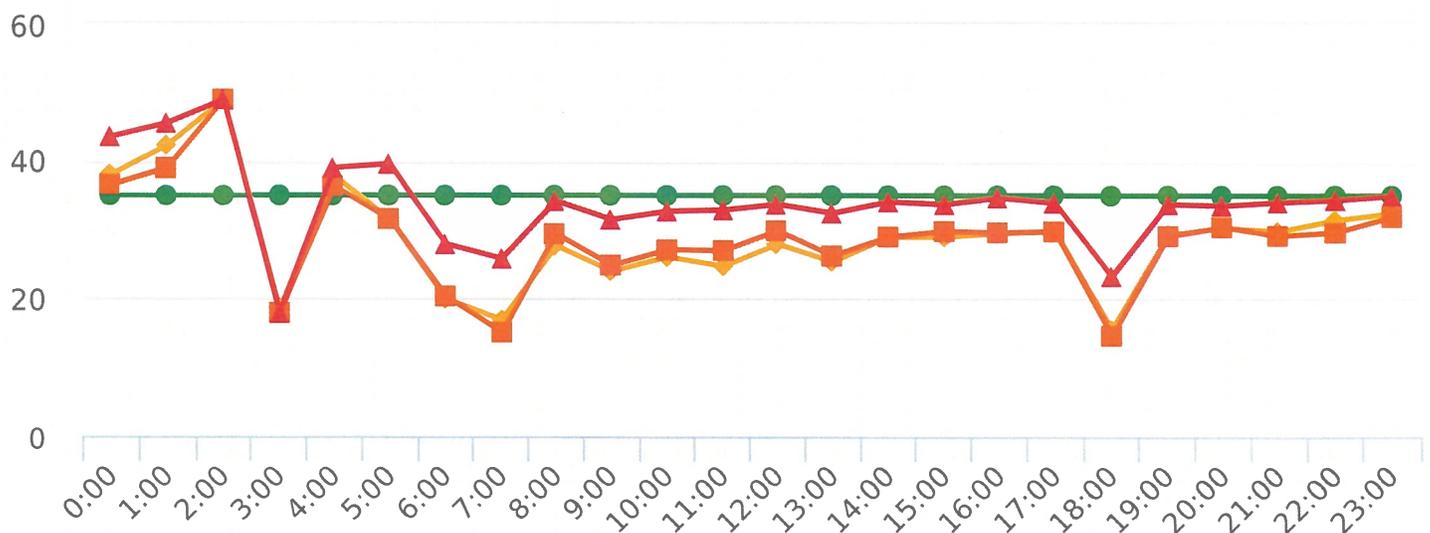
Display Mode: Display Off

Average Volume per Day: 252.3

Total Volume: 4036



■ **Violators**    
 ■ **Inside Threshold**    
 ■ **Compliant**    
 ■ **Vehicles Slowed**    
 ■ **Other**



● **Speed Limit**    
 ◆ **Average Speed**    
 ■ **50% Speed**    
 ▲ **85% Speed**



# Extended Speed Summary

## Talamore Dr/Highland View Dr, NB

Start: 2020-10-14

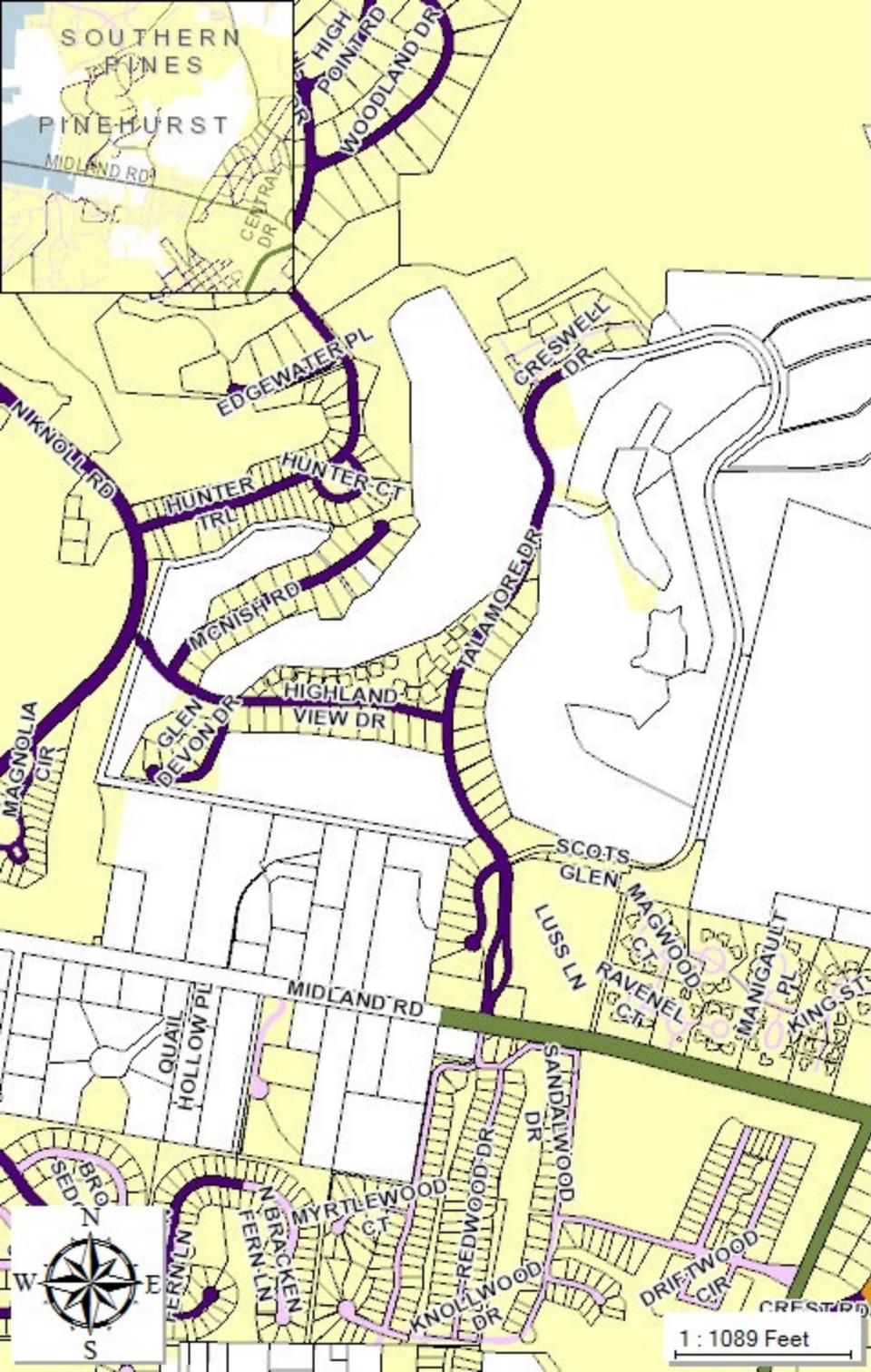
End: 2020-10-30

Times: 0:00-23:59

Violation Threshold: Speed Limit + 10

Speed Range: 1 to 100

Time	Sign Mode	Speed Limit	Total # Vehicles	Total # Violator	% Violator	Avg # Vehicles	Avg # Violators	Min Speed	Max Speed	Avg Speed	50% Speed	85% Speed	Sign Effectiveness
0:00	Display Off	35	6	3	50.0%	0.4	0.2	28	48	38.2	36.7	43.7	16.7%
1:00	Display Off	35	8	3	37.5%	0.5	0.2	25	48	42.4	39.1	45.6	37.5%
2:00	Display Off	35	1	1	100.0%	0.1	0.1	49	49	49.0	49.0	49.0	0.0%
3:00	Display Off	35	6	0	0.0%	0.4	0.0	6	39	18.7	18.0	18.0	83.3%
4:00	Display Off	35	8	0	0.0%	0.5	0.0	29	43	37.9	36.4	39.1	25.0%
5:00	Display Off	35	41	1	2.4%	2.7	0.1	5	46	31.6	31.7	39.7	4.9%
6:00	Display Off	35	444	4	0.9%	29.6	0.3	5	50	20.0	20.4	28.0	43.7%
7:00	Display Off	35	515	0	0.0%	34.3	0.0	5	43	17.0	15.2	25.9	40.8%
8:00	Display Off	35	217	0	0.0%	15.5	0.0	5	40	27.7	29.5	34.3	19.8%
9:00	Display Off	35	157	0	0.0%	11.2	0.0	5	38	24.0	24.9	31.6	21.1%
10:00	Display Off	35	189	0	0.0%	13.5	0.0	5	41	26.1	27.2	32.8	23.9%
11:00	Display Off	35	185	0	0.0%	13.2	0.0	5	40	24.8	27.1	33.0	25.5%
12:00	Display Off	35	164	0	0.0%	10.9	0.0	5	44	28.0	30.0	33.8	26.8%
13:00	Display Off	35	82	0	0.0%	5.5	0.0	5	41	25.4	26.3	32.5	17.2%
14:00	Display Off	35	70	0	0.0%	4.7	0.0	7	44	29.0	29.1	34.2	21.6%
15:00	Display Off	35	150	0	0.0%	10.0	0.0	6	40	29.0	29.9	33.8	15.4%
16:00	Display Off	35	140	0	0.0%	9.3	0.0	5	44	29.5	29.7	34.8	22.2%
17:00	Display Off	35	111	0	0.0%	7.4	0.0	6	42	29.8	29.8	34.0	25.2%
18:00	Display Off	35	1004	1	0.1%	66.9	0.1	5	49	15.5	14.7	23.3	46.5%
19:00	Display Off	35	199	2	1.0%	13.3	0.1	5	47	29.4	29.2	33.8	23.2%
20:00	Display Off	35	159	3	1.9%	10.6	0.2	16	51	30.4	30.5	33.6	18.9%
21:00	Display Off	35	116	1	0.9%	7.7	0.1	5	48	29.8	29.2	34.1	15.7%
22:00	Display Off	35	44	2	4.5%	2.9	0.1	9	49	31.4	29.7	34.4	25.1%
23:00	Display Off	35	20	0	0.0%	1.3	0.0	23	41	32.5	32.0	35.0	20.2%
<b>Total Volumes/ Avg</b>			<b>4036</b>	<b>21</b>	<b>0.5%</b>	<b>272.6</b>	<b>1.5</b>	<b>5</b>	<b>51</b>	<b>29.0</b>	<b>29.0</b>	<b>34.1</b>	<b>25.8%</b>
<b>Total/Avg w/o Feedback</b>			<b>4036</b>	<b>21</b>	<b>0.5%</b>	<b>272.6</b>	<b>1.5</b>	<b>5</b>	<b>51</b>	<b>29.0</b>	<b>29.0</b>	<b>34.1</b>	<b>25.8%</b>
<b>Total/Avg w/ Feedback</b>			<b>0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0.0</b>	<b>n/a</b>	<b>n/a</b>	<b>n/a</b>	<b>n/a</b>	<b>n/a</b>	<b>n/a</b>



SOUTHERN  
PINES  
PINEHURST

- Parcels
- Streets Labels
- City Limits
- Powell Bill
  - Paved Town Streets
  - Unpaved Town Streets
  - Private Streets
  - State System Streets

1 : 1089 Feet

## MEMORANDUM

**To:** Reagan Parsons, Town Manager, Town of Southern Pines  
**From:** Marcia Perritt, Associate Director, Development Finance Initiative  
**Date:** December 18, 2020  
**Re:** Proposal to provide Pre-Development Services to the Town of Southern Pines for the Morganton Road site

### UNC-Chapel Hill Development Finance Initiative

The UNC Chapel Hill School of Government (SOG) established the Development Finance Initiative (DFI) in 2011 to assist local governments and their partners in North Carolina and beyond with achieving their community economic development goals. DFI partners with communities to attract private investment for transformative projects by providing specialized finance and real estate development expertise.

### Request for Technical Assistance

The Town of Southern Pines requested a proposal for technical assistance in November 2020 to provide pre-development services. These services would focus on the Morganton Road site, a nearly 20-acre site located at the intersection of West Morganton Road and South Henley Street and adjacent to Armory Park. This collection of four Town-owned parcels was identified as a key opportunity site through DFI's prior engagement with the Town, a neighborhood revitalization strategy assessment, due to its strategic location as a gateway to the West Southern Pines neighborhood and proximity to U.S. Highway 1.

The Town of Southern Pines would like to explore several development scenarios for the Morganton Road site that maximize public interests, including retail, office, and/or residential uses. To that end, DFI is able to support the Town in evaluating the development feasibility and in attracting private investment to the Morganton Road site. DFI's pre-development services would build on analysis recently performed by DFI in its prior engagement with the Town, which culminated in the identification of opportunity sites and recommended next steps. Those recommended next steps, which included pre-development for the Morganton Road site, are the subject of this Scope of Services.

### Scope of Services

The following Scope of Services outlines the activities that DFI would conduct to support the Town of Southern Pines in attracting private investment to the Morganton Road site, herein referred to as the "Project".

1. Establish guiding public interests for the Project in collaboration with the Town and key stakeholders;
2. Conduct a site-specific market analysis to assess the demand for development, to include an evaluation of market feasibility and demand drivers for different uses for the Project including retail, residential, and/or office;
3. Support the Town in community engagement efforts to solicit public input related to community needs and priorities that could be addressed through the development of the Project;
4. Perform a site constraints analysis to determine what the site can actually support given current conditions and other limitations and to test fit potential development programs for the Project;
5. Conduct a financial feasibility analysis, preparing a financial model (i.e., development budget, operating cash flows, sources of capital, etc.) for the Project to determine financial feasibility for private partners and the scale of public investment, if necessary;
6. Advise the Town on additional site control for the Project, if necessary, to achieve public interests and market/financial feasibility;
7. Evaluate options for financing and structuring public participation in development or redevelopment, if necessary, including use of development finance tools (tax credits, district designations, etc.);
8. Propose a feasible private development program for the Project and request Town approval;
9. Prepare a solicitation for development partners and assist Town with developing criteria to inform the Town's selection of eventual partner(s);
10. Actively market and discuss the solicitation with qualified development partners (for-profit or non-profit) with the goal of receiving competitive proposals from qualified developers who are capable of accomplishing the Town's approved development program;
11. Support Town officials in development partner selection process by carrying out due diligence of potential partners, preparing investment summaries, and evaluating solicitation responses using Town's criteria;
12. Support the Town in negotiating deal points with the development partner selected to execute the approved development program pursuant to the solicitation. Deal points include development parameters for public-private partnerships and milestones, which are typically memorialized first in a non-binding memorandum before being finalized in a development agreement; and

13. Support the Town through the point that the above-referenced development partner closes on financing for the project, by regularly evaluating changes proposed by the development partner to pro forma financials and public participation options, in order to verify developer assumptions about revenues, development costs, operating expenses, and debt and equity structuring as market conditions evolve.

This Scope of Services does not include services that require a licensed broker or licensed attorney to perform. In addition, the scope does not include tasks associated with site planning expertise from architects or engineers, nor does it include site preparation expenses such as land survey, soil samples, and environmental testing (if such services are required, DFI will advise the Town to obtain such services from third parties).

**Deliverables**

Deliverables include presentations, summaries, and other documentation intended by DFI to be delivered to the Town regarding the Scope of Services.

**Timeline**

The timeline for completing Activities 1-8 is estimated to be 6 months from commencement.

DFI intends to help the Town attract private investment into the Project (Activities 9-13) as quickly as possible and in a way that maximizes overall value and serves the public interests.

**Fee**

The flat fee for the above Scope of Services is \$64,200, payable over two installments of \$32,100 each.

The flat fee accounts for efficiencies gained by DFI’s prior technical assistance provided to the Town of Southern Pines. If the Town does not choose to engage DFI for these services by June 2021, the fee quoted here will be revised higher.

The Town fee would cover only part of DFI’s cost of services, with the balance being “at risk,” to be paid as a fee from each successful project. DFI’s pre-development services will not only assist the Town in accomplishing its goals but will also benefit the ultimate private developer(s) by eliminating predevelopment work, risk and expense. In order to minimize the Town’s costs, we require the ultimate developer to pay for the value of that benefit in the customary way, as a portion of development costs. If the Town is successful in executing a Development Services Agreement with a private partner, DFI will receive

a Development Services Fee. This Development Services Fee paid by the Project would be 1% of total project costs.

This arrangement benefits the Town in several ways. It aligns DFI's interests with the Town in terms of finding developer(s) for the Project to attract private investment. It also ensures the Project itself pays for a significant share of the Town's costs associated with the pre-development work. And it gives the Town ongoing support from DFI throughout negotiations with the developer(s) and during the full life span of development of the Project (i.e. DFI has "skin in the game"). There is no guarantee that a developer will be identified, so the consequences for DFI are clear—DFI will get the bulk of its fee only if there are developer(s) for the Project who successfully execute agreement(s) with the Town.

### **Potential Add-On Service: West Southern Pines Strategy Consulting**

If the Town desires supplemental advisory services, DFI is able to provide an additional service to the Town of Southern Pines concurrently with the Pre-Development Scope of Services described above. Building on the recommendations that resulted from DFI's prior engagement with the Town, DFI is able to support Town staff in the execution of DFI's recommendations (outlined in DFI's presentation to Council on November 23, 2020) as it relates to the West Southern Pines neighborhood. To that end, a DFI Project Manager is able to commit 5 hours per week on average to the delivery of the Scope of Services below. That Project Manager would receive support from DFI leadership and Development Advisors. These services would be delivered virtually (by telephone or video conference).

#### Scope of Services

Advise Town of Southern Pines staff as its relates to the implementation of the following strategies for revitalization of the West Southern Pines neighborhood:

- Support Town staff in building the capacity of community leadership through the development of the West Southern Pines Task Force (or other neighborhood advisory group);
- Support Town community development staff as they proactively address community needs;
- Advise Town staff as they pursue redevelopment of highly distressed and prominent intersections within West Southern Pines utilizing prior analysis performed by DFI (no new deliverables or analysis to be performed); and
- Advise Town staff as they pursue redevelopment of the so-called "Lost City" utilizing prior analysis performed by DFI (no new deliverables or analysis to be performed).

### Timeline & Fee

The timeline for the above scope of services is six (6) months and the flat fee is \$15,000, payable upon commencement. This flat fee accounts for efficiencies gained by DFI conducting Morganton Road Pre-Development Scope of Services concurrently (described on pages 2-3 of this proposal). If the Town does not simultaneously engage DFI for Morganton Road, the fee quoted here will be revised higher.